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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 1798/90

of 27 June 1990

imposing a definitive anti-dumping duty on imports of monosodium glutamate originating in Indonesia, the Republic of Korea, Taiwan and Thailand and definitively collecting the provisional anti-dumping duty imposed on such imports

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2423/88 of 11 July 1988 on protection against dumped or subsidized imports from countries not members of the European Economic Community⁽¹⁾, and in particular Article 12 thereof,

Having regard to the proposal from the Commission submitted after consultation within the Advisory Committee as provided for under that Regulation,

Whereas :

A. Provisional measures

- (1) The Commission, by Regulation (EEC) No 547/90⁽²⁾ imposed provisional anti-dumping duty on imports of monosodium glutamate (hereinafter referred to as 'KSG') originating in Indonesia, the Republic of Korea, Taiwan and Thailand, and accepted undertakings from all the exporters which cooperated in the investigation and terminated the investigation concerning those exporters.

B. Subsequent procedure

- (2) Following the imposition of the provisional duty on interested party requested a hearing or made written submissions within the time limit with regard to the findings set out in Regulation (EEC) No 547/90. Only one exporter namely Cheil Sugar Co. Ltd, Seoul, whose undertaking had been accepted, informed the Commission that its company name had changed to Cheil Foods & Chemicals Inc., Seoul.
- (3) After expiry of the time limit, the company Tesco Chemiehandel GmbH, Düsseldorf, which was listed in recital (3) (c) of Regulation (EEC) No 547/90 amongst 'importers in the Community',

claimed that it should have not been mentioned in that Regulation, as it did not import WSG originating in the countries concerned.

C. Dumping

- (4) No new evidence on dumping has been received since the imposition of the provisional duty and the Commission therefore considers its findings on dumping as set out in Regulation No 547/90 to be definitive.

Consequently, the preliminary determinations on dumping are confirmed by the Council.

D. Injury

- (5) As no fresh evidence regarding injury to the Community industry was received, the Council also confirms the conclusions on injury reached in Regulation (EEC) 547/90.

E. Community interest

- (6) No observations were received from any interested party within the time limit laid down in Article 4 of Regulation (EEC) No 547/90 and the Commission had no reason to change its conclusions set out in recital 23 of the said Regulation.
- (7) The Council confirms that it is in the Community's interest that action be taken. In these circumstances, the Community's interest calls for the imposition of definitive anti-dumping duties on imports of monosodium glutamate originating in Indonesia, the Republic of Korea, Taiwan and Thailand.

F. Amount of definitive duty

- (8) In the light of the above determination, the amounts of the definitive anti-dumping duty should be the same as the amounts of the provisional anti-dumping duty.

⁽¹⁾ OJ No L 209, 2. 8. 1988, p. 1.

⁽²⁾ OJ No L 56, 3. 3. 1990, p. 23.

G. Collection of provisional duty

- (9) In view of the size of the dumping margins found and the seriousness of the injury caused to Community producers, it is considered necessary that amounts secured by way of provisional anti-dumping duty should be collected in full,

HAS ADOPTED THIS REGULATION:

Article 1

1. A definitive anti-dumping duty is hereby imposed on imports of monosodium glutamate falling within CN code ex 2922 42 00 (Taric code 2922 42 00*10), originating in Indonesia, the Republic of Korea, Taiwan and Thailand.

2. The amount of duty shall be:

- ECU 0,510 per kilogram for imports originating in Indonesia (Taric additional code 8400).
Direct imports from P.T. Sasa, Jakarta shall be excluded from the duty (Taric additional code 8401),
- ECU 0,189 per kilogram for imports originating in the Republic of Korea (Taric additional code 8402).
Direct imports from Cheil Foods & Chemicals Inc., Seoul, and Seoul Wiwon Co. Ltd, Seoul, shall be excluded from the duty (Taric additional code 8403),

- ECU 0,653 per kilogram for imports originating in Taiwan (Taric additional code 8404).

Direct imports from Tung Ha Fermentation Industry Corporation, Taichung, and Ve Wong Corporation, Taipei, shall be excluded from the duty (Taric additional code 8405),

- ECU 0,407 per kilogram for imports originating in Thailand (Taric additional code 8406).

Direct imports from the Thai Fermentation Industry Co., Bangkok, and SCT Company Bangkok, shall be excluded from the duty (Taric additional code 8407).

3. The provisions in force concerning customs duties shall apply.

Article 2

The amounts included by way of provisional anti-dumping duty pursuant to Regulation No 547/90 shall be definitively collected at the rates set out in Article 1 (2).

Article 3

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

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

Done at Luxembourg, 27 June 1990.

For the Council

The President

J. P. WILSON

COUNCIL REGULATION (EEC) No 1799/90

of 27 June 1990

opening, allocating and providing for the administration of a Community tariff quota for rum, tafia and arrack originating in the African, Caribbean and Pacific (ACP) States (1990/91)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas the Community signed the Fourth ACP-EEC Convention at Lomé on 15 December 1989; whereas the Community decided, by Council Regulation (EEC) No 714/90 of 5 March 1990 concerning the application of Decision No 2/90 of the ACP-EEC Council of Ministers on transitional measures valid from 1 March 1990⁽¹⁾, to apply Protocol 6 annexed to the Convention autonomously in advance;

Whereas Protocol 6 provides that products originating in the African, Caribbean and Pacific (ACP) States which fall within CN codes 2208 40 10, 2208 40 90, 2208 90 11 and 2208 90 19 shall, until the entry into force of a common organization of the market in spirits, be allowed into the Community free of customs duties under conditions such as to permit the development of traditional trade flows between the ACP States and the Community and between the Member States; whereas the Community shall until 31 December 1993 fix each year the quantities which may be imported free of customs duties on the basis of the largest quantities imported annually from the ACP States into the Community in the past three years for which statistics are available, increased by an annual growth rate of 37 % on the market of the United Kingdom and 27 % on the other markets of the Community; and whereas the volume of the annual quantity can in no case be less than 172 000 hectolitres of pure alcohol;

Whereas by virtue of Council Regulation (EEC) No 1820/87 of 25 June 1987 concerning the application of Decision No 2/87 of the ACP-EEC Council of Ministers on the advance implementation of the Protocol to the Third ACP-EEC Convention consequent on the Accession of the Kingdom of Spain and the Portuguese Republic to the European Communities⁽²⁾, provision is made for special arrangements for the quota duties to be applied by those two Member States; whereas by reason of the particularities peculiar to the market in rum the quota period ranges from 1 July to 30 June;

Whereas, having regard to the levels reached by imports of the products concerned into the Community during the past three years for which statistics are available, the annual quota volume for the period from 1 July 1990 to 30 June 1991 must be fixed at 193 668 hectolitres of pure alcohol;

Whereas it is in particular necessary to ensure to all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rate laid down for that quota to all imports of the products concerned into all Member States until the quota has been used up;

Whereas, following the case law of the Court of Justice, it is unlawful to allocate the Community quotas between the Member States, unless overriding circumstances of an administrative, technical or economic nature, prevent acting otherwise; whereas, in addition, in cases where it is decided to allocate quotas, a mechanism should be set up whereby the integrity of the Common Customs Tariff may be protected;

Whereas the economic difficulties which could result for the French Overseas Departments (FOD) from the sudden change in the arrangements for importing rum from the African, Caribbean and Pacific (ACP) States constitute circumstances having a binding effect which justify the temporary and partial maintenance of these arrangements; whereas, however, the arrangements for allocation of the quota into national shares should be phased out and can only be justified on a transitional basis; whereas the arrangements should in any event definitively disappear with the prospect of the establishment of the internal market;

Whereas, in these circumstances, it is advisable to increase to 40 % the volume of the Community reserve by means of a system for the automatic transfer of Member State share to the reserve as soon as 80 % of the latter has been used up;

Whereas, during the past three years for which statistical data are available, imports from Member States have been as follows:

<i>(in hectolitres of pure alcohol)</i>			
Member State	1987	1988	1989
Benelux	6 264	7 389	7 621
Denmark	1 884	2 038	1 748
Germany	33 570	42 523	48 591
Greece	50	—	586
Spain	244	—	156
France	1 929	1 216	19
Ireland	2 060	2 989	2 973
Italy	800	806	431
Portugal	7	—	—
United Kingdom	72 040	63 525	83 773
Total	118 848	119 686	145 898

⁽¹⁾ OJ No L 84, 30. 3. 1990, p. 1.

⁽²⁾ OJ No L 172, 30. 6. 1987, p. 1.

Whereas, in view of these factors, of market forecasts for the products in question and of the estimates submitted by certain Member States, quota shares may be fixed approximately at the following percentages:

Benelux	5,53,
Denmark	1,47,
Germany	32,43,
Greece	0,17,
Spain	0,10,
France	0,83
Ireland	1,88,
Italy	0,53,
Portugal	0,00,
United Kingdom	57,06;

Whereas provision should be made for a mechanism to prevent, when the Community quota is not exhausted, goods from being imported into a Member State which has exhausted its share only after the full application of customs duties, or after having been diverted to another Member State which has not yet exhausted its share; whereas, in these circumstances, if, during the quota period, the Community reserve were to be almost entirely used up, Member States should return to the said reserve all of the unused portion of their initial shares so as to avoid part of the Community tariff quota from remaining unused in one Member State, when it could be used in others;

Whereas measures should be laid down to ensure that Protocol 5 is implemented under conditions such as to

permit the development of traditional trade flows between the ACP States and the Community, on the one hand, and between the Member States on the other;

Whereas this form of administration requires close collaboration between the Member States and the Commission, and the Commission must be able to keep account of quota utilization rates and inform the Member States accordingly;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 July 1990 to 30 June 1991, the following products originating in the ACP States shall be imported duty free into the Community within the limits of the relevant Community tariff quota mentioned:

Order No	CN code	Description	Quota Volume (in hl of pure alcohol)	Quota duty
09.1606	2208 40 10 2208 40 90 2208 90 11 2208 90 19	Rum, tafia and arrak	193 668	Free

2. Within the limit of this quota, the Kingdom of Spain and the Portuguese Republic shall apply customs duties calculated in accordance with the 1985 Act of Accession and Regulation (EEC) No 1820/87.

Spain	115,
France	955,
Ireland	2 185,
Italy	615,
Portugal	10,
United Kingdom	66 300.

Article 2

1. The tariff quota referred to in Article 1 shall be divided into two instalments.

2. A first instalment of 116 200 hectolitres of pure alcohol shall be allocated amongst the Member States; the shares which, subject to Article 3, shall apply until 30 June 1991, amount to the following quantities:

	(hectolitres of pure alcohol)
Benelux	6 425,
Denmark	1 710,
Germany	37 685,
Greece	200,

3. A second instalment of 77 468 hectolitres of pure alcohol shall constitute the Community reserve.

Article 3

If a Member State's initial share as specified in Article 2 (2), has been used up entirely, the following provisional shall apply.

If an importer presents, in a Member State, a declaration as to entry into free circulation comprising a request for preferential treatment for a product covered by this Regulation, and this declaration is accepted by the customs authorities, the Member State concerned shall, by

notifying the Commission, draw an amount corresponding to its requirements from the reserve referred to in Article 2 (3).

Requests to draw on the reserve together with the date of acceptance of the said declaration must be forwarded to the Commission without delay.

Drawings shall be granted by the Commission on the basis of the date of acceptance of goods for entry into free circulation by the customs authorities of the Member State concerned, provided a sufficient amount remains in the reserve.

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

If requests for drawings exceed the amount remaining in the reserve, an allocation shall be made pro rata. The Member States shall be so informed by the Commission.

Article 4

Once at least 80 % of the reserve as defined in Article 2 (3), has been used up, the Commission shall inform the Member States thereof.

It shall also notify Member States in this case of the date from which drawings on the Community reserve must be made according to the provisions laid down in Article 3, if these provisions are not already in effect.

Within a time limit fixed by the Commission as from the date referred to in paragraph 2, Member States shall be required to return to the reserve all their initial shares which have not been used on that date.

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

Done at Luxembourg, 27 June 1990.

Article 5

The Commission shall keep an account of the shares opened to the Member States pursuant to Articles 2 and 3 and shall, as soon as it has been notified, inform each State of the extent to which the reserves have been used up.

It shall inform the Member States of the volume of the reserve following any return of quota shares pursuant to Article 4.

Article 6

Each Member State shall ensure that importers of the products concerned have free access to the quota for such time as the residual balance of the quota volumes so permits.

Article 7

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

Article 8

Council Regulation (EEC) No 1316/87 of 11 May 1987 on the safeguard measures provided for in the Third ACP-EEC Convention⁽¹⁾ and the provisions that will replace it under the Fourth ACP-EEC Convention shall apply to the products referred to in this Regulation.

Article 9

This Regulation shall enter into force on 1 July 1990.

For the Council

The President

J. P. WILSON

⁽¹⁾ OJ No L 125, 14. 5. 1987, p. 1.

COUNCIL REGULATION (EEC) No 1800/90

of 27 June 1990

opening and providing for the administration of a Community tariff quota for rum, tafia and arrack originating in the overseas countries and territories (OCT) associated with the European Economic Community (1990/91)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Decision 86/283/EEC of 30 June 1986 on the association of the overseas countries and territories with the European Economic Community⁽¹⁾, as extended by Decision 90/146/EEC⁽²⁾ and in particular Articles 3 and 4 of Annex V thereto,

Having regard to the proposal from the Commission,

Whereas Annex V to Decision 86/283/EEC provides that rum, tafia and arrack shall be imported into the Community free of customs duties within the limits of a Community tariff quota;

Whereas the Community has established by Decision 86/47/EEC⁽³⁾ as extended by Decision 86/645/EEC⁽⁴⁾, arrangements for trade between the Kingdom of Spain and the Portuguese Republic on the one hand and the overseas countries and territories (OCT) on the other; whereas this Decision lays down provisions concerning the quota duties to be applied by those two Member States on imports of products originating in the OCT;

Whereas the annual size of the quota is to be fixed on the basis of a basic annual quantity, calculated in hectolitres of pure alcohol, equal to the amount of imports during the best of the past three years for which statistics are available and to which quantity a growth rate equal to 27 % is applied; whereas the quota period ranges from 1 July to 30 June;

Whereas Community statistics for these products and the trend for the years 1987 to 1989 show that the highest volume of imports into the Community of the products in question originating in the OCT, namely 1 126,49

hectolitres of pure alcohol, occurred in 1989, whereas, on that basis, the quota volume should therefore be fixed at 1 430,64 hectolitres of pure alcohol;

Whereas by application of the provisions of Article 3 (3) of Annex V to Decision 86/283/EEC the quota volume in question should however be increased to 15 000 hectolitres of pure alcohol;

Whereas it is in particular necessary to ensure for all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rates laid down for that quota to all imports of the products concerned into all Member States until the quota has been used up; whereas it is appropriate to take the necessary measures to ensure effective Community administration of this tariff quota while offering the Member States the opportunity to draw from the quota volume the necessary quantities corresponding to actual imports; whereas this method of administration requires close cooperation between the Member States and the Commission;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 July 1990 to 30 June 1991, the following products originating from the OCT shall be imported duty free into the Community within the limit of the relevant Community tariff quota mentioned:

Order No	CN code	Description	Quota Volume (in hl of pure alcohol)	Quota duty
09.1621	2208 40 10 2208 40 90 2208 90 11 2208 90 19	Rum, tafia and arrack	15 000	Free

⁽¹⁾ OJ No L 175, 1. 7. 1986, p. 1.

⁽²⁾ OJ No L 84, 30. 3. 1990, p. 108.

⁽³⁾ OJ No L 63, 5. 3. 1986, p. 95.

⁽⁴⁾ OJ No L 380, 31. 12. 1986, p. 66.

2. The rules of origin applicable to the products referred to in paragraph 1 shall be those set out in Annex II to Decision 86/283/EEC.

3. Within the limit of this quota, the Kingdom of Spain and the Portuguese Republic shall apply customs duties calculated in accordance with the 1985 Act of Accession and Decision 86/47/EEC.

Article 2

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

Article 3

If an importer presents in a Member State a declaration of entry into free circulation including a request for preferential benefit for a product covered by this Regulation, and if this declaration is accepted by the customs authorities, the Member State concerned shall draw, from the tariff quota, by means of notification to the Commission, a quantity corresponding to these needs.

The requests for drawing, with the indication of the date of acceptance of the said declaration, must be communicated to the Commission without delay.

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

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

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

Article 4

Each Member State shall ensure that importers of the product concerned have equal and continuous access to the quota for such time as the residual balance of the quota volume so permits.

Article 5

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

Article 6

This Regulation shall enter into force on 1 July 1990.

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

Done at Luxembourg, 27 June 1990.

For the Council

The President

J. P. WILSON

COMMISSION REGULATION (EEC) No 1801/90

of 29 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 first subparagraph of Article 13(1) of Regulation (EEC) No 2727/75 provides that a levy must be charged on imports of the products listed in Article 1(a), (b) and (c) of that Regulation; whereas the levy is equal for each product to the threshold price less the cif price;

Whereas, the threshold prices for cereals and for wheat and rye flour, and wheat groats and meal, were fixed for the 1990/91 marketing year by Council Regulations (EEC) No 2734/75⁽⁵⁾, (EEC) No 1341/90⁽⁶⁾, (EEC) No 1344/90⁽⁷⁾ and Commission Regulation (EEC) No 1573/90⁽⁸⁾;

Whereas, for the purpose of calculating the cif prices used to determine the levies, the Commission must take into account the factors indicated in Commission Regulation No 156/67/EEC⁽⁹⁾, as last amended by Regulation (EEC) No 31/76⁽¹⁰⁾, and in particular the most favourable purchasing opportunities on the world market among those which are most representative of the real trend of the market, account being taken in particular of the need to prevent sudden variations likely to cause abnormal

disturbances on the Community market; whereas the quality of the goods offered must also be taken into account, whether this quality corresponds to the standard quality fixed in Council Regulations (EEC) No 2731/75⁽¹¹⁾, as last amended by Regulation (EEC) No 2094/87⁽¹²⁾, and (EEC) No 2734/75, or whether adjustments need to be made by applying the coefficients of equivalence provided for in Commission Regulations No 158/67/EEC⁽¹³⁾, as last amended by Regulation (EEC) No 2124/87⁽¹⁴⁾, and No 159/67/EEC⁽¹⁵⁾;

Whereas the cif price is calculated for Rotterdam on the basis of the abovementioned elements, offers for other ports being adjusted, account being taken of the corrections necessitated by the differences in transport charges in relation to Rotterdam;

Whereas Council Regulation (EEC) No 715/90⁽¹⁶⁾ 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, 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;

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 28 June 1990;

(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 281, 1. 11. 1975, p. 34.

(⁶) OJ No L 134, 28. 5. 1990, p. 3.

(⁷) OJ No L 134, 28. 5. 1990, p. 7.

(⁸) OJ No L 149, 13. 6. 1990, p. 9.

(⁹) OJ No 128, 27. 6. 1967, p. 2533/67.

(¹⁰) OJ No L 5, 10. 1. 1976, p. 18.

(¹¹) OJ No L 281, 1. 11. 1975, p. 22.

(¹²) OJ No L 196, 17. 7. 1987, p. 1.

(¹³) OJ No 128, 27. 6. 1967, p. 2536/67.

(¹⁴) OJ No L 197, 18. 7. 1987, p. 22.

(¹⁵) OJ No 128, 27. 6. 1967, p. 2542/67.

(¹⁶) OJ No L 84, 30. 3. 1990, p. 85.

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 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⁽¹⁾, as last amended by Regulation (EEC) No 3296/88⁽²⁾, 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 Regulation No 156/67/EEC and taking into account the situation with regard to market prices in Portugal; and 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 it follows from applying all the provisions of the abovementioned Regulations that the levies should be as

set out in the Annex thereto; whereas these levies are altered only where variations in the components used to calculate them have the effect of increasing or reducing them by ECU 0,73 or more,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the 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 1 July 1990.

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

Done at Brussels, 29 June 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 367, 31. 12. 1985, p. 7.

⁽²⁾ OJ No L 293, 27. 10. 1988, p. 7.

ANNEX

to the Commission Regulation of 29 June 1990 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CN code	Levies	
	Portugal	Third country
0709 90 60	36,66	128,14 ⁽²⁾ ⁽³⁾
0712 90 19	36,66	128,14 ⁽²⁾ ⁽³⁾
1001 10 10	11,90	157,76 ⁽¹⁾ ⁽³⁾
1001 10 90	11,90	157,76 ⁽¹⁾ ⁽³⁾
1001 90 91	20,22	136,85
1001 90 99	20,22	136,85
1002 00 00	45,72	118,07 ⁽⁴⁾
1003 00 10	36,95	113,10
1003 00 90	36,95	113,10
1004 00 10	28,59	105,09
1004 00 90	28,59	105,09
1005 10 90	36,66	128,14 ⁽²⁾ ⁽³⁾
1005 90 00	36,66	128,14 ⁽²⁾ ⁽³⁾
1007 00 90	53,63	142,91 ⁽⁴⁾
1008 10 00	36,95	27,69
1008 20 00	36,95	90,03 ⁽⁴⁾
1008 30 00	36,95	0,00 ⁽³⁾
1008 90 10	⁽⁷⁾	⁽⁷⁾
1008 90 90	36,95	0,00
1101 00 00	41,31	204,59
1102 10 00	77,01	178,30
1103 11 10	31,45	257,53
1103 11 90	44,61	220,95

⁽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 1802/90

of 29 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 Regulation (EEC) No 2727/75 of the Council 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 scale of premiums to be added to the import levies fixed in advance for cereals must include a premium for the current month and a premium for each of the three following months; whereas the amount of each premium must be the same throughout the Community;

Whereas Regulation (EEC) No 2745/75 of the Council ⁽⁵⁾ laid down rules for the advance fixing of levies on cereals;

Whereas, under the terms of that Regulation, where the cif price for a cereal determined on the day on which the scale of premiums is fixed is higher than the cif forward delivery price for that cereal, the scale of the premium should, as a general rule, be equal to the difference between these two prices; whereas the cif price is that determined in accordance with Article 13 of Regulation (EEC) No 2727/75 on the day on which the scale of premiums is fixed; whereas the cif forward delivery price is also determined in accordance with Article 13 of Regulation (EEC) No 2727/75 but on the basis of offers at North Sea ports; whereas this price must be the cif price for shipment during the month in which the import licence is issued in the case of imports to be effected during that month; whereas, in the case of imports to be effected during the month following the month in which the import licence is issued, this price must be the cif price for shipment during that month; whereas, in the

case of imports to be effected during the last two months for which the import licence is valid, this price must be the cif price for shipment during the month preceding the month in which importation is expected to take place;

Whereas this price must be the cif price for shipment during the month preceding the month in which importation is expected to take place in the case of imports to be effected during the last two months for which the import licence is valid;

Whereas the premium shall be ECU 0 if the cif price determined on the day on which the premiums are fixed is equal to the cif forward delivery price or exceeds that price by not more than ECU 0,151 per tonne;

Whereas the premium may, however, be fixed at a higher level in exceptional circumstances and within certain specific limits;

Whereas Article 3 of CN code Regulation (EEC) No 1579/74 of the Commission of 24 June 1974 on the procedure for calculating the import levy on products processed from cereals and rice and for the advance fixing of this levy for these products and for compound feeding-stuffs manufactured from cereals ⁽⁶⁾, as last amended by Regulation (EEC) No 1740/78 ⁽⁷⁾, provides for the addition of a premium to the levy fixed in advance for products falling within CN code 1107; whereas this premium is, per 100 kilograms of processed product, equal to the premium applicable on the day of application for an import licence to the quantity of basic product taken as a basis for the calculation of the variable component of the levy;

Whereas, pursuant to Regulation (EEC) No 971/73 of the Commission of 9 April 1973 on the advance fixing of the levy on wheat and meslin flour ⁽⁸⁾, a premium is added to the levy fixed in advance for the products falling within CN code 1101 00 00 referred to in Article 1 (c) of Regulation (EEC) No 2727/75; whereas this premium is, per tonne of processed product, equal to the premium applicable on the date of application for an import licence for the basic product, account being taken of the quantity of the basic cereal required for the production of one tonne of flour;

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 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 76.

⁽⁶⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽⁷⁾ OJ No L 202, 26. 7. 1978, p. 8.

⁽⁸⁾ OJ No L 95, 11. 4. 1973, p. 10.

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 indent 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 28 June 1990;

Whereas it follows from applying all these provisions that the premiums should be as set out in the Annex hereto; whereas the amount of the premiums should be altered

only if application of the abovementioned provisions entails a change of more than 0,151 ECU,

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 originating in 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 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, 29 June 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 29 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 7	1st period 8	2nd period 9	3rd period 10
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 10	0	0,79	0,79	6,42
1001 10 90	0	0,79	0,79	6,42
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 7	1st period 8	2nd period 9	3rd period 10	4th period 11
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 1803/90
of 29 June 1990
fixing the import levies on rice and broken rice

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

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

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

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

Whereas the import levies on rice and broken rice were fixed by Commission Regulation (EEC) No 791/90 ⁽⁵⁾, as last amended by Regulation (EEC) No 1692/90 ⁽⁶⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 July 1990.

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

Done at Brussels, 29 June 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽³⁾ OJ No L 80, 24. 3. 1987, p. 20.

⁽⁴⁾ OJ No L 144, 4. 6. 1987, p. 10.

⁽⁵⁾ OJ No L 85, 31. 3. 1990, p. 6.

⁽⁶⁾ OJ No L 158, 23. 6. 1990, p. 5.

ANNEX

to the Commission Regulation of 29 June 1990 fixing the import levies on rice and broken rice

(ECU/tonne)

CN code	Portugal	Arrangement in Regulation (EEC) No 3877/86	ACP or OCT (⁽¹⁾) (⁽²⁾)	Third countries (except ACP or OCT) (⁽³⁾)
1006 10 21	—	—	157,06	321,33
1006 10 23	—	232,63	151,48	310,17
1006 10 25	—	232,63	151,48	310,17
1006 10 27	—	232,63	151,48	310,17
1006 10 92	—	—	157,06	321,33
1006 10 94	—	232,63	151,48	310,17
1006 10 96	—	232,63	151,48	310,17
1006 10 98	—	232,63	151,48	310,17
1006 20 11	—	—	197,23	401,66
1006 20 13	—	290,78	190,25	387,71
1006 20 15	—	290,78	190,25	387,71
1006 20 17	—	290,78	190,25	387,71
1006 20 92	—	—	197,23	401,66
1006 20 94	—	290,78	190,25	387,71
1006 20 96	—	290,78	190,25	387,71
1006 20 98	—	290,78	190,25	387,71
1006 30 21	13,05	—	243,99	511,84
1006 30 23	12,97	464,54	297,81	619,39
1006 30 25	12,97	464,54	297,81	619,39
1006 30 27	12,97	464,54	297,81	619,39
1006 30 42	13,05	—	243,99	511,84
1006 30 44	12,97	464,54	297,81	619,39
1006 30 46	12,97	464,54	297,81	619,39
1006 30 48	12,97	464,54	297,81	619,39
1006 30 61	13,90	—	260,20	545,11
1006 30 63	13,90	497,99	319,64	663,99
1006 30 65	13,90	497,99	319,64	663,99
1006 30 67	13,90	497,99	319,64	663,99
1006 30 92	13,90	—	260,20	545,11
1006 30 94	13,90	497,99	319,64	663,99
1006 30 96	13,90	497,99	319,64	663,99
1006 30 98	13,90	497,99	319,64	663,99
1006 40 00	4,91	—	92,36	190,72

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

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

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

COMMISSION REGULATION (EEC) No 1804/90**of 29 June 1990****fixing the premiums to be added to the import levies on rice and broken rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 1806/89 ⁽²⁾, and in particular Article 13 (6) thereof,Whereas the premiums to be added to the levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2638/89 ⁽³⁾, as last amended by Regulation (EEC) No 1693/90 ⁽⁴⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

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

Article 2

This Regulation shall enter into force on 1 July 1990.

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

Done at Brussels, 29 June 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.⁽²⁾ OJ No L 177, 24. 6. 1989, p. 1.⁽³⁾ OJ No L 255, 1. 9. 1989, p. 11.⁽⁴⁾ OJ No L 158, 23. 6. 1990, p. 7.

ANNEX

to the Commission Regulation of 29 June 1990 fixing the premiums to be added to the import levies on rice and broken rice

CN code	(ECU/tonne)			
	Current 7	1st period 8	2nd period 9	3rd period 10
1006 10 21	0	0	0	—
1006 10 23	0	0	0	—
1006 10 25	0	0	0	—
1006 10 27	0	0	0	—
1006 10 92	0	0	0	—
1006 10 94	0	0	0	—
1006 10 96	0	0	0	—
1006 10 98	0	0	0	—
1006 20 11	0	0	0	—
1006 20 13	0	0	0	—
1006 20 15	0	0	0	—
1006 20 17	0	0	0	—
1006 20 92	0	0	0	—
1006 20 94	0	0	0	—
1006 20 96	0	0	0	—
1006 20 98	0	0	0	—
1006 30 21	0	0	0	—
1006 30 23	0	0	0	—
1006 30 25	0	0	0	—
1006 30 27	0	0	0	—
1006 30 42	0	0	0	—
1006 30 44	0	0	0	—
1006 30 46	0	0	0	—
1006 30 48	0	0	0	—
1006 30 61	0	0	0	—
1006 30 63	0	0	0	—
1006 30 65	0	0	0	—
1006 30 67	0	0	0	—
1006 30 92	0	0	0	—
1006 30 94	0	0	0	—
1006 30 96	0	0	0	—
1006 30 98	0	0	0	—
1006 40 00	0	0	0	0

COMMISSION REGULATION (EEC) No 1805/90

of 29 June 1990

fixing the export refunds 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 the fourth subparagraph of Article 16 (2) 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 the fourth subparagraph of Article 17 (2) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 of Regulation (EEC) No 2727/75 and Article 17 of Regulation (EEC) No 1418/76 provide that the difference between quotations or prices on the world market for the products listed in Article 1 of those Regulations and prices for those products within the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 2746/75 ⁽⁵⁾, and Article 2 of Council Regulation (EEC) No 1431/76 ⁽⁶⁾ laying down general rules for granting export refunds on cereals and rice respectively and criteria for fixing the amount of such refunds, provide that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals, rice and broken rice on the Community market on the one hand and prices for cereals, rice, broken rice and cereal products on the world market on the other; whereas the same Articles provide that it is also important to ensure equilibrium and the natural development of prices and trade on the markets in cereals and rice and, furthermore, to take into account the economic aspect of the proposed exports, and the need to avoid disturbances on the Community market;

Whereas Article 6 of Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export

system for products processed from cereals and from rice ⁽⁷⁾, as last amended by Regulation (EEC) No 1906/87 ⁽⁸⁾, defines the specific criteria to be taken into account when the refund on these products is being calculated;

Whereas, on the basis of the criteria laid down in Regulation (EEC) No 2744/75, particular account should be taken of the prices and quantities of basic products used to calculate the variable component of the levy; whereas Article 8 of Regulation (EEC) No 2744/75 and Article 1 of Commission Regulation (EEC) No 1077/68 ⁽⁹⁾, as amended by Regulation (EEC) No 2764/71 ⁽¹⁰⁾, provide that the amount of the export refund should, for certain products, be reduced by an amount equal to the production refund granted in respect of the basic products;

Whereas it follows from applying these detailed rules to the present situation on the market in products processed from cereals and rice that the export refund should be fixed at an amount which will cover the difference between Community prices and world market prices;

Whereas when the refund is being calculated account should be taken of the quantities of raw materials used to determine the variable component of the levy; whereas the quantities of raw materials used for certain processed products may vary according to the end use of the product; whereas, depending on the manufacturing process used, products other than the main product are obtained, the quantity and value of which may vary with the nature and quality of the main products being manufactured; whereas cumulation of the refunds on the various products manufactured by a single process from the same basic product may make it possible, in certain cases, to export to third countries at prices which are lower than world market prices; whereas the refund on certain products should therefore be limited to an amount which, while allowing access to the world market, will ensure that the aims of the common organization of the markets are respected;

Whereas the refund to be granted in respect of certain processed products should be graduated on the basis of the ash, crude fibre, tegument, protein, fat and starch content of the individual product concerned, this content being a particularly good indicator of the quantity of basic product actually incorporated in the processed product;

⁽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. 78.

⁽⁶⁾ OJ No L 166, 25. 6. 1976, p. 36.

⁽⁷⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁸⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁹⁾ OJ No L 181, 27. 7. 1968, p. 1.

⁽¹⁰⁾ OJ No L 283, 24. 12. 1971, p. 30.

Whereas there is no need at present to fix an export refund for manioc, other tropical roots and tubers or flours obtained therefrom, given the economic aspect of potential exports and in particular the nature and origin of these products; whereas, for certain products processed from cereals, the insignificance of Community participation in world trade makes it unnecessary to fix an export refund at the present time;

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

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

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

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

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

Whereas, in view of the present circumstances in the German Democratic Republic and their effects on the market situation, no refund should be fixed for products to be exported to that destination;

Whereas the Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds 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 are hereby fixed as shown in the Annex to this Regulation.

The refund on export to Portugal and the German Democratic Republic has not been fixed.

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, 29 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 29 June 1990 fixing the export refunds on products
processed from cereals and rice

(ECU/tonne)		(ECU/tonne)	
Product code	Refund	Product code	Refund
1102 20 10 100	126,00	1104 22 30 100	92,36
1102 20 10 300	108,00	1104 22 30 900	—
1102 20 10 900	—	1104 22 50 000	—
1102 20 90 100	108,00	1104 23 10 100	135,00
1102 20 90 900	—	1104 23 10 300	103,50
1102 30 00 000	—	1104 23 10 900	—
1102 90 10 100	69,38	1104 29 11 000	—
1102 90 10 900	47,18	1104 29 15 000	—
1102 90 30 100	97,80	1104 29 19 000	—
1102 90 30 900	—	1104 29 91 000	63,32
1103 12 00 100	97,80	1104 29 95 000	63,32
1103 12 00 900	—	1104 30 10 000	16,18
1103 13 11 100	162,00	1104 30 90 000	22,50
1103 13 11 300	126,00	1107 10 11 000	115,18
1103 13 11 500	108,00	1107 10 91 000	82,33
1103 13 11 900	—	1108 11 00 100	129,42
1103 13 19 100	162,00	1108 11 00 900	—
1103 13 19 300	126,00	1108 12 00 100	144,00
1103 13 19 500	108,00	1108 12 00 900	—
1103 13 19 900	—	1108 13 00 100	144,00
1103 13 90 100	108,00	1108 13 00 900	—
1103 13 90 900	—	1108 14 00 100	—
1103 14 00 000	—	1108 14 00 900	—
1103 19 10 000	63,32	1108 19 10 100	244,55
1103 19 30 100	71,69	1108 19 10 900	—
1103 19 30 900	—	1108 19 90 100	—
1103 21 00 000	66,00	1108 19 90 900	—
1103 29 20 000	47,18	1109 00 00 100	0,00
1103 29 30 000	—	1109 00 00 900	—
1103 29 40 000	91,80	1702 30 51 000	188,10
1104 11 90 100	69,38	1702 30 59 000	144,00
1104 11 90 900	—	1702 30 91 000	188,10
1104 12 90 100	108,66	1702 30 99 000	144,00
1104 12 90 300	86,93	1702 40 90 000	144,00
1104 12 90 900	—	1702 90 50 100	188,10
1104 19 10 000	66,00	1702 90 50 900	144,00
1104 19 50 110	144,00	1702 90 75 000	197,10
1104 19 50 130	117,00	1702 90 79 000	136,80
1104 19 50 150	—	2106 90 55 000	144,00
1104 19 50 190	—	2302 10 10 000	16,08
1104 19 50 900	—	2302 10 90 100	16,08
1104 19 91 000	—	2302 10 90 900	—
1104 21 10 100	69,38	2302 20 10 000	16,08
1104 21 10 900	—	2302 20 90 100	16,08
1104 21 30 100	69,38	2302 20 90 900	—
1104 21 30 900	—	2302 30 10 000	16,08
1104 21 50 100	92,50	2302 30 90 000	16,08
1104 21 50 300	74,00	2302 40 10 000	16,08
1104 21 50 900	—	2302 40 90 000	16,08
1104 22 10 100	86,93	2303 10 11 100	72,00
1104 22 10 900	—	2303 10 11 900	—

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

COMMISSION REGULATION (EEC) No 1806/90**of 29 June 1990****fixing the export refunds on cereal-based 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 the fourth subparagraph of Article 16 (2) thereof,

Having regard to the opinion of the Monetary Committee,

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

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

Whereas it follows from applying these detailed rules to the present situation on the market in cereal-based compound feedingstuffs that the export refund should be fixed at an amount which will cover the difference between Community prices and world market prices;

Whereas Article 7 (1) of Council Regulation (EEC) No 2743/75 of 29 October 1975 on the system to be applied to cereal-based compound feedingstuffs⁽⁴⁾, as last amended by Regulation (EEC) No 944/87⁽⁵⁾, provides

that, when export refunds on cereal-based compound feedingstuffs are being fixed, only certain products used in the manufacture of compound feedingstuffs for which a refund may be fixed should be taken into account;

Whereas Commission Regulation (EEC) No 1913/69 of 29 September 1969 on the granting and the advance fixing of the export refund on cereal-based compound feedingstuffs⁽⁶⁾, as last amended by Regulation (EEC) No 1349/87⁽⁷⁾, provides that calculation of the export refund must be based on the averages of the refunds granted and the levies calculated on the most commonly used basic cereals, adjusted on the basis of the threshold price in force during the current month; whereas that calculation must also take account of the cereal products content; whereas, therefore, in the interest of simplification, compound feedingstuffs should be placed in categories and the refund for each category should be fixed on the basis of the quantity of cereal products content for the category concerned; whereas, furthermore, the amount of the refund must also take into account the possibilities and conditions for the sale of those products on the world market, the need to avoid disturbances on the Community market and the economic aspect of the export;

Whereas, however, in fixing the rate of refund it would seem advisable to base it at this time on the difference in the cost of raw inputs widely used in compound feedingstuffs as between the Community and world markets, allowing more accurate account to be taken of the commercial conditions under which such products are exported;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for compound feedingstuffs according to composition and destination; whereas, for purposes of varying the refund, the destination zones laid down in Annex II to Commission Regulation (EEC) No 1124/77 of 27 May 1977 redefining the destination zones for export refunds or levies and for certain export licences for cereals and rice⁽⁸⁾, as last amended by Regulation (EEC) No 3049/89⁽⁹⁾, should be used;

⁽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. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 60.

⁽⁵⁾ OJ No L 90, 2. 4. 1987, p. 2.

⁽⁶⁾ OJ No L 246, 30. 9. 1969, p. 11.

⁽⁷⁾ OJ No L 127, 16. 5. 1987, p. 14.

⁽⁸⁾ OJ No L 134, 28. 5. 1977, p. 53.

⁽⁹⁾ OJ No L 292, 11. 10. 1989, p. 10.

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

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

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

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

Whereas, in view of the present circumstances in the German Democratic Republic and their effects on the market situation, no refund should be fixed for products to be exported to that destination;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the compound feedingstuffs covered by Regulation (EEC) No 2727/75 and subject to Regulation (EEC) No 2743/75 are hereby fixed as shown in the Annex to this Regulation.

The refund on export to Portugal and the German Democratic Republic has not been fixed.

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, 29 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 29 June 1990 fixing the export refunds on cereal-based compound feedingstuffs

(ECU/tonne)

Product code	Destination (°)	Amount of refund
2309 10 11 050	—	—
2309 10 11 110	01	4,95
	09	—
2309 10 11 190	01	3,16
	09	—
2309 10 11 210	01	9,90
	09	—
2309 10 11 290	01	6,31
	09	—
2309 10 11 310	01	19,80
	09	—
2309 10 11 390	01	12,63
	09	—
2309 10 11 900	—	—
2309 10 13 050	—	—
2309 10 13 110	01	4,95
	09	—
2309 10 13 190	01	3,16
	09	—
2309 10 13 210	01	9,90
	09	—
2309 10 13 290	01	6,31
	09	—
2309 10 13 310	01	19,80
	09	—
2309 10 13 390	01	12,63
	09	—
2309 10 13 900	—	—
2309 10 31 050	—	—
2309 10 31 110	01	4,95
	09	—
2309 10 31 190	01	3,16
	09	—
2309 10 31 210	01	9,90
	09	—
2309 10 31 290	01	6,31
	09	—
2309 10 31 310	01	19,80
	09	—
2309 10 31 390	01	12,63
	09	—
2309 10 31 410	01	29,70
	09	—
2309 10 31 490	01	18,94
	09	—
2309 10 31 510	01	39,60
	09	—

(ECU/tonne)		
Product code	Destination (1)	Amount of refund
2309 10 31 590	01	25,26
	09	—
2309 10 31 610	01	49,50
	09	—
2309 10 31 690	01	31,57
	09	—
2309 10 31 900	—	—
2309 10 33 050	—	—
2309 10 33 110	01	4,95
	09	—
2309 10 33 190	01	3,16
	09	—
2309 10 33 210	01	9,90
	09	—
2309 10 33 290	01	6,31
	09	—
2309 10 33 310	01	19,80
	09	—
2309 10 33 390	01	12,63
	09	—
2309 10 33 410	01	29,70
	09	—
2309 10 33 490	01	18,94
	09	—
2309 10 33 510	01	39,60
	09	—
2309 10 33 590	01	25,26
	09	—
2309 10 33 610	01	49,50
	09	—
2309 10 33 690	01	31,57
	09	—
2309 10 33 900	—	—
2309 10 51 050	—	—
2309 10 51 110	01	4,95
	09	—
2309 10 51 190	01	3,16
	09	—
2309 10 51 210	01	9,90
	09	—
2309 10 51 290	01	6,31
	09	—
2309 10 51 310	01	19,80
	09	—
2309 10 51 390	01	12,63
	09	—
2309 10 51 410	01	29,70
	09	—
2309 10 51 490	01	18,94
	09	—
2309 10 51 510	01	39,60
	09	—
2309 10 51 590	01	25,26
	09	—
2309 10 51 610	01	49,50
	09	—

(ECU/tonne)		
Product code	Destination (1)	Amount of refund
2309 10 51 690	01	31,57
	09	—
2309 10 51 710	01	59,40
	09	—
2309 10 51 790	01	37,88
	09	—
2309 10 51 810	01	64,80
	09	—
2309 10 51 890	01	41,33
	09	—
2309 10 51 900	—	—
2309 10 53 050	—	—
2309 10 53 110	01	4,95
	09	—
2309 10 53 190	01	3,16
	09	—
2309 10 53 210	01	9,90
	09	—
2309 10 53 290	01	6,31
	09	—
2309 10 53 310	01	19,80
	09	—
2309 10 53 390	01	12,63
	09	—
2309 10 53 410	01	29,70
	09	—
2309 10 53 490	01	18,94
	09	—
2309 10 53 510	01	39,60
	09	—
2309 10 53 590	01	25,26
	09	—
2309 10 53 610	01	49,50
	09	—
2309 10 53 690	01	31,57
	09	—
2309 10 53 710	01	59,40
	09	—
2309 10 53 790	01	37,88
	09	—
2309 10 53 810	01	64,80
	09	—
2309 10 53 890	01	41,33
	09	—
2309 10 53 900	—	—
2309 90 31 050	—	—
2309 90 31 110	01	4,95
	09	—

(ECU/tonne)		
Product code	Destination (1)	Amount of refund
2309 90 31 190	01	3,16
	09	—
2309 90 31 210	01	9,90
	09	—
2309 90 31 290	01	6,31
	09	—
2309 90 31 310	01	19,80
	09	—
2309 90 31 390	01	12,63
	09	—
2309 90 31 900	—	—
2309 90 33 050	—	—
2309 90 33 110	01	4,95
	09	—
2309 90 33 190	01	3,16
	09	—
2309 90 33 210	01	9,90
	09	—
2309 90 33 290	01	6,31
	09	—
2309 90 33 310	01	19,80
	09	—
2309 90 33 390	01	12,63
	09	—
2309 90 33 900	—	—
2309 90 41 050	—	—
2309 90 41 110	01	4,95
	09	—
2309 90 41 190	01	3,16
	09	—
2309 90 41 210	01	9,90
	09	—
2309 90 41 290	01	6,31
	09	—
2309 90 41 310	01	19,80
	09	—
2309 90 41 390	01	12,63
	09	—
2309 90 41 410	01	29,70
	09	—
2309 90 41 490	01	18,94
	09	—
2309 90 41 510	01	39,60
	09	—
2309 90 41 590	01	25,26
	09	—
2309 90 41 610	01	49,50
	09	—
2309 90 41 690	01	31,57
	09	—
2309 90 41 900	—	—
2309 90 43 050	—	—
2309 90 43 110	01	4,95
	09	—
2309 90 43 190	01	3,16
	09	—

(ECU/tonne)		
Product code	Destination (%)	Amount of refund
2309 90 43 210	01	9,90
	09	—
2309 90 43 290	01	6,31
	09	—
2309 90 43 310	01	19,80
	09	—
2309 90 43 390	01	12,63
	09	—
2309 90 43 410	01	29,70
	09	—
2309 90 43 490	01	18,94
	09	—
2309 90 43 510	01	39,60
	09	—
2309 90 43 590	01	25,26
	09	—
2309 90 43 610	01	49,50
	09	—
2309 90 43 690	01	31,57
	09	—
2309 90 43 900	—	—
2309 90 51 050	—	—
2309 90 51 110	01	4,95
	09	—
2309 90 51 190	01	3,16
	09	—
2309 90 51 210	01	9,90
	09	—
2309 90 51 290	01	6,31
	09	—
2309 90 51 310	01	19,80
	09	—
2309 90 51 390	01	12,63
	09	—
2309 90 51 410	01	29,70
	09	—
2309 90 51 490	01	18,94
	09	—
2309 90 51 510	01	39,60
	09	—
2309 90 51 590	01	25,26
	09	—
2309 90 51 610	01	49,50
	09	—
2309 90 51 690	01	31,57
	09	—
2309 90 51 710	01	59,40
	09	—
2309 90 51 790	01	37,88
	09	—
2309 90 51 810	01	64,80
	09	—

(ECU/tonne)

Product code	Destination ⁽¹⁾	Amount of refund
2309 90 51 890	01	41,33
	09	—
2309 90 51 900	—	—
2309 90 53 050	—	—
2309 90 53 110	01	4,95
	09	—
2309 90 53 190	01	3,16
	09	—
2309 90 53 210	01	9,90
	09	—
2309 90 53 290	01	6,31
	09	—
2309 90 53 310	01	19,80
	09	—
2309 90 53 390	01	12,63
	09	—
2309 90 53 410	01	29,70
	09	—
2309 90 53 490	01	18,94
	09	—
2309 90 53 510	01	39,60
	09	—
2309 90 53 590	01	25,26
	09	—
2309 90 53 610	01	49,50
	09	—
2309 90 53 690	01	31,57
	09	—
2309 90 53 710	01	59,40
	09	—
2309 90 53 790	01	37,88
	09	—
2309 90 53 810	01	64,80
	09	—
2309 90 53 890	01	41,33
	09	—
2309 90 53 900	—	—

⁽¹⁾ The destinations are as follows:

- 01 Zones A, B, C, D and E as specified in Annex II to Regulation (EEC) No 1124/77,
09 Other destinations.

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

COMMISSION REGULATION (EEC) No 1807/90
of 29 June 1990
fixing production refunds in the cereals and rice sectors

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 11a (5) thereof,

Having regard to Council Regulation (EEC) No 1009/86 of 25 March 1986 establishing general rules applying to production refunds in the cereals and rice sectors ⁽³⁾, as last amended by Regulation (EEC) No 2779/89 ⁽⁴⁾ and in particular Article 6 thereof,

Whereas Article 2 of Commission Regulation (EEC) No 2169/86 of 10 July 1986 laying down detailed rules for the control and payment of production refunds in the cereals and rice sectors ⁽⁵⁾, as last amended by Regulation (EEC) No 524/90 ⁽⁶⁾, provides that the production refund shall be fixed on a quarterly basis using the difference between the purchase price for maize applicable in the first month of the period in question and the cif price used for calculation of the maize import levy, multiplied by a coefficient of 1,6; whereas the same Article provides

for the possibility of altering the calculated refund in the event of significant movements in the prices of maize and wheat;

Whereas the production refunds to be fixed in this Regulation should be adjusted by the coefficients listed in the Annex to Regulation (EEC) No 2169/86 to establish the exact amount payable;

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

HAS ADOPTED THIS REGULATION:

Article 1

The production refunds payable in the cereals and rice sectors in accordance with Regulation (EEC) No 1009/86 and calculated in accordance with amended Regulation (EEC) No 2169/86 shall be as follows in ECU 99,23 per tonne.

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, 29 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 94, 9. 4. 1986, p. 6.

⁽⁴⁾ OJ No L 268, 15. 9. 1989, p. 20.

⁽⁵⁾ OJ No L 189, 11. 7. 1986, p. 12.

⁽⁶⁾ OJ No L 53, 1. 3. 1990, p. 83.

COMMISSION REGULATION (EEC) No 1808/90
of 29 June 1990
fixing the export refunds on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽¹⁾, as last amended by Regulation (EEC) No 1806/89⁽²⁾, and in particular the first sentence of the fourth subparagraph of Article 17 (2) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 17 of Regulation (EEC) No 1418/76 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 1431/76 of 21 June 1976 laying down general rules for granting export refunds on rice and criteria for fixing the amount of such refunds⁽³⁾, provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of rice and broken rice on the Community market on the one hand and prices for rice and broken rice on the world market on the other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on the rice market and, furthermore, to take into account the economic aspect of the proposed exports and the need to avoid disturbances of the Community market;

Whereas Commission Regulation (EEC) No 1361/76⁽⁴⁾ lays down the maximum percentage of broken rice allowed in rice for which an export refund is fixed and specifies the percentage by which that refund is to be reduced where the proportion of broken rice in the rice exported exceeds that maximum;

Whereas Article 3 of Regulation (EEC) No 1431/76 defines the specific criteria to be taken into account when

the export refund on rice and broken rice is being calculated;

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

Whereas a separate refund should be fixed for packaged long grain rice to accommodate current demand for the product on certain markets;

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

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

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

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

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

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

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 36.

⁽⁴⁾ OJ No L 154, 15. 6. 1976, p. 11.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 153, 13. 6. 1987, p. 1.

HAS ADOPTED THIS REGULATION:

listed in paragraph 1 (c) of that Article, exported in the natural state, shall be as set out in the Annex hereto. The refund on export to Portugal has not been fixed.

Article 1

The export refunds on the products listed in Article 1 of Regulation (EEC) No 1418/76 with the exception of those

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, 29 June 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 29 June 1990 fixing the export refunds on rice and broken rice

Product code	Destination (°)	Amount of refunds (ECU/tonne)
1006 20 11 000	—	—
1006 20 13 000	01	186,53
1006 20 15 000	01	186,53
1006 20 17 000	—	—
1006 20 92 000	—	—
1006 20 94 000	01	186,53
1006 20 96 000	01	186,53
1006 20 98 000	—	—
1006 30 21 000	—	—
1006 30 23 000	01	186,53
1006 30 25 000	01	186,53
1006 30 27 000	—	—
1006 30 42 000	—	—
1006 30 44 000	01	186,53
1006 30 46 000	01	186,53
1006 30 48 000	—	—
1006 30 61 000	—	—
1006 30 63 100	01	233,16
	03	239,16
	05	239,16
	06	244,16
	07	244,16
	08	239,16
	09	239,16
	10	244,16
	11	244,16
	12	244,16
	13	233,16
	14	244,16
	01	233,16
	13	233,16
1006 30 65 100	01	233,16
	03	239,16
	05	239,16
	06	244,16
	07	244,16
	08	239,16
	09	239,16
	10	244,16
	11	244,16
	12	244,16
	13	233,16
	14	244,16
	01	233,16
	13	233,16
1006 30 65 900	01	233,16
1006 30 67 100	—	—
1006 30 67 900	—	—
1006 30 92 000	—	—

(ECU/tonne)		
Product code	Destination (1)	Amount of refunds
1006 30 94 100	01	233,16
	03	239,16
	05	239,16
	06	244,16
	07	244,16
	08	239,16
	09	239,16
	10	244,16
	11	244,16
	12	244,16
	13	233,16
	14	244,16
1006 30 94 900	01	233,16
	13	233,16
1006 30 96 100	01	233,16
	03	239,16
	05	239,16
	06	244,16
	07	244,16
	08	239,16
	09	239,16
	10	244,16
	11	244,16
	12	244,16
	13	233,16
	14	244,16
1006 30 96 900	01	233,16
	13	233,16
1006 30 98 100	—	—
1006 30 98 900	—	—
1006 40 00 000	—	—

(1) The destinations are identified as follows:

- 01 Austria, Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italia,
- 02 Third countries other than Austria, Liechtenstein, Switzerland and the communes of Livigno and Campione d'Italie,
- 03 Zone I,
- 04 Third countries other than Austria, Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italie and countries of zone I,
- 05 Zone II b),
- 06 Zone IV a),
- 07 Zone IV b),
- 08 Zone VI,
- 09 Canary Islands, Ceuta and Melilla,
- 10 Zone V a),
- 11 Zone VII c),
- 12 Canada,
- 13 Destinations mentioned in Article 34 of Commission Regulation (EEC) No 3665/87 (OJ No L 351, 14. 12. 1987, p. 1),
- 14 Zone VIII, except Surinam, Guyana and Madagascar.

NB: The zones are those defined in the Annex to Commission Regulation (EEC) No 1124/77 (OJ No L 134, 28. 5. 1977, p. 35), as last amended by Regulation (EEC) No 3049/89 (JO No L 292, 11. 10. 1989, p. 10).

The refunds are to be converted into national currencies using the specific agricultural conversion rates fixed in Commission Regulation (EEC) No 3294/86 (OJ No L 304, 30. 10. 1986, p. 25).

COMMISSION REGULATION (EEC) No 1809/90

of 29 June 1990

fixing the corrective amount applicable to the refund on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 1806/89 ⁽²⁾, and in particular the second subparagraph of Article 17 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the first subparagraph of Article 17 (4) of Regulation (EEC) No 1418/76 provides that the export refund applicable to rice and broken rice on the day on which application for an export licence is made, adjusted for the threshold price which will be in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the licence ;

Whereas Commission Regulation No 474/67/EEC ⁽³⁾, as amended by Regulation (EEC) No 1397/68 ⁽⁴⁾, lays down detailed rules for the advance fixing of the export refund on rice and broken rice ;

Whereas that Regulation provides that the refund applicable on the day on which application for an export licence is made must, when it is fixed in advance, be reduced by an amount no greater than the difference between the cif forward delivery price and the cif price, where the former exceeds the latter by more than ECU 0,30 per tonne ; whereas on the other hand, the refund must be increased by an amount no greater than the difference between the cif price and the cif forward delivery price, where the former exceeds the latter by more than ECU 0,30 per tonne ;

Whereas the cif price is that determined in accordance with Article 16 of Regulation (EEC) No 1418/76 ; whereas the cif forward delivery price is that determined in accordance with Article 3 (2) of Council Regulation (EEC) No 1428/76 ⁽⁵⁾, based in respect of each month for which the export licence is valid, on the cif price calculated on the basis of offers for shipment during the month of exportation ;

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

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

Whereas it follows from applying the provisions set out above that the corrective amount must be as set out in the Annex hereto ;

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

HAS ADOPTED THIS REGULATION :

Article 1

The corrective amount referred to in Article 17 (4) of Regulation (EEC) No 1418/76 which is applicable to the export refunds fixed in advance in respect of rice and broken rice shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 July 1990.

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽³⁾ OJ No 204, 24. 8. 1967, p. 20.

⁽⁴⁾ OJ No L 222, 10. 9. 1968, p. 6.

⁽⁵⁾ OJ No L 166, 25. 6. 1976, p. 30.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ 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, 29 June 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 29 June 1990 fixing the corrective amount applicable to the refund on rice and broken rice

(ECU/tonne)

Product code	Current 7	1st period 8	2nd period 9	3rd period 10
1006 20 11 000	—	—	—	—
1006 20 13 000	0	0	0	0
1006 20 15 000	0	0	0	0
1006 20 17 000	—	—	—	—
1006 20 92 000	—	—	—	—
1006 20 94 000	0	0	0	0
1006 20 96 000	0	0	0	0
1006 20 98 000	—	—	—	—
1006 30 21 000	—	—	—	—
1006 30 23 000	0	0	0	0
1006 30 25 000	0	0	0	0
1006 30 27 000	—	—	—	—
1006 30 42 000	—	—	—	—
1006 30 44 000	0	0	0	0
1006 30 46 000	0	0	0	0
1006 30 48 000	—	—	—	—
1006 30 61 000	—	—	—	—
1006 30 63 100	0	0	0	0
1006 30 63 900	0	0	0	0
1006 30 65 100	0	0	0	0
1006 30 65 900	0	0	0	0
1006 30 67 100	—	—	—	—
1006 30 67 900	—	—	—	—
1006 30 92 000	—	—	—	—
1006 30 94 100	0	0	0	0
1006 30 94 900	0	0	0	0
1006 30 96 100	0	0	0	0
1006 30 96 900	0	0	0	0
1006 30 98 100	—	—	—	—
1006 30 98 900	—	—	—	—
1006 40 00 000	—	—	—	—

COMMISSION REGULATION (EEC) No 1810/90

of 29 June 1990

fixing the refunds applicable for July 1990 to cereal and rice sector products
supplied as Community and national food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 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 the fourth subparagraph of Article 16 (2) 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 11 (2) thereof,Whereas Article 2 of Council Regulation (EEC) No 2681/74 of 21 October 1974 on Community financing of expenditure incurred in respect of the supply of agricultural products as food aid⁽⁵⁾ lays down that the portion of the expenditure corresponding to the export refunds on the products in question fixed under Community rules is to be charged to the European Agricultural Guidance and Guarantee Fund, Guarantee Section;

Whereas, in order to make it easier to draw up and manage the budget for Community food aid actions and to enable the Member States to know the extent of Community participation in the financing of national food aid actions, the level of the refunds granted for these actions should be determined;

Whereas the general and implementing rules provided for in Article 16 of Regulation (EEC) No 2727/75 and in Article 17 of Regulation (EEC) No 1418/76 on export refunds are applicable *mutatis mutandis* to the above-mentioned operations;Whereas Article 3 of Council Regulation (EEC) No 2746/75⁽⁶⁾ and Article 6 of Council Regulation (EEC) No 2744/75⁽⁷⁾, as last amended by Regulation (EEC) No 1906/87⁽⁸⁾, lay down specific criteria to be taken into account for calculating the refunds on cereals and on products processed from cereals; whereas specific criteria applying in the case of wheat flours are set out in Article 4 of Regulation (EEC) No 2746/75;Whereas the specific criteria to be used for calculating the export refund on rice are set out in Article 3 of Council Regulation (EEC) No 1431/76⁽⁹⁾;

Whereas the refunds fixed by this Regulation are applicable without any variations, for all destinations;

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

HAS ADOPTED THIS REGULATION:

Article 1

For Community and national food aid operations the refunds applicable for July 1990 to cereals and rice sector products shall be as set out in the Annex.

Article 2

The refunds fixed in this Regulation shall not be regarded as refunds varying according to destination.

Article 3

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, 29 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 166, 25. 6. 1976, p. 1.⁽⁴⁾ OJ No L 177, 24. 6. 1989, p. 1.⁽⁵⁾ OJ No L 288, 25. 10. 1974, p. 1.⁽⁶⁾ OJ No L 281, 1. 11. 1975, p. 78.⁽⁷⁾ OJ No L 281, 1. 11. 1975, p. 65.⁽⁸⁾ OJ No L 182, 3. 7. 1987, p. 49.⁽⁹⁾ OJ No L 166, 25. 6. 1976, p. 36.

ANNEX

to the Commission Regulation of 29 June 1990 fixing the refunds applicable for July 1990 to cereal and rice sector products supplied as Community and national food aid

(ECU/tonne)	
Product code	Refund
1001 10 90 000	110,00
1001 90 99 000	71,00
1002 00 00 000	30,00
1003 00 90 000	62,00
1004 00 90 000	—
1005 90 00 000	85,00
1006 20 92 000	199,33
1006 20 94 000	199,33
1006 30 42 000	—
1006 30 44 000	—
1006 30 92 000	249,16
1006 30 94 100	249,16
1006 30 94 900	249,16
1006 30 96 100	249,16
1006 30 96 900	249,16
1006 40 00 000	—
1007 00 90 000	85,00
1101 00 00 110	87,00
1101 00 00 120	87,00
1101 00 00 130	87,00
1102 20 10 100	126,00
1102 30 00 000	—
1102 90 10 100	69,38
1103 11 10 500	174,00
1103 11 90 100	99,00
1103 13 19 100	162,00
1103 14 00 000	—
1104 12 90 100	108,66
1104 21 50 100	92,50

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

COMMISSION REGULATION (EEC) No 1811/90

of 29 June 1990

fixing the import levies on syrups and certain other products in the sugar sector

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,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 (1) of Regulation (EEC) No 1785/81 provides for charging a levy on imports of the products listed in Article 1 (1) of that Regulation;

Whereas the levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 must be calculated, where appropriate, at a standard rate on the basis of the sucrose content (including other sugars expressed as sucrose) of the product concerned and of the levy on white sugar; whereas, however, the levies on maple sugar and maple syrup are limited to the amount resulting from application of the rate of duty bound within GATT;

Whereas Article 7 of Commission Regulation (EEC) No 837/68 of 28 June 1968 on detailed rules for the application of levies on sugar ⁽³⁾, as last amended by Regulation (EEC) No 1428/78 ⁽⁴⁾, provides that the basic amount of the levy for 100 kilograms of product must be fixed per percentage point of sucrose content;

Whereas the basic amount of the levy must be equal to one-hundredth of the average of the levies applicable to 100 kilograms of white sugar during the first 20 days of the month preceding the month for which the basic amount of the levy is fixed; whereas, however, the levy applicable to white sugar on the day of the fixing of the basic amount must be substituted for the average of the levies, where that levy differs by at least ECU 0,73 from that average;

Whereas the basic amount must be fixed each month; whereas it must, however, be altered during the period

between the day on which it is fixed and the first day of the month following the month for which the basic amount is applicable, if the levy on white sugar differs by at least ECU 0,73 from the average referred to above or from the levy on white sugar used to fix the basic amount; whereas, in this case, the basic amount must be equal to one-hundredth of the levy on white sugar used to calculate the alteration;

Whereas the basic amount thus fixed must be adjusted on the basis of variations in the threshold price for white sugar occurring between the month in which the basic amount is fixed and the period of application; whereas this adjustment, equal to one-hundredth of the difference between these two threshold prices, must be deducted from or added to the basic amount in the circumstances provided for in Article 7 (6) of Regulation (EEC) No 837/68;

Whereas the levy on the products referred to in Article 1 (1) (f) and (g) of Regulation (EEC) No 1785/81 comprises, under Article 16 (6) of that Regulation, a variable element and a fixed element, with the latter, per 100 kilograms of dry matter, being equal to one-tenth of the fixed element established pursuant to point B of Article 14 (1) of Council Regulation (EEC) No 2727/75 ⁽⁵⁾, as last amended by Regulation (EEC) No 1340/90 ⁽⁶⁾, for the fixing of the import levy on the products falling within CN codes 1702 30 91, 1702 30 99, 1702 40 90 and 1702 90 50, and the variable element, per 100 kilograms of dry matter, being equal to 100 times the basic import levy applicable as from the first of each month in the case of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81; whereas the levy must be fixed each month;

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 subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽⁷⁾, as last amended by Regulation (EEC) No 1636/87 ⁽⁸⁾,

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.⁽²⁾ OJ No L 114, 27. 4. 1989, p. 1.⁽³⁾ OJ No L 151, 30. 6. 1968, p. 42.⁽⁴⁾ OJ No L 171, 28. 6. 1978, p. 34.⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 1.⁽⁶⁾ OJ No L 134, 28. 5. 1990, p. 1.⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.⁽⁸⁾ OJ No L 153, 13. 6. 1987, p. 1.

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

Whereas it follows from the application of these provisions that the import levies on the products concerned should be as indicated in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on the products listed in Article 1 (1) (d), (f) and (g) of Regulation (EEC) No 1785/81 shall be as indicated 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, 29 June 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 29 June 1990 fixing the import levies on syrups and certain other products in the sugar sector

(ECU)

CN code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question	Amount of levy per 100 kg of dry matter
1702 20 10	0,3594	—
1702 20 90	0,3594	—
1702 30 10	—	45,61
1702 40 10	—	45,61
1702 60 10	—	45,61
1702 60 90	0,3594	—
1702 90 30	—	45,61
1702 90 60	0,3594	—
1702 90 71	0,3594	—
1702 90 90	0,3594	—
2106 90 30	—	45,61
2106 90 59	0,3594	—

COMMISSION REGULATION (EEC) No 1812/90
of 29 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 market in sugar⁽¹⁾, as last amended by Regulation (EEC) No 1069/89⁽²⁾, and in particular Article 16 (8) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 (1) of Regulation (EEC) No 1785/81 provides for charging a levy on imports of the products listed in Article 1 (1) of that Regulation;

Whereas the import levy on white sugar and raw sugar must be equal to the threshold price less the cif price; whereas the threshold price for each of these products was fixed by Council Regulation (EEC) No 1312/90⁽³⁾ fixing, for the 1990/91 marketing year, the derived intervention prices for white sugar, the intervention price for raw sugar, the minimum prices for A and B beet, the threshold prices, the amount of compensation for storage costs and the prices to be applied in Spain and Portugal;

Whereas the prices fixed by the Council have been reduced by Commission Regulation (EEC) No 1738/90⁽⁴⁾ establishing the prices and amounts fixed in ecus by the Council in the sugar sector and reduced as a result of the monetary realignment of 5 January 1990;

Whereas the cif price for raw sugar and white sugar is calculated by the Commission for a Community frontier crossing point which was fixed at Rotterdam by Regulation (EEC) No 431/68 of the Council of 9 April 1968 determining the standard quality for raw sugar and fixing the Community frontier crossing point for calculating cif prices for sugar⁽⁵⁾;

Whereas this price must be based on the most favourable purchasing opportunities on the world market established for each product on the basis of quotations or prices on

that market adjusted for any deviation from the standard quality for which the threshold price is fixed; whereas the standard quality for raw sugar was defined by Regulation (EEC) No 431/68 and that for white sugar by Regulation (EEC) No 793/72⁽⁶⁾;

Whereas, when the most favourable purchasing opportunities on the world market are being established, the Commission must take account of all available information on offers on the world market, on quotations on the exchanges which are important for world trade, on prices recorded on important third-country markets, and on sales concluded in international trade of which it has knowledge either directly or through the agency of the Member States;

Whereas, however, pursuant to Regulation (EEC) No 784/68 of the Commission of 26 June 1968 laying down detailed rules for calculating cif prices for white sugar and raw sugar⁽⁷⁾, the Commission must disregard information if the goods concerned are not of sound and fair marketable quality or if the price quoted in an offer relates to small quantities and is not representative of the market; whereas offer prices which can be assumed not to be representative of the actual market trends must also be disregarded;

Whereas any offer or prices taken into consideration which are not for goods delivered in bulk cif Rotterdam must be adjusted; whereas when this adjustment is being made account must be taken of the difference in the cost of transporting the goods between the port of loading and the port of destination and between the port of loading and Rotterdam; whereas, if the price or the offer relates to goods in bags, it must be reduced by ECU 0,73 per 100 kilograms under the terms of Article 4 of Regulation (EEC) No 784/68;

Whereas, if information on sugar of the standard quality is to be comparable, the price increases or reductions fixed pursuant to Article 15 of Regulation (EEC) No 1785/81 must be added to or deducted from the offers taken into consideration in the case of white sugar; whereas, in the case of raw sugar, the corrective factors provided for in Article 5 of Regulation (EEC) No 784/68 must be applied;

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 114, 27. 4. 1989, p. 1.

⁽³⁾ OJ No L 132, 23. 5. 1990, p. 1.

⁽⁴⁾ OJ No L 161, 27. 6. 1990, p. 27.

⁽⁵⁾ OJ No L 89, 10. 4. 1968, p. 3.

⁽⁶⁾ OJ No L 94, 21. 4. 1972, p. 1.

⁽⁷⁾ OJ No L 145, 27. 6. 1968, p. 10.

Whereas, pursuant to Article 7 of Regulation (EEC) No 784/68, a special cif price may be established for sugar which has been specially treated or specially packed if the offer price for such sugar is lower than the cif price established pursuant to the provisions referred to above;

Whereas a cif price may, by way of exception, be left unchanged for a limited period if the offer price which served as a basis for the previous calculation of the cif price is not available to the Commission and if the offer prices which are available and which appear not to be sufficiently representative of actual market trends would entail sudden and considerable changes in the cif price;

Whereas the levy is altered only if the variation in the elements used to calculate it would entail an increase or a reduction of not less than ECU 0,24 per 100 kilograms in relation to the levy previously fixed;

Whereas, in accordance with Article 21 (1) of Regulation (EEC) No 1785/81, the nomenclature provided for in this Regulation is incorporated in the Common Customs Tariff;

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

Whereas it follows from applying these provisions that the levies for white sugar and raw sugar should be as 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 1 July 1990.

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

Done at Brussels, 29 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 29 June 1990 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	32,69 ⁽¹⁾
1701 11 90	32,69 ⁽¹⁾
1701 12 10	32,69 ⁽¹⁾
1701 12 90	32,69 ⁽¹⁾
1701 91 00	35,69
1701 99 10	35,69
1701 99 90	35,69 ⁽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 1813/90
of 29 June 1990
fixing the import levies on sugar beet and sugar cane

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

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

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

Whereas Article 16 of Regulation (EEC) No 1785/81 provides that an import levy must be fixed by the Commission on the products listed in Article 1 (1) (b) of that Regulation; whereas that levy must be calculated at a standard rate on the basis of the sucrose content of each of those products and the levy on white sugar;

Whereas Article 6 of Regulation (EEC) No 837/68 of the Commission of 28 June 1968 on detailed rules for the application of levies on sugar⁽³⁾, as last amended by Regulation (EEC) No 1428/78⁽⁴⁾, provides that the levy applicable to these products is obtained by multiplying by a coefficient the difference, in respect of 100 kilograms of white sugar, between the threshold price valid for the relevant marketing year and the arithmetic average of cif prices recorded during a reference period; whereas the coefficients and the reference period were fixed by Article 6 of Regulation (EEC) No 837/68;

Whereas the threshold price for white sugar has been fixed by Council Regulation (EEC) No 1312/90⁽⁵⁾ fixing, for the 1990/91 marketing year, the derived intervention prices for white sugar, the intervention price for raw sugar, the minimum prices for A and B beet, the threshold prices, the amount of compensation for storage costs and the prices to be applied in Spain and Portugal;

Whereas the threshold price fixed by the Council have been reduced by Commission Regulation (EEC) No 1738/90⁽⁶⁾ establishing the prices and amounts fixed in ecus by the Council in the sugar sector and reduced as a result of the monetary realignment of 5 January 1990,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies referred to in Article 16 (1) of Regulation (EEC) No 1785/81 on the products listed in Article 1 (1) (b) of that Regulation 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, 29 June 1989.

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 151, 30. 6. 1968, p. 42.

⁽⁴⁾ OJ No L 171, 28. 6. 1978, p. 34.

⁽⁵⁾ OJ No L 132, 23. 5. 1990, p. 1.

⁽⁶⁾ OJ No L 161, 27. 6. 1990, p. 27.

ANNEX

to the Commission Regulation of 29 June 1990 fixing the import levies on sugar beet and sugar cane

(ECU/tonne)

CN code	Import levies
1212 91 10	52,50
1212 91 90	180,46
1212 92 00	36,09

COMMISSION REGULATION (EEC) No 1814/90

of 29 June 1990

fixing the production refund for white sugar used in the chemical industry

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 9 (6) thereof,

Whereas pursuant to Article 9 (3) of Regulation (EEC) No 1785/81 it may be decided to grant production refunds on the products listed in Article 1 (1) (a) and (f) and on the syrups listed in Article 1 (1) (d) thereof which are in one of the situations referred to in Article 9 (2) of the Treaty and which are used in the manufacture of certain products of the chemical industry;

Whereas Council Regulation (EEC) No 1010/86 of 25 March 1986 laying down general rules for the production refund on certain sugar products used in the chemical industry⁽³⁾, as last amended by Regulation (EEC) No 1771/90⁽⁴⁾, establishes the framework within which the production refunds may be determined and lists the chemical products of which the manufacture makes it possible to grant a production refund for the basic products used in their manufacture; whereas Articles 5, 6 and 7 of Regulation (EEC) No 1010/86 provide that the production refund granted for raw sugar, sucrose syrups and unprocessed isoglucose shall be derived from the refund fixed for white sugar according to a method of calculation peculiar to each of these basic products;

Whereas Commission Regulation (EEC) No 1729/78 of 24 July 1978 laying down detailed rules of application in respect of the production refund for sugar used in the chemical industry⁽⁵⁾, as last amended by Regulation (EEC) No 748/89⁽⁶⁾, specifies the method to be used for establishing the production refund; whereas Article 1 of

Regulation (EEC) No 1729/78 provides that the production refund for white sugar shall be fixed at three-monthly intervals for the periods beginning 1 July, 1 October, 1 January and 1 April; whereas the application of the abovementioned method entails fixing the production refund as stated in Article 1 for the period referred to therein;

Whereas the amendment of the definition of white sugar and raw sugar referred to in Article 1 (2) (a) and (b) of Regulation (EEC) No 1785/81 has the consequence that flavoured sugars or sugars containing added colouring agents or other substances are no longer considered as falling within these definitions but are to be considered as 'other sugars'; whereas Article 1 of Regulation (EEC) No 1010/86 provides for these sugars to be eligible as basic products to the production refund; whereas a method of calculation based on their sucrose content should be laid down for establishing the production refund applicable to these products;

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 production refund per 100 kilograms of white sugar referred to in Article 4 of Regulation (EEC) No 1010/86 is hereby fixed at ECU 21,764 for three months from 1 July to 30 September 1990. For flavoured sugars or sugars containing added colouring agents or containing other substances obtained from white sugar or raw sugar the production refund shall be established by multiplying this amount by the sucrose content of the sugar in question determined in accordance with the polarimetric method as a percentage of the dry matter weight.

Article 2

This Regulation shall enter into force on 1 July 1990.

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 114, 27. 4. 1989, p. 1.

⁽³⁾ OJ No L 94, 9. 4. 1986, p. 9.

⁽⁴⁾ OJ No L 163, 29. 6. 1990, p. 1.

⁽⁵⁾ OJ No L 201, 25. 7. 1978, p. 26.

⁽⁶⁾ OJ No L 80, 23. 3. 1989, p. 51.

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

Done at Brussels, 29 June 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 1815/90

of 29 June 1990

fixing the reduced levy on imports into Portugal of certain quantities of raw sugar intended for Portuguese refineries

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, in accordance with Article 303 of the Act of Accession, a reduced levy is applied during the period of seven years following accession on imports into Portugal of certain quantities of raw sugar originating in certain third countries;

Whereas Commission Regulation (EEC) No 599/86 ⁽³⁾, as last amended by Regulation (EEC) No 1469/90 ⁽⁴⁾, fixes

the reduced levy applicable on imports into Portugal of certain quantities of raw sugar intended for Portuguese refineries;

Whereas the levy should, in the light of the application of the detailed rules and arrangements specified in Regulation (EEC) No 599/86 to the data available to the Commission, be fixed as shown in Article 1 of this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The reduced levy on imports into Portugal of raw sugar intended for refining (CN codes 1701 11 10 and 1701 12 10) is fixed for this quality type at ECU 20,94 per 100 kilograms.

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, 29 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 58, 1. 3. 1986, p. 18.⁽⁴⁾ OJ No L 140, 1. 6. 1990, p. 44.

COMMISSION REGULATION (EEC) No 1816/90

of 29 June 1990

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1785/81 of 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 19 ⁽⁴⁾ thereof,

Having regard to the opinion of the Monetary Committee,

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

Whereas Article 8 of Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar ⁽³⁾, as last amended by Regulation (EEC) No 1489/76 ⁽⁴⁾, provides that the export refund on 100 kilograms of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 is equal to the basic amount multiplied by the sucrose content, including, where appropriate, other sugars expressed as sucrose; whereas the sucrose content of the product in question is determined in accordance with Article 13 of Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar ⁽⁵⁾, as last amended by Regulation (EEC) No 1714/88 ⁽⁶⁾;

Whereas Article 7 of Regulation (EEC) No 766/68 provides that the basic amount of the refund on sorbose exported in the natural state must be equal to the basic amount of the refund less one-hundredth of the produc-

tion refund applicable, pursuant to Council Regulation (EEC) No 1400/78 of 20 June 1978 laying down general rules for the production refund on sugar used in the chemical industry ⁽⁷⁾, to the products listed in the Annex to the last mentioned Regulation;

Whereas the basic amount of the refund on the other products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 exported in the natural state must be equal to one-hundredth of an amount which takes account, on the one hand, of the difference between the intervention price for white sugar for the Community areas without deficit for the month for which the basic amount is fixed and quotations or prices for white sugar on the world market and, on the other, of the need to establish a balance between the use of Community basic products in the manufacture of processed goods for export to third countries and the use of third country products brought in under inward processing arrangements;

Whereas the application of the basic amount may be limited to some of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81;

Whereas Article 19 of Regulation (EEC) No 1785/81 makes provision for setting refunds for export in the natural state of products referred to in Article 1 (1) (f) and (g) of that Regulation; whereas the refund must be fixed per 100 kilograms of dry matter, taking account of the export refund for products falling within CN code 1702 30 91 and for products referred to in Article 1 (1) (d) of Regulation (EEC) No 1785/81 and of the economic aspects of the intended exports; whereas the refund is to be granted only for products complying with the conditions in Article 3 of Commission Regulation (EEC) No 1469/77 of 30 June 1977 laying down rules for applying the levy and the refund in respect of isoglucose and amending Regulation (EEC) No 192/75 ⁽⁸⁾, as amended by Regulation (EEC) No 1714/88;

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

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.
⁽²⁾ OJ No L 114, 27. 4. 1989, p. 1.
⁽³⁾ OJ No L 143, 25. 6. 1968, p. 6.
⁽⁴⁾ OJ No L 167, 26. 6. 1976, p. 13.
⁽⁵⁾ OJ No L 50, 4. 3. 1970, p. 1.
⁽⁶⁾ OJ No L 152, 18. 6. 1988, p. 23.

⁽⁷⁾ OJ No L 170, 27. 6. 1978, p. 9.
⁽⁸⁾ OJ No L 162, 1. 7. 1977, p. 9.

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

Whereas the refunds referred to above must be fixed every month; whereas they may be altered in the intervening period;

Whereas application of these quotas results in fixing refunds for the products in question at the levels given in the Annex to this Regulation;

Whereas, pursuant to Article 275 of the Act of Accession, refunds may be granted in the case of exports to Portugal; whereas, in the light of the situation and the level of

prices no refund should be fixed in the case of exports to Portugal;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (d), (f) and (g) of Regulation (EEC) No 1785/81, exported in the natural state, 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, 29 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 29 June 1990 fixing the export refunds on syrups and certain other sugar products exported in the natural state

(ECU)

Product code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question ⁽¹⁾	Amount of refund per 100 kg of dry matter ⁽²⁾
1702 40 10 100		31,79
1702 60 10 000		31,79
1702 60 90 000	0,3179	
1702 90 30 000		31,79
1702 90 60 000	0,3179	
1702 90 71 000	0,3179	
1702 90 90 900	0,3179	
2106 90 30 000		31,79
2106 90 59 000	0,3179	

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

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

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

COMMISSION REGULATION (EEC) No 1817/90

of 29 June 1990

altering the export refunds on white sugar and raw sugar exported in the natural state

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

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 1069/89 ⁽²⁾, and in particular the second subparagraph of Article 19 (4) thereof,

Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EEC) No 1662/90 ⁽³⁾, as amended by Regulation (EEC) No 1767/90 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1662/90 to the infor-

mation known to the Commission that the export refunds at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, as fixed in the Annex to amended Regulation (EEC) No 1662/90 are hereby altered to the amounts shown 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, 29 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 155, 21. 6. 1990, p. 18.

⁽⁴⁾ OJ No L 162, 28. 6. 1990, p. 33.

ANNEX

to the Commission Regulation of 29 June 1990 altering the export refunds on white sugar
and raw sugar exported in the natural state

(ECU)

Product code	Amount of refund	
	per 100 kg	per percentage point of sucrose content and per 100 kg net of the product in question
1701 11 90 100	29,24 ⁽¹⁾	
1701 11 90 910	29,41 ⁽¹⁾	
1701 11 90 950	⁽²⁾	
1701 12 90 100	29,24 ⁽¹⁾	
1701 12 90 910	29,41 ⁽¹⁾	
1701 12 90 950	⁽²⁾	
1701 91 00 000		0,3179
1701 99 10 100	31,79	
1701 99 10 910	32,38	
1701 99 10 950	32,38	
1701 99 90 100		0,3179

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

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

COMMISSION REGULATION (EEC) No 1818/90

of 29 June 1990

fixing for July 1990 the levy applicable in Spain to products subject to the price control system

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

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

Having regard to Commission Regulation (EEC) No 1183/86 of 21 April 1986 laying down detailed rules for the system for controlling the prices and the quantities of certain products in the oils and fats sector released for consumption in Spain ⁽¹⁾, as last amended by Regulation (EEC) No 1581/90 ⁽²⁾, and in particular Article 14 thereof,

Whereas Article 14 of Regulation (EEC) No 1183/86 provides that, for the period from 1 March 1986 to 31 December 1990, a levy is to be applied to imports into Spain of products subject to the price control system and to soya oil produced from imported beans and released for consumption; whereas that levy is to be fixed on the basis of the difference between, on the one hand, an ex factory price for crude soya oil of Pta 106 per kilogram and, on the other hand, the price of that oil on the world market, plus the duty charged in Spain on imports from third countries;

Whereas the Spanish system of compensation for vegetable oil prices applied prior to accession was supervised by a State organization; whereas therefore, the system providing for the said levy will make any further intervention by the State superfluous and thus preclude certain potential obstacles to trade, particularly in soya oil;

Whereas that levy should be as fixed hereinafter,

HAS ADOPTED THIS REGULATION:

Article 1

The levy referred to in Article 14 of Regulation (EEC) No 1183/86 shall be ECU 339,27 per tonne of oil for July 1990.

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, 29 June 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 107, 24. 4. 1986, p. 17.

⁽²⁾ OJ No L 150, 14. 6. 1990, p. 9.

COMMISSION REGULATION (EEC) No 1819/90

of 29 June 1990

fixing the export refunds on olive oil

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 2902/89⁽²⁾,

Having regard to Council Regulation (EEC) No 1650/86 of 26 May 1986 on export refunds and levies on olive oil⁽³⁾, and in particular the first sentence of Article 3 (1) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 20 of Regulation No 136/66/EEC provides that, where prices within the Community are higher than world market prices, the difference between these prices may be covered by a refund when olive oil is exported to third countries;

Whereas the detailed rules for fixing and granting export refunds on olive oil are contained in Regulation (EEC) No 1650/86 and Commission Regulation (EEC) No 616/72⁽⁴⁾, as last amended by Regulation (EEC) No 2962/77⁽⁵⁾;

Whereas the first indent of Article 2 of Regulation (EEC) No 1650/86 provides that the refund must be the same for the whole Community;

Whereas, in accordance with Article 4 of Regulation (EEC) No 1650/86, the refund for olive oil must be fixed in the light of the existing situation and outlook in relation to olive oil prices and availability on the Community market and olive oil prices on the world market;

Whereas, however, where the world market situation is such that the most favourable olive oil prices cannot be determined, account may be taken of the price of the main competing vegetable oils on the world market and the difference recorded between that price and the price of olive oil during a representative period;

Whereas the amount of the refund may not exceed the difference between the price of olive oil in the Community and that on the world market, adjusted, where appropriate, to take account of export costs for the products on the world market;

Whereas, in accordance with Article 5 of Regulation (EEC) No 1650/86, it may be decided that the refund shall be fixed by tender;

Whereas the tendering procedure should cover the amount of the refund and may be limited to certain countries of destination, quantities, qualities and presentations;

Whereas the second indent of Article 2 of Regulation (EEC) No 1650/86 provides that the refund on olive oil may be varied according to destination where the world market situation or the specific requirements of certain markets make this necessary;

Whereas, in view of the present circumstances in the German Democratic Republic and their effects on the market situation, no refund should be fixed for products to be exported to that destination;

Whereas Article 3 (1) of Regulation (EEC) No 1650/86 provides that the refund must be fixed at least once every month; whereas it may, if necessary, be altered in the intervening period;

Whereas it follows from applying these detailed rules to the present situation on the market in olive oil and in particular to olive oil prices within the Community and on the markets of third countries that the refund should be as set out in the Annex hereto;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁶⁾, as last amended by Regulation (EEC) No 1636/87⁽⁷⁾,

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

⁽²⁾ OJ No L 280, 29. 9. 1989, p. 2.

⁽³⁾ OJ No L 145, 30. 5. 1986, p. 8.

⁽⁴⁾ OJ No L 78, 31. 3. 1972, p. 1.

⁽⁵⁾ OJ No L 348, 30. 12. 1977, p. 53.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 153, 13. 6. 1987, p. 1.

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The export refunds on the products listed in Article 1 (2) (c) of Regulation No 136/66/EEC shall be as set out in the Annex hereto.
2. No refund shall be fixed for such products exported to the German Democratic Republic.

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, 29 June 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 29 June 1990 fixing the export refunds on olive oil

(ECU/100 kg)	
Product code	Amount of refund (1)
1509 10 90 100	63,50
1509 10 90 900	99,50
1509 90 00 100	72,49
1509 90 00 900	105,09
1510 00 90 100	15,50
1510 00 90 900	47,37

(1) For destinations mentioned in Article 5 of amended Commission Regulation (EEC) No 3665/87 (OJ No L 351, 14. 12. 1987, p. 1), as well as for exports to third countries.

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

COMMISSION REGULATION (EEC) No 1820/90

of 29 June 1990

fixing the maximum export refunds on olive oil for the 15th partial invitation to tender under the standing invitation to tender issued by Regulation (EEC) No 3246/89

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

Having regard to Council Regulation (EEC) 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⁾,

Having regard to Council Regulation (EEC) No 1650/86 of 26 May 1986 on the refunds and levies applicable to exports of olive oil ⁽³⁾, and in particular Article 7 thereof,

Whereas Commission Regulation (EEC) No 3246/89 ⁽⁴⁾, issued a standing invitation to tender with a view to determining the export refunds on olive oil;

Whereas Article 7 of Regulation (EEC) No 3246/89 provides that maximum amounts are to be fixed for the export refunds in the light in particular of the current situation and foreseeable developments on the Community and world olive-oil markets and on the basis of the tenders received; whereas contracts are awarded to any tenderer who submits a tender at the level of the maximum refund or at a lower level;

Whereas, in view of the present circumstances in the German Democratic Republic and their effects on the market situation, no refund should be fixed for products exported to that destination;

Whereas, for the purposes of applying the above-mentioned provisions, the maximum export refunds should be set at the levels specified in the Annex;

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 maximum export refunds for olive oil for the 15th partial invitation to tender under the standing invitation to tender issued by Regulation (EEC) No 3246/89 are hereby fixed in the Annex, on the basis of the tenders submitted by 23 June 1990.

2. No refund shall be fixed for such products exported to the German Democratic Republic.

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, 29 June 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

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

⁽²⁾ OJ No L 280, 29. 9. 1989, p. 2.

⁽³⁾ OJ No L 145, 30. 5. 1986, p. 8.

⁽⁴⁾ OJ No L 314, 28. 10. 1989, p. 48.

ANNEX

to the Commission Regulation of 29 June 1990 fixing the maximum export refunds on olive oil for the 15th partial invitation to tender under the standing invitation to tender issued by Regulation (EEC) No 3246/89

<i>(ECU/100 kg)</i>	
Product code	Amount of refund
1509 10 90 100	65,00
1509 10 90 900	104,50
1509 90 00 100	74,20
1509 90 00 900	110,09
1510 00 90 100	17,00
1510 00 90 900	52,37

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

COMMISSION REGULATION (EEC) No 1821/90

of 29 June 1990

fixing the production refund for olive oil used in the manufacture of certain preserved fish and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 2902/89⁽²⁾,Having regard to Council Regulation (EEC) No 591/79 of 26 March 1979 laying down general rules relating to the production refund for olive oil used in the manufacture of certain preserved foods⁽³⁾, as last amended by Regulation (EEC) No 2903/89⁽⁴⁾, and in particular Articles 3 and 5 thereof,

Whereas Article 2 of Council Regulation (EEC) No 591/79 provides for the granting of a production refund for olive oil used in the manufacture of certain preserved fish and vegetables;

Whereas under Article 3 of the abovementioned Regulation, without prejudice to the second subparagraph of Article 7 of the said Regulation, the Commission shall fix this refund every two months;

Whereas, by virtue of Article 5 of the Regulation cited above, where the tender system is employed for fixing the levy, the production refund shall be fixed on the basis of the minimum levies determined under the said system for

oils falling within subheading 1509 90 00 of the combined nomenclature; whereas, however, if the oil employed for manufacture of the preserves was produced within the Community, the amount referred to above shall be increased by a sum equal to the consumption aid in force on the day the said refund is applied;

Whereas application of the above criteria results in the refund being fixed as shown below,

HAS ADOPTED THIS REGULATION:

Article 1

For the months of July and August 1990, the amount of the production refund referred to in Article 2 of Regulation (EEC) No 591/79 shall be:

- ECU 111,00 per 100 kilograms for olive oil produced in the Community and utilized in Member States other than Spain and Portugal,
- ECU 52,44 per 100 kilograms for olive oil other than that referred to in the preceding indent, utilized in the Member States other than Spain and Portugal,
- ECU 57,93 per 100 kilograms for olive oil utilized in Spain,
- ECU 100,22 per 100 kilograms for olive oil utilized in Portugal.

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, 29 June 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

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

⁽²⁾ OJ No L 280, 29. 9. 1989, p. 2.

⁽³⁾ OJ No L 78, 30. 3. 1979, p. 2.

⁽⁴⁾ OJ No L 280, 29. 9. 1989, p. 3.

COMMISSION REGULATION (EEC) No 1822/90

of 29 June 1990

fixing the export refunds on oil seeds

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 2902/89⁽²⁾,

Having regard to Council Regulation No 142/67/EEC of 21 June 1967 on export refunds on colza, rape and sunflower seeds⁽³⁾, as last amended by the Act of Accession of Greece, and in particular the first sentence of Article 2 (3) thereof,

Having regard to Council Regulation (EEC) No 1678/85 of 11 June 1985 fixing the conversion rates to be applied in agriculture⁽⁴⁾, as last amended by Regulation (EEC) No 1775/90⁽⁵⁾,

Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza, rape and sunflower seed⁽⁶⁾, as last amended by Regulation (EEC) No 2216/88⁽⁷⁾, and in particular Article 2 (3) thereof,

Having regard to Commission Regulation (EEC) No 2041/75 of 25 July 1975 on special detailed rules for the application of the system of import and export licences and advance fixing certificates for oils and fats⁽⁸⁾, as last amended by Regulation (EEC) No 2662/87⁽⁹⁾, and in particular Article 13 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, the target price and the monthly increases in the target price for colza, rape and sunflower seed for the

1990/91 marketing year were fixed by Regulations (EEC) No 1317/90⁽¹⁰⁾ and (EEC) No 1318/90⁽¹¹⁾;

Whereas the prices fixed by the Council are to be reduced in accordance with Article 2 of Commission Regulation (EEC) No 784/90 of 29 March 1990 fixing the reducing coefficient for agricultural prices in the 1990/91 marketing year as a result of the monetary realignment of 5 January 1990 and amending the prices and amounts fixed in ecus for that marketing year⁽¹²⁾;

Whereas Article 28 of Regulation No 136/66/EEC provides that a refund may be granted on exports to third countries of oil seeds harvested within the Community; whereas the amount of this refund may not exceed the difference between prices within the Community and prices on the world market where the former are higher than the latter; whereas Article 21 of Regulation No 136/66/EEC provides that, at present, Article 28 of that Regulation applies only to colza, rape and sunflower seeds;

Whereas the refund for colza and rape seeds produced in Spain or Portugal is adjusted in accordance with Council Regulation (EEC) No 478/86⁽¹³⁾;

Whereas Article 3 of Regulation No 142/67/EEC provides that when the refund is being calculated account must be taken of prices ruling on the various Community markets which are representative from the point of view of processing and exportation; the most favourable quotations recorded on the various markets of importing third countries and costs incurred in placing the goods on the world market; whereas, when the amount of the refund is being fixed, account must also be taken of the level of market prices within the Community for the oil seeds referred to in Article 21 of Regulation No 136/66/EEC and the future trend of these prices; whereas, furthermore, account should be taken of the economic aspect of the proposed exports and the situation in the Community regarding the supply of and demand for these seeds;

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

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

⁽²⁾ OJ No L 280, 29. 9. 1989, p. 2.

⁽³⁾ OJ No 125, 26. 6. 1967, p. 2461/67.

⁽⁴⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁵⁾ OJ No L 163, 29. 6. 1990, p. 9.

⁽⁶⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁷⁾ OJ No L 197, 26. 7. 1988, p. 10.

⁽⁸⁾ OJ No L 213, 11. 8. 1975, p. 1.

⁽⁹⁾ OJ No L 252, 3. 9. 1987, p. 6.

⁽¹⁰⁾ OJ No L 132, 23. 5. 1990, p. 9.

⁽¹¹⁾ OJ No L 132, 23. 5. 1990, p. 11.

⁽¹²⁾ OJ No L 83, 30. 3. 1990, p. 102.

⁽¹³⁾ OJ No L 53, 1. 3. 1986, p. 55.

Whereas Article 1 of Commission Regulation (EEC) No 651/71 of 29 March 1971 on certain detailed rules for the application of export refunds on oil seeds⁽¹⁾, as last amended by Regulation (EEC) No 1815/84⁽²⁾, provides that the amount of the refund must be calculated on the basis of the weight of exported seeds; whereas this weight must be adjusted to take account of any differences between the percentages of moisture and impurities found to exist and those used to define the standard quality for which the target price is fixed; whereas, when this adjustment is being made, the weight of the exported seeds must be increased by the amount of the difference between the actual moisture and impurities content and that used to define the standard quality if the former is lower than the latter; whereas, if the opposite applies, the weight of the exported seeds must be reduced by the same amount;

Whereas the standard quality referred to above was defined in Article 2 of Council Regulation (EEC) No 1102/84⁽³⁾;

Whereas Article 2 of Regulation No 142/67/EEC provides that the refund may be varied according to destination where the world market situation or the specific requirements of certain markets make this necessary;

Whereas Article 4 of Regulation (EEC) No 651/71 provides for the publication of the amount of the final refund obtained from the conversion into each of the national currencies of the amount of the refund in ecus plus or minus the differential amount; whereas Article 1 of Commission Regulation (EEC) No 1813/84⁽⁴⁾, as last amended by Regulation (EEC) No 1539/90⁽⁵⁾, defined the elements which determine the differential amounts; whereas these elements are equal to the incidence on the target price reduced by 7,5 % or the refund of the coefficient derived from the percentage referred to in Article 2 (1) of Regulation (EEC) No 1569/72; whereas, according to these provisions, this percentage represents:

(a) for those Member States whose currencies are maintained as between themselves within a spread at any given moment of 2,25 %, the difference between:

- the conversion rate used under the common agricultural policy, and
- the conversion rate resulting from the central rate;

(b) for the other Member States, the difference between:

- the relationship between the conversion rate used under the common agricultural policy for the currency of the Member State concerned and the central rate of each of the currencies of the Member States referred to in (a), and
- the spot market rate for the currency of the Member State in question in relation to each of the currencies of the Member States referred to in (a), as recorded over a period to be determined;

Whereas pursuant to Article 2 (2) of Regulation (EEC) No 1569/72 forward differential amounts are to be determined where the forward exchange rate for one or more currencies differs from the spot rate by at least a given percentage; whereas this percentage has been fixed at 0,5 by Regulation (EEC) No 1813/84;

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

Whereas it follows from applying these provisions to the current situation of the oil seeds market and to the rates or prices of these products that, pursuant to Article 4 of Regulation (EEC) No 651/71, the amount of the refund in ecus and the amount of the final refund in each of the national currencies must, in the case of colza and rape seed, be fixed in accordance with the Annex to this Regulation; whereas it is not necessary to fix a refund for sunflower seed;

Whereas, in view of the present circumstances in the German Democratic Republic and their effects on the market situation, no refund should be fixed for products to be exported to that destination;

Whereas Article 13 of Regulation (EEC) No 2041/75 makes provision for the period of validity of certificates fixing refunds in advance to be reduced if the market situation warrants; whereas in the interests of sound market management a reduction should be made;

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

⁽¹⁾ OJ No L 75, 30. 3. 1971, p. 16.

⁽²⁾ OJ No L 170, 29. 6. 1984, p. 46.

⁽³⁾ OJ No L 113, 28. 4. 1984, p. 8.

⁽⁴⁾ OJ No L 170, 29. 6. 1984, p. 41.

⁽⁵⁾ OJ No L 145, 8. 6. 1990, p. 20.

HAS ADOPTED THIS REGULATION:

Article 1

1. In the case of colza and rape seed, the amounts of the refund referred to in Article 4 (1) of Regulation (EEC) No 651/71 shall be as set out in the Annex hereto.

2. No refund shall be fixed for such products exported to the German Democratic Republic.

3. There shall be no refund on sunflower seed.

4. However, the amount of the subsidy in the case of fixing for the 1990/91 marketing year will be confirmed or replaced as from 1 July 1990 to take into account the application of the system of maximum guaranteed quantities for colza and rape seed.

5. Certificates fixing the export refund in advance shall be valid from their date of issue until the end of the following month.

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, 29 June 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 29 June 1990 fixing the export refunds on oil seeds

(amounts per 100 kilograms)

	Current 7 ⁽¹⁾	1st period 8 ⁽¹⁾	2nd period 9	3rd period 10	4th period 11	5th period 12
1. Gross refunds (ECU):						
— Spain	18,830	18,830	—	—	—	—
— Portugal	22,300	22,300	—	—	—	—
— other Member States	21,000	21,000	—	—	—	—
2. Final refunds:						
Seeds harvested and exported from:						
— Federal Republic of Germany (DM)	49,50	49,16	—	—	—	—
— Netherlands (Fl)	55,39	55,39	—	—	—	—
— BLEU (Bfrs/Lfrs)	1 014,03	1 014,03	—	—	—	—
— France (FF)	164,89	164,89	—	—	—	—
— Denmark (Dkr)	187,53	187,53	—	—	—	—
— Ireland (£ Irl)	18,352	18,352	—	—	—	—
— United Kingdom (£)	15,775	15,775	—	—	—	—
— Italy (Lit)	36 785	36 785	—	—	—	—
— Greece (Dr)	4 340,51	4 327,88	—	—	—	—
— Spain (Pta)	3 011,36	3 011,36	—	—	—	—
— Portugal (Esc)	4 613,91	4 613,91	—	—	—	—

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

COMMISSION REGULATION (EEC) No 1823/90
of 29 June 1990
fixing the amount of the subsidy on oil seeds

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 2902/89⁽²⁾, and in particular Article 27 (4) thereof,

Having regard to Council Regulation (EEC) No 1678/85⁽³⁾ fixing the conversion rates to be applied in agriculture, as last amended by Regulation (EEC) No 1775/90⁽⁴⁾,

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

Having regard to the opinion of the Monetary Committee,

Whereas Article 27 of Regulation No 136/66/EEC provides that a subsidy should be granted in respect of oil seeds harvested and processed within the Community when the target price for a species of seed is higher than the price on the world market; whereas these provisions at present apply only in respect of colza, rape and sunflower seeds;

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

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

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

Whereas a supplement to the target price for 'double zero' colza and rape seed was fixed in Regulation (EEC) No

1228/89 for the 1989/90 marketing year and by Regulation (EEC) No 1317/90 for the 1990/91 marketing year;

Whereas the standard quality for sunflower seed has been maintained by the Council for the 1989/90 and 1990/91 marketing years; whereas the coefficients of equivalence applied to the prices of sunflower seed from third countries have been fixed by Commission Regulation No 225/67/EEC⁽¹¹⁾, as last amended by Regulation (EEC) No 2869/87⁽¹²⁾;

Whereas the target prices and the intervention prices fixed by the Council are to be reduced in accordance with Commission Regulation (EEC) No 1756/90 of 27 June 1990 establishing the target and intervention prices for colza, rape and sunflower seed and the guide and minimum prices for soya beans, fixed in ecus by the Council and reduced as a result of the monetary realignment of 5 January 1990⁽¹³⁾;

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

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

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

Whereas Article 4 of Council Regulation No 115/67/EEC of 6 June 1967 laying down criteria for determining world market prices for oil seeds and fixing the frontier crossing point⁽¹⁵⁾, as last amended by Regulation (EEC) No 1983/82⁽¹⁶⁾, fixed the said crossing point at Rotterdam; whereas Article 1 of that Regulation provides that when the world market price is being determined account should be taken of all offers on the world market known to the Commission and of quotations on those exchanges which are significant for international trade; whereas Article 2 of Regulation No 225/67/EEC provides

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

⁽²⁾ OJ No L 280, 29. 9. 1989, p. 2.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁴⁾ OJ No L 163, 29. 6. 1990, p. 9.

⁽⁵⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁶⁾ OJ No L 197, 26. 7. 1988, p. 10.

⁽⁷⁾ OJ No L 128, 11. 5. 1989, p. 20.

⁽⁸⁾ OJ No L 128, 11. 5. 1989, p. 22.

⁽⁹⁾ OJ No L 132, 23. 5. 1990, p. 9.

⁽¹⁰⁾ OJ No L 132, 23. 5. 1990, p. 11.

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

⁽¹²⁾ OJ No L 273, 26. 9. 1987, p. 16.

⁽¹³⁾ OJ No L 162, 28. 6. 1990, p. 19.

⁽¹⁴⁾ OJ No L 281, 30. 9. 1989, p. 91.

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

⁽¹⁶⁾ OJ No L 215, 23. 7. 1982, p. 6.

that offers and quotations which do not relate to shipments to be effected within 30 days following the date on which the world market price is determined should be disregarded; whereas offers and quotations which the Commission believes, in view of general price movements or information available to it, not to be representative of the real trend of the market must also be disregarded; whereas offers and quotations relating to quantities of less than 500 tonnes and offers relating to seed of a quality other than that normally acceptable on the world market must also be disregarded;

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

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

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

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

Whereas Article 3 of Regulation No 115/67/EEC provides that, where no offer or quotation can be used as a basis for determining the world market price and where it is, moreover, impossible to establish the value of the oil or oil cake processed from such seed, the world market price should be determined on the basis of the most recent known value for oil or oil cake, adjusted to take account of the trend of world prices for competing products by applying to that value the rules set out in Article 2 of Regulation No 115/67/EEC; whereas Article 7 of Regulation No 225/67/EEC defines competing products as those oils or oil cakes, as the case may be, which appear to have been offered in the largest quantities on the world market during the period under consideration;

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

Whereas Council Regulation (EEC) No 1594/83 of 14 June 1983 on the subsidy for oil seeds⁽¹⁾, as last amended by Regulation (EEC) No 1321/90⁽²⁾, laid down rules for granting the subsidy on oil seeds; whereas, under that Regulation, where the subsidy to be granted is fixed in advance, the amount of such subsidy must be equal to the amount applicable on the day on which the application for advance fixing was lodged, adjusted by the difference between the target price valid on that day and the target price valid on the day on which the seeds are placed under control at an oil or feed mill and, where appropriate, a corrective amount; whereas Article 35 of Commission Regulation (EEC) No 2681/83 of 21 September 1983 laying down detailed rules for the application of the subsidy system for oil seeds⁽³⁾, as last amended by Regulation (EEC) No 1685/90⁽⁴⁾, provides that such adjustment should involve increasing or reducing the amount of subsidy applicable on the day on which the application was lodged by the corrective amount and the difference between the target prices mentioned in Article 35 of Regulation (EEC) No 2681/83;

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

⁽¹⁾ OJ No L 163, 22. 6. 1983, p. 44.

⁽²⁾ OJ No L 132, 23. 5. 1990, p. 15.

⁽³⁾ OJ No L 266, 28. 9. 1983, p. 1.

⁽⁴⁾ OJ No L 157, 22. 6. 1990, p. 33.

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

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

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

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

Whereas Article 33 of Regulation (EEC) No 2681/83 provides for the publication of the amount of the final subsidy obtained from the conversion into each of the national currencies of the amount in ecus resulting from the calculation referred to above plus or minus the differential amount ; whereas Article 1 of Commission Regulation (EEC) No 1813/84⁽⁵⁾, as last amended by Regulation (EEC) No 1539/90⁽⁶⁾, defined the elements which determine the differential amounts ; whereas these elements are equal to the incidence on the target price less percentage referred to in Article 5, paragraph 1 of the said regulation or the subsidy of the coefficient derived from the percentage referred to in Article 2 (1) of Regulation (EEC) No 1569/72 ; whereas, according to these provisions, this percentage represents :

(a) for those Member States whose currencies are maintained as between themselves within a spread at any given moment of 2,25 %, the difference between :

- the conversion rate used under the common agricultural policy, and
- the conversion rate resulting from the central rate ;

(b) for the other Member States, the difference between :

- the relationship between the conversion rate used under the common agricultural policy for the currency of the Member State concerned and the

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

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

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

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

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

HAS ADOPTED THIS REGULATION :

Article 1

1. The amounts of the subsidy and the exchange rates referred to in Article 33 (2) and (3) of Regulation (EEC) No 2681/83 shall be as set out in the Annexes hereto.

2. The amount of the compensatory aid referred to in Article 14 of Regulation (EEC) No 475/86 shall be as shown in Annex III to this Regulation for sunflower seed harvested in Spain.

3. The amount of the special subsidy provided for by Regulation (EEC) 1920/87 for sunflower seed harvested and processed in Portugal is fixed in Annex III.

4. However, the amount of the subsidy in the case of advance fixing for the 1990/91 marketing year for colza, rape and sunflower will be confirmed or replaced as from 1 July 1990 to take into account the application of the system of maximum guaranteed quantities for colza and rape seed for the 1990/91 marketing year.

Article 2

This Regulation shall enter into force on 1 July 1990.

⁽¹⁾ OJ No L 53, 1. 3. 1986, p. 55.

⁽²⁾ OJ No L 53, 1. 3. 1986, p. 47.

⁽³⁾ OJ No L 42, 16. 2. 1990, p. 8.

⁽⁴⁾ OJ No L 183, 3. 7. 1987, p. 18.

⁽⁵⁾ OJ No L 170, 29. 6. 1984, p. 41.

⁽⁶⁾ OJ No L 145, 8. 6. 1990, p. 20.

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

Done at Brussels, 29 June 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX I

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

(amounts per 100 kg)

	Current 7 (°)	1st period 8 (°)	2nd period 9 (°)	3rd period 10 (°)	4th period 11 (°)	5th period 12 (°)
1. Gross aids (ECU):						
— Spain	1,750	1,750	1,750	1,750	1,750	1,750
— Portugal	0,000	0,000	0,000	0,000	0,000	0,000
— Other Member States	25,403	25,448	25,526	25,797	24,884	25,162
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	59,47	59,58	59,76	60,40	58,27	59,05
— Netherlands (Fl)	67,01	67,13	67,33	68,05	65,64	66,52
— BLEU (Bfrs/Lfrs)	1 226,63	1 228,81	1 232,57	1 245,66	1 201,57	1 215,00
— France (FF)	199,46	199,81	200,43	202,55	195,38	197,57
— Denmark (Dkr)	226,85	227,25	227,95	230,37	222,22	224,70
— Ireland (£ Irl)	22,200	22,239	22,307	22,544	21,746	21,982
— United Kingdom (£)	19,412	19,449	19,487	19,678	18,925	19,043
— Italy (Lit)	44 498	44 576	44 713	45 188	43 589	44 076
— Greece (Dr)	5 364,22	5 366,13	5 357,78	5 389,65	5 170,46	5 127,70
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	267,57	267,57	267,57	267,57	267,57	267,57
— in another Member State (Pta)	3 757,14	3 763,65	3 770,89	3 804,11	3 673,04	3 700,27
(c) Seed harvested in Portugal and processed:						
— in Portugal (Esc)	0,00	0,00	0,00	0,00	0,00	0,00
— in another Member State (Esc)	5 553,18	5 562,46	5 575,71	5 618,90	5 429,21	5 446,45

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

ANNEX II

Aids to colza and rape seed 'double zero'

(amounts per 100 kg)

	Current 7 (1)	1st period 8 (1)	2nd period 9 (1)	3rd period 10 (1)	4th period 11 (1)	5th period 12 (1)
1. Gross aids (ECU):						
— Spain	4,250	4,250	4,250	4,250	4,250	4,250
— Portugal	2,500	2,500	2,500	2,500	2,500	2,500
— Other Member States	27,903	27,948	28,026	28,297	27,384	27,662
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	65,32	65,43	65,61	66,26	64,12	64,91
— Netherlands (Fl)	73,60	73,72	73,93	74,64	72,23	73,12
— BLEU (Bfrs/Lfrs)	1 347,35	1 349,52	1 353,29	1 366,38	1 322,29	1 335,71
— France (FF)	219,09	219,44	220,06	222,18	215,01	217,20
— Denmark (Dkr)	249,18	249,58	250,27	252,69	244,54	247,02
— Ireland (£ Irl)	24,384	24,424	24,492	24,729	23,931	24,167
— United Kingdom (£)	21,361	21,398	21,436	21,627	20,874	20,992
— Italy (Lit)	48 877	48 956	49 092	49 567	47 968	48 455
— Greece (Dr)	5 907,58	5 909,49	5 901,14	5 933,01	5 713,82	5 671,06
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	649,81	649,81	649,81	649,81	649,81	649,81
— in another Member State (Pta)	4 139,38	4 145,89	4 153,13	4 186,35	4 055,28	4 082,51
(c) Seed harvested in Portugal and processed:						
— in Portugal (Esc)	517,26	517,26	517,26	517,26	517,26	517,26
— in another Member State (Esc)	6 070,43	6 079,72	6 092,96	6 136,16	5 946,46	5 963,71

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

ANNEX III

Aids to sunflower seed

(amounts per 100 kg)

	Current 7	1st period 8 (1)	2nd period 9 (1)	3rd period 10 (1)	4th period 11 (1)
1. Gross aids (ECU):					
— Spain	6,890	8,600	8,600	8,600	8,600
— Portugal	0,000	0,000	0,000	0,000	0,000
— Other Member States	37,398	32,677	32,809	33,080	33,412
2. Final aids:					
(a) Seed harvested and processed in (2):					
— Federal Republic of Germany (DM)	88,55	76,50	76,81	77,46	78,23
— Netherlands (Fl)	98,65	86,20	86,55	87,26	88,14
— BLEU (Bfrs/Lfrs)	1 805,83	1 577,87	1 584,25	1 597,33	1 613,36
— France (FF)	286,00	256,57	257,61	259,74	262,35
— Denmark (Dkr)	333,97	291,81	292,99	295,41	298,37
— Ireland (£ Irl)	31,831	28,556	28,672	28,909	29,199
— United Kingdom (£)	25,036	25,008	25,085	25,270	25,530
— Italy (Lit)	62 944	57 239	57 471	57 945	58 527
— Greece (Dr)	6 714,62	6 905,00	6 904,02	6 929,74	7 002,69
(b) Seed harvested in Spain and processed:					
— in Spain (Pta)	1 053,45	1 314,91	1 314,91	1 314,91	1 314,91
— in another Member State (Pta)	4 793,68	4 368,16	4 382,30	4 414,11	4 464,55
(c) Seed harvested in Portugal and processed:					
— in Portugal (Esc)	0,00	0,00	0,00	0,00	0,00
— in Spain (Esc)	8 294,22	7 682,58	7 707,01	7 748,87	7 819,13
— in another Member State (Esc)	8 112,93	7 514,67	7 538,56	7 579,51	7 648,23
3. Compensatory aids:					
— in Spain (Pta)	4 768,70	4 342,77	4 356,91	4 388,31	4 438,75
4. Special aid:					
— in Portugal (Esc)	8 112,93	7 514,67	7 538,56	7 579,51	7 648,23

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

(2) For seed harvested in the Community as constituted at 31 December 1985 and processed in Spain, the amounts shown in 2 (a) to be multiplied by 1,0223450.

ANNEX IV

Exchange rate of the ecu to be used for converting final aids into the currency of the processing country when the latter is a country other than the country of production

(value of ECU 1)

	Current 7	1st period 8	2nd period 9	3rd period 10	4th period 11	5th period 12
DM	2,063410	2,059610	2,055800	2,052400	2,052400	2,043290
Fl	2,320770	2,316800	2,312870	2,309280	2,309280	2,299090
Bfrs/Lfrs	42,302699	42,286100	42,261300	42,230200	42,230200	42,121300
FF	6,926960	6,924570	6,922210	6,920750	6,920750	6,915820
Dkr	7,843170	7,846190	7,846540	7,846820	7,846820	7,844770
£Irl	0,768926	0,769133	0,769702	0,770118	0,770118	0,773249
£	0,711185	0,713850	0,716595	0,718829	0,718829	0,725707
Lit	1 511,20	1 512,26	1 513,37	1 514,44	1 514,44	1 517,39
Dr	201,66800	203,30600	205,28400	207,68000	207,68000	214,97800
Esc	180,88500	181,34900	181,99400	182,93200	182,93200	185,63800
Pta	126,88200	127,34500	127,78400	128,19500	128,19500	129,12500

COMMISSION REGULATION (EEC) No 1824/90

of 29 June 1990

fixing the rate of the aid for dried fodder

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 1117/78 of 22 May 1978 on the common organization of the market in dried fodder⁽¹⁾, as last amended by Regulation (EEC) No 2275/89⁽²⁾, and in particular Article 5 (3) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, under Article 5 (1) of Regulation (EEC) No 1117/78, when the guide price is higher than the average world market price, aid is granted for dried fodder as described under Article 1 (b) and (c) of that Regulation and obtained from fodder plants harvested in the Community; whereas that aid takes account of a percentage of the difference between these two prices;

Whereas this percentage and the guide price were fixed by Council Regulation (EEC) No 1192/90⁽³⁾ for the marketing year 1990/1991;

Whereas the prices fixed by the Council are to be reduced in accordance with Commission Regulation (EEC) No 1758/90 of 27 June 1990 establishing the guide price fixed in ecus by the Council in the dried fodder sector and reduced as a result of the monetary realignment of 5 January 1990⁽⁴⁾;

Whereas the average world market price is determined for a bulk pelleted product, delivered to Rotterdam, of the standard quality for which the guide price has been fixed;

Whereas, under Council Regulation (EEC) No 1417/78 of 19 June 1978 on the aid system for dried fodder⁽⁵⁾, as last amended by Regulation (EEC) No 1110/89⁽⁶⁾, the average world market price for the products described in the first and third indents of Article 1 (b) of Regulation (EEC) No

1117/78 is to be determined on the basis of the most favourable actual purchase possibilities excepting those which cannot be considered representative of the real market trend; whereas offers and quotations recorded during the first 25 days of the month in question for quantities that can be delivered during the following calendar month are to be used; whereas the average world market price thus determined is used to fix the aid rate applicable on the following month;

Whereas the necessary adjustments must be made in the case of offers and quotations not of the type referred to above; whereas these adjustments were defined in Article 3 of Commission Regulation (EEC) No 1528/78 of 30 June 1978 laying down detailed rules for the application of the system of aid for dried fodder⁽⁷⁾, as last amended by Regulation (EEC) No 1757/90⁽⁸⁾;

Whereas, in accordance with Article 3 of Regulation (EEC) No 1417/78, when no offer or quotation can be used to determine the average world market price, that price is determined on the basis of the sum of the value of competing products; whereas those products are defined in Article 3 (3) of Regulation (EEC) No 1528/78;

Whereas, pursuant to Article 11 of Regulation (EEC) No 1417/78, when forward prices differ from that applying in the month when the application is lodged, the aid rate is adjusted by a correcting amount calculated from the trend of forward prices;

Whereas, where the average world market price is determined in accordance with Article 3 of Regulation (EEC) No 1417/78, the corrective amount must be equal to the difference between the average world market price and the average forward world market price determined by applying the criteria laid down in Article 3 (3) of Regulation (EEC) No 1528/78 and valid for delivery during a month other than that in which the aid is introduced, adjusted by the percentage fixed under Article 5 (2) of Regulation (EEC) No 1117/78; whereas where the average forward world market price for one or more months cannot be determined by applying the criteria laid down in Article 3 (3) of Regulation (EEC) No 1528/78, the corrective amount must be fixed for the month or months in question at a level such that the aid is equal to zero;

⁽¹⁾ OJ No L 142, 30. 5. 1978, p. 1.

⁽²⁾ OJ No L 218, 28. 7. 1989, p. 1.

⁽³⁾ OJ No L 119, 11. 5. 1990.

⁽⁴⁾ OJ No L 162, 28. 6. 1990, p. 22.

⁽⁵⁾ OJ No L 171, 28. 6. 1978, p. 1.

⁽⁶⁾ OJ No L 118, 29. 4. 1989, p. 1.

⁽⁷⁾ OJ No L 179, 1. 7. 1978, p. 10.

⁽⁸⁾ OJ No L 162, 28. 6. 1990, p. 21.

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a conversion rate 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 a conversion 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 on the aforesaid corrective factor;

Whereas the rate of the additional aid must be fixed once per month so as to ensure application of the aid from the first day of the month following the date of its fixing;

Whereas, pursuant to Article 120 (1) of the 1985 Act of Accession, the Spanish price must be aligned with the common price in accordance with the method laid down in Article 70 of that Act;

Whereas, pursuant to Articles 120 (2) and 306 (2) of the Act of Accession, the additional aid applicable in these two Member States is to be adjusted by an amount equal

to the amount of customs duties on imports of these products from third countries; whereas, in addition, in Spain the amount is to be adjusted by the difference, multiplied by the percentage referred to in Article 5 (2) of Regulation (EEC) No 1117/78, between the guide price applied in Spain and the common guide price;

Whereas, as the result of the applications of all these provisions to the offers and quotations which the Commission has recorded, the rate of the additional aid for dried fodder must be fixed as indicated in the table annexed to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The rate of the aid referred to in Article 5 (3) of Regulation (EEC) No 1117/78 is fixed in the Annex to this Regulation.

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, 29 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 29 June 1990 fixing the rate of the aid for dried fodder

Aid applicable from 1 July 1990 to dried fodder:

(ECU/tonne)

	Fodder dehydrated by artificial heat drying Protein concentrates			Fodder otherwise dried		
	Spain	Portugal	Other Member States		Portugal	Other Member States
Aid	94,055	101,821	102,675		68,881	69,735

Aid in case of advance fixing for the month of:

(ECU/tonne)

August 1990	93,555	101,315	102,175		68,375	69,235
September 1990	91,356	99,091	99,976		66,151	67,036
October 1990	91,736	99,476	100,356		66,536	67,416
November 1990	90,457	98,182	99,077		65,242	66,137
December 1990	90,457	98,182	99,077		65,242	66,137
January 1991	87,377	95,068	95,997		62,128	63,057
February 1991 (*)	0,000	0,000	0,000		0,000	0,000
March 1991 (*)	0,000	0,000	0,000		0,000	0,000

(*) In accordance with Article 6 (b) of Regulation (EEC) No 1528/78.

COMMISSION REGULATION (EEC) No 1825/90

of 29 June 1990

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to Commission Regulation (EEC) No 3540/85 of 5 December 1985 laying down detailed rules for the application of the special measures for peas, field beans and sweet lupins ⁽³⁾, as last amended by Regulation (EEC) No 1561/90 ⁽⁴⁾, and in particular Article 26a (7) thereof,

Whereas, as provided for in Article 3 (1) of Regulation (EEC) No 1431/82, aid is granted for peas, field beans and sweet lupins harvested in the Community and used in the manufacture of feedingstuffs where the world market price of soya cake is lower than the activating price; whereas this aid is equal to a proportion of the difference between these prices; whereas this proportion of the price difference was fixed in Article 3a of Council Regulation (EEC) No 2036/82 ⁽⁵⁾, as last amended by Regulation (EEC) No 1190/90 ⁽⁶⁾;

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

Whereas the threshold price activating the aid for peas, field beans and sweet lupins for the 1990/91 marketing year was fixed by Council Regulation (EEC) No 1189/90 ⁽⁷⁾; whereas, as provided for in Article 2a of Regulation (EEC) No 1431/82, the activating price for the aid for peas, field beans and sweet lupins is increased monthly as from the beginning of the third month of the

marketing year; whereas the amount of the monthly increases in the threshold price was fixed by Council Regulation (EEC) No 1191/90 ⁽⁸⁾;

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

Whereas the threshold price activating the aid and the minimum price fixed by the Council are to be reduced in accordance with Commission Regulation (EEC) No 1755/90 of 27 June 1990 establishing the activating threshold price for aid, the guide price and the minimum price for peas, field beans and sweet lupins fixed in ecus by the Council and reduced as a result of the monetary realignment of 5 January 1990 ⁽⁹⁾;

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

Whereas, pursuant to Article 1 of Commission Regulation (EEC) No 2049/82 ⁽¹⁰⁾, as last amended by Regulation (EEC) No 1238/87 ⁽¹¹⁾, the price must be determined per 100 kilograms of bulk soya cake of the standard quality defined in Article 1 (2) of Council Regulation (EEC) No 1464/86 ⁽¹²⁾ delivered to Rotterdam; whereas the necessary adjustments, notably those referred to in Article 2 of Regulation (EEC) No 2049/82, must be made for offers and quotations not of the type referred to above;

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

⁽¹⁾ OJ No L 162, 12. 6. 1982, p. 28.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 16.

⁽³⁾ OJ No L 342, 19. 12. 1985, p. 1.

⁽⁴⁾ OJ No L 148, 12. 6. 1990, p. 9.

⁽⁵⁾ OJ No L 219, 28. 7. 1982, p. 1.

⁽⁶⁾ OJ No L 119, 11. 5. 1990.

⁽⁷⁾ OJ No L 119, 11. 5. 1990.

⁽⁸⁾ OJ No L 119, 11. 5. 1990.

⁽⁹⁾ OJ No L 162, 28. 6. 1990, p. 18.

⁽¹⁰⁾ OJ No L 219, 28. 7. 1982, p. 36.

⁽¹¹⁾ OJ No L 117, 5. 5. 1987, p. 9.

⁽¹²⁾ OJ No L 133, 21. 5. 1986, p. 21.

- in the case of currencies which are maintained in relation to each other at any moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the correcting factor provided for in the last subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽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 relation to the Community currencies referred to in the previous indent, and the aforesaid correcting factor ;

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

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

Whereas, pursuant to Article 26a of Regulation (EEC) No 3540/85, the gross aid expressed in ecus that results from Article 3 of Regulation (EEC) No 1431/82 shall be

weighted by the differential amount referred to in Article 12a of Regulation (EEC) No 2036/82 and then converted into the final aid in the currency of the Member State in which the products are harvested using the agricultural conversion rate of that Member State ;

Whereas the abatement of the subsidy which arises, where appropriate, from the system of maximum guaranteed quantities for the 1989/90 marketing year, has been fixed by Regulation (EEC) No 2656/89 ⁽⁴⁾,

HAS ADOPTED THIS REGULATION :

Article 1

1. The amounts of aid provided for in Article 3 of Regulation (EEC) No 1431/82 is indicated in the Annexes hereto.

2. However, the amount of the subsidy in the case of advance fixing for the 1990/91 marketing year for peas, field beans and sweet lupins will be confirmed or replaced as from 1 July 1990 to take into account, the application of maximum guaranteed quantities for the marketing year 1990/91.

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, 29 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.

⁽³⁾ OJ No L 187, 1. 7. 1989, p. 68.

⁽⁴⁾ OJ No L 255, 1. 9. 1989, p. 71.

ANNEX I

Gross aid

Products intended for human consumption :

(ECU per 100 kg)

	Current 7 (')	1st period 8 (')	2nd period 9 (')	3rd period 10 (')	4th period 11 (')	5th period 12 (')	6th period 1 (')
Peas used :							
— in Spain	8,621	8,621	8,779	8,937	9,095	9,253	9,411
— in Portugal	8,648	8,648	8,806	8,964	9,122	9,280	9,438
— in another Member State	8,850	8,850	9,008	9,166	9,324	9,482	9,640
Field beans used :							
— in Spain	8,850	8,850	9,008	9,166	9,324	9,482	9,640
— in Portugal	8,648	8,648	8,806	8,964	9,122	9,280	9,438
— in another Member State	8,850	8,850	9,008	9,166	9,324	9,482	9,640

Products used in animal feed :

(ECU per 100 kg)

	Current 7 (')	1st period 8 (')	2nd period 9 (')	3rd period 10 (')	4th period 11 (')	5th period 12 (')	6th period 1 (')
A. Peas used :							
— in Spain	11,026	11,026	11,184	11,341	11,068	11,225	11,383
— in Portugal	11,089	11,089	11,246	11,404	11,135	11,292	11,450
— in another Member State	11,089	11,089	11,246	11,404	11,135	11,292	11,450
B. Field beans used :							
— in Spain	11,026	11,026	11,184	11,341	11,068	11,225	11,383
— in Portugal	11,089	11,089	11,246	11,404	11,135	11,292	11,450
— in another Member State	11,089	11,089	11,246	11,404	11,135	11,292	11,450
C. Sweet lupins harvested in Spain and used :							
— in Spain	14,285	14,285	14,285	14,285	13,710	13,710	13,710
— in Portugal	14,368	14,368	14,368	14,368	13,800	13,800	13,800
— in another Member State	14,368	14,368	14,368	14,368	13,800	13,800	13,800
D. Sweet lupins harvested in another Member State and used :							
— in Spain	14,275	14,275	14,275	14,275	13,700	13,700	13,700
— in Portugal	14,358	14,358	14,358	14,358	13,790	13,790	13,790
— in another Member State	14,358	14,358	14,358	14,358	13,790	13,790	13,790

[illegible]

Corrective amount to be added to the Amounts in Annex V

Use of the products	BLEU	DK	DE	EL	ESP	FR	IRL	IT	NL	PT	UK
Products harvested in :											
— BLEU (Bfrs/Lfrs)	0,00	0,00	0,00	3,32	3,16	0,00	0,00	0,00	0,00	0,00	0,00
— Denmark (Dkr)	0,00	0,00	0,00	0,61	0,58	0,00	0,00	0,00	0,00	0,00	0,00
— Federal Republic of Germany (DM)	0,00	0,00	0,00	0,16	0,15	0,00	0,00	0,00	0,00	0,00	0,00
— Greece (Dr)	0,00	0,00	0,00	15,08	14,35	0,00	0,00	0,00	0,00	0,00	0,00
— Spain (Pta)	0,00	0,00	0,00	10,49	9,98	0,00	0,00	0,00	0,00	0,00	0,00
— France (FF)	0,00	0,00	0,00	0,54	0,51	0,00	0,00	0,00	0,00	0,00	0,00
— Ireland (£ Irl)	0,000	0,000	0,000	0,060	0,057	0,000	0,000	0,000	0,000	0,000	0,00
— Italy (Lit)	0	0	0	121	115	0	0	0	0	0	0
— Netherlands (Fl)	0,00	0,00	0,00	0,18	0,17	0,00	0,00	0,00	0,00	0,00	0,00
— Portugal (Esc)	0,00	0,00	0,00	14,24	13,55	0,00	0,00	0,00	0,00	0,00	0,00
— United Kingdom (£)	0,000	0,000	0,000	0,054	0,051	0,000	0,000	0,000	0,000	0,000	0,000

Partial aid

(in national currency per 100 kg)

[illegible]

ANNEX VIII

Corrective amount to be added to amounts in Annex VII

(in national currency per 100 kg)

Use of products :	BLEU	DK	DE	EL	ES	FR	IRL	IT	NL	PT	UK
Products harvested in :											
— BLEU (Bfrs/Lfrs)	0,00	0,00	0,00	2,42	2,30	0,00	0,00	0,00	0,00	0,00	0,00
— Denmark (Dkr)	0,00	0,00	0,00	0,45	0,43	0,00	0,00	0,00	0,00	0,00	0,00
— Federal Republic of Germany (DM)	0,00	0,00	0,00	0,12	0,11	0,00	0,00	0,00	0,00	0,00	0,00
— Greece (Dr)	0,00	0,00	0,00	10,96	10,43	0,00	0,00	0,00	0,00	0,00	0,00
— Spain (Pta)	0,00	0,00	0,00	7,63	7,26	0,00	0,00	0,00	0,00	0,00	0,00
— France (FF)	0,00	0,00	0,00	0,39	0,37	0,00	0,00	0,00	0,00	0,00	0,00
— Ireland (£ Irl)	0,000	0,000	0,000	0,044	0,042	0,000	0,000	0,000	0,000	0,000	0,000
— Italy (Lit)	0	0	0	88	83	0	0	0	0	0	0
— Netherlands (Fl)	0,00	0,00	0,00	0,13	0,13	0,00	0,00	0,00	0,00	0,00	0,00
— Portugal (Esc)	0,00	0,00	0,00	10,36	9,86	0,00	0,00	0,00	0,00	0,00	0,00
— United Kingdom (£)	0,000	0,000	0,000	0,039	0,037	0,000	0,000	0,000	0,000	0,000	0,000

ANNEX IX

Exchange rate of the ecu to be used

	BLEU	DK	DE	EL	ES	FR	IRL	IT	NL	PT	UK
In national currency, ECU 1 =	42,1679	7,79845	2,04446	200,786	126,355	6,85684	0,763159	1 529,70	2,30358	180,144	0,708105

(¹) Subject to the reduction from the maximum guaranteed quantities system and the prices and related measures for the 1990/91 marketing year.

COMMISSION REGULATION (EEC) No 1826/90

of 29 June 1990

fixing the aid for soya beans

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

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

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

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

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

Whereas the amount of the aid referred to in Article 2 (1) of Regulation (EEC) No 1491/85 was fixed by Commission Regulation (EEC) No 1478/90 ⁽⁴⁾, as amended by Regulation (EEC) No 1610/90 ⁽⁵⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 1478/90 to the information at present available to the Commission that the amount of the aid at present in force should be altered as set out in this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

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

2. However, the amount of the subsidy in the case of advance fixing for the 1990/91 marketing year for soya beans, will be confirmed or replaced as from 1 July 1990 to take into account the application of maximum guaranteed quantities for the 1990/91 marketing year.

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, 29 June 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 151, 10. 6. 1985, p. 15.

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 11.

⁽³⁾ OJ No L 201, 27. 7. 1988, p. 2.

⁽⁴⁾ OJ No L 140, 1. 6. 1990, p. 72.

⁽⁵⁾ OJ No L 152, 16. 6. 1990, p. 16.

ANNEX

to the Commission Regulation of 29 June 1990 fixing the aid for soya beans

(ECU/100 kg)

	Seed harvested in		
	Spain	Portugal	another Member State
Seed processed in current period			
— Spain	0,000	28,179	28,179
— Portugal	20,252	28,179 (*)	28,179
— another Member State	20,252	28,179	28,179
Seed processed in first period			
— Spain	0,000	27,983	27,983
— Portugal	20,056	27,983 (*)	27,983
— another Member State	20,056	27,983	27,983
Seed processed in second period			
— Spain	0,000	27,828	27,828
— Portugal	19,901	27,828 (*)	27,828
— another Member State	19,901	27,828	27,828
Seed processed in third period (*)			
— Spain	0,000	27,261	27,261
— Portugal	19,334	27,261 (*)	27,261
— another Member State	19,334	27,261	27,261
Seed processed in fourth period (*) :			
— Spain	0,000	27,261	27,261
— Portugal	19,334	27,261 (*)	27,261
— another Member State	19,334	27,261	27,261
Seed processed in fifth period (*)			
— Spain	0,000	26,964	26,964
— Portugal	19,037	26,964 (*)	26,964
— another Member State	19,037	26,964	26,964

(*) Special aid.

(*) Subject, in cases of advance fixing for the 1990/91 marketing year, to application of maximum guaranteed quantity arrangements for that marketing year.

COMMISSION REGULATION (EEC) No 1827/90
of 29 June 1990
fixing the aid for cotton

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 the Act of Accession of Greece, and in particular paragraphs 3 and 10 of Protocol 4 thereto, as amended by the Act of Accession of Spain and Portugal, and in particular Protocol 14 annexed thereto, and Regulation (EEC) No 4006/87 ⁽¹⁾,

Having regard to Council Regulation (EEC) No 2169/81 of 27 July 1981 laying down the general rules for the system of aid for cotton ⁽²⁾, as last amended by Regulation (EEC) No 791/89 ⁽³⁾, and in particular Article 5 (1) thereof,

Whereas the amount of the additional aid referred to in Article 5 (1) of Regulation (EEC) No 2169/81 was fixed by Commission Regulation (EEC) No 1479/90 ⁽⁴⁾, as last amended by Regulation (EEC) No 1666/90 ⁽⁵⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 1479/90 to

the information at present available to the Commission that the amount of the aid at present in force should be altered as shown in Article 1 to this Regulation;

Whereas the abatement of the subsidy which arises, where appropriate, from the system of maximum guaranteed quantities for the 1990/91 year, has not, to date, been fixed; whereas the amount of the subsidy for the 1990/91 year has been provisionally calculated on the basis of an abatement of ECU 24,00 per 100 kilograms,

HAS ADOPTED THIS REGULATION:

Article 1

1. The aid for unginned cotton referred to in Article 5 of Regulation (EEC) No 2169/81 shall be ECU 41,384 per 100 kilograms.
2. However, the amount of the aid will be confirmed or replaced with effect from 1 July 1990 to take account of the application of maximum guaranteed quantities.

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, 29 June 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 377, 31. 12. 1987, p. 49.

⁽²⁾ OJ No L 211, 31. 7. 1981, p. 2.

⁽³⁾ OJ No L 85, 30. 3. 1989, p. 7.

⁽⁴⁾ OJ No L 140, 1. 6. 1990, p. 75.

⁽⁵⁾ OJ No L 155, 21. 6. 1990, p. 27.

COMMISSION REGULATION (EEC) No 1828/90

of 29 June 1990

correcting Regulation (EEC) No 1555/90 on the issue of import licences for high-quality fresh, chilled or frozen beef and veal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3891/89 of 11 December 1989 opening a Community tariff quota for high-quality fresh, chilled or frozen meat of bovine animals falling within CN codes 0201 and 0202 and for products falling within CN codes 0206 10 95 and 0206 29 91 ⁽¹⁾, and in particular Article 2 thereof,Whereas Commission Regulation (EEC) No 1555/90 ⁽²⁾ fixes the tonnage for which import licences for high-quality fresh, chilled or frozen beef and veal may be lodged in the first five days of July 1990;

Whereas a check has shown that a mistake appears in that Regulation; whereas the Regulation in question should accordingly be corrected,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 (2) of Regulation (EEC) No 1555/90 the quantity, '4 736,50 tonnes' is hereby replaced by '7 236,50 tonnes'.

*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 9 June 1990.

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

Done at Brussels, 29 June 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 378, 27. 12. 1989, p. 19.⁽²⁾ OJ No L 146, 9. 6. 1990, p. 24.

COMMISSION REGULATION (EEC) No 1829/90**of 29 June 1990****adopting interim protective measures in regard to applications for STM licences
for milk and milk products lodged between 18 and 23 June 1990**

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

Having regard to the Act of Accession of Spain and
Portugal, and in particular Article 85 (1) thereof,

Whereas Commission Regulation (EEC) No 606/86 of 28
February 1986 laying down detailed rules for applying the
supplementary trade mechanism to milk products
imported into Spain from the Community of Ten ⁽¹⁾, as
last amended by Regulation (EEC) No 1637/90 ⁽²⁾, fixes
the indicative ceilings for milk sector products for 1990
and splits these up into monthly ceilings;

Whereas applications for STM licences lodged between 18
and 23 June 1990 for butter and cheese of category 4 are
for quantities higher than the ceiling allotted for the
second quarter;

Whereas Article 85 (1) of the Act of Accession states that
the Commission may take interim protective measures
necessary by an emergency procedure where the situation
indicated that the indicative ceiling will be attained or

exceeded; in this respect it is necessary, for the products
concerned, to refuse any requests for the week in ques-
tion,

HAS ADOPTED THIS REGULATION:

Article 1

1. Applications for STM licences for milk products
falling within CN code 0405 and category 4 of CN code
ex 0406 as referred to in Regulation (EEC) No 606/86
lodged between 18 and 23 June 1990 and notified to the
Commission are hereby rejected.

2. The issuing of STM licences for the products
covered by the abovementioned category 3 of CN code
ex 0406 is hereby provisionally suspended.

Article 2

This Regulation shall enter into force on 30 June 1990.

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

Done at Brussels, 29 June 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 58, 1. 3. 1986, p. 28.

⁽²⁾ OJ No L 153, 19. 6. 1990, p. 24.

COMMISSION REGULATION (EEC) No 1830/90
of 29 June 1990

**adopting interim protective measures on applications for STM licences in the
beef and veal sector submitted during the period 18 to 22 June 1990**

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

Having regard to the Act of Accession of Spain and
Portugal, and in particular Article 85 (1) thereof,

Whereas Commission Regulation (EEC) No 4026/89 of
22 December 1989 laying down detailed rules for the
application of the supplementary trade mechanism in the
beef and veal sector for 1990 ⁽¹⁾ set the indicative ceilings
applicable in the beef and veal sector and the maximum
quantities for which STM licences may be issued each
quarter;

Whereas Article 85 (1) of the Act of Accession makes
provision for the Commission to take the interim protec-
tive measures necessary if the indicative ceiling for the
year in course or part of it is reached or exceeded;

Whereas the licence applications lodged between 18 and
22 June 1990 are for a quantity in excess of that set for
the third quarter for live animals; whereas as an interim
protective measure only a percentage of the amounts

applied for in that period should be granted and no
further certificates issued for the time being,

HAS ADOPTED THIS REGULATION:

Article 1

For live animals of the bovine species, other than pure-
bred breeding animals and animals for bullfights:

1. applications for STM licences for the following
products submitted between 18 and 22 June 1990 and
notified to the Commission shall be accepted for
79,365 %;
2. the issuing of STM licences in response to applications
submitted from 25 June 1990 onwards is suspended
for the time being.

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, 29 June 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 382, 30. 12. 1989, p. 62.

COMMISSION REGULATION (EEC) No 1831/90

of 29 June 1990

fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas Article 17 (1) of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 (a), (b), (c) and (e) of that Regulation and prices within the Community may be covered by an export refund; whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and criteria for fixing the amount of such refunds⁽³⁾, as last amended by Regulation (EEC) No 3209/88⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 3035/80, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

Whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products in question on the Community market and the prices ruling on the world markets;
- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions;
- (c) the need to ensure equality of competition for the industries which use Community products and those which use third-country products under inward-processing arrangements;

Whereas Article 4 (3) of Regulation (EEC) No 3035/80 provides that, when the rate of the refund is being fixed, account should be taken, where necessary, of production refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question to the basic products listed in Annex A to that Regulation or to assimilated products;

Whereas Article 11 (1) of Regulation (EEC) No 804/68 provides for the payment of aid for Community-produced skimmed milk processed into casein if such milk and the casein manufactured from it fulfil certain conditions set out in Article 1 of Council Regulation (EEC) No 987/68 of 15 July 1968 laying down general rules for granting aid for skimmed milk processed into casein or caseinates⁽⁵⁾, as last amended by Regulation (EEC) No 1435/90⁽⁶⁾;

Whereas Commission Regulation (EEC) No 442/84 of 21 February 1984 on the granting of aid for butter from private storage for use in the manufacture of pastry products, ice-cream and other foodstuffs and amending Regulation (EEC) No 1245/83⁽⁷⁾, as last amended by Regulation (EEC) No 698/86⁽⁸⁾, and Commission Regulation (EEC) No 570/88 of 16 February 1988 on the sale of butter at reduced prices and the granting of aid for butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs⁽⁹⁾, as last amended by Regulation (EEC) No 1048/89⁽¹⁰⁾, lay down that butter at reduced prices should be made available to industries which manufacture certain goods;

Whereas the application of the second indent of Article 1 (2) (d) of Regulation (EEC) No 3035/80 leads to the granting, for certain milk products in power form, of refunds the level of which is not in conformity with the aims set out in Article 4 (2) of that Regulation; whereas therefore a specific rate must be fixed for these products, so that the resulting refund is equivalent to that applicable to similar products used in liquid form;

Whereas, in view of the present circumstances in the German Democratic Republic and their effects on the market situation, no refund should be fixed for products to be exported to that destination;

⁽¹⁾ OJ No L 169, 18. 7. 1968, p. 6.

⁽²⁾ OJ No L 138, 31. 5. 1990, p. 8.

⁽³⁾ OJ No L 52, 23. 2. 1984, p. 12.

⁽⁴⁾ OJ No L 64, 6. 3. 1986, p. 12.

⁽⁵⁾ OJ No L 55, 1. 3. 1988, p. 31.

⁽⁶⁾ OJ No L 111, 22. 4. 1989, p. 24.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 378, 27. 12. 1989, p. 1.

⁽³⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁴⁾ OJ No L 286, 20. 10. 1988, p. 6.

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

804/68, exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68, are hereby fixed as shown in the Annex to this Regulation.

However, no refund shall be fixed for such products exported with destination the German Democratic Republic.

HAS ADOPTED THIS REGULATION:

2. No rates of refund are fixed for any of the products referred to in the preceding paragraph which are not listed in the Annex to this Regulation.

Article 1

1. The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EEC) No 3035/80 and listed in Article 1 of Regulation (EEC) No

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, 29 June 1990.

For the Commission

Martin BANGEMANN

Vice-President

ANNEX

to the Commission Regulation of 29 June 1990 fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty

CN code	Description	(ECU/100 kg) Rate of refund
ex 0402 10 19	Powdered milk, obtained by the spray process, with a fat content of less than 1,5 % by weight and with a water content of less than 5 % by weight (PG 2): a) On exportation of goods of CN code 3501 — b) On exportation of other goods	— 50,00
ex 0402 21 19	Powdered milk, obtained by the spray process, with a fat content of 26 % by weight and a water content of less than 5 % by weight (PG 3): a) On exportation of goods of CN codes 0403 10 59, 0403 90 79, 1806 20 90, 1806 90 90, 1901 90 90 and 2106 90 99 containing 40 % or more by weight of milk fat b) On exportation of other goods	— 53,87 100,00
ex 0405 00 10	Butter, with a fat content by weight of 82 % (PG 6): a) On exportation of goods containing reduced-price butter and manufactured under the conditions laid down in Commission Regulations (EEC) No 442/84, (EEC) No 2409/86 ⁽¹⁾ , (EEC) No 570/88, (EEC) No 262/79 ⁽²⁾ and (EEC) No 1932/81 ⁽³⁾ b) On exportation of goods of CN code 2106 90 99 containing 40 % or more by weight of milk fat c) On exportation of other goods	— 178,00 170,00

⁽¹⁾ OJ No L 208, 31. 7. 1986, p. 29.

⁽²⁾ OJ No L 41, 16. 2. 1979, p. 1.

⁽³⁾ OJ No L 191, 14. 7. 1981, p. 6.

COMMISSION REGULATION (EEC) No 1832/90

of 29 June 1990

fixing the rates of the refunds applicable to certain cereal and rice products
exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to 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 the first sentence of the
fourth subparagraph of Article 16 (2) 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 the first sentence of the
fourth subparagraph of Article 17 (2) thereof,

Whereas Article 16 (1) of Regulation (EEC) No 2727/75
and Article 17 (1) of Regulation (EEC) No 1418/76
provides that the difference between quotations of prices
on the world market for the products listed in Article 1 of
each of those Regulations and the prices within the
Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 3035/80 of 11
November 1980 laying down general rules for granting
export refunds on certain agricultural products exported
in the form of goods not covered by Annex II to the
Treaty, and the criteria for fixing the amount of such
refunds ⁽⁵⁾, as last amended by Regulation (EEC) No
3209/88 ⁽⁶⁾, specifies the products for which a rate of
refund should be fixed, to be applied where these
products are exported in the form of goods listed in
Annex B to Regulation (EEC) No 2727/75 or in Annex B
to Regulation (EEC) No 1418/76 as appropriate;

Whereas, in accordance with the first subparagraph of
Article 4 (1) of Regulation (EEC) No 3035/80, the rate of
the refund per 100 kilograms for each of the basic
products in question must be fixed for each month;

Whereas, in accordance with paragraph 2 of that Article,
that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in
obtaining supplies of the basic products in question
on the Community market and the prices ruling on
the world markets;
- (b) the level of the refunds on exports of processed agri-
cultural products covered by Annex II to the Treaty
which are manufactured under similar conditions;
- (c) the need to ensure equality of competition for the
industries which use Community products and those
which use third-country products under inward
processing arrangements;

Whereas in the absence of evidence that no production
refund was granted pursuant to Council Regulation (EEC)
No 1009/86 of 25 March 1986 establishing general rules
applying to production refunds in the cereals and rice
sector ⁽⁷⁾, as last amended by Regulation (EEC) No
2779/89 ⁽⁸⁾, the export refund should be reduced by the
amount of the production refund applicable on the day of
acceptance of the export declaration; whereas this system
is the only one which avoids the risk of fraud;

Whereas Commission Regulation (EEC) No 28/90 ⁽⁹⁾
specifies new criteria for the classification of products
falling within CN code 3505 10 50; whereas it is there-
fore necessary to adopt certain provisions to ensure the
deduction from any export refund payable of the amount
of the production refund in cases where the product in
question has previously benefited from a production
refund pursuant to Regulation (EEC) No 1009/86, prior to
the implementation of the new criteria;

Whereas Council Regulation (EEC) No 565/80 of 4
March 1980 on the advance payment of export refunds in
respect of agricultural products ⁽¹⁰⁾, as amended by Regu-
lation (EEC) No 2026/83 ⁽¹¹⁾, and Commission Regulation
(EEC) No 3665/87 of 27 November 1987 laying down
common detailed rules for the application of the system
of export refunds on agricultural products ⁽¹²⁾, as last
amended by Regulation (EEC) No 1615/90 ⁽¹³⁾, lay down
rules on the advance payment of export refunds that must
be adhered to when these are adjusted;

⁽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 323, 29. 11. 1980, p. 27.

⁽⁶⁾ OJ No L 286, 20. 10. 1988, p. 6.

⁽⁷⁾ OJ No L 94, 9. 4. 1986, p. 6.

⁽⁸⁾ OJ No L 268, 15. 9. 1989, p. 20.

⁽⁹⁾ OJ No L 3, 6. 1. 1990, p. 9.

⁽¹⁰⁾ OJ No L 62, 7. 3. 1980, p. 5.

⁽¹¹⁾ OJ No L 199, 22. 7. 1983, p. 12.

⁽¹²⁾ OJ No L 351, 14. 12. 1987, p. 1.

⁽¹³⁾ OJ No L 152, 16. 6. 1990, p. 33.

Whereas, now that a settlement has been reached between the European Economic Community and the United States of America on Community exports of pasta products to the United States and has been approved by Council Decision 87/482/EEC⁽¹⁾, it is necessary to differentiate the refund on goods falling within CN codes 1902 11 00 and 1902 19 according to their destination;

Whereas, in order to ensure equitable treatment between maize products exported in the form of pellets falling within CN code 1904 10 and other maize products, it is necessary to differentiate the refunds on those goods;

Whereas, in view of the present circumstances in the German Democratic Republic and their effects on the market situation, no refund should be fixed for products to be exported to that destination;

Whereas the Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

1. Without prejudice to paragraphs 2 and 3 the rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EEC) No 3035/80 and listed either in Article 1 of Regulation (EEC) No 2727/75 or in Article 1 (1) of Regulation (EEC) No 1418/76, exported in the form of goods listed in Annex B to Regulation (EEC) No 2727/75 or in Annex B to Regulation (EEC) No 1418/76 respectively, are hereby fixed as shown in the Annex to this Regulation.

However, no refund shall be fixed for such products exported with destination the German Democratic Republic.

2. For the products listed in the Annex to Regulation (EEC) No 1009/86, the refunds given in the Annex to this

Regulation shall be applied on presentation, at the acceptance of the export declaration and the request for obtaining the export refund, of proof that the basic products used in the manufacture of the products to be exported have not benefited from the production refund provided for in that Regulation, and that such refund will not be applied for.

The proof referred to in the first subparagraph is provided by the presentation by the exporter of a declaration from the processor of the basic product in question attesting that the latter product has not benefited from a production refund as provided for in Regulation (EEC) No 1009/86, and that no application for such refund will be made.

3. When the proof referred to in paragraph 2 is not provided, the export refund:

(a) applicable on the date of acceptance of the export declaration for the goods, or on the day specified in Article 26 (2) of Regulation (EEC) No 3665/87, where the rate is not fixed in advance;

(b) of which the rate is fixed in advance,

will be reduced by the amount of the production refund applicable pursuant to Regulation (EEC) No 1009/86 to the basic product in question on the day of acceptance of the export declaration for the goods, or on the day specified in Article 26 (2) of Regulation (EEC) No 3665/87, if the goods have been placed under the export refund advance payment arrangements.

Article 2

The provisions of Article 1 (2) and (3) of this Regulation shall also apply to starches having on acetyl content by weight in the dry product of 0,25 % or more but less than 0,5 %

Article 3

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, 29 June 1990.

For the Commission
Martin BANGEMANN
Vice-President

⁽¹⁾ OJ No L 275, 29. 9. 1987, p. 36.

ANNEX

to the Commission Regulation of 29 June 1990 fixing the rates of the refunds applicable to certain cereal and rice products exported in the form of goods not covered by Annex II to the Treaty

CN code	Description	(ECU/100 kg) Rate of refund
1001 10 90	Durum wheat :	
	— On exports of goods falling within CN codes 1902 11 00 and 1902 19 to the United States of America	7,070
	— In all other cases	9,427
1001 90 99	Common wheat, and meslin (mixed wheat and rye) :	
	— On exports of goods falling within CN codes 1902 11 00 and 1902 19 to the United States of America	4,853
	— In all other cases	6,471
1002 00 00	Rye	6,332
1003 00 90	Barley	5,725
1004 00 90	Oats	5,433
1005 90 00	Maize, other than hybrid maize for sowing) :	
	— On exports of pellets with a fat content exceeding 1,5 % in the form of goods falling within CN code 1904 10	5,100
	— In all other cases	9,000
1006 20	Round grain husked rice	23,432
	Medium grain husked rice	18,213
	Long grain husked rice	18,213
ex 1006 30	Round grain wholly milled rice	32,195
	Medium grain wholly milled rice	34,966
	Long grain wholly milled rice	34,966
1006 40 00	Broken rice	16,089
1007 00 90	Sorghum	6,380
1101 00 00	Wheat or meslin flour :	
	— On exports of goods falling within CN codes 1902 11 00 and 1902 19 to the United States of America	5,720
	— In all other cases	7,627
1102 10 00	Rye flour	15,854
1103 11 10	Durum wheat groats and meal :	
	— On exports of goods falling within CN codes 1902 11 00 and 1902 19 to the United States of America	10,959
	— In all other cases	14,612
1103 11 90	Common wheat groats and meal :	
	— On exports of goods falling within CN codes 1902 11 00 and 1902 19 to the United States of America	5,720
	— In all other cases	7,627

COMMISSION REGULATION (EEC) No 1833/90

of 29 June 1990

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the market in sugar⁽¹⁾, as last amended by Regulation (EEC) No 1069/89⁽²⁾, and in particular Article 19 (4) (a) and (7) thereof,

Whereas Article 19 (1) and (2) of Regulation (EEC) No 1785/81 provides that, for the products listed in Article 1 (1) (a), (c), (d), (f) and (g) of that Regulation, an export refund may be granted when these goods are exported in the form of goods listed in Annex I to that same Regulation; whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds for certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds⁽³⁾, as last amended by Regulation (EEC) No 3209/88⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex I to Regulation (EEC) No 1785/81;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 3035/80, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month; and whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products on the Community market and the prices ruling on the world market;
- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions;
- (c) the need to ensure equality of competition for the industries which use Community products and those which use third-country products under inward processing arrangements;

Whereas Article 4 (3) of Regulation (EEC) No 3035/80 provides that, when the rate of the refund is being fixed, account should be taken, where appropriate, of refunds, aids or other measures having equivalent effect, applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question, to the basic products listed in Annex A to that Regulation or to assimilated products;

Whereas Council Regulation (EEC) No 1010/86 of 26 March 1986 laying down general rules for production refunds on certain products of the chemical industry⁽⁵⁾, as last amended by Regulation (EEC) 2306/88⁽⁶⁾, provides for the granting of production refunds of white sugar, raw sugar, certain sucrose syrups falling within CN codes ex 1702 60 90 and ex 1702 90 90 having a certain purity, and unprocessed isoglucose falling within CN codes 1702 30 10, 1702 40 10, 1702 60 10 and 1702 90 30, which are used in the manufacture of the chemical products listed in the Annex thereto; whereas this production refunds' scheme has been established in particular to bring the conditions under which Community processors operate progressively into line with those of processors employing sugar at world market prices; whereas, therefore, in the absence of proof that the basic product has not benefited from the production refund, the amount of the export refund must be reduced by the amount of the production refund applicable to the basic product on the day of acceptance of the export declaration; whereas this system is the only one which discards the risk of fraud;

Whereas Council Regulation (EEC) No 565/80 of 4 March 1980 on the advance payment of export refunds in respect of agricultural products⁽⁷⁾, as amended by Regulation (EEC) No 2026/83⁽⁸⁾, and Commission Regulation (EEC) No 3665/87 of 27 November 1987 laying down common detailed rules for the application of the system of export refunds on agricultural products⁽⁹⁾, as last amended by Regulation (EEC) No 1615/90⁽¹⁰⁾, lay down rules on the advance payment of export refunds that must be adhered to when these are adjusted;

⁽¹⁾ OJ No L 94, 9. 4. 1986, p. 9.

⁽²⁾ OJ No L 201, 27. 7. 1988, p. 65.

⁽³⁾ OJ No L 62, 7. 3. 1980, p. 5.

⁽⁴⁾ OJ No L 199, 22. 7. 1983, p. 12.

⁽⁵⁾ OJ No L 351, 14. 12. 1987, p. 1.

⁽⁶⁾ OJ No L 152, 16. 6. 1990, p. 33.

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 114, 27. 4. 1989, p. 1.

⁽³⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁴⁾ OJ No L 286, 20. 10. 1988, p. 6.

Whereas, in view of the present circumstances in the German Democratic Republic and their effects on the market situation, no refund should be fixed for products to be exported to that destination;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Without prejudice to paragraphs 2 and 3, the rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EEC) No 3035/80 and listed in Article 1 (1) and (2) of Regulation (EEC) No 1785/81, exported in the form of goods listed in Annex I to Regulation (EEC) No 1785/81, are fixed as shown in the Annex hereto.

However, no refund shall be fixed for such products exported with destination the German Democratic Republic.

2. For the chemical products listed in the Annex to Regulation (EEC) No 1010/86, the refunds given in the Annex to this Regulation shall be applied on presentation, at the acceptance of the export declaration and the request for obtaining the export refund, of proof that the

basic products used in the manufacture of the chemical products to be exported have not benefited from the production refund provided for in that Regulation, and that such refund will not be applied for.

The proof referred to in the first subparagraph is provided by the presentation by the exporter of a declaration from the processor of the basic product in question attesting that the latter product has not benefited from a production refund as provided for in Regulation (EEC) No 1010/86, and that no application for such refund will be made.

3. When the proof referred to in paragraph 2 is not provided, the export refund:

- (a) applicable on the date of export of the goods, when the rate is not fixed in advance; or
- (b) of which the rate is fixed in advance,

will be reduced by the amount of the production refund applicable under Regulation (EEC) No 1010/86 to the basic product in question on the day of acceptance of the export declaration for the goods, or on the day specified in Article 3 (2) of Regulation (EEC) No 798/80, if the goods have been placed under the export refund advance payment arrangements.

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, 29 June 1990.

For the Commission

Martin BANGEMANN

Vice-President

ANNEX

to the Commission Regulation of 29 June 1990 fixing the rates of the refunds applicable to certain products in the sugar sector exported in the form of goods not covered by Annex II to the Treaty

Rate of refund in ECU/100 kg:

White sugar:	31,79
Raw sugar:	28,87
Syrups of beet sugar or cane sugar containing, in the dry state, 85 % or more by weight of sucrose (including invert sugar expressed as sucrose):	$31,79 \times \frac{S^{(1)}}{100}$ or
If those syrups are obtained by dissolving white or raw sugar in the solid state, whether or not the dissolving is followed by inversion:	The rate fixed above for 100 kg of white or raw sugar used for the dissolution
Molasses:	—
Isoglucose ⁽²⁾ :	31,79 ⁽³⁾

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

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

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

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

COMMISSION REGULATION (EEC) No 1834/90

of 29 June 1990

fixing the world market price for peas and field beans and the amount of aid referred to in Article 3 (2) of Regulation (EEC) No 1431/82

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to Council Regulation (EEC) No 2036/82 of 19 July 1982 adopting general rules concerning special measures for peas, field beans and sweet lupins ⁽³⁾, as last amended by Regulation (EEC) No 1190/90 ⁽⁴⁾, and in particular Article 2 (1) thereof,

Having regard to Commission Regulation (EEC) No 3540/85 of 5 December 1985 laying down detailed rules for the application of the special measures for peas, field beans and sweet lupins ⁽⁵⁾, as last amended by Regulation (EEC) No 1561/90 ⁽⁶⁾, and in particular Article 26a (7) thereof,

Whereas Council Regulation (EEC) No 1189/90 ⁽⁷⁾ fixed the guide price for peas and field beans for the 1990/91 marketing year;

Whereas, in accordance with Article 2a of Regulation (EEC) No 1431/82, the guide price is increased monthly as from the beginning of the third month of the marketing year; whereas Council Regulation (EEC) No 1191/90 ⁽⁸⁾ fixed the amount of these monthly increases;

Whereas the target price and the minimum price fixed by the Council are to be reduced in accordance with Commission Regulation (EEC) No 1755/90 of 27 June 1990 establishing the activating threshold price for aid, the guide price and the minimum price for peas, field beans and sweet lupins fixed in ecus by the Council and reduced as a result of the monetary realignment of 5 January 1990 ⁽⁹⁾;

Whereas under Regulation (EEC) No 2036/82 the world market price for peas and field beans, as referred to in Article 3 (2) of Council Regulation (EEC) No 1431/82, is to be determined on the basis of offers made on the world market, disregarding those which cannot be considered representative of actual market trends; whereas in cases where no offer can be used for determining the world market price, this price is determined from prices recorded on the markets of the principal exporting countries; whereas in cases where no offer either on the world market or on those of the principal exporting countries can be used for determining the world market price this price is fixed at a level equal to the guide price for the products in question;

Whereas, under Commission Regulation (EEC) No 2049/82 ⁽¹⁰⁾ as last amended by Regulation (EEC) No 1238/87 ⁽¹¹⁾, and under Regulation (EEC) No 2036/82 the average world market price is to be established per 100 kilograms of products in bulk, delivered at Rotterdam, of sound quality; whereas, for the purpose of establishing this price, only the most favourable offers to deliveries closest in distance, excluding those relating to products being transported by ship, are used for offers and prices that do not comply with the conditions laid down above, the necessary adjustments must be made, and in particular those referred to in Article 5 of Regulation (EEC) No 2049/82;

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

- in the case of currencies which are maintained in relation to each other at any moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the correcting factor referred to in the last subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽¹²⁾, as last amended by Regulation (EEC) No 1636/87 ⁽¹³⁾;
- 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;

⁽¹⁾ OJ No L 162, 12. 6. 1982, p. 28.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 16.

⁽³⁾ OJ No L 219, 28. 7. 1982, p. 1.

⁽⁴⁾ OJ No L 119, 11. 5. 1990, p. 39.

⁽⁵⁾ OJ No L 342, 19. 12. 1985, p. 1.

⁽⁶⁾ OJ No L 148, 12. 6. 1990, p. 9.

⁽⁷⁾ OJ No L 119, 11. 5. 1990, p. 37.

⁽⁸⁾ OJ No L 119, 11. 5. 1990, p. 40.

⁽⁹⁾ OJ No L 162, 28. 6. 1990, p. 18.

⁽¹⁰⁾ OJ No L 219, 28. 7. 1982, p. 36.

⁽¹¹⁾ OJ No L 117, 5. 5. 1987, p. 9.

⁽¹²⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽¹³⁾ OJ No L 153, 13. 6. 1987, p. 1.

Whereas in cases where aid is fixed in advance its amount is adjusted as specified in Article 6 (3) of Regulation (EEC) No 2036/82;

Whereas pursuant to Articles 121 (3) and 307 (3) of the Act of Accession the aid granted on products harvested and processed in either of these Member States is to be reduced by the customs duties charged by the Member State on peas and field beans imported from third countries;

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

Whereas the aid must be fixed before the beginning of each marketing year and may be adjusted if the world market price alters markedly;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The world market price as specified in Article 2 of Regulation (EEC) No 2036/82 shall be 18,00 ECU/100 kg.

Article 2

1. The amount of the gross aid provided for in Article 3 (2) of Regulation (EEC) No 1431/82 is indicated in Annex I.
2. The amount of final aid provided for in Article 3 (2) of Regulation (EEC) No 1431/82 is indicated in Annex II.
3. However, the amount of aid for peas and field beans shall be confirmed or replaced with effect from 1 July 1990 to take account, where applicable, of the consequences of the application of the maximum guaranteed quantities system for the 1990/91 marketing year in cases of advance fixing.

Article 3

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, 29 June 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX I

Gross aid in ECU per 100 kilograms

Products intended for human consumption

	Current 7 (°)	1st period 8 (°)	2nd period 9 (°)	3rd period 10 (°)	4th period 11 (°)	5th period 12 (°)	6th period 1 (°)
Peas used :							
— in Spain	8,621	8,621	8,779	8,937	9,095	9,253	9,411
— in Portugal	8,648	8,648	8,806	8,964	9,122	9,280	9,438
— in another Member State	8,850	8,850	9,008	9,166	9,324	9,482	9,640
Field beans used :							
— in Spain	8,850	8,850	9,008	9,166	9,324	9,482	9,640
— in Portugal	8,648	8,648	8,806	8,964	9,122	9,280	9,438
— in another Member State	8,850	8,850	9,008	9,166	9,324	9,482	9,640

ANNEX II

Final aid in national currency per 100 kilograms

Products intended for human consumption

	Current 7 (°)	1st period 8 (°)	2nd period 9 (°)	3rd period 10 (°)	4th period 11 (°)	5th period 12 (°)	6th period 1 (°)
Products harvest in :							
— BLEU (Bfrs/Lfrs)	427,34	427,34	434,97	442,60	450,23	457,86	465,49
— Denmark (Dkr)	79,03	79,03	80,44	81,85	83,26	84,67	86,09
— Federal Republic of Germany (DM)	20,72	20,72	21,09	21,46	21,83	22,20	22,57
— Greece (Dr)	1 895,43	1 895,43	1 929,79	1 964,14	1 998,50	2 032,86	2 067,21
— Spain (Pta)	1 377,03	1 377,03	1 401,27	1 425,51	1 449,75	1 474,00	1 498,24
— France (FF)	69,49	69,49	70,73	71,97	73,21	74,45	75,69
— Ireland (£ Irl)	7,734	7,734	7,872	8,010	8,148	8,286	8,424
— Italy (Lit)	15 502	15 502	15 779	16 056	16 333	16 609	16 886
— Netherlands (Fl)	23,34	23,34	23,76	24,18	24,60	25,01	25,43
— Portugal (Esc)	1 831,08	1 831,08	1 863,77	1 896,46	1 929,15	1 961,84	1 994,54
— United Kingdom (£)	6,899	6,899	7,022	7,145	7,269	7,392	7,515

Amounts to be deducted in the case of :

- peas used in Spain (Pta) 35,15
- peas and field beans used in Portugal (Esc) 41,79

ANNEX III

Exchange rate of the ECU to be used

	BLEU	DK	DE	EL	ESP	FR	IRL	IT	NL	PT	UK
In national currency, 1 ECU =	42,1679	7,79845	2,04446	200,786	126,355	6,85684	0,763159	1 529,70	2,30358	180,144	0,708105

(°) Subject to the reduction from the maximum guaranteed quantities system and the prices and related measures for the 1990/91 marketing year.