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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2228/90**of 31 July 1990****fixing the import levies on cereals and on wheat or rye flour, groats and meal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1340/90 ⁽²⁾, and in particular Article 13 (5) thereof,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy ⁽³⁾, as last amended by Regulation (EEC) No 1636/87 ⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 1801/90 ⁽⁵⁾ and subsequent amending Regulations;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in

the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85,

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

Whereas these exchange rates being those recorded on 30 July 1990;

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

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1801/90 to today's offer prices and quotations known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 2727/75 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 August 1990.

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

Done at Brussels, 31 July 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 134, 28. 5. 1990, p. 1.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 167, 30. 6. 1990, p. 8.

ANNEX

to the Commission Regulation of 31 July 1990 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Levies	
	Portugal	Third country
0709 90 60	36,66	140,78 ⁽²⁾ ⁽³⁾
0712 90 19	36,66	140,78 ⁽²⁾ ⁽³⁾
1001 10 10	14,02	172,47 ⁽¹⁾ ⁽³⁾
1001 10 90	14,02	172,47 ⁽¹⁾ ⁽³⁾
1001 90 91	21,81	152,63
1001 90 99	21,81	152,63
1002 00 00	47,31	122,70 ⁽⁴⁾
1003 00 10	38,54	135,04
1003 00 90	38,54	135,04
1004 00 10	30,18	113,66
1004 00 90	30,18	113,66
1005 10 90	36,66	140,78 ⁽²⁾ ⁽³⁾
1005 90 00	36,66	140,78 ⁽²⁾ ⁽³⁾
1007 00 90	53,63	146,79 ⁽⁴⁾
1008 10 00	38,54	43,34
1008 20 00	38,54	98,72 ⁽⁴⁾
1008 30 00	38,54	1,41 ⁽²⁾
1008 90 10	⁽⁷⁾	⁽⁷⁾
1008 90 90	38,54	1,41
1101 00 00	43,70	226,85
1102 10 00	79,41	184,95
1103 11 10	34,80	280,40
1103 11 90	47,01	244,81

⁽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 2229/90

of 31 July 1990

fixing the premiums to be added to the import levies on cereals, flour and malt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1340/90⁽²⁾, and in particular Article 15 (6) thereof,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽³⁾, as last amended by Regulation (EEC) No 1636/87⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EEC) No 1802/90⁽⁵⁾ and subsequent amending Regulations;

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

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

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

Whereas these exchange rates being those recorded on 30 July 1990;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The premiums referred to in Article 15 of Regulation (EEC) No 2727/75 to be added to the import levies fixed in advance in respect of cereals and malt coming from Portugal shall be zero.
2. The premiums referred to in Article 15 of Regulation (EEC) No 2727/75 to be added to the import levies fixed in advance in respect of cereals and malt coming from third countries shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 August 1990.

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

Done at Brussels, 31 July 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 134, 28. 5. 1990, p. 1.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 167, 30. 6. 1990, p. 11.

ANNEX

to the Commission Regulation of 31 July 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 8	1st period 9	2nd period 10	3rd period 11
0709 90 60	0	0	0	1,03
0712 90 19	0	0	0	1,03
1001 10 10	0	8,05	8,05	8,05
1001 10 90	0	8,05	8,05	8,05
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	2,06	2,07	2,74
1004 00 90	0	2,06	2,07	2,74
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	23,99	23,99	34,26
1008 90 90	0	23,99	23,99	34,26
1101 00 00	0	0	0	0

B. Malt

CN code	(ECU/tonne)				
	Current 8	1st period 9	2nd period 10	3rd period 11	4th period 12
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 2230/90**of 31 July 1990****altering the corrective amount applicable to the refund on cereals**

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 sentence of
the second subparagraph of Article 16(4) thereof,

Having regard to 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⁾,

Whereas the corrective amount applicable to the refund
on cereals was fixed by Commission Regulation (EEC) No
1791/90⁽⁴⁾;

Whereas, on the basis of today's cif prices and cif forward
delivery prices, taking foreseeable developments on the

market into account, the corrective amount at present
applicable to the refund on cereals should be altered,

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 16(4) of
Regulation (EEC) No 2727/75, fixed in the Annex to
Regulation (EEC) No 1791/90, which is applicable to the
export refunds fixed in advance in respect of cereals, is
hereby altered to the amounts set out in the Annex
hereto.

Article 2

This Regulation shall enter into force on 1 August 1990.

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

Done at Brussels, 31 July 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 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 163, 29. 6. 1990, p. 64.

ANNEX

to the Commission Regulation of 31 July 1990 altering the corrective amount applicable to the refund on cereals

(ECU/tonne)

Product code	Destination (1)	Current 8	1st period 9	2nd period 10	3rd period 11	4th period 12	5th period 1	6th period 2
0709 90 60 000	—	—	—	—	—	—	—	—
0712 90 19 000	—	—	—	—	—	—	—	—
1001 10 10 000	—	—	—	—	—	—	—	—
1001 10 90 000	01	0	0	0	0	0	0	0
1001 90 91 000	—	—	—	—	—	—	—	—
1001 90 99 000	01	0	0	0	0	0	0	0
1002 00 00 000	01	0	0	0	0	0	0	0
1003 00 10 000	—	—	—	—	—	—	—	—
1003 00 90 000	01	0	0	0	0	0	0	0
1004 00 10 000	—	—	—	—	—	—	—	—
1004 00 90 000	—	—	—	—	—	—	—	—
1005 10 90 000	—	—	—	—	—	—	—	—
1005 90 00 000	01	0	0	0	0	0	0	0
1007 00 90 000	—	—	—	—	—	—	—	—
1008 20 00 000	—	—	—	—	—	—	—	—
1101 00 00 110	01	0	0	0	0	0	0	0
1101 00 00 120	01	0	0	0	0	0	0	0
1101 00 00 130	01	0	0	0	0	0	0	0
1101 00 00 150	01	0	0	0	0	0	0	0
1101 00 00 170	01	0	0	0	0	0	0	0
1101 00 00 180	01	0	0	0	0	0	0	0
1101 00 00 190	—	—	—	—	—	—	—	—
1101 00 00 900	—	—	—	—	—	—	—	—
1102 10 00 100	01	0	0	0	0	0	0	0
1102 10 00 200	01	0	0	0	0	0	0	0
1102 10 00 300	01	0	0	0	0	0	0	0
1102 10 00 500	01	0	0	0	0	0	0	0
1102 10 00 900	—	—	—	—	—	—	—	—
1103 11 10 100	01	0	0	0	0	0	0	0
1103 11 10 200	01	0	0	0	0	0	0	0
1103 11 10 500	01	0	0	0	0	0	0	0
1103 11 10 900	01	0	0	0	0	0	0	0
1103 11 90 100	01	0	0	0	0	0	0	0
1103 11 90 900	—	—	—	—	—	—	—	—

(1) For the following destinations:

01 All third countries.

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

COMMISSION REGULATION (EEC) No 2231/90

of 31 July 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 August 1990.

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

Done at Brussels, 31 July 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 31 July 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	0,3839	—
1702 20 90	0,3839	—
1702 30 10	—	48,06
1702 40 10	—	48,06
1702 60 10	—	48,06
1702 60 90	0,3839	—
1702 90 30	—	48,06
1702 90 60	0,3839	—
1702 90 71	0,3839	—
1702 90 90	0,3839	—
2106 90 30	—	48,06
2106 90 59	0,3839	—

COMMISSION REGULATION (EEC) No 2232/90

of 31 July 1990

altering the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1340/90 ⁽²⁾, and in particular Article 14 (4) thereof,

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

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

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on products processed from cereals and rice were fixed by Commission Regulation (EEC) No 2160/90 ⁽⁷⁾;

Whereas Council Regulation (EEC) No 1906/87 ⁽⁸⁾ amended Council Regulation (EEC) No 2744/75 ⁽⁹⁾ as regards products falling within CN codes 2302 10, 2302 20, 2302 30 and 2302 40;

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

⁽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 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁷⁾ OJ No L 197, 27. 7. 1990, p. 36.

⁽⁸⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁹⁾ OJ No L 281, 1. 11. 1975, p. 65.

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

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

Whereas these exchange rates being those recorded on 30 July 1990;

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

Whereas the levy on the basic product as last fixed differs from the average levy by more than ECU 3,02 per tonne of basic product; whereas, pursuant to Article 1 of Commission Regulation (EEC) No 1579/74 ⁽¹⁰⁾, as last amended by Regulation (EEC) No 1740/78 ⁽¹¹⁾, the levies at present in force must therefore be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products processed from cereals and rice covered by Regulation (EEC) No 2744/75 as fixed in the Annex to Regulation (EEC) No 2160/90 are hereby altered to the amounts set out in the Annex.

Article 2

This Regulation shall enter into force on 1 August 1990.

⁽¹⁰⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽¹¹⁾ OJ No L 202, 26. 7. 1978, p. 8.

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

Done at Brussels, 31 July 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 31 July 1990 altering the import levies on products processed from cereals and rice

(ECU/tonne)

CN code	Import levies		
	Portugal	ACP or OCT	Third countries (other than ACP or OCT)
0714 10 10 ⁽¹⁾	41,47	131,05	137,70
0714 10 91	38,45	134,68 ⁽¹⁾ ⁽⁷⁾	134,68
0714 10 99	41,47	132,87	137,70
0714 90 11	38,45	134,68 ⁽¹⁾ ⁽⁷⁾	134,68
0714 90 19	41,47	132,87 ⁽¹⁾	137,70
1102 20 10	72,03	251,51	257,55
1102 20 90	40,41	142,52	145,54
1102 90 10	75,25	242,42	248,46
1102 90 30	60,20	204,70	210,74
1103 12 00	60,20	204,70	210,74
1103 13 11	72,03	251,51	257,55
1103 13 19	72,03	251,51	257,55
1103 13 90	40,41	142,52	145,54
1103 19 30	75,25	242,42	248,46
1103 21 00	45,14	275,53	281,57
1103 29 20	75,25	242,42	248,46
1103 29 30	60,20	204,70	210,74
1103 29 40	72,03	251,51	257,55
1104 11 10	42,24	137,37	140,39
1104 11 90	82,94	269,36	275,40
1104 12 10	33,71	115,99	119,01
1104 12 90	66,22	227,44	233,48
1104 19 10	45,14	275,53	281,57
1104 19 50	72,03	251,51	257,55
1104 21 10	64,54	215,49	218,51
1104 21 30	64,54	215,49	218,51
1104 21 50	102,17	336,70	342,74
1104 21 90	42,24	137,37	140,39
1104 22 10 10 ⁽¹⁾	33,71	115,99	119,01
1104 22 10 90 ⁽¹⁾	57,18	204,70	207,72
1104 22 30	57,18	204,70	207,72
1104 22 50	51,16	181,95	184,97
1104 22 90	33,71	115,99	119,01
1104 23 10	61,68	223,57	226,59
1104 23 30	61,68	223,57	226,59
1104 23 90	40,41	142,52	145,54
1104 29 11	31,91	203,58	206,60
1104 29 31	37,77	244,91	247,93
1104 29 91	25,17	156,13	159,15
1104 30 10	22,33	114,80	120,84
1104 30 90	33,54	104,80	110,84
1106 20 10	41,47	131,05 ⁽¹⁾	137,70

(ECU/tonne)

CN code	Import levies		
	Portugal	ACP or OCT	Third countries (other than ACP or OCT)
1106 20 91	79,57	221,34 ⁽¹⁾	245,52
1106 20 99	79,57	221,34 ⁽¹⁾	245,52
1107 10 11	49,54	272,46	283,34
1107 10 19	39,77	203,58	214,46
1107 10 91	79,32	239,73	250,61 ⁽²⁾
1107 10 99	62,02	179,12	190,00
1107 20 00	70,48	208,75	219,63 ⁽²⁾
1108 11 00	68,33	336,75	357,30
1108 12 00	79,57	224,97	245,52
1108 13 00	79,57	224,97	245,52 ⁽⁴⁾
1108 14 00	79,57	112,48	245,52
1108 19 90	79,57	112,48 ⁽¹⁾	245,52
1109 00 00	268,22	612,28	793,62
1702 30 51	173,71	293,43	390,15
1702 30 59	125,51	224,97	291,46
1702 30 91	173,71	293,43	390,15
1702 30 99	125,51	224,97	291,46
1702 40 90	125,51	224,97	291,46
1702 90 50	125,51	224,97	291,46
1702 90 75	177,37	307,41	404,13
1702 90 79	122,58	213,79	280,28
2106 90 55	125,51	224,97	291,46
2302 10 10	19,56	59,43	65,43
2302 10 90	35,05	127,35	133,35
2302 20 10	19,56	59,43	65,43
2302 20 90	35,05	127,35	133,35
2302 30 10	19,56	59,43	65,43
2302 30 90	35,05	127,35	133,35
2302 40 10	19,56	59,43	65,43
2302 40 90	35,05	127,35	133,35
2303 10 11	254,66	279,46	460,80

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

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

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

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

⁽⁴⁾ Taric code: clipped oats.

⁽⁵⁾ Taric code: CN code 1104 22 10, other than 'clipped oats'.

⁽⁶⁾ Pursuant to Regulation (EEC) No 3899/89, the levy on importation into the Community of products of CN code 1108 13 00 is reduced by 50 % within the limit of a fixed amount of 5 000 tons.

⁽⁷⁾ In accordance with Regulation (EEC) No 715/90 the levies are not applied to products imported directly into the French overseas departments originating in the African, Caribbean and Pacific States or in the overseas countries and territories.

COMMISSION REGULATION (EEC) No 2233/90

of 31 July 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 2043/90 ⁽³⁾, as amended by Regulation (EEC) No 2124/90 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2043/90 to the information known to the Commission that the export refunds at present in force should be altered to the amounts set out in the Annex hereto;

Whereas, in view of the present circumstance 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,

HAS ADOPTED THIS REGULATION :

Article 1

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 2043/90 are hereby altered to the amounts shown in the Annex hereto.

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

Article 2

This Regulation shall enter into force on 1 August 1990.

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

Done at Brussels, 31 July 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 114, 27. 4. 1989, p. 1.

⁽³⁾ OJ No L 187, 19. 7. 1990, p. 18.

⁽⁴⁾ OJ No L 193, 25. 7. 1990, p. 31.

ANNEX

to the Commission Regulation of 31 July 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	32,61 ⁽¹⁾	
1701 11 90 910	31,14 ⁽¹⁾	
1701 11 90 950	⁽²⁾	
1701 12 90 100	32,61 ⁽¹⁾	
1701 12 90 910	31,14 ⁽¹⁾	
1701 12 90 950	⁽²⁾	
1701 91 00 000		0,3545
1701 99 10 100	35,45	
1701 99 10 910	35,45	
1701 99 10 950	35,45	
1701 99 90 100		0,3545

⁽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 2234/90

of 31 July 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 1815/90⁽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 22,35 per 100 kilograms.

Article 2

This Regulation shall enter into force on 1 August 1990.

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

Done at Brussels, 31 July 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 167, 30. 6. 1990, p. 48.

COMMISSION REGULATION (EEC) No 2235/90
of 31 July 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 2157/90⁽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 2206/90⁽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 197, 27. 7. 1990, p. 12.

⁽⁶⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁷⁾ OJ No L 201, 31. 7. 1990, p. 11.

⁽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 August 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 August 1990.

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

Done at Brussels, 31 July, 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 31 July 1990 fixing the export refunds on oil seeds

(amounts per 100 kilograms)

	Current 8 (1)	1st period 9 (1)	2nd period 10	3rd period 11	4th period 12	5th period 1
1. Gross refunds (ECU):						
— Spain	20,990	20,990	—	—	—	—
— Portugal	23,900	23,900	—	—	—	—
— other Member States	22,500	22,500	—	—	—	—
2. Final refunds:						
Seeds harvested and exported from:						
— Federal Republic of Germany (DM)	52,68	52,68	—	—	—	—
— Netherlands (Fl)	59,35	59,35	—	—	—	—
— BLEU (Bfrs/Lfrs)	1 086,46	1 086,46	—	—	—	—
— France (FF)	176,67	176,67	—	—	—	—
— Denmark (Dkr)	200,93	200,93	—	—	—	—
— Ireland (£ Irl)	19,663	19,663	—	—	—	—
— United Kingdom (£)	17,401	17,401	—	—	—	—
— Italy (Lit)	39 413	39 413	—	—	—	—
— Greece (Dr)	4 696,76	4 687,05	—	—	—	—
— Spain (Pta)	3 349,21	3 349,21	—	—	—	—
— Portugal (Esc)	4 954,33	4 954,33	—	—	—	—

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

COMMISSION REGULATION (EEC) No 2236/90

of 31 July 1990

fixing for August 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 352,83 per tonne of oil for August 1990.

Article 2

This Regulation shall enter into force on 1 August 1990.

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

Done at Brussels, 31 July 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 2237/90

of 31 July 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 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.

⁽⁵⁾ OJ No L 169, 18. 7. 1968, p. 6.

⁽⁶⁾ OJ No L 138, 31. 5. 1990, p. 8.

⁽⁷⁾ OJ No L 52, 23. 2. 1984, p. 12.

⁽⁸⁾ OJ No L 64, 6. 3. 1986, p. 12.

⁽⁹⁾ OJ No L 55, 1. 3. 1988, p. 31.

⁽¹⁰⁾ OJ No L 111, 22. 4. 1989, p. 24.

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The 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

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.

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 2

This Regulation shall enter into force on 1 August 1990.

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

Done at Brussels, 31 July 1990.

For the Commission

Martin BANGEMANN

Vice-President

ANNEX

to the Commission Regulation of 31 July 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	Rate of refund (ECU/100 kg)
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	— 70,00
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	— 55,45 115,00
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	— — 181,00 175,00

⁽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 2238/90

of 31 July 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 August 1990.

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

Done at Brussels, 31 July 1990.

For the Commission

Martin BANGEMANN

Vice-President

⁽¹⁾ OJ No L 275, 29. 9. 1987, p. 36.

ANNEX

to the Commission Regulation of 31 July 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 — In all other cases	8,463 11,284
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 — In all other cases	6,233 8,310
1002 00 00	Rye	7,255
1003 00 90	Barley	7,342
1004 00 90	Oats	8,336
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 — In all other cases	5,667 10,000
1006 20	Round grain husked rice	23,235
	Medium grain husked rice	19,397
	Long grain husked rice	19,397
ex 1006 30	Round grain wholly milled rice	30,071
	Medium grain wholly milled rice	36,921
	Long grain wholly milled rice	36,921
1006 40 00	Broken rice	17,988
1007 00 90	Sorghum	6,472
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 — In all other cases	7,400 9,867
1102 10 00	Rye flour	16,354
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 — In all other cases	13,118 17,490
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 — In all other cases	7,400 9,867

COMMISSION REGULATION (EEC) No 2239/90

of 31 July 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 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.

⁽⁵⁾ OJ No L 94, 9. 4. 1986, p. 9.

⁽⁶⁾ OJ No L 201, 27. 7. 1988, p. 65.

⁽⁷⁾ OJ No L 62, 7. 3. 1980, p. 5.

⁽⁸⁾ OJ No L 199, 22. 7. 1983, p. 12.

⁽⁹⁾ OJ No L 351, 14. 12. 1987, p. 1.

⁽¹⁰⁾ OJ No L 152, 16. 6. 1990, p. 33.

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 August 1990.

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

Done at Brussels, 31 July 1990.

For the Commission

Martin BANGEMANN

Vice-President

ANNEX

to the Commission Regulation of 31 July 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:	35,45	
Raw sugar:	31,14	
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):	$35,45 \times \frac{S^{(1)}}{100}$	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⁾ :	35,45 ⁽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 2240/90

of 31 July 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 2157/90⁽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 2206/90⁽⁶⁾, and in particular Article 2 (3) thereof,

Having regard to the opinion of the Monetary Committee,

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

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

Whereas the target price and the monthly increases in the target price for colza, rape and sunflower seed for the 1990/91 marketing year were fixed by Council Regulations (EEC) No 1317/90⁽⁷⁾ and (EEC) No 1318/90⁽⁸⁾;

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⁽⁹⁾, as last amended by Regulation (EEC) No 2869/87⁽¹⁰⁾;

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⁽¹¹⁾;

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⁽¹²⁾, as last amended by Regulation (EEC) No 1983/82⁽¹³⁾, fixed the said crossing point at Rotterdam; whereas Article 1 of that Regulation provides that when the world market price is being determined account should be taken of all offers on the world market known to the Commission and of quotations on those exchanges which are significant for international trade; whereas Article 2 of Regulation No 225/67/EEC provides that offers and quotations which do not relate to shipments to be effected within 30 days following the date on which the world market price is determined should be disregarded; whereas offers and quotations which the Commission believes, in view of general price movements or information available to it, not to be representative of the real trend of the market must also be disregarded;

⁽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 197, 27. 7. 1990, p. 12.

⁽⁵⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 11.

⁽⁷⁾ OJ No L 132, 23. 5. 1990, p. 9.

⁽⁸⁾ OJ No L 132, 23. 5. 1990, p. 11.

⁽⁹⁾ OJ No 136, 30. 6. 1967, p. 2919/67.

⁽¹⁰⁾ OJ No L 273, 26. 9. 1987, p. 16.

⁽¹¹⁾ OJ No L 162, 28. 6. 1990, p. 19.

⁽¹²⁾ OJ No 111, 10. 6. 1967, p. 2196/67.

⁽¹³⁾ OJ No L 215, 23. 7. 1982, p. 6.

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 August 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 August 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, 31 July 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 8 (°)	1st period 9 (°)	2nd period 10 (°)	3rd period 11 (°)	4th period 12 (°)	5th period 1 (°)
1. Gross aids (ECU):						
— Spain	1,750	1,750	1,750	1,750	1,750	23,619
— Portugal	0,000	0,000	0,000	0,000	0,000	26,529
— Other Member States	25,958	25,797	25,575	24,993	25,271	25,129
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	60,77	60,39	59,87	58,51	59,16	58,97
— Netherlands (Fl)	68,47	68,05	67,46	65,94	66,67	66,46
— BLEU (Bfrs/Lfrs)	1 253,43	1 245,66	1 234,94	1 206,84	1 220,26	1 214,26
— France (FF)	203,82	202,55	200,81	196,24	198,42	197,31
— Denmark (Dkr)	231,81	230,37	228,39	223,19	225,67	224,40
— Ireland (£ Irl)	22,685	22,544	22,350	21,841	22,084	21,960
— United Kingdom (£)	20,039	19,910	19,708	19,203	19,420	19,199
— Italy (Lit)	45 470	45 188	44 799	43 779	44 266	44 018
— Greece (Dr)	5 485,20	5 440,46	5 358,83	5 191,90	5 252,98	5 115,31
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	267,57	267,57	267,57	267,57	267,57	3 702,04
— in another Member State (Pta)	3 846,86	3 823,69	3 786,88	3 698,16	3 740,37	3 702,04
(c) Seed harvested in Portugal and processed:						
— in Portugal (Esc)	0,00	0,00	0,00	0,00	0,00	5 457,29
— in another Member State (Esc)	5 667,67	5 634,46	5 588,66	5 468,75	5 526,25	5 457,29

(°) 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 8 (1)	1st period 9 (1)	2nd period 10 (1)	3rd period 11 (1)	4th period 12 (1)	5th period 1 (1)
1. Gross aids (ECU):						
— Spain	4,250	4,250	4,250	4,250	4,250	26,119
— Portugal	2,500	2,500	2,500	2,500	2,500	29,029
— Other Member States	28,458	28,297	28,075	27,493	27,771	27,629
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	66,62	66,25	65,73	64,37	65,02	64,83
— Netherlands (Fl)	75,07	74,64	74,06	72,53	73,26	73,05
— BLEU (Bfrs/Lfrs)	1 374,15	1 366,38	1 355,66	1 327,55	1 340,98	1 334,98
— France (FF)	223,45	222,18	220,44	215,87	218,05	216,94
— Denmark (Dkr)	254,13	252,69	250,71	245,51	248,00	246,73
— Ireland (£ Irl)	24,869	24,729	24,535	24,026	24,269	24,145
— United Kingdom (£)	21,987	21,859	21,657	21,152	21,369	21,147
— Italy (Lit)	49 849	49 567	49 178	48 159	48 646	48 397
— Greece (Dr)	6 028,55	5 983,82	5 902,19	5 735,26	5 796,34	5 658,66
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	649,81	649,81	649,81	649,81	649,81	4 084,28
— in another Member State (Pta)	4 229,10	4 205,93	4 169,12	4 080,40	4 122,61	4 084,28
(c) Seed harvested in Portugal and processed:						
— in Portugal (Esc)	517,26	517,26	517,26	517,26	517,26	5 974,54
— in another Member State (Esc)	6 184,92	6 151,71	6 105,92	5 986,01	6 043,50	5 974,54

(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 8 (°)	1st period 9 (°)	2nd period 10 (°)	3rd period 11 (°)	4th period 12 (°)
1. Gross aids (ECU):					
— Spain	8,600	8,600	8,600	8,600	8,600
— Portugal	0,000	0,000	0,000	0,000	0,000
— Other Member States	33,878	33,685	33,734	34,065	34,396
2. Final aids:					
(a) Seed harvested and processed in (°):					
— Federal Republic of Germany (DM)	79,31	78,86	78,98	79,75	80,53
— Netherlands (Fl)	89,37	88,86	88,99	89,87	90,74
— BLEU (Bfrs/Lfrs)	1 635,86	1 626,55	1 628,91	1 644,89	1 660,88
— France (FF)	266,00	264,49	264,87	267,47	270,07
— Denmark (Dkr)	302,53	300,81	301,25	304,20	307,16
— Ireland (£ Irl)	29,606	29,437	29,480	29,769	30,059
— United Kingdom (£)	26,184	26,030	26,040	26,261	26,520
— Italy (Lit)	59 343	59 005	59 091	59 671	60 250
— Greece (Dr)	7 183,62	7 130,39	7 107,67	7 151,93	7 224,66
(b) Seed harvested in Spain and processed:					
— in Spain (Pta)	1 314,91	1 314,91	1 314,91	1 314,91	1 314,91
— in another Member State (Pta)	4 553,05	4 525,27	4 526,71	4 569,58	4 619,84
(c) Seed harvested in Portugal and processed:					
— in Portugal (Esc)	0,00	0,00	0,00	0,00	0,00
— in Spain (Esc)	7 935,87	7 895,17	7 905,50	7 975,49	8 045,47
— in another Member State (Esc)	7 762,42	7 722,60	7 732,71	7 801,17	7 869,63
3. Compensatory aids:					
— in Spain (Pta)	4 527,66	4 499,88	4 501,32	4 544,19	4 594,45
4. Special aid:					
— in Portugal (Esc)	7 762,42	7 722,60	7 732,71	7 801,17	7 869,63

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

(°) 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 8	1st period 9	2nd period 10	3rd period 11	4th period 12	5th period 1
DM	2,069800	2,066100	2,062620	2,059310	2,059310	2,050060
Fl	2,331650	2,327260	2,323300	2,319380	2,319380	2,308760
Bfrs/Lfrs	42,657500	42,616800	42,575700	42,538000	42,538000	42,387800
FF	6,942610	6,939730	6,937310	6,935560	6,935560	6,928990
Dkr	7,872420	7,872140	7,870840	7,869210	7,869210	7,861890
£Irl	0,772004	0,771976	0,772463	0,772756	0,772756	0,775446
£	0,694675	0,697464	0,700009	0,702465	0,702465	0,709256
Lit	1 515,61	1 517,07	1 518,16	1 519,19	1 519,19	1 522,66
Dr	202,54900	204,15000	206,44700	208,36800	208,36800	215,26900
Esc	181,86100	182,00000	182,22900	182,67900	182,67900	185,40300
Pta	126,76200	127,25700	127,71800	128,14200	128,14200	129,33800

COMMISSION REGULATION (EEC) No 2241/90

of 31 July 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 2206/90⁽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 201, 31. 7. 1990, p. 11.

(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 August 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 August 1990.

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

Done at Brussels, 31 July 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 8 (°)	1st period 9 (°)	2nd period 10 (°)	3rd period 11 (°)	4th period 12 (°)	5th period 1 (°)	6th period 2 (°)
Peas used :							
— in Spain	8,621	8,779	8,937	9,095	9,253	9,411	9,569
— in Portugal	8,648	8,806	8,964	9,122	9,280	9,438	9,596
— in another Member State	8,850	9,008	9,166	9,324	9,482	9,640	9,798
Field beans used :							
— in Spain	8,850	9,008	9,166	9,324	9,482	9,640	9,798
— in Portugal	8,648	8,806	8,964	9,122	9,280	9,438	9,596
— in another Member State	8,850	9,008	9,166	9,324	9,482	9,640	9,798

Products used in animal feed :

(ECU per 100 kg)

	Current 8 (°)	1st period 9 (°)	2nd period 10 (°)	3rd period 11 (°)	4th period 12 (°)	5th period 1 (°)	6th period 2 (°)
A. Peas used :							
— in Spain	11,631	11,725	11,627	11,785	11,942	11,781	11,939
— in Portugal	11,688	11,782	11,687	11,845	12,002	11,844	12,002
— in another Member State	11,688	11,782	11,687	11,845	12,002	11,844	12,002
B. Field beans used :							
— in Spain	11,631	11,725	11,627	11,785	11,942	11,781	11,939
— in Portugal	11,688	11,782	11,687	11,845	12,002	11,844	12,002
— in another Member State	11,688	11,782	11,687	11,845	12,002	11,844	12,002
C. Sweet lupins harvested in Spain and used :							
— in Spain	15,092	15,006	14,666	14,666	14,666	14,242	14,242
— in Portugal	15,168	15,083	14,746	14,746	14,746	14,326	14,326
— in another Member State	15,168	15,083	14,746	14,746	14,746	14,326	14,326
D. Sweet lupins harvested in another Member State and used :							
— in Spain	15,082	14,996	14,656	14,656	14,656	14,232	14,232
— in Portugal	15,158	15,073	14,736	14,736	14,736	14,316	14,316
— in another Member State	15,158	15,073	14,736	14,736	14,736	14,316	14,316

[illegible]

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	4,39	5,36	0,00	0,00	0,00	0,00	0,00	0,00
— Denmark (Dkr)	0,00	0,00	0,00	0,81	0,99	0,00	0,00	0,00	0,00	0,00	0,00
— Federal Republic of Germany (DM)	0,00	0,00	0,00	0,21	0,26	0,00	0,00	0,00	0,00	0,00	0,00
— Greece (Dr)	0,00	0,00	0,00	19,97	24,37	0,00	0,00	0,00	0,00	0,00	0,00
— Spain (Pta)	0,00	0,00	0,00	13,79	16,82	0,00	0,00	0,00	0,00	0,00	0,00
— France (FF)	0,00	0,00	0,00	0,71	0,87	0,00	0,00	0,00	0,00	0,00	0,00
— Ireland (£ Irl)	0,000	0,000	0,000	0,079	0,097	0,000	0,000	0,000	0,000	0,000	0,000
— Italy (Lit)	0	0	0	159	194	0	0	0	0	0	0
— Netherlands (Fl)	0,00	0,00	0,00	0,24	0,29	0,00	0,00	0,00	0,00	0,00	0,00
— Portugal (Esc)	0,00	0,00	0,00	18,82	22,96	0,00	0,00	0,00	0,00	0,00	0,00
— United Kingdom (£)	0,000	0,000	0,000	0,071	0,087	0,000	0,000	0,000	0,000	0,000	0,000

[illegible]

[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	3,19	3,90	0,00	0,00	0,00	0,00	0,00	0,00
— Denmark (Dkr)	0,00	0,00	0,00	0,59	0,72	0,00	0,00	0,00	0,00	0,00	0,00
— Federal Republic of Germany (DM)	0,00	0,00	0,00	0,15	0,19	0,00	0,00	0,00	0,00	0,00	0,00
— Greece (Dr)	0,00	0,00	0,00	14,53	17,72	0,00	0,00	0,00	0,00	0,00	0,00
— Spain (Pta)	0,00	0,00	0,00	10,03	12,23	0,00	0,00	0,00	0,00	0,00	0,00
— France (FF)	0,00	0,00	0,00	0,52	0,63	0,00	0,00	0,00	0,00	0,00	0,00
— Ireland (£ Irl)	0,000	0,000	0,000	0,058	0,071	0,000	0,000	0,000	0,000	0,000	0,000
— Italy (Lit)	0	0	0	116	141	0	0	0	0	0	0
— Netherlands (Fl)	0,00	0,00	0,00	0,17	0,21	0,00	0,00	0,00	0,00	0,00	0,00
— Portugal (Esc)	0,00	0,00	0,00	13,68	16,70	0,00	0,00	0,00	0,00	0,00	0,00
— United Kingdom (£)	0,000	0,000	0,000	0,052	0,063	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	201,272	125,676	6,85684	0,763159	1 529,70	2,30358	180,144	0,695207

(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 2242/90

of 31 July 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 August 1990.

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

Done at Brussels, 31 July 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 31 July 1990 fixing the rate of the aid for dried fodder

Aid applicable from 1 August 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	93,695	101,457	102,315		68,517	69,375

Aid in case of advance fixing for the month of:

(ECU/tonne)

September 1990	90,942	98,673	99,562		65,733	66,622
October 1990	92,420	100,167	101,040		67,227	68,100
November 1990	91,141	98,874	99,761		65,934	66,821
December 1990	91,141	98,874	99,761		65,934	66,821
January 1991	88,319	96,020	96,939		63,080	63,999
February 1991 ⁽¹⁾	0,000	0,000	0,000		0,000	0,000
March 1991 ⁽¹⁾	0,000	0,000	0,000		0,000	0,000

⁽¹⁾ In accordance with Article 6 (b) of Regulation (EEC) No 1528/78.

COMMISSION REGULATION (EEC) No 2243/90
of 31 July 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 2173/90 ⁽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 42,391 per 100 kilograms.
2. However, the amount of the aid will be confirmed or replaced with effect from 1 August 1990 to take account of the application of maximum guaranteed quantities.

Article 2

This Regulation shall enter into force on 1 August 1990.

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

Done at Brussels, 31 July 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 197, 27. 7. 1990, p. 58.

COMMISSION REGULATION (EEC) No 2244/90

of 31 July 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 guaran-
teed 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 Commis-
sion Regulation (EEC) No 1478/90 ⁽⁴⁾, as last amended by
Regulation (EEC) No 2121/90 ⁽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 August
1990 to take into account the prices, and like measures,
for the 1990/91 marketing year and, in particular, those
concerning the application of maximum guaranteed
quantities.

Article 2

This Regulation shall enter into force on 1 August 1990.

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

Done at Brussels, 31 July 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 193, 25. 7. 1990, p. 25.

ANNEX

to the Commission Regulation of 31 July 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	28,868	28,868
— Portugal	20,941	28,868 (*)	28,868
— another Member State	20,941	28,868	28,868
Seed processed in first period			
— Spain	0,000	28,312	28,312
— Portugal	22,115	28,312 (*)	28,312
— another Member State	22,115	28,312	28,312
Seed processed in second period (*)			
— Spain	0,000	28,067	28,067
— Portugal	21,870	28,067 (*)	28,067
— another Member State	21,870	28,067	28,067
Seed processed in third period (*)			
— Spain	0,000	28,076	28,076
— Portugal	21,879	28,076 (*)	28,076
— another Member State	21,879	28,076	28,076
Seed processed in fourth period (*)			
— Spain	0,000	27,865	27,865
— Portugal	21,668	27,865 (*)	27,865
— another Member State	21,668	27,865	27,865
Seed processed in fifth period (*)			
— Spain	21,353	27,550	27,550
— Portugal	21,353	27,550 (*)	27,550
— another Member State	21,353	27,550	27,550

(*) 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 2245/90

of 31 July 1990

laying down detailed rules for the application of the import arrangements applicable to products falling within CN codes 0714 10 91 and 0714 90 11 and originating in the African, Caribbean and Pacific (ACP) States or in the overseas countries and territories (OCT)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas, under Article 14 (1) and (3) of Regulation (EEC) No 715/90, levies are not charged on imports of products falling within CN codes 0714 10 90 and 0714 90 11 originating in the ACP States or in the OCT; whereas the detailed rules for the application of such arrangements should be limited to imposing an obligation to import from the ACP State or OCT indicated in the import licence the product released for free circulation and exempted from the levy, and to setting up a regular notification system;

Whereas, under Article 24 (1) of Regulation (EEC) No 715/90, levies are not applied to direct imports into the French overseas departments (ODs) of products falling within CN code 0714 90 11 within the limits of a Community tariff quota of 2 000 tonnes; whereas the detailed rules for the application of such arrangements should relate to the lodging of applications for import licences and the issue of such licences and guarantee direct importation into the ODs and observance of the maximum quantity laid down; whereas, in order to comply with the objective of the measure and to ensure the management and supervision of the quota, the use of licences for release for free circulation into the abovementioned departments should be strictly limited; whereas these detailed rules either supplement or derogate from, as the case may be, Commission Regulation (EEC) No 3719/88 of 16 November 1988 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products⁽²⁾, as last amended by Regulation (EEC) No 1599/90⁽³⁾, or Commission Regulation (EEC) No 891/89 of 5 April 1989 on special detailed rules for

the application of the system of import and export licences for cereals and rice⁽⁴⁾, as amended by Regulation (EEC) No 1105/90⁽⁵⁾;

Whereas, so that the actual use made of licences can be monitored better, the provision of Regulation (EEC) No 3719/88 on early submission of proof of release for free circulation should apply;

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

This Regulation lays down the detailed rules for importing:

- into the Community products falling within CN codes 0714 10 91 and 0714 90 11 originating in the ACP States or the OCT (Title I),
- into the French overseas departments products falling within CN code 0714 90 11 originating in the ACP States and the OCT (Title II).

TITLE I

Article 2

1. For the purposes of Article 14 (1) and (3) of Regulation (EEC) No 715/90 and with a view to the release for free circulation into the Community of products falling within CN codes 0714 10 91 and 0714 90 11, the licence application and the import licence shall contain in box 8 the name of the ACP State or OCT in which the product originates. The licence shall constitute an obligation to import from that country and/or territory.
2. The licence shall contain one of the following entries in box 24:
 - Producto ACP/PTU:
 - no hay lugar a exacción reguladora
 - apartados 1 y 3 del artículo 14 y apartado 2 del artículo 1 del Reglamento (CEE) n° 715/90;

⁽¹⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽²⁾ OJ No L 331, 2. 12. 1988, p. 1.

⁽³⁾ OJ No L 151, 15. 6. 1990, p. 29.

⁽⁴⁾ OJ No L 94, 7. 4. 1989, p. 13.

⁽⁵⁾ OJ No L 111, 1. 5. 1990, p. 48.

- AVS/OLT-produkt :
 - fritagelse for afgift
 - forordning (EØF) nr. 715/90 : artikel 1, stk. 2, og artikel 14, stk. 1 og 3;
- Erzeugnis AKP/ÜLG :
 - Freistellung von der Abschöpfung
 - Verordnung (EWG) Nr. 715/90, Artikel 1 Absatz 2 und Artikel 14 Absätze 1 und 3;
- Προϊόν ΑΚΕ/ΥΧΕ :
 - απαλλαγή από την εισφορά
 - κανονισμός (ΕΟΚ) αριθ. 715/90, άρθρο 1 παράγραφος 2 και άρθρο 14 παράγραφοι 1 και 3;
- ACP/OCT product :
 - exemption from the levy
 - Regulation (EEC) No 715/90, Article 1 (2) and Article 14 (1) and (3);
- Produit ACP/PTOM :
 - exemption du prélèvement
 - règlement (CEE) n° 715/90 : article 1^{er} paragraphe 2 et article 14 paragraphes 1 et 3;
- Prodotto ACP/PTOM :
 - esenzione dal prelievo
 - regolamento (CEE) n. 715/90, articolo 1, paragrafo 2 e articolo 14, paragrafi 1 e 3;
- Produkt ACS/LGO :
 - vrijstelling van heffing
 - Verordening (EEG) nr. 715/90 : artikel 1, lid 2, en artikel 14, leden 1 en 3;
- Produto ACP/PTU :
 - isenção do direito nivelador
 - Regulamento (CEE) n° 715/90 : n° 2 do artigo 1° e n°s 1 e 3 do artigo 14°

Article 3

Member States shall notify the Commission before the end of each month of the quantities in respect of which import licences for products originating in the ACP States/OCT have been applied for, during the preceding four weeks, broken down by tariff nomenclature code and country of origin.

TITLE II

Article 4

With a view to the release for free circulation into the French overseas departments in accordance with Article 24 of Regulation (EEC) No 715/90 of products falling within CN code 0714 90 11, the following special provisions shall apply :

1. Licence applications shall be for a quantity not exceeding 500 tonnes per individual applicant acting on his own account.

2. The licence application and the import licence shall contain in box 8 the name of the ACP State or the overseas country or territory (OCT) in which the product originates. The licence shall constitute an obligation to import from that country or territory.

3. The licence shall contain one of the following entries in box 24 :

- Producto ACP/PTU :
 - no ha lugar a exacción reguladora
 - apartado 1 del artículo 24 del Reglamento (CEE) n° 715/90
 - exclusivamente válido para el despacho a libre práctica en los D.U.;
- AVS/OLT-produkt :
 - fritagelse for afgift
 - forordning (EØF) nr. 715/90 : artikel 24, stk. 1
 - gælder udelukkende for overgang til fri omsætning i de oversøiske departementer;
- Erzeugnis AKP/ÜLG :
 - Freistellung von der Abschöpfung
 - Verordnung (EWG) Nr. 715/90, Artikel 24 Absatz 1
 - gilt ausschließlich für die Abfertigung zum freien Verkehr in den französischen überseeischen Departements;
- Προϊόν ΑΚΕ/ΥΧΕ :
 - απαλλαγή από την εισφορά
 - κανονισμός (ΕΟΚ) αριθ. 715/90, άρθρο 24 παράγραφος 1
 - ισχύει αποκλειστικά για θέση σε ελεύθερη κυκλοφορία στα υπερπόντια διαμερίσματα;
- ACP/OCT product :
 - exemption from the levy
 - Regulation (EEC) No 715/90, Article 24 (1)
 - valid only for release for the circulation in the OD;
- Produit ACP/PTOM :
 - exemption du prélèvement
 - règlement (CEE) n° 715/90 : article 24 paragraphe 1
 - exclusivement valable pour une mise en libre pratique dans les départements d'outre-mer;
- Prodotto ACP/PTOM :
 - esenzione dal prelievo
 - regolamento (CEE) n. 715/90 : articolo 24, paragrafo 1
 - valido solamente per l'immissione in libera pratica nei DOM;
- Produkt ACS/LGO :
 - vrijstelling van heffing
 - Verordening (EEG) nr. 715/90 : artikel 24, lid 1
 - geldt uitsluitend voor het in het vrije verkeer brengen in de Franse overzeese departementen;

— Produto ACP/PTU :

- isenção do direito nivelador
- Regulamento (CEE) n° 715/90 : n° 1 do artigo 24°
- válido exclusivamente para uma introdução em livre prática nos DU.

Article 5

1. Licence applications shall be lodged with the competent authorities of the Member States every Monday before 1 p.m. or, if that day is not a working day, on the first working day following.

2. Member States shall, by telex not later than 1 p.m. on the working day following the day on which the application is lodged, notify the Commission of the origin of the product, the quantity applied for and the name of the applicant.

3. Not later than the third working day following the day on which the applications are lodged, the Commission shall determine and inform the Member States by telex to what extent the licence applications are accepted.

4. Subject to paragraph 3, licences shall be issued on the fifth working day following the day on which the applications were lodged, in the case of applications notified in accordance with paragraph 2.

5. The licences issued shall be valid exclusively for the release for free circulation into the French overseas departments from the day of effective issue until the end of the second month following that date. However, they shall not be valid beyond 31 December of the year in which they are issued.

Article 6

Notwithstanding Article 8 (4) of Regulation (EEC) No 3719/88, the quantity released for free circulation may not

be greater than that entered in boxes 17 and 18 of the import licence; the figure 0 shall be entered for this purpose in box 19 of the licence.

Article 7

Article 33 (5) of Regulation (EEC) No 3719/88 shall apply.

TITLE III

General Provisions

Article 8

1. Notwithstanding Article 12 of Regulation (EEC) No 891/89, the amount of the security in respect of the import licence shall be ECU 0,5 per tonne.

2. In cases where, as a result of the application of Article 5 (3), the quantity for which the licence is issued is less than that for which it was applied for, the amount of the security corresponding to the difference shall be released.

3. The fourth indent of Article 5 (1) of Regulation (EEC) No 3719/88 shall not apply.

Article 9

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

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

Done at Brussels, 31 July 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 2246/90
of 31 July 1990

**amending Regulation (EEC) No 986/89 on the accompanying documents for
carriage of wine products and the relevant records to be kept**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EEC) No 1325/90 ⁽²⁾, and in particular Article 71 ⁽³⁾ thereof,

Whereas in order to ensure uniform application of the validation rules for approved commercial documents accompanying carriage of wine sector products within the Community operators should be obliged to validate these documents in an approved manner;

Whereas in order to prevent the originals of documents accompanying carriage of wine sector products from being confused with copies thereof all such copies should be marked with the word 'copy' or an equivalent indication;

Whereas to align the rules on completion of documents accompanying carriage of wine sector products imported into the Community with those on completion of documents accompanying carriage of products originating in the Community it should be specified that approved commercial documents and where appropriate commercial documents made out to accompany products imported under cover of a document meeting the requirements of Commission Regulation (EEC) No 3590/85 ⁽⁴⁾, as last amended by Regulation (EEC) No 2039/88 ⁽⁵⁾, should carry certain indications specified by that Regulation;

Whereas the approved commercial document or accompanying document under certain conditions carries the same weight as a certificate of appellation of origin, in the case of quality wines psr, or of designation of provenance, in the case of table wines designated using a geographical term; whereas in order to enable the competent authorities properly to verify the certificate and its use in the wine trade a copy of this certificate should be made out that must also be presented to the competent authority or an agency delegated by it so that the prescribed entries on the original can also be entered on it; whereas the existence of such a copy means that the original of the

approved commercial document or accompanying document can travel with the exported product and the copy can serve as a supporting document for the entries in the consignor's withdrawal records;

Whereas retail shops supplied by one or more central warehouses belonging to the same undertaking often market large quantities of wine sector products that should not escape effective supervision; whereas it should therefore be specified that such central warehouses are to enter their deliveries to such retail stores as a withdrawal in their records so that these retail sales can be indirectly followed;

Whereas to facilitate the keeping of records by undertakings marketing small quantities of quality wines psr it should be permissible under certain conditions for quality wines psr of different origins put up in containers of 60 litres or less that are acquired from a third party and held for sale to be entered in the same account;

Whereas Member States may authorize a longer time limit, not exceeding 30 days, than that stipulated in Article 18 (1) of Commission Regulation (EEC) No 986/89 ⁽⁶⁾, as amended by Regulation (EEC) No 2600/89 ⁽⁷⁾, for entry of the required particulars in records, provided that a check can still be made on entries, withdrawals and certain handling operations at any time on the basis of other supporting documents; whereas to boost the adequacy of control procedures it should be specified that the controlling authorities have a right to assess the validity of such other documents;

Whereas a check has shown that an error was made in the German and Italian versions of Regulation (EEC) No 986/89; whereas these versions must therefore be amended;

Whereas the approved commercial document is to be made out in line with the specimen shown in Annex I and following the instructions given in Annex II to Regulation (EEC) No 986/89; whereas it should be specified that the layout of this specimen is to be strictly adhered to so that it can be properly checked when used in intra-Community trade;

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

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 132, 23. 5. 1990, p. 19.

⁽³⁾ OJ No L 343, 20. 12. 1985, p. 20.

⁽⁴⁾ OJ No L 179, 9. 7. 1988, p. 29.

⁽⁵⁾ OJ No L 106, 18. 4. 1989, p. 1.

⁽⁶⁾ OJ No L 251, 29. 8. 1989, p. 5.

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 986/89 is hereby amended as follows:

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

'3. The original of the duly completed approved commercial document and the copy thereof shall be validated prior to each transport operation:

- by endorsement by the competent authority or an agency or body empowered by the latter in the Member State within which carriage commences,
- or
- by the seller or consignor applying to it the stamp specified by or stamping device approved by that authority or that agency or body.'

2. The word 'or' is inserted between the first and second indents of Article 3 (2) (e).

3. The following paragraph is added to Article 5:

'4. Any prescribed copy of an approved commercial document or of an accompanying document shall be marked "copy" or shall bear an equivalent marking.'

4. The following paragraph is inserted after Article 6 (2):

'2a. For all carriage within the customs territory of the Community of products from a third country released for free circulation, the approved commercial document, or where appropriate the commercial document, shall bear:

- the number of the V I 1 document completed in accordance with Commission Regulation (EEC) No 3590/85,
- the date of completion of that document,
- the name and head office of the authority of the third country which completed that document or authorized the completion of that document by a producer.'

5. Article 9 is amended as follows:

(a) the second indent of paragraph 1 is replaced by the following:

- if the particulars of the documents have been certified as accurate on the original of the document or on a copy thereof by the competent authority or an agency or body empowered by the competent authority,
- or;

(b) paragraph 2 is replaced by the following:

'2. Where approved commercial documents or accompanying documents are completed in accordance with the first indent of paragraph 1, the consignor may request the competent authority or

the agency or body empowered by the competent authority responsible in the territory concerned for the consignment of the product by presenting the original of the completed document and a copy thereof:

(a) to enter the following in the appropriate place on the front of the original and the copy of the approved commercial document or the accompanying document:

- for quality wines psr: "This document attests the designation of origin of the quality wines psr indicated herein",
- for table wines designated using a geographical ascription: "This document attests the provenance of the table wines indicated herein";

(b) to validate this statement by means of a stamp, with the date and signature of the person responsible.

These statements shall also be entered and confirmed on the originals and on the copies of approved commercial documents or accompanying documents where the procedure provided for in the second and third indents of paragraph 1 is applied.'

(c) paragraph 7 is replaced by the following:

'7. Approved commercial documents or accompanying documents shall attest the designation of origin of imported wine where the document is drawn up in accordance with Article 6 (2a).'

6. The first subparagraph of Article 10 (2) is replaced by the following:

'Where the consignee is established outside the customs territory of the Community, the original of the commercial document, approved commercial document or accompanying document and a copy of that document shall be presented in support of the export declaration to the competent customs office of the Member State of export. The customs office shall ensure on the one hand that the type, the date and the number of the document presented are indicated on the export declaration and on the other hand that the type, the date and the number of the export declaration are indicated on the original and on the copy of the commercial document, approved commercial document or accompanying document.

The customs office shall enter on the latter document and on a copy of the latter and stamp as authentic one of the following: "EXPORTE", "UDFORT", "AUSGEFÜHRT", "EXPORTED", "ESPORTATO", "UITGEVOERD", "EΞAXΘEN" or "EXPORTADO" and shall hand that document and the copy thereof bearing the stamp and the abovementioned endorsement to the exporter or his representative. The latter shall have the original of the document accompany the product exported during carriage.'

7. In point (b) of the first paragraph of Article 12:

- (a) only concerns the German version;
- (b) only concerns the Italian version.

8. Article 14 is amended as follows:

- (a) The following subparagraph is added to paragraph 2:

'(c) Where retail stores which sell direct to the end user form part of one and the same undertaking and are supplied by one or more central warehouses belonging to that undertaking, such central warehouses shall, without prejudice to Article 13 (2) (b), be subject to the obligation to keep records; deliveries intended for the abovementioned retail stores shall be entered as withdrawals in such records.'

- (b) in paragraph 3:

- (i) the first indent of the first subparagraph is replaced by the following:

'— each of the categories set out either in Annex I to Regulation (EEC) No 822/87 or in Article 2 of Council Regulation (EEC) No 2391/89 (*),

(*) OJ No L 232, 9. 8. 1989, p. 10.'

- (ii) The following is added after the first subparagraph:

'Quality wines psr of different origins, put up in containers of no more than 60 litres and labelled in accordance with Community

provisions, that are acquired from a third party and held with a view to sale may be entered in the same account provided that the competent authority or any agency or body empowered by that authority has given its agreement and that entries and withdrawals of each quality wine psr appear therein individually; this also holds for table wines designated by the name of a geographical area.'

- 9. The words 'and that these documents are considered reliable by the competent authority or an agency or a body empowered by that authority' are added at the end of the second subparagraph of Article 18 (1).

- 10. In Article 20 (3) (d), the words 'containers of a content less than or equal to five litres' are replaced by 'containers of a content less than or equal to 10 litres'.

- 11. Point 1 of chapter A of Annex II is replaced by the following:

'1. The layout of the form for the approved commercial document given in Annex I must be complied with strictly. However, the size of the boxes marked by the lines on that form for indicating the particulars required is given for guidance only.'

Article 2

This Regulation shall enter into force on 1 September 1990.

Article 1 (1) shall apply from 1 January 1991.

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

Done at Brussels, 31 July 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 2247/90

of 31 July 1990

determining the Member States in which the campaigns to promote the consumption of grape juice are to be carried out during the 1989/90 wine year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EEC) No 1325/90 ⁽²⁾, and in particular Article 46 (5) and 81 thereof,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy ⁽³⁾, as last amended by Regulation (EEC) No 1636/87 ⁽⁴⁾,

Having regard to Council Regulation (EEC) No 1678/85 of 11 June 1985 fixing the conversion rates to be applied in agriculture ⁽⁵⁾, as last amended by Regulation (EEC) No 1179/90 ⁽⁶⁾,

Whereas Article 1 (2) of Commission Regulation (EEC) No 3461/85 of 9 December 1985 on the organization of campaigns to promote the consumption of grape juice ⁽⁷⁾, as last amended by Regulation (EEC) No 2106/89 ⁽⁸⁾, provides that the Member States in which the campaigns to promote the consumption of grape juice are to be carried out and the total amounts allocated for the financing of the campaigns in each of the said Member States must be determined for each wine year;

Whereas Article 4 (2) of Commission Regulation (EEC) No 2641/88 laying down detailed rules for the application of the aid scheme for the use of grapes, grape must and concentrated grape must to produce grape juice ⁽⁹⁾, as last amended by Regulation (EEC) No 2255/89 ⁽¹⁰⁾, fixes that part of the aid intended to finance 35 % of the promotion campaign;

Whereas Annex IV to Commission Regulation (EEC) No 2484/89 of 14 August 1989 fixing the buying-in prices,

aids and certain other amounts applicable for the 1989/90 wine year to intervention measures in the wine sector ⁽¹¹⁾, fixes the amount of aid for the 1989/90 wine year;

Whereas the amount available for such financing depends on the quantities of the products in respect of which the aid is to be granted; whereas the budget estimate adopted for the financing of the 1985/86, 1986/87, 1987/88 and 1988/89 campaigns has turned out to be some ECU 409 000 too low; whereas the amount available for financing the measure for 1989/90 is estimated at ECU 5 million; whereas the total funds available for 1989/90 are accordingly ECU 5 409 000;

Whereas the amount adopted is not sufficient to enable effective campaigns to be mounted throughout the Community; whereas it therefore appears advisable to continue to operate promotional schemes in those Member States where campaigns have been mounted in previous years; whereas schemes financed from the budget adopted for Spain should, moreover, be restricted to that Member State in view of its limited possibilities for disposing of the product in question other than on the domestic market;

Whereas Article 3 (4) of Regulation (EEC) No 3461/85 provides that studies permitting verification of the effectiveness of the measures during or after their implementation are to be carried out;

Whereas, in order to ensure better management of the budget funds, a final date must be fixed for the signing and payment of contracts;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. For the 1989/90 wine year, campaigns to promote the consumption of grape juice as provided for in Article 1 (1) of Regulation (EEC) No 3461/85 shall be carried out in the Federal Republic of Germany, France, Italy, Spain, Belgium and the Netherlands.

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 132, 23. 5. 1990, p. 19.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁶⁾ OJ No L 119, 11. 5. 1990, p. 1.

⁽⁷⁾ OJ No L 332, 10. 12. 1985, p. 22.

⁽⁸⁾ OJ No L 201, 14. 7. 1989, p. 20.

⁽⁹⁾ OJ No L 236, 26. 8. 1988, p. 25.

⁽¹⁰⁾ OJ No L 216, 27. 7. 1989, p. 23.

⁽¹¹⁾ OJ No L 238, 15. 8. 1989, p. 12.

The total amount for the financing of those campaigns shall be :

- ECU 1 594 000 for the Federal Republic of Germany,
- ECU 1 384 000 for France,
- ECU 805 000 for Italy,
- ECU 1 070 000 for Spain,
- ECU 178 000 for Belgium,
- ECU 178 000 for the Netherlands.

In addition, ECU 200 000 shall be earmarked for a study on the effectiveness of the campaigns conducted under Regulation (EEC) No 3461/85, following an invitation to tender organized by the Commission.

2. Contracts for that campaign shall be signed within nine months at the latest following the date of entry into force of this Regulation. The payment of contracts shall be made three months at the latest after the contracts.

3. The amounts referred to in paragraph 1 shall be converted into national currency using the agricultural conversion rate in force in the wine sector on 1 September 1989.

Article 2

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

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

Done at Brussels, 31 July 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 2248/90

of 31 July 1990

amending Regulation (EEC) No 2681/83 laying down detailed rules for the application of the subsidy system for oil seeds

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas Article 2 (3) of Commission Regulation No 2681/83⁽³⁾, as last amended by Regulation (EEC) No 1685/90⁽⁴⁾, defines 'incorporation' for the purposes of qualifying for payment of production aid; whereas aid is payable when oil seeds are incorporated, that is, processed and mixed to form an animal feedingstuff without extraction of oil; whereas the present language versions lack clarity as regards the minimum number of products with which the oil seeds must be mixed in order to qualify for production aid; whereas this should be clarified; whereas it should be made clear that eligibility for payment of the aid is dependent on the products being irreversibly processed and rendered ineligible for further aid applications;

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

Article 2 (3) of Regulation (EEC) No 2681/83 is hereby replaced by the following:

'3. 'Incorporation' means the mixing with at least one other product to form an animal feedingstuff, of the oil seeds which are crushed or milled before or after this operation without extraction of oil. This procedure must be such that the oil seeds lose their identity in such a way that the competent authority may ensure that the oil seeds so processed may not be the subject of a new aid application'.

Article 2

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

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

Done at Brussels, 31 July 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 266, 28. 9. 1983, p. 1.

⁽⁴⁾ OJ No L 157, 22. 6. 1990, p. 33.

COMMISSION REGULATION (EEC) No 2249/90

of 31 July 1990

amending Regulation (EEC) No 3540/85 laying down detailed rules for the application of the special measures 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 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⁾,

Whereas Article 9 (a) of Commission Regulation 3540/85⁽³⁾, as last amended by Regulation (EEC) No 1561/90⁽⁴⁾, specifies 'incorporation' as one of the processes by which the products in question may be considered to have been used for the purposes of qualifying for payment of aid; whereas aid is payable when the products are incorporated, that is processed and mixed to form an animal feedingstuff; whereas the present language versions lack clarity as regards the number of products which must be mixed in order to qualify for production aid; whereas this should be clarified; whereas it should be made clear that eligibility for payment of the aid is dependent on the products being irreversibly processed and rendered ineligible for further aid applications;

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 first indent of Article 9 (a) of Regulation (EEC) No 3540/85 is hereby replaced by the following:

'— have been incorporated with at least one other product to form an animal feedingstuff, before or after being crushed, milled, toasted or processed into flakes. This procedure must be such that the products lose their identity in such a way that the competent authority may ensure that the products so processed may not be the subject of a new aid application'.

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 1 July 1990.

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

Done at Brussels, 31 July 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽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.

COMMISSION REGULATION (EEC) No 2250/90

of 31 July 1990

fixing the minimum price applicable to dried grapes during the 1990/91 marketing year as well as the countervailing charges to be imposed where that price is not observed

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables ⁽¹⁾, as last amended by Regulation (EEC) No 1202/90 ⁽²⁾, and in particular Article 9 (6) thereof,

Whereas, in accordance with Article 9 (2) of Regulation (EEC) No 426/86, the minimum import price for dried grapes shall be determined having regard to:

- the free-at-frontier price on import into the Community,
- the prices obtaining in international trade,
- the situation on the internal Community market,
- the trend of trade with third countries;

Whereas Article 2 (1) of Council Regulation (EEC) No 2089/85 of 23 July 1985 laying down general rules relating to the system of minimum import prices for dried grapes ⁽³⁾ provides that countervailing charges shall be fixed by reference to a scale of import prices; whereas the maximum countervailing charge shall be determined on the basis of the most favourable prices applied on the world market for significant quantities by the most representative non-member countries;

Whereas a minimum import price must be fixed for currants and other dried grapes;

Whereas Commission Regulation (EEC) No 784/90 of 29 March 1990 fixing the reduction coefficient for

agricultural prices in the 1990/91 marketing year as a result of the monetary realignment of 5 January 1990 and amending the prices and amounts fixed in ecus for that marketing year ⁽⁴⁾ lists the prices and amounts to which the coefficient 1,001712 is applied under the system for the automatic dismantling of negative monetary gaps; whereas the prices and amounts fixed in ecus by the Commission for the 1990/91 marketing year must take account of the reduction resulting therefrom;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The minimum import price applicable to dried grapes during the 1990/91 marketing year shall be as set out in Annex I.
2. The countervailing charge to be imposed where the minimum import price referred to in paragraph 1 is not observed shall be as set out in Annex II.

Article 2

This Regulation shall enter into force on 1 September 1990.

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

Done at Brussels, 31 July 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ OJ No L 119, 11. 5. 1990, p. 66.

⁽³⁾ OJ No L 197, 27. 7. 1985, p. 10.

⁽⁴⁾ OJ No L 83, 30. 3. 1990, p. 102.

ANNEX I

Minimum import prices

(ECU per tonne)		
CN code	Description	Minimum import price
0806 20	— Dried grapes :	
	— — In immediate containers of a net capacity of 2 kg or less :	
0806 20 11	— — — Currants	956,72
0806 20 12	— — — Sultanas	1 000,88
0806 20 18	— — — Other	1 000,88
	— — Other :	
0806 20 91	— — — Currants	854,39
0806 20 92	— — — Sultanas	893,83
0806 20 98	— — — Other	893,83

ANNEX II

Countervailing charges

1. Currants falling within CN code 0806 20 11

(ECU per tonne)		
Import price applied		Countervailing charge to be levied
less than	but not less than	
956,72	947,16	9,56
947,16	928,02	28,70
928,02	899,32	57,40
899,32	870,62	86,10
870,62		135,98

2. Currants falling within CN code 0806 20 91

(ECU per tonne)		
Import price applied		Countervailing charge to be levied
less than	but not less than	
854,39	845,85	8,54
845,85	828,76	25,63
828,76	803,13	33,65
803,13	777,50	33,65
777,50		33,65

3. Dried grapes falling within CN codes 0806 20 12 and 0806 20 18

(ECU per tonne)		
Import price applied		Countervailing charge to be levied
less than	but not less than	
1 000,88	990,88	10,00
990,88	970,86	30,02
970,86	940,83	60,05
940,83	910,81	90,07
910,81		180,14

4. Dried grapes falling within CN codes 0806 20 92 and 0806 20 98

(ECU per tonne)

Import price applied		Countervailing charge to be levied
less than	but not less than	
893,83	884,90	8,93
884,90	867,02	26,81
867,02	840,21	53,62
840,21	813,39	73,09
813,39		73,09

COMMISSION REGULATION (EEC) No 2251/90
of 31 July 1990

**amending Regulation (EEC) No 1000/90 on promotional and publicity measures
in respect of milk and milk products**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1079/77 of 17 May 1977 on a co-responsibility levy and on measures for expanding the markets in milk and milk products⁽¹⁾, as last amended by Regulation (EEC) No 1181/90⁽²⁾, and in particular Article 4 thereof,

Whereas Article 2 (1) of Commission Regulation (EEC) No 1000/90⁽³⁾, as amended by Regulation (EEC) No 2221/90⁽⁴⁾, lays down that the publicity and promotional measures referred to in Article 1 shall be proposed by organizations representing the dairy sector;

Whereas in order to have a broad range of proposals enabling the most appropriate choice to be made regarding the specific actions foreseen in Article 1 (2), there is good reason to provide that proposals may equally be submitted by enterprises which do not represent the dairy sector; consequently it is appropriate to postpone the deadline for submitting proposals as well as the other deadlines linked to it;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1000/90 is hereby amended as follows:

1. In Article 2, the first paragraph is completed by the phrase:
'The provisions referred to in the first sub-paragraph under (a) are not applicable to the measures referred to in the second to fourth indents of Article 1 (2).'
2. Article 3 (2) is replaced by the following:
'Proposals must reach the competent authority before 1 June 1990; however, the proposals referred to in the second to fourth indents of Article 1 (2) must reach the competent authority before 16 August 1990.'
3. Article 5 (1) is completed by the phrase:
'However, for the proposals referred to in the second to fourth indents of Article 1 (2), 1 July 1990 is replaced by 1 September 1990.'

Article 2

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

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

Done at Brussels, 31 July 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 131, 26. 5. 1977, p. 6.

⁽²⁾ OJ No L 119, 11. 5. 1990, p. 25.

⁽³⁾ OJ No L 101, 21. 4. 1990, p. 22.

⁽⁴⁾ OJ No L 202, 31. 7. 1990, p. 31.

COMMISSION REGULATION (EEC) No 2252/90

of 31 July 1990

concerning the methods of implementation of Council Regulation (EEC) No 2060/90 on transitional measures concerning trade with the German Democratic Republic in the agriculture and fisheries sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2060/90 of 16 July 1990 on transitional measures concerning trade with the German Democratic Republic in the agriculture and fisheries sector ⁽¹⁾, and in particular Article 5 thereof,

Whereas it was announced in a joint statement issued on 21 June 1990 by the customs authorities of the Federal Republic of Germany and of the German Democratic Republic that, with effect from 1 July 1990, trade in agricultural products between the German Democratic Republic and third countries would be subject to the same customs rules and procedures which apply to trade between the Federal Republic of Germany and third countries;

Whereas mechanisms similar to those of the common agricultural policy are to be applied by the German Democratic Republic which is to grant free access to its territory to Community goods on a reciprocal basis; whereas the said authorities have undertaken to work closely together and have made provision for the systematic application of the Community transit regime (external procedure) to all goods coming from third countries and destined for the Federal Republic of Germany or for other Member States of the Community;

Whereas in applying this Regulation the Federal Republic of Germany will maintain a close liaison with the Commission in order to be able to take, in concert with the German Democratic Republic, such measures as may be necessary to ensure that the provisions of the common agricultural policy as regards third countries are not circumvented;

Whereas the conditions set out in Article 3 of Regulation (EEC) No 2060/90 are fulfilled in respect of the products concerned while taking account of the effect of the mechanisms in question on the production and marketing of the products;

Whereas to avoid products that are not priced at a similar level to that in the Community being imported into the Community without any levy being collected, suspension must be made contingent upon certain conditions being met in particular, that the products in question should originate in the German Democratic Republic;

Whereas in order to allow free access of Community goods to the German Democratic Republic as well as equivalent access of the latter's goods to the Community, it is necessary to make the rules on Community transit as provided for in Articles 2 to 5 of Commission Regulation (EEC) No 1795/90 of 29 June 1990 concerning the methods of implementation of Council Regulation (EEC) No 1794/90 on the transitional measures for trade with the German Democratic Republic ⁽²⁾ applicable to the products in question;

Whereas it is necessary to take into account the specific provisions applicable to trade between the Community as constituted on 31 December 1985 on the one hand and Spain and Portugal on the other;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committees concerned,

HAS ADOPTED THIS REGULATION:

Article 1

1. It is hereby established that the conditions laid down in Article 3 of Regulation (EEC) No 2060/90 are met in respect of the products referred to in Article 1 of the said Regulation.

2. However, suspension, as a result of paragraph 1, of the collection of levies and the application of other charges, quantitative restrictions and measures having equivalent effect does not affect the application of monetary compensatory amounts or of the specific provisions of the Act of Accession of Spain and Portugal and does not apply to products that have been shown to have been:

- wholly obtained in the German Democratic Republic,
- imported and released for free circulation in the German Democratic Republic on collection of a levy at the Community level,
- imported from the Community and released for free circulation in the German Democratic Republic without benefit of any Community export refund.

A certificate issued by the 'Anstalt für landwirtschaftliche Marktordnung' of the German Democratic Republic shall constitute proof that the conditions laid down in the first

⁽¹⁾ OJ No L 188, 20. 7. 1990, p. 1.

⁽²⁾ OJ No L 166, 29. 6. 1990, p. 3.

indent have been met and a model of such certificate will be published in the 'C' series of the *Official Journal of the European Communities*.

referred to in Article 1 of Regulation (EEC) No 2060/90 between the Community and the German Democratic Republic.

Article 2

Articles 2 to 5 of Regulation (EEC) No 1795/90 shall apply to the movement of the products and goods

Article 3

This Regulation shall enter into force on 1 August 1990.

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

Done at Brussels, 31 July 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 2253/90

of 31 July 1990

fixing the export refunds on beef and veal and amending Regulation (EEC) No 3846/87 establishing an agricultural product nomenclature for export refunds

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EEC) No 571/89⁽²⁾, and in particular Article 18 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 18 of Regulation (EEC) No 805/68 provides that the difference between 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 Council Regulation (EEC) No 885/68⁽³⁾, as last amended by Regulation (EEC) No 427/77⁽⁴⁾, lays down general rules for granting export refunds and criteria for fixing the amount of such refunds;Whereas Regulation (EEC) No 32/82⁽⁵⁾, as last amended by Regulation (EEC) No 3169/87⁽⁶⁾, Regulation (EEC) No 1964/82⁽⁷⁾, as amended by Regulation (EEC) No 3169/87, and Regulation (EEC) No 2388/84⁽⁸⁾, as last amended by Regulation (EEC) No 3988/87⁽⁹⁾, lay down the conditions for granting special export refunds for certain cuts of beef and veal and certain preserved beef and veal products;

Whereas it follows from applying those rules and criteria to the foreseeable situation on the market in beef and veal that the refund should be as set out below;

Whereas given the current market situation in the Community and the possibilities of disposal in certain third countries, in particular export refunds on adult male bovine animals of a live weight of at least 300 kilograms and other bovines of a live weight of at least 250 kilograms; whereas experience gained in recent years has shown that it is advisable to treat live pure-bred breeding animals of a weight of at least 250 kilograms for females and 300 kilograms for males in an identical manner to other bovine animals, while subjecting them to certain special administrative formalities;

Whereas export refunds should be granted for certain destinations on certain fresh or chilled meat listed in Annex I under CN code 0201, on certain frozen meat listed in Annex I under CN code 0202, on certain meat or offal listed in Annex I under CN code 0206 and on certain other prepared or preserved meat or offal listed in Annex I under CN code 1602 50 10;

Whereas, in view of the wide differences in products covered by the CN codes 0201 20 90 700 and 0202 20 90 100 used for refund purposes, the refund should only be granted on cuts in which the weight of bone does not exceed one third;

Whereas refunds should also be granted on fresh or frozen boned or boneless pieces, even where each piece is not individually wrapped, and on minced meat, and the wording of the tariff subheadings for fresh boned or boneless pieces specified;

Whereas, in the case of meat of bovine animals, boned or boneless, salted and dried, there are traditional trade flows to Switzerland; whereas to allow this trade to continue, the refund should be set to cover the difference between prices on the Swiss market and export prices in the Member States; whereas there are possibilities for exporting such meat and smoked dried meat to certain African, Near and Middle Eastern countries; whereas a refund should accordingly be set;

Whereas, in the case of certain other cuts and preserves of meat or offal shown in Annex I under CN code 1602 50 90, Community participation in international trade may be maintained by granting a refund corresponding to that at present available;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.⁽²⁾ OJ No L 61, 4. 3. 1989, p. 43.⁽³⁾ OJ No L 156, 4. 7. 1968, p. 2.⁽⁴⁾ OJ No L 61, 5. 3. 1977, p. 16.⁽⁵⁾ OJ No L 4, 8. 1. 1982, p. 11.⁽⁶⁾ OJ No L 301, 24. 10. 1987, p. 21.⁽⁷⁾ OJ No L 212, 21. 7. 1982, p. 48.⁽⁸⁾ OJ No L 221, 18. 8. 1984, p. 28.⁽⁹⁾ OJ No L 376, 31. 12. 1987, p. 31.

Whereas, in the case of other beef and veal products, a refund need not be fixed since Community participation in world trade is not significant;

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 over a given period in relation to the Community currencies referred to in the previous indent and the aforesaid coefficient;

Whereas Commission Regulation (EEC) No 3846/87⁽³⁾, as last amended by Regulation (EEC) No 998/90⁽⁴⁾ establishes the agricultural product nomenclature for the purposes of export refunds;

Whereas, in order to simplify customs export formalities for operators, the refunds for all boned cuts packed individually should be harmonized; whereas, therefore the refunds on all frozen cuts should be brought in line with those on fresh or chilled cuts other than those from adult male bovine animals, except in the case of certain frozen beef held by the intervention agencies that is to be exported under Commission Regulations (EEC) No 243/90⁽⁵⁾, (EEC) No 676/90⁽⁶⁾, (EEC) No 1680/90⁽⁷⁾ and (EEC) No 1682/90⁽⁸⁾;

Whereas in certain cases experience has shown that it is often difficult to determine quantities of other meat, as compared with that from the bovine species alone

contained in prepared or preserved meat covered by CN code 1602 50; whereas products of the bovine species alone should accordingly be set apart and a new heading should be created for mixtures of meats or offals; whereas control over products other than mixtures of meat or offal should be reinforced by marking the granting of refunds on certain of these products conditional on manufacturer under the arrangements provided for in Article 4 of Council Regulation (EEC) No 565/80 of 4 March 1980 on the advance payment of export refunds in respect of agricultural products⁽⁹⁾, as amended by Regulation (EEC) No 2026/83⁽¹⁰⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

The list of products on which the export refund referred to in Article 18 of Regulation (EEC) No 805/68 is granted and the amount of that refund shall be as set out in Annex I hereto.

The description of goods and footnotes for CN code 0202 in Section 6 of the Annex to Regulation (EEC) No 3846/87 setting out the agricultural product nomenclature for export refunds is replaced by Annex II to this Regulation.

Article 2

This Regulation shall enter into force on 1 August 1990.

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

Done at Brussels, 31 July 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 366, 24. 12. 1987, p. 1.
⁽⁴⁾ OJ No L 101, 21. 4. 1990, p. 10.
⁽⁵⁾ OJ No L 27, 31. 1. 1990, p. 8.
⁽⁶⁾ OJ No L 75, 21. 3. 1990, p. 8.
⁽⁷⁾ OJ No L 157, 22. 6. 1990, p. 18.
⁽⁸⁾ OJ No L 157, 22. 6. 1990, p. 26.

⁽⁹⁾ OJ No L 62, 7. 3. 1980, p. 5.
⁽¹⁰⁾ OJ No L 199, 22. 7. 1983, p. 12.

ANNEX I

(ECU/100 kg)		
Product code	Destination (?)	Amount of refund (°)
		— Live weight —
0102 10 00 190	01	96,00
0102 10 00 390	01	96,00
0102 90 31 900	02	85,50
	03	55,50
	04	25,50
0102 90 33 900	02	85,50
	03	55,50
	04	25,50
0102 90 35 900	02	101,50
	03	73,00
	04	34,50
0102 90 37 900	02	101,50
	03	73,00
	04	34,50
		— Net weight —
0201 10 10 100	02	92,00
	03	65,00
	04	32,50
0201 10 10 900	02	126,50
	03	88,00
	04	44,00
0201 10 90 110 (°)	02	124,50
	03	85,00
	04	42,50
0201 10 90 190	02	92,00
	03	65,00
	04	32,50
0201 10 90 910 (°)	02	171,50
	03	115,00
	04	57,50
0201 10 90 990	02	126,50
	03	88,00
	04	44,00
0201 20 21 000	02	126,50
	03	88,00
	04	44,00

(ECU/100 kg)		
Product code	Destination (?)	Amount of refund (°)
		— Net weight —
0201 20 29 100 (1)	02	171,50
	03	115,00
	04	57,50
0201 20 29 900	02	126,50
	03	88,00
	04	44,00
0201 20 31 000	02	92,00
	03	65,00
	04	32,50
0201 20 39 100 (1)	02	124,50
	03	85,00
	04	42,50
0201 20 39 900	02	92,00
	03	65,00
	04	32,50
0201 20 51 100	02	161,00
	03	110,50
	04	56,00
0201 20 51 900	02	92,00
	03	65,00
	04	32,50
0201 20 59 110 (1)	02	218,50
	03	146,00
	04	73,00
0201 20 59 190	02	161,00
	03	110,50
	04	56,00
0201 20 59 910 (1)	02	124,50
	03	85,00
	04	42,50
0201 20 59 990	02	92,00
	03	65,00
	04	32,50
0201 20 90 700	02	92,00
	03	65,00
	04	32,50
0201 30 00 050 (°)	05	112,00
0201 30 00 100 (°)	02	312,00
	03	208,50
	04	104,50
	06	266,50
0201 30 00 150	02	180,00
	03	125,00
	04	62,50
	06	144,50
	07	90,00
0201 30 00 190 (°)	02	128,00
	03	84,00
	04	42,00
	06	102,50
	07	90,00

(ECU/100 kg)		
Product code	Destination (?)	Amount of refund (?)
		— Net weight —
0202 10 00 100	02	92,00
	03	65,00
	04	32,50
0202 10 00 900	02	126,50
	03	88,00
	04	44,00
0202 20 10 000	02	126,50 ⁽¹⁰⁾
	03	88,00
	04	44,00
0202 20 30 000	02	92,00 ⁽¹⁰⁾
	03	65,00
	04	32,50
0202 20 50 100	02	161,00 ⁽¹⁰⁾
	03	110,50
	04	56,00
0202 20 50 900	02	92,00
	03	65,00
	04	32,50
0202 20 90 100	02	92,00
	03	65,00
	04	32,50
0202 30 90 100 (*)	05	112,00
0202 30 90 400	02	180,00 ⁽¹⁰⁾
	03	125,00 ⁽¹⁰⁾
	04	62,50 ⁽¹⁰⁾
	06	144,50 ⁽¹⁰⁾
0202 30 90 500 (*)	07	90,00 ⁽¹⁰⁾
	02	128,00
	03	84,00
	04	42,00
	06	102,50
0202 30 90 900	07	90,00
	07	90,00
0206 10 95 000	02	128,00
	03	84,00
	04	42,00
	06	102,50
0206 29 91 000	02	128,00
	03	84,00
	04	42,00
	06	102,50
0210 20 90 100	08	102,50
	09	60,50
0210 20 90 300	02	128,00
0210 20 90 500 (*)	02	128,00
1602 50 10 120	02	134,50 (*)
	03	108,00 (*)
	04	108,00 (*)
1602 50 10 140	02	119,50 (*)
	03	96,00 (*)
	04	96,00 (*)

(ECU/100 kg)

Product code	Destination (7)	Amount of refund (6)
		— Net weight —
1602 50 10 160	02	96,00 (2)
	03	77,00 (2)
	04	77,00 (2)
1602 50 10 180	02	63,50
	03	51,00
	04	51,00
1602 50 10 240	02	36,00
	03	36,00
	04	36,00
1602 50 10 260	02	26,00
	03	26,00
	04	26,00
1602 50 10 280	02	16,00
	03	16,00
	04	16,00
1602 50 90 120	01	116,00 (2)
1602 50 90 170	01	73,00 (2)
1602 50 90 320	01	103,00 (2)
1602 50 90 370	01	65,00 (2)
1602 50 90 520	01	77,00 (2)
1602 50 90 570	01	48,50 (2)
1602 50 90 610	01	36,00
1602 50 90 620	01	16,00
1602 50 90 700	01	36,00
1602 50 90 800	01	26,00
1602 50 90 900	01	16,00

(1) Entry under this subheading is subject to the submission of the certificate appearing in the Annex to Commission Regulation (EEC) No 32/82.

(2) Entry under this subheading is subject to compliance with the condition laid down in Commission Regulation (EEC) No 1964/82.

(3) The refund on beef in brine is granted on the net weight of the meat, after deduction of the weight of the brine.

(4) OJ No L 336, 29. 12. 1979, p. 44.

(5) OJ No L 221, 19. 8. 1984, p. 28.

(6) The lean bovine meat content excluding fat is determined in accordance with the procedure described in the Annex to Commission Regulation (EEC) No 2429/86 (OJ No L 210, 1. 8. 1986, p. 39).

(7) The destinations are as follows:

01 Third countries, except the German Democratic Republic.

02 North African, Near and Middle East third countries, West, Central East and South African third countries, except Lebanon, Cyprus, Botswana, Kenya, Madagascar, Swaziland and Zimbabwe.

03 European third countries, the Canary Islands, Ceuta, Melilla, Lebanon, Cyprus, Greenland, Pakistan, Sri Lanka, Burma, Thailand, Vietnam, Indonesia, the Philippines, China, North Korea and Hong Kong and the destinations referred to in Article 34 of Commission Regulation (EEC) No 3665/87 (OJ No L 351, 14. 12. 1987, p. 1), except Austria, Sweden, Switzerland and the German Democratic Republic.

04 Austria, Sweden and Switzerland.

05 The United States of America, carried out in accordance with Commission Regulation (EEC) No 2973/79 (OJ No L 336, 29. 12. 1979, p. 44).

06 French Polynesia and New Caledonia.

07 Canada.

08 North, West, Central, East and South African third countries, except Botswana, Kenya, Madagascar, Swaziland and Zimbabwe.

09 Switzerland.

- (⁹) Article 7 of Regulation (EEC) No 885/68 provides that no export refunds shall be granted on products imported from third countries and re-exported to third countries.
- (⁹) The refund is granted only on products manufactured under the arrangement provided for in Article 4 of Council Regulation (EEC) No 565/80.
- (¹⁰) Excluding frozen meat exported under Regulations (EEC) No 243/90, (EEC) No 676/90, (EEC) No 1680/90 and (EEC) No 1682/90.

NB: The countries are as defined in Commission Regulation (EEC) No 420/90 (OJ No L 44, 20. 2. 1990, p. 15). The descriptions corresponding to the product codes and the footnotes are set out in Commission Regulation (EEC) No 3846/87 as amended.

ANNEX II

CN code	Description of goods	Product code
0202	Meat of bovine animals, frozen :	
0202 10 00	— Carcases and half-carcases :	
	— The front part of a carcase or of half carcase comprising all the bones and the scrag, neck and shoulder but with more than 10 ribs	0202 10 00 100
	— Other	0202 10 00 900
0202 20	— Other cuts, with bone in :	
0202 20 10	— — 'Compensated' quarters, except for those exported under Regulation (EEC) No 1682/90 ⁽¹⁾	0202 20 10 000
0202 20 30	— — Unseparated or separated forequarters, except for those exported under Regulation (EEC) No 1682/90 ⁽¹⁾	0202 20 30 000
0202 20 50	— — Unseparated or separated hindquarters :	
	— With a maximum of nine ribs or pairs of ribs, except for those exported under Regulation (EEC) No 1682/90 ⁽¹⁾	0202 20 50 100
	— With more than nine ribs or pairs of ribs	0202 20 50 900
0202 20 90	— — Other :	
	— The weight of bone not exceeding one-third of the weight of the cut	0202 20 90 100
	— Other	0202 20 90 900
0202 30	— Boneless :	
0202 30 90	— — Other :	
	— Boned cuts exported to the United States of America under the conditions laid down in Regulation (EEC) No 2973/79 ⁽²⁾	0202 30 90 100
	— Boned cuts, excluding boned cuts exported under Regulations (EEC) No 243/90 ⁽³⁾ , (EEC) No 676/90 ⁽⁴⁾ and 1680/90 ⁽¹⁰⁾ , each piece individually wrapped	0202 30 90 400
	— Other, including minced meat, with a lean meat content (excluding fat) of 78 % or more ⁽⁶⁾	0202 30 90 500
	— Other	0202 30 90 900

⁽¹⁾ Entry within this subheading is subject to the submission of the certificate appearing in the Annex to Commission Regulation (EEC) No 32/82 (OJ No L 4, 8. 1. 1982, p. 11).

⁽²⁾ Entry within this subheading is subject to compliance with the conditions laid down in Commission Regulation (EEC) No 1964/82 (OJ No L 212, 21. 7. 1982, p. 48).

⁽³⁾ The refund on beef in brine is granted on the net weight of the meat after deduction of the weight of the brine.

⁽⁴⁾ OJ No L 336, 29. 12. 1979, p. 44.

⁽⁵⁾ OJ No L 221, 18. 8. 1984, p. 28.

⁽⁶⁾ The lean bovine meat content excluding fat is determined in accordance with the procedure described in the Annex to Commission Regulation (EEC) No 2429/86 (OJ No L 210, 1. 8. 1986, p. 39).

⁽⁷⁾ OJ No L 27, 31. 1. 1990, p. 8.

⁽⁸⁾ OJ No L 75, 21. 3. 1990, p. 8.

⁽⁹⁾ OJ No L 157, 22. 6. 1990, p. 26.

⁽¹⁰⁾ OJ No L 157, 22. 6. 1990, p. 18.

NB: Article 7 of Council Regulation (EEC) No 85/68 (OJ No L 156, 4. 7. 1968, p. 2), provides that no export refunds shall be granted on products imported from third countries and re-exported to third countries.

COMMISSION REGULATION (EEC) No 2254/90**of 31 July 1990****fixing the import levies on white sugar and raw sugar**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 1812/90 ⁽³⁾, as last amended by Regulation (EEC) No 2194/90 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1812/90 to the information known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 August 1990.

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

Done at Brussels, 31 July 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 167, 30. 6. 1990, p. 41.

⁽⁴⁾ OJ No L 198, 28. 7. 1990, p. 38.

ANNEX

to the Commission Regulation of 31 July 1990 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	34,97 ⁽¹⁾
1701 11 90	34,97 ⁽¹⁾
1701 12 10	34,97 ⁽¹⁾
1701 12 90	34,97 ⁽¹⁾
1701 91 00	38,39
1701 99 10	38,39
1701 99 90	38,39 ⁽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 2255/90

of 31 July 1990

amending Regulation (EEC) No 1788/90 introducing a countervailing charge on
fresh lemons originating in Argentina

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 1035/72
of 18 May 1972 on the common organization of the
market in fruit and vegetables⁽¹⁾, as last amended by
Regulation (EEC) No 1193/90⁽²⁾, and in particular the
first subparagraph of Article 27 (2) thereof,Whereas Commission Regulation (EEC) No 1788/90⁽³⁾,
as last amended by Regulation (EEC) No 2119/90⁽⁴⁾,
introduced a countervailing charge on fresh lemons origi-
nating in Argentina;Whereas Article 26 (1) of Regulation (EEC) No 1035/72
laid down the conditions under which a charge intro-duced in application of Article 25 of that Regulation is
amended; whereas if those conditions are taken into
consideration, the countervailing charge on the import of
fresh lemons originating in Argentina must be altered,

HAS ADOPTED THIS REGULATION:

*Article 1*In Article 1 of Regulation (EEC) No 1788/90 '7,03' ECU
is hereby replaced by '1,54' ECU.*Article 2*

This Regulation shall enter into force on 1 August 1990.

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

Done at Brussels, 31 July 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.⁽²⁾ OJ No L 199, 11. 5. 1990, p. 43.⁽³⁾ OJ No L 163, 29. 6. 1990, p. 56.⁽⁴⁾ OJ No L 193, 25. 7. 1990, p. 23.

COMMISSION REGULATION (EEC) No 2256/90

of 31 July 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 August 1990.

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

Done at Brussels, 31 July 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 31 July 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		35,45
1702 60 10 000		35,45
1702 60 90 000	0,3545	
1702 90 30 000		35,45
1702 90 60 000	0,3545	
1702 90 71 000	0,3545	
1702 90 90 900	0,3545	
2106 90 30 000		35,45
2106 90 59 000	0,3545	

⁽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 2257/90**of 31 July 1990****suspending the advance fixing of the exprt 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 Council Regulation (EEC) No 1785/81
of 30 June 1981 on the common organization of the
markets in the sugar sector ⁽¹⁾, as last amended by Regula-
tion (EEC) No 1069/89 ⁽²⁾, and in particular the second
subparagraph of Article 19 (3),

Whereas the second subparagraph of Article 19 (5) of
Regulation (EEC) No 1785/81 provides that, in cases of
extreme urgency, the Commission may, after examining
the situation on the basis of all the information available
to it, decide to suspend advance fixing for the products in
question for a maximum period of three working days ;

Whereas the advanced fixing of refunds on syrups should
be suspended to prevent applications for advanced fixing

of refunds on syrups exported to the German Democratic
Republic for speculative purposes,

HAS ADOPTED THIS REGULATION :

Article 1

Advance fixing of export refunds on products as referred
to in points (d), (f) and (g) of Article 1 (1) of Regulation
(EEC) No 1785/81 shall be suspended on 1 August 1990.

Article 2

This Regulation shall enter into force on 1 August 1990.

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

Done at Brussels, 31 July 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.