

Official Journal

of the European Communities

ISSN 0378-6978

L 237

Volume 33

1 September 1990

English edition

Legislation

Contents

I *Acts whose publication is obligatory*

Commission Regulation (EEC) No 2506/90 of 31 August 1990 fixing the import levies on cereals and on wheat or rye flour, groats and meal	1
Commission Regulation (EEC) No 2507/90 of 31 August 1990 fixing the premiums to be added to the import levies on cereals, flour and malt	3
Commission Regulation (EEC) No 2508/90 of 30 August 1990 on transitional measures concerning the application of certain monetary compensatory amounts in respect of the wine sector	5
* Commission Regulation (EEC) No 2509/90 of 30 August 1990 fixing the level of estimated rape seed production for the 1990/91 marketing year, the level of actual rape seed production for the 1989/90 marketing year, and the adjustment to be made to the amount of the aid	7
* Commission Regulation (EEC) No 2510/90 of 30 August 1990 fixing, for peas, field beans and sweet lupins, the level of estimated production for the 1990/91 marketing year, the level of actual production for the 1989/90 marketing year, and the adjustment to be made to the amount of the aid	8
* Commission Regulation (EEC) No 2511/90 of 30 August 1990 fixing, for unginned cotton, the actual production for the 1989/90 marketing year and the estimated production, the adjustment in the maximum guaranteed quantity and the reduction in the aid for the 1990/91 marketing year ...	9
Commission Regulation (EEC) No 2512/90 of 31 August 1990 fixing the import levies on rice and broken rice	11
Commission Regulation (EEC) No 2513/90 of 31 August 1990 fixing the premiums to be added to the import levies on rice and broken rice	14

Price : ECU 16,00

(Continued overleaf)

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other Acts are printed in bold type and preceded by an asterisk.

Commission Regulation (EEC) No 2514/90 of 31 August 1990 fixing the export refunds on products processed from cereals and rice	17
Commission Regulation (EEC) No 2515/90 of 31 August 1990 fixing the export refunds on cereal-based compound feedingstuffs	20
Commission Regulation (EEC) No 2516/90 of 31 August 1990 fixing the export refunds on rice and broken rice	28
Commission Regulation (EEC) No 2517/90 of 31 August 1990 fixing the corrective amount applicable to the refund on rice and broken rice	32
Commission Regulation (EEC) No 2518/90 of 31 August 1990 fixing the refunds applicable for September 1990 to cereal and rice sector products supplied as Community and national food aid	35
Commission Regulation (EEC) No 2519/90 of 31 August 1990 fixing the export refunds on malt	37
Commission Regulation (EEC) No 2520/90 of 31 August 1990 fixing the corrective amount applicable to the refund on malt	39
Commission Regulation (EEC) No 2521/90 of 31 August 1990 fixing the corrective amount applicable to the refund on cereals	41
Commission Regulation (EEC) No 2522/90 of 31 August 1990 fixing the import levies on syrups and certain other products in the sugar sector	44
Commission Regulation (EEC) No 2523/90 of 31 August 1990 fixing the export refunds on syrups and certain other sugar products exported in the natural state	46
Commission Regulation (EEC) No 2524/90 of 31 August 1990 fixing the reduced levy on imports into Portugal of certain quantities of raw sugar intended for Portuguese refineries	49
Commission Regulation (EEC) No 2525/90 of 31 August 1990 fixing the export refunds on olive oil	50
Commission Regulation (EEC) No 2526/90 of 31 August 1990 fixing the export refunds on oil seeds	52
Commission Regulation (EEC) No 2527/90 of 31 August 1990 fixing the production refund for olive oil used in the manufacture of certain preserved fish and vegetables	55
Commission Regulation (EEC) No 2528/90 of 31 August 1990 fixing the maximum export refunds on olive oil for the 18th partial invitation to tender under the standing invitation to tender issued by Regulation (EEC) No 3246/89	56
Commission Regulation (EEC) No 2529/90 of 31 August 1990 fixing for September 1990 the levy applicable in Spain to products subject to the price control system	58
Commission Regulation (EEC) No 2530/90 of 31 August 1990 fixing the amount of the subsidy on oil seeds	59
Commission Regulation (EEC) No 2531/90 of 31 August 1990 fixing the amount of aid for peas, field beans and sweet lupins	65
Commission Regulation (EEC) No 2532/90 of 31 August 1990 fixing the rate of the aid for dried fodder	72
Commission Regulation (EEC) No 2533/90 of 31 August 1990 fixing the aid for cotton	75
Commission Regulation (EEC) No 2534/90 of 31 August 1990 fixing the aid for soya beans	77

Contents (continued)

Commission Regulation (EEC) No 2535/90 of 31 August 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	80
Commission Regulation (EEC) No 2536/90 of 31 August 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	83
Commission Regulation (EEC) No 2537/90 of 31 August 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	86
* Commission Regulation (EEC) No 2538/90 of 31 August 1990 reintroducing the levying of the customs duties applicable to products of CN codes 3904 10 00, 3904 21 00 and 3904 22 00 originating in Mexico, to which the preferential arrangements of Council Regulation (EEC) No 3896/89 apply	89
* Commission Regulation (EEC) No 2539/90 of 31 August 1990 reintroducing the levying of the customs duties applicable to jewellery of CN codes 7113 11 00 and 7113 19 00 originating in Thailand, to which the preferential tariff arrangements of Council Regulation (EEC) No 3896/89 apply	90
* Commission Regulation (EEC) No 2540/90 of 31 August 1990 reintroducing the levying of the customs duties applicable to woven fabrics of synthetic filament yarn products of category No 33 (order No 40.0330) originating in Thailand, to which the preferential tariff arrangements of Council Regulation (EEC) No 3897/89 apply	91
* Commission Regulation (EEC) No 2541/90 of 31 August 1990 reintroducing the levying of the customs duties applicable to breeches, shorts and trousers, products of category No 6 (order No 40.0060) men's or boy's suits and ensembles, other than knitted or crocheted products of category No 16 (order No 40.0160) originating in Pakistan, to which the preferential tariff arrangements of Council Regulation (EEC) No 3897/89 apply	92
* Commission Regulation (EEC) No 2542/90 of 31 August 1990 reintroducing the levying of the customs duties applicable to nightshirts, pyjamas, bathrobes, knitted or crocheted, products of the category No 24 (order No 40.0240), women's or girls' dresses products of category No 26 (order No 40.0260) originating in Indonesia, to which the preferential tariff arrangements of Council Regulation (EEC) No 3897/89 apply	94
* Commission Regulation (EEC) No 2543/90 of 31 August 1990 reintroducing the levying of the customs duties applicable to men's or boys' shirts, other than knitted or crocheted, products of category No 8 (order No 40.0080), terry towelling and similar woven terry fabrics of cotton, products of category No 9 (order No 40.0090), men's or boys' jackets excluding waister jackets and blazers, other than knitted or crocheted, products of category No 17 (order No 40.0170), women's or girls' dresses, products of category No 26 (order No 40.0260), table linen, toilet and kitchen products of category No 39 (order No 40.0390) originating in India, to which the preferential tariff arrangements of Council Regulation (EEC) No 3897/89 apply	96
* Commission Regulation (EEC) No 2544/90 of 31 August 1990 reintroducing the levying of customs duties applicable to products of CN codes 2937 21 00 and 2937 29 10 originating in China, to which the preferential arrangements of Council Regulation (EEC) No 3896/89 apply	98

Contents (continued)

Commission Regulation (EEC) No 2545/90 of 31 August 1990 adopting interim protective measures on applications for STM licences in the beef and veal sector submitted during the period 20 to 24 August 1990	99
Commission Regulation (EEC) No 2546/90 of 31 August 1990 introducing a countervailing charge on certain varieties of plum originating in Romania	100
Commission Regulation (EEC) No 2547/90 of 31 August 1990 fixing the import levies on white sugar and raw sugar	102
Commission Regulation (EEC) No 2548/90 of 31 August 1990 altering the export refunds on white sugar and raw sugar exported in the natural state	105
Commission Regulation (EEC) No 2549/90 of 31 August 1990 altering the import levies on products processed from cereals and rice	107

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2506/90

of 31 August 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 2205/90⁽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 the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

Whereas these exchange rates being those recorded on 30 August 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 September 1990.

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

Done at Brussels, 31 August 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 201, 31. 7. 1990, p. 9.

⁽⁵⁾ OJ No L 167, 30. 6. 1990, p. 8.

ANNEX

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

(ECU/tonne)

CN code	Levies	
	Portugal	Third country
0709 90 60	39,96	143,67 ⁽²⁾ ⁽³⁾
0712 90 19	39,96	143,67 ⁽²⁾ ⁽³⁾
1001 10 10	20,60	188,03 ⁽¹⁾ ⁽⁵⁾
1001 10 90	20,60	188,03 ⁽¹⁾ ⁽⁵⁾
1001 90 91	26,85	159,02
1001 90 99	26,85	159,02
1002 00 00	51,60	146,07 ⁽⁶⁾
1003 00 10	42,97	138,79
1003 00 90	42,97	138,79
1004 00 10	34,61	126,77
1004 00 90	34,61	126,77
1005 10 90	39,96	143,67 ⁽²⁾ ⁽³⁾
1005 90 00	39,96	143,67 ⁽²⁾ ⁽³⁾
1007 00 90	56,65	154,39 ⁽⁴⁾
1008 10 00	42,97	60,35
1008 20 00	42,97	102,98 ⁽⁴⁾
1008 30 00	42,97	14,02 ⁽⁷⁾
1008 90 10	(7)	(7)
1008 90 90	42,97	14,02
1101 00 00	50,93	235,97
1102 10 00	85,58	217,84
1103 11 10	45,06	304,58
1103 11 90	54,64	254,48

⁽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 2507/90

of 31 August 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 2205/90⁽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 the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

Whereas these exchange rates being those recorded on 30 August 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 September 1990.

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

Done at Brussels, 31 August 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 201, 31. 7. 1990, p. 9.

⁽⁵⁾ OJ No L 167, 30. 6. 1990, p. 11.

ANNEX

to the Commission Regulation of 31 August 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 9	1st period 10	2nd period 11	3rd period 12
0709 90 60	0	3,57	3,57	5,26
0712 90 19	0	3,57	3,57	5,26
1001 10 10	0	0,40	0,40	0,40
1001 10 90	0	0,40	0,40	0,40
1001 90 91	0	0	0	0
1001 90 99	0	0	0	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 10	0	0	0	0
1004 00 90	0	0	0	0
1005 10 90	0	3,57	3,57	5,26
1005 90 00	0	3,57	3,57	5,26
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	1,99	1,99	1,99
1008 30 00	0	26,47	26,47	26,47
1008 90 90	0	26,47	26,47	26,47
1101 00 00	0	0	0	0

B. Malt

CN code	(ECU/tonne)				
	Current 9	1st period 10	2nd period 11	3rd period 12	4th period 1
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 2508/90

of 30 August 1990

on transitional measures concerning the application of certain monetary compensatory amounts in respect of the wine sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Commission Regulation (EEC) No 3156/85 of 11 November 1985 on transitional measures concerning the application of certain monetary compensatory amounts in the trade of certain Member States ⁽¹⁾, as amended by Regulation (EEC) No 3521/88 ⁽²⁾, and in particular Article 11 thereof,

Whereas Regulation (EEC) No 3156/85 laid down a framework for measures, intended to prevent artificial traffic at the time of changes in the monetary compensatory amounts;

Whereas new agricultural conversion rates have been fixed for the wine sector by Council Regulation (EEC) No 1179/90 ⁽³⁾;

Whereas these new rates result in a considerable change in the size of monetary compensatory amounts applicable, in particular, in Greece;

Whereas it is likely that on this occasion speculative traffic will occur, and possibly deflect trade;

Whereas in order to prevent such deflections it should be specified, that the monetary compensatory amounts for these products applicable before the fixing of these new rates shall remain applicable for a limited period beyond that date; whereas the exact products and the length of

the period applicable to each must be determined in the light of the specific conditions governing the marketing of these products;

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

Regulation (EEC) No 3156/85 shall apply from 1 September 1990 as follows:

- (a) the date of the change shall be 1 September 1990;
- (b) the initial date shall be 1 July 1990;
- (c) the products and the periods indicated in Annex I to Regulation (EEC) No 3156/85 shall be those indicated in Annex I to this Regulation;
- (d) application of Annex II to Regulation (EEC) No 3156/85 shall be extended to Part A thereof; the movements and products affected shall be those indicated in Annex II to this Regulation.

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, 30 August 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 310, 21. 11. 1985, p. 27.⁽²⁾ OJ No L 307, 12. 11. 1988, p. 28.⁽³⁾ OJ No L 119, 11. 5. 1990, p. 1.

ANNEX I

Products concerned	Applicable until
Wine sector	1 November 1990

ANNEX II

A

1	2	3
<i>Exports from</i>	<i>Products concerned</i>	<i>Destination</i>
Greece	The products referred to in Annex I	Other Member States and non-member countries

COMMISSION REGULATION (EEC) No 2509/90

of 30 August 1990

fixing the level of estimated rape seed production for the 1990/91 marketing year, the level of actual rape seed production for the 1989/90 marketing year, and the adjustment to be made to the amount of the aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 2902/89⁽²⁾, and in particular Article 27a (6) thereof,

Whereas Article 32a of Commission Regulation (EEC) No 2681/83 of 21 September 1983 laying down detailed rules for the application of the subsidy system for oilseeds⁽³⁾, as last amended by Regulation (EEC) No 2248/90⁽⁴⁾, specifies the factors which must be determined in order to implement the system of maximum guaranteed quantities; whereas the level of estimated rapeseed production for the 1990/91, marketing year, the level of actual rapeseed production for the 1989/90 marketing year, and the resulting adjustment to the aid for the 1990/91 marketing year should be fixed on the basis of the available data;

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

For the 1990/91, marketing year, the estimated production of rapeseed is hereby fixed at:

- 28 000 tonnes for Spain,
- 0 tonnes for Portugal,
- 5 842 000 tonnes for the other Member States.

Article 2

For the 1989/90 marketing year, the actual production of rapeseed is hereby fixed at:

- 14 000 tonnes for Spain,
- 0 tonnes for Portugal,
- 4 972 000 tonnes for the other Member States.

Article 3

For the 1990/91, marketing year, the adjustment to be made to the amount of the aid for rapeseed is hereby fixed at:

- — ECU 26,25 100 kilograms for Spain,
- ECU 0 per 100 kilograms for Portugal,
- — ECU 6,97 100 kilograms for the other Member States.

Article 4

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, 30 August 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 203, 1. 8. 1990, p. 55.

COMMISSION REGULATION (EEC) No 2510/90**of 30 August 1990****fixing, for peas, field beans and sweet lupins, the level of estimated production for the 1990/91 marketing year, the level of actual production for the 1989/90 marketing year, and the adjustment to be made to the amount of the aid**

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⁾, and in particular Article 3a (6) thereof,Whereas Article 24a of 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 2249/90⁽⁴⁾, specifies the factors which must be fixed in order to implement the system of maximum guaranteed quantities; whereas the level of estimated production for the 1990/91 marketing year, the level of actual production for the 1989/90 marketing year, and the consequent adjustment to be applied to the aid for the 1990/91 marketing year, should be fixed on the basis of the available data;

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

For the 1990/91 marketing year, the estimated production of peas, field beans and sweet lupins intended to qualify for aid is hereby fixed at 4 833 000 tonnes.

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

Done at Brussels, 30 August 1990.

Article 2

For the 1989/90 marketing year, the actual production of peas, field beans and sweet lupins intended to qualify for aid is hereby fixed at 4 137 000 tonnes.

Article 3

For the 1990/91 marketing year, the adjustment to be made to the amount of the aid is hereby fixed at:

- — ECU 5,90 per 100 kilograms for peas and field beans,
- — ECU 6,52 per 100 kilograms for sweet lupins.

The minimum price of each product is consequently reduced by the same amount as the adjustment, to be made to the amount of the aid.

*Article 4*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.

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 203, 1. 8. 1990, p. 56.

COMMISSION REGULATION (EEC) No 2511/90
of 30 August 1990

fixing, for unginced cotton, the actual production for the 1989/90 marketing year and the estimated production, the adjustment in the maximum guaranteed quantity and the reduction in the aid for the 1990/91 marketing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Greece, and in particular Protocol 4 on cotton, as amended by the Act of Accession of Spain and Portugal, and in particular Protocol 14 annexed thereto,

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 ⁽¹⁾, as last amended by Regulation (EEC) No 791/89 ⁽²⁾, and in particular Article 11 thereof,

Whereas Article 7 (1) of Regulation (EEC) No 2169/81 provides that the actual production in each marketing year is to be determined each year, taking account in particular of the quantities for which the aid has been applied for; whereas the application of that criterion gives the actual production for the 1989/90 marketing year indicated below;

Whereas Article 8 of Regulation (EEC) No 2169/81 provides that the estimated production of cotton must be established before the beginning of each marketing year; whereas, on the basis of the figures available, the estimated production for the 1989/90 marketing year should be fixed at the figure given below;

Whereas the third subparagraph of Article 2 (2) of Council Regulation (EEC) No 1964/87 of 2 July 1987 adjusting the system of aid for cotton introduced by Protocol No 4 annexed to the Act of Accession of Greece ⁽³⁾, as amended by Regulation (EEC) No 1357/90 ⁽⁴⁾, provides that if the actual production in a given marketing year exceeds the estimated production for that year, the maximum guaranteed quantity for the following marketing year must be adjusted to take account of the amount of aid that fell to be paid; whereas the actual production in the 1989/90 marketing year exceeds the estimated production, established by Commission Regulation (EEC) No 2624/89 ⁽⁵⁾, whereas the corresponding reduction in the maximum guaranteed quantity fixed, for the 1990/91 marketing year, by Council Regulation (EEC) No 1356/90 ⁽⁶⁾ should be set;

Whereas, pursuant to Article 7 (2) of Regulation (EEC) No 2169/81, where the maximum guaranteed quantity is

exceeded by the estimated production, the aid should be reduced in accordance with the criteria laid down in that paragraph; whereas the estimated production for the 1990/91 marketing year exceeds the maximum guaranteed quantity fixed for that year, as given after the adjustment carried out pursuant to the third subparagraph of Article 2 (2) of Regulation (EEC) No 1964/87; whereas the application of the abovementioned provisions leads to the fixing of a reduction in the aid equal to that indicated below;

Whereas, pursuant to the second subparagraph of Article 2 (2) of Regulation (EEC) No 1964/87, for the 1987/88, 1988/89 and 1989/90 marketing years the reduction in the amount of the aid may not exceed the percentages of 1988/89, 1989/90 and 1990/91 laid down;

Whereas this Regulation is in accordance with the opinion of the Management Committee for Flax and Hemp,

HAS ADOPTED THIS REGULATION:

Article 1

1. For the 1989/90 marketing year, actual production of unginced cotton is hereby determined at 1 098 547 tonnes.
2. For the 1990/91 marketing year:
 - the estimated production is hereby fixed at 1 035 279 tonnes,
 - the maximum guaranteed quantity fixed by Regulation (EEC) No 1356/90 is hereby reduced by 89 428 tonnes,
 - the reduction in the amount of the aid is hereby fixed at ECU 23,965 per 100 kilograms.

Article 2

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

It shall apply from 1 September 1990.

⁽¹⁾ OJ No L 211, 31. 7. 1981, p. 2.

⁽²⁾ OJ No L 85, 30. 3. 1989, p. 7.

⁽³⁾ OJ No L 184, 3. 7. 1987, p. 14.

⁽⁴⁾ OJ No L 134, 28. 5. 1990, p. 22.

⁽⁵⁾ OJ No L 254, 31. 8. 1989, p. 8.

⁽⁶⁾ OJ No L 134, 28. 5. 1990, p. 21.

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

Done at Brussels, 30 August 1990.

For the Commission
Ray MAC SHARRY
Member of the Commission

COMMISSION REGULATION (EEC) No 2512/90
of 31 August 1990
fixing the import levies on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

Having regard to the opinion of the Monetary Committee,

Whereas Article 11 of Regulation (EEC) No 1418/76 provides for charging an import levy on paddy rice, husked rice, semi-milled rice, wholly milled rice and broken rice; whereas, in the case of husked rice, wholly milled rice and broken rice, the levy is equal to the difference between the threshold price and the cif price; whereas, in the case of paddy rice and semi-milled rice, the levy should be derived from the levies applicable to the corresponding husked rice and wholly milled rice;

Whereas the threshold prices for husked rice, wholly milled rice and broken rice were fixed for the 1990/91 marketing year by Commission Regulation (EEC) No 2104/90⁽⁵⁾;

Whereas, for the purpose of calculating cif prices, the Commission must take account of the factors indicated in Article 16 of Regulation (EEC) No 1418/76 and in Commission Regulation (EEC) No 1613/71 of 26 July 1971 laying down detailed rules for fixing cif prices and levies on rice and broken rice and the corrective amounts relating thereto⁽⁶⁾, as last amended by Regulation (EEC) No 2325/88⁽⁷⁾, and in particular the most favourable purchasing opportunities on the world market which are sufficiently representative of the real trend of the market, account being taken in particular of the need to prevent sudden variations likely to cause abnormal disturbances

on the Community market; whereas the quality of the goods offered must also be taken into account, whether this quality as fixed in Council Regulation (EEC) No 1423/76⁽⁸⁾, or whether adjustments need to be made by applying the corrective amounts provided for in Regulation (EEC) No 1613/71;

Whereas, furthermore, in the case of round grain and long grain husked rice and round grain and long grain wholly milled rice, the cif price is calculated on the basis of quotations or prices on the world market relating, for each type of rice, to the products specified in Article 4 of Regulation (EEC) No 1613/71; whereas, for this calculation, the conversion rates resulting from Commission Regulation No 467/67/EEC of 21 August 1967 fixing the conversion rates, the processing costs and the value of the by-products for the various stages of rice processing⁽⁹⁾, as last amended by Regulation (EEC) No 2325/88, should be used where appropriate;

Whereas, when these conversions are being effected, the Commission must take account of the fact that certain offers are for rice containing a higher percentage of broken rice than that allowed for in the standard quality fixed by Regulation (EEC) No 1423/76 and, in that case, must adjust the offers so as to conform with the value of one kilogram of broken rice fixed by Regulation No 467/67/EEC; whereas no adjustment is made, however, if the prices for husked rice and semi-milled or wholly milled rice taken into consideration are lower than those provided for in the last subparagraph of Article 4 of Regulation No 467/67/EEC;

Whereas Regulation (EEC) No 1613/71 requires the Commission to take account of the fact that certain offers are for delivery cost and freight or relate to a product put up in bags and, if this is the case, to adjust such offers by applying the rates or amounts fixed by the abovementioned Regulation to make the offers comparable to offers for delivery cif or relating to a product presented in bulk;

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

Whereas, if the conditions provided for in Article 1 (3) of Regulation (EEC) No 1613/71 obtain, the cif price may be calculated on the basis of offers for delivery during the following month or may be retained unaltered for a limited period;

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽³⁾ OJ No L 80, 24. 3. 1987, p. 20.

⁽⁴⁾ OJ No L 144, 4. 6. 1987, p. 10.

⁽⁵⁾ OJ No L 191, 24. 7. 1990, p. 21.

⁽⁶⁾ OJ No L 168, 27. 7. 1971, p. 28.

⁽⁷⁾ OJ No L 202, 27. 7. 1988, p. 41.

⁽⁸⁾ OJ No L 166, 25. 6. 1976, p. 20.

⁽⁹⁾ OJ No 204, 24. 8. 1967, p. 1.

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States and of the overseas countries and territories, the levy relating to them must be reduced by a fixed amount and by an amount corresponding to 50 % of the levy relating to third countries; whereas, pursuant to Articles 12 and 13 of Council Regulation (EEC) No 715/90 of 5 March 1990 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the ACP States or in the overseas countries and territories (OCT) ⁽¹⁾, the levy must be further reduced in the case of semi-milled and wholly milled rice;

Whereas, pursuant to Article 272 of the Act of Accession, the Community as constituted at 31 December 1985 must, in the case of products specified in Article 1 of Regulation (EEC) No 1418/76 which are imported from Portugal, apply the arrangements which were applicable in respect of Portugal before accession; whereas, under Article 4 of Council Regulation (EEC) No 3792/85 of 20 December 1985 laying down the arrangements applying to trade in agricultural products between Spain and Portugal ⁽²⁾, as last amended by Regulation (EEC) No 3296/88 ⁽³⁾, the same arrangements are to be applied in the case of Spain; whereas a levy should be applied pursuant to those arrangements and whereas that levy should be calculated in accordance with the rules laid down in Regulation (EEC) No 1613/71 and taking into account the situation with regard to market prices in Portugal; and whereas, in the case of imports into Spain the accession compensatory amount applicable to trade between Spain and the Community as constituted at 31 December 1985 should be deducted from the levy;

Whereas Regulation (EEC) No 1423/76 determined the standard qualities for rice and broken rice;

Whereas Council Regulation (EEC) No 3877/86 ⁽⁴⁾ defined a special arrangement for the importation of certain quantities of Basmati rice into the Community; whereas this arrangement provides for a levy of 75 % of that calculated in accordance with Article 11 of Regulation (EEC) No 1418/76; whereas however this levy may

not be less than the difference between the free-at-frontier price for Basmati rice and the threshold price for long-grain rice;

Whereas levies are fixed once a week and are altered in the intervening period to take account of variations in threshold prices or in the factors used to determine cif prices; whereas, in the case of husked rice, wholly milled rice and broken rice, the levies are altered only if variations in the factors used to calculate the levy entail an increase or a reduction of at least ECU 1,21 per tonne in the amount of the levy in force;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 % a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽⁵⁾, as last amended by Regulation (EEC) No 2205/90 ⁽⁶⁾,
- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

Whereas it follows from applying all the abovementioned provisions that the levies should be fixed as set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 September 1990.

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

Done at Brussels, 31 August 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽²⁾ OJ No L 367, 31. 12. 1985, p. 7.

⁽³⁾ OJ No L 293, 27. 10. 1988, p. 7.

⁽⁴⁾ OJ No L 361, 20. 12. 1986, p. 1.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 9.

ANNEX

to the Commission Regulation of 31 August 1990 fixing the import levies on rice and broken rice

(ECU/tonne)

CN code	Portugal	Arrangement in Regulation (EEC) No 3877/86	ACP or OCT (⁽¹⁾ (⁽²⁾ (⁽³⁾	Third countries (except ACP or OCT) (⁽³⁾
1006 10 21	—	—	151,74	310,69
1006 10 23	—	236,13	153,82	314,84
1006 10 25	—	236,13	153,82	314,84
1006 10 27	—	236,13	153,82	314,84
1006 10 92	—	—	151,74	310,69
1006 10 94	—	236,13	153,82	314,84
1006 10 96	—	236,13	153,82	314,84
1006 10 98	—	236,13	153,82	314,84
1006 20 11	—	—	190,58	388,36
1006 20 13	—	295,16	193,17	393,55
1006 20 15	—	295,16	193,17	393,55
1006 20 17	—	295,16	193,17	393,55
1006 20 92	—	—	190,58	388,36
1006 20 94	—	295,16	193,17	393,55
1006 20 96	—	295,16	193,17	393,55
1006 20 98	—	295,16	193,17	393,55
1006 30 21	13,05	—	236,41	496,68
1006 30 23	12,97	449,66	287,89	599,55
1006 30 25	12,97	449,66	287,89	599,55
1006 30 27	12,97	449,66	287,89	599,55
1006 30 42	13,05	—	236,41	496,68
1006 30 44	12,97	449,66	287,89	599,55
1006 30 46	12,97	449,66	287,89	599,55
1006 30 48	12,97	449,66	287,89	599,55
1006 30 61	13,90	—	252,13	528,97
1006 30 63	13,90	482,04	309,01	642,72
1006 30 65	13,90	482,04	309,01	642,72
1006 30 67	13,90	482,04	309,01	642,72
1006 30 92	13,90	—	252,13	528,97
1006 30 94	13,90	482,04	309,01	642,72
1006 30 96	13,90	482,04	309,01	642,72
1006 30 98	13,90	482,04	309,01	642,72
1006 40 00	0,51	—	92,84	191,69

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

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

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

COMMISSION REGULATION (EEC) No 2513/90

of 31 August 1990

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

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

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

Having regard to the opinion of the Monetary Committee,

Whereas the premiums to be added to the import levies fixed in advance for rice and broken rice must include a premium for the current month and a premium for each of the following months until the expiry of the period of validity of the import licence; whereas this period of validity was laid down in Article 8 of 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 ⁽³⁾, as last amended by Regulation (EEC) No 1105/90 ⁽⁴⁾;

Whereas Council Regulation (EEC) No 1428/76 ⁽⁵⁾ lays down rules for the advance fixing of levies on rice and broken rice;

Whereas under the terms of Regulation (EEC) No 1428/76, where the cif price for husked rice, for milled rice or for broken rice determined on the day on which the premiums are fixed is higher than the cif forward delivery price for the same product, the premium should as a general rule be equal to the difference between these two prices; whereas the cif price is that determined in accordance with Article 16 of Regulation (EEC) No 1418/76 on the day on which the premiums are fixed; whereas the detailed rules for determining cif prices were laid down in Commission Regulation (EEC) No 1613/71 of 26 July 1971 laying down detailed rules for fixing cif prices and levies on rice and broken rice and the corrective amounts relating thereto ⁽⁶⁾, as last amended by Regulation (EEC) No 2325/88 ⁽⁷⁾; whereas the cif forward delivery price is also determined in accordance with Article

16 of Regulation (EEC) No 1418/76 but on the basis of offers at North Sea ports; whereas this price must be the cif price for shipment during the month in which the import licence is issued in the case of imports to be effected during that month; whereas in the case of imports to be effected during the month following the month in which the import licence is issued, this price must be the cif price for shipment during the month in which importation is expected to take place; whereas in the case of imports to be effected during the remaining months for which the import licence is valid, this price must be the cif price for shipment during the month preceding the month in which importation is expected to take place; whereas, if no offer for forward delivery is made for shipment during a given month, this price should be the price ruling for shipment during the last month in which an offer for forward delivery was made;

Whereas the premium shall be ECU 0 if the cif forward delivery price is equal to the cif price or lower by an amount not exceeding ECU 0,30 per tonne;

Whereas by virtue of Articles 6 and 7 of Regulation (EEC) No 1428/76 the premium may, however, be fixed at a higher level in exceptional circumstances and within certain specified limits;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽⁸⁾, as last amended by Regulation (EEC) No 2205/90 ⁽⁹⁾,
- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

Whereas it follows from applying all these provisions that the premiums should be as set out in the Annex hereto; whereas the amount of the premiums should be altered only if application of the abovementioned provisions entails a change of more than ECU 0,30,

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽³⁾ OJ No L 94, 7. 4. 1989, p. 13.

⁽⁴⁾ OJ No L 111, 1. 5. 1990, p. 48.

⁽⁵⁾ OJ No L 166, 25. 6. 1976, p. 30.

⁽⁶⁾ OJ No L 168, 27. 7. 1971, p. 28.

⁽⁷⁾ OJ No L 202, 27. 7. 1988, p. 41.

⁽⁸⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁹⁾ OJ No L 201, 31. 7. 1990, p. 9.

HAS ADOPTED THIS REGULATION :

Article 1

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

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

Article 2

This Regulation shall enter into force on 1 September 1990.

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

Done at Brussels, 31 August 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 31 August 1990 fixing the premiums to be added to the import levies on rice and broken rice

CN code	(ECU/tonne)			
	Current 9	1st period 10	2nd period 11	3rd period 12
1006 10 21	0	0	0	—
1006 10 23	0	0	0	—
1006 10 25	0	0	0	—
1006 10 27	0	0	0	—
1006 10 92	0	0	0	—
1006 10 94	0	0	0	—
1006 10 96	0	0	0	—
1006 10 98	0	0	0	—
1006 20 11	0	0	0	—
1006 20 13	0	0	0	—
1006 20 15	0	0	0	—
1006 20 17	0	0	0	—
1006 20 92	0	0	0	—
1006 20 94	0	0	0	—
1006 20 96	0	0	0	—
1006 20 98	0	0	0	—
1006 30 21	0	0	0	—
1006 30 23	0	0	0	—
1006 30 25	0	0	0	—
1006 30 27	0	0	0	—
1006 30 42	0	0	0	—
1006 30 44	0	0	0	—
1006 30 46	0	0	0	—
1006 30 48	0	0	0	—
1006 30 61	0	0	0	—
1006 30 63	0	0	0	—
1006 30 65	0	0	0	—
1006 30 67	0	0	0	—
1006 30 92	0	0	0	—
1006 30 94	0	0	0	—
1006 30 96	0	0	0	—
1006 30 98	0	0	0	—
1006 40 00	0	0	0	0

COMMISSION REGULATION (EEC) No 2514/90

of 31 August 1990

fixing the export refunds on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1340/90⁽²⁾, and in particular the fourth subparagraph of Article 16 (2) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EEC) No 1806/89⁽⁴⁾, and in particular the fourth subparagraph of Article 17 (2) thereof,

Having regard to the opinion of the Monetary Committee,

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

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

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

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

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

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

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

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

(1) OJ No L 281, 1. 11. 1975, p. 1.

(2) OJ No L 134, 28. 5. 1990, p. 1.

(3) OJ No L 166, 25. 6. 1976, p. 1.

(4) OJ No L 177, 24. 6. 1989, p. 1.

(5) OJ No L 281, 1. 11. 1975, p. 78.

(6) OJ No L 166, 25. 6. 1976, p. 36.

(7) OJ No L 281, 1. 11. 1975, p. 65.

(8) OJ No L 182, 3. 7. 1987, p. 49.

(9) OJ No L 181, 27. 7. 1968, p. 1.

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

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

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

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽¹⁾, as last amended by Regulation (EEC) No 2205/90 ⁽²⁾;
- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

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

Whereas, pursuant to Article 275 of the Act of Accession, refunds may be granted in the case of exports to Portugal;

whereas, in the light of the situation and the level of prices no refund should be fixed in the case of exports to Portugal;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (d) of Regulation (EEC) No 2727/75 and in Article 1 (1) (c) of Regulation (EEC) No 1418/76 and subject to Regulation (EEC) No 2744/75 are hereby fixed as shown in the Annex to this Regulation.

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

Article 2

This Regulation shall enter into force on 1 September 1990.

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

Done at Brussels, 31 August 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 201, 31. 7. 1990, p. 9.

ANNEX

to the Commission Regulation of 31 August 1990 fixing the export refunds on products processed from cereals and rice

(ECU/tonne)		(ECU/tonne)	
Product code	Refund	Product code	Refund
1102 20 10 100	158,82	1104 22 30 100	143,16
1102 20 10 300	136,13	1104 22 30 900	—
1102 20 10 900	—	1104 22 50 000	—
1102 20 90 100	136,13	1104 23 10 100	170,16
1102 20 90 900	—	1104 23 10 300	130,46
1102 30 00 000	—	1104 23 10 900	—
1102 90 10 100	132,51	1104 29 11 000	—
1102 90 10 900	90,11	1104 29 15 000	—
1102 90 30 100	151,58	1104 29 19 000	—
1102 90 30 900	—	1104 29 91 000	76,23
1103 12 00 100	151,58	1104 29 95 000	76,23
1103 12 00 900	—	1104 30 10 000	23,61
1103 13 11 100	204,19	1104 30 90 000	28,36
1103 13 11 300	158,82	1107 10 11 000	168,07
1103 13 11 500	136,13	1107 10 91 000	157,25
1103 13 11 900	—	1108 11 00 100	188,84
1103 13 19 100	204,19	1108 11 00 900	—
1103 13 19 300	158,82	1108 12 00 100	181,50
1103 13 19 500	136,13	1108 12 00 900	—
1103 13 19 900	—	1108 13 00 100	181,50
1103 13 90 100	136,13	1108 13 00 900	—
1103 13 90 900	—	1108 14 00 100	—
1103 14 00 000	—	1108 14 00 900	—
1103 19 10 000	76,23	1108 19 10 100	266,24
1103 19 30 100	136,93	1108 19 10 900	—
1103 19 30 900	—	1108 19 90 100	—
1103 21 00 000	96,31	1108 19 90 900	—
1103 29 20 000	90,11	1109 00 00 100	0,00
1103 29 30 000	—	1109 00 00 900	—
1103 29 40 000	115,71	1702 30 51 000	237,09
1104 11 90 100	132,51	1702 30 59 000	181,50
1104 11 90 900	—	1702 30 91 000	237,09
1104 12 90 100	168,42	1702 30 99 000	181,50
1104 12 90 300	134,74	1702 40 90 000	181,50
1104 12 90 900	—	1702 90 50 100	237,09
1104 19 10 000	96,31	1702 90 50 900	181,50
1104 19 50 110	181,50	1702 90 75 000	248,43
1104 19 50 130	147,47	1702 90 79 000	172,43
1104 19 50 150	—	2106 90 55 000	181,50
1104 19 50 190	—	2302 10 10 000	23,70
1104 19 50 900	—	2302 10 90 100	23,70
1104 19 91 000	—	2302 10 90 900	—
1104 21 10 100	132,51	2302 20 10 000	23,70
1104 21 10 900	—	2302 20 90 100	23,70
1104 21 30 100	132,51	2302 20 90 900	—
1104 21 30 900	—	2302 30 10 000	23,70
1104 21 50 100	176,68	2302 30 90 000	23,70
1104 21 50 300	141,34	2302 40 10 000	23,70
1104 21 50 900	—	2302 40 90 000	23,70
1104 22 10 100	134,74	2303 10 11 100	90,75
1104 22 10 900	—	2303 10 11 900	—

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

COMMISSION REGULATION (EEC) No 2515/90**of 31 August 1990****fixing the export refunds on cereal-based compound feedingstuffs**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1340/90⁽²⁾, and in particular the fourth subparagraph of Article 16 (2) thereof,

Having regard to the opinion of the Monetary Committee,

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

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

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

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

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

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

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

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

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 134, 28. 5. 1990, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 60.

⁽⁵⁾ OJ No L 90, 2. 4. 1987, p. 2.

⁽⁶⁾ OJ No L 246, 30. 9. 1969, p. 11.

⁽⁷⁾ OJ No L 127, 16. 5. 1987, p. 14.

⁽⁸⁾ OJ No L 134, 28. 5. 1977, p. 53.

⁽⁹⁾ OJ No L 292, 11. 10. 1989, p. 10.

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽¹⁾, as last amended by Regulation (EEC) No 2205/90 ⁽²⁾,
- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

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

Article 2

This Regulation shall enter into force on 1 September 1990.

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

Done at Brussels, 31 August 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 201, 31. 7. 1990, p. 9.

ANNEX

to the Commission Regulation of 31 August 1990 fixing the export refunds on cereal-based compound feedingstuffs

(ECU/tonne)		
Product code	Destination (1)	Amount of refund
2309 10 11 050	—	—
2309 10 11 110	01	6,24
	09	—
2309 10 11 190	01	4,81
	09	—
2309 10 11 210	01	12,48
	09	—
2309 10 11 290	01	9,62
	09	—
2309 10 11 310	01	24,96
	09	—
2309 10 11 390	01	19,23
	09	—
2309 10 11 900	—	—
2309 10 13 050	—	—
2309 10 13 110	01	6,24
	09	—
2309 10 13 190	01	4,81
	09	—
2309 10 13 210	01	12,48
	09	—
2309 10 13 290	01	9,62
	09	—
2309 10 13 310	01	24,96
	09	—
2309 10 13 390	01	19,23
	09	—
2309 10 13 900	—	—
2309 10 31 050	—	—
2309 10 31 110	01	6,24
	09	—
2309 10 31 190	01	4,81
	09	—
2309 10 31 210	01	12,48
	09	—
2309 10 31 290	01	9,62
	09	—
2309 10 31 310	01	24,96
	09	—
2309 10 31 390	01	19,23
	09	—
2309 10 31 410	01	37,44
	09	—
2309 10 31 490	01	28,85
	09	—
2309 10 31 510	01	49,91
	09	—

(ECU/tonne)		
Product code	Destination (1)	Amount of refund
2309 10 31 590	01	38,46
	09	—
2309 10 31 610	01	62,39
	09	—
2309 10 31 690	01	48,08
	09	—
2309 10 31 900	—	—
2309 10 33 050	—	—
2309 10 33 110	01	6,24
	09	—
2309 10 33 190	01	4,81
	09	—
2309 10 33 210	01	12,48
	09	—
2309 10 33 290	01	9,62
	09	—
2309 10 33 310	01	24,96
	09	—
2309 10 33 390	01	19,23
	09	—
2309 10 33 410	01	37,44
	09	—
2309 10 33 490	01	28,85
	09	—
2309 10 33 510	01	49,91
	09	—
2309 10 33 590	01	38,46
	09	—
2309 10 33 610	01	62,39
	09	—
2309 10 33 690	01	48,08
	09	—
2309 10 33 900	—	—
2309 10 51 050	—	—
2309 10 51 110	01	6,24
	09	—
2309 10 51 190	01	4,81
	09	—
2309 10 51 210	01	12,48
	09	—
2309 10 51 290	01	9,62
	09	—
2309 10 51 310	01	24,96
	09	—
2309 10 51 390	01	19,23
	09	—
2309 10 51 410	01	37,44
	09	—
2309 10 51 490	01	28,85
	09	—
2309 10 51 510	01	49,91
	09	—
2309 10 51 590	01	38,46
	09	—
2309 10 51 610	01	62,39
	09	—

(ECU / tonne)		
Product code	Destination (%)	Amount of refund
2309 10 51 690	01	48,08
	09	—
2309 10 51 710	01	74,87
	09	—
2309 10 51 790	01	57,70
	09	—
2309 10 51 810	01	81,68
	09	—
2309 10 51 890	01	62,94
	09	—
2309 10 51 900	—	—
2309 10 53 050	—	—
2309 10 53 110	01	6,24
	09	—
2309 10 53 190	01	4,81
	09	—
2309 10 53 210	01	12,48
	09	—
2309 10 53 290	01	9,62
	09	—
2309 10 53 310	01	24,96
	09	—
2309 10 53 390	01	19,23
	09	—
2309 10 53 410	01	37,44
	09	—
2309 10 53 490	01	28,85
	09	—
2309 10 53 510	01	49,91
	09	—
2309 10 53 590	01	38,46
	09	—
2309 10 53 610	01	62,39
	09	—
2309 10 53 690	01	48,08
	09	—
2309 10 53 710	01	74,87
	09	—
2309 10 53 790	01	57,70
	09	—
2309 10 53 810	01	81,68
	09	—
2309 10 53 890	01	62,94
	09	—
2309 10 53 900	—	—
2309 90 31 050	—	—
2309 90 31 110	01	6,24
	09	—

(ECU/tonne)		
Product code	Destination (°)	Amount of refund
2309 90 31 190	01	4,81
	09	—
2309 90 31 210	01	12,48
	09	—
2309 90 31 290	01	9,62
	09	—
2309 90 31 310	01	24,96
	09	—
2309 90 31 390	01	19,23
	09	—
2309 90 31 900	—	—
2309 90 33 050	—	—
2309 90 33 110	01	6,24
	09	—
2309 90 33 190	01	4,81
	09	—
2309 90 33 210	01	12,48
	09	—
2309 90 33 290	01	9,62
	09	—
2309 90 33 310	01	24,96
	09	—
2309 90 33 390	01	19,23
	09	—
2309 90 33 900	—	—
2309 90 41 050	—	—
2309 90 41 110	01	6,24
	09	—
2309 90 41 190	01	4,81
	09	—
2309 90 41 210	01	12,48
	09	—
2309 90 41 290	01	9,62
	09	—
2309 90 41 310	01	24,96
	09	—
2309 90 41 390	01	19,23
	09	—
2309 90 41 410	01	37,44
	09	—
2309 90 41 490	01	28,85
	09	—
2309 90 41 510	01	49,91
	09	—
2309 90 41 590	01	38,46
	09	—
2309 90 41 610	01	62,39
	09	—
2309 90 41 690	01	48,08
	09	—
2309 90 41 900	—	—
2309 90 43 050	—	—
2309 90 43 110	01	6,24
	09	—
2309 90 43 190	01	4,81
	09	—

(ECU/tonne)		
Product code	Destination (1)	Amount of refund
2309 90 43 210	01	12,48
	09	—
2309 90 43 290	01	9,62
	09	—
2309 90 43 310	01	24,96
	09	—
2309 90 43 390	01	19,23
	09	—
2309 90 43 410	01	37,44
	09	—
2309 90 43 490	01	28,85
	09	—
2309 90 43 510	01	49,91
	09	—
2309 90 43 590	01	38,46
	09	—
2309 90 43 610	01	62,39
	09	—
2309 90 43 690	01	48,08
	09	—
2309 90 43 900	—	—
2309 90 51 050	—	—
2309 90 51 110	01	6,24
	09	—
2309 90 51 190	01	4,81
	09	—
2309 90 51 210	01	12,48
	09	—
2309 90 51 290	01	9,62
	09	—
2309 90 51 310	01	24,96
	09	—
2309 90 51 390	01	19,23
	09	—
2309 90 51 410	01	37,44
	09	—
2309 90 51 490	01	28,85
	09	—
2309 90 51 510	01	49,91
	09	—
2309 90 51 590	01	38,46
	09	—
2309 90 51 610	01	62,39
	09	—
2309 90 51 690	01	48,08
	09	—
2309 90 51 710	01	74,87
	09	—
2309 90 51 790	01	57,70
	09	—
2309 90 51 810	01	81,68
	09	—

(ECU/tonne)		
Product code	Destination (1)	Amount of refund
2309 90 51 890	01	62,94
	09	—
2309 90 51 900	—	—
2309 90 53 050	—	—
2309 90 53 110	01	6,24
	09	—
2309 90 53 190	01	4,81
	09	—
2309 90 53 210	01	12,48
	09	—
2309 90 53 290	01	9,62
	09	—
2309 90 53 310	01	24,96
	09	—
2309 90 53 390	01	19,23
	09	—
2309 90 53 410	01	37,44
	09	—
2309 90 53 490	01	28,85
	09	—
2309 90 53 510	01	49,91
	09	—
2309 90 53 590	01	38,46
	09	—
2309 90 53 610	01	62,39
	09	—
2309 90 53 690	01	48,08
	09	—
2309 90 53 710	01	74,87
	09	—
2309 90 53 790	01	57,70
	09	—
2309 90 53 810	01	81,68
	09	—
2309 90 53 890	01	62,94
	09	—
2309 90 53 900	—	—

(1) The destinations are as follows:

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

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

COMMISSION REGULATION (EEC) No 2516/90

of 31 August 1990

fixing the export refunds on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to the opinion of the Monetary Committee,

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

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

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

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

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

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

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

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

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽⁵⁾, as last amended by Regulation (EEC) No 2205/90 ⁽⁶⁾;
- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

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

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

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

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 36.

⁽⁴⁾ OJ No L 154, 15. 6. 1976, p. 11.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 9.

HAS ADOPTED THIS REGULATION :

natural state, shall be as set out in the Annex hereto. The refund on export to Portugal has not been fixed.

Article 1

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

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 August 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 31 August 1990 fixing the export refunds on rice and broken rice

(ECU / tonne)		
Product code	Destination (*)	Amount of refunds
1006 20 11 000	—	—
1006 20 13 000	01	160,57
1006 20 15 000	01	160,57
1006 20 17 000	—	—
1006 20 92 000	—	—
1006 20 94 000	01	160,57
1006 20 96 000	01	160,57
1006 20 98 000	—	—
1006 30 21 000	—	—
1006 30 23 000	01	160,57
1006 30 25 000	01	160,57
1006 30 27 000	—	—
1006 30 42 000	—	—
1006 30 44 000	01	160,57
1006 30 46 000	01	160,57
1006 30 48 000	—	—
1006 30 61 000	—	—
1006 30 63 100	01	200,71
	03	206,71
	05	206,71
	06	211,71
	07	211,71
	08	206,71
	09	206,71
	10	211,71
	11	211,71
	12	211,71
	13	200,71
	14	211,71
	01	200,71
	13	200,71
1006 30 65 100	01	200,71
	03	206,71
	05	206,71
	06	211,71
	07	211,71
	08	206,71
	09	206,71
	10	211,71
	11	211,71
	12	211,71
	13	200,71
	14	211,71
	01	200,71
	13	200,71
1006 30 65 900	01	200,71
1006 30 67 100	—	—
1006 30 67 900	—	—
1006 30 92 000	—	—

(ECU/tonne)		
Product code	Destination (1)	Amount of refunds
1006 30 94 100	01	200,71
	03	206,71
	05	206,71
	06	211,71
	07	211,71
	08	206,71
	09	206,71
	10	211,71
	11	211,71
	12	211,71
	13	200,71
	14	211,71
1006 30 94 900	01	200,71
	13	200,71
	15	221,00
1006 30 96 100	01	200,71
	03	206,71
	05	206,71
	06	211,71
	07	211,71
	08	206,71
	09	206,71
	10	211,71
	11	211,71
	12	211,71
	13	200,71
	14	211,71
1006 30 96 900	01	200,71
	13	200,71
	15	221,00
1006 30 98 100	—	—
1006 30 98 900	—	—
1006 40 00 000	—	—

(1) The destinations are identified as follows:

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

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

COMMISSION REGULATION (EEC) No 2517/90

of 31 August 1990

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to the opinion of the Monetary Committee,

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

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

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

Whereas the cif price is that determined in accordance with Article 16 of Regulation (EEC) No 1418/76; whereas the cif forward delivery price is that determined in accordance

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

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

— in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽⁶⁾, as last amended by Regulation (EEC) No 2205/90 ⁽⁷⁾,

— for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 September 1990.

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽³⁾ OJ No 204, 24. 8. 1967, p. 20.

⁽⁴⁾ OJ No L 222, 10. 9. 1968, p. 6.

⁽⁵⁾ OJ No L 166, 25. 6. 1976, p. 30.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 201, 31. 7. 1990, p. 9.

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

Done at Brussels, 31 August 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 31 August 1990 fixing the corrective amount applicable to the refund on rice and broken rice

(ECU/tonne)

Product code	Destination (°)	Current 9	1st period 10	2nd period 11	3rd period 12
1006 20 11 000	—	—	—	—	—
1006 20 13 000	01	0	0	0	0
1006 20 15 000	01	0	0	0	0
1006 20 17 000	—	—	—	—	—
1006 20 92 000	—	—	—	—	—
1006 20 94 000	01	0	0	0	0
1006 20 96 000	01	0	0	0	0
1006 20 98 000	—	—	—	—	—
1006 30 21 000	—	—	—	—	—
1006 30 23 000	01	0	0	0	0
1006 30 25 000	01	0	0	0	0
1006 30 27 000	—	—	—	—	—
1006 30 42 000	—	—	—	—	—
1006 30 44 000	01	0	0	0	0
1006 30 46 000	01	0	0	0	0
1006 30 48 000	—	—	—	—	—
1006 30 61 000	—	—	—	—	—
1006 30 63 100	01	0	0	0	0
	03	0	0	0	0
	05	0	0	0	0
	06	0	0	0	0
	07	0	0	0	0
	08	0	0	0	0
	09	0	0	0	0
	10	0	0	0	0
	11	0	0	0	0
	12	0	0	0	0
	13	0	0	0	0
	14	0	0	0	0
1006 30 63 900	01	0	0	0	0
	13	0	0	0	0
1006 30 65 100	01	0	0	0	0
	03	0	0	0	0
	05	0	0	0	0
	06	0	0	0	0
	07	0	0	0	0
	08	0	0	0	0
	09	0	0	0	0
	10	0	0	0	0
	11	0	0	0	0
	12	0	0	0	0
	13	0	0	0	0
	14	0	0	0	0

(ECU/tonne)

Product code	Destination (1)	Current 9	1st period 10	2nd period 11	3rd period 12
1006 30 65 900	01	0	0	0	0
	13	0	0	0	0
1006 30 67 100		—	—	—	—
1006 30 67 900		—	—	—	—
1006 30 92 000		—	—	—	—
1006 30 94 100	01	0	0	0	0
	03	0	0	0	0
	05	0	0	0	0
	06	0	0	0	0
	07	0	0	0	0
	08	0	0	0	0
	09	0	0	0	0
	10	0	0	0	0
	11	0	0	0	0
	12	0	0	0	0
	13	0	0	0	0
	14	0	0	0	0
1006 30 94 900	01	0	0	0	0
	13	0	0	0	0
	15	0	0	0	0
1006 30 96 100	01	0	0	0	0
	03	0	0	0	0
	05	0	0	0	0
	06	0	0	0	0
	07	0	0	0	0
	08	0	0	0	0
	09	0	0	0	0
	10	0	0	0	0
	11	0	0	0	0
	12	0	0	0	0
	13	0	0	0	0
	14	0	0	0	0
1006 30 96 900	01	0	0	0	0
	13	0	0	0	0
	15	0	0	0	0
1006 30 98 100	—	—	—	—	—
1006 30 98 900	—	—	—	—	—
1006 40 00 000	—	—	—	—	—

(1) The destinations are identified as follows: ...

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

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

COMMISSION REGULATION (EEC) No 2518/90

of 31 August 1990

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1340/90 ⁽²⁾, and in particular the fourth subparagraph of Article 16 (2) thereof,Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽³⁾, as last amended by Regulation (EEC) No 1806/89 ⁽⁴⁾, and in particular Article 11 (2) thereof,Whereas Article 2 of Council Regulation (EEC) No 2681/74 of 21 October 1974 on Community financing of expenditure incurred in respect of the supply of agricultural products as food aid ⁽⁵⁾ lays down that the portion of the expenditure corresponding to the export refunds on the products in question fixed under Community rules is to be charged to the European Agricultural Guidance and Guarantee Fund, Guarantee Section;

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

Article 3

This Regulation shall enter into force on 1 September 1990.

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

Done at Brussels, 31 August 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.⁽²⁾ OJ No L 134, 28. 5. 1990, p. 1.⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.⁽⁴⁾ OJ No L 177, 24. 6. 1989, p. 1.⁽⁵⁾ OJ No L 288, 25. 10. 1974, p. 1.⁽⁶⁾ OJ No L 281, 1. 11. 1975, p. 78.⁽⁷⁾ OJ No L 281, 1. 11. 1975, p. 65.⁽⁸⁾ OJ No L 182, 3. 7. 1987, p. 49.⁽⁹⁾ OJ No L 166, 25. 6. 1976, p. 36.

ANNEX

to the Commission Regulation of 31 August 1990 fixing the refunds applicable for September 1990 to cereal and rice sector products supplied as Community and national food aid

(ECU/tonne)	
Product code	Refund
1001 10 90 000	150,00
1001 90 99 000	98,00
1002 00 00 000	98,00
1003 00 90 000	95,50
1004 00 90 000	—
1005 90 00 000	100,00
1006 20 92 000	173,37
1006 20 94 000	173,37
1006 30 42 000	—
1006 30 44 000	—
1006 30 92 000	216,71
1006 30 94 100	216,71
1006 30 94 900	216,71
1006 30 96 100	216,71
1006 30 96 900	216,71
1006 40 00 000	—
1007 00 90 000	100,00
1101 00 00 110	121,00
1101 00 00 120	121,00
1101 00 00 130	121,00
1102 20 10 100	140,00
1102 30 00 000	—
1102 90 10 100	132,51
1103 11 10 500	212,00
1103 11 90 100	137,00
1103 13 19 100	180,00
1103 14 00 000	—
1104 12 90 100	168,42
1104 21 50 100	176,68

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 2519/90

of 31 August 1990

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

Having regard to the opinion of the Monetary Committee,

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

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

Whereas Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice⁽⁴⁾, as last amended by Regulation (EEC) No 1906/87⁽⁵⁾, defines the specific criteria to be taken into account when the refund on these products is being calculated;

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

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

Whereas, 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;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁶⁾, as last amended by Regulation (EEC) No 2205/90⁽⁷⁾,
- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on malt listed in Article 1 (d) of Regulation (EEC) No 2727/75 subject to Regulation (EEC) No 2744/75 shall be as set out in the Annex hereto.

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

Article 2

This Regulation shall enter into force on 1 September 1990.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 134, 28. 5. 1990, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 201, 31. 7. 1990, p. 9.

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

Done at Brussels, 31 August 1990.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX

to the Commission Regulation of 31 August 1990 fixing the export refunds on malt

<i>(ECU/tonne)</i>	
Product code	Refund
1107 10 19 000	50,00
1107 10 99 000	80,00
1107 20 00 000	90,00

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 2520/90

of 31 August 1990

fixing the corrective amount applicable to the refund on 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 Council Regulation (EEC) No 1340/90⁽²⁾,

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⁾,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 (4) of Regulation (EEC) No 2727/75 provides that the export refund applicable to cereals on the day on which application for an export licence is made, adjusted for the threshold price in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the export licence; whereas, in this case, a corrective amount must be applied to the refund;

Whereas Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice⁽⁴⁾, as last amended by Regulation (EEC) No 1906/87⁽⁵⁾, made possible the fixing of a corrective amount for certain products listed in Article 1 (d) of Regulation (EEC) No 2727/75;

Whereas Commission Regulation (EEC) No 1281/75⁽⁶⁾ laid down detailed rules for the advance fixing of export refunds for cereals and certain products processed from cereals;

Whereas, pursuant to that Regulation, when the corrective amount is being fixed in respect of malt, account must be taken of the existing situation and the future trend with regard to the possibilities and conditions for the sale of the cereals concerned and of malt on the world market; whereas the same Regulation also provides that account

must be taken of the quantity of cereals needed for making malt, the economic aspect of exports and the need to avoid disturbances on the Community market;

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

Whereas the corrective amount must be fixed at the same time as the refund and according to the same procedure; whereas it may be altered in the period between fixings;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁷⁾, as last amended by Regulation (EEC) No 2205/90⁽⁸⁾,
- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 16 (4) of Regulation (EEC) No 2727/75 which is applicable to export refunds fixed in advance in respect of malt shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 September 1990.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 134, 28. 5. 1990, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁶⁾ OJ No L 131, 22. 5. 1975, p. 15.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁸⁾ OJ No L 201, 31. 7. 1990, p. 9.

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

Done at Brussels, 31 August 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 31 August 1990 fixing the corrective amount applicable to the refund on malt

Product code	(ECU/tonne)					
	Current 9	1st period 10	2nd period 11	3rd period 12	4th period 1	5th period 2
1107 10 11 000	0	0	0	0	0	0
1107 10 19 000	0	0	0	0	0	0
1107 10 91 000	0	0	0	0	0	0
1107 10 99 000	0	0	0	0	0	0
1107 20 00 000	0	0	0	0	0	0

Product code	(ECU/tonne)					
	6th period 3	7th period 4	8th period 5	9th period 6	10th period 7	11th period 8
1107 10 11 000	0	0	0	0	0	0
1107 10 19 000	0	0	0	0	0	0
1107 10 91 000	0	0	0	0	0	0
1107 10 99 000	0	0	0	0	0	0
1107 20 00 000	0	0	0	0	0	0

COMMISSION REGULATION (EEC) No 2521/90

of 31 August 1990

fixing 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⁾,

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⁾,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 (4) of Regulation (EEC) No 2727/75 provides that the export refund applicable to cereals on the day on which application for an export licence is made, adjusted for the threshold price in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the export licence; whereas, in this case, a corrective amount must be applied to the refund;

Whereas Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice ⁽⁴⁾, as last amended by Regulation (EEC) No 1906/87 ⁽⁵⁾, made possible the fixing of a corrective amount for certain products listed in Article 1 (c) of Regulation (EEC) No 2727/75;

Whereas Commission Regulation (EEC) No 1281/75 ⁽⁶⁾ laid down detailed rules for the advance fixing of export refunds for cereals and certain products processed from cereals;

Whereas, pursuant to that Regulation, when the corrective amount is being fixed, account must be taken of the exist-

ing situation and the future trend with regard to prices and availabilities of cereals on the Community market on the one hand and possibilities and conditions for the sale of cereals and cereal products on the world market on the other; whereas the same Regulation provides that it is also important to ensure equilibrium and the natural development of prices and trade on cereal markets and, furthermore, to take into account the economic aspect of exports and the need to avoid disturbances on the Community market;

Whereas for the products listed in Article 1 (c) of Regulation (EEC) No 2727/75 account should be taken of the specific criteria laid down in Article 2 (2) of Regulation (EEC) No 1281/75;

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

Whereas the corrective amount must be fixed at the same time as the refund and according to the same procedure; whereas it may be altered in the period between fixings;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽⁷⁾, as last amended by Regulation (EEC) No 2205/90 ⁽⁸⁾,
- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

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

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 134, 28. 5. 1990, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁶⁾ OJ No L 131, 22. 5. 1975, p. 15.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁸⁾ OJ No L 201, 31. 7. 1990, p. 9.

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

export refunds fixed in advance in respect of cereals shall be as set out in the Annex hereto.

HAS ADOPTED THIS REGULATION:

Article 2

Article 1

The corrective amount referred to in Article 16 (4) of Regulation (EEC) No 2727/75 which is applicable to

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 August 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 31 August 1990 fixing the corrective amount applicable
to the refund on cereals

Product code	Destination (*)	(ECU/tonne)						
		Current 9	1st period 10	2nd period 11	3rd period 12	4th period 1	5th period 2	6th period 3
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	01	0	0	0	0	0	0	0
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	01	0	0	0	0	0	0	0
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	—	—	—	—	—	—	—	—

(*) 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 2522/90

of 31 August 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 2205/90⁽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 201, 31. 7. 1990, p. 9.

— for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

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 September 1990.

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

Done at Brussels, 31 August 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 31 August 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	0,4163	—
1702 20 90	0,4163	—
1702 30 10	—	51,30
1702 40 10	—	51,30
1702 60 10	—	51,30
1702 60 90	0,4163	—
1702 90 30	—	51,30
1702 90 60	0,4163	—
1702 90 71	0,4163	—
1702 90 90	0,4163	—
2106 90 30	—	51,30
2106 90 59	0,4163	—

COMMISSION REGULATION (EEC) No 2523/90

of 31 August 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 2205/90 ⁽²⁾,
- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

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

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 August 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 201, 31. 7. 1990, p. 9.

ANNEX

to the Commission Regulation of 31 August 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		36,08
1702 60 10 000		36,08
1702 60 90 000	0,3608	
1702 90 30 000		36,08
1702 90 60 000	0,3608	
1702 90 71 000	0,3608	
1702 90 90 900	0,3608	
2106 90 30 000		36,08
2106 90 59 000	0,3608	

⁽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 2524/90

of 31 August 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 2234/90 ⁽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 25,43 per 100 kilograms.

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 August 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 203, 1. 8. 1990, p. 14.

COMMISSION REGULATION (EEC) No 2525/90

of 31 August 1990

fixing the export refunds on olive oil

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

Having regard to the opinion of the Monetary Committee,

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

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

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

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

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

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

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

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

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

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

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

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

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

— in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁶⁾, as last amended by Regulation (EEC) No 2205/90⁽⁷⁾,

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

⁽²⁾ OJ No L 280, 29. 9. 1989, p. 2.

⁽³⁾ OJ No L 145, 30. 5. 1986, p. 8.

⁽⁴⁾ OJ No L 78, 31. 3. 1972, p. 1.

⁽⁵⁾ OJ No L 348, 30. 12. 1977, p. 53.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 201, 31. 7. 1990, p. 9.

— for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 September 1990.

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

Done at Brussels, 31 August 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 31 August 1990 fixing the export refunds on olive oil

(ECU/100 kg)	
Product code	Amount of refund (1)
1509 10 90 100	63,50
1509 10 90 900	99,50
1509 90 00 100	72,70
1509 90 00 900	105,09
1510 00 90 100	15,50
1510 00 90 900	46,90

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

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

COMMISSION REGULATION (EEC) No 2526/90

of 31 August 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 2496/90⁽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 for colza and rape seed which arises from the system of maximum guaranteed quantities for the 1990/91 marketing year has been fixed by Commission Regulation (EEC) No 2509/90⁽¹⁴⁾;

⁽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 236, 31. 8. 1990, p. 8.

⁽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.

⁽¹⁴⁾ See page 7 of this Official Journal.

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 of the correcting factor referred to in Article 6 (1) of Regulation (EEC) No 1677/85 ⁽⁶⁾ as last amended by Regulation (EEC) No 2205/90 ⁽⁷⁾.

(b) In the case of Member States other than those referred to in (a), the difference between:

- the agricultural conversion rate, and
- the average rate of the ecu as published in the C Series of the *Official Journal of the European Communities* during a period to be determined, multiplied by the factor referred to in the second indent of (a).

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.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 6.

⁽⁷⁾ OJ No L 201, 31. 7. 1990, p. 9.

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. 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 September 1990.

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

Done at Brussels, 31 August 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

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

(amounts per 100 kilograms)

	Current 9	1st period 10	2nd period 11	3rd period 12	4th period 1	5th period 2
1. Gross refunds (ECU):						
— Spain	0,000	0,000	—	—	—	—
— Portugal	23,400	23,400	—	—	—	—
— other Member States	16,430	16,430	—	—	—	—
2. Final refunds:						
Seeds harvested and exported from:						
— Federal Republic of Germany (DM)	38,46	38,46	—	—	—	—
— Netherlands (Fl)	43,34	43,34	—	—	—	—
— BLEU (Bfrs/Lfrs)	793,36	793,36	—	—	—	—
— France (FF)	129,01	129,01	—	—	—	—
— Denmark (Dkr)	146,72	146,72	—	—	—	—
— Ireland (£ Irl)	14,358	14,358	—	—	—	—
— United Kingdom (£)	12,684	12,684	—	—	—	—
— Italy (Lit)	28 780	28 780	—	—	—	—
— Greece (Dr)	3 296,43	3 296,43	—	—	—	—
— Spain (Pta)	71,57	71,57	—	—	—	—
— Portugal (Esc)	4 797,63	4 797,63	—	—	—	—

COMMISSION REGULATION (EEC) No 2527/90

of 31 August 1990

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to Council Regulation (EEC) No 591/79 of 26 March 1979 laying down general rules relating to the production refund for olive oil used in the manufacture of certain preserved foods⁽³⁾, as last amended by Regulation (EEC) No 2903/89⁽⁴⁾, and in particular Articles 3 and 5 thereof,

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

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

Whereas, by virtue of Article 5 of the Regulation cited above, where the tender system is employed for fixing the levy, the production refund shall be fixed on the basis of the minimum levies determined under the said system for oils falling within subheading 1509 90 00 of the combined nomenclature; whereas, however, if the oil

employed for manufacture of the preserves was produced within the Community, the amount referred to above shall be increased by a sum equal to the consumption aid in force on the day the said refund is applied;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

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

Article 2

This Regulation shall enter into force on 1 September 1990.

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

Done at Brussels, 31 August 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

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

⁽²⁾ OJ No L 280, 29. 9. 1989, p. 2.

⁽³⁾ OJ No L 78, 30. 3. 1979, p. 2.

⁽⁴⁾ OJ No L 280, 29. 9. 1989, p. 3.

COMMISSION REGULATION (EEC) No 2528/90

of 31 August 1990

fixing the maximum export refunds on olive oil for the 18th partial invitation to tender under the standing invitation to tender issued by Regulation (EEC) No 3246/89

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The maximum export refunds for olive oil for the 18th partial invitation to tender under the standing invitation to tender issued by Regulation (EEC) No 3246/89 are hereby fixed in the Annex, on the basis of the tenders submitted by 23 August 1990.

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

Article 2

This Regulation shall enter into force on 1 September 1990.

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

Done at Brussels, 31 August 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

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

⁽²⁾ OJ No L 280, 29. 9. 1989, p. 2.

⁽³⁾ OJ No L 145, 30. 5. 1986, p. 8.

⁽⁴⁾ OJ No L 314, 28. 10. 1989, p. 48.

ANNEX

to the Commission Regulation of 31 August 1990 fixing the maximum export refunds on olive oil for the 18th partial invitation to tender under the standing invitation to tender issued by Regulation (EEC) No 3246/89

(ECU/100 kg)

Product code	Amount of refund
1509 10 90 100	65,00
1509 10 90 900	104,50
1509 90 00 100	74,65
1509 90 00 900	110,09
1510 00 90 100	17,00
1510 00 90 900	51,90

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

COMMISSION REGULATION (EEC) No 2529/90

of 31 August 1990

fixing for September 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 342,34 per tonne of oil for September 1990.

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 August 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 2530/90
of 31 August 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 2496/90 ⁽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 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 and rape seed which arises, where appropriate, from the system of maximum guaranteed quantities for the 1990/91 marketing year, has been fixed by Commission Regulation (EEC) No 2509/90 ⁽¹²⁾;

Whereas the abatement of the subsidy for 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 provisionally calculated on the basis of an 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 ⁽¹³⁾, as last amended by Regulation (EEC) No 1983/82 ⁽¹⁴⁾, 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 236, 31. 8. 1990, p. 8.

⁽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⁾ See page 7 of this Official Journal.

⁽¹³⁾ OJ No 111, 10. 6. 1967, p. 2196/67.

⁽¹⁴⁾ 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 2248/90 ⁽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 203, 1. 8. 1990, p. 55.

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 multiplied by the correcting factor referred to in Article 6 (1) of Regulation (EEC) No 1677/85⁽⁷⁾, as last amended by Regulation (EEC) No 2205/90⁽⁸⁾;
- (b) for Member States other than those referred to in (a), the difference between:
 - the agricultural conversion rate, and
 - the average rate of the ecu as published in the C Series of the *Official Journal of the European*

Communities during a period to be determined multiplied by the factor referred to in the second indent of point (a);

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 sunflower will be confirmed or replaced as from 1 September 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 September 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.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 6.

⁽⁸⁾ OJ No L 201, 31. 7. 1990, p. 9.

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

Done at Brussels, 31 August 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 9	1st period 10	2nd period 11	3rd period 12	4th period 1	5th period 2
1. Gross aids (ECU):						
— Spain	0,000	0,000	0,000	0,000	0,000	0,000
— Portugal	0,000	0,000	0,000	0,000	26,505	26,783
— Other Member States	20,522	20,361	19,457	19,735	19,535	19,813
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	48,04	47,67	45,55	46,21	45,74	46,54
— Netherlands (Fl)	54,13	53,71	51,32	52,06	51,53	52,44
— BLEU (Bfrs/Lfrs)	990,94	983,17	939,52	952,94	943,29	957,16
— France (FF)	161,14	159,87	152,77	154,96	153,39	155,57
— Denmark (Dkr)	183,26	181,83	173,75	176,23	174,45	176,93
— Ireland (£ Irl)	17,934	17,793	17,003	17,246	17,072	17,315
— United Kingdom (£)	15,905	15,778	15,041	15,223	15,061	15,185
— Italy (Lit)	35 948	35 666	34 082	34 569	34 219	34 683
— Greece (Dr)	4 253,45	4 215,50	3 971,51	4 007,18	3 954,67	3 916,10
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	0,00	0,00	0,00	0,00	0,00	0,00
— in another Member State (Pta)	0,00	0,00	0,00	0,00	0,00	0,00
(c) Seed harvested in Portugal and processed:						
— in Portugal (Esc)	0,00	0,00	0,00	0,00	5 437,43	5 459,99
— in another Member State (Esc)	5 655,71	5 621,95	5 429,11	5 480,36	5 437,43	5 459,99

ANNEX II

Aids to colza and rape seed 'double zero'

(amounts per 100 kg)

	Current 9	1st period 10	2nd period 11	3rd period 12	4th period 1	5th period 2
1. Gross aids (ECU):						
— Spain	2,500	2,500	2,500	2,500	2,500	2,500
— Portugal	2,500	2,500	2,500	2,500	29,005	29,283
— Other Member States	23,022	22,861	21,957	22,235	22,035	22,313
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	53,90	53,52	51,40	52,06	51,59	52,39
— Netherlands (Fl)	60,73	60,30	57,92	58,65	58,13	59,04
— BLEU (Bfrs/Lfrs)	1 111,66	1 103,89	1 060,24	1 073,66	1 064,00	1 077,88
— France (FF)	180,76	179,50	172,40	174,59	173,02	175,20
— Denmark (Dkr)	205,59	204,15	196,08	198,56	196,77	199,26
— Ireland (£ Irl)	20,119	19,978	19,188	19,431	19,256	19,499
— United Kingdom (£)	17,854	17,727	16,990	17,171	17,010	17,133
— Italy (Lit)	40 327	40 045	38 461	38 948	38 598	39 062
— Greece (Dr)	4 796,81	4 758,86	4 514,87	4 550,54	4 498,03	4 459,46
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	382,24	382,24	382,24	382,24	382,24	382,24
— in another Member State (Pta)	207,47	183,69	46,19	80,44	51,81	70,44
(c) Seed harvested in Portugal and processed:						
— in Portugal (Esc)	517,26	517,26	517,26	517,26	5 954,69	5 977,25
— in another Member State (Esc)	6 172,97	6 139,21	5 946,36	5 997,61	5 954,69	5 977,25

ANNEX III

Aids to sunflower seed

(amounts per 100 kg)

	Current 9	1st period 10	2nd period 11	3rd period 12	4th period 1
1. Gross aids (ECU):					
— Spain	8,600	8,600	8,600	8,600	29,056
— Portugal	0,000	0,000	0,000	0,000	38,069
— Other Member States	35,401	34,355	34,335	34,666	34,469
2. Final aids:					
(a) Seed harvested and processed in (1):					
— Federal Republic of Germany (DM)	82,88	80,43	80,38	81,16	80,70
— Netherlands (Fl)	93,38	90,62	90,57	91,44	90,92
— BLEU (Bfrs/Lfrs)	1 709,41	1 658,90	1 657,93	1 673,91	1 664,40
— France (FF)	277,96	269,75	269,59	272,19	270,64
— Denmark (Dkr)	316,13	306,79	306,61	309,57	307,81
— Ireland (£ Irl)	30,937	30,023	30,005	30,295	30,122
— United Kingdom (£)	27,506	26,683	26,642	26,866	26,707
— Italy (Lit)	62 011	60 179	60 144	60 723	60 378
— Greece (Dr)	7 493,37	7 248,43	7 211,11	7 259,03	7 206,28
(b) Seed harvested in Spain and processed:					
— in Spain (Pta)	1 314,91	1 314,91	1 314,91	1 314,91	4 508,97
— in another Member State (Pta)	4 724,02	4 569,55	4 563,64	4 607,20	4 579,22
(c) Seed harvested in Portugal and processed:					
— in Portugal (Esc)	0,00	0,00	0,00	0,00	7 829,51
— in Spain (Esc)	8 216,33	7 992,09	7 984,29	8 047,86	8 004,46
— in another Member State (Esc)	8 036,75	7 817,41	7 809,78	7 871,96	7 829,51
3. Compensatory aids:					
— in Spain (Pta)	4 700,27	4 544,98	4 539,07	4 582,63	—
4. Special aid:					
— in Portugal (Esc)	8 036,75	7 817,41	7 809,78	7 871,96	—

(1) 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 9	1st period 10	2nd period 11	3rd period 12	4th period 1	5th period 2
DM	2,068020	2,064440	2,060820	2,057380	2,057380	2,047900
Fl	2,329910	2,326050	2,321960	2,318210	2,318210	2,307040
Bfrs/Lfrs	42,461200	42,423000	42,380300	42,328200	42,328200	42,221000
FF	6,939300	6,937550	6,935960	6,935570	6,935570	6,932900
Dkr	7,924060	7,925960	7,926730	7,926960	7,926960	7,921460
£Irl	0,770622	0,770879	0,771033	0,771231	0,771231	0,772797
£	0,685337	0,687839	0,690281	0,692533	0,692533	0,698362
Lit	1 536,69	1 537,86	1 539,36	1 541,07	1 541,07	1 545,80
Dr	203,82700	204,86800	206,80500	208,53500	208,53500	215,12700
Esc	182,96400	183,45800	184,05700	184,49500	184,49500	186,83100
Pta	128,91700	129,38700	129,82700	130,23600	130,23600	131,40700

COMMISSION REGULATION (EEC) No 2531/90

of 31 August 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 2249/90⁽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 year, has been fixed by Commission Regulation (EEC) No 2510/90⁽⁹⁾;

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⁽¹⁰⁾;

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, pursuant to Article 1 of Commission Regulation (EEC) No 2049/82⁽¹¹⁾, as last amended by Regulation (EEC) No 1238/87⁽¹²⁾, 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⁽¹³⁾ 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 203, 1. 8. 1990, p. 56.

⁽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, p. 37.

⁽⁸⁾ OJ No L 119, 11. 5. 1990, p. 40.

⁽⁹⁾ See page 8 of this Official Journal.

⁽¹⁰⁾ OJ No L 162, 28. 6. 1990, p. 18.

⁽¹¹⁾ OJ No L 219, 28. 7. 1982, p. 36.

⁽¹²⁾ OJ No L 117, 5. 5. 1987, p. 9.

⁽¹³⁾ 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 Article 6 (1) of Council Regulation (EEC) No 1677/85 ⁽¹⁾, as last amended by Regulation (EEC) No 2205/90 ⁽²⁾,
- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

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 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 1834/90 ⁽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

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

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 August 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 6.

⁽²⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽³⁾ OJ No L 167, 30. 6. 1990, p. 94.

⁽⁴⁾ OJ No L 255, 1. 9. 1989, p. 71.

ANNEX I

Gross aid

Products intended for human consumption :

(ECU per 100 kg)

	Current 9	1st period 10	2nd period 11	3rd period 12	4th period 1	5th period 2	6th period 3
Peas used :							
— in Spain	5,499	5,657	5,815	5,973	6,131	6,289	6,447
— in Portugal	5,526	5,684	5,842	6,000	6,158	6,316	6,474
— in another Member State	5,728	5,886	6,044	6,202	6,360	6,518	6,676
Field beans used :							
— in Spain	5,728	5,886	6,044	6,202	6,360	6,518	6,676
— in Portugal	5,526	5,684	5,842	6,000	6,158	6,316	6,474
— in another Member State	5,728	5,886	6,044	6,202	6,360	6,518	6,676

Products used in animal feed :

(ECU per 100 kg)

	Current 9	1st period 10	2nd period 11	3rd period 12	4th period 1	5th period 2	6th period 3
A. Peas used :							
— in Spain	8,715	8,634	8,702	8,860	8,631	8,788	8,946
— in Portugal	8,770	8,691	8,761	8,918	8,693	8,850	9,008
— in another Member State	8,770	8,691	8,761	8,918	8,693	8,850	9,008
B. Field beans used :							
— in Spain	8,715	8,634	8,702	8,860	8,631	8,788	8,946
— in Portugal	8,770	8,691	8,761	8,918	8,693	8,850	9,008
— in another Member State	8,770	8,691	8,761	8,918	8,693	8,850	9,008
C. Sweet lupins harvested in Spain and used :							
— in Spain	11,736	11,419	11,300	11,300	10,784	10,784	10,784
— in Portugal	11,809	11,495	11,377	11,377	10,867	10,867	10,867
— in another Member State	11,809	11,495	11,377	11,377	10,867	10,867	10,867
D. Sweet lupins harvested in another Member State and used :							
— in Spain	11,736	11,419	11,300	11,300	10,784	10,784	10,784
— in Portugal	11,809	11,495	11,377	11,377	10,867	10,867	10,867
— in another Member State	11,809	11,495	11,377	11,377	10,867	10,867	10,867

[illegible]

[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	7,86	0,00	0,00	0,00	0,00	0,00	0,00	0,00
— Denmark (Dkr)	0,00	0,00	0,00	1,45	0,00	0,00	0,00	0,00	0,00	0,00	0,00
— Federal Republic of Germany (DM)	0,00	0,00	0,00	0,38	0,00	0,00	0,00	0,00	0,00	0,00	0,00
— Greece (Dr)	0,00	0,00	0,00	36,29	0,00	0,00	0,00	0,00	0,00	0,00	0,00
— Spain (Pta)	0,00	0,00	0,00	24,98	0,00	0,00	0,00	0,00	0,00	0,00	0,00
— France (FF)	0,00	0,00	0,00	1,28	0,00	0,00	0,00	0,00	0,00	0,00	0,00
— Ireland (£ Irl)	0,000	0,000	0,000	0,142	0,000	0,000	0,000	0,000	0,000	0,000	0,000
— Italy (Lit)	0	0	0	285	0	0	0	0	0	0	0
— Netherlands (Fl)	0,00	0,00	0,00	0,43	0,00	0,00	0,00	0,00	0,00	0,00	0,00
— Portugal (Esc)	0,00	0,00	0,00	33,67	0,00	0,00	0,00	0,00	0,00	0,00	0,00
— United Kingdom (£)	0,000	0,000	0,000	0,127	0,000	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	204,239	128,969	6,85684	0,763159	1 529,70	2,30358	183,124	0,687281

COMMISSION REGULATION (EEC) No 2532/90

of 31 August 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 2205/90 ⁽²⁾,
- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

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 September 1990.

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

Done at Brussels, 31 August 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 201, 31. 7. 1990, p. 9.

ANNEX

to the Commission Regulation of 31 August 1990 fixing the rate of the aid for dried fodder

Aid applicable from 1 September 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	100,268	108,104	108,888		75,164	75,948

Aid in case of advance fixing for the month of:

(ECU/tonne)

October 1990	98,808	106,627	107,428		73,687	74,488
November 1990	97,813	105,621	106,433		72,681	73,493
December 1990	97,813	105,621	106,433		72,681	73,493
January 1991	93,410	101,168	102,030		68,228	69,090
February 1991	93,098	100,853	101,718		67,913	68,778
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 2533/90

of 31 August 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 on cotton annexed thereto, as amended by Protocol 14 annexed to the Act of Accession of Spain and of Portugal, and Commission 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,

Having regard to the opinion of the Monetary Committee,

Whereas, pursuant to Article 5 of Regulation (EEC) No 2169/81, aid must be granted for unginned cotton harvested in the Community when the world market price for unginned cotton is below the guide price;

Whereas the aid is equal to the difference between these two prices;

Whereas the guide price for 1990/90 marketing year was fixed by Council Regulation (EEC) No 1355/90 ⁽⁴⁾

Whereas the prices fixed by the Council are to be reduced in accordance with Commission Regulation (EEC) No 2219/90 of 30 July 1990 establishing the guide price fixed in ecus by the Council in the cotton sector and reduced as a result of the monetary realignment of 5 January 1990 ⁽⁵⁾;

Whereas, under the system of maximum guaranteed quantities, the amount of the aid is subject to the reduction provided for in Commission Regulation (EEC) No 2511/90 ⁽⁶⁾ as regards cotton seed;

Whereas the world market price for unginned cotton is determined periodically on the basis of the world market

prices recorded for ginned cotton and cotton seed, taking into account the estimated yield of the Community harvest in cotton seed and in ginned cotton and also the net cost of ginning;

Whereas the world market price for ginned cotton and cotton seed is determined in accordance with Article 4 of Regulation (EEC) No 2169/81;

Whereas, if the world market price for unginned cotton cannot be determined as described above, this price shall be established on the basis of the most recent price determined;

Whereas the world market price for unginned cotton is equal to the sum of the values for ginned cotton and cotton seed defined in Article 1 of Commission Regulation (EEC) No 1201/89 of 3 May 1989 laying down rules implementing the system of aid for cotton ⁽⁷⁾, as last amended by Regulation (EEC) No 2432/90 ⁽⁸⁾, minus the cost of ginning;

Whereas the above values are established on the basis of the prices determined in accordance with Articles 2 and 3 of Commission Regulation (EEC) No 1201/89; whereas the world market price is determined on the basis of the most favourable offers and quotations recorded, excluding offers and quotations which cannot be regarded as representative of the real market trend;

Whereas the necessary adjustments must be made in cases where the offers and quotations recorded do not satisfy the requirements indicated above;

Whereas, pursuant to Article 4 (4) of Regulation (EEC) No 2169/81, if there are no suitable offers or quotations for determining the world market price for cotton seed, that price shall be established on the basis of the most favourable offers and quotations for cotton seed recorded on the Community market or, if those offers and quotations cannot be established on the basis of the value of the products obtained from processing the seed in the Community, less the processing cost; whereas this value is determined in accordance with Article 4 of Regulation (EEC) No 1201/89;

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

⁽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 134, 28. 5. 1990, p. 20.

⁽⁵⁾ OJ No L 202, 31. 7. 1990, p. 26.

⁽⁶⁾ See page 9 of this Official Journal.

⁽⁷⁾ OJ No L 123, 4. 5. 1989, p. 23.

⁽⁸⁾ OJ No L 228, 22. 8. 1990, p. 23.

- 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 2205/90 ⁽²⁾,
- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

Whereas the aid must be fixed once a month, and in such a way that it can be applied from the first day of the month following the date of fixing; whereas it may be altered between fixings;

Whereas it follows from applying these provisions to the offers and quotations known to the Commission that the aid for cotton should be as set out in this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The aid for unginning cotton provided for in Article 5 of Regulation (EEC) No 2169/81 shall be 45,422 ECU per 100 kilograms.

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 August 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 201, 31. 7. 1990, p. 9.

COMMISSION REGULATION (EEC) No 2534/90
of 31 August 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 (EEC) No 2286/88 of 19 July 1988 providing for the granting of special aid for soya beans produced and processed in Portugal ⁽³⁾,

Having regard to the opinion of the Monetary Committee,

Whereas, pursuant to Article 2 (1) of Regulation (EEC) No 1491/85, aid is to be granted for soya beans harvested within the Community where the guide price for a marketing year exceeds the world price; whereas the said aid is to be equal to the difference between those two prices;

Whereas the guide price for soya beans for the 1990/91 marketing year by Council Regulation (EEC) No 1319/90 ⁽⁴⁾; whereas, pursuant to Articles 95 (2) and 293 (2) of the Act of Accession of Spain and Portugal, aid for soya beans harvested in these two Member States is to be introduced in accordance with the provisions of paragraphs 2 and 3 of the said Articles from the beginning of the 1986/87 marketing year;

Whereas the prices fixed by the Council are to be reduced in accordance with Commission Regulation (EEC) No 1756/90 of 27 June 1990 establishing the guide price fixed in ecus by the Council in the soya bean sector and reduced as a result of the monetary realignment of 5 January 1990 ⁽⁵⁾;

Whereas, pursuant to Article of Regulation (EEC) No 2286/88, soya beans produced and processed in Portugal shall be eligible for special aid equal to the difference

between the guide price for such beans in Portugal and the price of imported soya beans;

Whereas, pursuant to Council Regulation (EEC) No 2194/85 of 25 July 1985 adopting general rules concerning special measures for soya beans ⁽⁶⁾, as last amended by Regulation (EEC) No 1231/89 ⁽⁷⁾, the world price for soya beans is to be determined on the basis of the most favourable actual purchasing possibility, with the exception of offers and prices which may not be considered as representative of the actual market trend; whereas account is to be taken of offers made on the world market as well as the prices quoted on exchanges which are important in terms of international trade; 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 identification day; whereas 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 33 of Commission Regulation (EEC) No 2537/89 of 8 August 1989 laying down detailed rules for the application of the special measure for soya beans ⁽⁸⁾, as last amended by Regulation (EEC) No 2427/90 ⁽⁹⁾;

Whereas, pursuant to Regulation (EEC) No 2537/89, the world market price is to be fixed per 100 kilograms and calculated on the basis of the most favourable offers and quotations for delivery within 30 days following the date when the said offers and quotations were recorded;

Whereas, where the offers and quotations do not comply with the said conditions, the necessary adjustments must be carried out, particularly those referred to in Article 40 of Regulation (EEC) No 2537/89;

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

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

⁽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 132, 23. 5. 1990, p. 13.

⁽⁵⁾ OJ No L 162, 28. 6. 1990, p. 19.

⁽⁶⁾ OJ No L 204, 2. 8. 1985, p. 1.

⁽⁷⁾ OJ No L 128, 11. 5. 1989, p. 24.

⁽⁸⁾ OJ No L 245, 22. 8. 1989, p. 8.

⁽⁹⁾ OJ No L 228, 22. 8. 1990, p. 15.

- 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 2205/90 ⁽²⁾,
- for the other currencies, an exchange rate based on an average of the ecus rates published in the 'C' series of the *Official Journal of the European Communities* over a period to be determined, multiplied by the factor referred to in the preceding indent;

Whereas the aid shall be fixed as often as the market situation so requires and so that it can be applied at least twice a month, one of which times shall be from the first day of each month;

Whereas it follows from applying these provisions to the offers and quotations known to the Commission that the subsidy on soya beans should be as set out in this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

1. The amount of the aid provided for in Article 2 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 September 1990 to take into account, where appropriate, the application of maximum guaranteed quantities for this marketing year.

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 August 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 201, 31. 7. 1990, p. 9.

ANNEX

to the Commission Regulation of 31 August 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	28,650	28,650
— Portugal	22,453	28,650 (*)	28,650
— another Member State	22,453	28,650	28,650
Seed processed in first period			
— Spain	0,000	28,234	28,234
— Portugal	22,037	28,234 (*)	28,234
— another Member State	22,037	28,234	28,234
Seed processed in second period (1)			
— Spain	0,000	28,234	28,234
— Portugal	22,037	28,234 (*)	28,234
— another Member State	22,037	28,234	28,234
Seed processed in third period (1)			
— Spain	0,000	28,317	28,317
— Portugal	22,120	28,317 (*)	28,317
— another Member State	22,120	28,317	28,317
Seed processed in fourth period (1)			
— Spain	21,588	27,785	27,785
— Portugal	21,588	27,785 (*)	27,785
— another Member State	21,588	27,785	27,785
Seed processed in fifth period (1)			
— Spain	21,372	27,569	27,569
— Portugal	21,372	27,569 (*)	27,569
— another Member State	21,372	27,569	27,569

(*) Special aid.

(1) 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 2535/90

of 31 August 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, rolled or flaked grains 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 measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

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 September 1990.

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

Done at Brussels, 31 August 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 August 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	9,800 13,066
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	7,081 9,442
1002 00 00	Rye	7,623
1003 00 90	Barley	9,934
1004 00 90	Oats	8,421
1005 90 00	Maize, other than hybrid maize for sowing) : — Maize in pellets, rolled or flake grains with a fat content exceeding 1,5 % in the form of goods falling within CN code 1904 10 — In all other cases	6,428 11,344
1006 20	Round grain husked rice	21,097
	Medium grain husked rice	17,455
	Long grain husked rice	17,455
ex 1006 30	Round grain wholly milled rice	27,354
	Medium grain wholly milled rice	33,740
	Long grain wholly milled rice	33,740
1006 40 00	Broken rice	17,516
1007 00 90	Sorghum	6,857
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	8,354 11,139
1102 10 00	Rye flour	17,040
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	15,189 20,252
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	8,354 11,139

COMMISSION REGULATION (EEC) No 2536/90

of 31 August 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) 1771/90⁽⁶⁾, provides for the granting of production refunds of white sugar, raw sugar, certain sucrose syrups falling within CN codes ex 1702 60 90 and ex 1702 90 90 having a certain purity, and unprocessed isoglucose falling within CN codes 1702 30 10, 1702 40 10, 1702 60 10 and 1702 90 30, which are used in the manufacture of the chemical products listed in the Annex thereto; whereas this production refunds' scheme has been established in particular to bring the conditions under which Community processors operate progressively into line with those of processors employing sugar at world market prices; whereas, therefore, in the absence of proof that the basic product has not benefited from the production refund, the amount of the export refund must be reduced by the amount of the production refund applicable to the basic product on the day of acceptance of the export declaration; whereas this system is the only one which discards the risk of fraud;

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

⁽¹⁾ OJ No L 94, 9. 4. 1986, p. 9.

⁽²⁾ OJ No L 163, 29. 6. 1990, p. 1.

⁽³⁾ OJ No L 62, 7. 3. 1980, p. 5.

⁽⁴⁾ OJ No L 199, 22. 7. 1983, p. 12.

⁽⁵⁾ OJ No L 351, 14. 12. 1987, p. 1.

⁽⁶⁾ OJ No L 152, 16. 6. 1990, p. 33.

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 114, 27. 4. 1989, p. 1.

⁽³⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁴⁾ OJ No L 286, 20. 10. 1988, p. 6.

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

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

HAS ADOPTED THIS REGULATION :

Article 1

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

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

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

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

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

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

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

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

Article 2

This Regulation shall enter into force on 1 September 1990.

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

Done at Brussels, 31 August 1990.

For the Commission

Martin BANGEMANN

Vice-President

ANNEX

to the Commission Regulation of 31 August 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:	36,08
Raw sugar:	31,56
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):	$36,08 \times \frac{S^{(1)}}{100}$ or
If those syrups are obtained by dissolving white or raw sugar in the solid state, whether or not the dissolving is followed by inversion:	
The rate fixed above for 100 kg of white or raw sugar used for the dissolution:	
Molasses:	—
Isoglucose ⁽²⁾ :	36,08 ⁽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 2537/90

of 31 August 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 September 1990.

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

Done at Brussels, 31 August 1990.

For the Commission

Martin BANGEMANN

Vice-President

ANNEX

to the Commission Regulation of 31 August 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 2538/90

of 31 August 1990

reintroducing the levying of the customs duties applicable to products of CN codes 3904 10 00, 3904 21 00 and 3904 22 00 originating in Mexico, to which the preferential arrangements of Council Regulation (EEC) No 3896/89 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3896/89 of 18 December 1989 applying generalized tariff preferences for 1990 in respect of certain industrial products originating in developing countries⁽¹⁾, and in particular Article 9 thereof,

Whereas, in pursuance of Articles 1 and 6 of that Regulation, suspension of customs duties is accorded to each of the countries or territories listed in Annex III other than those listed in column 4 of Annex I, within the framework of the preferential tariff ceilings fixed in column 6 of Annex I;

Whereas Article 7 of that Regulation provides that the levying of customs duties on imports of the products in question originating in each of the countries and territories concerned may at any time be reintroduced as soon as the individual ceilings in question are reached at Community level;

Whereas, in the case of products of CN codes 3904 10 00, 3904 21 00 and 3904 22 00, originating in Mexico, the individual ceiling amounts to ECU 5 million; whereas that ceiling was reached on 27 June 1990, by charges of imports into the Community of the products in question originating in Mexico; whereas, it is appropriate to reintroduce the levying of customs duties for the products in question with regard to Mexico,

HAS ADOPTED THIS REGULATION:

Article 1

As from 4 September 1990, the levying of customs duties, suspended in pursuance of Council Regulation (EEC) No 3896/89, shall be reintroduced on imports into the Community of the following products, originating in Mexico:

Order No	CN code	Description
10.0458	3904 10 00 3904 21 00 3904 22 00	Polymers of vinyl chloride or of other halogenated olefins, in primary forms

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 August 1990.

For the Commission

Karel VAN MIERT

Member of the Commission

⁽¹⁾ OJ No L 383, 30. 12. 1989, p. 1.

COMMISSION REGULATION (EEC) No 2539/90

of 31 August 1990

reintroducing the levying of the customs duties applicable to jewellery of CN codes 7113 11 00 and 7113 19 00 originating in Thailand, to which the preferential tariff arrangements of Council Regulation (EEC) No 3896/89 apply

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

Having regard to Council Regulation (EEC) No 3896/89 of 18 December 1989 applying generalized tariff preferences for 1990 in respect of certain industrial products originating in developing countries⁽¹⁾, and in particular Article 9 thereof,

Whereas, in pursuance of Article 1 of that Regulation, customs duties on certain products originating in each of the countries or territories listed in Annex III are totally suspended, and the products as such are, as a general rule, subject to statistical surveillance every three months on the reference base referred to in Article 8;

Whereas, as provided for in Article 8, where the increase of preferential imports of these products, originating in one or more beneficiary countries, threatens to cause economic difficulties in a region of the Community, the levying of customs duties may be reintroduced, once the Commission has had an appropriate exchange of information with the Member States; whereas for this purpose the reference base to be considered is equal, as a general rule,

to 6 % of the total importations into the Community, originating from third countries in 1987;

Whereas, in the case of jewellery of CN codes 7113 11 00 and 7113 19 00 originating in Thailand the reference base is fixed at ECU 9 044 000; whereas that reference base was reached on 28 February 1990 by charges of imports into the Community of the products in question originating in Thailand; whereas the exchange of information organised by the Commission has demonstrated that continuance of the preference threatens to cause economic difficulties in a region of the Community; whereas, therefore, customs duties for the products in question must be reintroduced with regard to Thailand,

HAS ADOPTED THIS REGULATION:

Article 1

As from 4 September 1990, the levying of customs duties, suspended in pursuance of Council Regulation (EEC) No 3896/89, shall be reintroduced on imports into the Community of the following products, originating in Thailand:

CN code	Description
7113	Articles of jewellery and parts thereof, of precious metal or of metal clad with precious metal:
	– Of precious metal whether or not plated or clad with precious metal:
7113 11 00	– – Of silver, whether or not plated or clad with other precious metal
7113 19 00	– – Of other precious metal, whether or not plated or clad with precious metal

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 August 1990.

For the Commission

Karel VAN MIERT

Member of the Commission

⁽¹⁾ OJ No L 383, 30. 12. 1989, p. 1.

COMMISSION REGULATION (EEC) No 2540/90

of 31 August 1990

reintroducing the levying of the customs duties applicable to woven fabrics of synthetic filament yarn products of category No 33 (order No 40.0330) originating in Thailand, to which the preferential tariff arrangements of Council Regulation (EEC) No 3897/89 apply

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

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

Whereas pursuant to Article 10 of that Regulation, preferential tariff treatment shall be accorded for each category of products subjected in Annexes I and II to individual ceilings within the limits of the quantities specified in column 8 of its Annex I and column 7 of its Annex II, in respect of certain or each of the countries or territories of origin specified in column 5 of the same Annexes; whereas Article 11 of that Regulation provides that the levying of customs duties may be reintroduced at any time in respect of imports of the products in question as soon as the relevant individual ceilings are reached at Community level;

Whereas, in respect of woven fabrics of synthetic filament yarn, products of category No 33 (order No 40.0330) originating in Thailand, the relevant ceiling amounts to 230 tonnes; whereas that ceiling was reached on 1 August 1990 by charges of imports into the Community of the products in question originating in Thailand, a country covered by preferential tariff arrangements, reached and were charged against that ceiling; whereas it is appropriate to reintroduce the levying of customs duties for the products in question with regard to Thailand,

HAS ADOPTED THIS REGULATION:

Article 1

As from 4 September 1990 the levying of customs duties, suspended in pursuance of Council Regulation (EEC) No 3897/89, shall be reintroduced on imports into the Community of the following products, originating in Thailand:

Order No	Category (unit)	CN code	Description
40.0330	33 (tonnes)	5407 20 11 6305 31 91 6305 31 99	Woven fabrics of synthetic filament yarn obtained from strip or the like of polyethylene or polypropylene, less than 3 m wide; sacks and bags, of a kind used for the packing of goods, not knitted or crocheted, obtained from strip or the like.

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 August 1990.

For the Commission

Karel VAN MIERT

Member of the Commission

⁽¹⁾ OJ No L 383, 30. 12. 1989, p. 45.

COMMISSION REGULATION (EEC) No 2541/90

of 31 August 1990

reintroducing the levying of the customs duties applicable to breeches, shorts and trousers, products of category No 6 (order No 40.0060) men's or boy's suits and ensembles, other than knitted or crocheted products of category No 16 (order No 40.0160) originating in Pakistan, to which the preferential tariff arrangements of Council Regulation (EEC) No 3897/89 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas, pursuant to Article 10 of that Regulation, preferential tariff treatment shall be accorded for each category of products subjected in Annexes I and II to individual ceilings within the limits of the quantities specified in column 8 of its Annex I and column 7 of its Annex II, in respect of certain or each of the countries or territories of origin specified in column 5 of the same Annexes; whereas Article 11 of that Regulation provides that the levying of customs duties may be reintroduced at any time in respect of imports of the products in question as soon as the relevant individual ceilings are reached at Community level;

Whereas, in respect of breeches, shorts and trousers, products of category No 6 (order No 40.0060) men's or

boys' suits and ensembles, other than knitted or crocheted, products of category No 16 (order No 40.0160) originating in Pakistan, the relevant ceiling amounts respectively to 1 667 000 and 94 000 pieces;

Whereas that ceiling was reached on 1 August 1990 by charges of imports into the Community of the products in question originating in Pakistan, a country covered by preferential tariff arrangements, reached and were charged against that ceiling;

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

HAS ADOPTED THIS REGULATION:

Article 1

As from 4 September 1990 the levying of customs duties, suspended pursuant to Council Regulation (EEC) No 3897/89, shall be reintroduced on imports into the Community of the following products, originating in Pakistan:

Order No	Category (unit)	CN code	Description
40.0060	6 (1 000 pieces)	6203 41 10	Men's or boys' woven breeches, shorts (other than swimwear) and trousers (including slacks), women's or girls' woven trousers and slacks, of wool, of cotton or of man-made fibres
		6203 41 90	
		6203 42 31	
		6203 42 33	
		6203 42 35	
		6203 42 90	
		6203 43 19	
		6203 43 90	
		6203 49 19	
		6203 49 50	
		6204 61 10	
		6204 62 31	
		6204 62 33	
		6204 62 35	

⁽¹⁾ OJ No L 383, 30. 12. 1989, p. 45.

Order No	Category (unit)	CN code	Description
40.0160	16 (1 000 pieces)	6203 11 00 6203 12 00 6203 19 10 6203 19 30 6203 21 00 6203 22 90 6203 23 90 6203 29 19	Men's or boys' suits and ensembles, other than knitted or crocheted, of wool, of cotton or of man-made fibres, excluding ski suits

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 August 1990.

For the Commission

Karel VAN MIERT

Member of the Commission

COMMISSION REGULATION (EEC) No 2542/90
of 31 August 1990

reintroducing the levying of the customs duties applicable to nightshirts, pyjamas, bathrobes, knitted or crocheted, products of the category No 24 (order No 40.0240), women's or girls' dresses products of category No 26 (order No 40.0260) originating in Indonesia, to which the preferential tariff arrangements of Council Regulation (EEC) No 3897/89 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas pursuant to Article 10 of that Regulation, preferential tariff treatment shall be accorded for each category of products subjected in Annexes I and II to individual ceilings within the limits of the quantities specified in column 8 of its Annex I and column 7 of its Annex II, in respect of certain or each of the countries or territories of origin specified in column 5 of the same Annexes; whereas Article 11 of that Regulation provides that the levying of customs duties may be reintroduced at any time in respect of imports of the products in question as soon as the relevant individual ceilings are reached at Community level;

Whereas, in respect of nightshirts, pyjamas, bathrobes, knitted or crocheted, products of category No 24 (order

No 40.0240), women's or girls' dresses, products of category No 26 (order No 40.0260) originating in Indonesia the relevant ceiling amounts respectively to 475 000 and 376 000 pieces; whereas that ceiling was reached on 1 August 1990 by charges of imports into the Community of the products in question originating in Indonesia, a country covered by preferential tariff arrangements, reached and were charged against that ceiling;

Whereas it is appropriate to reintroduce the levying of customs duties for the products in question with regard to Indonesia,

HAS ADOPTED THIS REGULATION:

Article 1

As from 4 September 1990 the levying of customs duties, suspended pursuant to Council Regulation (EEC) No 3897/89, shall be reintroduced on imports into the Community of the following products, originating in Indonesia:

Order No	Category (unit)	CN code	Description
40.0240	24 (1 000 pièces)	6107 21 00	Men's or boys' nightshirts, pyjamas, bathrobes, dressing gowns and similar articles, knitted or crocheted
		6107 22 00	
		6107 29 00	
		6107 91 00	
		6107 92 00	
		ex 6107 99 00	
		6108 31 10	Women's or girls' nightdresses, pyjamas, négligés, bathrobes, dressing gowns and similar articles, knitted or crocheted
		6108 31 90	
		6108 32 11	
		6108 32 19	
		6108 32 90	
		6108 39 00	
		6108 91 00	
		6108 92 00	
		6108 99 10	

⁽¹⁾ OJ No L 383, 30. 12. 1989, p. 45.

Order No	Category (unit)	CN code	Description
40.0260	26 (1 000 pièces)	6104 41 00	Women's or girls' dresses, of wool, of cotton or man-made fibres
		6104 42 00	
		6104 43 00	
		6104 44 00	
		6204 41 00	
		6204 42 00	
		6204 43 00	
		6204 44 00	

Article 2

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

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

Done at Brussels, 31 August 1990.

For the Commission

Karel VAN MIERT

Member of the Commission

COMMISSION REGULATION (EEC) No 2543/90

of 31 August 1990

reintroducing the levying of the customs duties applicable to men's or boys' shirts, other than knitted or crocheted, products of category No 8 (order No 40.0080), terry towelling and similar woven terry fabrics of cotton, products of category No 9 (order No 40.0090), men's or boys' jackets excluding waister jackets and blazers, other than knitted or crocheted, products of category No 17 (order No 40.0170), women's or girls' dresses, products of category No 26 (order No 40.0260), table linen, toilet and kitchen products of category No 39 (order No 40.0390) originating in India, to which the preferential tariff arrangements of Council Regulation (EEC) No 3897/89 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas pursuant to Article 10 of that Regulation, preferential tariff treatment shall be accorded for each category of products subjected in Annexes I and II to individual ceilings within the limits of the quantities specified in column 8 of its Annex I and column 7 of its Annex II, in respect of certain or each of the countries or territories of origin specified in column 5 of the same Annexes; whereas Article 11 of that Regulation provides that the levying of customs duties may be reintroduced at any time in respect of imports of the products in question as soon as the relevant individual ceilings are reached at Community level;

Whereas, in respect of men's or boys' shirts, other than knitted or crocheted, products of category No 8 (order No 40.0080), terry towelling and similar woven terry fabrics of cotton, products of category No 9 (order No 40.0090),

men's or boys' jackets excluding waister jackets and blazers, other than knitted or crocheted, products of category No 17 (order No 40.0170), women's and girls' dresses, products of category No 26 (order No 40.0260), table linen, toilet and kitchen linen, products of category No 39 (order No 40.0390), originating in India the relevant ceiling amounts respectively to 1 826 000 pieces, 125 tonnes, 77 000, 376 000 pieces and 96 tonnes; whereas that ceiling was reached on 1 August 1990 by charges of imports into the Community of the products in question originating in India, a country covered by preferential tariff arrangements, reached and were charged against that ceiling;

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

HAS ADOPTED THIS REGULATION:

Article 1

As from 4 September 1990 the levying of customs duties, suspended pursuant to Council Regulation (EEC) No 3897/89, shall be reintroduced on imports into the Community of the following products, originating in India:

Order No	Category (unit)	CN code	Description
40.0080	8 (1 000 pieces)	6205 10 00 6205 20 00 6205 30 00	Men's or boys' shirts, other than knitted or crocheted, of wool, cotton or man-made fibres
40.0090	9 (tonnes)	5802 11 00 5802 19 00 ex 6302 60 00	Terry towelling and similar woven terry fabrics of cotton; toilet linen and kitchen linen, of terry towelling and similar woven terry fabrics, of cotton, other than knitted or crocheted
40.0170	17 (1 000 pieces)	6203 31 00 6203 32 90 6203 33 90 6203 39 19	Men's or boys' jackets excluding waister jackets and blazers, other than knitted or crocheted, of wool, of cotton or of man-made fibres

⁽¹⁾ OJ No L 383, 30. 12. 1989, p. 45.

Order No	Category (unit)	CN code	Description
40.0260	26 (1 000 pieces)	6104 41 00 6104 42 00 6104 43 00 6104 44 00 6204 41 00 6204 42 00 6204 43 00 6204 44 00	Women's or girls' dresses, of wool, of cotton or man-made fibres
40.0390	39 (tonnes)	6302 51 10 6302 51 90 6302 53 90 ex 6302 59 00 6302 91 10 6302 91 90 6302 93 90 ex 6302 99 00	Table linen, toilet and kitchen linen, other than knitted or crocheted, other than of terry towelling or similar terry fabrics of cotton

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 August 1990.

For the Commission

Karel VAN MIERT

Member of the Commission

COMMISSION REGULATION (EEC) No 2544/90

of 31 August 1990

reintroducing the levying of customs duties applicable to products of CN codes 2937 21 00 and 2937 29 10 originating in China, to which the preferential arrangements of Council Regulation (EEC) No 3896/89 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3896/89 of 18 December 1989 applying generalized tariff preferences for 1990 in respect of certain industrial products originating in developing countries⁽¹⁾, and in particular Article 9 thereof,

Whereas, pursuant to Articles 1 and 6 of that Regulation, suspension of customs duties is accorded to each of the countries or territories listed in Annex III other than those listed in column 4 of Annex I, within the framework of the preferential tariff ceilings fixed in column 6 of Annex I; whereas Article 7 of that Regulation provides that the levying of customs duties on imports of the products in question originating in each of the countries and territories concerned may at any time be reintroduced as soon as the individual ceilings in question are reached at Community level;

Whereas, in the case of the products of CN codes 2937 21 00 and 2937 29 10 originating in China, the individual ceilings amounts to ECU 735 000; whereas that ceiling was reached on 10 May 1990, by charges of imports into the Community of the products in question originating in China;

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

HAS ADOPTED THIS REGULATION:

Article 1

As from 4 September 1990, the levying of customs duties, suspended pursuant to Council Regulation (EEC) No 3896/89, shall be reintroduced on imports into the Community of the following products, originating in China:

Order No	CN code	Description
10.0370	2937 21 00 2937 29 10	Cortisone, hydrocortisone, prednisone (dehydrocortisone) and prednisolone (dehydrohydrocortisone) Acetates of cortisone or hydrocortisone

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 August 1990.

For the Commission

Karel VAN MIERT

Member of the Commission

⁽¹⁾ OJ No L 383, 30. 12. 1989, p. 1.

COMMISSION REGULATION (EEC) No 2545/90**of 31 August 1990****adopting interim protective measures on applications for STM licences in the beef and veal sector submitted during the period 20 to 24 August 1990**

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

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

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

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

Whereas the licence applications lodged between 20 and 24 August 1990 have achieved that ceiling set for fresh and refrigerated meat; whereas as an interim protective measure only a percentage of the amounts applied for in

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

HAS ADOPTED THIS REGULATION:

Article 1

For fresh and refrigerated beef and veal:

1. applications for STM licences for the following products submitted between 20 and 24 August 1990 and notified to the Commission shall be accepted for 100 %;
2. the issuing of STM licences in response to applications submitted from 27 August 1990 onwards is suspended for the time being.

Article 2

This Regulation shall enter into force on 3 September 1990.

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

Done at Brussels, 31 August 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 382, 30. 12. 1989, p. 62.

COMMISSION REGULATION (EEC) No 2546/90

of 31 August 1990

introducing a countervailing charge on certain varieties of plum originating in Romania

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 second subparagraph of Article 27 (2) thereof,

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

Whereas Commission Regulation (EEC) No 1523/90 of 6 June 1990 fixing for the 1990 marketing year the reference prices for plums⁽³⁾ fixed the reference price for class I, group I at 69,39 ECU per 100 kilograms net for the month of August 1990;

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

Whereas, in accordance with Article 3 (1) of Commission Regulation (EEC) No 2118/74⁽⁴⁾, as last amended by Regulation (EEC) No 3811/85⁽⁵⁾, the prices to be taken

into consideration must be recorded on the representative markets or, in certain circumstances, on other markets;

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

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in Article 3 (1) last paragraph of Council Regulation (EEC) No 1676/85⁽⁶⁾, as last amended by Regulation (EEC) No 2205/90⁽⁷⁾,
- for the other currencies, an exchange rate based on an average of the ecu rates published in the 'C' series of the *Official Journal of the European Communities* over a period to be determined, multiplied by the factor referred to in the preceding indent,

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of ECU 8,88 per 100 kilograms net is applied to plums (CN codes 0809 40 11 and 0809 40 19), of the following varieties: Altesse simple (common quetsche, Hauszwetschge), Reine-Claude d'Oullins (Oullins Gage), Sveskeblommer, Ruth Gerstetter, Ontario, Wangenheimer (early Wangenheim quetsche), Pershore (Yellow Egg), Mirabelle and Bosniche, originating in Romania.

Article 2

This Regulation shall enter into force on 4 September 1990.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 119, 11. 5. 1990, p. 43.

⁽³⁾ OJ No L 144, 7. 6. 1990, p. 11.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 201, 31. 7. 1990, p. 9.

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

Done at Brussels, 31 August 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 2547/90

of 31 August 1990

fixing the import levies on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to the opinion of the Monetary Committee,

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

Whereas the import levy on white sugar and raw sugar must be equal to the threshold price less the cif price; whereas the threshold price for each of these products was fixed by Council Regulation (EEC) No 1313/90 ⁽³⁾ of 14 May 1990 fixing, for the 1990/91 marketing year, the derived intervention prices for white sugar, the intervention price for raw sugar, the minimum prices for A and B beet, the threshold prices, the amount of compensation for storage costs and the prices to be applied in Spain and Portugal;

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

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

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

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

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

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

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

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

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 114, 27. 4. 1989, p. 1.

⁽³⁾ OJ No L 132, 23. 5. 1990, p. 3.

⁽⁴⁾ OJ No L 161, 27. 6. 1990, p. 27.

⁽⁵⁾ OJ No L 89, 10. 4. 1968, p. 3.

⁽⁶⁾ OJ No L 94, 21. 4. 1972, p. 1.

⁽⁷⁾ OJ No L 145, 27. 6. 1968, p. 10.

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

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

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

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

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

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

the last subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽¹⁾, as last amended by Regulation (EEC) No 2205/90 ⁽²⁾,

- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

Whereas it follows from applying these provisions that the levies for white sugar and raw sugar should be as set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 September 1990.

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

Done at Brussels, 31 August 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 August 1990 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	36,80 ⁽¹⁾
1701 11 90	36,80 ⁽¹⁾
1701 12 10	36,80 ⁽¹⁾
1701 12 90	36,80 ⁽¹⁾
1701 91 00	42,29
1701 99 10	42,29
1701 99 90	42,29 ⁽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 2548/90

of 31 August 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 2485/90 ⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2485/90 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 Regulation (EEC) No 2485/90 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 September 1990.

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

Done at Brussels, 31 August 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 235, 30. 8. 1990, p. 9.

ANNEX

to the Commission Regulation of 31 August 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	33,19 ⁽¹⁾	
1701 11 90 910	31,56 ⁽¹⁾	
1701 11 90 950	⁽²⁾	
1701 12 90 100	33,19 ⁽¹⁾	
1701 12 90 910	31,56 ⁽¹⁾	
1701 12 90 950	⁽²⁾	
1701 91 00 000		0,3608
1701 99 10 100	36,08	
1701 99 10 910	36,08	
1701 99 10 950	36,08	
1701 99 90 100		0,3608

⁽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 2549/90

of 31 August 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 2205/90⁽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 2475/90⁽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:

— 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 the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

Whereas these exchange rates being those recorded on 30 August 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 2475/90 are hereby altered to the amounts set out in the Annex.

Article 2

This Regulation shall enter into force on 1 September 1990.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 134, 28. 5. 1990, p. 1.

⁽³⁾ OJ No L 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 201, 31. 7. 1990, p. 9.

⁽⁷⁾ OJ No L 234, 29. 8. 1990, p. 5.

⁽⁸⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁹⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽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 August 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 31 August 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)
1102 20 10	77,46	258,77	264,81
1102 20 90	43,49	146,64	149,66
1102 30 00	3,02	204,43	207,45
1102 90 30	63,06	225,52	231,56
1102 90 90	60,80	155,42	158,44
1103 12 00	63,06	225,52	231,56
1103 13 11	77,46	258,77	264,81
1103 13 19	77,46	258,77	264,81
1103 13 90	43,49	146,64	149,66
1103 14 00	3,02	204,43	207,45
1103 19 10	93,90	264,19	270,23
1103 19 90	60,80	155,42	158,44
1103 21 00	53,43	282,29	288,33
1103 29 10	93,90	264,19	270,23
1103 29 30	63,06	225,52	231,56
1103 29 40	77,46	258,77	264,81
1103 29 50	3,02	204,43	207,45
1103 29 90	60,80	155,42	158,44
1104 12 10	35,33	127,80	130,82
1104 12 90	69,40	250,58	256,62
1104 19 10	53,43	282,29	288,33
1104 19 30	93,90	264,19	270,23
1104 19 50	77,46	258,77	264,81
1104 19 91	6,04	347,15	353,19
1104 19 99	108,01	274,27	280,31
1104 22 10 10 (*)	35,33	127,80	130,82
1104 22 10 90 (*)	60,04	225,52	228,54
1104 22 30	60,04	225,52	228,54
1104 22 50	53,71	200,46	203,48
1104 22 90	35,33	127,80	130,82
1104 23 10	66,51	230,02	233,04
1104 23 30	66,51	230,02	233,04
1104 23 90	43,49	146,64	149,66
1104 29 11	38,04	208,58	211,60
1104 29 15	67,94	195,20	198,22
1104 29 19	93,66	243,79	246,81
1104 29 31	45,15	250,93	253,95

(ECU/tonne) ...

CN code	Import levies		
	Portugal	ACP or OCT	Third countries (other than ACP or OCT)
1104 29 35	81,12	234,83	237,85
1104 29 39	93,66	243,79	246,81
1104 29 91	29,88	159,97	162,99
1104 29 95	52,81	149,71	152,73
1104 29 99	60,80	155,42	158,44
1104 30 10	25,79	117,62	123,66
1104 30 90	35,80	107,82	113,86
1106 20 91	84,43	227,82 ^(*)	252,00
1106 20 99	84,43	227,82 ^(*)	252,00
1107 10 11	57,75	279,16	290,04
1107 10 19	45,90	208,58	219,46
1108 11 00	78,48	345,03	365,58
1108 12 00	84,43	231,45	252,00
1108 13 00	84,43	231,45	252,00 ^(*)
1108 14 00	84,43	115,72	252,00
1108 19 10	30,83	293,15	323,98
1108 19 90	84,43	115,72 ^(*)	252,00
1109 00 00	286,66	627,32	808,66
1702 30 51	180,05	301,90	398,62
1702 30 59	130,37	231,45	297,94
1702 30 91	180,05	301,90	398,62
1702 30 99	130,37	231,45	297,94
1702 40 90	130,37	231,45	297,94
1702 90 50	130,37	231,45	297,94
1702 90 75	184,02	316,27	412,99
1702 90 79	127,20	219,95	286,44
2106 90 55	130,37	231,45	297,94
2302 10 10	21,27	61,37	67,37
2302 10 90	38,72	131,50	137,50
2302 20 10	21,27	61,37	67,37
2302 20 90	38,72	131,50	137,50
2302 30 10	21,27	61,37	67,37
2302 30 90	38,72	131,50	137,50
2302 40 10	21,27	61,37	67,37
2302 40 90	38,72	131,50	137,50
2303 10 11	260,70	287,52	468,86

^(*) 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.

^(*) Taric code: clipped oats.

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

^(*) 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.