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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2563/90

of 5 September 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 4 September 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 6 September 1990.

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

Done at Brussels, 5 September 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 5 September 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	145,06 ⁽¹⁾ ⁽²⁾
0712 90 19	39,96	145,06 ⁽²⁾ ⁽³⁾
1001 10 10	20,60	189,03 ⁽¹⁾ ⁽²⁾
1001 10 90	20,60	189,03 ⁽¹⁾ ⁽²⁾
1001 90 91	26,85	163,85
1001 90 99	26,85	163,85
1002 00 00	51,60	145,20 ⁽⁴⁾
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	145,06 ⁽²⁾ ⁽³⁾
1005 90 00	39,96	145,06 ⁽²⁾ ⁽³⁾
1007 00 90	56,65	153,45 ⁽⁴⁾
1008 10 00	42,97	59,26
1008 20 00	42,97	101,28 ⁽⁴⁾
1008 30 00	42,97	11,98 ⁽²⁾
1008 90 10	(⁵)	(⁵)
1008 90 90	42,97	11,98
1101 00 00	50,93	242,73
1102 10 00	85,58	216,62
1103 11 10	45,06	306,13
1103 11 90	54,64	261,78

⁽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 2564/90

of 5 September 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 4 September 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 6 September 1990.

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

Done at Brussels, 5 September 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 5 September 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	2,60	2,60	4,20
0712 90 19	0	2,60	2,60	4,20
1001 10 10	0	0	0	0
1001 10 90	0	0	0	0
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	2,60	2,60	4,20
1005 90 00	0	2,60	2,60	4,20
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	29,99	29,99	29,99
1008 90 90	0	29,99	29,99	29,99
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 2565/90

of 5 September 1990

adopting for 1991 the measures to improve the quality of olive oil production

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

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 5 (5) thereof,

Whereas, pursuant to Article 5 (4) of Regulation No 136/66/EEC, a percentage of the production aid assigned to olive oil producers may be withheld for financing action at regional level to improve olive oil production quality; whereas, under Article 3 of Council Regulation (EEC) No 2211/88 of 19 July 1988 fixing the production target price, the production aid and the intervention price for olive oil for the 1988/89 marketing year⁽³⁾, 2 % of the production aid assigned to olive oil producers in the relevant Member States has been allocated for financing action in these countries to improve olive oil quality;

Whereas rules for the execution of the operations in question should be laid down; whereas the tasks that may be assigned to producers' organizations should also be defined;

Whereas the late fixing of the quantity of oil actually produced within the meaning of Article 5 (1) of Regulation No 136/66/EEC for the 1988/89 marketing year should not prevent the implementation of the programmes to improve the quality of olive oil production;

Whereas, for the sake of clarity and simplification, the duration of the programmes to improve the quality of olive oil production should be brought in line with the calendar year;

Whereas, for reasons of efficiency, treatments to control the olive fly (*Dacus oleae*) and, where appropriate, other harmful organisms should be applied as soon as initial attacks begin;

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

Article 1

1. This Regulation specifies the action to be taken during the period 1 January to 31 December 1991 to improve the quality of olive oil production.

2. Action shall be taken in the following areas:

- (a) control of the olive fly (*Dacus oleae*) and, where appropriate, other harmful organisms;
- (b) improvement of the treatment of olive trees, of the cropping, storage and processing of olives and of the storage of the oils produced.

3. However, action to prevent and control the olive fly (*Dacus oleae*) and, where appropriate, other harmful organisms that are carried out between 1 June and 31 December 1990 may also be financed from the resources defined in Article 2. In this event, Member States shall include such action in the programme to be sent to the Commission pursuant to Article 6.

Article 2

Expenditure on action as defined in this Regulation shall be financed by resources arising from the deduction made from the production aid pursuant to Article 3 (1) of Regulation (EEC) No 2211/88. The distribution of resources for the financing of action shall be based on the amount withheld in each Member State.

Article 3

On the basis of the resources available, each Member State shall draw up a programme covering part or all of the field of action indicated in Article 1.

Article 4

In the case of action as indicated at (a) in Article 1 (2) the programme shall comprise:

- (a) a list of the olive oil production zones in which action against the olive fly is to be considered a matter of priority in view of the likely impact of the programme on product quality and of the production volume involved;
- (b) where regional situations so dictate, a list of the olive oil production zones in which control of other harmful organisms is to be considered a matter of priority in view of the likely impact of a programme on product quality and of the production volume involved;

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

⁽²⁾ OJ No L 280, 29. 9. 1989, p. 2.

⁽³⁾ OJ No L 197, 26. 7. 1988, p. 3.

- (c) a plan for a monitoring, alert and assessment system in each priority production zone, comprising:
- means of measuring the population of olive fly or of other harmful organisms,
 - an alert and treatment prescription mechanism,
 - means of training and briefing producers,
 - means of assessing the alert mechanism and the effects of treatment;
- (d) a plan of execution for the treatment necessary in each production zone.

Article 5

In the case of action as indicated in point (b) of Article 1 (2) the programme shall comprise:

- a producer training course covering treatment of olive trees, the optimum cropping period and cropping and processing methods,
- a training course for mill managers and technical staff on olive storage and processing methods and on the quality and storage of the oils produced.

Article 6

1. Each Member State concerned shall transmit its action programme to the Commission by 31 October 1990 at the latest.

The programme shall comprise:

- (a) a detailed description of the action planned, giving durations and costs;
- (b) a list of all products and treatment equipment required, with unit costs;
- (c) a list of the centres, bodies or producers' organizations responsible for execution of the various actions.

2. If the Commission considers any change in the programme desirable it may request the Member State accordingly within 15 days of receipt of the programme.

3. The programme shall be adopted by the Member State by 30 November 1990 at the latest and transmitted immediately to the Commission.

The Member State shall be responsible for execution of the programme.

4. Expenditure arising from the programme, as adjusted in line with any requests made by the Commission, adopted by the Member State shall be

eligible under this Regulation. Expenditure on execution of treatments shall, however, be chargeable only to a maximum of 50 %.

Article 7

Treatments may be carried out by producer groups or associations thereof recognized under Article 20c of Regulation No 136/66/EEC.

When insecticides are used in anti-olive-fly treatments, protein traps must be used in conjunction. However, in special circumstances and under the direction of the bodies responsible for prescribing treatments, different procedures for insecticide use may be authorized. Insecticides and application methods must be such that no residue can be detected in oil produced from olives from treated zones.

Integrated biological pest control methods may also be used on a pilot basis.

Article 8

Payments in connection with contracts concluded by the Member State with the centres, bodies or organizations referred to in Article 6 (1) (c) shall be made on presentation of documentary proof of expenditure incurred and after the competent authorities have verified its regularity.

Advances of up to 30 % may be paid following the signing of the contract against the lodging of a security for an equivalent amount; however, the Member State may stand surety for the centres and bodies referred to in Article 6 (1) (c) with the status of public establishments.

Article 9

Member States shall monitor the application of their programmes in order to ensure that operations for which financing is granted are correctly executed. They shall inform the Commission of their planned control arrangements at the same time as they transmit the programme indicated at Article 4.

The Commission may also, if it deems advisable, request any adjustment of control arrangements.

Article 10

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

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

Done at Brussels, 5 September 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 2566/90

of 5 September 1990

on the sale at a price fixed in advance of unprocessed dried grapes (sultanas)
from the 1989 harvest held by Greek storage agencies

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 426/86 of
24 February 1986 on the common organization of the
market in products processed from fruit and vegetables ⁽¹⁾,
as last amended by Regulation (EEC) No 2201/90 ⁽²⁾, and
in particular Article 8 (7) thereof,

Having regard to Council Regulation (EEC) No 1206/90
of 7 May 1990 laying down general rules for the system of
production aid for processed fruit and vegetables ⁽³⁾, as
amended by Regulation (EEC) No 2202/90 ⁽⁴⁾, and in
particular Article 6 (2) thereof,

Whereas the Greek storage agencies have, pursuant to
Commission Regulation (EEC) No 626/85 of 12 March
1985 on the purchasing, selling and storage of unpro-
cessed dried grapes and figs by storage agencies ⁽⁵⁾, as last
amended by Regulation (EEC) No 862/90 ⁽⁶⁾, purchased
unprocessed dried grapes (sultanas) from the 1989
harvest; whereas in the light of the situation on the
market in dried grapes the dried grapes (sultanas) should
be offered for sale at prices fixed in advance for proces-
sing within the Community for consumption; whereas
the selling shall take place in accordance with the provi-
sions of Regulation (EEC) No 626/85;

Whereas when fixing the sale price it must be taken into
consideration that the products are no longer eligible for
production aid;

Whereas the processing security provided for in Article 6
(1) of Regulation (EEC) No 626/85 shall be fixed at such a
level that any abuse can be avoided;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The Greek storage agencies listed in Annex I shall
undertake the sale of unprocessed currants from the 1989
harvest, the qualities and prices of which are stated in
Annex II.

2. Applications to purchase shall be submitted in
writing to each storage agency in question at the head-
quarters of Idagep, 241 Acharnon Street, GR-Athens.

3. Information on the quantities and the places where
the products are stored may be obtained by those
concerned from the addresses given in Annex I.

Article 2

The processing security provided for in Article 6 (1) of
Regulation (EEC) No 626/85 shall be ECU 20 per 100
kilograms net.

Article 3

This Regulation shall enter into force 6 September 1990.

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

Done at Brussels, 5 September 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ OJ No L 201, 31. 7. 1990, p. 1.

⁽³⁾ OJ No L 119, 11. 5. 1990, p. 74.

⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 4.

⁽⁵⁾ OJ No L 72, 13. 3. 1985, p. 7.

⁽⁶⁾ OJ No L 90, 5. 4. 1990, p. 12.

*ANNEX I***List of storage agencies referred to in Article 1 of this Regulation****SULTANAS**

1. KSOS, 24 Kanari Street, Athens, Greece.
 2. Enosis Georgikon Sineterismon Iracliou Crete, Iraclio Crete, Greece.
 3. Enosis Georgikon Sineterismon Messaras, Mires Iracliou Crete, Greece.
 4. Enosis Georgikon Sineterismon Monofatsiou, Assimi Iracliou Crete, Greece.
 5. Enosis Agrotikon Sineterismon Pezon-Kallonis, Iracliou Critis, Greece.
 6. Enosis Agrotikon Sineterismon Sitias, Sitias Critis, Greece.
 7. Agroticos Sineterismos Crousos, Crousos Critis, Greece.
 8. Agroticos Eleourgicos, Oinopiiticos Sineterismos, Kasteli Pediados Critis, Greece.
 9. Oinopiiticos Eleourgicos Sineterismos, Ano Archan, Archanes Critis, Greece.
-

*ANNEX II***Qualities and prices of the dried grapes referred to in Article 1**

	(ECU/100 kg)
Sultana No 1	63,226
Sultana No 2	61,906
Sultana No 4	59,880
Sultana No 5	57,238

COMMISSION REGULATION (EEC) No 2567/90**of 5 September 1990****amending Commission Regulation (EEC) No 287/90 setting out some detailed rules for private storage aid for lamb in the period 1 January to 31 August 1990**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

*Article 1*Having regard to Council Regulation (EEC) No 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat⁽¹⁾, and in particular Article 7 (5) thereof;

The second indent of Article 10 of Regulation (EEC) No 287/90 is hereby replaced by the following:

'It shall apply to private storage opened during the period 1 January to 30 November 1990.'

Whereas, while waiting for a general revision of all provisions relative to private storage in different meat sectors, it is necessary to extend the validity of Commission Regulation (EEC) No 287/90⁽²⁾, as last amended by Regulation (EEC) No 1787/90⁽³⁾;*Article 2*

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

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

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

Done at Brussels, 5 September 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.⁽²⁾ OJ No L 31, 2. 2. 1990, p. 11.⁽³⁾ OJ No L 163, 29. 6. 1990, p. 55.

COMMISSION REGULATION (EEC) No 2568/90**of 5 September 1990****amending Regulation (EEC) No 1780/89 laying down detailed rules for the disposal of alcohol obtained from the distillation operations referred to in Articles 35, 36 and 39 of Council Regulation (EEC) No 822/87 and held by intervention agencies**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3877/88 of 12 December 1988 laying down general rules for the disposal of alcohol obtained from the distillation operations referred to in Articles 35, 36 and 39 of Regulation (EEC) No 822/87 and held by intervention agencies⁽¹⁾, and in particular Articles 2 and 3 thereof,

Whereas regular individual sales by tender should be held for export of the alcohol awarded to the countries of the Caribbean area for final use in the fuel sector only so as to give these countries greater continuity of supply; whereas experience shows that this outlet is most unlikely to disrupt the market and constitutes a major market gap;

Whereas the volume of the lots put up for sale by tender for export to the Caribbean countries should be linked to normal sea transport capacity, thereby reducing the cost to the traders concerned of providing performance guarantees; whereas the time limits laid down for the removal of the alcohol awarded should be adjusted accordingly;

Whereas certain of the conditions governing special sales by tender for the use of vinous alcohol in the fuel sector within the Community should be amended so as to give tenderers certain assurances as regards supplies and to take account of the cost of the investments that need to be made in processing plants for that particular use without, however, completely preventing the physical movement of the quantity of alcohol put up for sale;

Whereas it should be laid down that special invitations to tender may relate to several lots of alcohol where large quantities are set aside for this type of tendering procedure, in view of the obligation for the alcohol in the vats in question to undergo no further physical movement until a removal order has been issued in respect thereof;

Whereas, in the case of special sales by tender, a lower performance guarantee, the purpose of which is to ensure that the alcohol awarded is put to the intended use, should be required than for other types of tendering procedure given the possibility for supervising and checking the use of the alcohol concerned within the Community; whereas the said performance guarantee

may even be replaced by inspection by an international surveillance firm until the alcohol in question has been put to its final use;

Whereas the successful tenderer should be obliged to lodge a 'removal guarantee' in respect of each lot in a special sale to ensure that the alcohol is physically removed within the time limits laid down so as to reduce the financial costs associated with the storage of certain alcohols; whereas the timetable for the physical removal of the alcohol awarded should be revised accordingly;

Whereas certain of the uses to which the alcohol sold by individual or special sales by tender is to be put require that the alcohol be first rectified or dehydrated; whereas these operations produce foul-tasting alcohol unsuitable for the uses initially intended for these tendering procedures; whereas, therefore, the conditions governing the release of performance guarantees should be amended;

Whereas in the event of a special sale by tender for use in the fuel sector which will require physical removal and processing over a period of several years, the price agreed for the first lot should be adjusted by a coefficient which takes account of a margin within which there is to be no change to the said price, so as to match the price trend of other raw materials used in the said sector;

Whereas Commission Regulation (EEC) No 1780/89⁽²⁾, as last amended by Regulation (EEC) No 141/90⁽³⁾, must therefore be amended;

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 1780/89 is hereby amended as follows:

1. The following Article 11a is inserted:

'Article 11a

Several individual invitations to tender may be issued during each four-month period, each relating to quantities of not less than 50 000 hectolitres and

⁽¹⁾ OJ No L 346, 15. 12. 1988, p. 7.

⁽²⁾ OJ No L 178, 24. 6. 1989, p. 1.

⁽³⁾ OJ No L 16, 20. 1. 1990, p. 23.

taken together relating to not more than 600 000 hectolitres, expressed in hectolitres of alcohol at 100% vol, for the export of vinous alcohol to certain third countries for final use in the fuel sector only.'

2. The following is added to the first subparagraph of Article 17 (2):

'However, this time limit may not be less than two months.'

3. Article 18 (2) is replaced by the following:

'2. Each notice issuing a special invitation to tender shall relate to several lots which shall be covered by one removal order. Tenders shall be invited for the price of the first lot, the price of the other lots being determined in accordance with Article 27.'

4. In Article 19, '600 000 hectolitres' is replaced by '300 000 hectolitres'.

5. In the second subparagraph of Article 20:

- (a) the third indent is replaced by the following:

'— the level of the tendering security referred to in Article 22 (2) and the performance and removal guarantees referred to in the second indent of Article 24 (2) and in Article 26 (2).'

- (b) the fifth indent is replaced by the following:

'— the time limit for removal as referred to in Articles 25 (2) and 26 (3) and (4).'

6. The second indent of Article 24 (2) is replaced by the following:

— provide, at the same time, proof of the lodging with each of the intervention agencies concerned of:

— a performance guarantee to ensure that the total quantity of alcohol for which a contract is awarded is in fact used for the purposes specified in the notice of invitation to tender, unless the Commission has decided, in its discretion and in accordance with the procedure laid down in Article 83 of Regulation (EEC) No 822/87, to replace such guarantee by the obligation for the successful tenderer to submit to an inspection by an international surveillance firm in accordance with Article 37. In this event, should the surveillance firm be prevented by the successful tenderer from

carrying out the required inspection, the intervention agencies concerned shall stay the issue of the removal orders referred to in Article 28,

— a removal guarantee to ensure that the alcohol constituting the first lot is removed within the time limit laid down in Article 25.'

7. In the first subparagraph of Article 25 (2), '75 000 hectolitres' is replaced by '54 000 hectolitres'.

8. Article 26 is replaced by the following:

Article 26

1. The removal of the alcohol constituting the second lot must not begin until all of the alcohol constituting the first lot has been physically removed from the stores of the intervention agencies concerned.

For this purpose:

— each intervention agency concerned shall notify the Commission as soon as the part of the first lot which concerns it has been fully removed from its stores,

— the Commission, having received all the notifications referred to in the preceding indent, shall immediately advise the intervention agencies concerned and the successful tenderer that removal of the second lot may commence at a date specified in the advice on condition that the guarantee referred to in paragraph 2 has been lodged.

2. Before the second lot is removed, the successful tenderer shall provide proof that the removal guarantee has been lodged with the intervention agency concerned to ensure that the alcohol constituting the second lot is removed within the time limit laid down in paragraph 3.

3. The alcohol constituting the second lot must have been physically removed from the stores of the intervention agencies concerned within a time limit set by reference to the intervention agencies concerned within a time limit set by reference to the quantity of alcohol in that lot, on the basis of one month per full instalment of 54 000 hectolitres of alcohol at 100% vol.

The time limit shall be calculated as from the first day of the month following the date specified in the advice referred to in the second indent of the second subparagraph of paragraph 1.

4. Where a special invitation to tender relates to more than two lots, the rules laid down in paragraphs 1, 2 and 3 shall apply, *mutatis mutandis*, to the removal and the lodging of the removal guarantee for the lots following the first two.'

9. Article 27 is replaced by the following:

'Article 27

The price per hectolitre of alcohol at 100% vol for each lot other than the first shall be the price agreed for the first lot, as adjusted by a coefficient and taking account of a margin within which application of the said coefficient shall result in no change to the price agreed for the first lot.

The coefficient and the margin shall be specified in the notice of invitation to tender.'

10. In Article 28:

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

'Each removal order shall cover a quantity of at least 5 000 hectolitres except in the case of the last removal of each lot in each Member State.'

(b) paragraph 4 is replaced by the following:

'4. Utilization of the alcohol in all the lots must be completed within one year from the date of the last removal of the last lot.'

11. The following paragraph 5 is added to Article 29:

'5. Where a special invitation to tender concerns more than two lots, only the first lot or the first two lots, up to a quantity of one million hectolitres of alcohol at 100% vol, shall be given a description in the notice of invitation in accordance with paragraph 4.

For the subsequent lot or lots the description laid down in paragraph 4 shall be published in the *Official Journal of the European Communities* at least three months before the deadline for the total physical removal from the stores of the intervention agencies of the last lot described.'

12. In Article 30:

(a) paragraph 1 (a) is replaced by the following:

'(a) the reference number of the notice of invitation to tender;'

(b) paragraph 1 (c) is replaced by the following:

'(c) in the case of a partial invitation to tender only, the identification of the vat or vats covered by the tender and referred to in the notice of invitation to tender;'

(c) paragraph 2 (b) is replaced by the following:

'(b) they relate to the entire lot concerned, except in the case of a special invitation to tender where they must relate to all the lots.'

13. Article 33 is replaced by the following:

'Article 33

For the application of this Regulation:

1. (a) As regards the tendering security, the primary requirements within the meaning of Article 20 of Regulation (EEC) No 2220/85 shall be that tenders must not be withdrawn after the expiry of the time limit for their submission, that a performance guarantee must be lodged where necessary and, in the case of special invitations to tender, that a removal guarantee for the first lot must be lodged.

(b) — As regards the performance guarantee, in relation to invitations to tender as referred to in Titles I and II, the primary requirements within the meaning of Article 20 of Regulation (EEC) No 2220/85 shall be that the alcohol removed must in fact be used for the purposes specified in the relevant invitation to tender and that the entire quantity of alcohol must be physically removed from the stores of each of the intervention agencies concerned before the deadline.

— In relation to invitations to tender as referred to in Title III,

— as regards the performance guarantee, the primary requirement within the meaning of Article 20 of Regulation (EEC) No 2220/85 shall be that the alcohol removed must in fact be used for the purposes specified in the relevant invitation to tender,

— as regards the removal guarantee, the primary requirement within the meaning of Article 20 of Regulation (EEC) No 2220/85 shall be that the entire quantity of alcohol in the lot concerned must be physically removed from the stores of each of the intervention agencies concerned before the deadline.

2. The alcohol removed shall be deemed to have been used entirely for the specified purposes if, where utilization is accompanied by:

(a) prior rectification,

— at least 90% of the total quantities of alcohol removed under a partial invitation to tender are used for the specified purposes,

— at least 95% of the total quantities of raw alcohol removed under an individual invitation to tender are used for the specified purposes and proof is provided by the successful tenderer that this operation took place in Community territory. In that case the successful tenderer shall inform the Commission of the destination and final use or the by-products;

- (b) prior dehydration, at least 99% of the total quantities of alcohol removed are used for the specified purposes.
3. (a) The tendering security shall be released immediately if the tender has not been accepted or if the successful tenderer has met the conditions laid down in paragraph 1 (a).
- (b) The performance guarantee shall be released immediately by each of the intervention agencies holding the alcohol once the successful tenderer provides each of those intervention agencies, in respect of the quantity removed in question, with the proof required to that end by Title V of Regulation (EEC) No 2220/85.
- (c) The removal guarantee shall be released immediately by each of the intervention agencies holding the alcohol on the date specified in the advice referred to in the second indent of the second subparagraph of Article 26 (1) and in Article 26 (4).
14. In Article 34 :
- (a) the third indent is replaced by the following :
- performance guarantees as referred to in the second indent of Article 8 (2), the second indent of Article 16 (2) and the second indent of Article 24 (2), expressed in ecus per hectolitre of alcohol at 100% vol,';
- (b) the following is added as the fourth indent :
- removal guarantees as referred to in the second indent of Article 24 (2) and in Article 26 (2), expressed in ecus per hectolitres of alcohol at 100% vol,'.
15. The phrase preceding the indents in the first subparagraph of Article 35 (2) is replaced by the following :
- '2. For the purposes of drawing up the notices issuing individual or special invitations to tender and the description of lots as provided for in the second subparagraph of Article 29 (5), the Commission shall send to the Member States concerned a request for information, specifying for each Member State :'
- 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, 5 September 1990.

For the Commission
Ray MAC SHARRY
Member of the Commission

COMMISSION REGULATION (EEC) No 2569/90**of 5 September 1990****amending Regulation (EEC) No 19/82 laying down detailed rules for applying Council Regulation (EEC) No 2641/80 with regard to imports of sheepmeat and goatmeat products originating in certain non-member countries**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat⁽¹⁾, and in particular Article 15 (2) thereof,

Having regard to Council Regulation (EEC) No 2641/80 of 14 October 1980 derogating from certain import rules laid down in Regulation (EEC) No 1837/80 on the common organization of the market in sheepmeat and goatmeat⁽²⁾, as amended by Regulation (EEC) No 3939/87⁽³⁾, and in particular Article 1 (2) thereof,

Whereas Commission Regulation (EEC) No 19/82 of 6 January 1982 laying down detailed rules for applying Regulation (EEC) No 2641/80 with regard to imports of sheepmeat and goatmeat products originating in certain non-member countries⁽⁴⁾, as amended by Regulation (EEC) No 1868/90⁽⁵⁾, relates in particular to licences issued in the framework of voluntary-restraint agreements and Annex III thereof contains a list of authorities in third countries empowered to issue export licences;

Whereas the People's Republic of Bulgaria has changed the authority empowered to issue export licences;

Whereas Annex III to Regulation (EEC) No 19/82 should accordingly be modified by details of the authority of the People's Republic of Bulgaria now empowered to issue export licences;

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

HAS ADOPTED THIS REGULATION:

Article 1

In point IV of Annex III to Regulation (EEC) No 19/82: 'Bodopaimoex' is replaced by 'Ministry of Foreign Economic Relations'.

Article 2

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

It shall apply with effect from 1 September 1990.

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

Done at Brussels, 5 September 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 275, 18. 10. 1980, p. 2.

⁽³⁾ OJ No L 373, 31. 12. 1987, p. 1.

⁽⁴⁾ OJ No L 3, 7. 1. 1982, p. 18.

⁽⁵⁾ OJ No L 170, 3. 7. 1990, p. 39.

COMMISSION REGULATION (EEC) No 2570/90
of 5 September 1990
amending Regulation (EEC) No 1727/70 on intervention procedure for raw tobacco

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

Having regard to Council Regulation (EEC) No 727/70 of 21 April 1970 on the common organization of the market in raw tobacco ⁽¹⁾, as last amended Regulation (EEC) No 1329/90 ⁽²⁾, and in particular Articles 5 (6) and 6 (10) thereof,

Whereas Commission Regulation (EEC) No 1727/70 ⁽³⁾, as last amended by Regulation (EEC) No 201/88 ⁽⁴⁾, lays down detailed rules on intervention for raw tobacco;

Whereas experience gained in the application of Regulation (EEC) No 1727/70 makes it necessary to improve the procedures to be followed for the buying-in of tobacco; whereas the quality of batches offered for intervention should in particular be improved; whereas, in this connection, certain batches offered for intervention should be rejected if the weight of tobacco not meeting the minimum quality requirements exceeds a given percentage;

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

HAS ADOPTED THIS REGULATION:

Article 1

The following paragraph is hereby added to Article 6 of Regulation (EEC) No 1727/70:

'3. If the weight of the tobacco not meeting the minimum characteristics and the foreign matter contained exceed 10 % taken together, the whole batch must be rejected.'

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, 5 September 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 1.
⁽²⁾ OJ No L 132, 23. 5. 1990, p. 25.
⁽³⁾ OJ No L 191, 27. 8. 1970, p. 5.
⁽⁴⁾ OJ No L 20, 26. 1. 1988, p. 16.

COMMISSION REGULATION (EEC) No 2571/90**of 5 September 1990****amending Regulation (EEC) No 2167/83 laying down detailed rules for the supply of milk and certain milk products to schoolchildren**

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 26 (4) thereof,

Whereas, following the change in the target price for the 1990/91 milk year, the amounts of the aid provided for in Article 4 (1) of Commission Regulation (EEC) No 2167/83⁽³⁾ were amended by Regulation (EEC) No 1548/90⁽⁴⁾; whereas it has become apparent that the amounts set for semi-skimmed milk and for butter-milk were based on incomplete information; whereas, therefore, the said amounts should be corrected;

Whereas Article 4 (3) of Regulation (EEC) No 2167/83 lays down that, in the event of adjustments being made to the amount of aid expressed in ecus or in national currency, the amount of such aid for quantities sold at reduced prices during the current month is to be the amount applicable on the first day of that month; whereas Article 7 (3) of the said Regulation lays down that applications for aid must be submitted not later than the last day of the fourth month following the month or school term in which the product was supplied; whereas, so as to simplify the administrative procedures for those Member States that have opted for submission of aid applications each school term, the amount of the aid for the quantities sold should be that in force on the first day of the term in which the product was supplied; whereas to facilitate the administrative application of this new

provision, it should be made applicable as from the beginning of the 1990/91 school year;

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

Article 4 of Regulation (EEC) No 2167/83 is hereby amended as follows:

1. In paragraph 1, points (b) and (c) are replaced by the following:

(b) ECU 21,15 per 100 kilograms for category II "semi-skimmed milk" products;

(c) ECU 10,49 per 100 kilograms for category III "butter-milk" products.

2. The following is added to paragraph 3:

'However, where the application for payment of the aid referred to in Article 7 (3) is submitted after the school term, the amount of the aid shall be that applicable on the first day of the term'

Article 2

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

It shall apply with effect from:

- 9 June 1990 in respect of point 1 of Article 1,
- the beginning of the 1990/91 school year in respect of point 2 of Article 1.

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

Done at Brussels, 5 September 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 378, 27. 12. 1989, p. 1.

⁽³⁾ OJ No L 206, 30. 7. 1983, p. 75.

⁽⁴⁾ OJ No L 146, 9. 6. 1990, p. 9.

COMMISSION REGULATION (EEC) No 2572/90**of 5 September 1990****setting the amount of the payment on account of the cost of disposal of certain
distillation products**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EEC) No 1325/90 ⁽²⁾, and in particular Article 37 (2) thereof,

Whereas, as regards alcohol from distillation as referred to in Articles 35 and 36 of Regulation (EEC) No 822/87, the European Agricultural Guidance and Guarantee Fund (EAGGF) is to bear only the costs arising from its disposal; whereas the amount of the payment on account of the cost of disposal of the products must be fixed having regard to depreciation in way similar to that by which alcohol from distillation as referred to in Article 39 of that Regulation is depreciated;

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

Article 1

The amount of the payment on account of the cost of disposal of the products of distillation under Articles 35 and 36 of Regulation (EEC) No 822/87 shall be determined by application of a coefficient to the value of purchases made by intervention agencies.

For the 1991 financial year this coefficient shall be 0,7.

Article 2

The expenditure amounts determined in this way shall be notified to the Commission under the declaration established pursuant to Regulation (EEC) No 2776/88 of the Commission ⁽³⁾.

Article 3

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

It shall be applicable from 1 October 1990.

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

Done at Brussels, 5 September 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 132, 23. 5. 1990, p. 19.

⁽³⁾ OJ No L 249, 8. 9. 1988, p. 9.

COMMISSION REGULATION (EEC) No 2573/90

of 5 September 1990

totally suspending certain customs duties applicable by the Community of Ten
to imports from Spain and Portugal

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 Articles 75 (4) and 243 (4)
thereof,Whereas the Act of Accession makes provision for the
possible total suspension of customs duties on agricultural
products between which are the subject of trade between
Spain and Portugal and the Community of Ten ;Whereas the provisions of the Act of Accession include
the gradual abolition during the transitional period of
customs duties on products listed in Annex II to the
Treaty ; whereas this gradual abolition eventually reduces
duties to a level at which it is not worthwhile to collect
them and whereas collection by the Community of Ten
should therefore be totally suspended as soon their level
falls to 2 % or less ;Whereas the provisions of this Regulation are in accor-
dance with the opinion of the relevant Management
Committees,

HAS ADOPTED THIS REGULATION :

Article 1

1. The collection of customs duties on products
imported from Spain or Portugal and listed in Annex II
to the Treaty, except those covered by Council Regulation
(EEC) No 3796/81 of 29 December 1981 on the common
organization of the market in fishery products ⁽¹⁾, shall be
totally suspended by the Community of Ten when the
duties reach a level of 2 % or less.

2. Paragraph 1 shall apply *mutatis mutandis* to
specific customs duties which do not exceed 2 % *ad*
valorem.

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, 5 September 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 379, 31. 12. 1981, p. 1.

COMMISSION REGULATION (EEC) No 2574/90
of 5 September 1990

**fixing for the 1990/91 marketing year the reference price for mandarins,
including tangerines and satsumas, wilkings and other similar citrus hybrids,
with the exception of clementines**

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 Article 27 (1) thereof,

Whereas Article 23 (1) of Regulation (EEC) No 1035/72 provides that reference prices for the whole Community are to be fixed each year before the beginning of the marketing year;

Whereas the importance of mandarin production in the Community is such that a reference price must be fixed for that product, such price to be operative also for tangerines, satsumas, wilkings and other similar citrus hybrids, with the exception of clementines;

Whereas the period during which mandarins harvested during a given crop year are marketed extends from October to 15 May of the following year; whereas the quantity put on the market during October and from 1 March to 15 May of the following year represents only a small percentage of that marketed over the whole marketing year; whereas the reference price should therefore be fixed only for the period running from 1 November to the last day of February of the following year;

Whereas Article 23 (2) (b) of Regulation (EEC) No 1035/72 stipulates that reference prices are to be fixed at the same level as for the preceding marketing year, adjusted, after deducting the standard cost of transporting Community products between production areas and Community consumption centres in the preceding year, by:

— the increase in production costs for fruit and vegetables, less productivity growth, and

— the standard rate of transport costs in the current marketing year;

Whereas the resulting figure may nevertheless not exceed the arithmetic mean of producer prices in each Member State with regard to Article 23 (2) plus transport costs for the current year, after this amount has been increased by the rise in production costs less productivity growth; whereas the reference price may, however, not be lower than in the preceding marketing year;

Whereas producer prices are to correspond to the average of the prices recorded on the representative market or markets situated in the production areas where prices are lowest, during the three years prior to the date on which the reference price is fixed, for a home-grown product with defined commercial characteristics, being a product or variety representing a substantial proportion of the production marketed over the year or over part thereof and satisfying specified requirements as regards market preparation; whereas, when the average of prices recorded on each representative market is being calculated, prices which could be considered excessively high or excessively low in relation to normal price fluctuations on that market are to be disregarded;

Whereas Commission Regulation (EEC) No 784/90 of 29 March 1990 fixing the reducing coefficient for agricultural prices in the 1990/91 marketing year as a result of the monetary realignment of 5 January 1990 and amending the prices and amounts fixed in ecus for that marketing year⁽³⁾ establishes the list of prices and amounts to which the coefficient 1,001712 is applied in the framework of the arrangements on the automatic dismantlement of negative monetary gaps; whereas the prices and amounts fixed in ecus by the Commission for the 1990/91 marketing year must take account of the resulting reduction; whereas this reducing coefficient shall apply to the prices referred to above; however, this adjustment cannot result in a lower level of the reference prices than the prices in force during the preceding marketing year pursuant to Article 23 (2) of Regulation (EEC) No 1035/72; whereas this adjustment shall enter into force on the day of entry into force of Council Regulation (EEC) No 1179/90⁽⁴⁾ fixing the agricultural conversion rates;

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.
⁽²⁾ OJ No L 119, 11. 5. 1990, p. 43.

⁽³⁾ OJ No L 83, 30. 3. 1990, p. 102.
⁽⁴⁾ OJ No L 119, 11. 5. 1990, p. 1.

Whereas, in accordance with Article 284 of the Act of Accession, Portuguese prices shall be used for the purpose of calculating reference prices as from 1 January 1991;

Whereas, in accordance with Article 272 (3) of the Act of Accession, the prices of Portuguese products will not be used for the purpose of calculating reference prices, during the first stage of accession;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1990/91 marketing year, the reference price for fresh mandarins including tangerines and satsumas,

wilkings and other similar citrus hybride, with the exception of clementines (CN codes 0805 20 30, 50, 70, 90), expressed in ecus per 100 kilograms net of packed products quality class I, of all sizes, shall be:

from 1 November to 28 February: 27,64.

Article 2

This Regulation shall enter into force on 1 November 1990.

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

Done at Brussels, 5 September 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 2575/90

of 5 September 1990

opening a special sale by tender of vinous alcohol held by intervention agencies,
for use as motor fuel within the Community

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EEC) No 1325/90 ⁽²⁾,Having regard to Council Regulation (EEC) No 3877/88 of 12 December 1988 laying down general rules for the disposal of alcohol obtained from the distillation operations referred to in Articles 35, 36 and 39 of Regulation (EEC) No 822/87 and held by intervention agencies ⁽³⁾, and in particular Article 1 (1) thereof,Whereas Commission Regulation (EEC) No 1780/89 ⁽⁴⁾, as last amended by Regulation (EEC) No 2568/90 ⁽⁵⁾, laid down detailed rules for the disposal of alcohol obtained from the distillation operations referred to in Articles 35, 36 and 39 of Regulation (EEC) No 822/87 and held by intervention agencies;

Whereas, in view of the cost of storing alcohol, a special sale by tender should be opened for vinous alcohol obtained from the distillation operations referred to in Articles 35, 36 and 39 of Regulation (EEC) No 822/87 and held by the Spanish, French and Italian intervention agencies;

Whereas a special sale by tender should be held for the use of alcohol as motor fuel within the Community;

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

HAS ADOPTED THIS REGULATION:

Article 1

A special sale by tender No 5/90 EC shall be held of a total quantity of 3 200 000 hectolitres of alcohol expressed in terms of hectolitres of alcohol at 100 % vol and consisting of five lots. The alcohol was obtained by the distillation operations referred to in Articles 35, 36 and 39 of Regulation (EEC) No 822/87 and is held by the

Spanish, French and Italian intervention agencies. Each lot in this special sale shall be of a quantity of 640 000 hectolitres of alcohol at 100 % vol.

The alcohol offered for sale must be used as motor fuel within the Community. All proceeding of the alcohol for this purpose must take place within the Community.

Article 2

The location and reference numbers of the vats in the lots, the volume of alcohol contained in each vat, the alcoholic strength, the characteristics of the alcohol and the intervention measure under which it was produced, in the form of a reference to the relevant Article of Regulation (EEC) No 822/87, are all specified in the sale notice in accordance with Article 29 (5) of Regulation (EEC) No 1780/89.

Article 3

The sale shall take place in accordance with the provisions of Regulation (EEC) No 1780/89, and in particular Articles 18 to 38 thereof.

Article 4

The specific conditions relating to the special sale No 5/90 EC and the names and addresses of the intervention agencies concerned shall be given in the sale notice published in the 'C' series of the *Official Journal of the European Communities*.

Article 5

The deadline for the submission of tenders at the address given in the sale notice shall be 12 noon (Brussels time) on 25 September 1990.

Article 6

The performance guarantee laid down in Article 24 (2) of Regulation (EEC) No 1780/89 shall be replaced by an obligation for the successful tenderer to submit to checks by an international surveillance firm in accordance with Article 37 of Regulation (EEC) No 1780/89 until all the alcohol awarded has been used.

Article 7

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

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 132, 23. 5. 1990, p. 19.

⁽³⁾ OJ No L 346, 15. 12. 1988, p. 7.

⁽⁴⁾ OJ No L 178, 24. 6. 1989, p. 1.

⁽⁵⁾ See page 11 of this Official Journal.

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

Done at Brussels, 5 September 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 2576/90**of 5 September 1990****opening a special sale by tender of vinous alcohol held by intervention agencies,
for use as motor fuel within the Community**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 3877/88 of 12 December 1988 laying down general rules for the disposal of alcohol obtained from the distillation operations referred to in Articles 35, 36 and 39 of Regulation (EEC) No 822/87 and held by intervention agencies ⁽³⁾, and in particular Article 1 (1) thereof,

Whereas Commission Regulation (EEC) No 1780/89 ⁽⁴⁾, as last amended by Regulation (EEC) No 2568/90 ⁽⁵⁾, laid down detailed rules for the disposal of alcohol obtained from the distillation operations referred to in Articles 35, 36 and 39 of Regulation (EEC) No 822/87 and held by intervention agencies;

Whereas, in view of the cost of storing alcohol, a special sale by tender should be opened for vinous alcohol obtained from the distillation operations referred to in Articles 35, 36 and 39 of Regulation (EEC) No 822/87 and held by the French and Italian intervention agencies;

Whereas a special sale by tender should be held for the use of alcohol as motor fuel within the Community;

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

HAS ADOPTED THIS REGULATION:

Article 1

A special sale by tender No 6/90 EC shall be held of a total quantity of 1 600 000 hectolitres of alcohol expressed in terms of hectolitres of alcohol at 100 % vol and consisting of five lots. The alcohol was obtained by the distillation operations referred to in Articles 35, 36 and 39 of Regulation (EEC) No 822/87 and is held by the

French and Italian intervention agencies. Each lot in this special sale shall be of a quantity of 320 000 hectolitres of alcohol at 100 % vol.

The alcohol offered for sale must be used as motor fuel within the Community. All proceeding of the alcohol for this purpose must take place within the Community.

Article 2

The location and reference numbers of the vats in the lots, the volume of alcohol contained in each vat, the alcoholic strength, the characteristics of the alcohol and the intervention measure under which it was produced, in the form of a reference to the relevant Article of Regulation (EEC) No 822/87, are all specified in the sale notice in accordance with Article 29 (5) of Regulation (EEC) No 1780/89.

Article 3

The sale shall take place in accordance with the provisions of Regulation (EEC) No 1780/89, and in particular Articles 18 to 38 thereof.

Article 4

The specific conditions relating to the special sale No 6/90 EC and the names and addresses of the intervention agencies concerned shall be given in the sale notice published in the 'C' series of the *Official Journal of the European Communities*.

Article 5

The deadline for the submission of tenders at the address given in the sale notice shall be 12 noon (Brussels time) on 25 September 1990.

Article 6

The performance guarantee laid down in Article 24 (2) of Regulation (EEC) No 1780/89 shall be replaced by an obligation for the successful tenderer to submit to checks by an international surveillance firm in accordance with Article 37 of Regulation (EEC) No 1780/89 until all the alcohol awarded has been used.

Article 7

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

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 132, 23. 5. 1990, p. 19.

⁽³⁾ OJ No L 346, 15. 12. 1988, p. 7.

⁽⁴⁾ OJ No L 178, 24. 6. 1989, p. 1.

⁽⁵⁾ See page 11 of this Official Journal.

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

Done at Brussels, 5 September 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

**COMMISSION REGULATION (EEC) No 2577/90
of 5 September 1990**

**fixing the maximum export refund for white sugar for the 19th partial invitation
to tender issued within the framework of the standing invitation to tender
provided for in Regulation (EEC) No 983/90**

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

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

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

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

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

Whereas, following an examination of the tenders
submitted in response to the 19th partial invitation to
tender, the provisions set out in Article 1 should be
adopted;

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. For the 19th partial invitation to tender for white
sugar issued pursuant to Regulation (EEC) No 983/90 the
maximum amount of the export refund is fixed at ECU
39,079 per 100 kilograms.

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

Article 2

This Regulation shall enter into force on 6 September
1990.

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

Done at Brussels, 5 September 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 114, 27. 4. 1989, p. 1.

⁽³⁾ OJ No L 100, 20. 4. 1990, p. 9.

COMMISSION REGULATION (EEC) No 2578/90
of 5 September 1990
fixing the import levies on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 2547/90 ⁽³⁾, as last amended by Regulation (EEC) No 2560/90 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2547/90 to the information known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 6 September 1990.

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

Done at Brussels, 5 September 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 237, 1. 9. 1990, p. 102.

⁽⁴⁾ OJ No L 242, 5. 9. 1990, p. 7.

ANNEX

to the Commission Regulation of 5 September 1990 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	36,89 ⁽¹⁾
1701 11 90	36,89 ⁽¹⁾
1701 12 10	36,89 ⁽¹⁾
1701 12 90	36,89 ⁽¹⁾
1701 91 00	42,71
1701 99 10	42,71
1701 99 90	42,71 ⁽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 2579/90

of 5 September 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⁾, as amended by Regulation (EEC) No 2548/90⁽⁴⁾;

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 amended 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 6 September 1990.

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

Done at Brussels, 5 September 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.

⁽⁴⁾ OJ No L 237, 1. 9. 1990, p. 105.

ANNEX

to the Commission Regulation of 5 September 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	33,18 ⁽¹⁾	
1701 11 90 950	⁽²⁾	
1701 12 90 100	33,19 ⁽¹⁾	
1701 12 90 910	33,18 ⁽¹⁾	
1701 12 90 950	⁽²⁾	
1701 91 00 000		0,3608
1701 99 10 100	36,08	
1701 99 10 910	36,23	
1701 99 10 950	36,23	
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 2580/90**of 5 September 1990****fixing for Great Britain the level of the variable slaughter premium for sheep
and the amounts to be charged on products leaving region 1**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat⁽¹⁾,

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

Whereas the United Kingdom is the only country which grants the variable slaughter premium, in region 5, within the meaning of Article 22 (2) of Regulation (EEC) No 3013/89 whereas it is necessary therefore for the Commission to fix, for the week beginning 13 August 1990, the level of the premium and the amount to be charged on products leaving that region;

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

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

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

Whereas, pursuant to the provisions of Article 24 (2) and (3) of Regulation (EEC) No 3013/89, for the week beginning 13 August 1990, the variable slaughter premium for

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For sheep or sheepmeat certified as eligible in the United Kingdom in region 1, within the meaning of Article 22 (2) of Regulation (EEC) No 3013/89, for the variable slaughter premium during the week beginning 13 August 1990, the level of the premium is fixed at ECU 73,580 per 100 kilograms of estimated or actual dressed carcass weight within the limits laid down by Article 1 (1) (b) of Regulation (EEC) No 1633/84.

Article 2

For products referred to in Article 1 (a) and (c) of Regulation (EEC) No 3013/89 which left the territory of region 1 during the week beginning 13 August 1990, the amounts to be charged shall be equivalent to those fixed in the Annexes hereto.

Article 3

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

It shall apply with effect from 13 August 1990.

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 154, 9. 6. 1984, p. 27.

⁽³⁾ OJ No L 114, 27. 4. 1989, p. 13.

⁽⁴⁾ OJ No L 351, 2. 12. 1989, p. 18.

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

Done at Brussels, 5 September 1990.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX

to the Commission Regulation of 5 September 1990 fixing for Great Britain the level of the variable slaughter premium for sheep and the amounts to be charged on products leaving region 1

(ECU/100 kg)

CN code	Amounts	
	A. Products qualifying for the premium specified in Article 24 of Regulation (EEC) No 3013/89	B. Products specified in Article 4 (4) of Regulation (EEC) No 1633/84 ⁽¹⁾
	Live weight	Live weight
0104 10 90	34,583	0
0104 20 90		0
	Net weight	Net weight
0204 10 00	73,580	0
0204 21 00	73,580	0
0204 50 11		0
0204 22 10	51,506	
0204 22 30	80,938	
0204 22 50	95,654	
0204 22 90	95,654	
0204 23 00	133,916	
0204 30 00	55,185	
0204 41 00	55,185	
0204 42 10	38,630	
0204 42 30	60,704	
0204 42 50	71,741	
0204 42 90	71,741	
0204 43 00	100,437	
0204 50 13		0
0204 50 15		0
0204 50 19		0
0204 50 31		0
0204 50 39		0
0204 50 51		0
0204 50 53		0
0204 50 55		0
0204 50 59		0
0204 50 71		0
0204 50 79		0
0210 90 11	95,654	
0210 90 19	133,916	
1602 90 71 :		
— unboned (bone-in)	95,654	
— boned or boneless	133,916	

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

COMMISSION REGULATION (EEC) No 2581/90
of 5 September 1990
fixing the import levy on molasses

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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) (c) of that Regulation;

Whereas the import levy on molasses must be equal to the threshold price less the cif price; whereas the threshold price for molasses was fixed by Council Regulation (EEC) No 1313/90 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⁽³⁾;

Whereas the threshold prices fixed by the Council have been reduced by Commission Regulation (EEC) No 1738/90⁽⁴⁾ determining the prices and amounts in ecus applicable in the sugar sector for the 1990/91 marketing year which are reduced as a result of the monetary realignment of 5 January 1990;

Whereas the cif price for molasses 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 molasses was defined by Regulation (EEC) No 785/68 of the Commission of 26 June 1968 determining the standard quality and laying down detailed rules for calculating the cif price for molasses⁽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, under the terms of Article 7 of Regulation (EEC) No 785/68, the Commission may for this purpose take an average of several prices as a basis, provided this average can be regarded as being representative of actual market trends;

Whereas 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 a small quantity and is not representative of the market; whereas offer prices which can be regarded as not representative of actual market trends must also be disregarded;

Whereas any prices or offer taken into consideration which are not for delivery cif Rotterdam must be adjusted, account being taken in particular of the differences 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 information on molasses of the standard quality is to be comparable, prices must, depending on the quality of the molasses offered, be increased or reduced in the light of the results obtained by applying Article 6 of Regulation (EEC) No 785/68;

Whereas the 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 must be fixed each week; whereas pursuant to Article 5 of Regulation (EEC) No 837/68 of the Commission of 28 June 1968 on detailed rules for the

⁽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 145, 27. 6. 1968, p. 12.

application of levies on sugar ⁽¹⁾, as last amended by Regulation (EEC) No 1428/78 ⁽²⁾, 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 0,06 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 currencies 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 correcting factor provided for in the last subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽³⁾, as last amended by Regulation (EEC) No 2205/90 ⁽⁴⁾;

- 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,

HAS ADOPTED THIS REGULATION:

Article 1

The import levy referred to in Article 16 (1) of Regulation (EEC) No 1785/81 is now ECU 0,26 per 100 kilograms in respect of molasses falling within CN codes 1703 10 00 and 1703 90 00.

Article 2

This Regulation shall enter into force on 6 September 1990.

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

Done at Brussels, 5 September 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 151, 30. 6. 1968, p. 42.

⁽²⁾ OJ No L 171, 28. 6. 1978, p. 34.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 9.

COMMISSION REGULATION (EEC) No 2582/90

of 5 September 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⁾, as last amended by Regulation (EEC) No 2556/90⁽⁸⁾;

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

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

⁽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 241, 4. 9. 1990, p. 12.

⁽⁹⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽¹⁰⁾ OJ No L 281, 1. 11. 1975, p. 65.

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

— for 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 4 September 1990;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products processed from cereals and rice covered by Regulation (EEC) No 2744/75 as fixed in the Annex to amended Regulation (EEC) No 2475/90 are hereby altered to the amounts set out in the Annex.

Article 2

This Regulation shall enter into force on 6 September 1990.

⁽¹¹⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽¹²⁾ 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, 5 September 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 5 September 1990 altering the import levies on products processed from cereals and rice

CN code	Import levies		
	Portugal	ACP or OCT	Third countries (other than ACP or OCT)
1103 21 00	53,43	293,17	299,21
1104 19 10	53,43	293,17	299,21
1104 29 11	38,04	216,62	219,64
1104 29 31	45,15	260,59	263,61
1104 29 91	29,88	166,13	169,15
1104 30 10	25,79	122,15	128,19
1107 10 11	57,75	289,91	300,79
1107 10 19	45,90	216,62	227,50
1108 11 00	78,48	358,31	378,86
1109 00 00	286,66	651,48	832,82
2302 10 10	21,27	62,64	68,64
2302 10 90	38,72	134,22	140,22
2302 20 10	21,27	62,64	68,64
2302 20 90	38,72	134,22	140,22
2302 30 10	21,27	62,64	68,64
2302 30 90	38,72	134,22	140,22
2302 40 10	21,27	62,64	68,64
2302 40 90	38,72	134,22	140,22