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Contents

I *Acts whose publication is obligatory*

Commission Regulation (EEC) No 2847/90 of 2 October 1990 fixing the import levies on cereals and on wheat or rye flour, groats and meal	1
Commission Regulation (EEC) No 2848/90 of 2 October 1990 fixing the premiums to be added to the import levies on cereals, flour and malt	3
Commission Regulation (EEC) No 2849/90 of 2 October 1990 opening an invitation tender for the refund on export of wholly milled medium grain and long grain A rice to certain third countries and amending Regulation (EEC) No 2620/90	5
Commission Regulation (EEC) No 2850/90 of 2 October 1990 fixing the export refunds on eggs	8
Commission Regulation (EEC) No 2851/90 of 2 October 1990 fixing the export refunds on poultrymeat	10
Commission Regulation (EEC) No 2852/90 of 2 October 1990 fixing the export refunds on fruit and vegetables	15
Commission Regulation (EEC) No 2853/90 of 2 October 1990 amending the export refunds on oil seeds	20
Commission Regulation (EEC) No 2854/90 of 2 October 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	23

II *Acts whose publication is not obligatory*

Commission

90/489/EEC :

Commission Decision of 21 September 1990 on import licences in respect of beef and veal products originating in Botswana, Kenya, Madagascar, Swaziland and Zimbabwe	26
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★ Eighth Commission Directive of 25 September 1990 amending certain Annexes to Council Directive 77/93/EEC on protective measures against the introduction into the Member States of organisms harmful to plants or plant products 28

Corrigenda

Corrigendum to Commission Regulation (EEC) No 2790/90 of 27 September 1990 fixing the import levies on milk and milk products (OJ No L 265 of 28.9.1990) 30

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2847/90

of 2 October 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 1 October 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 3 October 1990.

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

Done at Brussels, 2 October 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 2 October 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	27,72	140,64 ⁽²⁾ ⁽³⁾
0712 90 19	27,72	140,64 ⁽²⁾ ⁽³⁾
1001 10 10	22,57	192,98 ⁽¹⁾ ⁽³⁾
1001 10 90	22,57	192,98 ⁽¹⁾ ⁽³⁾
1001 90 91	28,29	162,40
1001 90 99	28,29	162,40
1002 00 00	53,04	147,28 ⁽⁴⁾
1003 00 10	44,41	150,27
1003 00 90	44,41	150,27
1004 00 10	36,05	135,26
1004 00 90	36,05	135,26
1005 10 90	27,72	140,64 ⁽²⁾ ⁽³⁾
1005 90 00	27,72	140,64 ⁽²⁾ ⁽³⁾
1007 00 90	44,41	143,96 ⁽⁴⁾
1008 10 00	44,41	52,69
1008 20 00	44,41	112,05 ⁽⁴⁾
1008 30 00	44,41	48,86 ⁽⁵⁾
1008 90 10	(7)	(7)
1008 90 90	44,41	48,86
1101 00 00	53,12	240,87
1102 10 00	87,77	220,60
1103 11 10	48,18	312,31
1103 11 90	56,82	259,59

⁽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 2848/90

of 2 October 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 1 October 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 3 October 1990.

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

Done at Brussels, 2 October 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 2 October 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 10	1st period 11	2nd period 12	3rd period 1
0709 90 60	0	0,53	0,53	0
0712 90 19	0	0,53	0,53	0
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	0,53	0,53	0
1005 90 00	0	0,53	0,53	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	0

B. Malt

CN code	(ECU/tonne)				
	Current 10	1st period 11	2nd period 12	3rd period 1	4th period 2
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 2849/90

of 2 October 1990

opening an invitation tender for the refund on export of wholly milled medium grain and long grain A rice to certain third countries and amending Regulation (EEC) No 2620/90

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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 17 thereof,

Having regard to 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⁾, and in particular Article 4 thereof,

Whereas examination of the balance sheet shows that exportable amounts of rice are currently held by producers; whereas this situation could affect the normal development of producer prices during the 1990/91 marketing year;

Whereas, in order to remedy this situation, it is appropriate to make use of export refunds to zones which may be supplied by the Community; whereas the special situation of the rice market makes it necessary to limit the refunds, and therefore to apply Article 4 of Regulation (EEC) No 1431/76 enabling the refund amount to be fixed by tendering procedure;

Whereas Commission Regulation (EEC) No 2620/90 of 10 September 1990 on a invitation to tender for the refund on export of wholly milled medium grain and long grain A rice to certain third countries⁽⁴⁾ specified the export markets as Zones I to VI and VIII, excluding Guyana, Madagascar and Surinam, as listed in Annex I to Commission Regulation (EEC) No 1124/77⁽⁵⁾, as last amended by Regulation (EEC) No 3049/89⁽⁶⁾; whereas it appears that the use of a specific tendering procedure would allow more rice to be sold for export to certain Eastern European countries; whereas the destination zones specified in Regulation (EEC) No 2620/90 should therefore be altered;

Whereas it should be stated that the provisions of Commission Regulation (EEC) No 584/75 of 6 March 1975 laying down detailed rules for the application of the system of tendering for export refunds on rice⁽⁷⁾, as last amended by Regulation (EEC) No 409/90⁽⁸⁾, apply to this invitation to tender;

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. An invitation to tender is hereby opened, for the export refund referred to in Article 4 of Regulation (EEC) No 1431/76, for Zones II (a) and III as specified in Annex I to Regulation (EEC) No 1124/77.
2. The invitation to tender shall be open until 20 June 1991. During that period weekly invitations to tender shall be issued and the date for submission of tenders shall be determined in the notice of invitation to tender.
3. The invitation to tender shall take place in accordance with the provisions of Regulation (EEC) No 584/75 and with the following provisions.

Article 2

A tender shall be valid only if it covers a quantity for export of at least 50 tonnes but not more than 5 000 tonnes.

Article 3

The security referred to in Article 3 of Regulation (EEC) No 584/75 shall be ECU 20 per tonne.

Article 4

1. Notwithstanding the provisions of Article 21 (1) of Commission Regulation (EEC) No 3719/88⁽⁹⁾, export licences issued within this invitation to tender shall, for the purposes of determining their period of validity, be considered as having been issued on the day the tender was submitted.
2. The licences shall be valid from their date of issue, within the meaning of paragraph 1, until the end of the third month following.

⁽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 249, 12. 9. 1990, p. 9.

⁽⁵⁾ OJ No L 134, 28. 5. 1977, p. 53.

⁽⁶⁾ OJ No L 292, 11. 10. 1989, p. 10.

⁽⁷⁾ OJ No L 61, 7. 3. 1975, p. 25.

⁽⁸⁾ OJ No L 43, 17. 2. 1990, p. 21.

⁽⁹⁾ OJ No L 331, 2. 12. 1988, p. 1.

Article 5

Tenders submitted must reach the Commission through the Member States not later than one and a half hours after the time limit for weekly submission of tenders as laid down in the notice of invitation to tender. They must be transmitted in accordance with the table given in the Annex.

If no tenders are submitted, the Member States shall inform the Commission accordingly within the same time limit as that given in the above subparagraph.

Article 6

The time set for submitting tenders shall be Belgian time.

Article 7

1. On the basis of tenders submitted, the Commission shall decide in accordance with the procedure laid down in Article 27 of Regulation (EEC) No 1418/76:

- either to fix a maximum export refund, taking account of the criteria laid down in Articles 2 and 3 of Regulation (EEC) No 1431/76,
- or not to take any action on the tenders.

2. Where a maximum export refund is fixed, an award shall be made to the tenderer or tenderers whose tenders are at or below the maximum export refund level.

Article 8

The time limit for submission of tenders for the first partial invitation to tender shall be 10 a.m. (Belgian time) on 18 October 1990.

The final date for submission of tenders is hereby fixed at 20 June 1991.

Article 9

Article 1 (1) of Regulation (EEC) No 2620/90 is replaced by the following:

'1. An invitation to tender is hereby opened for the export refund referred to in Article 4 of Regulation (EEC) No 1431/76, for Zones I, II (b), IV, V, VI and VIII (except Guyana, Madagascar and Surinam, as specified in Annex I to Regulation (EEC) No 1124/77.'

Article 10

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

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

Done at Brussels, 2 October 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

*ANNEX***Weekly invitation to tender for the refund on export of wholly milled medium grain and long grain A rice to certain third countries**

(Closing date for the submission of tenders (date/time))

1	2	3
Serial number of tenders	Quantities in tonnes	Amount of export refund in ecu per tonne
1		
2		
3		
4		
5		
etc.		

COMMISSION REGULATION (EEC) No 2850/90

of 2 October 1990

fixing the export refunds on eggs

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 2771/75 of 29 October 1975 on the common organization of the market in eggs⁽¹⁾, as last amended by Regulation (EEC) No 1235/89⁽²⁾, and in particular the first sentence of the fifth subparagraph of Article 9 (2) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 9 of Regulation (EEC) No 2771/75 provides that the difference between prices on the world market for the products listed in Article 1 (1) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 2774/75 of 29 October 1975⁽³⁾ lays down general rules for granting export refunds and criteria for fixing the amount of such refunds;

Whereas the present market situation in certain third countries and that regarding competition on particular third country markets make it necessary to fix a refund differentiated by destination for certain products in the egg sector;

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⁽⁴⁾, as last amended by Regulation (EEC) No 2205/90⁽⁵⁾;
- 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 eggs that the refund should be fixed at an amount which would permit Community participation in world trade and would also take account of the nature of these exports and their importance at the present time;

Whereas Commission Regulation (EEC) No 633/86 of 28 February 1986 laying down specific rules on export refunds in the egg sector following the accession of Portugal and amending Regulation (EEC) No 188/86⁽⁶⁾ established the principle that no Community refund should be granted on egg products originating in Portugal;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The list of codes of products for which, when they are exported, the export refund referred to in Article 9 of Regulation (EEC) No 2771/75 is granted, and the amount of that refund shall be as shown in the Annex hereto.
2. The refund referred to in paragraph 1 shall not be granted in respect of exports to Portugal from 1 March 1986.
3. The refund referred to in paragraph 1 shall not be granted in respect of exports of products originating in Portugal.

Article 2

This Regulation shall enter into force on 3 October 1990.

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 49.

⁽²⁾ OJ No L 128, 11. 5. 1989, p. 29.

⁽³⁾ OJ No L 282, 1. 11. 1975, p. 68.

⁽⁴⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁵⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁶⁾ OJ No L 60, 1. 3. 1986, p. 13.

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

Done at Brussels, 2 October 1990.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX

to the Commission Regulation of 2 October 1990 fixing the export refunds on eggs

Product code	Destination (1)	Amount of refund
		ECU/100 units
0407 00 11 000	02	5,20
0407 00 19 000	02	3,00
		ECU/100 kg
0407 00 30 000	04	18,00
	03	26,00
0408 11 10 000	01	96,00
0408 19 11 000	01	47,00
0408 19 19 000	01	51,00
0408 91 10 000	01	90,00
0408 99 10 000	01	15,00

(1) The destinations are as follows:

- 01 All destinations,
- 02 All destinations except the United States of America,
- 03 Bahrain, Oman, Qatar, the United Arab Emirates, the Republic of Yemen, and Hong Kong,
- 04 All destinations except those of 03.

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 2851/90
of 2 October 1990
fixing the export refunds on poultrymeat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Regulation (EEC) No 2777/75 of the Council of 29 October 1975 on the common organization of the market in poultrymeat⁽¹⁾, as last amended by Regulation (EEC) No 1235/89⁽²⁾, and in particular the first sentence of the fifth subparagraph of Article 9 (2) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 9 of Regulation (EEC) No 2777/75 provides that the difference between prices on the world market for the products listed in Article 1 (1) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Regulation (EEC) No 2779/75 of the Council of 29 October 1975⁽³⁾, lays down general rules for granting export refunds and criteria for fixing the amount of such refunds;

Whereas it follows from applying these rules and criteria to the present situation on the market in poultrymeat that the refund should be fixed at an amount which would permit Community participation in world trade and would also take account of the nature of these exports and their importance at the present time;

Whereas the present market situation in certain third countries and that regarding competition on particular third country markets make it necessary to fix a refund differentiated by destination for certain products in the poultrymeat sector;

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⁽⁴⁾, as last amended by Regulation (EEC) No 2205/90⁽⁵⁾;

— 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 Commission Regulation (EEC) No 634/86 of 28 February 1986 laying down specific rules on export refunds in the poultrymeat sector following the accession of Portugal and amending Regulation (EEC) No 189/86⁽⁶⁾ established the principle that no Community refund should be granted on poultrymeat products originating in Portugal;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The list of products for which, when they are exported, the export refund referred to in Article 9 of Regulation (EEC) No 2777/75 is granted, and the amount of that refund shall be as shown in the Annex hereto.

2. The refund referred to in paragraph 1 shall not be granted in respect of exports to Portugal from 1 March 1986.

3. The refund referred to in paragraph 1 shall not be granted in respect of exports of products originating in Portugal.

Article 2

This Regulation shall enter into force on 3 October 1990.

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 77.

⁽²⁾ OJ No L 128, 11. 5. 1989, p. 29.

⁽³⁾ OJ No L 282, 1. 11. 1975, p. 90.

⁽⁴⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁵⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁶⁾ OJ No L 60, 1. 3. 1986, p. 15.

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

Done at Brussels, 2 October 1990.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX
to the Commission Regulation of 2 October 1990 fixing the export refunds on
poultrymeat

Product code	Destination of refund (1)	Amount of refund
		ECU/100 units
0105 11 00 000	01	4,20
0105 19 10 000	01	8,40
0105 19 90 000	01	4,20
		ECU/100 kg
0105 91 00 000	01	17,00
0207 10 11 000	01	15,00
0207 10 15 000	04	34,00
	05	29,00
	06	25,00
0207 10 19 100	04	38,00
	05	33,00
	06	25,00
0207 10 19 900	01	25,00
0207 10 31 000	01	28,00
0207 10 39 000	01	28,00
0207 10 51 000	07	30,00
	08	35,00
0207 10 55 000	07	30,00
	08	40,00
0207 10 59 000	07	30,00
	08	40,00
0207 21 10 000	04	34,00
	05	29,00
	06	25,00
0207 21 90 100	04	38,00
	05	33,00
	06	25,00
0207 21 90 900	01	25,00
0207 22 10 000	01	28,00
0207 22 90 000	01	28,00
0207 23 11 000	07	30,00
	08	40,00
0207 23 19 000	07	30,00
	08	40,00
0207 39 11 110	01	8,00
0207 39 11 190	—	—
0207 39 11 910	—	—
0207 39 11 990	01	50,00
0207 39 13 000	02	30,00
	03	28,00
0207 39 15 000	01	10,00
0207 39 21 000	01	37,00
0207 39 23 000	02	39,00
	03	36,00
0207 39 25 100	02	30,00
	03	28,00
0207 39 25 200	02	30,00
	03	28,00
0207 39 25 300	02	30,00
	03	28,00
0207 39 25 400	01	5,00
0207 39 25 900	—	—
0207 39 31 110	01	8,00
0207 39 31 190	—	—
0207 39 31 910	—	—
0207 39 31 990	01	50,00
0207 39 33 000	01	28,00

Product code	Destination of refund (1)	Amount of refund
		ECU/100 kg
0207 39 35 000	01	13,00
0207 39 41 000	01	37,00
0207 39 43 000	01	18,00
0207 39 45 000	01	36,00
0207 39 47 100	01	13,00
0207 39 47 900	—	—
0207 39 55 110	01	8,00
0207 39 55 190	—	—
0207 39 55 910	—	—
0207 39 55 990	01	54,00
0207 39 57 000	01	44,00
0207 39 65 000	01	15,00
0207 39 73 000	01	44,00
0207 39 77 000	01	43,00
0207 41 10 110	01	8,00
0207 41 10 190	—	—
0207 41 10 910	—	—
0207 41 10 990	01	50,00
0207 41 11 000	02	30,00
	03	28,00
	01	10,00
0207 41 41 000	01	37,00
	02	39,00
	03	36,00
0207 41 71 100	02	30,00
	03	28,00
	02	30,00
0207 41 71 200	03	28,00
	02	30,00
	03	28,00
0207 41 71 300	02	30,00
	03	28,00
	01	5,00
0207 41 71 400	—	—
0207 41 71 900	—	—
0207 42 10 110	01	8,00
0207 42 10 190	—	—
0207 42 10 910	—	—
0207 42 10 990	01	50,00
0207 42 11 000	01	28,00
0207 42 21 000	01	13,00
0207 42 41 000	01	37,00
0207 42 51 000	01	18,00
0207 42 59 000	01	36,00
0207 42 71 100	01	13,00
0207 42 71 900	—	—
0207 43 15 110	01	8,00
0207 43 15 190	—	—
0207 43 15 910	—	—
0207 43 15 990	01	54,00
0207 43 21 000	01	44,00
0207 43 31 000	01	15,00
0207 43 53 000	01	44,00
0207 43 63 000	01	43,00
1602 39 11 100	01	19,00
1602 39 11 900	—	—

(¹) The destinations are as follows :

- 01 All destinations except the United States of America,
 - 02 Egypt, the Canary Islands, Ceuta and Melilla, Saudi Arabia, Bahrain, Qatar, Oman and the United Arab Emirates,
 - 03 All destinations except the United States of America and those of 02 above,
 - 04 Egypt, Saudi Arabia, Bahrain, Qatar, Oman, the United Arab Emirates, Jordan and Singapore,
 - 05 Canary Islands, Ceuta and Melilla,
 - 06 All destinations except the United States of America and those of 04 and 05 above,
 - 07 Hungary, Poland, Romania and Yugoslavia,
 - 08 All destinations except the United States of America and those of 07 above.
-

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 2852/90

of 2 October 1990

fixing the export refunds on fruit 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 (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 30 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 30 of Regulation (EEC) No 1035/72 provides that, to the extent necessary to allow economically significant quantities to be exported, the difference between prices in international trade for the products referred to in that Article and prices for the products within the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 2518/69 of 9 December 1969 laying down general rules for the granting of refunds on exports of fruit and vegetables and criteria for fixing their amounts⁽³⁾, as amended by Regulation (EEC) No 2455/72⁽⁴⁾, provides that when refunds are being fixed, account must be taken of the existing situation and future trends with regard to prices and availabilities of fruit and vegetables on the Community market on the one hand and prices in international trade on the other; whereas account must also be taken of the costs indicated in (b) of that Article and of the economic aspects of the proposed exports;

Whereas, pursuant to Article 3 of Regulation (EEC) No 2518/69, when prices on the Community market are being determined account must be taken of the prices which are most favourable from the exportation point of view; whereas, when prices in international trade are being determined, the quotations and prices referred to in paragraph 2 of that Article must be taken into account;

Whereas the situation with regard to international trade or the specific requirements of certain markets may make it necessary to vary the refund for a given product according to the destination of that product;

Whereas tomatoes, fresh lemons, apples, peaches and nectarines, of the common quality standards 'Extra' Class,

Class I and Class II, 'Extra' Class and Class I table grapes, almonds and hazelnuts, and unshelled walnuts may at present be exported in economically significant quantities;

Whereas, under the second subparagraph of Article 12 (1) of Regulation (EEC) No 1035/72, derogations from Community quality standards may be granted in the light of the requirements of the intended markets; whereas, in view of the requirement of the Singaporean and Malaysian markets for small table apples, derogations from the minimum sizes laid down by Commission Regulation (EEC) No 920/89⁽⁵⁾, as last amended by Regulation (EEC) No 1763/90⁽⁶⁾ should be granted for Granny Smith apples exported to these markets;

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 correcting factor provided for in the last indent 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 factor referred to in the preceding indent;

Whereas it follows from applying these detailed rules to the present market situation and to its future trends, and in particular to quotations and prices for fruit and vegetables in the Community and in international trade that the refunds should be as set out in the Annex hereto;

Whereas the obligations under Article 5 (1) (b) of 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⁾, may be relaxed in the case of exports to non-member countries outside Europe; whereas, in such a case, Article 19 (1) (c) of Regulation (EEC) No 3665/87 may be applied;

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 119, 11. 5. 1990, p. 43.

⁽³⁾ OJ No L 318, 18. 12. 1969, p. 17.

⁽⁴⁾ OJ No L 266, 14. 11. 1972, p. 7.

⁽⁵⁾ OJ No L 97, 11. 4. 1989, p. 19.

⁽⁶⁾ OJ No L 162, 28. 6. 1990, p. 29.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁸⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁹⁾ OJ No L 351, 14. 12. 1987, p. 1.

⁽¹⁰⁾ OJ No L 152, 16. 6. 1990, p. 33.

Whereas, for Spain and Portugal, the Act of Accession introduced transitional measures by phases and stages respectively;

Whereas for Spain the second stage of the transitional period began on 1 January 1990; whereas pursuant to Article 87 of the Act of Accession when the refunds are set for Spanish products account is to be taken for each product of the price difference that is economically justified;

Whereas Article 275 provides for a special procedure for the grant of refunds on exports to Portugal from the Community as constituted at 31 December 1985; whereas, pursuant to Article 283, the Portuguese Republic is to be authorized to maintain, during the first stage, for exports to third countries, the arrangements in force before its accession for such trade, including any export aid or subsidies; whereas, under those circumstances, refunds for such exports should not be provided for in this Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The export refunds on fruit and vegetables shall be as set out in column I of the Annex hereto. However, the refunds applicable on products harvested in Spain shall be those given in column II of the Annex.

2. The provisions of Articles 5 (1)(b) and 19 (1)(c) of Regulation (EEC) No 3665/87 shall apply to exports of sweet oranges, lemons, walnuts in shell, shelled hazelnuts and apples as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 3 October 1990.

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

Done at Brussels, 2 October 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 2 October 1990 fixing the export refunds on fruit and vegetables

(ECU/100 kg net)

Product code	Destination of refund (I)	Amounts of refunds (2)	
		Community as constituted on 31 December 1985 (I)	Spain (II)
0702 00 10 100		4,50	—
0702 00 10 900	—	—	—
0702 00 90 100		4,50	—
0702 00 90 900	—	—	—
0802 12 90 000	07	9,67	9,67
0802 21 00 000	07	11,30	11,30
0802 22 00 000	07	21,80	21,80
0802 31 00 000	07	14,00	14,00
0805 10 11 100	01	—	—
	06	—	—
0805 10 11 300	01	—	—
	06	—	—
0805 10 11 900	—	—	—
0805 10 15 100	01	—	—
	06	—	—
0805 10 15 300	01	—	—
	06	—	—
0805 10 15 900	—	—	—
0805 10 19 100	01	—	—
	06	—	—
0805 10 19 300	01	—	—
	06	—	—
0805 10 19 900	—	—	—
0805 10 21 100	01	—	—
	06	—	—
0805 10 21 300	01	—	—
	06	—	—
0805 10 21 900	—	—	—
0805 10 25 100	01	—	—
	06	—	—
0805 10 25 300	01	—	—
	06	—	—
0805 10 25 900	—	—	—
0805 10 29 100	01	—	—
	06	—	—
0805 10 29 300	01	—	—
	06	—	—
0805 10 29 900	—	—	—
0805 10 31 100	01	—	—
	06	—	—
0805 10 31 300	01	—	—
	06	—	—
0805 10 31 900	—	—	—
0805 10 35 100	01	—	—
	06	—	—
0805 10 35 300	01	—	—
	06	—	—
0805 10 35 900	—	—	—

Product code	Destination of refund (1)	(ECU/100 kg net)	
		Amounts of refunds (2)	
		Community as constituted on 31 December 1985 (I)	Spain (II)
0805 10 39 100	01	—	—
	06	—	—
0805 10 39 300	01	—	—
	06	—	—
0805 10 39 900	—	—	—
0805 10 41 100	01	—	—
	06	—	—
0805 10 41 300	01	—	—
	06	—	—
0805 10 41 900	—	—	—
0805 10 45 100	01	—	—
	06	—	—
0805 10 45 300	01	—	—
	06	—	—
0805 10 45 900	—	—	—
0805 10 49 100	01	—	—
	06	—	—
0805 10 49 300	01	—	—
	06	—	—
0805 10 49 900	—	—	—
0805 20 50 100	—	—	—
0805 20 50 900	—	—	—
0805 30 10 100	07	13,50	3,70
0805 30 10 900	—	—	—
0806 10 11 100	07	4,84	4,84
0806 10 11 300	07	4,84	4,84
0806 10 11 900	—	—	—
0806 10 15 100	07	4,84	4,84
0806 10 15 300	07	4,84	4,84
0806 10 15 900	—	—	—
0806 10 19 100	07	4,84	4,84
0806 10 19 300	07	4,84	4,84
0806 10 19 900	—	—	—
0808 10 91 100	—	—	—
0808 10 91 910	02	14,00	5,50
	03	4,50	—
	04	14,00 (3)	5,50 (3)
0808 10 91 990	—	—	—
0808 10 93 100	—	—	—
0808 10 93 910	02	14,00	5,50
	03	4,50	—
	04	14,00 (3)	5,50 (3)
0808 10 93 990	—	—	—
0808 10 99 100	—	—	—
0808 10 99 910	02	14,00	5,50
	03	4,50	—
	04	14,00 (3)	5,50 (3)
0808 10 99 990	—	—	—
0809 30 00 110	05	5,00	3,00
0809 30 00 190	—	—	—
0809 30 00 900	05	5,00	3,00

(¹) The destinations are as follows :

- 01 countries or States with a planned economy in central or eastern Europe and Yugoslavia,
 - 02 Botswana, Lesotho, Swaziland, Zambia, Malawi, Mozambique, Tanzania, Kenya, Rwanda, Burundi, Uganda, Somalia, Madagascar, Comoros, Mauritius, Sudan, Ethiopia, Republic of Djibouti, the countries of the Arabian peninsula including the territories attached thereto (Saudi Arabia, Bahrain, Qatar, Oman, United Arab Emirates (Abu Dhabi, Dubai, Sharjah, Ajman, Umm al Qaiwain, Fujairah and Ras al Khaimah), Yemen Arab Republic and People's Democratic Republic of Yemen, Iran and Jordan,
 - 03 countries and territories of Africa other than those mentioned above and South Africa, Syria, countries with a planned economy in central or eastern Europe, Yugoslavia, Bolivia, Brazil, Venezuela, Peru, Panama, Ecuador, Colombia, Iceland, Norway, Sweden, Austria, the Faroe Islands, Finland, Greenland and Malta,
 - 04 Hong Kong, Singapore, Malaysia, Indonesia, Thailand and Taiwan,
 - 05 all destinations excluding Switzerland, Austria and that part of Community territory located outside the customs territory of the Community,
 - 06 Austria, Switzerland, Finland, Sweden, Greenland, Norway, Iceland and Malta,
 - 07 All destinations excepting that part of Community territory located outside the customs territory of the Community.
- (²) These refunds shall not apply to exports to Portugal from the Community as constituted at 31 December 1985 and Spain.
- (³) Notwithstanding Chapter 3 of Annex III to Regulation (EEC) No 920/89, for exports to Malaysia and Singapore of table apples of the Granny Smith variety, the minimum size for 'Extra' class, class I and class II shall be 65 mm, 60 mm and 60 mm respectively.
-

COMMISSION REGULATION (EEC) No 2853/90
of 2 October 1990
amending 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 second 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⁾ OJ No L 237, 1. 9. 1990, p. 52.

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 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,

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. There shall be no refund on sunflower seed.
3. 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 3 October 1990.

⁽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.

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

Done at Brussels, 2 October 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 2 October 1990 altering the export refunds on oil seeds

	<i>(amounts per 100 kilograms)</i>					
	Current 10	1st period 11	2nd period 12	3rd period 1	4th period 2	5th period 3
1. Gross refunds (ECU):						
— Spain	0,000	0,278	—	—	—	—
— Portugal	23,470	23,748	—	—	—	—
— other Member States	16,500	16,778	—	—	—	—
2. Final refunds:						
Seeds harvested and exported from:						
— Federal Republic of Germany (DM)	38,63	39,28	—	—	—	—
— Netherlands (Fl)	43,52	44,26	—	—	—	—
— BLEU (Bfrs/Lfrs)	796,74	810,16	—	—	—	—
— France (FF)	129,56	131,74	—	—	—	—
— Denmark (Dkr)	147,35	149,83	—	—	—	—
— Ireland (£ Irl)	14,419	14,662	—	—	—	—
— United Kingdom (£)	12,491	12,708	—	—	—	—
— Italy (Lit)	28 903	29 390	—	—	—	—
— Greece (Dr)	3 344,37	3 396,97	—	—	—	—
— Spain (Pta)	68,63	111,13	—	—	—	—
— Portugal (Esc)	4 812,31	4 869,83	—	—	—	—

COMMISSION REGULATION (EEC) No 2854/90

of 2 October 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 Commis-
sion to fix, for the week beginning 10 September 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 Commis-
sion;

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 begin-
ning 10 September 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 Judg-
ment 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 appli-
cation 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 10
September 1990, the level of the premium is fixed at
ECU 68,987 per 100 kilograms of estimated or actual
dressed carcase 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 Regu-
lation (EEC) No 3013/89 which left the territory of region 1
during the week beginning 10 September 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 10 September 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, 2 October 1990.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX

to the Commission Regulation of 2 October 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	32,424	0
0104 20 90		0
	Net weight	Net weight
0204 10 00	68,987	0
0204 21 00	68,987	0
0204 50 11		0
0204 22 10	48,291	
0204 22 30	75,886	
0204 22 50	89,683	
0204 22 90	89,683	
0204 23 00	125,556	
0204 30 00	51,740	
0204 41 00	51,740	
0204 42 10	36,218	
0204 42 30	56,914	
0204 42 50	67,262	
0204 42 90	67,262	
0204 43 00	94,167	
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	89,683	
0210 90 19	125,556	
1602 90 71 :		
— unboned (bone-in)	89,683	
— boned or boneless	125,556	

⁽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.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 21 September 1990

on import licences in respect of beef and veal products originating in Botswana, Kenya, Madagascar, Swaziland and Zimbabwe

(90/489/EEC)

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 715/90 of 5 March 1990 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the ACP States or in the overseas countries and territories (OCT) ⁽¹⁾, and in particular Article 27 thereof,

Having regard to Commission Regulation (EEC) No 2377/80 of 4 September 1980 on special detailed rules for the application of the system of import and export licences in the beef and veal sector ⁽²⁾, as last amended by Regulation (EEC) No 2690/90 ⁽³⁾, and in particular Article 15 (6) (b) (i) thereof,

Whereas Regulation (EEC) No 715/90 provides for the possibility of issuing import licences for beef and veal products; whereas, however, imports must take place within the limits of the quantities specified for each of these exporting non-member countries;

Whereas the applications for import licences submitted between 1 and 10 September 1990, expressed in terms of

boned meat, in accordance with Article 15 (1) (b) of Regulation (EEC) No 2377/80, do not exceed, in respect of products originating from Botswana, Kenya, Madagascar, Swaziland and Zimbabwe, the quantities available from these States; whereas it is therefore possible to issue import licences in respect of the quantities requested;

Whereas the remaining quantities, in respect of which licences may be applied for from 1 October 1990, should be fixed within the scope of the total quantity of 39 100 tonnes;

Whereas it seems expedient to recall that this Decision is without prejudice to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine animals and swine and fresh meat from third countries ⁽⁴⁾, as last amended by Directive 89/662/EEC ⁽⁵⁾,

HAS ADOPTED THIS DECISION:

Article 1

The following Member States shall issue on 21 September 1990 import licences concerning beef and veal products, expressed in terms of boned meat, originating from certain African, Caribbean and Pacific States, in respect of the quantities and the countries of origin stated:

⁽¹⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽²⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽³⁾ OJ No L 256, 20. 9. 1990, p. 19.

⁽⁴⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽⁵⁾ OJ No L 395, 30. 12. 1989, p. 13.

United Kingdom:

— 867,00 tonnes originating in Botswana,

Germany:

— 285,00 tonnes originating in Botswana,

— 105,00 tonnes originating in Swaziland,

Netherlands:

— 115,00 tonnes originating in Botswana.

— Botswana :	8 612,96 tonnes,
— Kenya :	142,00 tonnes,
— Madagascar :	7 579,00 tonnes,
— Swaziland :	2 298,62 tonnes,
— Zimbabwe :	9 100,00 tonnes.

Article 3

This Decision is addressed to the Member States, with the exception of Portugal.

Article 2

Done at Brussels, 21 September 1990.

Applications for licences may be submitted, in accordance with Article 15 (6) (b) (ii) of Regulation (EEC) No 2377/80 during the first 10 days of October 1990 in respect of the following quantities of boned beef and veal:

For the Commission

Ray MAC SHARRY

Member of the Commission

EIGHTH COMMISSION DIRECTIVE

of 25 September 1990

amending certain Annexes to Council Directive 77/93/EEC on protective measures against the introduction into the Member States of organisms harmful to plants or plant products

(90/490/EEC)

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

Having regard to Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Member States of organisms harmful to plants or plant products⁽¹⁾, as last amended by Commission Directive 90/168/EEC⁽²⁾, and in particular Article 13, second paragraph, fourth indent thereof,

Whereas developments in scientific and technical knowledge have shown that protection of Community forests should be improved in cases where they are at risk;

Whereas it has been determined that *Bursaphelenchus xylophilus* is a harmful organism not yet present in the Community; whereas it is considered that this pest represents a serious danger to trees grown in, and may be carried upon wood imported into, the Community; whereas appropriate measures to combat this pest should be included within Directive 77/93/EEC;

Whereas appropriate measures should be taken to protect the Community against the vectors of *Bursaphelenchus xylophilus*, especially non-European *Monochamus* spp., where these organisms do not occur;

Whereas 'kiln-drying' to below 20 % moisture content expressed as a percentage of dry matter at time of manufacture, achieved through an appropriate time/temperature schedule, and is so identified, is an effective measure to protect the Community against the introduction of certain organisms affecting wood of conifers;

Whereas therefore the relevant Annexes of Directive 77/93/EEC should be amended accordingly;

Whereas the measures provided for in this Directive are in accordance with the opinion of the Standing Committee on Plant Health,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 77/93/EEC is hereby amended as indicated in the Annex to this Directive.

Article 2

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with the provisions of this Directive by 1 January 1991 at the latest. These shall make express reference to this Directive.

Member States shall immediately inform the Commission of all laws, regulations and administrative provisions adopted in implementation of this Directive.

The Commission shall inform the other Member States thereof.

Article 3

This Directive is addressed to the Member States.

Done at Brussels, 25 September 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 26, 31. 1. 1977, p. 20.

⁽²⁾ OJ No L 92, 7. 4. 1990, p. 49.

ANNEX

1. The following is added to Annex I, part A (a):

'20. *Monochamus* spp. (non-European) vectors of *Bursaphelenchus xylophilus*.'

2. In Annex III, part A, the following is inserted after entry 7 relating to isolated bark of *Populus* L.:

'7 a. Wood of <i>Coniferae</i> which meets the descriptions in CN code 4401 10	Canada, China, Japan, Korea, The USA'
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3. In Annex IV, part A, point 1 is replaced by the following:

1.1. Wood of <i>Coniferae</i> originating in Canada, China, Japan, Korea, the USA	Without prejudice to the provisions applicable to the wood listed in Annex III, part A, 7a, and in Annex IV, part A, 6c: There shall be evidence by a mark "Kiln-dried", "KD" or another internationally recognized mark, put on the wood or on its packaging in accordance with current commercial usage, that it has undergone kiln-drying to below 20 % moisture content, expressed as a percentage of dry matter, at time of manufacture, achieved through an appropriate time/temperature schedule.
1.2. Wood of <i>Coniferae</i> originating in non-European countries not covered 1.1.	Without prejudice to the provisions applicable to the wood listed in Annex III, part A, 7a and in Annex IV, part A, 6b: a) The wood shall be stripped of its bark, and shall be free from grub holes, caused by the genus <i>Monochamus</i> , and defined for this purpose as those which are larger than 3 mm across; or b) there shall be evidence by a mark "Kiln-dried", "KD" or another internationally recognized mark, put on the wood or on its packaging in accordance with current commercial usage, that it has undergone kiln-drying to below 20 % moisture content, expressed as a percentage of dry matter, at time of manufacture, achieved through an appropriate time-temperature schedule.'

4. In Annex IV, part A, point 6 (b), the left hand column is altered as follows:

'Wood in the form of chips, particles, wood waste or scrap and obtained in whole or part from one or more of the genera or species referred to in Annex V (4) (b), originating in non-European countries other than that obtained from *Coniferae* originating in Canada, China, Japan, Korea, the USA.'

5. In Annex IV, part A, the following is inserted after entry 6 (b) relating to wood in the form of chips, particles, wood waste or scrap:

'6 (c) Wood in the form of chips, particles, wood waste or scrap obtained in whole or part from <i>Coniferae</i> originating in Canada, China, Japan, Korea, the USA.	The product has been produced exclusively from wood which has undergone either kiln-drying to below 20 % moisture content, expressed as a percentage of dry matter at time of manufacture, achieved through an appropriate time/temperature schedule or which has undergone fumigation, and is shipped in sealed containers or in such a way as to prevent any re-infestation.'
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CORRIGENDA

Corrigendum to Commission Regulation (EEC) No 2790/90 of 27 September 1990 fixing the import levies on milk and milk products

(Official Journal of the European Communities No L 265 of 28 September 1990)

On page 23, Annex, against CN code 0403 10 31, column headed 'Import levy':

for: '0,2376/kg + 27,52',

read: '0,2367/kg + 27,52'.
