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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2877/90

of 5 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 4 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 6 October 1990.

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

Done at Brussels, 5 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 5 October 1990 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CN code	Levies	
	Portugal	Third country
0709 90 60	27,72	138,87 ⁽²⁾ ⁽³⁾
0712 90 19	27,72	138,87 ⁽²⁾ ⁽³⁾
1001 10 10	22,57	194,16 ⁽¹⁾ ⁽²⁾
1001 10 90	22,57	194,16 ⁽¹⁾ ⁽²⁾
1001 90 91	28,29	162,25
1001 90 99	28,29	162,25
1002 00 00	53,04	148,70 ⁽²⁾
1003 00 10	44,41	151,63
1003 00 90	44,41	151,63
1004 00 10	36,05	136,76
1004 00 90	36,05	136,76
1005 10 90	27,72	138,87 ⁽²⁾ ⁽³⁾
1005 90 00	27,72	138,87 ⁽²⁾ ⁽³⁾
1007 00 90	44,41	145,45 ⁽⁴⁾
1008 10 00	44,41	54,52
1008 20 00	44,41	112,60 ⁽⁴⁾
1008 30 00	44,41	50,81 ⁽²⁾
1008 90 10	(7)	(7)
1008 90 90	44,41	50,81
1101 00 00	53,12	240,66
1102 10 00	87,77	221,69
1103 11 10	48,18	314,14
1103 11 90	56,82	259,36

⁽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 2878/90

of 5 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 4 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 6 October 1990.

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

Done at Brussels, 5 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 5 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	0	0
0712 90 19	0	0	0	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	0	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	0

B. Malt

CN code	(ECU/tonne)				
	Current 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 2879/90
of 5 October 1990
fixing the import levies on rice and broken rice

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

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

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

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

Whereas the import levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2512/90 ⁽⁵⁾, as last amended by Regulation (EEC) No 2802/90 ⁽⁶⁾,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 8 October 1990.

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

Done at Brussels, 5 October 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽³⁾ OJ No L 80, 24. 3. 1987, p. 20.

⁽⁴⁾ OJ No L 144, 4. 6. 1987, p. 10.

⁽⁵⁾ OJ No L 237, 1. 9. 1990, p. 11.

⁽⁶⁾ OJ No L 268, 29. 9. 1990, p. 5.

ANNEX

to the Commission Regulation of 5 October 1990 fixing the import levies on rice and broken rice

(ECU/tonne)				
CN code	Portugal	Arrangement in Regulation (EEC) No 3877/86	ACP or OCT (¹)(²)(³)	Third countries (except ACP or OCT) (³)
1006 10 21	—	—	151,97	311,15
1006 10 23	—	238,65	155,50	318,20
1006 10 25	—	238,65	155,50	318,20
1006 10 27	—	238,65	155,50	318,20
1006 10 92	—	—	151,97	311,15
1006 10 94	—	238,65	155,50	318,20
1006 10 96	—	238,65	155,50	318,20
1006 10 98	—	238,65	155,50	318,20
1006 20 11	—	—	190,87	388,94
1006 20 13	—	298,31	195,27	397,75
1006 20 15	—	298,31	195,27	397,75
1006 20 17	—	298,31	195,27	397,75
1006 20 92	—	—	190,87	388,94
1006 20 94	—	298,31	195,27	397,75
1006 20 96	—	298,31	195,27	397,75
1006 20 98	—	298,31	195,27	397,75
1006 30 21	13,05	—	236,70	497,25
1006 30 23	12,97	448,11	286,85	597,48
1006 30 25	12,97	448,11	286,85	597,48
1006 30 27	12,97	448,11	286,85	597,48
1006 30 42	13,05	—	236,70	497,25
1006 30 44	12,97	448,11	286,85	597,48
1006 30 46	12,97	448,11	286,85	597,48
1006 30 48	12,97	448,11	286,85	597,48
1006 30 61	13,90	—	252,43	529,57
1006 30 63	13,90	480,38	307,90	640,50
1006 30 65	13,90	480,38	307,90	640,50
1006 30 67	13,90	480,38	307,90	640,50
1006 30 92	13,90	—	252,43	529,57
1006 30 94	13,90	480,38	307,90	640,50
1006 30 96	13,90	480,38	307,90	640,50
1006 30 98	13,90	480,38	307,90	640,50
1006 40 00	0,51	—	92,13	190,27

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

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

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

COMMISSION REGULATION (EEC) No 2880/90**of 5 October 1990****fixing the premiums to be added to the import levies on rice and broken rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 1806/89 ⁽²⁾, and in particular Article 13 (6) thereof,Whereas the premiums to be added to the levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2513/90 ⁽³⁾, as last amended by Regulation (EEC) No 2803/90 ⁽⁴⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

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

Article 2

This Regulation shall enter into force on 8 October 1990.

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

Done at Brussels, 5 October 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.⁽²⁾ OJ No L 177, 24. 6. 1989, p. 1.⁽³⁾ OJ No L 237, 1. 9. 1990, p. 14.⁽⁴⁾ OJ No L 268, 29. 9. 1990, p. 7.

ANNEX

to the Commission Regulation of 5 October 1990 fixing the premiums to be added to the import levies on rice and broken rice

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

COMMISSION REGULATION (EEC) No 2881/90**of 5 October 1990****postponing the date for the take-over of beef and veal offered for sale by the intervention agencies under Regulation (EEC) No 2848/89**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas Commission Regulation (EEC) No 2848/89 ⁽³⁾ fixes certain selling prices for beef and veal taken over by the intervention agencies before 1 April 1990; whereas the situation regarding these stocks is such that this date should be replaced by 1 September 1990;

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

HAS ADOPTED THIS REGULATION:

Article 1

In Article 4 of Regulation (EEC) No 2848/89, '1 April 1990' is hereby replaced by '1 September 1990'.

Article 2

This Regulation shall enter into force on 15 October 1990.

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

Done at Brussels, 5 October 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 61, 4. 3. 1989, p. 43.

⁽³⁾ OJ No L 274, 23. 9. 1989, p. 9.

COMMISSION REGULATION (EEC) No 2882/90**of 5 October 1990****on the sale by the procedure laid down in Regulation (EEC) No 2539/84 of bone-in beef held by certain intervention agencies and intended for export, amending Regulation (EEC) No 569/88 and repealing Regulation (EEC) No 2398/90**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 571/89 ⁽²⁾, and in particular Article 7 (3) thereof,

Whereas Commission Regulation (EEC) No 2539/84 of 5 September 1984 laying down detailed rules for certain sales of frozen beef held by the intervention agencies ⁽³⁾, as amended by Regulation (EEC) No 1809/87 ⁽⁴⁾, has provided for the possibility of applying a two-stage procedure when selling beef from intervention stocks;

Whereas certain intervention agencies hold stocks of bone-in intervention meat; whereas an extension of the period of storage for the meat bought in should be avoided on account of the ensuing high costs; whereas outlets exist in certain third countries for the products in question; whereas it is appropriate therefore to offer this meat for sale in accordance with Regulation (EEC) No 2539/84;

Whereas quarters from intervention stocks may in certain cases have been handled a number of times; whereas, in order to help with the presentation and marketing of such meat, its repackaging should be authorized, subject to the observance of precise conditions;

Whereas it is necessary to lay down a time limit for export of the said meat; whereas this time limit should be fixed by taking into account Article (5) (b) of 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 ⁽⁵⁾, as last amended by Regulation (EEC) No 1618/90 ⁽⁶⁾;

Whereas in order to ensure that beef sold is exported the lodging of security, as specified at (a) of Article 5 (2) of Regulation (EEC) No 2539/84, should be required;

Whereas products held by intervention agencies and intended for export are subject to the provisions of Commission Regulation (EEC) No 569/88 ⁽⁷⁾, as last amended by Regulation (EEC) No 2722/90 ⁽⁸⁾; whereas, however, the Annex to the said Regulation setting out the entries to be made should be expanded;

Whereas Commission Regulation (EEC) No 2398/90 ⁽⁹⁾ should be repealed;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. A sale shall be organized of approximately 10 000 tonnes of bone-in beef held by the German intervention agency and bought in before 1 August 1990.

This meat shall be for export.

Subject to the provisions of this Regulation, the sale shall take place in accordance with the provisions of Regulation (EEC) No 2539/84.

The provisions of Commission Regulation (EEC) No 985/81 ⁽¹⁰⁾ shall not apply to this sale. However, the competent authorities may allow bone-in forequarters and hindquarters, the packaging material of which is torn or soiled, to be placed in new packaging of the same type under their supervision before presentation for consignment at the customs office of departure.

2. The qualities and the minimum prices referred to in Article 3 (1) of Regulation (EEC) No 2539/84 are given in Annex I hereto.

3. Only those tenders shall be taken into consideration which reach the intervention agencies concerned not later than 12 noon on 15 October 1990.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 61, 4. 3. 1989, p. 43.

⁽³⁾ OJ No L 238, 6. 9. 1984, p. 13.

⁽⁴⁾ OJ No L 170, 30. 6. 1987, p. 23.

⁽⁵⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁶⁾ OJ No L 152, 16. 6. 1990, p. 39.

⁽⁷⁾ OJ No L 55, 1. 3. 1988, p. 1.

⁽⁸⁾ OJ No L 261, 25. 9. 1990, p. 19.

⁽⁹⁾ OJ No L 222, 17. 8. 1990, p. 37.

⁽¹⁰⁾ OJ No L 99, 10. 4. 1981, p. 38.

4. Particulars of the qualities and the places where the products are stored may be obtained by interested parties at the addresses given in Annex II.

Article 2

The products referred to in Article 1 must be exported within five months from the date of conclusion of the contract of sale.

Article 3

1. The security provided for in Article 5 (1) of Regulation (EEC) No 2539/84 shall be ECU 30 per 100 kilograms.

2. The security provided for in Article 5 (2) (a) of Regulation (EEC) No 2539/84 shall be ECU 160 per 100 kilograms.

Article 4

In part I of the Annex to Regulation (EEC) No 569/88, 'Products to be exported in the same state as that in which they were when removed from intervention stock', the following item and footnote are added:

'70. Commission Regulation (EEC) No 2882/90 of 5 October 1990 on the sale by procedure laid down in Regulation (EEC) No 2539/84 of bone-in beef held by certain intervention agencies and intended for export ⁽⁷⁰⁾.

⁽⁷⁰⁾ OJ No L 276, 6. 10. 1990, p. 10.'

Article 5

Regulation (EEC) No 2398/90 is hereby repealed.

Article 6

This Regulation shall enter into force on 15 October 1990.

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

Done at Brussels, 5 October 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANEXO I — BILAG I — ANHANG I — ΠΑΡΑΡΤΗΜΑ I — ANNEX I — ANNEXE I — ALLEGATO I — BIJLAGE I — ANEXO I

Estado miembro Medlemsstat Mitgliedstaat Κράτος μέλος Member State État membre Stato membro Lid-Staat Estado-membro	Productos Produkter Erzeugnisse Προϊόντα Products Produits Prodotti Produkten Produtos	Cantidades (toneladas) Mængde (tons) Mengen (Tonnen) Ποσότητες (τόνοι) Quantities (tonnes) Quantités (tonnes) Quantità (tonnellate) Hoeveelheid (ton) Quantidade (toneladas)	Precio mínimo expresado en ecus por tonelada Mindstepriser i ECU/ton Mindestpreise, ausgedrückt in ECU/Tonne Ελάχιστες τιμές πωλήσεως εκφραζόμενες σε Ecu ανά τόνο Minimum prices expressed in ecus per tonne Prix minimaux exprimés en écus par tonne Prezzi minimi espressi in ecu per tonnellata Minimumprijzen uitgedrukt in ecu per ton Preço mínimo expresso em ecus por tonelada
Deutschland	— Vorderviertel, stammend von : Kategorien A/C	5 000	1 300
	— Hinterviertel, stammend von : Kategorien A/C	5 000	2 000

ANEXO II — BILAG II — ANHANG II — ΠΑΡΑΡΤΗΜΑ II — ANNEX II — ANNEXE II — ALLEGATO II — BIJLAGE II — ANEXO II

Direcciones de los organismos de intervención — Interventionsorganernes adresser —
 Anschriften der Interventionsstellen — Διευθύνσεις των οργανισμών παρεμβάσεως — Addresses
 of the intervention agencies — Adresses des organismes d'intervention — Indirizzi degli
 organismi d'intervento — Adressen van de interventiebureaus — Endereços dos organismos de
 intervenção

DEUTSCHLAND: Bundesanstalt für landwirtschaftliche Marktordnung (BALM)
 Geschäftsbereich 3 (Fleisch und Fleischerzeugnisse)
 Postfach 180 107 — Adickesallee 40
 D-6000 Frankfurt am Main 18
 Tel. (069) 1 56 40, App. 772/773
 Telex: 04 11 56

COMMISSION REGULATION (EEC) No 2883/90
of 5 October 1990
on determining the origin of grape juice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽¹⁾, as last amended by Commission Regulation (EEC) No 2472/90 ⁽²⁾, and in particular Article 15 thereof,

Whereas the classification of the goods described in Commission Regulation (EEC) No 2026/73 of 25 July 1973 on determining the origin of grape juice ⁽³⁾, uses the Common Customs Tariff Nomenclature, which is itself based on the Customs Cooperation Council Nomenclature; whereas this has been replaced by the Harmonized Commodity Description and Coding System which is applied in the Community by means of the Combined Nomenclature; whereas, for reasons of clarity, it is preferable to replace Regulation (EEC) No 2026/73 entirely;

Whereas the abovementioned adaptations to the Combined Nomenclature constitute simple technical adaptations not entailing any modification concerning the scope of the rules, which had been previously laid down in Regulation (EEC) No 2026/73,

HAS ADOPTED THIS REGULATION:

Article 1

The processing of grape must, of CN code ex 2009, into grape juice falling within the same heading shall not confer the origin of the country in which it took place.

Article 2

The expression 'heading' used in this Regulation means the headings (four-digit codes) used in the nomenclature which makes up the Harmonized Commodity Description and Coding System.

Article 3

Regulation (EEC) No 2026/73 is hereby repealed.

Article 4

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 October 1990.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽²⁾ OJ No L 247, 10. 9. 1990, p. 1.

⁽³⁾ OJ No L 206, 27. 7. 1973, p. 33.

COMMISSION REGULATION (EEC) No 2884/90

of 5 October 1990

on determining the origin of certain goods produced from eggs

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

Having regard to Council Regulation (EEC) No 802/68 of 27 June 1968 on the common definition of the concept of the origin of goods ⁽¹⁾, as last amended by Regulation (EEC) No 1769/89 ⁽²⁾, and in particular Article 14 thereof,

Whereas the table in Commission Regulation (EEC) No 641/69 of 3 April 1969 on determining the origin of certain goods produced from eggs ⁽³⁾ does not cover all the possibilities implicit in the recitals to that Regulation concerning goods which, through drying processes, would be able to obtain the origin of the country where those processes take place;

Whereas with the aim of maintaining consistency between the recitals to Regulation (EEC) No 641/69 and the table therein, it is necessary to amend that table by including egg whites, not dried, as imported goods which, through drying processes, can be considered as originating products;

Whereas the said table presently uses the Common Customs Tariff Nomenclature, which is itself based on the Customs Cooperation Council Nomenclature; whereas this has been replaced by the Harmonized Commodity Description and Coding System which is applied in the Community by means of the Combined Nomenclature;

Whereas the abovementioned amendments and adaptations constitute simple technical modifications but affect nevertheless the scope of the rules which had been previously laid down in Regulation (EEC) No 641/69 as

regards drying of egg whites; whereas, for reasons of clarity, it is preferable to replace Regulation (EEC) No 641/69 entirely;

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

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column 2 of the annexed table which have been produced in one country from goods imported from another country and shown in column 3 of that table, resulting from the processes listed in that same column 3, shall be deemed to originate in the country where these processes took place.

Article 2

The expression 'headings' used in this Regulation means the headings (four-digit codes) used in the nomenclature which makes up the Harmonized Commodity Description and Coding System.

Article 3

Regulation (EEC) No 641/69 is hereby repealed.

Article 4

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 October 1990.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 1.

⁽²⁾ OJ No L 174, 22. 6. 1989, p. 11.

⁽³⁾ OJ No L 83, 4. 4. 1969, p. 1.

ANNEX

CN code	Description of product	Working or processing carried out on non-originating materials that confers the status of originating products
(1)	(2)	(3)
ex 0408	Birds' eggs not in shell, dried	Drying (after breaking and separation, where appropriate) of :
ex 0408	Dried egg yolk	— birds' eggs, in shell, fresh or preserved, of heading No ex 0407
ex 3502	Dried ovalbumin	— birds' eggs, not in shell, other than dried, of heading No ex 0408 — egg yolks, other than dried, of heading No ex 0408 or — egg whites, other than dried, of heading No ex 3502

*

COMMISSION REGULATION (EEC) No 2885/90

of 5 October 1990

on granting aid for the private storage of long flax fibre

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

balance between the supply of fibres and the foreseeable demand for them will be restored;

Having regard to the Treaty establishing the European Economic Community,

Whereas an assessment of the market situation thus leads to the conclusion that a temporary imbalance does exist between the supply of long flax fibre and the foreseeable demand for such fibre; whereas in these circumstances aid for the private storage of such fibre should be granted in accordance with the provisions of Commission Regulation (EEC) No 1524/71 of 16 July 1971 laying down detailed rules concerning private storage aid for flax and hemp fibres⁽⁴⁾;

Having regard to Council Regulation (EEC) No 1308/70 of 29 June 1970 on the common organization of the market in flax and hemp⁽¹⁾, as last amended by Commission Regulation (EEC) No 3995/87⁽²⁾, and in particular Article 5 (1) thereof,

Whereas the maximum quantity which may be the subject of a contract should be specified taking into account the need on the one hand to gradually remove the surplus from the market and on the other to simplify the administration of the system of storage aids;

Whereas Article 5 of Regulation (EEC) No 1308/70 provides for granting private storage aid when the supply of flax fibre shows a temporary imbalance when compared with foreseeable demand; whereas Council Regulation (EEC) No 1172/71 of 3 June 1971 laying down general rules concerning private storage aid for flax and hemp fibres⁽³⁾, specifies the principal items to be taken into account to ascertain the existence of such an imbalance, as well as the aid beneficiary;

Whereas the temporary imbalance referred to above is likely to last until the next harvest; whereas, in view of this, the duration of contracts should be eight to 10 months;

Whereas, during the current marketing year, Community production and imports of long flax fibre are likely to be such as to suggest that the quantities available will be higher than in the previous marketing year;

Whereas, since there is a risk that storage contracts will be made for a relatively large quantity of fibre, that quantity should be restricted to approximately one-third of Community production in order to guarantee normal supply to the market; whereas a maximum quantity for which each holder may take out storage contracts should therefore be set;

Whereas during recent months the demand for fibre on the part of Community and of third country users has fallen compared to last year; whereas this situation may well continue owing to the current crisis in the linen industry;

Whereas, to make storage aid available to holders of small quantities of fibre, the minimum quantity referred to in Article 3 (2) of Regulation (EEC) No 1524/71 should be adjusted;

Whereas the market situation has been characterized for some time by a marked fall in prices; whereas in view of the foreseeable development of demand for fibre this downward trend is likely to continue;

Whereas by virtue of Article 8 (2) (b) of Regulation (EEC) No 1172/71 the term of existing contracts may in certain circumstances be curtailed; whereas, in addition to the aid to be paid where the obligation under the contract are fulfilled, the deduction to be made where the storage term is thus reduced should be specified;

Whereas, because of a foreseeable reduction in the area sown, a fall in the production of flax during the coming marketing year is to be anticipated; whereas, it may be expected that at the end of the present marketing year the

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

⁽¹⁾ OJ No L 146, 4. 7. 1970, p. 1.

⁽²⁾ OJ No L 377, 31. 12. 1987, p. 34.

⁽³⁾ OJ No L 123, 5. 6. 1971, p. 7.

⁽⁴⁾ OJ No L 160, 17. 7. 1971, p. 16.

HAS ADOPTED THIS REGULATION:

Article 1

For the purposes of this Regulation 'long flax fibre' means: flax, broken, scutched, hackled or otherwise processed but not spun, falling within CN codes 5301 21 00 and 5301 29 00.

Article 2

Intervention agencies of producer Member States shall grant in accordance with the provisions of Regulation (EEC) No 1524/71 and of this Regulation private storage aid for long flax fibre of Community origin.

Article 3

1. The maximum quantity per storage contract shall be 200 tonnes.
2. Contracts may be concluded only with holders in possession of the fibre before 1 June 1990 and for not more than 60 % of the amount held by them on 31 May 1990.
3. Notwithstanding Article 3 (2) of Regulation (EEC) No 1524/71, the minimum quantity per contract shall be 5 000 kilograms.

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

Done at Brussels, 5 October 1990.

Article 4

1. Without prejudice to Article 8 (2) (b) of Regulation (EEC) No 1172/71, contracts shall be concluded at the option of the holder for eight, nine or 10 months.
2. Contracts must be concluded not later than 30 November 1990.

Article 5

1. The aid shall be ECU 2,50 per 100 kilograms per month.
2. Should Article 8 (2) (b) of Regulation (EEC) No 1172/71 be applied, the aid shall be reduced in proportion to the reduction in the term of the contract.

Article 6

For the purposes of this Regulation a month shall mean a period of 30 days.

Article 7

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

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 2886/90

of 5 October 1990

on the sale at a price fixed in advance of unprocessed dried figs from the 1989
harvest to distillation industries

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) 2202/90 ⁽⁴⁾, and in parti-
cular Article 6 (2) thereof,

Whereas Article 6 (2) of Commission Regulation (EEC)
No 626/85 of 12 March 1985 on the purchasing, selling
and storage of unprocessed dried grapes and figs by
storage agencies ⁽⁵⁾, as last amended by Regulation (EEC)
No 862/90 ⁽⁶⁾, provides that products intended for specific
uses shall be sold at prices fixed in advance or determined
by an invitation to tender;

Whereas Commission Regulation (EEC) No 1707/85 of
21 June 1985 on the sale of unprocessed dried figs by
storage agencies for the manufacture of alcohol ⁽⁷⁾
provides that unprocessed dried figs may be sold at a
price fixed in advance to distillation industries;

Whereas the Greek storage agency is holding roughly 178
tonnes of unprocessed dried figs from the 1989 harvest;
whereas these products cannot find outlets for direct
human consumption; whereas the products should be
offered to the distillation industries;

Whereas the selling price should be fixed in such a way
that disturbance of the Community market in alcohol and
spirituous beverages is avoided;

Whereas the amount of the processing security provided
for in Article 2 (2) of Regulation (EEC) No 1707/85
should be fixed, taking into consideration the difference
between the normal market price for dried figs and the
selling price fixed by this Regulation;

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 agency shall undertake the sale of unprocessed dried figs from the 1989 harvest to the distillation industries in accordance with the provisions of Regulations (EEC) No 626/85 and (EEC) No 1707/85 at a price fixed at ECU 4,8 per 100 kilograms net.
2. The processing security referred to in Article 2 (2) of Regulation (EEC) No 1707/85 is fixed at ECU 15,8 per 100 kilograms net.

Article 2

1. Purchase applications shall be submitted to the Greek storage agency Sykiki, at the head office of IDAGEP, Acharnon Street 241, Athens, Greece, for products held by that agency.
2. Information on the quantities and places where the products are stored may be obtained from the Greek storage agency Sykiki, Kritis Street 13, Kalamata, Greece.

Article 3

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 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.

⁽⁷⁾ OJ No L 163, 22. 6. 1985, p. 38.

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

Done at Brussels, 5 October 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 2887/90

of 5 October 1990

on the rate of interest to be used for calculating the costs of financing
intervention measures comprising buying-in, storage and disposal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 1883/78
of 2 August 1978 laying down general rules for the finan-
cing of interventions by the European Agricultural
Guidance and Guarantee Fund (EAGGF), Guarantee
Section ⁽¹⁾, as last amended by Regulation (EEC) No
787/89 ⁽²⁾, and in particular Article 5 thereof,

Whereas Article 3 of Commission Regulation (EEC) No
411/88 lays down that the uniform interest rate used for
calculating the costs of financing intervention measures is
to correspond to the interest rates for the ecu for three
months' and 12 months' forward rates recorded by the
Statistical Office of the European Communities on the
Euromarkets with a weighting of one-third and two-thirds
respectively ⁽³⁾;

Whereas the Commission fixes this rate before the begin-
ning of each EAGGF Guarantee Section accounting year
on the basis of the rates recorded in the six months
preceding fixing;

Whereas Article 4 (1) of Regulation (EEC) No 411/88 lays
down that if the rate of interest costs borne by a Member
State is lower for at least six months than the uniform
interest rate fixed for the Community a specific interest
rate is to be fixed for that Member State; whereas the
Member State notified these costs to the Commission
before the end of the accounting year; whereas, where no
costs are notified by a Member State, the rate to be

applied is determined on the basis of the reference inter-
est rates set out in the Annex to the said Regulation;

Whereas the interest rates for the 1991 accounting year
must be set, in line with those provisions;

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

HAS ADOPTED THIS REGULATION:

Article 1

For expenditure incurred during the 1991 EAGGF
Guarantee Section accounting year:

1. the interest rate referred to in Article 3 of Regulation
(EEC) No 411/88 shall be 10,5 %;
2. the specific interest rate referred to in Article 4 of
Regulation (EEC) No 411/88 shall be:
9,6 % for Germany
9,8 % for France
8,9 % for Ireland
9,0 % for the Netherlands

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 October 1990.

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

Done at Brussels, 5 October 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 216, 5. 8. 1978, p. 1.

⁽²⁾ OJ No L 85, 30. 3. 1989, p. 1.

⁽³⁾ OJ No L 40, 13. 2. 1988, p. 25.

COMMISSION REGULATION (EEC) No 2888/90

of 5 October 1990

altering the export refunds on milk and milk products

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

Having regard to the opinion of the Monetary Committee,

Whereas Article 17 of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 876/68 of 28 June 1968 laying down general rules for granting export refunds on milk and milk products and criteria for fixing the amount of such refunds ⁽³⁾, as last amended by Regulation (EEC) No 1344/86 ⁽⁴⁾, provides that when the refunds on the products listed in Article 1 of Regulation (EEC) No 804/68, exported in the natural state, are being fixed account must be taken of:

- the existing situation and the future trend with regard to prices and availabilities of milk and milk products on the Community market and prices for milk and milk products in international trade,
- marketing costs and the most favourable transport charges from Community markets to ports or other points of export in the Community, as well as costs incurred in placing the goods on the market of the country of destination,
- the aims of the common organization of the market in milk and milk products which are to ensure equilibrium and the natural development of prices and trade on this market,

— the need to avoid disturbances on the Community market, and

— the economic aspect of the proposed exports;

Whereas Article 3(1) of Regulation (EEC) No 876/68 provides that when prices within the Community are being determined account should be taken of the ruling prices which are most favourable for exportation, and that when prices in international trade are being determined particular account should be taken of:

- (a) prices ruling on third country markets;
- (b) the most favourable prices in third countries of destination for third country imports;
- (c) producer prices recorded in exporting third countries, account being taken, where appropriate, of subsidies granted by those countries; and
- (d) free-at-Community-frontier offer prices;

Whereas Article 4 of Regulation (EEC) No 876/68 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund on the products listed in Article 1 of Regulation (EEC) No 804/68 according to destination;

Whereas Article 5(1) of Regulation (EEC) No 876/68 provides that the list of products on which export refunds are granted and the amount of such refunds should be fixed at least once every four weeks; whereas the amount of the refund may, however, remain at the same level for more than four weeks;

Whereas, in accordance with Article 2 of Commission Regulation (EEC) No 1098/68 of 27 July 1968 on detailed rules for the application of export refunds on milk and milk products ⁽⁵⁾, as last amended by Regulation (EEC) No 222/88 ⁽⁶⁾, the refund granted for milk products containing added sugar is equal to the sum of the two components, one of which is intended to take account of the quantity of milk products and the other is intended to take account of the quantity of added sucrose; whereas, however, the latter component is applied only if the added sucrose was produced from sugar beet or cane harvested in the Community;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 378, 27. 12. 1989, p. 1.

⁽³⁾ OJ No L 155, 3. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 119, 8. 5. 1986, p. 36.

⁽⁵⁾ OJ No L 184, 29. 7. 1968, p. 10.

⁽⁶⁾ OJ No L 28, 1. 2. 1988, p. 1.

Whereas, for products falling within CN codes ex 0402 99 11, ex 0402 99 19, ex 0404 90 51, ex 0404 90 53, ex 0404 90 91 and ex 0404 90 93, with a fat content by weight not exceeding 9,5 % and a non-fatty milk content in the dry matter equal to or greater than 15 % by weight, the former abovementioned component is fixed for 100 kilograms of the whole product; whereas, for the other products containing added sugar falling within codes 0402 and 0404, that component is calculated by multiplying the basic amount by the milk products content of the product concerned; whereas that basic amount is equal to the refund to be fixed for one kilogram of milk products contained in the whole product;

Whereas the second component is calculated by multiplying the sucrose content of the product by the basic amount of the refund valid on the day of exportation for the products listed in Article 1 (1) (d) of 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⁾;

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⁽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;

Whereas the level of refund for cheeses is calculated for products intended for direct consumption; whereas the cheese rinds and cheese wastes are not products intended for this purpose; whereas, to avoid any confusion in interpretation, it should be specified that there will be no refund for cheeses of a free-at-frontier value less than ECU 140 per 100 kilograms;

Whereas Commission Regulation (EEC) No 896/84⁽⁵⁾, as last amended by Regulation (EEC) No 222/88, laid down

additional provisions concerning the granting of refunds on the change from one milk year to another; whereas those provisions provide for the possibility of varying refunds according to the date of manufacture of the products;

Whereas for the calculation of the refund for processed cheese provision must be made where casein or caseinates are added for that quantity not to be taken into account;

Whereas Commission Regulation (EEC) No 2870/90⁽⁶⁾ provides for an increase, with effect from 5 October 1990, of the aid granted for skimmed-milk powder as laid down in Commission Regulation (EEC) No 1634/85⁽⁷⁾; whereas the refunds for products falling within CN code 2309 should therefore be adjusted from the above date;

Whereas it follows from applying the rules set out above to the present situation on the market in milk and in particular to quotations or prices for milk products within the Community and on the world market that the refund should be as set out in the Annex to this Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The export refunds referred to in Article 17 of Regulation (EEC) No 804/68 on products exported in the natural state, as fixed in the Annex to amended Regulation (EEC) No 2395/90 are hereby altered, in respect of the products set out in the Annex hereto, to the amounts set out therein.
2. There shall be no refunds for exports to Zone E for products falling within CN codes 0401, 0402, 0403, 0404, 0405 and 2309.
3. There shall be no refunds for exports to Portugal, including the Azores and Madeira, for milk and milk products listed in Article 1 of Regulation (EEC) No 804/68.

Article 2

This Regulation shall enter into force on 6 October 1990.

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

Done at Brussels, 5 October 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 164, 24. 6. 1985, p. 1.
⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 9.
⁽⁵⁾ OJ No L 91, 1. 4. 1984, p. 71.

⁽⁶⁾ OJ No L 275, 5. 10. 1990, p. 19.
⁽⁷⁾ OJ No L 158, 18. 6. 1985, p. 7.

ANNEX

to the Commission Regulation of 5 October 1990 altering the export refunds on milk and milk products

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
2309 10 15 010		—
2309 10 15 100		—
2309 10 15 200		—
2309 10 15 300		—
2309 10 15 400		—
2309 10 15 500		—
2309 10 15 700		—
2309 10 15 900		—
2309 10 19 010		—
2309 10 19 100		—
2309 10 19 200		—
2309 10 19 300		—
2309 10 19 400		—
2309 10 19 500		—
2309 10 19 600		—
2309 10 19 700		—
2309 10 19 800		—
2309 10 19 900		—
2309 10 70 010		—
2309 10 70 100		21,00
2309 10 70 200		28,00
2309 10 70 300		35,00
2309 10 70 500		42,00
2309 10 70 600		49,00
2309 10 70 700		56,00
2309 10 70 800		61,60
2309 10 70 900		—
2309 90 35 010		—
2309 90 35 100		—
2309 90 35 200		—
2309 90 35 300		—
2309 90 35 400		—
2309 90 35 500		—
2309 90 35 700		—
2309 90 35 900		—
2309 90 39 010		—
2309 90 39 100		—
2309 90 39 200		—
2309 90 39 300		—
2309 90 39 400		—
2309 90 39 500		—
2309 90 39 600		—
2309 90 39 700		—
2309 90 39 800		—
2309 90 39 900		—
2309 90 70 010		—
2309 90 70 100		21,00
2309 90 70 200		28,00
2309 90 70 300		35,00

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
2309 90 70 500		42,00
2309 90 70 600		49,00
2309 90 70 700		56,00
2309 90 70 800		61,60
2309 90 70 900		—

(*) The code numbers for the destinations are those set out in the Annex to Commission Regulation (EEC) No 420/90 (OJ No L 44, 20. 2. 1990, p. 15).

For destinations other than those indicated for each 'product code', the amount of the refund applying is indicated by '—'.

Where no destination is indicated, the amount of the refund is applicable for exports to any destination other than those referred to in Article 1 (2) and (3).

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 2889/90

of 5 October 1990

laying down definitive measures on the issuing of STM licences for milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 85 (3) thereof,

Having regard to Council Regulation (EEC) No 569/86 of 25 February 1986 laying down general rules for the application of the supplementary mechanism applicable to trade⁽¹⁾, as last amended by Regulation (EEC) No 3296/88⁽²⁾, and in particular Article 7 (1) thereof,

Whereas the Commission Regulation (EEC) No 606/86 laying down detailed rules for applying the supplementary trade mechanism to milk products imported into Spain from the Community of Ten⁽³⁾, as last amended by Regulation (EEC) No 1637/90⁽⁴⁾, fixes the indicative ceiling for imports into Spain of certain products in the milk and milk products sector for 1990;

Whereas application for STM licences lodged in the week 2 to 7 July 1990 for categories of cheese 5 and 6, in the week 30 July to 3 August for category of cheese 3 and in the week 3 to 8 September for category of cheese 2 cover quantities exceeding that fraction of the indicative ceiling applying for the third quarter of 1990;

Whereas the Commission accordingly adopted by an emergency procedure appropriate interim protection measures by Regulation (EEC) No 2016/90⁽⁵⁾, (EEC) No 2352/90⁽⁶⁾ and (EEC) No 2369/90⁽⁷⁾; whereas definitive measures must be adopted; whereas, in view of the situa-

tion of the market in Spain, at present an increase in the indicative ceiling cannot be contemplated;

Whereas, as a definitive measure as mentioned in Article 85 (3) of the Act, suspension of the issuing of STM licences provided for in Articles 1 (2) of Regulations (EEC) No 2016/90, (EEC) No 2352/90 and (EEC) No 2639/90 should be extended until the end of the third quarter of 1990 and provision should be made for the date on which further applications may be submitted in order to avoid any disturbance of the Spanish market;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The issuing of STM licences for products in the milk and milk products sector referred to in Regulations (EEC) No 2016/90, (EEC) No 2352/90 and (EEC) No 2639/90 is hereby suspended until 30 September 1990 inclusive.

2. Applications for STM licences introduced from 24 September 1990 are taken into consideration in respect of that fraction of the indicative ceiling applying for the fourth quarter of 1990.

Article 2

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

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

Done at Brussels, 5 October 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 55, 1. 3. 1986, p. 106.

⁽²⁾ OJ No L 293, 27. 10. 1988, p. 7.

⁽³⁾ OJ No L 58, 1. 3. 1986, p. 28.

⁽⁴⁾ OJ No L 153, 19. 6. 1990, p. 24.

⁽⁵⁾ OJ No L 181, 14. 7. 1990, p. 19.

⁽⁶⁾ OJ No L 215, 10. 8. 1990, p. 14.

⁽⁷⁾ OJ No L 251, 14. 9. 1990, p. 11.

COMMISSION REGULATION (EEC) No 2890/90
of 5 October 1990

**laying down certain additional detailed rules for the application of the
supplementary trade mechanism to fruit and vegetables as regards tomatoes,
lettuce, broad-leaf endives, carrots, artichokes, table grapes and melons**

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 3210/89
of 23 October 1989 laying down general rules for
applying the supplementary trade mechanism to fresh
fruit and vegetables ⁽¹⁾, and in particular Article 9 thereof,

Whereas Commission Regulation (EEC) No 816/89 ⁽²⁾
establishes the list of products subject to the supplemen-
tary trade mechanism in the fresh fruit and vegetables
sector from 1 January 1990; whereas tomatoes, lettuce,
broad-leaf endives, carrots, artichokes, table grapes and
melons are included on the list;

Whereas Commission Regulation (EEC) No 3944/89 ⁽³⁾,
as last amended by Regulation (EEC) No 245/90 ⁽⁴⁾, lays
down detailed rules for applying the supplementary trade
mechanism, hereinafter called the 'STM', to fresh fruit
and vegetables;

Whereas Commission Regulation (EEC) No 2105/90 ⁽⁵⁾
lays down that the period from 3 September to 7 October
1990 shall be a period I within the meaning of Article 2
of Regulation (EEC) No 3210/89 for the above products;
whereas, in view of expected exports from Spain to the
rest of the Community market, with the exception of
Portugal, and of the market situation, the period from 8
October to 2 December 1990 should be a period I for
lettuce, broad-leaf endives, carrots, artichokes, table grapes
and melons;

Whereas, in view of the expected exports and the market
situation, the periods from 8 to 14 October and from 29
October to 11 November should be a period II, the
period from 15 to 28 October should be a period III and
the period from 12 November to 2 December should be a
period I for tomatoes and indicative ceilings should be set
for this product; whereas, in view of the extreme market

sensitivity of this product, indicative ceilings for very
short periods should be fixed pursuant to Article 3 of
Regulation (EEC) No 3210/89;

Whereas it should be recalled that the provisions of Regu-
lation (EEC) No 3944/89 on statistical monitoring and
various communications from the Member States apply to
guarantee the functioning of the STM;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. For cabbage lettuce falling within CN code
0705 11 10, lettuce other than cabbage lettuce falling
within CN code 0705 19 00, broad-leaf endive falling
within CN code ex 0705 29 00, carrots falling within CN
code ex 0706 10 00, artichokes falling within CN code
0709 10 00, table grapes falling within CN codes
0806 10 11, 0806 10 15 and 0806 10 19 and melons
falling within CN code 0807 10 90 the periods provided
for in Article 2 of Regulation (EEC) No 3210/89 shall be
as set out in the Annex.

2. For tomatoes falling within CN codes 0702 00 10
and 0702 00 90:

- the indicative ceilings referred to in Article 83 (1) of
the Act of Accession,
and
- the periods referred to in Article 2 of Regulation
(EEC) No 3210/89

shall be as fixed in the Annex hereto.

Article 2

1. For consignments from Spain to the rest of the
Community market with the exception of Portugal of the
products listed in Article 1, the provisions of Regulation
(EEC) No 3944/89, with the exception of Articles 5 and 7
thereof, shall apply.

The notification referred to in Article 2 (2) of the said
Regulation shall be made each Tuesday at the latest for
the quantities consigned during the preceding week.

⁽¹⁾ OJ No L 312, 27. 10. 1989, p. 6.

⁽²⁾ OJ No L 86, 31. 3. 1989, p. 35.

⁽³⁾ OJ No L 379, 28. 12. 1989, p. 20.

⁽⁴⁾ OJ No L 27, 31. 1. 1990, p. 14.

⁽⁵⁾ OJ No L 191, 24. 7. 1990, p. 23.

2. The communications referred to in Article 9 (1) of Regulation (EEC) No 3944/89 for products subject to a period II or III shall be sent to the Commission by Tuesday of each week at the latest for the preceding week.

During the application of a period I, those communications shall be made once a month by the fifth of each month at the latest for information referring to the previous month; where appropriate, this communication shall bear the word 'nil'.

Article 3

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

It shall apply from 8 October 1990.

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

Done at Brussels, 5 October 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

Determination of the periods provided for in Article 2 of Regulation (EEC) No 3210/89 and the ceilings provided for in Article 83 of the Act of Accession

Period from 8 October to 2 December

Description	CN code	Period
Cabbage lettuce	0705 11 10	I
Lettuce other than cabbage lettuce	0705 19 00	I
Broad-leaf endive	ex 0705 29 00	I
Carrots	ex 0706 10 00	I
Artichokes	0709 10 00	I
Table grapes	0806 10 11, 0806 10 15 and 0806 10 19	I
Melons	0807 10 90	I

Description	CN code	Indicative ceilings (tonnes)	Periods
Tomatoes	0702 00 10 and 0702 00 90	8 — 14. 10. 1990 : 8 000	II
		15 — 21. 10. 1990 : 10 000	III
		22 — 28. 10. 1990 : 10 500	III
		29. 10. — 4. 11. 1990 : 10 500	II
		5 — 11. 11. 1990 : 10 500	II
		12. 11. — 2. 12. 1990 : —	I

COMMISSION REGULATION (EEC) No 2891/90

of 5 October 1990

on the issue of import licences for provisionally preserved cultivated mushrooms

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 18 (2) thereof,

Whereas Council Regulation (EEC) No 521/77 ⁽³⁾ established detailed rules for applying protective measures in the market in products processed from fruit and vegetables;

Whereas the quantities of cultivated mushrooms provisionally preserved but unsuitable for consumption in that state, released for free circulation in the Community since the beginning of 1990 are constantly increasing; whereas if the rate of import continues it will greatly exceed the level reached during 1989;

Whereas the levels of prices maintained by the main third country suppliers for the 1990/91 marketing year are lower than those for similar products obtained in the Community; whereas, therefore, it is difficult to market the latter; whereas stocks of products originating in the Community are much higher than, and constantly increasing by comparison with, those which have existed in the same period over the past few years;

Whereas, under these circumstances, the Community market is threatened with serious disturbances likely to prejudice the objectives defined in Article 39 of the Treaty; whereas, therefore, it is necessary to apply protective measures; whereas the measures must be capable of preventing further disturbance of the market as a result of a continued increase in imports;

Whereas, for this purpose, the quantity of products in question which may be released for free circulation in 1990 should be fixed on the basis of the quantities imported during the previous year and applying a rate of increase corresponding to an appropriate development in trade;

Whereas, in order to avoid licence applications for quantities in excess of actual needs and submitted for speculative reasons, the issue of import licences should be suspended with immediate effect as a protective measure until conditions can be drawn up for the issue of import licences for use in respect of the outstanding quantities available during the current year; whereas these measures should take account of the special situation of products which are in the course of being delivered to the Community on the day on which this Regulation enters into force,

HAS ADOPTED THIS REGULATION:

Article 1

For the year 1990, import licences shall be issued for 36 800 tonnes of cultivated mushrooms provisionally preserved but unsuitable for consumption in that state falling within CN code ex 0711 90 50, without prejudice to the provisions of Article 2.

Article 2

Issue of import licences for the products referred to in Article 1 shall be suspended in respect of applications submitted on or after 3 October 1990.

Article 3

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 October 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 73, 21. 3. 1977, p. 28.

COMMISSION REGULATION (EEC) No 2892/90**of 5 October 1990****adopting interim protective measures in regard to applications for STM licences
for milk and milk products lodged between 24 and 29 September 1990**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas Commission Regulation (EEC) No 608/86 of 28 February 1986 laying down detailed rules for applying the supplementary trade mechanism to milk products imported into Spain from the Community of Ten ⁽¹⁾, as last amended by Regulation (EEC) No 1637/90 ⁽²⁾, fixes the indicative ceilings for milk sector products for 1990 and splits these up into monthly ceilings;

Whereas applications for STM licences for cheese of categories 5 and 6 lodged between 24 and 29 September 1990 relate to quantities higher than the ceiling set for the fourth quarter;

Whereas Article 85 (1) of the Act of Accession states that the Commission may take interim protective measures necessary by an emergency procedure where the situation indicates that the initiative ceiling will be attained or exceeded; whereas to this it is necessary, as an interim protective measure, in view of the number of requests, for the products concerned, to refuse requests lodged for cate-

gory 5, to issue licences up to a percentage of the quantities applied for category 6 and to suspend all further issuing of licences for the products in question,

HAS ADOPTED THIS REGULATION:

Article 1

1. Applications for STM licences as referred to in Regulation (EEC) No 606/86 lodged between 24 and 29 September 1990 and notified to the Commission for milk products falling within:

- category 5 of CN code ex 0406 are hereby rejected,
- category 6 of CN code ex 0406 are hereby accepted up to a percentage of 32,43 %.

2. The issuing of STM licences is hereby provisionally suspended for products falling with category 5, and for products falling within category 6 above the percentage referred to in paragraph 1.

Article 2

This Regulation shall enter into force on 6 October 1990.

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

Done at Brussels, 5 October 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 58, 1. 3. 1986, p. 28.

⁽²⁾ OJ No L 153, 19. 6. 1990, p. 24.

COMMISSION REGULATION (EEC) No 2893/90

of 5 October 1990

abolishing the countervailing charge and re-establishing the preferential
customs duty on fresh lemons originating in Turkey

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 1035/72 of the
Council of 18 May 1972 on the common organization of
the market in fruit and vegetables ⁽¹⁾, as last amended by
Regulation (EEC) No 1193/90 ⁽²⁾, and in particular the
second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 2792/90 ⁽³⁾
introduced a countervailing charge and suspended the
preferential customs duty on fresh lemons originating in
Turkey;

Whereas the present trend of prices for products origin-
ating in Turkey on the representative markets referred to
in Regulation (EEC) No 2118/74 of the Commission ⁽⁴⁾,
as last amended by Regulation (EEC) No 3811/85 ⁽⁵⁾,

recorded or calculated in accordance with the provisions
of Article 5 of that Regulation, indicated that entry prices
have been at least equal to the reference price for two
consecutive market days; whereas the conditions speci-
fied in the second indent of Article 26 (1) of Regulation
(EEC) No 1035/72 are therefore fulfilled and the counter-
vailing charge on imports of these products originating in
Turkey can be abolished,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2792/90 is hereby repealed.

Article 2

This Regulation shall enter into force on 6 October 1990.

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

Done at Brussels, 5 October 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 119, 11. 5. 1990, p. 43.

⁽³⁾ OJ No L 265, 27. 9. 1990, p. 27.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

COMMISSION REGULATION (EEC) No 2894/90
of 5 October 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 2867/90 ⁽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 October 1990.

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

Done at Brussels, 5 October 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 275, 5. 10. 1990, p. 14.

ANNEX

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

(ECU/100 kg)

CN code	Levy
1701 11 10	37,82 ⁽¹⁾
1701 11 90	37,82 ⁽¹⁾
1701 12 10	37,82 ⁽¹⁾
1701 12 90	37,82 ⁽¹⁾
1701 91 00	44,04
1701 99 10	44,04
1701 99 90	44,04 ⁽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 2895/90

of 5 October 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 2752/90⁽⁷⁾, as amended by Regulation (EEC) No 2838/90⁽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 264, 27. 9. 1990, p. 39.

⁽⁸⁾ OJ No L 268, 29. 9. 1990, p. 94.

⁽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 October 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 2752/90 are hereby altered to the amounts set out in the Annex.

Article 2

This Regulation shall enter into force on 6 October 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 October 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

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

(ECU/tonne)

CN code	Import levies		
	Portugal	ACP or OCT	Third countries (other than ACP or OCT)
1102 90 90	48,38	148,17	151,19
1103 19 90	48,38	148,17	151,19
1103 29 90	48,38	148,17	151,19
1104 19 99	86,09	261,47	267,51
1104 29 19	74,17	232,42	235,44
1104 29 39	74,17	232,42	235,44
1104 29 99	48,38	148,17	151,19

COUNCIL REGULATION (EEC) No 2896/90

of 5 October 1990

extending the provisional anti-dumping duty on imports of potassium permanganate originating in the USSR

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to the proposal from the Commission,

Whereas, by Regulation (EEC) No 1537/90⁽²⁾, the Commission imposed a provisional anti-dumping duty on imports of potassium permanganate originating in the USSR;

Whereas the examination of the facts has not yet been completed and the Commission has informed the exporter in the USSR concerned of its intention to propose an extension of the period of validity of the

provisional duty for a period not exceeding two months. The exporter in the USSR concerned has not objected to this intention,

HAS ADOPTED THIS REGULATION:

Article 1

The provisional anti-dumping duty on imports of potassium permanganate originating in the USSR, imposed by Regulation (EEC) No 1537/90, is hereby extended for a period not exceeding two months.

Without prejudice to Article 11 of Regulation (EEC) No 2423/88 and to any other decision taken by the Council, the said duty shall apply until the entry into force of an act of the Council adopting definitive measures.

Article 2

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, 5 October 1990.

*For the Council**The President*

G. DE MICHELIS

⁽¹⁾ OJ No L 209, 2. 8. 1988, p. 1.

⁽²⁾ OJ No L 145, 8. 6. 1990, p. 9.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 24 September 1990

introducing a Community financial measure with a view to the eradication of infectious haemopoietic necrosis of salmonids in the Community

(90/495/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field⁽¹⁾, and in particular Article 23 (4) thereof,

Having regard to the proposal from the Commission⁽²⁾,

Having regard to the opinion of the European Parliament⁽³⁾,

Having regard to the opinion of the Economic and Social Committee⁽⁴⁾,

Whereas infectious haemopoietic necrosis (IHN) of salmonids is a highly contagious viral disease which may cause very important losses to farms;

Whereas it is necessary, in the first instance, to lay down appropriate surveillance measures in order to obtain the information necessary to implement possible measures for the elimination of the disease;

Whereas it is appropriate that Member States present an eradication plan;

Whereas the Community financial aid will consist of a partial reimbursement of the expenditure incurred by the Member States for sampling operations and the necessary laboratory examinations;

Whereas the measures must be adopted following a procedure in which the Member States and the Commission act in close association,

HAS ADOPTED THIS DECISION:

Article 1

Three months after the adoption of this Decision, Member States must submit a plan for assessing, by means of an epidemiological survey carried out in their territory, the rate of infection in the Community of infectious haemopoietic necrosis (IHN) and viral haemorrhagic septicaemia (VHS).

Article 2

For the purposes of this Decision:

1. 'farm' shall mean any establishment or, in general, any geographically defined installation in which salmonids are reared or kept with a view to their being placed on the market;
2. 'approved laboratory' shall mean a laboratory located in the territory of a Member State, designated by the competent authority, under its responsibility, to carry out the examinations provided for in this Decision.

Article 3

The plan referred to in Article 1 shall provide for:

1. the central authorities which are to implement and coordinate the plan;
2. the registration of farms engaged in salmonid rearing;
3. the monitoring of movements of salmonids;

⁽¹⁾ OJ No L 224, 18. 8. 1990, p. 19.

⁽²⁾ OJ No C 327, 30. 12. 1989, p. 59.

⁽³⁾ OJ No C 113, 7. 5. 1990, p. 219.

⁽⁴⁾ OJ No C 124, 21. 5. 1990, p. 3.

4. sampling for virus and/or serological detection on the farms engaged in salmonid rearing; the number of samples to be taken must depend on the animal health situation;
5. the transfer of samples to an approved laboratory for submission there to a virological and/or serological examination for the detection of IHN and, where relevant, VHS viruses;
6. the estimated unit costs for sampling and laboratory examination, as well as estimated total costs for carrying out the operations.

Article 4

The Commission shall examine the plans drawn up by the Member States in order to ascertain whether they meet the conditions for their approval or whether they should be amended in any way.

The plans, including any amendments to them, shall be approved in accordance with the procedure provided for in Article 10.

Article 5

The measure provided for in this Decision shall qualify for financial aid from the Community.

Article 6

1. Community financial assistance shall be granted for a period of one year from the date fixed by the Commission in its decisions approving the plans referred to in Article 1.
2. The estimated assistance to be charged to the Community budget under the Chapter covering expenditure relating to agriculture shall be ECU 2 million for the duration of the period provided for in paragraph 1.

Article 7

1. On condition that all the measures laid down are applied and are in compliance with the plan approved pursuant to Article 4, the expenditure incurred by the Member States pursuant to points 4 and 5 of Article 3 shall qualify for Community financial aid within the limits laid down in Article 6.
2. The Community shall refund 50 % of the expenditure referred to in paragraph 1.
3. Detailed rules for the application of this Article shall be adopted, as required, in accordance with the procedure laid down in Article 10.

Article 8

1. Applications for payment shall relate to expenditure incurred by the Member States during the calendar year and shall be submitted to the Commission before 1 July of the following year.

2. The Commission shall decide on aid after consulting the Committee referred to in Article 10.

3. Detailed rules for the application of this Article shall be adopted, as required, in accordance with the procedure laid down in Article 10.

Article 9

Articles 8 and 9 of Regulation (EEC) No 729/70 ⁽¹⁾, as last amended by Regulation (EEC) No 2048/88 ⁽²⁾, shall apply *mutatis mutandis*.

Article 10

1. Where the procedure laid down in this Article is to be followed, the matter shall be referred without delay by the chairman, either on his own initiative or at the request of a Member State, to the Standing Veterinary Committee, set up by Decision 68/361/EEC ⁽³⁾.
2. The representative of the Commission shall submit to the committee a draft of the measures to be taken. The committee shall deliver its opinion on the draft within a time limit which the chairman may lay down according to the urgency of the matter. The opinion shall be delivered by the majority laid down in Article 148 (2) of the Treaty in the case of Decisions which the Council is required to adopt on a proposal from the Commission. The votes of the representatives of the Member States within the committee shall be weighted in the manner set out in that Article. The chairman shall not vote.
3. The Commission shall adopt the measures envisaged if they are in accordance with the opinion of the committee.
4. If the measures envisaged are not in accordance with the opinion of the committee, or if no opinion is delivered, the Commission shall, without delay, submit to the Council a proposal relating to the measures to be taken. The Council shall act by a qualified majority.

If, on expiry of a period of three months from the date of referral to the Council, the Council has not acted, the proposed measures shall be adopted by the Commission.

Article 11

Experts from the Commission may, working together with the competent authorities, carry out on-the-spot checks to ensure that the plans referred to in Article 1 are being applied.

The Commission shall inform the Member States within the committee referred to in Article 10 of the results of the plans in the light of the information provided by the Member States, who shall submit a report to the Commission together with the applications for payment and any

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽²⁾ OJ No L 185, 15. 7. 1988, p. 1.

⁽³⁾ OJ No L 255, 18. 10. 1968, p. 23.

reports from experts who, acting on behalf of the Community and appointed by the Commission, have made on-the-spot visits.

Article 12

On the basis of the results of the surveys referred to in Article 1, the Commission shall submit a report, together with any suitable proposals or decisions within the framework of Article 5 (2) of Decision 90/424/EEC.

Article 13

This Decision is addressed to the Member States.

Done at Brussels, 24 September 1990.

For the Council

The President

V. SACCOMANDI

COUNCIL DIRECTIVE
of 24 September 1990
on nutrition labelling for foodstuffs

(90/496/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 100a thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

In cooperation with the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas it is important that measures should be adopted with a view to the progressive establishment of the internal market by 31 December 1992; whereas the internal market is an area without internal frontiers in which freedom of movement is ensured for goods, persons, services and capital;

Whereas there is growing public interest in the relationship between diet and health and in the choice of an appropriate diet to suit individual needs;

Whereas the Council and the Representatives of the Governments of the Member States meeting within the Council, in their resolution of 7 July 1986 on the European programme against cancer, considered the improvement of nutrition to be a priority;

Whereas knowledge of the basic principles of nutrition and appropriate nutrition labelling of foodstuffs would contribute significantly towards enabling the consumer to make this choice;

Whereas the provision of nutrition labelling should assist action in the area of nutrition education for the public;

Whereas, for the benefit of the consumer on the one hand, and to avoid any possible technical barriers to trade on the other, nutrition labelling should be presented in a standardized form applying throughout the Community;

Whereas foodstuffs bearing nutrition labelling should conform to the rules laid down in this Directive;

Whereas all other forms of nutrition labelling should be prohibited but foodstuffs bearing no nutrition labelling should be able to circulate freely;

Whereas, to appeal to the average consumer and to serve the purpose for which it is introduced, and given the current low level of knowledge on the subject of nutrition, the information provided should be simple and easily understood;

Whereas application of this Directive for a certain length of time will enable valuable experience on the subject to be gained and consumer reaction to the way in which nutrition information is presented to be evaluated thus enabling the Commission to review the rules and propose any appropriate amendments;

Whereas in order to encourage interested parties, especially small and medium-sized undertakings, to provide nutrition labelling for as many products as possible, measures to make information more complete and more balanced should be introduced gradually;

Whereas the rules laid down in this Directive should also take into account the *Codex Alimentarius* guidelines on nutrition labelling;

Whereas general labelling provisions and definitions are contained in Council Directive 79/112/EEC of 18 December 1978 on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs for sale to the ultimate consumer ⁽⁴⁾, as last amended by Directive 89/395/EEC ⁽⁵⁾; whereas this Directive can therefore be confined to those provisions pertaining to nutrition labelling,

HAS ADOPTED THIS DIRECTIVE:

Article 1

1. This Directive concerns nutrition labelling of foodstuffs to be delivered as such to the ultimate consumer. It shall also apply to foodstuffs intended for supply to restaurants, hospitals, canteens and other similar mass caterers (hereinafter referred to as 'mass caterers').

⁽¹⁾ OJ No C 282, 5. 11. 1988, p. 8 and

OJ No C 296, 24. 11. 1989, p. 3.

⁽²⁾ OJ No C 158, 26. 6. 1989, p. 250 and

OJ No C 175, 16. 7. 1990, p. 76.

⁽³⁾ OJ No C 159, 26. 6. 1989, p. 41.

⁽⁴⁾ OJ No L 33, 8. 2. 1979, p. 1.

⁽⁵⁾ OJ No L 186, 30. 6. 1989, p. 17.

2. This Directive shall not apply to :

- natural mineral waters or other waters intended for human consumption,
- diet integrators/food supplements.

3. This Directive shall apply without prejudice to the labelling provisions of Council Directive 89/398/EEC of 3 May 1989 on the approximation of the laws of the Member States relating to foodstuffs intended for particular nutritional uses⁽¹⁾ and specific Directives as referred to in Article 4 of that Directive.

4. For the purposes of this Directive :

(a) 'nutrition labelling' means any information appearing on labelling and relating to :

- (i) energy value ;
- (ii) the following nutrients :
 - protein,
 - carbohydrate,
 - fat,
 - fibre,
 - sodium,
 - vitamins and minerals listed in the Annex and present in significant amounts as defined in that Annex.

Changes to the list of vitamins, minerals and their recommended daily allowances shall be adopted in accordance with the procedure laid down in Article 10 ;

(b) 'nutrition claim' means any representation and any advertising message which states, suggests or implies that a foodstuff has particular nutrition properties due to the energy (calorific value) it

- provides,
- provides at a reduced or increased rate or
- does not provide,

and/or due to the nutrients it

- contains,
- contains in reduced or increased proportions or
- does not contain.

A reference to qualities or quantities of a nutrient does not constitute a nutrition claim in so far as it is required by legislation.

In accordance with the procedure laid down in Article 10, it may be decided in certain cases whether the conditions described in this point are satisfied ;

- (c) 'protein' means the protein content calculated using the formula : protein = total Kjeldahl nitrogen × 6,25 ;
- (d) 'carbohydrate' means any carbohydrate which is metabolized in man, and includes polyols ;
- (e) 'sugars' means all monosaccharides and disaccharides present in food, but excludes polyols ;

- (f) 'fat' means total lipids, and includes phospholipids ;
- (g) 'saturates' means fatty acids without double bond ;
- (h) 'mono-unsaturates' means fatty acids with one *cis* double bond ;
- (i) 'polyunsaturates' means fatty acids with *cis*, *cis*-methylene interrupted double bonds ;
- (j) 'fibre' means the material to be defined in accordance with the procedure laid down in Article 10 and measured by the method of analysis to be determined in accordance with that procedure ;
- (k) 'average value' means the value which best represents the amount of the nutrient which a given food contains, and reflects allowances for seasonal variability, patterns of consumption and other factors which may cause the actual value to vary.

Article 2

1. Subject to paragraph 2, nutrition labelling shall be optional.

2. Where a nutrition claim appears on labelling, in presentation or in advertising, with the exclusion of generic advertising, nutrition labelling shall be compulsory.

Article 3

The only nutrition claims permitted shall be those relating to energy, to the nutrients listed in Article 1 (4) (a) (ii) and to substances which belong to or which are components of a category of those nutrients. Provisions restricting or prohibiting nutrition claims within the meaning of this Article may be adopted by the procedure laid down in Article 10.

Article 4

1. Where nutrition labelling is provided, the information to be given shall consist of either group 1 or group 2 in the following order :

Group 1

- (a) energy value ;
- (b) the amounts of protein, carbohydrate and fat.

Group 2

- (a) energy value ;
- (b) the amounts of protein, carbohydrate, sugars, fat, saturates, fibre and sodium.

2. Where a nutrition claim is made for sugars, saturates, fibre or sodium, the information to be given shall consist of group 2.

⁽¹⁾ OJ No L 186, 30. 6. 1989, p. 27.

3. Nutrition labelling may also include the amounts of one or more of the following:

- starch,
- polyols,
- mono-unsaturates,
- polyunsaturates,
- cholesterol,
- any of the minerals or vitamins listed in the Annex and present in significant amounts as defined in that Annex.

4. The declaration of substances which belong to or are components of one of the categories of nutrients referred to in paragraphs 1 and 3 shall be compulsory where a nutrition claim is made.

In addition, where the amount of polyunsaturates and/or mono-unsaturates and/or the cholesterol rate is given, the amount of saturates shall also be given, the declaration of the latter not constituting — in this case — a nutrition claim within the meaning of paragraph 2.

Article 5

1. The energy value to be declared shall be calculated using the following conversion factors:

— carbohydrate (except polyols)	4	kcal/g	—	17	kJ/g
— polyols	2,4	kcal/g	—	10	kJ/g
— protein	4	kcal/g	—	17	kJ/g
— fat	9	kcal/g	—	37	kJ/g
— alcohol (ethanol)	7	kcal/g	—	29	kJ/g
— organic acid	3	kcal/g	—	13	kJ/g

2. Provisions concerning the following points shall be adopted in accordance with the procedure laid down in Article 10:

- amendments to the conversion factors mentioned in paragraph 1,
- the addition to the list in paragraph 1 of substances which belong to or are components of one of the categories of nutrients referred to in that paragraph and their conversion factors in order to calculate more precisely the energy value of foodstuffs.

Article 6

1. The declaration of the energy value and of the proportion of nutrients or their components shall be numerical. The units to be used are the following:

— energy — kJ and kcal	}	grams (g)
— protein		
— carbohydrate		
— fat		
— fibre		
— sodium		

— cholesterol	milligrams (mg)
— vitamins and minerals	the units specified in the Annex

2. Information shall be expressed per 100 g or per 100 ml. In addition, this information may be given per serving as quantified on the label or per portion, provided that the number of portions contained in the package is stated.

3. In accordance with the procedure laid down in Article 10 it may be decided that the information in paragraphs 1 and 2 may also be given in graphical form according to formats to be determined.

4. The amounts mentioned shall be those of the food as sold. Where appropriate, this information may relate to the foodstuff after preparation, provided that sufficiently detailed preparation instructions are given and the information relates to the food as prepared for consumption.

5. (a) Information on vitamins and minerals must also be expressed as a percentage of the recommended daily allowance (RDA) given in the Annex for the amounts as specified in paragraph 2.

(b) The percentage of the recommended daily allowance (RDA) for vitamins and minerals may also be given in graphical form. Rules for implementing this subparagraph may be adopted in accordance with the procedure laid down in Article 10.

6. Where sugars and/or polyols and/or starch are declared, this declaration shall immediately follow the declaration of the carbohydrate content in the following manner:

— carbohydrate	g
of which:	
— sugars	g
— polyols	g
— starch	g

7. Where the amount and/or type of fatty acid and/or the cholesterol rate is declared, this declaration shall immediately follow the declaration of total fats in the following manner:

— fat	g
of which:	
— saturates	g
— mono-unsaturates	g
— polyunsaturates	g
— cholesterol	mg

8. The declared values shall, according to the individual case, be average values based on:

- (a) the manufacturer's analysis of the food;
- (b) a calculation from the known or actual average values of the ingredients used;

- (c) a calculation from generally established and accepted data.

The rules for implementing the first paragraph with regard in particular to the differences between the declared values and those established in the course of official checks shall be decided upon in accordance with the procedure laid down in Article 10.

Article 7

1. The information covered by this Directive must be presented together in one place in tabular form, with the numbers aligned if space permits. Where space does not permit, the information shall be presented in linear form.

It shall be printed in legible and indelible characters in a conspicuous place.

2. Member States shall ensure that the information covered by this Directive appears in a language easily understood by purchasers, unless other measures have been taken to ensure that the purchaser is informed. This provision shall not prevent such information from being indicated in more than one language.

3. Member States shall refrain from laying down requirements more detailed than those already contained in this Directive concerning nutrition labelling.

Article 8

1. In the case of non-prepackaged foodstuffs put up for sale to the ultimate consumer or to mass caterers and foodstuffs packed at the point of sale at the request of the purchaser or prepackaged with a view to immediate sale, the extent of the information referred to in Article 4 and the manner of its communication may be determined by national provisions until the eventual adoption of Community measures in accordance with the procedure laid down in Article 10.

Article 9

Any measures likely to have an effect on public health shall be adopted after consultation of the Scientific Committee for Food set up by Decision 74/234/EEC ⁽¹⁾.

Article 10

1. Where the procedure laid down in this Article is to be followed, the matter shall be referred to the Standing

Committee for Foodstuffs set up by Decision 69/414/EEC ⁽²⁾ (hereinafter referred to as 'the Committee') by its chairman, either on his own initiative or at the request of the representative of a Member State.

2. The representative of the Commission shall submit to the Committee a draft of the measures to be taken. The Committee shall deliver its opinion on the draft within a time limit which the chairman may lay down according to the urgency of the matter. The opinion shall be delivered by the majority laid down in Article 148 (2) of the Treaty in the case of decisions which the Council is required to adopt on a proposal from the Commission. The votes of the representatives of the Member States within the Committee shall be weighted in the manner set out in that Article. The chairman shall not vote.

3. (a) The Commission shall adopt the measures envisaged if they are in accordance with the opinion of the Committee.

- (b) Where the measures envisaged are not in accordance with the opinion of the Committee, or if no opinion is delivered, the Commission shall, without delay, submit to the Council a proposal relating to the measures to be taken. The Council shall act by a qualified majority.

- (c) If, on expiry of a period of three months from the date of referral to the Council, the Council has not acted, the proposed measures shall be adopted by the Commission.

Article 11

1. Member States shall take the measures necessary to comply with this Directive and shall forthwith inform the Commission thereof. Those measures shall be applied in such a way as to:

- permit trade in products complying with this Directive by 1 April 1992,
- prohibit trade in products which do not comply with this Directive with effect from 1 October 1993.

2. Until (five years following notification of this Directive), the declaration in nutrition labelling, either on a voluntary basis or following a nutrition claim, of one or more of the following nutrients; sugars, saturates, fibre, sodium, shall not trigger the obligation set out in Article 4 (1) and (2) to declare all these nutrients.

3. The Commission shall, by (eight years after notification of this Directive), submit to the European Parliament and the Council a report on the application of

⁽¹⁾ OJ No L 136, 20. 5. 1974, p. 1.

⁽²⁾ OJ No L 291, 19. 11. 1969, p. 9.

this Directive. At the same time, it shall submit to the Council any appropriate proposals for amendment.

Done at Brussels, 24 September 1990.

Article 12

This Directive is addressed to the Member States.

For the Council

The President

V. SACCOMANDI

ANNEX

Vitamins and minerals which may be declared and their recommended daily allowances (RDAs)

Vitamin A µg	800	Vitamin B12 µg	1
Vitamin D µg	5	Biotin mg	0,15
Vitamin E mg	10	Pantothenic acid mg	6
Vitamin C mg	60	Calcium mg	800
Thiamin mg	1,4	Phosphorus mg	800
Riboflavin mg	1,6	Iron mg	14
Niacin mg	18	Magnesium mg	300
Vitamin B6 mg	2	Zinc mg	15
Folacin µg	200	Iodine µg	150

As a rule, 15 % of the recommended allowance specified in this Annex supplied by 100 g or 100 ml or per package if the package contains only a single portion should be taken into consideration in deciding what constitutes a significant amount.

COUNCIL DECISION

of 24 September 1990

authorizing the United Kingdom to apply an optional measure derogating from Article 17 of the Sixth Directive (77/388/EEC) on the harmonization of the laws of the Member States relating to turnover taxes

(90/497/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Sixth Council Directive (77/388/EEC) of 17 May 1977 on the harmonization of the laws of the Member States relating to turnover taxes — Common system of value added tax: uniform basis of assessment⁽¹⁾, hereinafter referred to as the 'Sixth Directive', and in particular Article 27 thereof,

Having regard to the proposal from the Commission,

Whereas, under the terms of Article 27 (1) of the Sixth Directive, the Council, acting unanimously on a proposal from the Commission, may authorize any Member State to introduce special measures for derogation from the provisions of the Sixth Directive, in order to simplify the procedure for charging the tax or to prevent certain types of tax evasion or avoidance;

Whereas the United Kingdom was authorized by Decision 87/400/EEC⁽²⁾, in accordance with the procedure laid down in Article 27 (1), (2), (3) and (4) of the Sixth Directive to apply a measure derogating from Article 17 (1) of the Sixth Directive until 30 September 1990;

Whereas the United Kingdom, by means of a letter dated 21 May 1990 and received by the Commission on 28 May 1990, requested authorization to extend the said derogation until 31 December 1992;

Whereas the said derogation forms part of an optional system of taxation for undertakings with an annual turnover of less than £ 300 000 based on the third subparagraph of Article 10 (2) of the Sixth Directive, which

grants the option of deferring payment of tax until receipt of the price;

Whereas the United Kingdom wishes to increase the turnover ceiling from £ 250 000 to £ 300 000 to take account of inflation;

Whereas that request can be accepted in view of the limited number of undertakings that have opted for this simplified scheme and the limited duration of this extension;

Whereas the derogation in question does not have a negative effect on the own resources of the European Communities accruing from value added tax,

HAS ADOPTED THIS DECISION:

Article 1

By way of derogation from Article 17 (1) of the Sixth Directive, the United Kingdom is hereby authorized, until 31 December 1992, to grant undertakings with an annual turnover of less than £ 300 000 the option of deferring deduction of tax until it is paid to the supplier.

Article 2

This Decision is addressed to the United Kingdom.

Done at Brussels, 24 September 1990.

For the Council

The President

V. SACCOMANDI

⁽¹⁾ OJ No L 145, 13. 6. 1977, p. 1.

⁽²⁾ OJ No L 213, 4. 8. 1987, p. 40.

CORRIGENDA

Corrigendum 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)

(Official Journal of the European Communities No L 84 of 30 March 1990)

On page 89, Article 14 (3), second indent:

for: '... CN code ex 0714 10 91 ...',

read: '... CN code 0714 10 91 ...'.

Corrigendum to Commission Regulation (EEC) No 2742/90 of 26 September 1990 laying down detailed rules for the application of Council Regulation (EEC) No 2204/90

(Official Journal of the European Communities No L 264 of 27 September 1990)

On page 21 in the second line of Article 4 (1):

for: '... shall be ECU 225 ...',

read: '... shall be ECU 255 ...'.

Corrigendum to Commission Regulation (EEC) No 2873/90 of 4 October 1990 fixing the export refunds on cereals and on wheat or rye flour, groats and meal

(Official Journal of the European Communities No L 275 of 5 October 1990)

On page 25, the following paragraph 2 is added to Article 1:

'2. The refund on export to Portugal has not been fixed.'

**Corrigendum to Commission Regulation (EEC) No 2875/90 of 4 October 1990 fixing export
refunds on malt**

(Official Journal of the European Communities No L 275 of 5 October 1990)

On page 32, the following paragraph is added to Article 1 :

‘The refund on export to Portugal has not been fixed.’
