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Legislation

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2946/90

of 12 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 11 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 13 October 1990.

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

Done at Brussels, 12 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 12 October 1990 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Levies	
	Portugal	Third country
0709 90 60	26,98	138,84 ⁽²⁾ ⁽³⁾
0712 90 19	26,98	138,84 ⁽²⁾ ⁽³⁾
1001 10 10	21,43	191,12 ⁽¹⁾ ⁽³⁾
1001 10 90	21,43	191,12 ⁽¹⁾ ⁽³⁾
1001 90 91	27,45	163,42
1001 90 99	27,45	163,42
1002 00 00	53,04	148,70 ⁽⁴⁾
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	26,98	138,84 ⁽²⁾ ⁽³⁾
1005 90 00	26,98	138,84 ⁽²⁾ ⁽³⁾
1007 00 90	44,41	145,45 ⁽⁴⁾
1008 10 00	44,41	54,84
1008 20 00	44,41	112,60 ⁽⁴⁾
1008 30 00	44,41	51,14 ⁽⁵⁾
1008 90 10	⁽⁷⁾	⁽⁷⁾
1008 90 90	44,41	51,14
1101 00 00	51,94	242,30
1102 10 00	86,90	221,69
1103 11 10	46,41	309,43
1103 11 90	55,55	261,14

⁽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 2947/90

of 12 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 11 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 13 October 1990.

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

Done at Brussels, 12 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 12 October 1990 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CN code	Current	1st period	2nd period	3rd period
	10	11	12	1
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 10	0	0,65	0,65	0,65
1001 10 90	0	0,65	0,65	0,65
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	Current	1st period	2nd period	3rd period	4th period
	10	11	12	1	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 2948/90
of 12 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 of rice of the long-grain aromatic Basmati variety falling within CN codes 1006 10, 1006 20 and 1006 30 ⁽³⁾, as amended by Regulation (EEC) No 1546/87 ⁽⁴⁾, and in particular Article 8 thereof,

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 2879/90 ⁽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 15 October 1990.

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

Done at Brussels, 12 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 276, 6. 10. 1990, p. 5.

ANNEX

to the Commission Regulation of 12 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⁾)	Third countries (except ACP or OCT) (⁽³⁾)
1006 10 21	—	—	153,48	314,16
1006 10 23	—	243,31	158,60	324,41
1006 10 25	—	243,31	158,60	324,41
1006 10 27	—	243,31	158,60	324,41
1006 10 92	—	—	153,48	314,16
1006 10 94	—	243,31	158,60	324,41
1006 10 96	—	243,31	158,60	324,41
1006 10 98	—	243,31	158,60	324,41
1006 20 11	—	—	192,75	392,70
1006 20 13	—	304,13	199,15	405,51
1006 20 15	—	304,13	199,15	405,51
1006 20 17	—	304,13	199,15	405,51
1006 20 92	—	—	192,75	392,70
1006 20 94	—	304,13	199,15	405,51
1006 20 96	—	304,13	199,15	405,51
1006 20 98	—	304,13	199,15	405,51
1006 30 21	13,05	—	239,11	502,07
1006 30 23	12,97	449,33	287,66	599,10
1006 30 25	12,97	449,33	287,66	599,10
1006 30 27	12,97	449,33	287,66	599,10
1006 30 42	13,05	—	239,11	502,07
1006 30 44	12,97	449,33	287,66	599,10
1006 30 46	12,97	449,33	287,66	599,10
1006 30 48	12,97	449,33	287,66	599,10
1006 30 61	13,90	—	255,00	534,71
1006 30 63	13,90	481,68	308,77	642,24
1006 30 65	13,90	481,68	308,77	642,24
1006 30 67	13,90	481,68	308,77	642,24
1006 30 92	13,90	—	255,00	534,71
1006 30 94	13,90	481,68	308,77	642,24
1006 30 96	13,90	481,68	308,77	642,24
1006 30 98	13,90	481,68	308,77	642,24
1006 40 00	0,00	—	93,46	192,93

(⁽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 2949/90**of 12 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 2880/90 ⁽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 15 October 1990.

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

Done at Brussels, 12 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 276, 6. 10. 1990, p. 7.

ANNEX

to the Commission Regulation of 12 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 2950/90

of 12 October 1990

adopting interim protective measures on applications for STM licences in the
beef and veal sector submitted during the period 1 to 5 October 1990

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas Commission Regulation (EEC) No 4026/89 of 22 December 1989 laying down detailed rules for the application of the supplementary trade mechanism in the beef and veal sector for 1990 ⁽¹⁾ set the indicative ceilings applicable in the beef and veal sector and the maximum quantities for which STM licences may be issued each quarter; whereas the said ceilings were raised by Commission Regulation (EEC) No 2859/90 of 3 October 1990 amending the indicative ceilings provided for in Regulation (EEC) No 4026/89 under the supplementary mechanism applicable to trade in beef and veal ⁽²⁾;

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

Whereas the licence applications lodged between 1 and 5 October 1990 are for a quantity in excess of the ceiling

for live animals; whereas as an interim protective measure only a percentage of the amounts applied for in that period should be granted and no further certificates issued for the time being,

HAS ADOPTED THIS REGULATION:

Article 1

For live animals of the bovine species, other than pure-bred breeding animals and animals for bullfights:

1. applications for STM licences for the following products submitted between 1 and 5 October 1990 and notified to the Commission shall be accepted for 32,023 %;
2. the issuing of STM licences in response to applications submitted from 8 October 1990 onwards is suspended for the time being.

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, 12 October 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 382, 30. 12. 1989, p. 62.

⁽²⁾ OJ No L 274, 4. 10. 1990, p. 8.

COMMISSION REGULATION (EEC) No 2951/90
of 12 October 1990
fixing the export refunds on fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1193/90⁽²⁾, and in particular Article 30 (4) thereof,

Having regard to the opinion of the Monetary Committee,

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

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

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

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

Whereas tomatoes, fresh lemons, fresh sweet oranges and apples of the common quality standards 'Extra' Class,

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

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

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

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

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

Whereas the obligations under Article 5 (1) (b) of Commission Regulation (EEC) No 3665/87 of 27 November 1987 laying down common detailed rules for the application of the system of export refunds on agricultural products⁽⁹⁾, as last amended by Regulation (EEC) No 1615/90⁽¹⁰⁾, may be relaxed in the case of exports to non-member countries outside Europe; whereas, in such a case, Article 19 (1) (c) of Regulation (EEC) No 3665/87 may be applied;

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 119, 11. 5. 1990, p. 43.

⁽³⁾ OJ No L 318, 18. 12. 1969, p. 17.

⁽⁴⁾ OJ No L 266, 14. 11. 1972, p. 7.

⁽⁵⁾ OJ No L 97, 11. 4. 1989, p. 19.

⁽⁶⁾ OJ No L 162, 28. 6. 1990, p. 29.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁸⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁹⁾ OJ No L 351, 14. 12. 1987, p. 1.

⁽¹⁰⁾ OJ No L 152, 16. 6. 1990, p. 33.

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The export refunds on fruit and vegetables shall be as set out in column I of the Annex hereto. However, the refunds applicable on products harvested in Spain shall be those given in column II of the Annex.
2. The provisions of Articles 5 (1)(b) and 19 (1)(c) of Regulation (EEC) No 3665/87 shall apply to exports of fresh sweet oranges, lemons, walnuts in shell, shelled hazelnuts and apples as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 13 October 1990.

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

Done at Brussels, 12 October 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 12 October 1990 fixing the export refunds on fruit and vegetables

(ECU/100 kg net)

Product code	Destination of refund (1)	Amounts of refunds (2)	
		Community as constituted on 31 December 1985 (I)	Spain (II)
0702 00 10 100		4,50	—
0702 00 10 900	—	—	—
0702 00 90 100		4,50	—
0702 00 90 900	—	—	—
0802 12 90 000	07	9,67	9,67
0802 21 00 000	07	11,30	11,30
0802 22 00 000	07	21,80	21,80
0802 31 00 000	07	14,00	14,00
0805 10 11 100	01	11,00	7,00
	06	11,00	7,00
0805 10 11 300	01	11,00	7,00
	06	11,00	7,00
0805 10 11 900	—	—	—
0805 10 15 100	01	11,00	7,00
	06	11,00	7,00
0805 10 15 300	01	11,00	7,00
	06	11,00	7,00
0805 10 15 900	—	—	—
0805 10 19 100	01	11,00	7,00
	06	11,00	7,00
0805 10 19 300	01	11,00	7,00
	06	11,00	7,00
0805 10 19 900	—	—	—
0805 10 21 100	01	11,00	7,00
	06	11,00	7,00
0805 10 21 300	01	11,00	7,00
	06	11,00	7,00
0805 10 21 900	—	—	—
0805 10 25 100	01	11,00	7,00
	06	11,00	7,00
0805 10 25 300	01	11,00	7,00
	06	11,00	7,00
0805 10 25 900	—	—	—
0805 10 29 100	01	11,00	7,00
	06	11,00	7,00
0805 10 29 300	01	11,00	7,00
	06	11,00	7,00
0805 10 29 900	—	—	—
0805 10 31 100	01	11,00	7,00
	06	11,00	7,00
0805 10 31 300	01	11,00	7,00
	06	11,00	7,00
0805 10 31 900	—	—	—
0805 10 35 100	01	11,00	7,00
	06	11,00	7,00
0805 10 35 300	01	11,00	7,00
	06	11,00	7,00
0805 10 35 900	—	—	—

Product code	Destination of refund (I)	(ECU/100 kg net)	
		Amounts of refunds (2)	
		Community as constituted on 31 December 1985 (I)	Spain (II)
0805 10 39 100	01	11,00	7,00
	06	11,00	7,00
0805 10 39 300	01	11,00	7,00
	06	11,00	7,00
0805 10 39 900	—	—	—
0805 10 41 100	01	11,00	7,00
	06	11,00	7,00
0805 10 41 300	01	11,00	7,00
	06	11,00	7,00
0805 10 41 900	—	—	—
0805 10 45 100	01	11,00	7,00
	06	11,00	7,00
0805 10 45 300	01	11,00	7,00
	06	11,00	7,00
0805 10 45 900	—	—	—
0805 10 49 100	01	11,00	7,00
	06	11,00	7,00
0805 10 49 300	01	11,00	7,00
	06	11,00	7,00
0805 10 49 900	—	—	—
0805 20 50 100	—	—	—
0805 20 50 900	—	—	—
0805 30 10 100	07	13,50	3,70
0805 30 10 900	—	—	—
0806 10 11 100	07	4,84	4,84
0806 10 11 300	07	4,84	4,84
0806 10 11 900	—	—	—
0806 10 15 100	07	4,84	4,84
0806 10 15 300	07	4,84	4,84
0806 10 15 900	—	—	—
0806 10 19 100	07	4,84	4,84
0806 10 19 300	07	4,84	4,84
0806 10 19 900	—	—	—
0808 10 91 100	—	—	—
0808 10 91 910	02	14,00	5,50
	03	4,50	—
	04	14,00 (3)	5,50 (3)
0808 10 91 990	—	—	—
0808 10 93 100	—	—	—
0808 10 93 910	02	14,00	5,50
	03	4,50	—
	04	14,00 (3)	5,50 (3)
0808 10 93 990	—	—	—
0808 10 99 100	—	—	—
0808 10 99 910	02	14,00	5,50
	03	4,50	—
	04	14,00 (3)	5,50 (3)
0808 10 99 990	—	—	—
0809 30 00 110	05	—	—
0809 30 00 190	—	—	—
0809 30 00 900	05	—	—

(1) The destinations are as follows:

- 01 countries or States with a planned economy in central or eastern Europe and Yugoslavia,
- 02 Botswana, Lesotho, Swaziland, Zambia, Malawi, Mozambique, Tanzania, Kenya, Rwanda, Burundi, Uganda, Somalia, Madagascar, Comoros, Mauritius, Sudan, Ethiopia, Republic of Djibouti, the countries of the Arabian peninsula including the territories attached thereto (Saudi Arabia, Bahrain, Qatar, Oman, United Arab Emirates (Abu Dhabi, Dubai, Sharjah, Ajman, Umm al Qaiwain, Fujairah and Ras al Khaimah), Yemen, Iran and Jordan,
- 03 countries and territories of Africa other than those mentioned above and South Africa, Syria, countries with a planned economy in central or eastern Europe, Yugoslavia, Bolivia, Brazil, Venezuela, Peru, Panama, Ecuador, Colombia, Iceland, Norway, Sweden, Austria, the Faroe Islands, Finland, Greenland and Malta,
- 04 Hong Kong, Singapore, Malaysia, Indonesia, Thailand and Taiwan,
- 05 all destinations excluding Switzerland, Austria and that part of Community territory located outside the customs territory of the Community,
- 06 Austria, Switzerland, Finland, Sweden, Greenland, Norway, Iceland and Malta,
- 07 All destinations excepting that part of Community territory located outside the customs territory of the Community.

(2) These refunds shall not apply to exports to Portugal from the Community as constituted at 31 December 1985 and Spain.

(3) Notwithstanding Chapter 3 of Annex III to Regulation (EEC) No 920/89, for exports to Malaysia and Singapore of table apples of the Granny Smith variety, the minimum size for 'Extra' class, class I and class II shall be 65 mm, 60 mm and 60 mm respectively.

COMMISSION REGULATION (EEC) No 2952/90**of 12 October 1990****fixing the amount by which the variable component of the levy applicable to
bran and sharps originating in Egypt must be reduced**

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 1030/77
of 17 May 1977 concluding the Interim Agreement
between the European Economic Community and the
Arab Republic of Egypt⁽¹⁾, and in particular the second
subparagraph of paragraph 3 of the exchange of letters
relating to Article 13 of the Agreement,

Whereas the exchange of letters covered by Regulation
(EEC) No 1030/77 provides that the variable component
of the levy calculated in accordance with Article 2 of
Council Regulation (EEC) No 2744/75 of 29 October
1975 on the import and export system for products
processed from cereals and rice⁽²⁾, as last amended by
Regulation (EEC) No 1906/87⁽³⁾, is to be reduced by an
amount fixed by the Commission each quarter; whereas
this amount must be equal to 60 % of the average of the

levies in force during the three months preceding the
month during which the amount is fixed;

Whereas the variable components applicable during July,
August and September 1990 to the products falling within
CN codes 2302 10, 2302 20, 2302 30 and 2302 40 are to
be taken into consideration,

HAS ADOPTED THIS REGULATION:

Article 1

The amounts referred to in the second subparagraph of
paragraph 3 of the exchange of letters covered by Regula-
tion (EEC) No 1030/77 to be deducted from the variable
component applicable to bran and sharps originating in
Egypt shall be as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 November
1990.

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

Done at Brussels, 12 October 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 126, 23. 5. 1977, p. 1.

⁽²⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽³⁾ OJ No L 182, 3. 7. 1987, p. 49.

ANNEX

to the Commission Regulation of 12 October 1990 fixing the amount by which the variable component of the levy applicable to bran and sharps originating in Egypt must be reduced

<i>(ECU/tonne)</i>	
CN code	Amount
2302 10 10	35,91
2302 10 90	76,95
2302 20 10	35,91
2302 20 90	76,95
2302 30 10	35,91
2302 30 90	76,95
2302 40 10	35,91
2302 40 90	76,95

COMMISSION REGULATION (EEC) No 2953/90**of 12 October 1990****fixing the amount by which the variable component of the levy applicable to bran and sharps originating in Algeria, Morocco and Tunisia must be reduced**

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 1512/76 of 24 June 1976 concluding the Agreement in the form of an exchange of letters relating to Article 22 of the Cooperation Agreement and Article 15 of the Interim Agreement between the European Economic Community and the Republic of Tunisia and concerning the import into the Community of bran and sharps originating in Tunisia⁽¹⁾, and in particular the second subparagraph of paragraph 3 of the exchange of letters,

Having regard to Council Regulation (EEC) No 1518/76 of 24 June 1976 concluding the Agreement in the form of an exchange of letters relating to Article 21 of the Cooperation Agreement and Article 14 of the Interim Agreement between the European Economic Community and the People's Democratic Republic of Algeria and concerning the import into the Community of bran and sharps originating in Algeria⁽²⁾, and in particular the second subparagraph of paragraph 3 of the exchange of letters,

Having regard to Council Regulation (EEC) No 1525/76 of 24 June 1976 concluding the Agreement in the form of an exchange of letters relating to Article 23 of the Cooperation Agreement and Article 16 of the Interim Agreement between the European Economic Community and the Kingdom of Morocco and concerning the import into the Community of bran and sharps originating in Morocco⁽³⁾, and in particular the second subparagraph of paragraph 3 of the exchange of letters,

Whereas the Agreement in the form of an exchange of letters annexed to Regulations (EEC) No 1512/76, (EEC)

No 1518/76 and (EEC) No 1525/76 provides that the variable component of the levy calculated in accordance with Article 2 of Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice⁽⁴⁾, as last amended by Regulation (EEC) No 1906/87⁽⁵⁾, is to be reduced by an amount fixed by the Commission each quarter; whereas this amount must be equal to 60 % of the average of the variable components of the levies in force during the three months preceding the month during which the amount is fixed;

Whereas the variable components applicable to the products falling within CN codes 2302 30 and 2302 40 during July, August and September 1990 have been taken into consideration,

HAS ADOPTED THIS REGULATION:

Article 1

The amount referred to in the second subparagraph of paragraph 3 of the exchange of letters forming the Agreement annexed to Regulations (EEC) No 1512/76, (EEC) No 1518/76 and (EEC) No 1525/76 to be deducted from the variable component applicable to bran and sharps originating in Tunisia, Algeria and Morocco respectively, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 November 1990.

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

Done at Brussels, 12 October 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 169, 28. 6. 1976, p. 19.

⁽²⁾ OJ No L 169, 28. 6. 1976, p. 37.

⁽³⁾ OJ No L 169, 28. 6. 1976, p. 53.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 182, 3. 7. 1987, p. 49.

ANNEX

to the Commission Regulation of 12 October 1990 fixing the amount by which the variable component of the levy applicable to bran and sharps originating in Algeria, Morocco and Tunisia must be reduced

<i>(ECU/tonne)</i>	
CN code	Amount
2302 30 10	35,91
2302 30 90	76,95
2302 40 10	35,91
2302 40 90	76,95

COMMISSION REGULATION (EEC) No 2954/90

of 12 October 1990

fixing the amount by which the variable component of the levy applicable to
bran and sharps originating in Argentina must be reduced

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

Having regard to Council Regulation (EEC) No 1058/88
of 28 March 1988 on the import of bran, sharps and other
residues derived from the sifting, milling or other working
of cereals other than maize and rice and amending
Regulation (EEC) No 2658/87 on the tariff and statistical
nomenclature and on the Common Customs Tariff⁽¹⁾,
and in particular Article 2 (2) thereof,

Whereas Regulation (EEC) No 1058/88 provides that the
variable component of the levy, calculated in accordance
with Article 2 of Council Regulation (EEC) No 2744/75
of 29 October 1975 on the import and export system for
products processed from cereals and from rice⁽²⁾ as last
amended by Regulation (EEC) No 1906/87⁽³⁾, is to be
reduced by an amount equal to 40 % of the average of
the variable components of the levies applicable to the
product in question in the three months preceding the
months during which that amount is fixed; whereas that
reduction is applicable to products falling within CN
codes 2302 30 10, 2302 30 90, 2302 40 10 and 2302 40 90
for up to a maximum of 550 000 tonnes per year on the
import of the products in question originating in
Argentina and from any other third country which applies
to exports of those products a special tax of an amount
equal to that by which the variable amount of the levy is

reduced and which provides satisfactory proof of payment
of that tax;

Whereas Commission Regulation (EEC) No 1193/88⁽⁴⁾,
as amended by Regulation (EEC) No 84/89⁽⁵⁾, lays down
the detailed rules of application of the special
arrangements for imports of bran, sharps and other
residues, whether or not in the form of pellets, derived
from the sifting, milling or other working of cereals other
than maize and rice falling within CN codes 2302 30 and
2302 40,

HAS ADOPTED THIS REGULATION:

Article 1

The amount referred to in Article 1 of Regulation (EEC)
No 1058/88 by which the variable amount of the levy
applicable to imports of bran, sharps and other residues
originating in Argentina and in any other third country
meeting the conditions laid down in that Article must be
reduced shall be as set out in the Annex.

Article 2

This Regulation shall enter into force on 1 November
1990.

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

Done at Brussels, 12 October 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 104, 23. 4. 1988, p. 1.

⁽²⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽³⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁴⁾ OJ No L 111, 30. 4. 1988, p. 87.

⁽⁵⁾ OJ No L 13, 17. 1. 1989, p. 13.

ANNEX

to the Commission Regulation of 12 October 1990 fixing the amount by which the variable component of the levy applicable to bran and sharps originating in Argentina must be reduced

<i>(ECU/tonne)</i>	
CN code	Amount
2302 30 10	23,94
2302 30 90	51,30
2302 40 10	23,94
2302 40 90	51,30

COMMISSION REGULATION (EEC) No 2955/90**of 12 October 1990****fixing the amount by which the levy on imports of rice from the Arab Republic of Egypt must be reduced**

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 thereof,

Having regard to Council Regulation (EEC) No 1250/77 of 17 May 1977 on imports of rice from the Arab Republic of Egypt⁽³⁾, and in particular Article 1 thereof,

Whereas Regulation (EEC) No 1250/77 provides that the levy calculated in accordance with Article 11 of Regulation (EEC) No 1418/76 is to be reduced by an amount to be fixed by the Commission each quarter; whereas this amount must be equal to 25 % of the average of the levies applied during a reference period;

Whereas, pursuant to Commission Regulation (EEC) No 2942/73 of 30 October 1973 laying down detailed rules

for the application of Regulation (EEC) No 2412/73⁽⁴⁾, as amended by Regulation (EEC) No 3817/85⁽⁵⁾, the reference period is to be the quarter preceding the month in which the amount is fixed;

Whereas the levies to be taken into consideration are therefore those applicable during July, August and September 1990,

HAS ADOPTED THIS REGULATION:

Article 1

The amount referred to in Article 1 of Regulation (EEC) No 1250/77 by which the levy on imports of rice originating in and coming from the Arab Republic of Egypt is to be reduced shall be as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 November 1990.

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

Done at Brussels, 12 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 146, 14. 6. 1977, p. 9.

⁽⁴⁾ OJ No L 302, 31. 10. 1973, p. 1.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 16.

ANNEX

to the Commission Regulation of 12 October 1990 fixing the amount by which the levy on imports of rice from the Arab Republic of Egypt must be reduced

(ECU/tonne)

CN code	Amounts to be deducted
1006 10 21	79,99
1006 10 23	78,82
1006 10 25	78,82
1006 10 27	78,82
1006 10 92	79,99
1006 10 94	78,82
1006 10 96	78,82
1006 10 98	78,82
1006 20 11	99,98
1006 20 13	98,52
1006 20 15	98,52
1006 20 17	98,52
1006 20 92	99,98
1006 20 94	98,52
1006 20 96	98,52
1006 20 98	98,52
1006 30 21	127,56
1006 30 23	153,90
1006 30 25	153,90
1006 30 27	153,90
1006 30 42	127,56
1006 30 44	153,90
1006 30 46	153,90
1006 30 48	153,90
1006 30 61	135,85
1006 30 63	164,99
1006 30 65	164,99
1006 30 67	164,99
1006 30 92	135,85
1006 30 94	164,99
1006 30 96	164,99
1006 30 98	164,99
1006 40 00	48,22

COMMISSION REGULATION (EEC) No 2956/90
of 12 October 1990
fixing the import levies 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 14 (8) thereof,

Whereas the import levies on milk and milk products were fixed by Commission Regulation (EEC) No 2499/90 ⁽³⁾, as last amended by Regulation (EEC) No 2790/90 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2499/90 to the prices

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

1. The import levies referred to in Article 14 of Regulation (EEC) No 804/68 shall be as set out in the Annex hereto.
2. There shall be no levy for imports from 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 16 October 1990.

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

Done at Brussels, 12 October 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 378, 27. 12. 1989, p. 1.

⁽³⁾ OJ No L 236, 31. 8. 1990, p. 21.

⁽⁴⁾ OJ No L 265, 28. 9. 1990, p. 21.

ANNEX

to the Commission Regulation of 12 October 1990 fixing the import levies on milk and milk products

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

CN code	Note	Import levy
0401 10 10		20,20
0401 10 90		18,99
0401 20 11		27,48
0401 20 19		26,27
0401 20 91		32,85
0401 20 99		31,64
0401 30 11		83,16
0401 30 19		81,95
0401 30 31		158,71
0401 30 39		157,50
0401 30 91		264,87
0401 30 99		263,66
0402 10 11	(*)	149,25
0402 10 19	(*)	142,00
0402 10 91	(¹)(*)	1,4200/kg + 28,73
0402 10 99	(¹)(*)	1,4200/kg + 21,48
0402 21 11	(*)	211,27
0402 21 17	(*)	204,02
0402 21 19	(*)	204,02
0402 21 91	(*)	246,21
0402 21 99	(*)	238,96
0402 29 11	(¹)(²)(*)	2,0402/kg + 28,73
0402 29 15	(¹)(*)	2,0402/kg + 28,73
0402 29 19	(¹)(*)	2,0402/kg + 21,48
0402 29 91	(¹)(*)	2,3896/kg + 28,73
0402 29 99	(¹)(*)	2,3896/kg + 21,48
0402 91 11	(*)	30,28
0402 91 19	(*)	30,28
0402 91 31	(*)	37,85
0402 91 39	(*)	37,85
0402 91 51	(*)	158,71
0402 91 59	(*)	157,50
0402 91 91	(*)	264,87
0402 91 99	(*)	263,66
0402 99 11	(*)	49,85
0402 99 19	(*)	49,85
0402 99 31	(¹)(*)	1,5508/kg + 25,11
0402 99 39	(¹)(*)	1,5508/kg + 23,90
0402 99 91	(¹)(*)	2,6124/kg + 25,11
0402 99 99	(¹)(*)	2,6124/kg + 23,90

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

CN code	Note	Import levy
0403 10 11		29,89
0403 10 13		35,26
0403 10 19		85,57
0403 10 31	(¹)	0,2385/kg + 27,52
0403 10 33	(¹)	0,2922/kg + 27,52
0403 10 39	(¹)	0,7953/kg + 27,52
0403 90 11		149,25
0403 90 13		211,27
0403 90 19		246,21
0403 90 31	(¹)	1,4200/kg + 28,73
0403 90 33	(¹)	2,0402/kg + 28,73
0403 90 39	(¹)	2,3896/kg + 28,73
0403 90 51		29,89
0403 90 53		35,26
0403 90 59		85,57
0403 90 61	(¹)	0,2385/kg + 27,52
0403 90 63	(¹)	0,2922/kg + 27,52
0403 90 69	(¹)	0,7953/kg + 27,52
0404 10 11		30,21
0404 10 19	(¹)	0,3021/kg + 21,48
0404 10 91	(²)	0,3021/kg
0404 10 99	(²)	0,3021/kg + 21,48
0404 90 11		149,25
0404 90 13		211,27
0404 90 19		246,21
0404 90 31		149,25
0404 90 33		211,27
0404 90 39		246,21
0404 90 51	(¹)	1,4200/kg + 28,73
0404 90 53	(¹) (³)	2,0402/kg + 28,73
0404 90 59	(¹)	2,3896/kg + 28,73
0404 90 91	(¹)	1,4200/kg + 28,73
0404 90 93	(¹) (³)	2,0402/kg + 28,73
0404 90 99	(¹)	2,3896/kg + 28,73
0405 00 10		273,44
0405 00 90		333,60
0406 10 10	(⁴)	242,80
0406 10 90	(⁴)	290,30
0406 20 10	(³) (⁴)	408,87
0406 20 90	(⁴)	408,87
0406 30 10	(³) (⁴)	193,86
0406 30 31	(³) (⁴)	180,63
0406 30 39	(³) (⁴)	193,86
0406 30 90	(³) (⁴)	290,58
0406 40 00	(³) (⁴)	148,14
0406 90 11	(³) (⁴)	238,54

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

CN code	Note	Import levy
0406 90 13	(3) (*)	194,61
0406 90 15	(3) (*)	194,61
0406 90 17	(3) (*)	194,61
0406 90 19	(3) (*)	408,87
0406 90 21	(3) (*)	238,54
0406 90 23	(3) (*)	193,58
0406 90 25	(3) (*)	193,58
0406 90 27	(3) (*)	193,58
0406 90 29	(3) (*)	193,58
0406 90 31	(3) (*)	193,58
0406 90 33	(*)	193,58
0406 90 35	(3) (*)	193,58
0406 90 37	(3) (*)	193,58
0406 90 39	(3) (*)	193,58
0406 90 50	(3) (*)	193,58
0406 90 61	(*)	408,87
0406 90 63	(*)	408,87
0406 90 69	(*)	408,87
0406 90 71	(*)	242,80
0406 90 73	(*)	193,58
0406 90 75	(*)	193,58
0406 90 77	(*)	193,58
0406 90 79	(*)	193,58
0406 90 81	(*)	193,58
0406 90 83	(*)	193,58
0406 90 85	(*)	193,58
0406 90 89	(3) (*)	193,58
0406 90 91	(*)	242,80
0406 90 93	(*)	242,80
0406 90 97	(*)	290,30
0406 90 99	(*)	290,30
1702 10 10		36,29
1702 10 90		36,29
2106 90 51		36,29
2309 10 15		108,92
2309 10 19		141,58
2309 10 39		132,38
2309 10 59		108,56
2309 10 70		141,58
2309 90 35		108,92
2309 90 39		141,58
2309 90 49		132,38
2309 90 59		108,56
2309 90 70		141,58

-
- (¹) The levy on 100 kg of product falling within this subheading is equal to the sum of the following:
 - (a) the amount per kilogram shown, multiplied by the weight of milk and milk cream contained in 100 kg of product; and
 - (b) the other amount indicated.
 - (²) The levy on 100 kg of product falling within this subheading is equal to:
 - (a) the amount per kilogram shown, multiplied by the weight of the dried milk contained in 100 kg of product plus, where appropriate,
 - (b) the other amount indicated.
 - (³) Products falling within this subheading imported from a third country under special arrangements concluded between that country and the Community for which an IMA 1 certificate issued under the conditions provided for in Regulation (EEC) No 1767/82 is issued are subject to the levies in Annex I to that Regulation.
 - (⁴) The levy applicable is limited under the conditions laid down in Regulation (EEC) No 715/90.
-

COMMISSION REGULATION (EEC) No 2957/90

of 12 October 1990

opening an invitation to tender for the fixing of aid for the private storage of
carcasses and half-carcasses of lamb

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

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

Whereas Commission Regulation (EEC) No 2659/80 of 17 October 1980 laying down detailed rules for granting private storage aid for sheepmeat and goatmeat products⁽²⁾, as amended by Regulation (EEC) No 3496/88⁽³⁾, provides in particular for detailed rules on the invitation to tender;

Whereas Commission Regulation (EEC) No 287/90 of 1 February 1990 setting out some detailed rules for private storage aid for lamb in the period 1 January to 30 April 1990⁽⁴⁾, as last amended by Regulation (EEC) No 2567/90⁽⁵⁾, provides in particular the list of products eligible and the minimum quantities in respect of which a tender may be submitted;

Whereas the application of Article 7 (3) of Regulation (EEC) No 3013/89 results in the opening of invitations to tender for private storage aid;

Whereas that Article provides for the application of these measures on the basis of the situation of each quotation zone; whereas it is appropriate consequently to open

tenders separately for each of the zones where the conditions are fulfilled;

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

HAS ADOPTED THIS REGULATION:

Article 1

An invitation to tender is opened in Great Britain for aid to private storage for carcasses and half-carcasses of lamb.

Subject to the provisions of Regulation (EEC) No 287/90 tenders may be made to the intervention agency of the Member State concerned.

Article 2

Tenders must be submitted not later than 2 p.m. on 17 October 1990 to the relevant intervention agency.

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, 12 October 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 276, 20. 10. 1980, p. 12.

⁽³⁾ OJ No L 306, 11. 11. 1988, p. 28.

⁽⁴⁾ OJ No L 31, 2. 2. 1990, p. 11.

⁽⁵⁾ OJ No L 243, 6. 9. 1990, p. 10.

COMMISSION REGULATION (EEC) No 2958/90

of 12 October 1990

establishing the aid amounts fixed in ecus by the Council in the hop sector and reduced as a result of the monetary realignment of 5 January 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,

Having regard to Council Regulation (EEC) No 1677/85 of 11 June 1985 on monetary compensatory amounts in agriculture ⁽¹⁾, as last amended by Regulation (EEC) No 2205/90 ⁽²⁾, and in particular Article 6 (3) thereof,

Whereas Commission Regulation (EEC) No 784/90 of 29 March 1990 fixing the reducing coefficient for the agricultural prices in the 1990/91 marketing year as a result of the monetary realignment of 5 January 1990 and amending the prices and amounts fixed in ecus for that marketing year ⁽³⁾ establishes the list of aid amounts in the hop sector to which the coefficient 1,001712 is applied from 24 July 1990 under the arrangements for the automatic dismantlement of negative monetary gaps; whereas Article 3 of Regulation (EEC) No 784/90 provides that the resulting reduction should be specified in particular for the aid amounts fixed in ecus by the Council for the 1990/91 marketing year and the value of those reduced amounts should be fixed;

Whereas for the 1989 harvest the aid amounts were fixed by Council Regulation (EEC) No 2072/90 ⁽⁴⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

The aid amounts fixed in ecus by the Council for the 1989 harvest in the hop sector and reduced pursuant to Article 2 of Regulation (EEC) No 784/90 shall be as set out in the Annex hereto.

Article 2

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

It shall apply from 24 July 1990.

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

Done at Brussels, 12 October 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 6.

⁽²⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽³⁾ OJ No L 83, 30. 3. 1990, p. 102.

⁽⁴⁾ OJ No L 190, 21. 7. 1990, p. 1.

*ANNEX***Aid granted to hop producers for the 1989 harvest**

Group of varieties	Aid amount (ECU/ha)
Aromatic	339
Bitter	389
Others	399

COMMISSION REGULATION (EEC) No 2959/90

of 12 October 1990

reducing the basic price and buying-in price for oranges, mandarins, satsumas and clementines for the 1990/91 marketing year following the monetary realignment of 5 January 1990 and the overrun of the intervention threshold

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1193/90⁽²⁾, and in particular Article 16b (4) thereof,

Having regard to Council Regulation (EEC) No 1677/85 of 11 July 1985 on monetary compensatory amounts in agriculture⁽³⁾, as last amended by Regulation (EEC) No 2205/90⁽⁴⁾, and in particular Article 6 (3) thereof,

Whereas Commission Regulation (EEC) No 784/90 of 29 March 1990 fixing the reducing coefficient for agricultural prices in the 1990/91 marketing year as a result of the monetary realignment of 5 January 1990 and amending the prices and amounts fixed in ecus for that marketing year⁽⁵⁾ establishes the list of prices and amounts to which the coefficient 1,001712 is applied within the framework of the arrangements on the automatic dismantlement of negative monetary gaps; whereas Article 3 of Regulation (EEC) No 784/90 provides that the resulting reduction for the prices and amounts fixed in ecus by the Council for the 1990/91 marketing year be specified and that the value of those reduced prices and amounts be fixed; whereas the basic price and buying-in price for oranges, mandarins, satsumas and clementines for the 1990/91 marketing year were fixed by Council Regulation (EEC) No 1194/90⁽⁶⁾;

Whereas Commission Regulation (EEC) No 3077/89⁽⁷⁾ fixed the intervention thresholds for the 1989/90 marketing year at 1 240 500 tonnes for oranges, 112 000 tonnes for mandarins, 32 600 tonnes for satsumas and 89 300 for clementines;

Whereas Article 3 of Regulation (EEC) No 1122/89 of 27 April 1989 laying down specific measures for the applica-

tion of certain intervention thresholds in the fruit and vegetables sector for the 1989/90 marketing year⁽⁸⁾ lays down that where, during the 1989/90 marketing year, the sum of the quantities of oranges, mandarins, satsumas and clementines bought in in Spain, on the one hand, and in the Community of Ten on the other, pursuant to Articles 15, 15a, 15b, 19 and 19a of Regulation (EEC) No 1035/72 exceeds the sum of the intervention thresholds fixed for each product for all or part of that marketing year, the basic and buying-in prices fixed for that product for the 1990/91 marketing year are to be reduced in the case of oranges, mandarins, satsumas and clementines by 1 % for every 36 800 tonnes, 2 800 tonnes, 3 100 tonnes and 8 100 tonnes respectively, by which the intervention threshold is exceeded;

Whereas, pursuant to Articles 2 and 3 of Council Regulation (EEC) No 1123/89 of 27 April 1989 amending Council Regulation (EEC) No 2601/69⁽⁹⁾ with respect to the processing aid scheme and amending the rules for applying the intervention thresholds for certain citrus fruit⁽¹⁰⁾, the quantities of oranges delivered for processing under Regulation (EEC) No 2601/69 are to be added to the quantities bought in for the assessment of the overrun in the threshold fixed for that product and the quantities of mandarins, satsumas and clementines delivered for processing under Regulation (EEC) No 2601/69 are to be treated in the same way as a quantity qualifying for an intervention measure for the ascertainment of any overrun of the intervention thresholds;

Whereas, on the basis of information supplied by the Member States, the intervention measures taken by the Community with the exception of Portugal for the 1989/90 marketing year related to 1 632 644 tonnes for oranges, 106 446 tonnes for mandarins, 159 020 tonnes for satsumas and 53 114 tonnes for clementines; whereas the Commission therefore noted an overrun in the intervention thresholds fixed for that marketing year of 392 144 tonnes for oranges and 126 420 tonnes for satsumas;

Whereas, consequently, the basic and buying-in prices for oranges and satsumas for the 1990/91 marketing year, as fixed by Regulation (EEC) No 1194/90, must be reduced

(1) OJ No L 118, 20. 5. 1972, p. 1.

(2) OJ No L 119, 11. 5. 1990, p. 43.

(3) OJ No L 164, 24. 6. 1985, p. 6.

(4) OJ No L 201, 31. 7. 1990, p. 9.

(5) OJ No L 83, 30. 3. 1990, p. 102.

(6) OJ No L 119, 11. 5. 1990, p. 46.

(7) OJ No L 294, 13. 10. 1989, p. 16.

(8) OJ No L 118, 29. 4. 1989, p. 23.

(9) OJ No L 324, 27. 12. 1969, p. 21.

(10) OJ No L 118, 29. 4. 1989, p. 25.

for oranges by 10 % and for satsumas by 20 % ; whereas these reductions must be added to those resulting from the monetary realignment of 5 January 1990 ;

Whereas during the first phase Portugal is authorized to maintain, in the fruit and vegetable sectors, the regulations in force under the former national arrangements for the organization of its agricultural internal market, subject to the conditions provided for in Articles 262 to 265 of the Act of Accession ; whereas, therefore, the prices and the amounts fixed by this Regulation are valid only in the Community with the exception of Portugal ;

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

HAS ADOPTED THIS REGULATION :

Article 1

The basic and buying-in prices for oranges, mandarins, satsumas and clementines for the 1990/91 marketing year, as fixed by Regulation (EEC) No 1194/90 and reduced pursuant to Article 2 of Regulation (EEC) No 784/90, shall be reduced by 10 % for oranges, and 20 % for satsumas and are shown in the Annex.

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, 12 October 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

BASIC AND BUYING-IN PRICES

1990/1991 MARKETING YEAR

SWEET ORANGES

For the period from 1 December 1990 to 31 May 1991

(ECU/100 kg net)

	Basic price		Buying-in price	
	Community of Ten	Spain	Community of Ten	Spain
December	31,15	28,39	19,70	17,95
January	27,60	25,51	17,93	16,52
February	28,22	26,02	18,34	16,91
March	30,13	27,57	18,69	17,13
April and May	30,76	28,07	18,94	17,34

These prices refer to packed oranges of the Moro, Navel, Navellina, Salistiana, Sanguinello and Valencia late of quality class I, size 67 to 80 mm.

MANDARINS

For the period from 16 November 1990 to 28 February 1991

(ECU/100 kg net)

	Basic price		Buying-in price	
	Community of Ten	Spain	Community of Ten	Spain
16 to 30 November	36,95	28,41	23,64	18,15
December	36,57	28,17	23,13	17,82
January	36,07	27,85	22,37	17,33
February	34,41	26,79	21,86	17,01

These prices refer to packed mandarins of quality class I, size 54 to 69 mm.

SATSUMAS

For the period from 16 October 1990 to 15 January 1991

(ECU/100 kg net)

	Basic price		Buying-in price	
	Community of Ten	Spain	Community of Ten	Spain
16 to 31 October	23,30	23,30	11,22	11,22
November	20,06	20,06	9,03	9,03
December	22,22	22,22	10,00	10,00
1 to 15 January	21,14	21,14	9,59	9,59

These prices refer to packed satsumas Unshlu (owarl) of quality class I, size 54 to 69 mm.

CLEMENTINES

For the period from 1 December 1990 to 15 February 1991

(ECU/100 kg net)

	Basic price		Buying-in price	
	Community of Ten	Spain	Community of Ten	Spain
December	33,85	33,85	18,64	18,64
January	31,66	31,66	17,43	17,43
1 to 15 February	36,42	36,42	18,18	18,18

These prices refer to packed clementines (*Citrus reticulata*, Blanco) of quality class I, size 43 to 60 mm.

NB: The prices given in this Annex do not include the cost of the packaging in which the product is presented.

COMMISSION REGULATION (EEC) No 2960/90

of 12 October 1990

fixing the production levies in the sugar sector for the 1989/1990 marketing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EEC) No 1069/89⁽²⁾, and in particular Article 28 (8) and 28a (5) thereof,

Whereas Article 7 (1) of Commission Regulation (EEC) No 1443/82 of 8 June 1982 laying down detailed rules for the application of the quota system in the sugar sector⁽³⁾, as last amended by Regulation (EEC) No 1964/88⁽⁴⁾, provides that the basic production levy and the B levy together with, if required, the coefficient referred to in Article 28a (2) of Regulation (EEC) No 1785/81 for sugar and isoglucose are to be fixed before 15 October in respect of the preceding marketing year;

Whereas Commission Regulation (EEC) No 2782/89⁽⁵⁾ increased, for the 1989/90 marketing year, the maximum amount referred to in the first indent of the second subparagraph of Article 28 (4) of Regulation (EEC) No 1785/81 to 37,5 % of the intervention price for white sugar;

Whereas the estimated total loss recorded in accordance with Article 28 (1) and (2) of Regulation (EEC) No 1785/81 necessitates, in respect of the 1989/90 marketing year, the retention of the maximum amounts referred to in Article 28 (3) of the said Regulation in so far as the basic production levy is concerned and the taking into account of an amount equal to 22,873 % of the intervention price for white sugar for the calculation of the B levy

in conformity with Article 28 (4) and (5) of the same Regulation;

Whereas the total uncovered loss recorded on the basis of the known information and in application of Article 28 (1) and (2) of Regulation (EEC) No 1785/81 is covered in its entirety by the receipts from the basic production levy and the B levy; whereas the coefficient referred to in Article 28a (2) of the said Regulation should not as a consequence be fixed for the 1989/90 marketing year;

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

HAS ADOPTED THIS REGULATION:

Article 1

The production levies in the sugar sector for the 1989/90 marketing year are hereby fixed as follows:

- (a) ECU 1,0620 per 100 kilograms of white sugar as the basic production levy on A sugar and B sugar;
- (b) ECU 12,1456 per 100 kilograms of white sugar as the B levy on B sugar;
- (c) ECU 0,4466 per 100 kilograms of dry matter as the basic production levy on A isoglucose and B isoglucose;
- (d) ECU 5,0954 per 100 kilograms of dry matter as the B levy on B isoglucose.

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, 12 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 158, 9. 6. 1982, p. 17.

⁽⁴⁾ OJ No L 173, 5. 7. 1988, p. 10.

⁽⁵⁾ OJ No L 268, 15. 9. 1989, p. 43.

COMMISSION REGULATION (EEC) No 2961/90

of 12 October 1990

fixing, for the 1989/90 marketing year, the amount to be paid by the sugar manufacturers to the beet sellers in respect of the difference between the maximum amount of the B levy and the amount of that levy

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 1069/89 ⁽²⁾, and in particular Article 29 (5) thereof,

Whereas Article 29 (2) of Regulation (EEC) No 1785/81 provides in particular that when the amount of the B levy is less than the maximum amount referred to in Article 28 (4) of the said Regulation, revised, where necessary, in accordance with paragraph 5 of that same Article, the sugar manufacturers shall be required to pay the beet sellers 60 % of the difference between the maximum amount of the levy in question and the amount of the levy to be charged; whereas Article 8 (1) of Commission Regulation (EEC) No 1443/82 of 8 June 1982 laying down detailed rules for the application of the quota system in the sugar sector ⁽³⁾, as last amended by Regulation (EEC) No 1964/88 ⁽⁴⁾, provides that the amount referred to in Article 29 (2) of Regulation (EEC) No 1785/81 shall be fixed at the same time as the production levies and in accordance with the same procedure;

Whereas for the 1989/90 marketing year the maximum amount of the B levy has been fixed for sugar at 37,5 % of the intervention price for white sugar; whereas it has

transpired that insofar as sugar is concerned the amount of the B levy to be charged for the said marketing year shall only be 22,873 % of the intervention price for white sugar; whereas this difference requires, in conformity with Article 29 (2) of Regulation (EEC) No 1785/81, that the amount to be paid by the sugar manufacturers to the beet sellers should be fixed per tonne of beet of the standard quality and at the rate of 60 % of the said difference;

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

HAS ADOPTED THIS REGULATION:

Article 1

The amount referred to in Article 29 (2) of Regulation (EEC) No 1785/81 to be paid by the sugar manufacturers to the beet sellers in respect of the B levy shall be fixed for the 1989/90 marketing year at ECU 6,06 per tonne of beet of the standard quality.

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, 12 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 158, 9. 6. 1982, p. 17.

⁽⁴⁾ OJ No L 173, 5. 7. 1988, p. 10.

COMMISSION REGULATION (EEC) No 2962/90**of 12 October 1990****repealing Regulation (EEC) No 2351/90 adopting exceptional support measures
for the market in pigmeat in Belgium**

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

Having regard to Council Regulation (EEC) No 2759/75
of 29 October 1975 on the common organization of the
market in pigmeat⁽¹⁾, as last amended by Regulation
(EEC) No 1249/89⁽²⁾, and in particular Article 20 thereof,

Whereas because of the outbreak of classical swine fever
in certain production regions in Belgium, animal health
measures were adopted by Commission Decision
90/161/EEC of 30 March 1990 concerning certain protec-
tion measures relating to classical swine fever in
Belgium⁽³⁾, as last amended by Decision 90/477/EEC⁽⁴⁾,
and exceptional support measures for the market in
pigmeat were adopted for that Member State by Commis-
sion Regulation (EEC) No 2351/90⁽⁵⁾, as last amended by
Regulation (EEC) No 2724/90⁽⁶⁾;

Whereas, in view of the progress achieved on the animal
health side, the exceptional market support measures can

now be closed down; whereas, therefore, Regulation
(EEC) No 2351/90 needs to be repealed;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2351/90 is hereby repealed.

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, 12 October 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 129, 11. 5. 1989, p. 12.

⁽³⁾ OJ No L 90, 5. 4. 1990, p. 26.

⁽⁴⁾ OJ No L 261, 25. 9. 1990, p. 31.

⁽⁵⁾ OJ No L 215, 10. 8. 1990, p. 9.

⁽⁶⁾ OJ No L 261, 25. 9. 1990, p. 28.

COMMISSION REGULATION (EEC) No 2963/90

of 12 October 1990

fixing the export refunds on milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

fixing 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 ⁽⁴⁾ 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 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;

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 export refunds referred to in Article 17 of Regulation (EEC) No 804/68 on products exported in the natural state shall be as set out in the Annex.
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 13 October 1990.

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

Done at Brussels, 12 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.

ANNEX

to the Commission Regulation of 12 October 1990 fixing the export refunds on milk and milk products

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

Product code	Destination (*)	Amount of refund
0401 10 10 000		6,36
0401 10 90 000		6,36
0401 20 11 100		6,36
0401 20 11 500		9,61
0401 20 19 100		6,36
0401 20 19 500		9,61
0401 20 91 100		12,65
0401 20 91 500		14,67
0401 20 99 100		12,65
0401 20 99 500		14,67
0401 30 11 100		18,72
0401 30 11 400		28,65
0401 30 11 700		42,84
0401 30 19 100		18,72
0401 30 19 400		28,65
0401 30 19 700		42,84
0401 30 31 100		50,94
0401 30 31 400		79,31
0401 30 31 700		87,41
0401 30 39 100		50,94
0401 30 39 400		79,31
0401 30 39 700		87,41
0401 30 91 100		99,57
0401 30 91 400		146,17
0401 30 91 700		170,49
0401 30 99 100		99,57
0401 30 99 400		146,17
0401 30 99 700		170,49
0402 10 11 000		70,00
0402 10 19 000		70,00
0402 10 91 000		0,7000
0402 10 99 000		0,7000
0402 21 11 200		70,00
0402 21 11 300		99,72
0402 21 11 500		106,00
0402 21 11 900		115,00
0402 21 17 000		70,00
0402 21 19 300		99,72
0402 21 19 500		106,00
0402 21 19 900		115,00
0402 21 91 100		115,96
0402 21 91 200		116,87
0402 21 91 300		118,53
0402 21 91 400		128,15
0402 21 91 500		131,43
0402 21 91 600		143,96
0402 21 91 700		151,51
0402 21 91 900		159,88
0402 21 99 100		115,96
0402 21 99 200		116,87
0402 21 99 300		118,53

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

Product code	Destination (*)	Amount of refund
0402 21 99 400		128,15
0402 21 99 500		131,43
0402 21 99 600		143,96
0402 21 99 700		151,51
0402 21 99 900		159,88
0402 29 15 200		0,7000
0402 29 15 300		0,9972
0402 29 15 500		1,0600
0402 29 15 900		1,1500
0402 29 19 200		0,7000
0402 29 19 300		0,9972
0402 29 19 500		1,0600
0402 29 19 900		1,1500
0402 29 91 100		1,1596
0402 29 91 500		1,2815
0402 29 99 100		1,1596
0402 29 99 500		1,2815
0402 91 11 110		6,36
0402 91 11 120		12,65
0402 91 11 310		19,53
0402 91 11 350		24,42
0402 91 11 370		30,28
0402 91 19 110		6,36
0402 91 19 120		12,65
0402 91 19 310		19,53
0402 91 19 350		24,42
0402 91 19 370		30,28
0402 91 31 100		24,60
0402 91 31 300		35,78
0402 91 39 100		24,60
0402 91 39 300		35,78
0402 91 51 000		28,65
0402 91 59 000		28,65
0402 91 91 000		99,57
0402 91 99 000		99,57
0402 99 11 110		0,0636
0402 99 11 130		0,1265
0402 99 11 150		0,1967
0402 99 11 310		22,53
0402 99 11 330		27,52
0402 99 11 350		37,32
0402 99 19 110		0,0636
0402 99 19 130		0,1265
0402 99 19 150		0,1967
0402 99 19 310		22,53
0402 99 19 330		27,52
0402 99 19 350		37,32
0402 99 31 110		0,2663
0402 99 31 150		38,94
0402 99 31 300		0,5094
0402 99 31 500		0,8741
0402 99 39 110		0,2663
0402 99 39 150		38,94
0402 99 39 300		0,5094
0402 99 39 500		0,8741
0402 99 91 000		0,9957

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

Product code	Destination (*)	Amount of refund
0402 99 99 000		0,9957
0403 10 11 100		6,36
0403 10 11 300		9,61
0403 10 13 000		12,65
0403 10 19 000		18,72
0403 10 31 100		0,0636
0403 10 31 300		0,0961
0403 10 33 000		0,1265
0403 10 39 000		0,1872
0403 90 11 000		70,00
0403 90 13 200		70,00
0403 90 13 300		99,72
0403 90 13 500		106,00
0403 90 13 900		115,00
0403 90 19 000		115,96
0403 90 31 000		0,7000
0403 90 33 200		0,7000
0403 90 33 300		0,9972
0403 90 33 500		1,0600
0403 90 33 900		1,1500
0403 90 39 000		1,1596
0403 90 51 100		6,36
0403 90 51 300		9,61
0403 90 53 000		12,65
0403 90 59 110		18,72
0403 90 59 140		28,65
0403 90 59 170		42,84
0403 90 59 310		50,94
0403 90 59 340		79,31
0403 90 59 370		87,41
0403 90 59 510		99,57
0403 90 59 540		146,17
0403 90 59 570		170,49
0403 90 61 100		0,0636
0403 90 61 300		0,0961
0403 90 63 000		0,1265
0403 90 69 000		0,1872
0404 90 11 100		70,00
0404 90 11 910		6,36
0404 90 11 950		19,53
0404 90 13 120		70,00
0404 90 13 130		99,72
0404 90 13 140		106,00
0404 90 13 150		115,00
0404 90 13 911		6,36
0404 90 13 913		12,65
0404 90 13 915		18,72
0404 90 13 917		28,65
0404 90 13 919		42,84
0404 90 13 931		19,53
0404 90 13 933		24,42
0404 90 13 935		30,28
0404 90 13 937		35,78
0404 90 13 939		37,44
0404 90 19 110		115,96
0404 90 19 115		116,87
0404 90 19 120		118,53
0404 90 19 130		128,15
0404 90 19 135		131,43

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

Product code	Destination (*)	Amount of refund
0404 90 19 150		143,96
0404 90 19 160		151,51
0404 90 19 180		159,88
0404 90 19 900		—
0404 90 31 100		70,00
0404 90 31 910		6,36
0404 90 31 950		19,53
0404 90 33 120		70,00
0404 90 33 130		99,72
0404 90 33 140		106,00
0404 90 33 150		115,00
0404 90 33 911		6,36
0404 90 33 913		12,65
0404 90 33 915		18,72
0404 90 33 917		28,65
0404 90 33 919		42,84
0404 90 33 931		19,53
0404 90 33 933		24,42
0404 90 33 935		30,28
0404 90 33 937		35,78
0404 90 33 939		37,44
0404 90 39 110		115,96
0404 90 39 115		116,87
0404 90 39 120		118,53
0404 90 39 130		128,15
0404 90 39 150		131,43
0404 90 39 900		—
0404 90 51 100		0,7000
0404 90 51 910		0,0636
0404 90 51 950		22,53
0404 90 53 110		0,7000
0404 90 53 130		0,9972
0404 90 53 150		1,0600
0404 90 53 170		1,1500
0404 90 53 911		0,0636
0404 90 53 913		0,1265
0404 90 53 915		0,1872
0404 90 53 917		0,2865
0404 90 53 919		0,4284
0404 90 53 931		22,53
0404 90 53 933		27,52
0404 90 53 935		37,32
0404 90 53 937		38,94
0404 90 53 939		—
0404 90 59 130		1,1596
0404 90 59 150		1,2815
0404 90 59 930		0,6107
0404 90 59 950		0,8741
0404 90 59 990		0,9957
0404 90 91 100		0,7000
0404 90 91 910		0,0636
0404 90 91 950		22,53
0404 90 93 110		0,7000
0404 90 93 130		0,9972
0404 90 93 150		1,0600

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

Product code	Destination (*)	Amount of refund
0404 90 93 170		1,1500
0404 90 93 911		0,0636
0404 90 93 913		0,1265
0404 90 93 915		0,1872
0404 90 93 917		0,2865
0404 90 93 919		0,4284
0404 90 93 931		22,53
0404 90 93 933		27,52
0404 90 93 935		37,32
0404 90 93 937		38,94
0404 90 93 939		—
0404 90 99 130		1,1596
0404 90 99 150		1,2815
0404 90 99 930		0,6107
0404 90 99 950		0,8741
0404 90 99 990		0,9957
0405 00 10 100		—
0405 00 10 200		132,32
0405 00 10 300		166,46
0405 00 10 500		170,73
0405 00 10 700		175,00
0405 00 90 100		175,00
0405 00 90 900		220,00
0406 10 10 000		—
0406 10 90 000		—
0406 20 90 100		—
0406 20 90 913	028	—
	032	—
	400	87,74
	404	—
	...	84,94
0406 20 90 915	028	—
	032	—
	400	116,99
	404	—
	...	113,25
0406 20 90 917	028	—
	032	—
	400	124,30
	404	—
	...	120,33
0406 20 90 919	028	—
	032	—
	400	138,92
	404	—
	...	134,49
0406 20 90 990		—
0406 30 10 100		—
0406 30 10 150	028	—
	032	—
	036	—
	038	—
	400	20,03
	404	—
	...	22,83

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

Product code	Destination (*)	Amount of refund
0406 30 10 200	028	—
	032	—
	036	—
	038	—
	400	43,52
	404	—
	...	48,68
0406 30 10 250	028	—
	032	—
	036	—
	038	—
	400	43,52
	404	—
	...	48,68
0406 30 10 300	028	—
	032	—
	036	—
	038	—
	400	63,88
	404	—
	...	71,42
0406 30 10 350	028	—
	032	—
	036	—
	038	—
	400	43,52
	404	—
	...	48,68
0406 30 10 400	028	—
	032	—
	036	—
	038	—
	400	63,88
	404	—
	...	71,42
0406 30 10 450	028	—
	032	—
	036	—
	038	—
	400	93,03
	404	—
	...	103,95
0406 30 10 500	—	—
0406 30 10 550	028	—
	032	—
	036	—
	038	—
	400	43,52
	404	20,00
	...	48,68

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

Product code	Destination (*)	Amount of refund
0406 30 10 600	028	—
	032	—
	036	—
	038	—
	400	63,88
	404	28,00
	...	71,42
0406 30 10 650	028	—
	032	—
	036	—
	038	—
	400	93,03
	404	—
	...	103,95
0406 30 10 700	028	—
	032	—
	036	—
	038	—
	400	93,03
	404	—
	...	103,95
0406 30 10 750	028	—
	032	—
	036	—
	038	—
	400	113,54
	404	—
	...	126,87
0406 30 10 800	028	—
	032	—
	036	—
	038	—
	400	113,54
	404	—
	...	126,87
0406 30 10 900		—
0406 30 31 100		—
0406 30 31 300	028	—
	032	—
	036	—
	038	—
	400	20,03
	404	—
	...	22,83
0406 30 31 500	028	—
	032	—
	036	—
	038	—
	400	43,52
	404	—
	...	48,68

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

Product code	Destination (*)	Amount of refund
0406 30 31 710	028	—
	032	—
	036	—
	038	—
	400	43,52
	404	—
	...	48,68
0406 30 31 730	028	—
	032	—
	036	—
	038	—
	400	63,88
	404	—
	...	71,42
0406 30 31 910	028	—
	032	—
	036	—
	038	—
	400	43,52
	404	—
	...	48,68
0406 30 31 930	028	—
	032	—
	036	—
	038	—
	400	63,88
	404	—
	...	71,42
0406 30 31 950	028	—
	032	—
	036	—
	038	—
	400	93,03
	404	—
	...	103,95
0406 30 39 100		—
0406 30 39 300	028	—
	032	—
	036	—
	038	—
	400	43,52
	404	20,00
	...	48,68
0406 30 39 500	028	—
	032	—
	036	—
	038	—
	400	63,88
	404	28,00
	...	71,42

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

Product code	Destination (*)	Amount of refund
0406 30 39 700	028	—
	032	—
	036	—
	038	—
	400	93,03
	404	—
	...	103,95
0406 30 39 930	028	—
	032	—
	036	—
	038	—
	400	93,03
	404	—
	...	103,95
0406 30 39 950	028	—
	032	—
	036	—
	038	—
	400	113,54
	404	—
	...	126,87
0406 30 90 000	028	—
	032	—
	036	—
	038	—
	400	113,54
	404	—
	...	126,87
0406 40 00 100	028	—
0406 40 00 900	032	—
	038	—
	400	120,00
	404	—
	...	126,51
	028	—
0406 90 13 000	032	—
	036	—
	038	—
	400	113,00
	404	—
	...	159,34
	028	—
0406 90 15 100	032	—
	036	—
	038	—
	400	113,00
	404	—
	...	159,34
0406 90 15 900	028	—

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

Product code	Destination (*)	Amount of refund
0406 90 17 100	028	—
	032	—
	036	—
	038	—
	400	113,00
	404	—
	...	159,34
0406 90 17 900		—
0406 90 21 100		—
0406 90 21 900	028	—
	032	—
	036	—
	038	—
	400	130,00
	404	—
	732	139,68
	...	151,68
0406 90 23 100		—
0406 90 23 900	028	—
	032	—
	036	—
	038	—
	400	65,00
	404	—
	...	135,35
0406 90 25 100		—
0406 90 25 900	028	—
	032	—
	036	—
	038	—
	400	65,00
	404	—
	...	135,35
0406 90 27 100		—
0406 90 27 900	028	—
	032	—
	036	—
	038	—
	400	56,14
	404	—
	...	114,71
0406 90 31 111		—
0406 90 31 119	028	—
	032	—
	036	—
	038	15,00
	400	62,48
	404	16,00
	...	89,96

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

Product code	Destination (*)	Amount of refund
0406 90 31 151	028	—
	032	—
	036	—
	038	—
	400	58,40
	404	14,96
	...	83,83
0406 90 31 159		—
0406 90 31 900		—
0406 90 33 111		—
0406 90 33 119	028	—
	032	—
	036	—
	038	15,00
	400	62,48
	404	16,00
	...	89,96
0406 90 33 151	028	—
	032	—
	036	—
	038	—
	400	58,40
	404	14,96
	...	83,83
0406 90 33 159		—
0406 90 33 911		—
0406 90 33 919	028	—
	032	—
	036	—
	038	15,00
	400	62,48
	404	16,00
	...	89,96
0406 90 33 951	028	—
	032	—
	036	—
	038	—
	400	58,40
	404	14,96
	...	83,83
0406 90 33 959		—
0406 90 35 110		—
0406 90 35 190	028	—
	032	—
	036	42,66
	400	160,00
	404	90,00
	...	158,54

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

Product code	Destination (*)	Amount of refund
0406 90 35 910		—
0406 90 35 990	028	—
	032	—
	036	—
	038	—
	400	130,00
	404	—
	...	130,00
0406 90 61 000	028	—
	032	—
	036	90,00
	400	190,00
	404	140,00
	...	185,00
0406 90 63 100	028	—
	032	—
	036	105,03
	400	220,00
	404	160,00
	...	212,12
0406 90 63 900	028	—
	032	—
	036	70,00
	400	150,00
	404	80,00
	...	165,00
0406 90 69 100		—
0406 90 69 910	028	—
	032	—
	036	70,00
	400	150,00
	404	80,00
	...	165,00
0406 90 69 990		—
0406 90 71 100		—
0406 90 71 930	028	13,50
	032	13,50
	036	—
	038	—
	400	87,23
	404	—
	...	89,49

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

Product code	Destination (°)	Amount of refund
0406 90 71 950	028	20,00
	032	20,00
	036	—
	038	—
	400	96,18
	404	—
	...	98,13
0406 90 71 970	028	24,00
	032	24,00
	036	—
	038	—
	400	109,31
	404	—
	...	110,79
0406 90 71 991	028	—
	032	—
	036	—
	038	—
	400	130,00
	404	—
	...	130,00
0406 90 71 995	028	27,50
	032	27,50
	036	—
	038	—
	400	65,00
	404	—
	...	135,35
0406 90 71 999		—
0406 90 73 100		—
0406 90 73 900	028	—
	032	—
	036	42,66
	400	160,00
	404	120,00
	...	151,00
0406 90 75 100		—
0406 90 75 900	028	—
	032	—
	036	—
	400	65,00
	404	—
	...	125,96
0406 90 77 100	028	24,00
	032	24,00
	036	—
	038	—
	400	58,77
	404	—
	...	110,79

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

Product code	Destination (*)	Amount of refund
0406 90 77 300	028	—
	032	—
	036	—
	038	—
	400	65,00
	404	—
	...	135,35
0406 90 77 500	028	—
	032	—
	036	—
	038	—
	400	75,00
	404	—
	...	135,35
0406 90 79 100		—
0406 90 79 900	028	—
	032	—
	036	—
	038	—
	400	56,14
	404	—
	...	114,71
0406 90 81 100		—
0406 90 81 900	028	—
	032	—
	036	—
	038	—
	400	130,00
	404	—
	...	130,00
0406 90 83 100		—
0406 90 83 910		—
0406 90 83 950	028	—
	032	—
	400	39,03
	404	—
	...	47,97
0406 90 83 990	028	—
	032	—
	400	39,03
	404	—
	...	47,97
0406 90 85 100		—
0406 90 85 910	028	—
	032	—
	036	42,67
	400	160,00
	404	90,00
	...	158,54

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

Product code	Destination (*)	Amount of refund
0406 90 85 991	028	—
	032	—
	036	—
	038	—
	400	130,00
	404	—
	...	130,00
0406 90 85 995	028	27,50
	032	27,50
	036	—
	038	—
	400	65,00
	404	—
	...	135,35
0406 90 85 999		—
0406 90 89 100	028	13,50
	032	13,50
	036	—
	038	—
	400	87,23
	404	—
	...	89,49
0406 90 89 200	028	20,00
	032	20,00
	036	—
	038	—
	400	96,18
	404	—
	...	98,13
0406 90 89 300	028	24,00
	032	24,00
	036	—
	038	—
	400	109,31
	404	—
	...	110,79
0406 90 89 910		—
0406 90 89 951	028	—
	032	—
	036	42,66
	400	160,00
	404	90,00
	...	151,00
0406 90 89 959	028	—
	032	—
	036	—
	038	—
	400	130,00
	404	—
	...	130,00

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

Product code	Destination (*)	Amount of refund
0406 90 89 971	028	27,50
	032	27,50
	036	—
	038	—
	400	74,00
	404	—
	...	135,35
0406 90 89 972	028	—
	032	—
	400	39,03
	404	—
	...	47,97
0406 90 89 979	028	27,50
	032	27,50
	036	—
	038	—
	400	74,00
	404	—
	...	135,35
0406 90 89 990		—
0406 90 91 100		—
0406 90 91 300	028	—
	032	—
	036	—
	038	—
	400	21,46
	404	—
	...	21,06
0406 90 91 510	028	—
	032	—
	036	—
	038	—
	400	37,62
	404	—
	...	35,97
0406 90 91 550	028	—
	032	—
	036	—
	038	—
	400	45,81
	404	—
	...	43,62
0406 90 91 900		—
0406 90 93 000		—
0406 90 97 000		—
0406 90 99 000		—
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		—

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

Product code	Destination (*)	Amount of refund
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
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 2964/90

of 12 October 1990

fixing the maximum buying-in price and the quantities of beef bought in for the
32nd partial invitation to tender under Regulation (EEC) No 1627/89

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⁾, and in particular Article 6 (7) thereof,

Whereas, pursuant to Commission Regulation (EEC) No 859/89 of 29 March 1989 laying down detailed rules for the application of intervention measures in the beef and veal sector⁽³⁾, as last amended by Regulation (EEC) No 2271/90⁽⁴⁾, an invitation to tender was opened by Commission Regulation (EEC) No 1627/89 of 9 June 1989 on the buying-in of beef by invitation to tender⁽⁵⁾, as last amended by Regulation (EEC) No 2899/90⁽⁶⁾;

Whereas, in accordance with Article 11 (1) of Regulation (EEC) No 859/89, a maximum buying-in price is to be fixed for quality R3, where appropriate, for each partial invitation to tender in the light of the tenders received; whereas, in accordance with Article 12 of that Regulation, only tenders lower than or equal to the maximum price are to be accepted;

Whereas, after the tenders submitted for the 32nd partial invitation to tender have been examined and taking account, pursuant to Article 6 (1) of Regulation (EEC) No 805/68, of the requirements for reasonable support of the market and the seasonal trend in slaughterings, the maximum buying-in price and the quantities which may be accepted into intervention should be fixed;

Whereas the quantities offered at present exceed the quantities which may be bought in; whereas a reducing coefficient or, where appropriate depending on the differences in prices and the quantities tendered for, several reducing coefficients should accordingly be applied to the quantities which may be bought in in accordance with Article 11 (3) of Regulation (EEC) No 859/89;

Whereas, moreover, since the conditions laid down in the first indent of Article 6 (5) of Regulation (EEC) No 805/68 are met in respect of certain Member States or regions of Member States and certain quality groups, all the tenders relating thereto which do not exceed 80 % of the intervention price should be accepted;

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

For the 32nd partial invitation to tender opened by Regulation (EEC) No 1627/89:

(a) for category A:

- the maximum buying-in price is hereby fixed at ECU 273 per 100 kilograms of carcasses or half-carcasses of quality R3,
- the maximum quantity of carcasses or half-carcasses accepted is hereby fixed at 16 873 tonnes; the quantities offered at a price greater than ECU 267 per 100 kilograms are hereby reduced by 80 % pursuant to Article 11 (3) of Regulation (EEC) No 859/89; the quantities offered at a price of less or equal to ECU 267 per 100 kilograms are reduced by 50 %;

(b) for category C:

- (i) in the Member States or regions of Member States which meet the conditions laid down in Article 6 (2) of Regulation (EEC) No 805/68:

- the maximum buying-in price is hereby fixed at ECU 273 per 100 kilograms of carcasses or half-carcasses of quality R3,
- the maximum quantity accepted is hereby fixed at 328 tonnes; the quantities offered at a price greater than ECU 267 per 100 kilograms are hereby reduced by 80 % pursuant to Article 11 (3) of Regulation (EEC) No 859/89; the quantities offered at a price equal to or less than ECU 267, per 100 kilograms are reduced by 50 %;

(¹) OJ No L 148, 28. 6. 1968, p. 24.

(²) OJ No L 61, 4. 3. 1989, p. 43.

(³) OJ No L 91, 4. 4. 1989, p. 5.

(⁴) OJ No L 204, 2. 8. 1990, p. 45.

(⁵) OJ No L 159, 10. 6. 1989, p. 36.

(⁶) OJ No L 277, 9. 10. 1990, p. 5.

(ii) in the Member States or regions of Member States which meet the conditions laid down in the first indent of Article 6 (5) of Regulation (EEC) No 805/68 :

- the maximum buying-in price is hereby fixed at ECU 274,4 per 100 kilograms of carcasses or half-carcasses of quality R3,
- the maximum quantity accepted is hereby fixed at 45 456 tonnes.

Article 2

By way of derogation from the first sentence of Article 13 (2) of Regulation (EEC) No 859/89, the delivery period for the intervention products is hereby extended by one day.

Article 3

This Regulation shall enter into force on 13 October 1990.

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

Done at Brussels, 12 October 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 2965/90

of 12 October 1990

introducing a corrective amount on the import of cucumbers into the Community of Ten from Spain (except the Canary Islands)

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 3709/89 of 4 December 1989 laying down general rules for implementing the Act of Accession of Spain and Portugal as regards the compensatory mechanism for imports of fruit and vegetables from Spain⁽¹⁾, and in particular Article 4 (2) thereof,

Whereas Article 152 of the Act of Accession introduces from 1 January 1990 a compensatory mechanism for imports into the Community as constituted on 31 December 1985, hereinafter called 'the Community of Ten', of fruit and vegetables from Spain (except the Canary Islands) for which a reference price is fixed with regard to third countries;

Whereas Regulation (EEC) No 3709/89 lays down general rules for applying the said compensatory mechanism;

Whereas Commission Regulation (EEC) No 235/90⁽²⁾ fixed, for the 1990 marketing year, the Community offer price for cucumbers applicable with regard to Spain (except the Canary Islands);Whereas the offer price fixed by the Commission is to be reduced in accordance with Article 2 of Commission Regulation (EEC) No 784/90 of 29 March 1990 fixing the reducing coefficient for agricultural prices in the 1990/91 marketing year as a result of the monetary realignment of 5 January 1990 and amending the prices and amounts fixed in ecus for that marketing year⁽³⁾;Whereas Commission Regulation (EEC) No 3815/89⁽⁴⁾ lays down detailed rules for applying the compensatory mechanism on imports of fruit and vegetables from Spain (except the Canary Islands);

Whereas, in the case of cucumbers, the offer price for the Spanish product as calculated in accordance with the provisions of Council Regulation (EEC) No 3709/89 has remained for two consecutive market days at a level at least ECU 0,6 below the Community offer price; whereas a corrective amount equal to the difference between the Community offer price and the Spanish offer price must therefore be introduced for these products from Spain (except the Canary Islands);

Whereas if the system is to operate normally the offer price of the Spanish product should be calculated on the following basis:

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

HAS ADOPTED THIS REGULATION:

Article 1

On import into the Community of Ten of cucumbers (CN codes 0707 00 11 and 0707 00 19) from Spain (except the Canary Islands) a corrective amount of ECU 6,40 per 100 kilograms net shall be levied.

Article 2

This Regulation shall enter into force on 16 October 1990.

⁽¹⁾ OJ No L 363, 13. 12. 1989, p. 3.

⁽²⁾ OJ No L 26, 30. 1. 1990, p. 21.

⁽³⁾ OJ No L 83, 30. 3. 1990, p. 102.

⁽⁴⁾ OJ No L 371, 20. 12. 1989, p. 28.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 9.

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

Done at Brussels, 12 October 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 2966/90**of 12 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 2945/90 ⁽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 13 October 1990.

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

Done at Brussels, 12 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 281, 12. 10. 1990, p. 24.**ANNEX****to the Commission Regulation of 12 October 1990 fixing the import levies on white sugar and raw sugar**

(ECU/100 kg)	
CN code	Levy
1701 11 10	38,47 ⁽¹⁾
1701 11 90	38,47 ⁽¹⁾
1701 12 10	38,47 ⁽¹⁾
1701 12 90	38,47 ⁽¹⁾
1701 91 00	44,36
1701 99 10	44,36
1701 99 90	44,36 ⁽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.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 21 September 1990

authorizing certain Member States to provide for derogations from certain provisions of Council Directive 77/93/EEC in respect of sawn wood of conifers originating in Canada

(Only the Spanish, German, Greek, English, French, Italian, Dutch and Portuguese texts are authentic)

(90/505/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Member States of organisms harmful to plants or plant products⁽¹⁾, as last amended by Commission Directive 90/490/EEC⁽²⁾, and in particular Article 14 (3), second and third indents, thereof,

Having regard to the requests made by Belgium, Germany, Greece, Spain, France, Italy, Luxembourg, the Netherlands, Portugal and the United Kingdom,

Whereas under the provisions of Directive 77/93/EEC, because of the risk of introducing harmful organisms, wood of conifers which meets the descriptions in CN code ex 4407 10, originating in Canada, China, Japan, Korea or the USA may not be introduced into the Community, unless it is properly kiln-dried and identified as such;

Whereas, however, Article 14 (3), second indent, of Directive 77/93/EEC permits derogations from that rule, provided that it is established that there is no risk of spreading harmful organisms;

Whereas, moreover, Article 14 (3), third indent, of the abovementioned Directive permits derogations from the rule requiring a phytosanitary certificate, if equivalent safeguards are given and provided that it is established that there is no risk of spreading harmful organisms;

Whereas wood of conifers originating in Canada is currently introduced into the Community; whereas in the case of sawn wood, phytosanitary certificates are not generally issued in that country; whereas it appears that kiln-drying capacity is at present limited in Canada;

Whereas, in respect of Canada, the Commission has established, on the basis of the information available at present, that an officially approved and monitored programme of issuing 'certificates of debarking and grub hole control' has been set up to ensure proper debarking and to reduce the risk from harmful organisms; whereas the risk of spreading harmful organisms is reduced provided that the wood is accompanied by a 'Certificate of Debarking and Grub Hole Control' issued under that programme;

Whereas the Commission will ensure that Canada makes available all technical information necessary to assess the functioning of the Debarking and Grub Hole Control Certificate Programme;

Whereas the Member States should therefore be authorized to provide for derogations under Article 14 (3), second and third indents, of Directive 77/93/EEC in respect of sawn wood of conifers originating in Canada for a limited period;

⁽¹⁾ OJ No L 26, 31. 1. 1977, p. 20.

⁽²⁾ OJ No L 271, 3. 10. 1990, p. 28.

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

HAS ADOPTED THIS DECISION:

Article 1

1. Belgium, Germany, Greece, Spain, France, Italy, Luxembourg, the Netherlands, Portugal and the United Kingdom are hereby authorized to provide under the conditions laid down in paragraph 2 for derogations from Article 5 (1) and the third indent of Article 12 (1) (a) of Directive 77/93/EEC, with regard to the requirements referred to in Annex IV, Part A, 1 (1) and also from Articles 7 (2) and 12 (1) (b) of that Directive, for wood of Coniferae (CN code ex 4407 10) originating in Canada other than wood which has been kiln-dried to below 20 % moisture content, expressed as a percentage of dry matter at time of manufacture, achieved through an appropriate time/temperature schedule, and is so identified.

2. For the purpose of paragraph 1, the following conditions shall be satisfied:

(a) The wood shall be totally stripped of its bark by means of debarking, edging, grading and board selection and shall be free of grub holes. Bark is considered to be the external part of wood capable of sustaining live bark-inhabiting insects or other harmful organisms at any stage of development, but does not extend to:

- inner bark (bast),
- ingrown bark, in particular around knots,
- bark or pitch pockets as defined in the National Lumber Grades Authority rules.

Grub holes are understood to mean insect bore holes caused by wood borers of the genus *Monochamus*, and defined for this purpose as those which are larger than 3 mm across.

(b) Satisfaction of the conditions laid down under (a) shall have been checked by graders who are trained, qualified and authorized for that purpose under a programme approved by Agriculture Canada, Plant Protection Division.

(c) Checks on compliance with the conditions laid down under (a) shall have been undertaken at mills by industry inspectors or their agents and at ports by shipper's inspectors, both qualified and authorized for that purpose by Agriculture Canada, Plant Protection Division. In addition, the checking system shall

provide for inspectors of Agriculture Canada, Plant Protection Division, undertaking occasional pre-shipment inspections.

(d) The wood shall be accompanied by a 'Certificate of Debarking and Grub Hole Control' which is standardized under the programme mentioned under (b), and complies with the specimen given in the Annex to this Decision, and which is issued by an authorized person on behalf of mills or shippers authorized to participate in that programme by Agriculture Canada, Plant Protection Division, and is filled in in accordance with the instructions set up under that programme, as printed on the reverse side of the specimen.

If the 'Certificate of Debarking and Grub Hole Control' has been issued on behalf of a shipper, it shall be based on 'Certificates of Debarking and Grub Hole Control' supplied to him by the approved mills, and/or as a result of inspections carried out under his responsibility.

Article 2

Without prejudice to Article 14 (5) of Directive 77/93/EEC, the Member States listed in Article 1 (1) shall notify the Commission and the other Member States of all cases of consignments introduced pursuant to this Decision which do not comply with the conditions laid down under Article 1 (2) (a) and (d), as soon as a third such consignment has been intercepted.

Article 3

The authorization granted in Article 1 shall expire on 31 December 1991. It shall be revoked earlier if it is established that the conditions laid down under Article 1 (2) are not sufficient to prevent the introduction of harmful organisms or have not been complied with.

Article 4

This Decision is addressed to the Kingdom of Belgium, Germany, the Hellenic Republic, the Kingdom of Spain, the French Republic, the Italian Republic, the Grand Duchy of Luxembourg, the Kingdom of Netherlands, the Republic of Portugal and the United Kingdom.

Done at Brussels, 21 September 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

**CERTIFICATE OF DEBARKING AND GRUB
HOLE CONTROL**
**CERTIFICAT D'ÉCORÇAGE DU BOIS ET CONTRÔLE DES
TROUS DE VERS**

Exporter (Name and address) Exportateur (nom et adresse)		Import entry reference Référence d'entrée aux douanes	Certificate No / N° de certificat					
			Date (of / d'inspection/certification)					
		Buyer Contract No N° du contrat de l'acheteur	Lot No / N° du lot					
Consignee (Name and address) Destinataire (nom et adresse)		Mill (Name and address) Scierie (nom et adresse)	Mill No (agency logo / no) N° de scierie (logo de l'organisme / n°)					
Ship name / Nom du navire		Country of origin / Pays d'origine CANADA	Country of destination / Pays destinataire					
Point of loading / Lieu de chargement	Port of exit / Port de départ		Port of destination / Port destinataire					
Description of consignment / Description du chargement								
This document has been issued under the programme officially approved by Agriculture Canada, Plant Protection Division, and the products covered by this document are subject to occasional pre-shipment inspection by that agency, without financial liability to it or its officers. This lumber has been examined by a mill inspector, shipper, or other authorized person and found to have been stripped of its bark and to be free of grub holes to conform to the best of their knowledge and belief with the import requirements of the receiving country. Ce document a été délivré en vertu du programme officiellement approuvé par la Division de la protection des végétaux d'Agriculture Canada. Les produits indiqués sur ce document peuvent être inspectés à l'occasion par cet organisme avant l'expédition sans qu'aucune responsabilité financière ne soit imputée à l'organisme ou à ses agents. Ce bois débité a été examiné par un inspecteur de scierie, expéditeur ou autre personne autorisée et est certifié avoir été écorcé pour se conformer, au meilleur de la connaissance de la personne susmentionnée, aux exigences du pays importateur en ce qui concerne l'écorçage et la surveillance des trous de vers du bois importé.								
Authorized person responsible for certification - Personne autorisée responsable du certificat au nom de la scierie/de l'expéditeur								
Print / En majuscules		and / et						
			Signature	date				

USE OF CERTIFICATE (AGR 3809)

● Shall only be issued by grading agencies, mills or shippers approved by Agriculture Canada.

● Shaded areas are for optional use of mill, agency or shipper, exporter or importing country.

Exporter - for optional use of exporter.

Consignee - for optional use of exporter.

Import entry reference - for use by country to which document is directed.

Contract No - the buyer contract number.

Certificate No - refers to a number to be assigned by the authorized issuing mill/shipper/agency. Each certificate must bear an individual number so as to clearly identify each individual certificate. This is required by Agriculture Canada.

Date of inspection/certification - refers to the date on which the inspection and certification occurred.

Lot No - refers to the mill lot number of the lumber.

Mill - refers to the mill name or division and provides the address. This information may be pre-printed on to the certificate.

Mill No (or Shipper No) - refers to an approval number assigned by Agriculture Canada to approved participants in the program. To avoid confusion the number may correspond to mill numbers as provided by grading agencies. Only mill/shippers/agencies listed with and approved by Agriculture Canada may participate in the program. The mill number may be pre-printed on to the certificate. It consists of two parts, a grading agency logo and a number.

Ship name - for optional use of exporter.

Point of loading - for optional use of exporter.

Port of exit - for optional use of exporter.

Port of destination - for optional use of exporter.

Country of origin - Canada.

Country of destination - these certificates may only be used for lumber destined to countries who have approved their use.

Description of consignment - must include information on the species, marks, grades, numbers of packages, lot or bundle numbers, volume and other appropriate descriptors. If space on the form is insufficient, attach additional pages, and indicate on face of certificate, in the 'Description of consignment' block the number of supplementary pages appended. These additional pages must bear the mill number, certificate number and signature.

If an aggregated consignment is based on numerous certificates, list individual certificate numbers (i.e. mill numbers, certificate numbers and dates) on the single certificate describing the aggregated consignment. The individual certificates need not accompany the goods. This single certificate constitutes a re-certification.

Name and signature - the name of the person responsible for the certificate program at the mill or for the shipper or the agency, shall print, or legibly write or type their name beside the signature block. The authorized accountable person for the mill/shipper/agency should sign the certificate. The signature indicates the lumber has been properly debarked, subjected to *Monochamus* grub hole control, inspected and meets the importing country's requirements.

Disposition of certificate - the original certificate must be presented to the competent authorities in the importing country when the lumber is landed. Issuers must retain copies for their records and for auditing purposes by Agriculture Canada.

Production/printing of certificate - approved participants must print their certificates exactly as the standard format illustrates. They may be printed electronically. The approved mill number may be pre-printed on the documents.

USAGE DU CERTIFICAT (AGR 3809)

● Ne doit être émis que par les organismes de classements, scieries ou expéditeurs approuvés et répertoriés par Agriculture Canada.

● Tous les espaces ombragés sont réservés à l'usage facultatif de la scierie, de l'organisme de l'expéditeur, de l'exportateur ou du pays importateur.

Exportateur - À l'usage facultatif de l'exportateur.

Destinataire - À l'usage facultatif de l'exportateur.

Référence d'entrée aux douanes - À l'usage facultatif du pays de destination du certificat.

Numéro du contrat - Numéro du contrat de l'acheteur.

Numéro du certificat - Se réfère à un numéro devant être assigné par la scierie ou l'expéditeur approuvé. Chaque certificat doit avoir un numéro individuel qui l'identifie. C'est une exigence d'Agriculture Canada.

Date d'inspection/certification - Date à laquelle l'inspection et la certification du bois scié ont eu lieu.

Numéro du lot - Numéro du lot du bois débité assigné par la scierie.

Scierie - Le nom de la scierie ou de la division, y compris l'adresse. Ces renseignements peuvent être imprimés à l'avance sur le certificat.

Numéro de la scierie (ou numéro de l'expéditeur) - Numéro d'approbation assigné par Agriculture Canada aux participants au programme. Afin d'éviter toute confusion, le numéro peut correspondre au numéro de scierie assigné par les organismes de classement. Seuls les scieries et les expéditeurs répertoriés et approuvés par Agriculture Canada peuvent participer au programme. Le numéro de scierie peut être imprimé à l'avance sur le certificat. Il est composé de deux parties, le logo de l'organisme et un chiffre.

Nom du navire - À l'usage facultatif de l'exportateur.

Lieu de chargement - À l'usage facultatif de l'exportateur.

Port de départ - À l'usage facultatif de l'exportateur.

Port destinataire - À l'usage facultatif de l'exportateur.

Pays d'origine - Canada.

Pays destinataire - Ces certificats ne peuvent être utilisés que pour le bois débité destiné aux pays qui ont approuvé leur usage.

Description du chargement - Doit inclure les renseignements au sujet des espèces, marques, catégories, nombre de paquets, numéros de lot, volume et autres descriptions appropriées. Si l'espace sur la formule n'est pas suffisant, ajouter des pages supplémentaires et indiquer sur les certificats dans la case « Description du chargement » le nombre de pages que vous avez ajoutées. Ces dernières doivent porter le numéro de la scierie, le numéro du certificat et la signature autorisée.

Si le chargement est constitué de plusieurs chargements accompagnés de certificats individuels, inscrire les numéros des certificats (c.-à-d. les numéros de la scierie et les numéros des certificats et dates) sur le certificat qui décrit l'ensemble du chargement. Il n'est pas nécessaire d'envoyer les certificats individuels, car cela constituerait une deuxième certification.

Nom et signature - La personne responsable du programme de certificat à la scierie ou le représentant de l'expéditeur ou l'organisme de classement doit imprimer, écrire lisiblement ou dactylographier son nom à côté de la case réservée à la signature. Elle doit également signer le certificat, à titre de personne autorisée au nom de la scierie ou de l'expéditeur. La signature indique que le bois a été écorcé convenablement, que les trous de vers de *Monochamus* ont été contrôlés, qu'il a été inspecté et qu'il satisfait aux exigences du pays importateur.

Destination du certificat - Le certificat original doit être présenté aux officiels compétents dans le pays importateur quand le bois est déchargé dans le pays. Les émetteurs des certificats doivent eux-mêmes en garder une copie pour leurs dossiers et aux fins de vérification par Agriculture Canada.

Production et impression des certificats - Les scieries et les expéditeurs doivent assurer la reproduction exacte des certificats, à partir du certificat normalisé. Il est permis de les imprimer électroniquement. Il est également permis d'imprimer à l'avance le numéro approuvé de la scierie.

NINTH COMMISSION DIRECTIVE

of 26 September 1990

amending Annex IV to Council Directive 77/93/CEE on protective measures against the introduction into the Member States of organisms harmful to plants or plant products

(90/506/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Member States of organisms harmful to plants or plant products⁽¹⁾, as last amended by Commission Directive 90/490/EEC⁽²⁾, and in particular Article 13, second paragraph, fourth indent thereof,

Whereas the provisions on protective measures against harmful organisms such as *Amauromyza* and *Liriomyza* should be improved, and in particular adapted to the present distribution of such organisms;

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

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

HAS ADOPTED THIS DIRECTIVE:

Article 1

In Annex IV, part A to Directive 77/93/EEC, points 33 a and 33 b are replaced by the following:

'33 a. Plants of *Apium graveolens*, *Brassica*, *Capsicum annuum*, *Chrysanthemum*, *Cucumis*, *Dendranthema*, *Dianthus*, *Gerbera*, *Gypsophila*, *Lactuca sativa*, *Leucanthemum*, *Lycopersicon esculentum*, *Solanum melongena*, *Tanacetum*, intended for planting, other than seeds, originating in a Member State or in those third countries where it has been ascertained, in accordance with the procedure laid down in Article 16, that:

- *amauromyza maculosa*,
- *Liriomyza huidobrensis*,
- *Liriomyza sativae*,
- *Liriomyza trifolii*

are not known to occur.

33 b. Plants of species covered by 33 a for planting, other than seeds, originating in American countries or in any other third country not covered by 33 a.

Official statement that:

- either no signs of any of the relevant harmful organisms have been observed at the place of production on official inspections carried out at least monthly during the three months prior to harvesting,
- or
- immediately prior to export the plants have been inspected and found free from signs of the relevant harmful organisms and have been subjected to an appropriate treatment aimed at eradicating the relevant harmful organisms.

Official statement that no signs of *Amauromyza maculosa*, *Liriomyza huidobrensis*, *Liriomyza sativae* or *Liriomyza trifolii* have been observed at the place of production, on official inspections carried out at least monthly during the three months prior to harvesting.

⁽¹⁾ OJ No L 26, 31. 1. 1977, p. 20.

⁽²⁾ OJ No L 271, 3. 10. 1990, p. 28.

33 c. Plants of herbaceous species, other than those covered by 33 a, for planting, other than seeds, originating in a Member State where any of the harmful organisms specified in 33 a are known to occur or in American countries or in any other third country not covered by 33 a.

Official statement that :

- either no signs of any of the relevant harmful organisms have been observed at the place of production on an official inspection carried out prior to harvesting,
- or
- immediately prior to export the plants have been inspected and found free from signs of the relevant harmful organisms and have been subjected to an appropriate treatment aimed at eradicating the relevant harmful organisms.

Article 2

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 1 January 1991.

These provisions shall make express reference to this Directive.

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

The Commission shall inform the other Member States thereof.

Article 3

This Directive is addressed to the Member States.

Done at Brussels, 26 September 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission
