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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 3379/90

of 20 November 1990

setting for the 1990/91 marketing year the percentages mentioned in the second subparagraph of Article 3 (1a) of Regulation (EEC) No 426/86 in connection with the premium granted for products processed from tomatoes

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables ⁽¹⁾, as last amended by Regulation (EEC) No 2201/90 ⁽²⁾, and in particular Article 3 (3) thereof,

Having regard to the proposal from the Commission,

Whereas in order to encourage the conclusion of contracts between groups of tomato producers and associations of processors and processors, Regulation (EEC) No 426/86 made provision for the granting on certain terms of an additional processing premium;

Whereas in order to permit payment of the said premium in respect of the 1990/91 marketing year the 'significant specific percentage' for the total quantity of processed tomatoes covered by contracts concluded with tomato producers' groups must be set;

Whereas a specific percentage should be set for Portugal, since the role of producers' groups in this Member State during the first stage is still limited,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1990/91 marketing year, the percentages mentioned in the second subparagraph of Article 3 (1a) of Regulation (EEC) No 426/86 shall be:

- for the Community as constituted at 31 December 1985 and for Spain: 75 %,
- for Portugal: 50 %.

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, 20 November 1990.

For the Council

The President

C. VIZZINI

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ OJ No L 201, 31. 7. 1990, p. 1.

COUNCIL REGULATION (EEC) No 3380/90
of 20 November 1990

amending Regulation (EEC) No 3034/80 fixing the quantities of basic products considered to have been used in the manufacture of goods covered by Regulation (EEC) No 3033/80, and fixing the rates of certain variable component levies

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3033/80 of 11 November 1980 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products⁽¹⁾, as amended by Regulation (EEC) No 3743/87⁽²⁾, and in particular Article 4 (1) thereof,

Having regard to the proposal from the Commission,

Whereas Regulation (EEC) No 3034/80⁽³⁾, as last amended by Regulation (EEC) No 3207/89⁽⁴⁾, has fixed the quantities of agricultural products considered to have been used in the manufacture of goods covered by Regulation (EEC) No 3033/80;

Whereas, in order to ensure the application of appropriate amounts, the quantities of agricultural products considered to have been used in the manufacture of certain sorts of milk chocolate must be specifically fixed,

Article 1

Annex I to Regulation (EEC) No 3034/80 is hereby amended as shown in Annex 1 to this Regulation.

Article 2

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

At the request of the interested party, it shall apply as from 1 November 1990. The amounts to be applied to goods falling within CN code 1806 32 90, and additional code 7832 shall be those shown in Annex 2 to this Regulation.

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

Done at Brussels, 20 November 1990.

For the Council
The President
C. VIZZINI

⁽¹⁾ OJ No L 323, 29. 11. 1980, p. 1.
⁽²⁾ OJ No L 352, 15. 12. 1987, p. 29.
⁽³⁾ OJ No L 323, 29. 11. 1980, p. 7.
⁽⁴⁾ OJ No L 312, 27. 10. 1989, p. 1.

ANNEX 1

<i>(per 100 kg of goods)</i>						
CN code	Description		sugar		Whole milk powder (PG 3)	
		kg	kg	kg	kg	kg
(1)	(2)	(3) (4) (5) (6) (7) (8)	(9)	(10) (11)	(12)	(13)
1806 32	Not filled :					
10	With added cereal, fruit or nuts			see Annex II		
90	Other :					
	Containing by weight 3 % or more but less than 6 % of milkfat (*)		50		20	
	Others			see Annex II		

(*) The additional code for these goods is 7832.

ANNEX 2

<i>(per 100 kg of goods)</i>		
Period	CN code 1806 32 90, additional code 7832	
	Variable component (ECU)	Additional duty on sugar (ECU)
1 November 1990 to 31 January 1991	61,231	20,935'

COUNCIL REGULATION (EEC) No 3381/90

of 20 November 1990

amending Regulation (EEC) No 3035/80 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty and the criteria for fixing the amounts of such refunds

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Article 1

Having regard to Council Regulation (EEC) No 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 (3) thereof, and to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽³⁾, as last amended by Regulation (EEC) No 2787/90 ⁽⁴⁾, and in particular Article 19 (6) thereof,

Having regard to the proposal from the Commission,

Whereas Regulation (EEC) No 3035/80 ⁽⁵⁾, as last amended by Regulation (EEC) No 3209/88 ⁽⁶⁾, laid down rules for calculating the export refunds, in particular for whole milk used in various forms in the manufacture of the goods; whereas the technical evolution, and the uses that can be made of these rules make it necessary to make certain changes so as to ensure that appropriate refunds are granted;

Whereas the basic products 'wholly milled rice' and 'beet or cane syrups' listed in Annex A of Regulation (EEC) No 3035/80 must be better defined, and the export regime for crispbread must be in conformity with that in force before 1 January 1988,

Regulation (EEC) No 3035/80 is hereby amended as follows:

1. In Article 1 (2):

— point (d), second indent, after 'of a milk fat content, by weight, not less than 1,5 %', the following is inserted: 'but less than 40 %',

— under (e), after the first indent, the following indent is inserted:

— 'milk and cream and the products falling within CN codes 0403 10 19 and 0403 90 19 in powder, granules or other solid forms, not containing added sugar or other sweetening matter, of a milkfat content, by weight, not less than 40 %',

2. In Annex A:

— the CN codes '1006 30 91' and '1006 30 99' are replaced by '1006 30 61 to 1006 30 98',

— at CN code 'ex 1702 90 90' in the column 'Description of basic products' after 'Beet or cane syrups', the following inserted:

'other than the syrups obtained by dissolving white or raw sugar in the solid state,'.

3. In Annex B, at CN code 1905 10 00, the text in columns 2 to 7 is amended as follows:

(2)	(3)	(4)	(5)	(6)	(7)
Crispbread:					
— Containing added sugar, honey, eggs, fat, cheese or fruit	×		×	×	×
— Other	×				

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 378, 27. 12. 1989, p. 1.

⁽³⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽⁴⁾ OJ No L 265, 28. 9. 1990, p. 16.

⁽⁵⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁶⁾ OJ No L 286, 20. 10. 1988, p. 6.

4. In Annex D, in column 3, 4 and 5, the texts at points 3 of CN codes 1704 90 30 to 90, 1806 20, and ex 1901, are deleted and replaced by:

(3)	(4)	(5)
'3 (a) Milkfat content of less than 12 % by weight	3 (a) Whole-milk powder (PG 3)	3 (a) 3,85 kg per 1 % by weight of milkfats
3 (b) Milkfat content of 12 % by weight or more	3 (b) Butter (PG 6)	3 (b) 1,22 kg per 1 % by weight of milkfats'

Article 2

This Regulation shall enter into force on 1 December 1990.

However, the provisions of points 1 and 4 of Article 1 do not apply to exports for which a certificate of advance fixing of the rate of the refund for milk powder meeting the description of the pilot product for group 3 (PG 3) shown in Annex 1 to Council Regulation (EEC) No 2915/79 of 18 December 1979, determining the groups of products and the special provisions for calculating levies on milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 3884/89 ⁽²⁾, has been delivered before the date of entry into force of this Regulation.

At the request of the interested party, the provisions of Article 1 (3) are applicable to refunds for which the request has been deposited before the date of entry into force of this Regulation and for which the files are still open at that date.

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

Done at Brussels, 20 November 1990.

For the Council

The President

C. VIZZINI

⁽¹⁾ OJ No L 329, 24. 12. 1979, p. 1.

⁽²⁾ OJ No L 378, 27. 12. 1989, p. 9.

COMMISSION REGULATION (EEC) No 3382/90

of 26 November 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 23 November 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 27 November 1990.

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

Done at Brussels, 26 November 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 26 November 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	28,53	143,64 ⁽²⁾ ⁽³⁾
0712 90 19	28,53	143,64 ⁽²⁾ ⁽³⁾
1001 10 10	22,76	196,78 ⁽¹⁾ ⁽³⁾
1001 10 90	22,76	196,78 ⁽¹⁾ ⁽³⁾
1001 90 91	29,00	168,20
1001 90 99	29,00	168,20
1002 00 00	53,97	155,14 ⁽⁶⁾
1003 00 10	45,30	148,84
1003 00 90	45,30	148,84
1004 00 10	36,94	144,87
1004 00 90	36,94	144,87
1005 10 90	28,53	143,64 ⁽²⁾ ⁽³⁾
1005 90 00	28,53	143,64 ⁽²⁾ ⁽³⁾
1007 00 90	45,30	146,33 ⁽⁴⁾
1008 10 00	45,30	61,00
1008 20 00	45,30	131,38 ⁽⁴⁾
1008 30 00	45,30	73,05 ⁽⁵⁾
1008 90 10	⁽⁷⁾	⁽⁷⁾
1008 90 90	45,30	73,05
1101 00 00	53,48	248,50
1102 10 00	89,24	230,88
1103 11 10	48,54	318,27
1103 11 90	57,03	267,65

⁽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 3383/90

of 26 November 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 23 November 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 27 November 1990.

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

Done at Brussels, 26 November 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 26 November 1990 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CN code	(ECU/tonne)			
	Current 11	1st period 12	2nd period 1	3rd period 2
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 10	0	0	0	0
1001 10 90	0	0	0	0
1001 90 91	0	0	0	21,66
1001 90 99	0	0	0	21,66
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	30,32

B. Malt

CN code	(ECU/tonne)				
	Current 11	1st period 12	2nd period 1	3rd period 2	4th period 3
1107 10 11	0	0,00	0,00	38,55	38,55
1107 10 19	0	0,00	0,00	28,81	28,81
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 3384/90

of 26 November 1990

laying down rates of compensatory interest applicable during the first half of 1991 to customs debts incurred in relation to compensating products or goods in the unaltered state

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1999/85 of 16 July 1985 on inward processing relief arrangements ⁽¹⁾,

Having regard to Council Regulation (EEC) No 3677/86 of 24 November 1986 laying down provisions for the implementation of Regulation (EEC) No 1999/85 on inward processing relief arrangements ⁽²⁾, as last amended by Regulation (EEC) No 731/90 ⁽³⁾, and in particular Article 60a (4) (a) thereof;

Whereas Article 60a (4) (a) of Regulation (EEC) No 3677/86 provides that the Commission shall set rates of compensatory interest applicable to customs debts incurred in relation to compensating products or goods in the unaltered state, in order to make up for the unjustified financial advantage arising from the postponement of the date on which the customs debt is incurred in the case of non-exportation out of the customs territory of the Community; whereas the rates of compensatory interest

for the first half of 1991 have been established in accordance with the rules laid down in that Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The annual rates of compensatory interest referred to in Article 60a (4) (a) of Regulation (EEC) No 3677/86 applicable from 1 January until 30 June 1991 are hereby established as follows:

— Belgium	10,07 %
— Denmark	11,48 %
— Federal Republic of Germany	8,29 %
— Greece	21,25 %
— Spain	15,27 %
— France	10,49 %
— Ireland	11,90 %
— Italy	12,69 %
— Luxembourg	10,07 %
— Netherlands	8,69 %
— Portugal	13,42 %
— United Kingdom	15,15 %

Article 2

This Regulation shall enter into force on 1 January 1991.

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

Done at Brussels, 26 November 1990.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 188, 20. 7. 1985, p. 1.

⁽²⁾ OJ No L 351, 12. 12. 1986, p. 1.

⁽³⁾ OJ No L 81, 28. 3. 1990, p. 14.

COMMISSION REGULATION (EEC) No 3385/90

of 26 November 1990

re-establishing the levying of customs duties on products of category 18 (order No 40.0180), originating in Pakistan to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3897/89 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas Article 10 of Regulation (EEC) No 3897/89 provides that preferential tariff treatment shall be accorded, for each category of products subjected in Annexes I and II thereto to individual ceilings, within the limits of the quantities specified in column 8 of Annex I and column 7 of Annex II, in respect of certain or each of the countries or territories of origin referred to in column 5 of the same Annexes;

Whereas Article 11 of the abovementioned Regulation provides that the levying of customs duties may be re-established at any time in respect of imports of the products in question once the relevant individual ceilings have been reached at Community level;

Whereas, in respect of products of category 18 (order No 40.0180), originating in Pakistan, the relevant ceiling amounts to 107 tonnes;

Whereas on 15 March 1990 imports of the products in question into the Community, originating in Pakistan, a country covered by preferential tariff arrangements, reached and were charged against the ceiling;

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

HAS ADOPTED THIS REGULATION:

Article 1

As from 30 November 1990 the levying of customs duties, suspended pursuant to Regulation (EEC) No 3897/89, shall be re-established in respect of the following products, imported into the Community and originating in Pakistan:

Order No	Category (unit)	CN code	Description
40.0180	18 (tonnes)	6207 11 00	Men's and boys' singlets and other vests, under-pants, briefs, nightshirts, pyjamas, bathrobes, dressing gowns and similar articles, other than knitted or crocheted
		6207 19 00	
		6207 21 00	
		6207 22 00	
		6207 29 00	
		6207 91 00	
		6207 92 00	
		6207 99 00	
		6208 11 00	Women's and girls' singlets and other vests, slips, petticoats, briefs, panties, nightdresses, pyjamas, negligés, bathrobes, dressing gowns and similar articles, other than knitted or crocheted
		6208 19 10	
		6208 19 90	
		6208 21 00	
		6208 22 00	
		6208 29 00	
		6208 91 10	
		6208 91 90	
		6208 92 10	
		6208 92 90	
		6208 99 00	

⁽¹⁾ OJ No L 383, 30. 12. 1989, p. 45.

Article 2

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

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

Done at Brussels, 26 November 1990.

For the Commission

Christiane SCRIVENER

Member of the Commission

COMMISSION REGULATION (EEC) No 3386/90
of 26 November 1990

re-establishing the levying of customs duties on products of categories 23 (order No 40.0230) and 37 (order No 40.0370), originating in Indonesia, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3897/89 apply

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

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

Whereas Article 10 of Regulation (EEC) No 3897/89 provides that preferential tariff treatment shall be accorded, for each category of products subjected in Annexes I and II thereto to individual ceilings, within the limits of the quantities specified in column 8 of Annex I and column 7 of Annex II, in respect of certain or each of the countries or territories of origin referred to in column 5 of the same Annexes;

Whereas Article 11 of the abovementioned Regulation provides that the levying of customs duties may be re-established at any time in respect of imports of the products in question once the relevant individual ceilings have been reached at Community level;

Whereas, in respect of products of categories 23 (order No 40.0230) and 37 (order No 40.0370), originating in Indonesia, the relevant ceiling amounts to 293 and 268 tonnes;

Whereas on 15 March and 10 April 1990 respectively imports of the products in question into the Community, originating in Indonesia, a country covered by preferential tariff arrangements, reached and were charged against the ceiling;

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

HAS ADOPTED THIS REGULATION:

Article 1

As from 30 November 1990 the levying of customs duties, suspended pursuant to Regulation (EEC) No 3897/89, shall be re-established in respect of the following products, imported into the Community and originating in Indonesia:

Order No	Category (unit)	CN code	Description
40.0230	23 (tonnes)	5508 20 10	Yarn of staple or waste artificial fibres, not put up for retail sale
		5510 11 00	
		5510 12 00	
		5510 20 00	
		5510 30 00	
		5510 90 00	
40.0370	37 (tonnes)	5516 11 00	Woven fabrics of artificial staple fibres
		5516 12 00	
		5516 13 00	
		5516 14 00	
		5516 21 00	
		5516 22 00	
		5516 23 10	
		5516 23 90	
		5516 24 00	
		5516 31 00	
		5516 32 00	
		5516 33 00	
		5516 34 00	
		5516 41 00	
		5516 42 00	
		5516 43 00	
		5516 44 00	
		5516 91 00	
		5516 92 00	
		5516 93 00	
		5516 94 00	
		5803 90 50	
		ex 9505 00 70	

⁽¹⁾ OJ No L 383, 30. 12. 1989, p. 45.

Article 2

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

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

Done at Brussels, 26 November 1990.

For the Commission

Christiane SCRIVENER

Member of the Commission

COMMISSION REGULATION (EEC) No 3387/90

of 26 November 1990

re-establishing the levying of customs duties on products of category 65 (order No 40.0650), originating in Argentina, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3897/89 apply.

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas Article 10 of Regulation (EEC) No 3897/89 provides that preferential tariff treatment shall be accorded, for each category of products subjected in Annexes I and II hereto to individual ceilings, within the limits of the quantities specified in column 8 of Annex I and column 7 of Annex II, in respect of certain or each of the countries or territories of origin referred to in column 5 of the same Annexes;

Whereas Article 11 of the abovementioned Regulation provides that the levying of customs duties may be re-established at any time in respect of imports of the products in question once the relevant individual ceilings have been reached at Community level;

Whereas, in respect of products of category 65 (order No 40.0650), originating in Argentina the relevant ceiling amounts to 158 tonnes;

Whereas on 15 June 1990 imports of the products in question into the Community, originating in Argentina, a country covered by preferential tariff arrangements, reached and were charged against the ceiling;

Whereas it is appropriate to re-establish the levying of customs duties for the products in question with regard to Argentina,

HAS ADOPTED THIS REGULATION:

Article 1

As from 30 November 1990 the levying of customs duties, suspended pursuant to Regulation (EEC) No 3897/89, shall be re-established in respect of the following products into the Community and originating in Argentina:

Order No	Category (unit)	CN code	Description
40.0650	65 (tonnes)	5606 00 10	Knitted or crocheted fabric other than of categories 38 A and 63, of wool, of cotton or of man-made fibres
		ex 6001 10 00	
		6001 21 00	
		6001 22 00	
		6001 29 10	
		6001 91 10	
		6001 91 30	
		6001 91 50	
		6001 91 90	
		6001 92 10	
		6001 92 30	
		6001 92 50	
		6001 92 90	
		6001 99 10	
		ex 6002 10 10	
		6002 20 10	
		6002 20 39	
		6002 20 50	
		6002 20 70	

⁽¹⁾ OJ No L 383, 30. 12. 1989, p. 45.

Order No	Category (unit)	CN code	Description
		ex 6002 30 10 6002 41 00 6002 42 10 6002 42 30 6002 42 50 6002 42 90 6002 43 31 6002 43 33 6002 43 35 6002 43 39 6002 43 50 6002 43 91 6002 43 93 6002 43 95 6002 43 99 6002 91 00 6002 92 10 6002 92 30 6002 92 50 6002 92 90 6002 93 31 6002 93 33 6002 93 35 6002 93 39 6002 93 91 6002 93 99	

Article 2

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

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

Done at Brussels, 26 November 1990.

For the Commission
Christiane SCRIVENER
Member of the Commission

COMMISSION REGULATION (EEC) No 3388/90

of 26 November 1990

re-establishing the levying of customs duties on products of categories 65 (order No 40.0650), 74 (order No 40.0740) and 75 (order No 40.0750), originating in China, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3897/89 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas Article 10 of Regulation (EEC) No 3897/89 provides that preferential tariff treatment shall be accorded, for each category of products subjected in Annexes I and II thereto to individual ceilings, within the limits of the quantities specified in column 8 of Annex I and column 7 of Annex II, in respect of certain or each of the countries or territories of origin referred to in column 5 of the same Annexes;

Whereas Article 11 of the abovementioned Regulation provides that the levying of customs duties may be re-established at any time in respect of imports of the products in question once the relevant individual ceilings have been reached at Community level;

Whereas, in respect of products of categories 65 (order No 40.0650), 74 (order No 40.0740) and 75 (order No

40.0750), originating in China, the relevant ceiling respectively amounts to 3268 tonnes, 13 000 pieces and 2 000 pieces;

Whereas on 20 March 1990 imports of the products in question into the Community, originating in China, a country covered by preferential tariff arrangements, reached and were charged against the ceiling;

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

HAS ADOPTED THIS REGULATION:

Article 1

As from 30 November 1990 the levying of customs duties, suspended pursuant to Regulation (EEC) No 3897/89, shall be re-established in respect of the following products, imported into the Community and originating in China:

Order No	Category (unit)	CN code	Description
40.0650	65 (tonnes)	5606 00 10	Knitted or crocheted fabric other than of categories 38 A and 63, of wool, of cotton or of man-made fibres
		ex 6001 10 00	
		6001 21 00	
		6001 22 00	
		6001 29 10	
		6001 91 10	
		6001 91 30	
		6001 91 50	
		6001 91 90	
		6001 92 10	
		6001 92 30	
		6001 92 50	
		6001 92 90	
		6001 99 10	
		ex 6002 10 10	
		6002 20 10	
		6002 20 39	
		6002 20 50	
		6002 20 70	

⁽¹⁾ OJ No L 383, 30. 12. 1989, p. 45.

Order No	Category (unit)	CN code	Description
		ex 6002 30 10 6002 41 00 6002 42 10 6002 42 30 6002 42 50 6002 42 90 6002 43 31 6002 43 33 6002 43 35 6002 43 39 6002 43 50 6002 43 91 6002 43 93 6002 43 95 6002 43 99 6002 91 00 6002 92 10 6002 92 30 6002 92 50 6002 92 90 6002 93 31 6002 93 33 6002 93 35 6002 93 39 6002 93 91 6002 93 99	
40.0740	74 (1 000 pieces)	6104 11 00 6104 12 00 6104 13 00 ex 6104 19 00 6104 21 00 6104 22 00 6104 23 00 ex 6104 29 00	Women's or girls knitted or crocheted suits and ensembles, of wool, of cotton or man-made fibres, excluding ski suits
40.0750	75 (1 000 pieces)	6103 11 00 6103 12 00 6103 19 00 6103 21 00 6103 22 00 6103 23 00 6103 29 00	Men's or boys knitted or crocheted suits and ensembles, of wool, of cotton or of man-made fibres, excluding ski suits

Article 2

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

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

Done at Brussels, 26 November 1990.

For the Commission
 Christiane SCRIVENER
Member of the Commission

COMMISSION REGULATION (EEC) No 3389/90

of 26 November 1990

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

A special sale by tender No 7/90 EC shall be held of a total quantity of 3 200 000 hectolitres of alcohol expressed in terms of hectolitres of alcohol at 100 % vol

and consisting of five lots. The alcohol was obtained by the distillation operations referred to in Articles 35, 36 and 39 of Regulation (EEC) No 822/87 and is held by the Spanish, French and Italian intervention agencies. Each lot in this special sale shall be of a quantity of 640 000 hectolitres of alcohol at 100 % vol.

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

Article 2

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

Article 3

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

Article 4

The specific conditions relating to the special sale No 7/90 EC and the names and addresses of the intervention agencies concerned shall be given in the sale notice published in the 'C' series of the *Official Journal of the European Communities*.

Article 5

The deadline for the submission of tenders at the address given in the sale notice shall be 12 noon (Brussels time) on 20 December 1990.

Article 6

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

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 132, 23. 5. 1990, p. 19.

⁽³⁾ OJ No L 346, 15. 12. 1988, p. 7.

⁽⁴⁾ OJ No L 178, 24. 6. 1989, p. 1.

⁽⁵⁾ OJ No L 243, 6. 9. 1990, p. 11.

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

Done at Brussels, 26 November 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 3390/90

of 26 November 1990

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

A special sale by tender No 8/90 EC shall be held of a total quantity of 1 600 000 hectolitres of alcohol

expressed in terms of hectolitres of alcohol at 100 % vol and consisting of five lots. The alcohol was obtained by the distillation operations referred to in Articles 35, 36 and 39 of Regulation (EEC) No 822/87 and is held by the French and Italian intervention agencies. Each lot in this special sale shall be of a quantity of 320 000 hectolitres of alcohol at 100 % vol.

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

Article 2

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

Article 3

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

*Article 4*The specific conditions relating to the special sale No 8/90 EC and the names and addresses of the intervention agencies concerned shall be given in the sale notice published in the 'C' series of the *Official Journal of the European Communities*.*Article 5*

The deadline for the submission of tenders at the address given in the sale notice shall be 12 noon (Brussels time) on 20 December 1990.

*Article 6*This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.⁽²⁾ OJ No L 132, 23. 5. 1990, p. 19.⁽³⁾ OJ No L 346, 15. 12. 1988, p. 7.⁽⁴⁾ OJ No L 178, 24. 6. 1989, p. 1.⁽⁵⁾ OJ No L 243, 6. 9. 1990, p. 11.

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

Done at Brussels, 26 November 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 3391/90

of 26 November 1990

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas, for special sales of alcohol by tender, a single performance guarantee should be required for the purpose of ensuring that the alcohol awarded is removed and put to the intended use, in particular in the fuel sector in the Community, to be released in proportion as the successful tenderer supplies the proof of use for the intended purpose with a view to simplifying the system of guarantees required;

Whereas the price per hectolitre of alcohol at 100 % vol offered by the successful tenderer should be revised every three months by adjusting by a coefficient described in the notice of the invitation to tender concerned, in order to fix prices to be paid for the alcohol awarded which follow more closely the fluctuation of fuel prices on international markets; whereas the amendment of the system of guarantees required, in particular the partial release of the performance guarantee, makes it necessary to adapt the provisions relating to publication in the *Official Journal of the European Communities* of the descriptions of the batches not described in the first notice of invitation to tender, and to the determination of the main requirements regarding guarantees within the meaning of Commission Regulation (EEC) No 2220/85 ⁽⁴⁾, as last amended by Regulation (EEC) No 3745/89 ⁽⁵⁾;

Whereas Commission Regulation (EEC) No 1780/89 ⁽⁶⁾ should therefore be amended;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1780/89 is hereby amended as follows:

1. the second paragraph of Article 20 is amended as follows:

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

‘— the level of the tendering security referred to in Article 22 (2) and the performance guarantee referred to in the second indent of Article 24 (2) and in Article 26 (2),’;

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

‘— the time limit for removal as referred to in Articles 25 (2) and 26 (3).’;

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

‘— provide proof of the lodging with the intervention agency of the Member State where the successful tenderer has his principal place of business, of a performance guarantee to ensure that the total quantity of alcohol for which a contract is awarded is in fact used for the purposes specified in the notice of invitation to tender.’;

3. the second indent of the second paragraph of Article 26 (1) is amended as follows:

‘— the Commission, having received all the notification referred to in the preceding indent, shall immediately advise the intervention agencies concerned and the successful tenderer that removal of the second lot may commence at a date specified in the advice.’;

4. Article 26 (2) is deleted and paragraph 3 becomes paragraph 2;

5. Article 26 (4) is replaced by the following:

‘3. Where a special invitation to tender relates to more than two lots, the rules laid down in paragraphs 1 and 2 shall apply to the removal of the lots following the first two.’;

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 132, 23. 5. 1990, p. 19.

⁽³⁾ OJ No L 346, 15. 12. 1988, p. 7.

⁽⁴⁾ OJ No L 205, 3. 8. 1985, p. 5.

⁽⁵⁾ OJ No L 364, 14. 12. 1989, p. 54.

⁽⁶⁾ OJ No L 178, 24. 6. 1989, p. 1.

6. the first paragraph of Article 27 is replaced by the following :

'Article 27

The price for hectolitre of alcohol at 100 % vol offered by the successful tenderer shall apply up to the first revision made on the first day of the fifth month following the final date for submission of tenders. This tender price shall be adjusted every three months by a coefficient and taking account of a margin within which application of the said coefficient shall result in no change to the price offered.';

7. Article 28 (4) is replaced by the following :

'4. Utilization of the alcohol of each lot must be completed within one year from the date of the last removal of each lot.';

8. the second paragraph of Article 29 (5) is amended as follows :

'For the subsequent lot or lots the description laid down in paragraph 4 shall be published in the *Official Journal of the European Communities* at least two months before the final date planned in the provisi-

onal timetables referred to in Article 25 (1) for the total physical removal from the stores of the intervention agencies of the last lot described. For this purpose, the aforementioned provisional timetables shall be communicated to the Commission in the month following the first removal of the lots described in the notice of invitation to tender.';

9. the second indent of Article 33 (1) (b) is amended as follows :

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

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, 26 November 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 3392/90

of 26 November 1990

concerning the quantities of sheepmeat and goatmeat products which may be imported from Romania during 1990

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Decision 84/633/EEC of 11 December 1984 authorizing the Commission, within the context of the voluntary restraint agreements on trade in the sheepmeat and goatmeat sector between the Community and 12 non-member States, to convert, for the purposes of the smooth operation of trade and within the limits agreed, live animal quantities into fresh or chilled meat quantities or such latter quantities into the former⁽¹⁾, and in particular Article 1 (1) thereof;

Whereas, under an Agreement concluded with the Community, Romania has undertaken to restrict its exports of sheepmeat and goatmeat to the Community to annual quantities of 475 tonnes of live animals, expressed as carcase weight bone-in, and of 75 tonnes of fresh and chilled meat;

Whereas Romania has asked the Community to convert the 75 tonnes of fresh and chilled meat that may be exported to the Community in 1990 into 75 tonnes of live animals expressed as carcase weight bone-in; whereas the extremely limited quantity covered by the request will not disturb the Community market; whereas the market situation is such that the application can be granted;

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

The quantity of live sheep and goats falling within (CN codes 0104 10 90 and 0104 20 90 that may be imported from Romania in 1990, under the Agreement concluded with that country, shall be 550 tonnes expressed as carcase weight bone-in.

The quantity of fresh and chilled sheepmeat and goatmeat falling within CN code 0204, that may be imported from Romania in 1990 under the Agreement concluded with that country, shall be nil.

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, 26 November 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 331, 19. 12. 1984, p. 32.

COMMISSION REGULATION (EEC) No 3393/90

of 26 November 1990

fixing the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1340/90⁽²⁾, and in particular Article 14 (4) thereof,Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EEC) No 1806/89⁽⁴⁾, and in particular Article 12 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the rules to be applied in calculating the variable component of the import levy on products processed from cereals and rice are laid down in Article 14 (1) (A) of Regulation (EEC) No 2727/75 and Article 12 (1) (a) of Regulation (EEC) No 1418/76; whereas 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⁽⁵⁾, as last amended by Regulation (EEC) No 1906/87⁽⁶⁾, provides that the incidence on the prime costs of these products of the levies applicable to their basic products should be calculated on the basis of the average of the levies applicable to these basic products for the first 25 days of the month preceding that of importation; whereas this average, adjusted on the basis of the threshold price valid for the basic products in question during the month of importation is calculated on the basis of the quantities of basic products considered to have been used in the manufacture of the processed product or the competing product which serves as a reference for processed products not containing cereals;

Whereas Commission Regulation (EEC) No 1579/74 of 24 June 1974 on the procedure for calculating the import levy on products processed from cereals and from rice and for the advance fixing of this levy for these products

and for compound feedingstuffs manufactured from cereals⁽⁷⁾, as last amended by Regulation (EEC) No 1740/78⁽⁸⁾, provides that the levy thus determined, increased by the fixed component, is valid in general for one month but is altered where the levy applicable to the basic product concerned differs by not less than ECU 3,02 per tonne from the average of the levies calculated as described above;

Whereas, in accordance with Article 5 of Regulation (EEC) No 2744/75 and Article 2 of Regulation (EEC) No 1579/74, the levy on certain processed products must be reduced by an amount equal to the production refund granted in respect of basic products for processing;

Whereas the fixed component of the levy is specified in Regulation (EEC) No 2744/75; whereas, in accordance with Council Regulation (EEC) No 2742/75⁽⁹⁾, as last amended by Regulation (EEC) No 1009/86⁽¹⁰⁾, the variable component of the levy on certain processed products must be reduced by the incidence of the production refund granted in respect of basic products intended for processing;

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States and of the overseas countries and territories, the levy relating to them in respect of certain products processed from cereals must be reduced by the amount of the fixed component and, in respect of some of these products, by part of the variable component; whereas this reduction must be made in accordance with Article 14 of Council Regulation (EEC) No 715/90 of 5 March 1990 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the ACP States or in the overseas countries and territories (OCT)⁽¹¹⁾;

Whereas Council Regulation (EEC) No 3899/89 of 18 December 1989 reducing for 1989 the levies on certain agricultural products originating in developing countries⁽¹²⁾ reduces by 50 % the levy on importation into the Community of products of CN code 1108 13 00, within the limit of a fixed amount of 5 000 tonnes a year;

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 134, 28. 5. 1990, p. 1.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁶⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁷⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽⁸⁾ OJ No L 202, 26. 7. 1978, p. 8.

⁽⁹⁾ OJ No L 281, 1. 11. 1975, p. 57.

⁽¹⁰⁾ OJ No L 94, 9. 4. 1986, p. 6.

⁽¹¹⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽¹²⁾ OJ No L 383, 30. 12. 1989, p. 125.

Whereas Council Regulation (EEC) No 430/87 of 9 February 1987 concerning the import arrangements applicable to products falling within CN codes 0714 10 and 0714 90 originating in certain third countries⁽¹⁾, as last amended by Regulation (EEC) No 3846/89⁽²⁾, lay down the terms on which the import levy is limited to 6 % *ad valorem*;

Whereas Council Regulation (EEC) No 2730/75 of 29 October 1975 on glucose and lactose⁽³⁾, as amended by Regulation (EEC) No 222/88⁽⁴⁾, stipulates that the treatment provided for glucose and glucose syrup falling within CN codes 1702 30 91, 1702 30 99 and 1702 40 90 by Regulation (EEC) No 2727/75 it is to be extended to glucose and glucose syrup falling within CN codes 1702 30 51 and 1702 30 59; whereas consequently the levy fixed for products falling within CN codes 1702 30 91, 1702 30 99 and 1702 40 90 also applies to products falling within CN codes 1702 30 51 and 1702 30 59; whereas, to ensure that the provision in question is properly applied, these products and the levy thereon should be explicitly mentioned in the list of levies;

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

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

rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁵⁾, as last amended by Regulation (EEC) No 2205/90⁽⁶⁾,

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

Whereas, in accordance with Article 18 (1) of Regulation (EEC) No 2727/75, the nomenclature provided for in this Regulation is incorporated in the combined nomenclature,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the products listed in Article 1 (d) of Regulation (EEC) No 2727/75 and in Article 1 (1) (c) of Regulation (EEC) No 1418/76 and subject to Regulation (EEC) No 2744/75 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 December 1990.

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

Done at Brussels, 26 November 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 43, 13. 2. 1987, p. 9.

⁽²⁾ OJ No L 374, 22. 12. 1989, p. 3.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 20.

⁽⁴⁾ OJ No L 28, 1. 2. 1988, p. 1.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 9.

ANNEX

to the Commission Regulation of 26 November 1990 fixing the import levies on products processed from cereals and rice

(ECU/tonne)

CN code	Import levies		
	Portugal	ACP or OCT	Third countries (other than ACP or OCT)
0714 10 10 ⁽¹⁾	49,82	146,80	153,45
0714 10 91	46,80	150,43 ⁽²⁾ ⁽⁷⁾	150,43
0714 10 99	49,82	148,62	153,45
0714 90 11	46,80	150,43 ⁽²⁾ ⁽⁷⁾	150,43
0714 90 19	49,82	148,62 ⁽²⁾	153,45
1102 20 10	60,09	259,11	265,15
1102 20 90	33,65	146,83	149,85
1102 30 00	3,02	205,24	208,26
1102 90 10	90,28	270,77	276,81
1102 90 30	75,23	260,24	266,28
1102 90 90	50,76	149,61	152,63
1103 12 00	75,23	260,24	266,28
1103 13 11	60,09	259,11	265,15
1103 13 19	60,09	259,11	265,15
1103 13 90	33,65	146,83	149,85
1103 14 00	3,02	205,24	208,26
1103 19 10	105,89	290,88	296,92
1103 19 30	90,28	270,77	276,81
1103 19 90	50,76	149,61	152,63
1103 21 00	60,94	302,74	308,78
1103 29 10	105,89	290,88	296,92
1103 29 20	90,28	270,77	276,81
1103 29 30	75,23	260,24	266,28
1103 29 40	60,09	259,11	265,15
1103 29 50	3,02	205,24	208,26
1103 29 90	50,76	149,61	152,63
1104 11 10	50,76	153,44	156,46
1104 11 90	99,64	300,86	306,90
1104 12 10	42,23	147,47	150,49
1104 12 90	82,92	289,16	295,20
1104 19 10	60,94	302,74	308,78
1104 19 30	105,89	290,88	296,92
1104 19 50	60,09	259,11	265,15
1104 19 91	6,04	348,52	354,56
1104 19 99	90,28	264,02	270,06
1104 21 10	77,90	240,69	243,71
1104 21 30	77,90	240,69	243,71
1104 21 50	123,04	376,08	382,12
1104 21 90	50,76	153,44	156,46
1104 22 10 10 ⁽⁴⁾	42,23	147,47	150,49
1104 22 10 90 ⁽⁵⁾	72,21	260,24	263,26
1104 22 30	72,21	260,24	263,26
1104 22 50	64,52	231,33	234,35
1104 22 90	42,23	147,47	150,49
1104 23 10	51,07	230,32	233,34
1104 23 30	51,07	230,32	233,34

CN code	Import levies (ECU/tonne)		
	Portugal	ACP or OCT	Third countries (other than ACP or OCT)
1104 23 90	33,65	146,83	149,85
1104 29 11	43,59	223,69	226,71
1104 29 15	76,80	214,93	217,95
1104 29 19	77,90	234,69	237,71
1104 29 31	51,82	269,10	272,12
1104 29 35	91,77	258,56	261,58
1104 29 39	77,90	234,69	237,71
1104 29 91	34,13	171,55	174,57
1104 29 95	59,60	164,83	167,85
1104 29 99	50,76	149,61	152,63
1104 30 10	28,92	126,14	132,18
1104 30 90	28,56	107,96	114,00
1106 20 10	49,82	146,80 ^(*)	153,45
1106 20 91	68,90	228,13 ^(*)	252,31
1106 20 99	68,90	228,13 ^(*)	252,31
1107 10 11	65,17	299,38	310,26
1107 10 19	51,45	223,69	234,57
1107 10 91	94,18	267,77	278,65 ^(*)
1107 10 99	73,12	200,07	210,95
1107 20 00	83,42	233,17	244,05 ^(*)
1108 11 00	87,65	370,02	390,57
1108 12 00	68,90	231,76	252,31
1108 13 00	68,90	231,76	252,31 ^(*)
1108 14 00	68,90	115,88	252,31
1108 19 10	30,83	294,30	325,13
1108 19 90	68,90	115,88 ^(*)	252,31
1109 00 00	304,34	672,76	854,10
1702 30 51	159,78	302,30	399,02
1702 30 59	114,84	231,76	298,25
1702 30 91	159,78	302,30	399,02
1702 30 99	114,84	231,76	298,25
1702 40 90	114,84	231,76	298,25
1702 90 50	114,84	231,76	298,25
1702 90 75	162,79	316,69	413,41
1702 90 79	112,44	220,24	286,73
2106 90 55	114,84	231,76	298,25
2302 10 10	21,03	64,76	70,76
2302 10 90	38,20	138,77	144,77
2302 20 10	21,03	64,76	70,76
2302 20 90	38,20	138,77	144,77
2302 30 10	21,03	64,76	70,76
2302 30 90	38,20	138,77	144,77
2302 40 10	21,03	64,76	70,76
2302 40 90	38,20	138,77	144,77
2303 10 11	241,40	287,90	469,24

-
- (1) 6 % *ad valorem*, subject to certain conditions.
- (2) In accordance with Council Regulation (EEC) No 1180/77 (OJ No L 142, 9. 6. 1977, p. 10) this levy is reduced by ECU 5,44 per tonne for products originating in Turkey.
- (3) In accordance with Regulation (EEC) No 715/90 the levy shall not be charged on the following products originating in the African, Caribbean and Pacific States and in the overseas countries and territories :
- products falling within CN code ex 0714 10 91,
 - products falling within CN code 0714 90 11 and arrow-root falling within CN code 0714 90 19,
 - flours and meal of arrow-root falling within CN code 1106 20,
 - arrow-root starch falling within CN code 1108 19 90.
- (4) Taric code : clipped oats.
- (5) Taric code : CN code 1104 22 10, other than 'clipped oats'.
- (6) Pursuant to Regulation (EEC) No 3899/89, the levy on importation into the Community of products of CN code 1108 13 00 is reduced by 50 % within the limit of a fixed amount of 5 000 tons.
- (7) 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.
-

COMMISSION REGULATION (EEC) No 3394/90

of 26 November 1990

fixing the import levies on compound feedingstuffs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1340/90⁽²⁾, and in particular Article 14 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the rules to be applied in calculating the variable component of the import levy on compound feedingstuffs are laid down in Article 14 (1) (A) of Regulation (EEC) No 2727/75; whereas Article 4 of Council Regulation (EEC) No 2743/75 of 29 October 1975 on the system to be applied to cereal-based compound feedingstuffs⁽³⁾, as last amended by Regulation (EEC) No 944/87⁽⁴⁾, provides that the incidence on the prime costs of these feedingstuffs of the levies applicable to their basic products should be calculated on the basis of the average of the levies applicable during the first 25 days of the month preceding that month of importation to the quantities of basic products considered to have been used in the manufacture of such compound feedingstuffs, this average being adjusted on the basis of the threshold price for the basic products in question ruling during the month of importation;

Whereas the levy thus determined, increased by the fixed component, is valid for one month; whereas the amount of the fixed component of the levy is laid down in Article 6 of Regulation (EEC) No 2743/75;

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States and of the overseas countries and territories, the levy relating to them in respect of certain products processed from cereals must be reduced by the amount of the fixed component and, in respect of some of these products, by part of the variable component; whereas this reduction must be made in accordance with Article 14 of Council Regulation (EEC) No 715/90 of 5 March 1990 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural

products originating in the African, Caribbean and Pacific States or in the overseas countries and territories⁽⁵⁾;

Whereas, pursuant to Article 272 of the Act of Accession, the Community as constituted at 31 December 1985 must, in the case of products specified in Article 1 of Regulation (EEC) No 2727/75 and in Article 1 of Council Regulation (EEC) No 1418/76⁽⁶⁾, as last amended by Regulation (EEC) No 1806/89⁽⁷⁾, which are imported from Portugal, apply the arrangements which were applicable in respect of Portugal before accession; whereas, under Article 4 of Council Regulation (EEC) No 3792/85 of 20 December 1985 laying down the arrangements applying to trade in agricultural products between Spain and Portugal⁽⁸⁾, as last amended by Regulation (EEC) No 3296/88⁽⁹⁾, the same arrangements are to be applied in the case of Spain; whereas a levy should be applied pursuant to those arrangements and whereas that levy should be calculated in accordance with the rules laid down in Commission Regulation 156/67/EEC⁽¹⁰⁾, as last amended by Regulation (EEC) No 31/76⁽¹¹⁾, and taking into account the situation with regard to market prices in Portugal; whereas, in the case of imports into Spain, the accession compensatory amount applicable to trade between Spain and the Community as constituted at 31 December 1985 should be deducted from the levy;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽¹²⁾, as last amended by Regulation (EEC) No 2205/90⁽¹³⁾,
- 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, in accordance with Article 18 (1) of Regulation (EEC) No 2727/75, the nomenclature provided for in this Regulation is incorporated in the combined nomenclature,

⁽¹⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽²⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽³⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽⁴⁾ OJ No L 367, 31. 12. 1985, p. 7.

⁽⁵⁾ OJ No L 293, 27. 10. 1988, p. 7.

⁽⁶⁾ OJ No 128, 27. 6. 1967, p. 2533/67.

⁽⁷⁾ OJ No L 5, 10. 1. 1976, p. 18.

⁽⁸⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁹⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 134, 28. 5. 1990, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 60.

⁽⁴⁾ OJ No L 90, 2. 4. 1987, p. 2.

HAS ADOPTED THIS REGULATION:

and subject to Regulation (EEC) No 2743/75 shall be as set out in the Annex.

Article 1

The import levies to be charged on the compound feedingstuffs covered by Regulation (EEC) No 2727/75

Article 2

This Regulation shall enter into force on 1 December 1990.

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

Done at Brussels, 26 November 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 26 November 1990 fixing the import levies on compound feedingstuffs

(ECU/tonne)

CN code	Levies		
	Portugal	ACP and OCT	Third countries (other than ACP and OCT)
2309 10 11	10,88	23,03	33,91
2309 10 13	10,88	689,31	700,19
2309 10 31	10,88	71,98	82,86
2309 10 33	10,88	738,26	749,14
2309 10 51	10,88	143,95	154,83
2309 10 53	10,88	810,23	821,11
2309 90 31	10,88	23,03	33,91
2309 90 33	10,88	689,31	700,19
2309 90 41	10,88	71,98	82,86
2309 90 43	10,88	738,26	749,14
2309 90 51	10,88	143,95	154,83
2309 90 53	10,88	810,23	821,11

COMMISSION REGULATION (EEC) No 3395/90

of 26 November 1990

fixing the import levies on live sheep and goats and on sheepmeat and goatmeat
other than frozen meat

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

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

Having regard to Council Regulation (EEC) No 3013/89
of 25 September 1989 on the common organization of
the market in sheepmeat and goatmeat⁽¹⁾, and in parti-
cular the Article 10 thereof,

Whereas the import levies on live sheep and goats and on
sheepmeat and goatmeat other than frozen meat were
fixed by Commission Regulation (EEC) No 2459/90⁽²⁾, as
last amended by Regulation (EEC) No 3107/90⁽³⁾;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 2459/90 to the quota-

tions and other 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 on live sheep and goats and on sheep-
meat and goatmeat other than frozen meat shall be as set
out in the Annex hereto.

Article 2

This Regulation shall enter into force on 3 December
1990.

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

Done at Brussels, 26 November 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 231, 25. 8. 1990, p. 12.

⁽³⁾ OJ No L 296, 27. 10. 1990, p. 39.

ANNEX

to the Commission Regulation of 26 November 1990 fixing the import levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat

(ECU/100 kg)

CN code	Week No 49 from 3 to 9 December 1990	Week No 50 from 10 to 16 December 1990	Week No 51 from 17 to 23 December 1990	Week No 52 from 24 to 30 December 1990	Week No 53 from 31 December to 6 January 1991
0104 10 90 ⁽¹⁾	76,746	80,281	83,340	86,875	89,920
0104 20 90 ⁽¹⁾	76,746	80,281	83,340	86,875	89,920
0204 10 00 ⁽²⁾	163,290	170,810	177,320	184,840	191,320
0204 21 00 ⁽²⁾	163,290	170,810	177,320	184,840	191,320
0204 22 10 ⁽²⁾	114,303	119,567	124,124	129,388	133,924
0204 22 30 ⁽²⁾	179,619	187,891	195,052	203,324	210,452
0204 22 50 ⁽²⁾	212,277	222,053	230,516	240,292	248,716
0204 22 90 ⁽²⁾	212,277	222,053	230,516	240,292	248,716
0204 23 00 ⁽²⁾	297,188	310,874	322,722	336,409	348,202
0204 50 11 ⁽²⁾	163,290	170,810	177,320	184,840	191,320
0204 50 13 ⁽²⁾	114,303	119,567	124,124	129,388	133,924
0204 50 15 ⁽²⁾	179,619	187,891	195,052	203,324	210,452
0204 50 19 ⁽²⁾	212,277	222,053	230,516	240,292	248,716
0204 50 31 ⁽²⁾	212,277	222,053	230,516	240,292	248,716
0204 50 39 ⁽²⁾	297,188	310,874	322,722	336,409	348,202
0210 90 11 ⁽³⁾	212,277	222,053	230,516	240,292	248,716
0210 90 19 ⁽³⁾	297,188	310,874	322,722	336,409	348,202

⁽¹⁾ The levy applicable is limited in the conditions laid down in Council Regulations (EEC) No 3643/85, (EEC) No 715/90 and (EEC) No 1373/90 and Commission Regulations (EEC) No 19/82, (EEC) No 1249/90 and (EEC) No 1580/90.

⁽²⁾ The levy applicable is limited to the amount bound under GATT or in the conditions laid down in Council Regulations (EEC) No 1985/82, (EEC) No 3643/85, (EEC) No 715/90 and (EEC) No 753/90 and Commission Regulations (EEC) No 19/82, (EEC) No 3652/89, (EEC) No 3989/89, (EEC) No 479/90 and (EEC) No 952/90.

⁽³⁾ The levy applicable is limited in the conditions laid down in Council Regulation (EEC) No 715/90 and Commission Regulation (EEC) No 19/82.

COMMISSION REGULATION (EEC) No 3396/90

of 26 November 1990

fixing the import levies on frozen sheepmeat and goatmeat

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

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

Having regard to Council Regulation (EEC) No 3013/89
of 25 September 1989 on the common organization of
the market in sheepmeat and goatmeat⁽¹⁾, and in parti-
cular the Article 10 thereof,

Whereas the import levies on frozen sheepmeat and goat-
meat were fixed by Commission Regulation (EEC)
No 2458/90⁽²⁾, as last amended by Regulation (EEC) No
3108/90⁽³⁾;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 2458/90 to the quota-

tions and other information known to the Commission
that the levies should be altered to the amounts set out in
the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on frozen sheepmeat and goatmeat
shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 3 December
1990.

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

Done at Brussels, 26 November 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 231, 25. 8. 1990, p. 9.

⁽³⁾ OJ No L 296, 27. 10. 1990, p. 41.

ANNEX

to the Commission Regulation of 26 November 1990 fixing the import levies on frozen
sheepmeat and goatmeat ⁽¹⁾

(ECU/100 kg)

CN code	Week No 49 from 3 to 9 December 1990	Week No 50 from 10 to 16 December 1990	Week No 51 from 17 to 23 December 1990	Week No 52 from 24 to 30 December 1990	Week No 53 from 31 December to 6 January 1991
0204 30 00	162,968	168,608	173,490	179,130	183,990
0204 41 00	162,968	168,608	173,490	179,130	183,990
0204 42 10	114,078	118,026	121,443	125,391	128,793
0204 42 30	179,265	185,469	190,839	197,043	202,389
0204 42 50	211,858	219,190	225,537	232,869	239,187
0204 42 90	211,858	219,190	225,537	232,869	239,187
0204 43 00	296,602	306,867	315,752	326,017	334,862
0204 50 51	162,968	168,608	173,490	179,130	183,990
0204 50 53	114,078	118,026	121,443	125,391	128,793
0204 50 55	179,265	185,469	190,839	197,043	202,389
0204 50 59	211,858	219,190	225,537	232,869	239,187
0204 50 71	211,858	219,190	225,537	232,869	239,187
0204 50 79	296,602	306,867	315,752	326,017	334,862

⁽¹⁾ The levy applicable is limited to the amount bound under GATT or in the conditions laid down in Council Regulations (EEC) No 1985/82, (EEC) No 3643/85, (EEC) No 715/90 and (EEC) No 753/90 and Commission Regulations (EEC) No 19/82, (EEC) No 3652/89, (EEC) No 3989/89, (EEC) No 479/90 and (EEC) No 952/90.

COMMISSION REGULATION (EEC) No 3397/90

of 26 November 1990

introducing a countervailing charge and suspending the preferential customs duty on imports of fresh lemons originating in Turkey

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

Whereas Commission Regulation (EEC) No 1488/90 of 31 May 1990 fixing the reference price for fresh lemons for the 1990/91 marketing year⁽³⁾ fixed the reference price for products of class I for the period 1 November 1990 to 30 April 1991 at 47,15 ECU per 100 kilograms net;

Whereas the entry price for a given exporting country is equal to the lowest representative price or the arithmetic mean of the lowest prices recorded for at least 30 % of the quantities from the exporting country concerned which are marketed on all representative markets for which prices are available less the duties and the charges indicated in Article 24(3) of Regulation (EEC) No 1035/72; whereas the meaning of representative price is defined in Article 24(2) of Regulation (EEC) No 1035/72 according to the dispositions of Regulation (EEC) No 3146/90 of 30 October 1990 altering the entry price for certain fruits and vegetables originating in Mediterranean third countries⁽⁴⁾;

Whereas, in accordance with Article 3(1) of Regulation (EEC) No 2118/74⁽⁵⁾, as last amended by Regulation (EEC) No 3811/85⁽⁶⁾, the prices to be taken into consideration must be recorded on the representative markets or, in certain circumstances, on other markets;

Whereas for fresh lemons originating in Turkey the entry prices calculated in this way have for seven consecutive market days been alternatively above and below the reference price; whereas two of these entry prices are at least ECU 0,6 below the reference prices; whereas a countervailing charge should therefore be introduced for these fresh lemons;

Whereas, in Article 1 of Council Regulation (EEC) No 3671/81 of 15 December 1981 on imports into the Community of certain agricultural products originating in Turkey⁽⁷⁾, as amended by Regulation (EEC) No 1555/84⁽⁸⁾, a rate of customs duty of 4 % should be reintroduced.

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the coefficient provided for in the last paragraph of Article 3(1) of Council Regulation (EEC) No 1676/85⁽⁹⁾, as last amended by Regulation (EEC) No 2205/90⁽¹⁰⁾,
- 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

1. A countervailing charge of ECU 6,37 per 100 kilograms net is applied on imports of fresh lemons falling within CN code ex 0805 30 10 originating in Turkey.
2. The import duty on these products is fixed at 4 %.

Article 2

This Regulation shall enter into force on 28 November 1990.

Subject to the provisions of the second subparagraph of Article 26(2) of Regulation (EEC) No 1035/72, this Regulation shall be applicable until 3 December 1990.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 119, 11. 5. 1990, p. 43.

⁽³⁾ OJ No L 140, 1. 6. 1990, p. 99.

⁽⁴⁾ OJ No L 302, 31. 10. 1990, p. 41.

⁽⁵⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁶⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁷⁾ OJ No L 367, 23. 12. 1981, p. 3.

⁽⁸⁾ OJ No L 150, 6. 6. 1984, p. 4.

⁽⁹⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽¹⁰⁾ 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, 26 November 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 3398/90
of 26 November 1990
fixing the amount of the subsidy on oil seeds

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

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

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 2902/89⁽²⁾, and in particular Article 27 (4) thereof,

Having regard to Council Regulation (EEC) No 1678/85 of 11 June 1985 fixing the conversion rates to be applied in agriculture⁽³⁾, as last amended by Regulation (EEC) No 3300/90⁽⁴⁾,

Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza, rape and sunflower seed⁽⁵⁾, as last amended by Regulation (EEC) No 2206/90⁽⁶⁾, and in particular Article 2 (3) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the amount of the subsidy referred to in Article 27 of Regulation No 136/66/EEC was fixed by Commission Regulation (EEC) No 2828/90⁽⁷⁾, as last amended by Regulation (EEC) No 3328/90⁽⁸⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2828/90 to the infor-

mation known to the Commission that the amount of the subsidy at present in force should be altered to the amount set out in the Annexes hereto,

HAS ADOPTED THIS REGULATION:

Article 1

1. The amount of the subsidy and the exchange rate referred to in Article 33 (2) and (3) of Commission Regulation (EEC) No 2681/83⁽⁹⁾ are as set out in the Annexes hereto.

2. The amount of the compensatory aid referred to in Article 14 of Council Regulation (EEC) No 475/86⁽¹⁰⁾ is as set out in Annex III for sunflower seed harvested in Spain.

3. The amount of the special subsidy provided for by Council Regulation (EEC) No 1920/87⁽¹¹⁾, for sunflower seed harvested and processed in Portugal is as set out in Annex III.

Article 2

This Regulation shall enter into force on 27 November 1990.

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

Done at Brussels, 26 November 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

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

⁽²⁾ OJ No L 280, 29. 9. 1989, p. 2.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁴⁾ OJ No L 317, 16. 11. 1990, p. 23.

⁽⁵⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 11.

⁽⁷⁾ OJ No L 268, 29. 9. 1990, p. 76.

⁽⁸⁾ OJ No L 320, 20. 11. 1990, p. 18.

⁽⁹⁾ OJ No L 266, 28. 9. 1983, p. 1.

⁽¹⁰⁾ OJ No L 53, 1. 3. 1986, p. 47.

⁽¹¹⁾ OJ No L 183, 3. 7. 1987, p. 18.

ANNEX I

Aids to colza and rape seed other than 'double zero'

(amounts per 100 kg)

	Current 11	1st period 12	2nd period 1	3rd period 2	4th period 3	5th period 4
1. Gross aids (ECU):						
— Spain	0,000	0,000	0,000	0,000	0,000	0,000
— Portugal	0,000	0,000	28,593	28,502	28,780	29,058
— Other Member States	22,242	22,143	21,623	21,532	21,810	22,088
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	52,36	52,13	50,90	50,69	51,34	52,05
— Netherlands (Fl)	59,00	58,74	57,36	57,11	57,85	58,66
— BLEU (Bfrs/Lfrs)	1 079,99	1 075,18	1 049,93	1 045,51	1 059,01	1 073,05
— France (FF)	175,61	174,83	170,73	170,01	172,20	174,40
— Denmark (Dkr)	199,73	198,84	194,17	193,35	195,85	198,35
— Ireland (£ Irl)	19,546	19,459	19,002	18,922	19,166	19,410
— United Kingdom (£)	17,098	17,013	16,587	16,489	16,706	16,882
— Italy (Lit)	39 178	39 004	38 088	37 928	38 417	38 886
— Greece (Dr)	4 762,20	4 713,55	4 545,33	4 489,62	4 552,49	4 541,14
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	0,00	0,00	0,00	0,00	5,73	28,69
— in another Member State (Pta)	76,50	63,04	0,00	0,00	5,73	28,69
(c) Seed harvested in Portugal and processed:						
— in Portugal (Esc)	0,00	0,00	5 961,29	5 931,05	5 989,11	6 016,87
— in another Member State (Esc)	6 102,00	6 081,35	5 961,29	5 931,05	5 989,11	6 016,87

ANNEX II

Aids to colza and rape seed 'double zero'

(amounts per 100 kg)

	Current 11	1st period 12	2nd period 1	3rd period 2	4th period 3	5th period 4
1. Gross aids (ECU):						
— Spain	0,000	0,000	1,933	1,842	2,120	2,398
— Portugal	1,030	1,030	31,093	31,002	31,280	31,558
— Other Member States	24,742	24,643	24,123	24,032	24,310	24,588
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	58,25	58,01	56,79	56,58	57,23	57,94
— Netherlands (Fl)	65,63	65,37	63,99	63,75	64,48	65,30
— BLEU (Bfrs/Lfrs)	1 201,38	1 196,57	1 171,32	1 166,91	1 180,40	1 194,44
— France (FF)	195,35	194,57	190,47	189,75	191,94	194,14
— Denmark (Dkr)	222,18	221,29	216,62	215,80	218,30	220,80
— Ireland (£ Irl)	21,743	21,656	21,199	21,119	21,363	21,607
— United Kingdom (£)	19,047	18,962	18,536	18,438	18,655	18,831
— Italy (Lit)	43 582	43 407	42 491	42 331	42 821	43 289
— Greece (Dr)	5 319,47	5 270,81	5 102,59	5 046,88	5 109,75	5 098,40
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	0,00	0,00	365,32	345,61	387,97	410,93
— in another Member State (Pta)	458,74	445,28	365,32	345,61	387,97	410,93
(c) Seed harvested in Portugal and processed:						
— in Portugal (Esc)	214,94	214,94	6 482,98	6 452,74	6 510,80	6 538,56
— in another Member State (Esc)	6 623,69	6 603,04	6 482,98	6 452,74	6 510,80	6 538,56

ANNEX III

Aids to sunflower seed

(amounts per 100 kg)

	Current 11	1st period 12	2nd period 1	3rd period 2	4th period 3
1. Gross aids (ECU):					
— Spain	8,600	8,600	29,124	29,652	29,983
— Portugal	0,000	0,000	38,136	38,659	38,990
— Other Member States	26,861	26,876	25,896	26,419	26,750
2. Final aids:					
(a) Seed harvested and processed in (1):					
— Federal Republic of Germany (DM)	63,24	63,27	60,96	62,20	62,97
— Netherlands (Fl)	71,25	71,29	68,69	70,08	70,96
— BLEU (Bfrs/Lfrs)	1 304,27	1 305,00	1 257,41	1 282,81	1 298,88
— France (FF)	212,08	212,20	204,47	208,59	211,21
— Denmark (Dkr)	241,21	241,34	232,54	237,24	240,21
— Ireland (£ Irl)	23,605	23,618	22,757	23,216	23,507
— United Kingdom (£)	20,646	20,651	19,855	20,244	20,503
— Italy (Lit)	47 314	47 341	45 615	46 536	47 119
— Greece (Dr)	5 748,86	5 722,57	5 433,10	5 521,98	5 596,83
(b) Seed harvested in Spain and processed:					
— in Spain (Pta)	1 314,91	1 314,91	4 522,61	4 595,07	4 645,50
— in another Member State (Pta)	4 736,55	4 740,19	4 592,53	4 664,58	4 715,01
(c) Seed harvested in Portugal and processed:					
— in Portugal (Esc)	0,00	0,00	7 951,65	8 048,26	8 117,39
— in Spain (Esc)	8 349,14	8 352,27	8 129,33	8 228,10	8 298,78
— in another Member State (Esc)	8 166,65	8 169,72	7 951,65	8 048,26	8 117,39
3. Compensatory aids:					
— in Spain (Pta)	4 712,12	4 714,94	—	—	—
4. Special aid:					
— in Portugal (Esc)	8 166,65	8 169,72	—	—	—

(1) For seed harvested in the Community as constituted at 31 December 1985 and processed in Spain, the amounts shown in 2 (a) to be multiplied by 1,0223450.

ANNEX IV

Exchange rate of the ecu to be used for converting final aids into the currency of the processing country when the latter is a country other than the country of production

(value of ECU 1)

	Current 11	1st period 12	2nd period 1	3rd period 2	4th period 3	5th period 4
DM	2,048440	2,045040	2,042690	2,040390	2,040390	2,034530
Fl	2,310440	2,306830	2,303530	2,300760	2,300760	2,293670
Bfrs/Lfrs	42,318200	42,260100	42,202200	42,163100	42,163100	42,068900
FF	6,911230	6,907950	6,903760	6,901750	6,901750	6,898230
Dkr	7,867280	7,865130	7,864310	7,864630	7,864630	7,868580
£Irl	0,765168	0,765580	0,765316	0,765559	0,765559	0,766391
£	0,706605	0,708718	0,710438	0,711892	0,711892	0,714965
Lit	1 543,41	1 546,23	1 548,06	1 549,20	1 549,20	1 552,62
Dr	211,05600	213,82100	216,74100	218,85900	218,85900	224,52700
Esc	180,92500	181,84600	182,77200	183,60400	183,60400	185,89100
Pta	130,25300	130,70300	131,14300	131,55000	131,55000	132,63100