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I Acts whose publication is obligatory

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 3453/90

of 30 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 29 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 1 December 1990.

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

Done at Brussels, 30 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 30 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	29,58	143,64 ⁽¹⁾ ⁽²⁾
0712 90 19	29,58	143,64 ⁽¹⁾ ⁽²⁾
1001 10 10	24,85	199,86 ⁽¹⁾ ⁽²⁾
1001 10 90	24,85	199,86 ⁽¹⁾ ⁽²⁾
1001 90 91	29,99	170,02
1001 90 99	29,99	170,02
1002 00 00	55,10	156,25 ⁽⁴⁾
1003 00 10	46,40	148,84
1003 00 90	46,40	148,84
1004 00 10	38,04	146,00
1004 00 90	38,04	146,00
1005 10 90	29,58	143,64 ⁽²⁾ ⁽³⁾
1005 90 00	29,58	143,64 ⁽²⁾ ⁽³⁾
1007 00 90	46,40	147,71 ⁽⁴⁾
1008 10 00	46,40	62,43
1008 20 00	46,40	132,51 ⁽⁴⁾
1008 30 00	46,40	73,31 ⁽²⁾
1008 90 10	(7)	(7)
1008 90 90	46,40	73,31
1101 00 00	55,84	251,88
1102 10 00	90,99	232,60
1103 11 10	51,84	323,10
1103 11 90	59,40	271,12

(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 3454/90

of 30 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 29 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 1 December 1990.

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

Done at Brussels, 30 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 30 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 12	1st period 1	2nd period 2	3rd period 3
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	21,22	21,22	20,58
1001 90 99	0	21,22	21,22	20,58
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	1,58
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	29,69	29,69	28,81

B. Malt

CN code	(ECU/tonne)				
	Current 12	1st period 1	2nd period 2	3rd period 3	4th period 4
1107 10 11	0	37,77	37,77	36,63	36,63
1107 10 19	0	28,22	28,22	27,37	27,37
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 3455/90
of 30 November 1990
fixing the import levies on rice and broken rice

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

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

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

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

Whereas the import levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2512/90 ⁽⁵⁾, as last amended by Regulation (EEC) No 3362/90 ⁽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 1 December 1990.

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

Done at Brussels, 30 November 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 326, 24. 11. 1990, p. 10.

ANNEX

to the Commission Regulation of 30 November 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	—	—	156,93	321,07
1006 10 23	—	246,91	161,00	329,21
1006 10 25	—	246,91	161,00	329,21
1006 10 27	—	246,91	161,00	329,21
1006 10 92	—	—	156,93	321,07
1006 10 94	—	246,91	161,00	329,21
1006 10 96	—	246,91	161,00	329,21
1006 10 98	—	246,91	161,00	329,21
1006 20 11	—	—	197,07	401,34
1006 20 13	—	308,63	202,15	411,51
1006 20 15	—	308,63	202,15	411,51
1006 20 17	—	308,63	202,15	411,51
1006 20 92	—	—	197,07	401,34
1006 20 94	—	308,63	202,15	411,51
1006 20 96	—	308,63	202,15	411,51
1006 20 98	—	308,63	202,15	411,51
1006 30 21	13,05	—	244,46	512,78
1006 30 23	12,97	455,62	291,86	607,49
1006 30 25	12,97	455,62	291,86	607,49
1006 30 27	12,97	455,62	291,86	607,49
1006 30 42	13,05	—	244,46	512,78
1006 30 44	12,97	455,62	291,86	607,49
1006 30 46	12,97	455,62	291,86	607,49
1006 30 48	12,97	455,62	291,86	607,49
1006 30 61	13,90	—	260,70	546,11
1006 30 63	13,90	488,42	313,26	651,23
1006 30 65	13,90	488,42	313,26	651,23
1006 30 67	13,90	488,42	313,26	651,23
1006 30 92	13,90	—	260,70	546,11
1006 30 94	13,90	488,42	313,26	651,23
1006 30 96	13,90	488,42	313,26	651,23
1006 30 98	13,90	488,42	313,26	651,23
1006 40 00	0,00	—	94,69	195,38

(⁽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 3456/90

of 30 November 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 3363/90 ⁽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 1 December 1990.

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

Done at Brussels, 30 November 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 326, 24. 11. 1990, p. 12.

ANNEX

to the Commission Regulation of 30 November 1990 fixing the premiums to be added to the import levies on rice and broken rice

CN code	(ECU/tonne)			
	Current 12	1st period 1	2nd period 2	3rd period 3
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 3457/90

of 30 November 1990

fixing the export refunds 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 the first sentence of the fourth subparagraph of Article 17 (2) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 17 of Regulation (EEC) No 1418/76 provides that the difference between quotations or prices on the world market 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 Article 2 of Council Regulation (EEC) No 1431/76 of 21 June 1976 laying down general rules for granting export refunds on rice and criteria for fixing the amount of such refunds ⁽³⁾, provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of rice and broken rice on the Community market on the one hand and prices for rice and broken rice on the world market on the other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on the rice market and, furthermore, to take into account the economic aspect of the proposed exports and the need to avoid disturbances of the Community market;

Whereas Commission Regulation (EEC) No 1361/76 ⁽⁴⁾ lays down the maximum percentage of broken rice allowed in rice for which an export refund is fixed and specifies the percentage by which that refund is to be reduced where the proportion of broken rice in the rice exported exceeds that maximum;

Whereas Article 3 of Regulation (EEC) No 1431/76 defines the specific criteria to be taken into account when

the export refund on rice and broken rice is being calculated;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination;

Whereas a separate refund should be fixed for packaged long grain rice to accommodate current demand for the product on certain markets;

Whereas the refund must be fixed at least once a month; whereas it may be altered in the intervening period;

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 ⁽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 it follows from applying these rules and criteria to the present situation on the market in rice and in particular to quotations or prices for rice and broken rice within the Community and on the world market, that the refund should be fixed as set out in the Annex hereto;

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 Cereals,

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 36.

⁽⁴⁾ OJ No L 154, 15. 6. 1976, p. 11.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 9.

HAS ADOPTED THIS REGULATION:

natural state, shall be as set out in the Annex hereto. The refund on export to Portugal has not been fixed.

Article 1

The export refunds on the products listed in Article 1 of Regulation (EEC) No 1418/76 with the exception of those listed in paragraph 1 (c) of that Article, exported in the

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, 30 November 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 30 November 1990 fixing the export refunds on rice and broken rice

(ECU/tonne)		
Product code	Destination (1)	Amount of refunds
1006 20 11 000	—	—
1006 20 13 000	01	213,02
1006 20 15 000	01	213,02
1006 20 17 000	—	—
1006 20 92 000	—	—
1006 20 94 000	01	213,02
1006 20 96 000	01	213,02
1006 20 98 000	—	—
1006 30 21 000	—	—
1006 30 23 000	01	213,02
1006 30 25 000	01	213,02
1006 30 27 000	—	—
1006 30 42 000	—	—
1006 30 44 000	01	213,02
1006 30 46 000	01	213,02
1006 30 48 000	—	—
1006 30 61 000	—	—
1006 30 63 100	01	266,28
	03	272,28
	05	272,28
	06	277,28
	07	277,28
	08	272,28
	09	272,28
	10	277,28
	11	277,28
	12	277,28
	13	266,28
	14	277,28
1006 30 63 900	01	266,28
	13	266,28
1006 30 65 100	01	266,28
	03	272,28
	05	272,28
	06	277,28
	07	277,28
	08	272,28
	09	272,28
	10	277,28
	11	277,28
	12	277,28
	13	266,28
	14	277,28
1006 30 65 900	01	266,28
	13	266,28
1006 30 67 100	—	—
1006 30 67 900	—	—
1006 30 92 000	—	—

(ECU / tonne)		
Product code	Destination (1)	Amount of refunds
1006 30 94 100	01	266,28
	03	272,28
	05	272,28
	06	277,28
	07	277,28
	08	272,28
	09	272,28
	10	277,28
	11	277,28
	12	277,28
	13	266,28
	14	277,28
1006 30 94 900	01	266,28
	13	266,28
	15	—
1006 30 96 100	01	266,28
	03	272,28
	05	272,28
	06	277,28
	07	277,28
	08	272,28
	09	272,28
	10	277,28
	11	277,28
	12	277,28
	13	266,28
	14	277,28
1006 30 96 900	01	266,28
	13	266,28
	15	—
1006 30 98 100	—	—
1006 30 98 900	—	—
1006 40 00 000	—	—

(1) The destinations are identified as follows:

- 01 Austria, Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italia,
- 02 Third countries other than Austria, Liechtenstein, Switzerland and the communes of Livigno and Campione d'Italie,
- 03 Zone I,
- 04 Third countries other than Austria, Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italie and countries of zone I,
- 05 Zone II b),
- 06 Zone IV a),
- 07 Zone IV b),
- 08 Zone VI,
- 09 Canary Islands, Ceuta and Melilla,
- 10 Zone V a),
- 11 Zone VII c),
- 12 Canada,
- 13 Destinations mentioned in Article 34 of Commission Regulation (EEC) No 3665/87 (OJ No L 351, 14. 12. 1987, p. 1),
- 14 Zone VIII, except Surinam, Guyana and Madagascar,
- 15 Zones I, II, III, IV, V, VI and VIII, except Surinam, Guyana and Madagascar.

NB: The zones are those defined in the Annex to Commission Regulation (EEC) No 1124/77 (OJ No L 134, 28. 5. 1977, p. 35), as last amended by Regulation (EEC) No 3049/89 (JO No L 292, 11. 10. 1989, p. 10).

COMMISSION REGULATION (EEC) No 3458/90

of 30 November 1990

fixing the corrective amount applicable to the refund 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 the second subparagraph of Article 17 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the first subparagraph of Article 17 (4) of Regulation (EEC) No 1418/76 provides that the export refund applicable to rice and broken rice on the day on which application for an export licence is made, adjusted for the threshold price which will be in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the licence;

Whereas Commission Regulation No 474/67/EEC ⁽³⁾, as amended by Regulation (EEC) No 1397/68 ⁽⁴⁾, lays down detailed rules for the advance fixing of the export refund on rice and broken rice;

Whereas that Regulation provides that the refund applicable on the day on which application for an export licence is made must, when it is fixed in advance, be reduced by an amount no greater than the difference between the cif forward delivery price and the cif price, where the former exceeds the latter by more than ECU 0,30 per tonne; whereas on the other hand, the refund must be increased by an amount no greater than the difference between the cif price and the cif forward delivery price, where the former exceeds the latter by more than ECU 0,30 per tonne;

Whereas the cif price is that determined in accordance with Article 16 of Regulation (EEC) No 1418/76; whereas the cif forward delivery price is that determined in accordance with Article 3 (2) of Council Regulation (EEC) No 1428/76 ⁽⁵⁾, based in respect of each month for which the export licence is valid, on the cif price calculated on the basis of offers for shipment during the month of exportation;

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 ⁽⁶⁾, as last amended by Regulation (EEC) No 2205/90 ⁽⁷⁾,

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

Whereas it follows from applying the provisions set out above that the corrective amount must be as set out in the Annex hereto;

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

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 17 (4) of Regulation (EEC) No 1418/76 which is applicable to the export refunds fixed in advance in respect of rice and broken rice shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 December 1990.

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽³⁾ OJ No 204, 24. 8. 1967, p. 20.

⁽⁴⁾ OJ No L 222, 10. 9. 1968, p. 6.

⁽⁵⁾ OJ No L 166, 25. 6. 1976, p. 30.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 201, 31. 7. 1990, p. 9.

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

Done at Brussels, 30 November 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 30 November 1990 fixing the corrective amount applicable to the refund on rice and broken rice

(ECU/tonne)

Product code	Destination (°)	Current 12	1st period 1	2nd period 2	3rd period 3
1006 20 11 000	—	—	—	—	—
1006 20 13 000	01	0	0	0	0
1006 20 15 000	01	0	0	0	0
1006 20 17 000	—	—	—	—	—
1006 20 92 000	—	—	—	—	—
1006 20 94 000	01	0	0	0	0
1006 20 96 000	01	0	0	0	0
1006 20 98 000	—	—	—	—	—
1006 30 21 000	—	—	—	—	—
1006 30 23 000	01	0	0	0	0
1006 30 25 000	01	0	0	0	0
1006 30 27 000	—	—	—	—	—
1006 30 42 000	—	—	—	—	—
1006 30 44 000	01	0	0	0	0
1006 30 46 000	01	0	0	0	0
1006 30 48 000	—	—	—	—	—
1006 30 61 000	—	—	—	—	—
1006 30 63 100	01	0	0	0	0
	03	0	0	0	0
	05	0	0	0	0
	06	0	0	0	0
	07	0	0	0	0
	08	0	0	0	0
	09	0	0	0	0
	10	0	0	0	0
	11	0	0	0	0
	12	0	0	0	0
	13	0	0	0	0
	14	0	0	0	0
1006 30 63 900	01	0	0	0	0
	13	0	0	0	0
1006 30 65 100	01	0	0	0	0
	03	0	0	0	0
	05	0	0	0	0
	06	0	0	0	0
	07	0	0	0	0
	08	0	0	0	0
	09	0	0	0	0
	10	0	0	0	0
	11	0	0	0	0
	12	0	0	0	0
	13	0	0	0	0
	14	0	0	0	0
1006 30 65 900	01	0	0	0	0
	13	0	0	0	0

(ECU/tonne)

Product code	Destination ⁽¹⁾	Current 12	1st period 1	2nd period 2	3rd period 3
1006 30 67 100		—	—	—	—
1006 30 67 900		—	—	—	—
1006 30 92 000		—	—	—	—
1006 30 94 100	01	0	0	0	0
	03	0	0	0	0
	05	0	0	0	0
	06	0	0	0	0
	07	0	0	0	0
	08	0	0	0	0
	09	0	0	0	0
	10	0	0	0	0
	11	0	0	0	0
	12	0	0	0	0
	13	0	0	0	0
	14	0	0	0	0
1006 30 94 900	01	0	0	0	0
	13	0	0	0	0
	15	0	0	0	0
1006 30 96 100	01	0	0	0	0
	03	0	0	0	0
	05	0	0	0	0
	06	0	0	0	0
	07	0	0	0	0
	08	0	0	0	0
	09	0	0	0	0
	10	0	0	0	0
	11	0	0	0	0
	12	0	0	0	0
	13	0	0	0	0
	14	0	0	0	0
1006 30 96 900	01	0	0	0	0
	13	0	0	0	0
	15	0	0	0	0
1006 30 98 100	—	—	—	—	—
1006 30 98 900	—	—	—	—	—
1006 40 00 000	—	—	—	—	—

(¹) The destinations are identified as follows:

- 01 Austria, Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italia,
- 02 Third countries other than Austria, Liechtenstein, Switzerland and the communes of Livigno and Campione d'Italie,
- 03 Zone I,
- 04 Third countries other than Austria, Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italie and countries of zone I,
- 05 Zone II b),
- 06 Zone IV a),
- 07 Zone IV b),
- 08 Zone VI,
- 09 Canary Islands, Ceuta and Melilla,
- 10 Zone V a),
- 11 Zone VII c),
- 12 Canada,
- 13 Destinations mentioned in Article 34 of Commission Regulation (EEC) No 3665/87 (OJ No L 351, 14. 12. 1987, p. 1),
- 14 Zone VIII, except Surinam, Guyana and Madagascar,
- 15 Zones I, II, III, IV, V, VI and VIII, except Surinam, Guyana and Madagascar.

NB: The zones are those defined in the Annex to Commission Regulation (EEC) No 1124/77 (OJ No L 134, 28. 5. 1977, p. 35), as last amended by Regulation (EEC) No 3049/89 (JO No L 292, 11. 10. 1989, p. 10).

COMMISSION REGULATION (EEC) No 3459/90

of 30 November 1990

fixing the refunds applicable for December 1990 to cereal and rice sector products supplied as Community and national food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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 the fourth subparagraph of Article 16 (2) 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 11 (2) thereof,Whereas Article 2 of Council Regulation (EEC) No 2681/74 of 21 October 1974 on Community financing of expenditure incurred in respect of the supply of agricultural products as food aid ⁽⁵⁾ lays down that the portion of the expenditure corresponding to the export refunds on the products in question fixed under Community rules is to be charged to the European Agricultural Guidance and Guarantee Fund, Guarantee Section;

Whereas, in order to make it easier to draw up and manage the budget for Community food aid actions and to enable the Member States to know the extent of Community participation in the financing of national food aid actions, the level of the refunds granted for these actions should be determined;

Whereas the general and implementing rules provided for in Article 16 of Regulation (EEC) No 2727/75 and in Article 17 of Regulation (EEC) No 1418/76 on export refunds are applicable *mutatis mutandis* to the above-mentioned operations;Whereas Article 3 of Council Regulation (EEC) No 2746/75 ⁽⁶⁾ and Article 6 of Council Regulation (EEC) No 2744/75 ⁽⁷⁾, as last amended by Regulation (EEC) No 1906/87 ⁽⁸⁾, lay down specific criteria to be taken into account for calculating the refunds on cereals and on products processed from cereals; whereas specific criteria applying in the case of wheat flours are set out in Article 4 of Regulation (EEC) No 2746/75;Whereas the specific criteria to be used for calculating the export refund on rice are set out in Article 3 of Council Regulation (EEC) No 1431/76 ⁽⁹⁾;

Whereas the refunds fixed by this Regulation are applicable without any variations, for all destinations;

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

HAS ADOPTED THIS REGULATION:

Article 1

For Community and national food aid operations the refunds applicable for December 1990 to cereals and rice sector products shall be as set out in the Annex.

Article 2

The refunds fixed in this Regulation shall not be regarded as refunds varying according to destination.

Article 3

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, 30 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 166, 25. 6. 1976, p. 1.⁽⁴⁾ OJ No L 177, 24. 6. 1989, p. 1.⁽⁵⁾ OJ No L 288, 25. 10. 1974, p. 1.⁽⁶⁾ OJ No L 281, 1. 11. 1975, p. 78.⁽⁷⁾ OJ No L 281, 1. 11. 1975, p. 65.⁽⁸⁾ OJ No L 182, 3. 7. 1987, p. 49.⁽⁹⁾ OJ No L 166, 25. 6. 1976, p. 36.

ANNEX

to the Commission Regulation of 30 November 1990 fixing the refunds applicable for December 1990 to cereal and rice sector products supplied as Community and national food aid

(ECU/tonne)	
Product code	Refund
1001 10 90 000	159,80
1001 90 99 000	113,47
1002 00 00 000	100,00
1003 00 90 000	102,00
1004 00 90 000	—
1005 90 00 000	102,00
1006 20 92 000	225,82
1006 20 94 000	225,82
1006 30 42 000	—
1006 30 44 000	—
1006 30 92 000	282,28
1006 30 94 100	282,28
1006 30 94 900	282,28
1006 30 96 100	282,28
1006 30 96 900	282,28
1006 40 00 000	—
1007 00 90 000	102,00
1101 00 00 110	139,00
1101 00 00 120	139,00
1101 00 00 130	139,00
1102 20 10 100	169,02
1102 20 10 300	144,88
1102 30 00 000	—
1102 90 10 100	147,05
1103 11 10 500	233,00
1103 11 90 100	158,00
1103 13 19 100	217,31
1103 14 00 000	—
1104 12 90 100	213,08
1104 21 50 100	196,06

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 3460/90

of 30 November 1990

fixing the import levies on syrups and certain other products in the sugar sector

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,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 (1) of Regulation (EEC) No 1785/81 provides for charging a levy on imports of the products listed in Article 1 (1) of that Regulation;

Whereas the levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 must be calculated, where appropriate, at a standard rate on the basis of the sucrose content (including other sugars expressed as sucrose) of the product concerned and of the levy on white sugar; whereas, however, the levies on maple sugar and maple syrup are limited to the amount resulting from application of the rate of duty bound within GATT;

Whereas Article 7 of Commission Regulation (EEC) No 837/68 of 28 June 1968 on detailed rules for the application of levies on sugar ⁽³⁾, as last amended by Regulation (EEC) No 1428/78 ⁽⁴⁾, provides that the basic amount of the levy for 100 kilograms of product must be fixed per percentage point of sucrose content;

Whereas the basic amount of the levy must be equal to one-hundredth of the average of the levies applicable to 100 kilograms of white sugar during the first 20 days of the month preceding the month for which the basic amount of the levy is fixed; whereas, however, the levy applicable to white sugar on the day of the fixing of the basic amount must be substituted for the average of the levies, where that levy differs by at least ECU 0,73 from that average;

Whereas the basic amount must be fixed each month; whereas it must, however, be altered during the period

between the day on which it is fixed and the first day of the month following the month for which the basic amount is applicable, if the levy on white sugar differs by at least ECU 0,73 from the average referred to above or from the levy on white sugar used to fix the basic amount; whereas, in this case, the basic amount must be equal to one-hundredth of the levy on white sugar used to calculate the alteration;

Whereas the basic amount thus fixed must be adjusted on the basis of variations in the threshold price for white sugar occurring between the month in which the basic amount is fixed and the period of application; whereas this adjustment, equal to one-hundredth of the difference between these two threshold prices, must be deducted from or added to the basic amount in the circumstances provided for in Article 7 (6) of Regulation (EEC) No 837/68;

Whereas the levy on the products referred to in Article 1 (1) (f) and (g) of Regulation (EEC) No 1785/81 comprises, under Article 16 (6) of that Regulation, a variable element and a fixed element, with the latter, per 100 kilograms of dry matter, being equal to one-tenth of the fixed element established pursuant to point B of Article 14 (1) of Council Regulation (EEC) No 2727/75 ⁽⁵⁾, as last amended by Regulation (EEC) No 1340/90 ⁽⁶⁾, for the fixing of the import levy on the products falling within CN codes 1702 30 91, 1702 30 99, 1702 40 90 and 1702 90 50, and the variable element, per 100 kilograms of dry matter, being equal to 100 times the basic import levy applicable as from the first of each month in the case of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81; whereas the levy must be fixed each month;

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 subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽⁷⁾, as last amended by Regulation (EEC) No 2205/90 ⁽⁸⁾,

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 114, 27. 4. 1989, p. 1.

⁽³⁾ OJ No L 151, 30. 6. 1968, p. 42.

⁽⁴⁾ OJ No L 171, 28. 6. 1978, p. 34.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽⁶⁾ OJ No L 134, 28. 5. 1990, p. 1.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁸⁾ OJ No L 201, 31. 7. 1990, p. 9.

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

Whereas it follows from the application of these provisions that the import levies on the products concerned should be as indicated in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on the products listed in Article 1 (1) (d), (f) and (g) of Regulation (EEC) No 1785/81 shall be as indicated 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, 30 November 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 30 November 1990 fixing the import levies on syrups and certain other products in the sugar sector

(ECU)

CN code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question	Amount of levy per 100 kg of dry matter
1702 20 10	0,4469	—
1702 20 90	0,4469	—
1702 30 10	—	54,36
1702 40 10	—	54,36
1702 60 10	—	54,36
1702 60 90	0,4469	—
1702 90 30	—	54,36
1702 90 60	0,4469	—
1702 90 71	0,4469	—
1702 90 90	0,4469	—
2106 90 30	—	54,36
2106 90 59	0,4469	—

COMMISSION REGULATION (EEC) No 3461/90

of 30 November 1990

fixing the export refunds on syrups and certain other sugar products exported in the natural state

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to the opinion of the Monetary Committee,

Whereas Article 19 of Regulation (EEC) No 1785/81 provides that the difference between quotations or prices on the world market for the products listed in Article 1 (1) (d) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Article 8 of Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar ⁽³⁾, as last amended by Regulation (EEC) No 1489/76 ⁽⁴⁾, provides that the export refund on 100 kilograms of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 is equal to the basic amount multiplied by the sucrose content, including, where appropriate, other sugars expressed as sucrose; whereas the sucrose content of the product in question is determined in accordance with Article 13 of Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar ⁽⁵⁾, as last amended by Regulation (EEC) No 1714/88 ⁽⁶⁾;

Whereas Article 7 of Regulation (EEC) No 766/68 provides that the basic amount of the refund on sorbose exported in the natural state must be equal to the basic amount of the refund less one-hundredth of the produc-

tion refund applicable, pursuant to Council Regulation (EEC) No 1400/78 of 20 June 1978 laying down general rules for the production refund on sugar used in the chemical industry ⁽⁷⁾, to the products listed in the Annex to the last mentioned Regulation;

Whereas the basic amount of the refund on the other products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 exported in the natural state must be equal to one-hundredth of an amount which takes account, on the one hand, of the difference between the intervention price for white sugar for the Community areas without deficit for the month for which the basic amount is fixed and quotations or prices for white sugar on the world market and, on the other, of the need to establish a balance between the use of Community basic products in the manufacture of processed goods for export to third countries and the use of third country products brought in under inward processing arrangements;

Whereas the application of the basic amount may be limited to some of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81;

Whereas Article 19 of Regulation (EEC) No 1785/81 makes provision for setting refunds for export in the natural state of products referred to in Article 1 (1) (f) and (g) of that Regulation; whereas the refund must be fixed per 100 kilograms of dry matter, taking account of the export refund for products falling within CN code 1702 30 91 and for products referred to in Article 1 (1) (d) of Regulation (EEC) No 1785/81 and of the economic aspects of the intended exports; whereas the refund is to be granted only for products complying with the conditions in Article 3 of Commission Regulation (EEC) No 1469/77 of 30 June 1977 laying down rules for applying the levy and the refund in respect of isoglucose and amending Regulation (EEC) No 192/75 ⁽⁸⁾, as amended by Regulation (EEC) No 1714/88;

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

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 114, 27. 4. 1989, p. 1.

⁽³⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁴⁾ OJ No L 167, 26. 6. 1976, p. 13.

⁽⁵⁾ OJ No L 50, 4. 3. 1970, p. 1.

⁽⁶⁾ OJ No L 152, 18. 6. 1988, p. 23.

⁽⁷⁾ OJ No L 170, 27. 6. 1978, p. 9.

⁽⁸⁾ OJ No L 162, 1. 7. 1977, p. 9.

- 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 subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽¹⁾, as last amended by Regulation (EEC) No 2205/90 ⁽²⁾,
- 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 refunds referred to above must be fixed every month; whereas they may be altered in the intervening period;

Whereas application of these quotas results in fixing refunds for the products in question at the levels given 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 Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (d), (f) and (g) of Regulation (EEC) No 1785/81, exported in the natural state, shall be 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, 30 November 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽²⁾ OJ No L 201, 31. 7. 1990, p. 9.

ANNEX

to the Commission Regulation of 30 November 1990 fixing the export refunds on syrups and certain other sugar products exported in the natural state

(ECU)

Product code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question ⁽¹⁾	Amount of refund per 100 kg of dry matter ⁽²⁾
1702 40 10 100		37,80
1702 60 10 000		37,80
1702 60 90 000	0,3780	
1702 90 30 000		37,80
1702 90 60 000	0,3780	
1702 90 71 000	0,3780	
1702 90 90 900	0,3780	
2106 90 30 000		37,80
2106 90 59 000	0,3780	

⁽¹⁾ The basic amount is not applicable to syrups which are less than 85 % pure (Regulation (EEC) No 394/70). Sucrose content is determined in accordance with Article 13 of Regulation (EEC) No 394/70.

⁽²⁾ Applicable only to products referred to in Article 3 of Regulation (EEC) No 1469/77.

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 3462/90

of 30 November 1990

fixing the reduced levy on imports into Portugal of certain quantities of raw sugar intended for Portuguese refineries

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, in accordance with Article 303 of the Act of Accession, a reduced levy is applied during the period of seven years following accession on imports into Portugal of certain quantities of raw sugar originating in certain third countries;

Whereas Commission Regulation (EEC) No 599/86 ⁽³⁾, as last amended by Regulation (EEC) No 3165/90 ⁽⁴⁾, fixes the reduced levy applicable on imports into Portugal of certain quantities of raw sugar intended for Portuguese refineries;

Whereas the levy should, in the light of the application of the detailed rules and arrangements specified in Regulation (EEC) No 599/86 to the data available to the Commission, be fixed as shown in Article 1 of this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The reduced levy on imports into Portugal of raw sugar intended for refining (CN codes 1701 11 10 and 1701 12 10) is fixed for this quality type at ECU 27,28 per 100 kilograms.

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, 30 November 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 58, 1. 3. 1986, p. 18.

⁽⁴⁾ OJ No L 304, 1. 11. 1990, p. 26.

COMMISSION REGULATION (EEC) No 3463/90
of 30 November 1990
fixing the export refunds on oil seeds

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to Council Regulation No 142/67/EEC of 21 June 1967 on export refunds on colza, rape and sunflower seeds⁽³⁾, as last amended by the Act of Accession of Greece, and in particular the second sentence of Article 2 (3) thereof,

Having regard to Council Regulation (EEC) No 1678/85 of 11 June 1985 fixing the conversion rates to be applied in agriculture⁽⁴⁾, as last amended by Regulation (EEC) No 3300/90⁽⁵⁾,

Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza, rape and sunflower seed⁽⁶⁾, as last amended by Regulation (EEC) No 2206/90⁽⁷⁾, and in particular Article 2 (3) thereof,

Having regard to Commission Regulation (EEC) No 2041/75 of 25 July 1975 on special detailed rules for the application of the system of import and export licences and advance fixing certificates for oils and fats⁽⁸⁾, as last amended by Regulation (EEC) No 2662/87⁽⁹⁾, and in particular Article 13 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, the target price and the monthly increases in the target price for colza, rape and sunflower seed for the

1990/91 marketing year were fixed by Regulations (EEC) No 1317/90⁽¹⁰⁾ and (EEC) No 1318/90⁽¹¹⁾;

Whereas the prices fixed by the Council are to be reduced in accordance with Article 2 of Commission Regulation (EEC) No 784/90 of 29 March 1990 fixing the reducing coefficient for agricultural prices in the 1990/91 marketing year as a result of the monetary realignment of 5 January 1990 and amending the prices and amounts fixed in ecus for that marketing year⁽¹²⁾;

Whereas Article 28 of Regulation No 136/66/EEC provides that a refund may be granted on exports to third countries of oil seeds harvested within the Community; whereas the amount of this refund may not exceed the difference between prices within the Community and prices on the world market where the former are higher than the latter; whereas Article 21 of Regulation No 136/66/EEC provides that, at present, Article 28 of that Regulation applies only to colza, rape and sunflower seeds;

Whereas the refund for colza and rape seeds produced in Spain or Portugal is adjusted in accordance with Council Regulation (EEC) No 478/86⁽¹³⁾;

Whereas Article 3 of Regulation No 142/67/EEC provides that when the refund is being calculated account must be taken of prices ruling on the various Community markets which are representative from the point of view of processing and exportation; the most favourable quotations recorded on the various markets of importing third countries and costs incurred in placing the goods on the world market; whereas, when the amount of the refund is being fixed, account must also be taken of the level of market prices within the Community for the oil seeds referred to in Article 21 of Regulation No 136/66/EEC and the future trend of these prices; whereas, furthermore, account should be taken of the economic aspect of the proposed exports and the situation in the Community regarding the supply of and demand for these seeds;

Whereas the abatement of the subsidy for colza and rape seed which arises from the system of maximum guaranteed quantities for the 1990/91 marketing year has been fixed by Commission Regulation (EEC) No 2509/90⁽¹⁴⁾;

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

⁽²⁾ OJ No L 280, 29. 9. 1989, p. 2.

⁽³⁾ OJ No 125, 26. 6. 1967, p. 2461/67.

⁽⁴⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁵⁾ OJ No L 317, 16. 11. 1990, p. 23.

⁽⁶⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁷⁾ OJ No L 201, 31. 7. 1990, p. 11.

⁽⁸⁾ OJ No L 213, 11. 8. 1975, p. 1.

⁽⁹⁾ OJ No L 252, 3. 9. 1987, p. 6.

⁽¹⁰⁾ OJ No L 132, 23. 5. 1990, p. 9.

⁽¹¹⁾ OJ No L 132, 23. 5. 1990, p. 11.

⁽¹²⁾ OJ No L 83, 30. 3. 1990, p. 102.

⁽¹³⁾ OJ No L 53, 1. 3. 1986, p. 55.

⁽¹⁴⁾ OJ No L 237, 1. 9. 1990, p. 52.

Whereas Article 1 of Commission Regulation (EEC) No 651/71 of 29 March 1971 on certain detailed rules for the application of export refunds on oil seeds⁽¹⁾, as last amended by Regulation (EEC) No 1815/84⁽²⁾, provides that the amount of the refund must be calculated on the basis of the weight of exported seeds; whereas this weight must be adjusted to take account of any differences between the percentages of moisture and impurities found to exist and those used to define the standard quality for which the target price is fixed; whereas, when this adjustment is being made, the weight of the exported seeds must be increased by the amount of the difference between the actual moisture and impurities content and that used to define the standard quality if the former is lower than the latter; whereas, if the opposite applies, the weight of the exported seeds must be reduced by the same amount;

Whereas the standard quality referred to above was defined in Article 2 of Council Regulation (EEC) No 1102/84⁽³⁾;

Whereas Article 2 of Regulation No 142/67/EEC provides that the refund may be varied according to destination where the world market situation or the specific requirements of certain markets make this necessary;

Whereas Article 4 of Regulation (EEC) No 651/71 provides for the publication of the amount of the final refund obtained from the conversion into each of the national currencies of the amount of the refund in ecus plus or minus the differential amount; whereas Article 1 of Commission Regulation (EEC) No 1813/84⁽⁴⁾, as last amended by Regulation (EEC) No 1539/90⁽⁵⁾, defined the elements which determine the differential amounts; whereas these elements are equal to the incidence on the target price reduced by 7,5 % or the refund of the coefficient derived from the percentage referred to in Article 2 (1) of Regulation (EEC) No 1569/72; whereas, according to these provisions, this percentage represents:

(a) for those Member States whose currencies are maintained as between themselves within a spread at any given moment of 2,25 %, the difference between:

- the conversion rate used under the common agricultural policy, and
- the conversion rate resulting from the central rate of the correcting factor referred to in Article 6 (1) of Regulation (EEC) No 1677/85⁽⁶⁾ as last amended by Regulation (EEC) No 2205/90⁽⁷⁾.

(b) In the case of Member States other than those referred to in (a), the difference between:

- the agricultural conversion rate, and
- the average rate of the ecu as published in the C Series of the *Official Journal of the European*

Communities during a period to be determined, multiplied by the factor referred to in the second indent of (a).

Whereas pursuant to Article 2 (2) of Regulation (EEC) No 1569/72 forward differential amounts are to be determined where the forward exchange rate for one or more currencies differs from the spot rate by at least a given percentage; whereas this percentage has been fixed at 0,5 by Regulation (EEC) No 1813/84;

Whereas Regulation (EEC) No 1813/84 specifies the spot and forward exchange rates and the period to be used for calculating the differential amounts; whereas in cases where, for one or more months, quotations of forward exchange rates are not available, the rates adopted for the previous months or the following months, as the case may be, must be used;

Whereas it follows from applying these provisions to the current situation of the oil seeds market and to the rates or prices of these products that, pursuant to Article 4 of Regulation (EEC) No 651/71, the amount of the refund in ecus and the amount of the final refund in each of the national currencies must, in the case of colza and rape seed, be fixed in accordance with the Annex to this Regulation; whereas it is not necessary to fix a refund for sunflower seed;

Whereas Article 13 of Regulation (EEC) No 2041/75 makes provision for the period of validity of certificates fixing refunds in advance to be reduced if the market situation warrants; whereas in the interests of sound market management a reduction should be made;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. In the case of colza and rape seed, the amounts of the refund referred to in Article 4 (1) of Regulation (EEC) No 651/71 shall be as set out in the Annex hereto.

2. There shall be no refund on sunflower seed.

3. Certificates fixing the export refund in advance shall be valid from their date of issue until the end of the following month.

Article 2

This Regulation shall enter into force on 1 December 1990.

⁽¹⁾ OJ No L 75, 30. 3. 1971, p. 16.

⁽²⁾ OJ No L 170, 29. 6. 1984, p. 46.

⁽³⁾ OJ No L 113, 28. 4. 1984, p. 8.

⁽⁴⁾ OJ No L 170, 29. 6. 1984, p. 41.

⁽⁵⁾ OJ No L 145, 8. 6. 1990, p. 20.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 6.

⁽⁷⁾ OJ No L 201, 31. 7. 1990, p. 9.

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

Done at Brussels, 30 November 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 30 November 1990 fixing the export refunds on oil seeds

(amounts per 100 kilograms)

	Current 12	1st period 1	2nd period 2	3rd period 3	4th period 4	5th period 5
1. Gross refunds (ECU):						
— Spain	0,000	0,278	—	—	—	—
— Portugal	25,470	25,748	—	—	—	—
— other Member States	18,500	18,778	—	—	—	—
2. Final refunds:						
Seeds harvested and exported from:						
— Federal Republic of Germany (DM)	43,55	44,21	—	—	—	—
— Netherlands (Fl)	49,07	49,81	—	—	—	—
— BLEU (Bfrs/Lfrs)	898,29	911,79	—	—	—	—
— France (FF)	146,07	148,26	—	—	—	—
— Denmark (Dkr)	166,13	168,62	—	—	—	—
— Ireland (£ Irl)	16,257	16,502	—	—	—	—
— United Kingdom (£)	14,092	14,309	—	—	—	—
— Italy (Lit)	32 587	33 077	—	—	—	—
— Greece (Dr)	3 856,17	3 893,41	—	—	—	—
— Spain (Pta)	70,35	112,86	—	—	—	—
— Portugal (Esc)	5 323,60	5 381,61	—	—	—	—

COMMISSION REGULATION (EEC) No 3464/90**of 30 November 1990****fixing for December 1990 the levy applicable in Spain to products subject to the price control system**

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 Commission Regulation (EEC) No 1183/86 of 21 April 1986 laying down detailed rules for the system for controlling the prices and the quantities of certain products in the oils and fats sector released for consumption in Spain⁽¹⁾, as last amended by Regulation (EEC) No 1581/90⁽²⁾, and in particular Article 14 thereof,

Whereas Article 14 of Regulation (EEC) No 1183/86 provides that, for the period from 1 March 1986 to 31 December 1990, a levy is to be applied to imports into Spain of products subject to the price control system and to soya oil produced from imported beans and released for consumption; whereas that levy is to be fixed on the basis of the difference between, on the one hand, an ex factory price for crude soya oil of Pta 106 per kilogram and, on the other hand, the price of that oil on the world market, plus the duty charged in Spain on imports from third countries;

Whereas the Spanish system of compensation for vegetable oil prices applied prior to accession was supervised by a State organization; whereas therefore, the system providing for the said levy will make any further intervention by the State superfluous and thus preclude certain potential obstacles to trade, particularly in soya oil;

Whereas that levy should be as fixed hereinafter,

HAS ADOPTED THIS REGULATION:

Article 1

The levy referred to in Article 14 of Regulation (EEC) No 1183/86 shall be ECU 367,64 per tonne of oil for December 1990.

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, 30 November 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 107, 24. 4. 1986, p. 17.

⁽²⁾ OJ No L 150, 14. 6. 1990, p. 9.

COMMISSION REGULATION (EEC) No 3465/90
of 30 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 3452/90⁽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 1 December 1990.

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

Done at Brussels, 30 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 333, 30. 11. 1990, p. 61.

⁽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 12	1st period 1	2nd period 2	3rd period 3	4th period 4	5th period 5
1. Gross aids (ECU):						
— Spain	0,000	0,000	0,000	0,000	0,000	0,000
— Portugal	0,000	28,205	28,060	28,338	28,616	28,574
— Other Member States	21,667	21,235	21,090	21,368	21,646	21,604
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	51,01	49,99	49,65	50,30	50,96	50,92
— Netherlands (Fl)	57,47	56,33	55,94	56,68	57,42	57,38
— BLEU (Bfrs/Lfrs)	1 052,07	1 031,09	1 024,05	1 037,55	1 051,05	1 049,60
— France (FF)	171,07	167,66	166,52	168,71	170,91	170,58
— Denmark (Dkr)	194,57	190,69	189,39	191,88	194,38	194,00
— Ireland (£ Irl)	19,040	18,661	18,533	18,778	19,022	18,985
— United Kingdom (£)	16,632	16,280	16,158	16,358	16,576	16,498
— Italy (Lit)	38 165	37 404	37 149	37 639	38 128	37 989
— Greece (Dr)	4 619,55	4 490,78	4 416,00	4 447,23	4 510,08	4 386,65
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	0,00	0,00	0,00	0,00	0,00	0,00
— in another Member State (Pta)	0,00	0,00	0,00	0,00	0,00	0,00
(c) Seed harvested in Portugal and processed:						
— in Portugal (Esc)	0,00	5 892,77	5 851,71	5 898,03	5 956,08	5 913,02
— in another Member State (Esc)	5 982,51	5 892,77	5 851,71	5 898,03	5 956,08	5 913,02

ANNEX II

Aids to colza and rape seed 'double zero'

(amounts per 100 kg)

	Current 12	1st period 1	2nd period 2	3rd period 3	4th period 4	5th period 5
1. Gross aids (ECU):						
— Spain	0,000	1,545	1,400	1,678	1,956	1,914
— Portugal	1,030	30,705	30,560	30,838	31,116	31,074
— Other Member States	24,167	23,735	23,590	23,868	24,146	24,104
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	56,89	55,88	55,54	56,19	56,84	56,80
— Netherlands (Fl)	64,10	62,96	62,57	63,31	64,05	64,01
— BLEU (Bfrs/Lfrs)	1 173,46	1 152,48	1 145,44	1 158,94	1 172,44	1 170,99
— France (FF)	190,81	187,40	186,26	188,45	190,65	190,32
— Denmark (Dkr)	217,02	213,14	211,84	214,33	216,83	216,45
— Ireland (£ Irl)	21,237	20,858	20,730	20,975	21,219	21,182
— United Kingdom (£)	18,581	18,229	18,107	18,307	18,524	18,447
— Italy (Lit)	42 569	41 808	41 553	42 042	42 532	42 393
— Greece (Dr)	5 176,81	5 048,04	4 973,26	5 004,49	5 067,34	4 943,91
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	0,00	312,11	287,34	322,10	346,46	338,74
— in another Member State (Pta)	374,85	312,11	287,34	322,10	364,46	338,74
(c) Seed harvested in Portugal and processed:						
— in Portugal (Esc)	214,94	6 414,46	6 373,40	6 419,72	6 477,77	6 434,71
— in another Member State (Esc)	6 504,20	6 414,46	6 373,40	6 419,72	6 477,77	6 434,71

ANNEX III

Aids to sunflower seed

(amounts per 100 kg)

	Current 12	1st period 1	2nd period 2	3rd period 3	4th period 4
1. Gross aids (ECU):					
— Spain	8,600	29,311	28,963	29,294	29,625
— Portugal	0,000	38,242	37,906	38,237	38,568
— Other Member States	26,104	26,002	25,666	25,997	26,328
2. Final aids:					
(a) Seed harvested and processed in (1):					
— Federal Republic of Germany (DM)	61,45	61,21	60,42	61,20	61,98
— Netherlands (Fl)	69,24	68,97	68,08	68,96	69,84
— BLEU (Bfrs/Lfrs)	1 267,51	1 262,56	1 246,25	1 262,32	1 278,39
— France (FF)	206,11	205,30	202,65	205,26	207,88
— Denmark (Dkr)	234,41	233,50	230,48	233,45	236,42
— Ireland (£ Irl)	22,940	22,850	22,555	22,846	23,136
— United Kingdom (£)	20,033	19,945	19,669	19,906	20,165
— Italy (Lit)	45 981	45 801	45 209	45 792	46 375
— Greece (Dr)	5 561,59	5 507,53	5 378,54	5 415,37	5 490,21
(b) Seed harvested in Spain and processed:					
— in Spain (Pta)	1 314,91	4 554,44	4 499,90	4 542,90	4 593,33
— in another Member State (Pta)	4 625,96	4 612,28	4 559,69	4 602,89	4 653,32
(c) Seed harvested in Portugal and processed:					
— in Portugal (Esc)	0,00	7 988,27	7 905,74	7 961,25	8 030,37
— in Spain (Esc)	8 188,29	8 166,77	8 082,39	8 139,14	8 209,81
— in another Member State (Esc)	8 009,32	7 988,27	7 905,74	7 961,25	8 030,37
3. Compensatory aids:					
— in Spain (Pta)	4 599,49	—	—	—	—
4. Special aid:					
— in Portugal (Esc)	8 009,32	—	—	—	—

(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 12	1st period 1	2nd period 2	3rd period 3	4th period 4	5th period 5
DM	2,052020	2,048500	2,046440	2,044010	2,044010	2,038070
Fl	2,314160	2,310630	2,307620	2,304830	2,304830	2,297560
Bfrs/Lfrs	42,380500	42,327500	42,267400	42,230400	42,230400	42,129100
FF	6,920350	6,916700	6,911190	6,908790	6,908790	6,903190
Dkr	7,873250	7,872170	7,871710	7,871970	7,871970	7,876640
£Irl	0,767506	0,767971	0,767933	0,768264	0,768264	0,769125
£	0,702253	0,704331	0,705786	0,707043	0,707043	0,709682
Lit	1 540,03	1 543,02	1 545,47	1 547,34	1 547,34	1 552,08
Dr	210,56800	213,16900	215,72700	218,04100	218,04100	225,75100
Esc	180,30100	181,17800	181,99700	182,84200	182,84200	185,24200
Pta	130,04900	130,51100	130,94200	131,35100	131,35100	132,43900

COMMISSION REGULATION (EEC) No 3466/90

of 30 November 1990

fixing the amount of aid for peas, field beans and sweet lupins

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 1431/82 of 18 May 1982 laying down special measures for peas, field beans and sweet lupins⁽¹⁾, as last amended by Regulation (EEC) No 1104/88⁽²⁾, and in particular Article 3 (6) (a) thereof,

Having regard to Commission Regulation (EEC) No 3540/85 of 5 December 1985 laying down detailed rules for the application of the special measures for peas, field beans and sweet lupins⁽³⁾, as last amended by Regulation (EEC) No 2249/90⁽⁴⁾, and in particular Article 26a (7) thereof,

Whereas, as provided for in Article 3 (1) of Regulation (EEC) No 1431/82, aid is granted for peas, field beans and sweet lupins harvested in the Community and used in the manufacture of feedingsuffs where the world market price of soya cake is lower than the activating price; whereas this aid is equal to a proportion of the difference between these prices; whereas this proportion of the price difference was fixed in Article 3a of Council Regulation (EEC) No 2036/82⁽⁵⁾, as last amended by Regulation (EEC) No 2206/90⁽⁶⁾;

Whereas, in accordance with Article 3 (2) of Regulation (EEC) No 1431/82, aid is granted for peas and field beans harvested in the Community where the world market price for these products is lower than the guide price; whereas this aid is equal to the difference between the two prices;

Whereas the threshold price activating the aid for peas, field beans and sweet lupins for the 1990/91 marketing year was fixed by Council Regulation (EEC) No 1189/90⁽⁷⁾; whereas, as provided for in Article 2a of

Regulation (EEC) No 1431/82, the activating price for the aid for peas, field beans and sweet lupins is increased monthly as from the beginning of the third month of the marketing year; whereas the amount of the monthly increases in the threshold price was fixed by Council Regulation (EEC) No 1191/90⁽⁸⁾;

Whereas the abatement of the subsidy which arises, where appropriate, from the system of maximum guaranteed quantities for the 1990/91 year, has been fixed by Commission Regulation (EEC) No 2510/90⁽⁹⁾;

Whereas the threshold price activating the aid and the minimum price fixed by the Council are to be reduced in accordance with Commission Regulation (EEC) No 1755/90 of 27 June 1990 establishing the activating threshold price for aid, the guide price and the minimum price for peas, field beans and sweet lupins fixed in ecus by the Council and reduced as a result of the monetary realignment of 5 January 1990⁽¹⁰⁾;

Whereas, pursuant to Article 4 of Regulation (EEC) No 1431/82, the world market price for soya cake must be determined on the basis of the most favourable purchase possibilities, excepting offers and quotations which cannot be considered representative of the real market trend; whereas account must be taken both of all offers on the world market and of the prices quoted on exchanges that are important for international trade;

Whereas, pursuant to Article 1 of Commission Regulation (EEC) No 2049/82⁽¹¹⁾, as last amended by Regulation (EEC) No 1238/87⁽¹²⁾, the price must be determined per 100 kilograms of bulk soya cake of the standard quality defined in Article 1 (2) of Council Regulation (EEC) No 1464/86⁽¹³⁾ delivered to Rotterdam; whereas the necessary adjustments, notably those referred to in Article 2 of Regulation (EEC) No 2049/82, must be made for offers and quotations not of the type referred to above;

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

⁽¹⁾ OJ No L 162, 12. 6. 1982, p. 28.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 16.

⁽³⁾ OJ No L 342, 19. 12. 1985, p. 1.

⁽⁴⁾ OJ No L 203, 1. 8. 1990, p. 56.

⁽⁵⁾ OJ No L 219, 28. 7. 1982, p. 1.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 11.

⁽⁷⁾ OJ No L 119, 11. 5. 1990, p. 37.

⁽⁸⁾ OJ No L 119, 11. 5. 1990, p. 40.

⁽⁹⁾ OJ No L 237, 1. 9. 1990, p. 8.

⁽¹⁰⁾ OJ No L 162, 28. 6. 1990, p. 18.

⁽¹¹⁾ OJ No L 219, 28. 7. 1982, p. 36.

⁽¹²⁾ OJ No L 117, 5. 5. 1987, p. 9.

⁽¹³⁾ OJ No L 133, 21. 5. 1986, p. 21.

- in the case of currencies which are maintained in relation to each other at any moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the correcting factor provided for in Article 6 (1) of Council Regulation (EEC) No 1677/85 ⁽¹⁾, as last amended by Regulation (EEC) No 2205/90 ⁽²⁾,
- 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 pursuant to Articles 121 (2) and 307 (2) of the Act of Accession the amount of the aid for products harvested and processed in either of these Member States should be reduced by the customs duty charged on importation of products from third countries;

Whereas the world market price for peas and field beans and the amount of aid referred to in Article 3 (2) of Regulation (EEC) No 1431/82 were fixed by Commission Regulation (EEC) No 1834/90 ⁽³⁾; whereas in terms of Article 2a of Regulation (EEC) No 1431/82 the guide

price is increased monthly as from the beginning of the third month of the marketing year;

Whereas, pursuant to Article 26a of Regulation (EEC) No 3540/85, the gross aid expressed in ecus that results from Article 3 of Regulation (EEC) No 1431/82 shall be weighted by the differential amount referred to in Article 12a of Regulation (EEC) No 2036/82 and then converted into the final aid in the currency of the Member State in which the products are harvested using the agricultural conversion rate of that Member State,

HAS ADOPTED THIS REGULATION:

Article 1

The amounts of aid provided for in Article 3 (1) of Regulation (EEC) No 1431/82 is indicated in the Annexes 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, 30 November 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 167, 30. 6. 1990, p. 94.

ANNEX I

Gross aid

Products intended for human consumption :

(ECU per 100 kg)

	Current 12	1st period 1	2nd period 2	3rd period 3	4th period 4	5th period 5	6th period 6
Peas used :							
— in Spain	5,973	6,131	6,289	6,447	6,605	6,605	6,605
— in Portugal	6,000	6,158	6,316	6,474	6,632	6,632	6,632
— in another Member State	6,202	6,360	6,518	6,676	6,834	6,834	6,834
Field beans used :							
— in Spain	6,202	6,360	6,518	6,676	6,834	6,834	6,834
— in Portugal	6,000	6,158	6,316	6,474	6,632	6,632	6,632
— in another Member State	6,202	6,360	6,518	6,676	6,834	6,834	6,834

Products used in animal feed :

(ECU per 100 kg)

	Current 12	1st period 1	2nd period 2	3rd period 3	4th period 4	5th period 5	6th period 6
A. Peas used :							
— in Spain	9,338	9,237	9,251	9,409	9,595	9,624	9,624
— in Portugal	9,392	9,293	9,309	9,466	9,652	9,680	9,680
— in another Member State	9,392	9,293	9,309	9,466	9,652	9,680	9,680
B. Field beans used :							
— in Spain	9,338	9,237	9,251	9,409	9,595	9,624	9,624
— in Portugal	9,392	9,293	9,309	9,466	9,652	9,680	9,680
— in another Member State	9,392	9,293	9,309	9,466	9,652	9,680	9,680
C. Sweet lupins harvested in Spain and used :							
— in Spain	11,938	11,593	11,402	11,402	11,440	11,478	11,478
— in Portugal	12,009	11,668	11,478	11,478	11,516	11,554	11,554
— in another Member State	12,009	11,668	11,478	11,478	11,516	11,554	11,554
D. Sweet lupins harvested in another Member State and used :							
— in Spain	11,938	11,593	11,402	11,402	11,440	11,478	11,478
— in Portugal	12,009	11,668	11,478	11,478	11,516	11,554	11,554
— in another Member State	12,009	11,668	11,478	11,478	11,516	11,554	11,554

[illegible]

ANNEX IV

Corrective amount to be added to the amounts in Annex III

(in national currency per 100 kg)

[illegible]

ANNEX V

Partial aids

Field beans intended for animal feed :

(in national currency per 100 kg)

[illegible]

[illegible]

ANNEX VIII

Corrective amount to be added to amounts in Annex VII

(in national currency per 100 kg)

Use of products :	BLEU	DK	DE	EL	ES	FR	IRL	IT	NL	PT	UK
Products harvested in :											
— BLEU (Bfrs/Lfrs)	0,00	0,00	0,00	8,93	0,00	0,00	0,00	0,00	0,00	0,00	0,00
— Denmark (Dkr)	0,00	0,00	0,00	1,65	0,00	0,00	0,00	0,00	0,00	0,00	0,00
— Federal Republic of Germany (DM)	0,00	0,00	0,00	0,43	0,00	0,00	0,00	0,00	0,00	0,00	0,00
— Greece (Dr)	0,00	0,00	0,00	42,19	0,00	0,00	0,00	0,00	0,00	0,00	0,00
— Spain (Pta)	0,00	0,00	0,00	28,22	0,00	0,00	0,00	0,00	0,00	0,00	0,00
— France (FF)	0,00	0,00	0,00	1,45	0,00	0,00	0,00	0,00	0,00	0,00	0,00
— Ireland (£ Irl)	0,000	0,000	0,000	0,162	0,000	0,000	0,000	0,000	0,000	0,000	0,000
— Italy (Lit)	0	0	0	971	0	0	0	0	0	0	0
— Netherlands (Fl)	0,00	0,00	0,00	0,49	0,00	0,00	0,00	0,00	0,00	0,00	0,00
— Portugal (Esc)	0,00	0,00	0,00	38,36	0,00	0,00	0,00	0,00	0,00	0,00	0,00
— United Kingdom (£)	0,000	0,000	0,000	0,143	0,000	0,000	0,000	0,000	0,000	0,000	0,000

ANNEX IX

Exchange rate of the ecu to be used

	BLEU	DK	DE	EL	ES	FR	IRL	IT	NL	PT	UK
In national currency, ECU 1 =	42,4032	7,84195	2,05586	210,143	129,220	6,89509	0,767417	1 538,24	2,31643	181,702	0,699844

COMMISSION REGULATION (EEC) No 3467/90**of 30 November 1990****fixing the aid for soya beans**

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 1491/85 of 23 May 1985 laying down special measures in respect of soya beans ⁽¹⁾, as last amended by Regulation (EEC) No 2217/88 ⁽²⁾, and in particular Article 2(7) thereof,

Having regard to Council Regulation 2286/88 of 19 July 1988 providing for the granting of special aid for soya beans produced and processed in Portugal ⁽³⁾,

Whereas the amount of the aid referred to in Article 2(1) of Regulation (EEC) No 1491/85 was fixed by Commission Regulation (EEC) No 3272/90 ⁽⁴⁾, as amended by Regulation (EEC) No 3355/90 ⁽⁵⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 3272/90 to the information at present available to the Commission that the amount of the aid at present in force should be altered as set out in this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The amount of the aid provided in article 2 for in Regulation (EEC) No 1491/85 and the amount of the special aid provided for in Article 1 of Regulation (EEC) No 2286/88 in the case of Portugal 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, 30 November 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 151, 10. 6. 1985, p. 15.

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 11.

⁽³⁾ OJ No L 201, 27. 7. 1988, p. 2.

⁽⁴⁾ OJ No L 314, 14. 11. 1990, p. 10.

⁽⁵⁾ OJ No L 324, 23. 11. 1990, p. 25.

ANNEX

to the Commission Regulation of 30 November 1990 fixing the aid for soya beans

(ECU/100 kg)

	Seed harvested in		
	Spain	Portugal	another Member State
Seed processed in current period			
— Spain	0,000	24,127	24,127
— Portugal	18,583	24,127 (*)	24,127
— another Member State	18,583	24,127	24,127
Seed processed in first period			
— Spain	18,299	23,843	23,843
— Portugal	18,299	23,843	23,843
— another Member State	18,299	23,843	23,843
Seed processed in second period			
— Spain	18,157	23,701	23,701
— Portugal	18,157	23,701	23,701
— another Member State	18,157	23,701	23,701
Seed processed in third period			
— Spain	18,030	23,574	23,574
— Portugal	18,030	23,574	23,574
— another Member State	18,030	23,574	23,574
Seed processed in fourth period			
— Spain	18,201	23,745	23,745
— Portugal	18,201	23,745	23,745
— another Member State	18,201	23,745	23,745
Seed processed in fifth period			
— Spain	18,343	23,887	23,887
— Portugal	18,343	23,887	23,887
— another Member State	18,343	23,887	23,887

(*) Special aid.

COMMISSION REGULATION (EEC) No 3468/90
of 30 November 1990
fixing the aid for cotton

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 the Act of Accession of Greece, and in particular paragraphs 3 and 10 of Protocol 4 thereto, as amended by the Act of Accession of Spain and Portugal, and in particular Protocol 14 annexed thereto, and Commission Regulation (EEC) No 4006/87 ⁽¹⁾,

Having regard to Council Regulation (EEC) No 2169/81 of 27 July 1981 laying down the general rules for the system of aid for cotton ⁽²⁾, as last amended by Regulation (EEC) No 791/89 ⁽³⁾, and in particular Article 5 (1) thereof,

Whereas the amount of the additional aid referred to in Article 5 (1) of Regulation (EEC) No 2169/81 was fixed by Commission Regulation (EEC) No 2533/90 ⁽⁴⁾, as last amended by Regulation (EEC) No 3253/90 ⁽⁵⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 2533/90 to the information at present available to the Commission that the amount of the aid at present in force should be altered as shown in Article 1 to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The aid for unginned cotton referred to in Article 5 of Regulation (EEC) No 2169/81 shall be ECU 46,397 per 100 kilograms.

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, 30 November 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 377, 31. 12. 1987, p. 49.

⁽²⁾ OJ No L 211, 31. 7. 1981, p. 2.

⁽³⁾ OJ No L 85, 30. 3. 1989, p. 7.

⁽⁴⁾ OJ No L 237, 1. 9. 1990, p. 75.

⁽⁵⁾ OJ No L 311, 10. 11. 1990, p. 28.

COMMISSION REGULATION (EEC) No 3469/90

of 30 November 1990

fixing the rate of the aid for dried fodder

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 1117/78 of 22 May 1978 on the common organization of the market in dried fodder⁽¹⁾, as last amended by Regulation (EEC) No 2275/89⁽²⁾, and in particular Article 5 (3) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, under Article 5 (1) of Regulation (EEC) No 1117/78, when the guide price is higher than the average world market price, aid is granted for dried fodder as described under Article 1 (b) and (c) of that Regulation and obtained from fodder plants harvested in the Community; whereas that aid takes account of a percentage of the difference between these two prices;

Whereas this percentage and the guide price were fixed by Council Regulation (EEC) No 1192/90⁽³⁾ for the marketing year 1990/1991;

Whereas the prices fixed by the Council are to be reduced in accordance with Commission Regulation (EEC) No 1758/90 of 27 June 1990 establishing the guide price fixed in ecus by the Council in the dried fodder sector and reduced as a result of the monetary realignment of 5 January 1990⁽⁴⁾;

Whereas the average world market price is determined for a bulk pelleted product, delivered to Rotterdam, of the standard quality for which the guide price has been fixed;

Whereas, under Council Regulation (EEC) No 1417/78 of 19 June 1978 on the aid system for dried fodder⁽⁵⁾, as last amended by Regulation (EEC) No 1110/89⁽⁶⁾, the average world market price for the products described in the first and third indents of Article 1 (b) of Regulation (EEC) No

1117/78 is to be determined on the basis of the most favourable actual purchase possibilities excepting those which cannot be considered representative of the real market trend; whereas offers and quotations recorded during the first 25 days of the month in question for quantities that can be delivered during the following calendar month are to be used; whereas the average world market price thus determined is used to fix the aid rate applicable on the following month;

Whereas the necessary adjustments must be made in the case of offers and quotations not of the type referred to above; whereas these adjustments were defined in Article 3 of Commission Regulation (EEC) No 1528/78 of 30 June 1978 laying down detailed rules for the application of the system of aid for dried fodder⁽⁷⁾, as last amended by Regulation (EEC) No 1757/90⁽⁸⁾;

Whereas, in accordance with Article 3 of Regulation (EEC) No 1417/78, when no offer or quotation can be used to determine the average world market price, that price is determined on the basis of the sum of the value of competing products; whereas those products are defined in Article 3 (3) of Regulation (EEC) No 1528/78;

Whereas, pursuant to Article 11 of Regulation (EEC) No 1417/78, when forward prices differ from that applying in the month when the application is lodged, the aid rate is adjusted by a correcting amount calculated from the trend of forward prices;

Whereas, where the average world market price is determined in accordance with Article 3 of Regulation (EEC) No 1417/78, the corrective amount must be equal to the difference between the average world market price and the average forward world market price determined by applying the criteria laid down in Article 3 (3) of Regulation (EEC) No 1528/78 and valid for delivery during a month other than that in which the aid is introduced, adjusted by the percentage fixed under Article 5 (2) of Regulation (EEC) No 1117/78; whereas where the average forward world market price for one or more months cannot be determined by applying the criteria laid down in Article 3 (3) of Regulation (EEC) No 1528/78, the corrective amount must be fixed for the month or months in question at a level such that the aid is equal to zero;

⁽¹⁾ OJ No L 142, 30. 5. 1978, p. 1.

⁽²⁾ OJ No L 218, 28. 7. 1989, p. 1.

⁽³⁾ OJ No L 119, 11. 5. 1990, p. 42.

⁽⁴⁾ OJ No L 162, 28. 6. 1990, p. 22.

⁽⁵⁾ OJ No L 171, 28. 6. 1978, p. 1.

⁽⁶⁾ OJ No L 118, 29. 4. 1989, p. 1.

⁽⁷⁾ OJ No L 179, 1. 7. 1978, p. 10.

⁽⁸⁾ OJ No L 162, 28. 6. 1990, p. 21.

Whereas, if the aid 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 conversion rate 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 ⁽¹⁾, as last amended by Regulation (EEC) No 2205/90 ⁽²⁾,
- 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 rate of the additional aid must be fixed once per month so as to ensure application of the aid from the first day of the month following the date of its fixing;

Whereas, pursuant to Article 120 (1) of the 1985 Act of Accession, the Spanish price must be aligned with the common price in accordance with the method laid down in Article 70 of that Act;

Whereas, pursuant to Articles 120 (2) and 306 (2) of the Act of Accession, the additional aid applicable in these

two Member States is to be adjusted by an amount equal to the amount of customs duties on imports of these products from third countries; whereas, in addition, in Spain the amount is to be adjusted by the difference, multiplied by the percentage referred to in Article 5 (2) of Regulation (EEC) No 1117/78, between the guide price applied in Spain and the common guide price;

Whereas, as the result of the applications of all these provisions to the offers and quotations which the Commission has recorded, the rate of the additional aid for dried fodder must be fixed as indicated in the table annexed to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The rate of the aid referred to in Article 5 (3) of Regulation (EEC) No 1117/78 is fixed in the Annex to this Regulation.

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, 30 November 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽²⁾ OJ No L 201, 31. 7. 1990, p. 9.

ANNEX

to the Commission Regulation of 30 November 1990 fixing the rate of the aid for dried fodder

Aid applicable from 1 November 1990 to dried fodder:

(ECU/tonne)

	Fodder dehydrated by artificial heat drying Protein concentrates			Fodder otherwise dried	
	Spain	Portugal	Other Member States	Portugal	Other Member States
Aid	103,152	111,020	111,772	78,080	78,832

Aid in case of advance fixing for the month of:

(ECU/tonne)

January 1991	100,217	108,052	108,837	75,112	75,897
February 1991	100,004	107,837	108,624	74,897	75,684
March 1991	100,004	107,837	108,624	74,897	75,684
April 1991	97,599	105,405	106,219	72,465	73,279
May 1991 (1)	0,000	0,000	0,000	0,000	0,000
June 1991 (1)	0,000	0,000	0,000	0,000	0,000
July 1991 (1)	0,000	0,000	0,000	0,000	0,000
August 1991 (1)	0,000	0,000	0,000	0,000	0,000
September 1991 (1)	0,000	0,000	0,000	0,000	0,000
October 1991 (1)	0,000	0,000	0,000	0,000	0,000

(1) In accordance with Article 6 (b) of Regulation (EEC) No 1528/78.

COMMISSION REGULATION (EEC) No 3470/90

of 30 November 1990

fixing the rates of the refunds applicable to certain products from the sugar sector exported in the form of goods not covered by Annex II to the Treaty

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 market in sugar⁽¹⁾, as last amended by Regulation (EEC) No 1069/89⁽²⁾, and in particular Article 19 (4) (a) and (7) thereof,

Whereas Article 19 (1) and (2) of Regulation (EEC) No 1785/81 provides that, for the products listed in Article 1 (1) (a), (c), (d), (f) and (g) of that Regulation, an export refund may be granted when these goods are exported in the form of goods listed in Annex I to that same Regulation; whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds for certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds⁽³⁾, as last amended by Regulation (EEC) No 3381/90⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex I to Regulation (EEC) No 1785/81;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 3035/80, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month; and whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products on the Community market and the prices ruling on the world market;
- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions;
- (c) the need to ensure equality of competition for the industries which use Community products and those which use third-country products under inward processing arrangements;

Whereas Article 4 (3) of Regulation (EEC) No 3035/80 provides that, when the rate of the refund is being fixed, account should be taken, where appropriate, of refunds, aids or other measures having equivalent effect, applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question, to the basic products listed in Annex A to that Regulation or to assimilated products;

Whereas Council Regulation (EEC) No 1010/86 of 26 March 1986 laying down general rules for production refunds on certain products of the chemical industry⁽⁵⁾, as last amended by Regulation (EEC) 1771/90⁽⁶⁾, provides for the granting of production refunds of white sugar, raw sugar, certain sucrose syrups falling within CN codes ex 1702 60 90 and ex 1702 90 90 having a certain purity, and unprocessed isoglucose falling within CN codes 1702 30 10, 1702 40 10, 1702 60 10 and 1702 90 30, which are used in the manufacture of the chemical products listed in the Annex thereto; whereas this production refunds' scheme has been established in particular to bring the conditions under which Community processors operate progressively into line with those of processors employing sugar at world market prices; whereas, therefore, in the absence of proof that the basic product has not benefited from the production refund, the amount of the export refund must be reduced by the amount of the production refund applicable to the basic product on the day of acceptance of the export declaration; whereas this system is the only one which discards the risk of fraud;

Whereas Council Regulation (EEC) No 565/80 of 4 March 1980 on the advance payment of export refunds in respect of agricultural products⁽⁷⁾, as amended by Regulation (EEC) No 2026/83⁽⁸⁾, and 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⁾, lay down rules on the advance payment of export refunds that must be adhered to when these are adjusted;

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 114, 27. 4. 1989, p. 1.

⁽³⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁴⁾ OJ No L 327, 27. 11. 1990, p. 4.

⁽⁵⁾ OJ No L 94, 9. 4. 1986, p. 9.

⁽⁶⁾ OJ No L 163, 29. 6. 1990, p. 1.

⁽⁷⁾ OJ No L 62, 7. 3. 1980, p. 5.

⁽⁸⁾ OJ No L 199, 22. 7. 1983, p. 12.

⁽⁹⁾ OJ No L 351, 14. 12. 1987, p. 1.

⁽¹⁰⁾ OJ No L 152, 16. 6. 1990, p. 33.

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

HAS ADOPTED THIS REGULATION :

Article 1

1. Without prejudice to paragraphs 2 and 3, the rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EEC) No 3035/80 and listed in Article 1 (1) and (2) of Regulation (EEC) No 1785/81, exported in the form of goods listed in Annex I to Regulation (EEC) No 1785/81, are fixed as shown in the Annex hereto.

2. For the chemical products listed in the Annex to Regulation (EEC) No 1010/86, the refunds given in the Annex to this Regulation shall be applied on presentation, at the acceptance of the export declaration and the request for obtaining the export refund, of proof that the basic products used in the manufacture of the chemical products to be exported have not benefited from the production refund provided for in that Regulation, and that such refund will not be applied for.

The proof referred to in the first subparagraph is provided by the presentation by the exporter of a declaration from the processor of the basic product in question attesting that the latter product has not benefited from a production refund as provided for in Regulation (EEC) No 1010/86, and that no application for such refund will be made.

3. When the proof referred to in paragraph 2 is not provided, the export refund :

(a) applicable on the date of export of the goods, when the rate is not fixed in advance ; or

(b) of which the rate is fixed in advance,

will be reduced by the amount of the production refund applicable under Regulation (EEC) No 1010/86 to the basic product in question on the day of acceptance of the export declaration for the goods, or on the day specified in Article 3 (2) of Commission Regulation (EEC) No 798/80 ⁽¹⁾, if the goods have been placed under the export refund advance payment arrangements.

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, 30 November 1990.

For the Commission

Martin BANGEMANN

Vice-President

⁽¹⁾ OJ No L 87, 1. 4. 1980, p. 42.

ANNEX

to the Commission Regulation of 30 November 1990 fixing the rates of the refunds applicable to certain products in the sugar sector exported in the form of goods not covered by Annex II to the Treaty

Rate of refund in ECU/100 kg:

White sugar :	37,80
Raw sugar :	34,46
Syrups of beet sugar or cane sugar containing, in the dry state, 85 % or more by weight of sucrose (including invert sugar expressed as sucrose) :	$37,80 \times \frac{S^{(1)}}{100}$ or
If those syrups are obtained by dissolving white or raw sugar in the solid state, whether or not the dissolving is followed by inversion :	The rate fixed above for 100 kg of white or raw sugar used for the dissolution
Molasses :	—
Isoglucose ⁽²⁾ :	37,80 ⁽³⁾

⁽¹⁾ 'S' represents in 100 kilograms of syrup

- the sucrose content (including invert sugar expressed as sucrose) of the syrup in question, where the latter is not less than 98 % pure,
- the extractable sugar content of the syrup in question, where the latter is not less than 85 %, but less than 98 % pure.

⁽²⁾ Products obtained by isomerization of glucose, which have a content by weight in the dry state of at least 41 % fructose and of which the total content by weight in the dry state of polysaccharides and oligosaccharides, including the di- or trisaccharides content, does not exceed 8,5 %.

⁽³⁾ Amount of refund per 100 kilograms of dry matter.

COMMISSION REGULATION (EEC) No 3471/90

of 30 November 1990

fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 3117/90 ⁽²⁾, and in particular Article 17 (4) thereof,

Whereas Article 17 (1) of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 (a), (b), (c) and (e) of that Regulation and prices within the Community may be covered by an export refund; whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 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 criteria for fixing the amount of such refunds ⁽³⁾, as last amended by Regulation (EEC) No 3381/90 ⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 3035/80, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

Whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products in question on the Community market and the prices ruling on the world markets;
- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions;
- (c) the need to ensure equality of competition for the industries which use Community products and those which use third-country products under inward-processing arrangements;

Whereas Article 4 (3) of Regulation (EEC) No 3035/80 provides that, when the rate of the refund is being fixed, account should be taken, where necessary, of production refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question to the basic products listed in Annex A to that Regulation or to assimilated products;

Whereas Article 11 (1) of Regulation (EEC) No 804/68 provides for the payment of aid for Community-produced skimmed milk processed into casein if such milk and the casein manufactured from it fulfil certain conditions set out in Article 1 of Council Regulation (EEC) No 987/68 of 15 July 1968 laying down general rules for granting aid for skimmed milk processed into casein or caseinates ⁽⁵⁾, as last amended by Regulation (EEC) No 1435/90 ⁽⁶⁾;

Whereas Commission Regulation (EEC) No 570/88 of 16 February 1988 on the sale of butter at reduced prices and the granting of aid for butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs ⁽⁷⁾, as last amended by Regulation (EEC) No 1048/89 ⁽⁸⁾, lay down that butter at reduced prices should be made available to industries which manufacture certain goods;

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 rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EEC) No 3035/80 and listed in Article 1 of Regulation (EEC) No 804/68, exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68, are hereby fixed as shown in the Annex to this Regulation.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 303, 31. 10. 1990, p. 5.

⁽³⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁴⁾ OJ No L 327, 27. 11. 1990, p. 4.

⁽⁵⁾ OJ No L 169, 18. 7. 1968, p. 6.

⁽⁶⁾ OJ No L 138, 31. 5. 1990, p. 8.

⁽⁷⁾ OJ No L 55, 1. 3. 1988, p. 31.

⁽⁸⁾ OJ No L 111, 22. 4. 1989, p. 24.

2. No rates of refund are fixed for any of the products referred to in the preceding paragraph which are not listed in the Annex to this Regulation.

Article 2

Where Article 8 (2) of Regulation (EEC) No 3035/80 is applied to exports of one of the goods referred to in Article 4 (1), (2) or (3) of Regulation (EEC) No 570/88, the

rate of the refund on milk products shall be that applicable to the use of reduced price butter, unless the exporter provides proof that the product does not contain reduced-price butter.

Article 3

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, 30 November 1990.

For the Commission

Martin BANGEMANN

Vice-President

ANNEX

to the Commission Regulation of 30 November 1990 fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty

CN code	Description	(ECU/100 kg) Rate of refund
ex 0402 10 19	Powdered milk, obtained by the spray process, with a fat content of less than 1,5 % by weight and with a water content of less than 5 % by weight (PG 2): a) On exportation of goods of CN code 3501 b) On exportation of other goods	— 70,00
ex 0402 21 19	Powdered milk, obtained by the spray process, with a fat content of 26 % by weight and a water content of less than 5 % by weight (PG 3): a) Where goods containing reduced-price butter which have been manufactured in accordance with the conditions provided for in Regulation (EEC) No 570/88 are exported b) On exportation of other goods	51,80 115,00
ex 0405 00 10	Butter, with a fat content by weight of 82 % (PG 6): a) Where goods containing reduced-price butter which have been manufactured in accordance with the conditions provided for in Regulation (EEC) No 570/88 are exported b) On exportation of goods of CN code 2106 90 99 containing 40 % or more by weight of milk fat c) On exportation of other goods	— 181,00 175,00

COMMISSION REGULATION (EEC) No 3472/90

of 28 November 1990

amending the list annexed to Regulation (EEC) No 55/87 establishing the list of vessels exceeding eight metres length overall permitted to use beam trawls within certain areas of 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 3094/86 of 7 October 1986 laying down certain technical measures for the conservation of fishery resources⁽¹⁾, as last amended by Regulation (EEC) No 4056/89⁽²⁾,

Having regard to Commission Regulation (EEC) No 55/87 of 30 December 1986 establishing the list of vessels exceeding eight metres length overall permitted to use beam trawls within certain areas of the Community⁽³⁾, as last amended by Regulation (EEC) No 3419/90⁽⁴⁾, and in particular Article 3 thereof;

Whereas the Dutch authorities have requested replacement in the list annexed to Regulation (EEC) No 55/87 of two vessels that no longer meet the requirements laid down in Article 1 (2) of that Regulation; whereas the national authorities have provided all the information in

support of the request required under Article 3 of Regulation (EEC) No 55/87; whereas scrutiny of this information shows that the requirements of the Regulation are met; whereas the vessels in question should be replaced in the list,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 55/87 is amended as indicated in the Annex to this Regulation.

Article 2

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

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

Done at Brussels, 28 November 1990.

For the Commission

Manuel MARÍN

Vice-President

⁽¹⁾ OJ No L 288, 11. 10. 1986, p. 1.

⁽²⁾ OJ No L 389, 30. 12. 1989, p. 75.

⁽³⁾ OJ No L 8, 10. 1. 1987, p. 1.

⁽⁴⁾ OJ No L 330, 29. 11. 1990, p. 12.

ANNEX

The Annex to Regulation (EEC) No 57/87 is hereby amended as follows:

Vessels to be replaced:

External identification letters + numbers	Name of vessel	Radio call sign	Port of registry	Engine power (kW)
NETHERLANDS				
ZX 109			Volendam	221
LO 8	Zeester		Ulrum-Lauwersoog	206

Vessels replacing the abovementioned vessels:

External identification letters + numbers	Name of vessel	Radio call sign	Port of registry	Engine power (kW)
NETHERLANDS				
UK 153	Willy		Urk	132
TX 27	Lida Marco		Texel	221

COMMISSION REGULATION (EEC) No 3473/90
of 28 November 1990
on the supply of butteroil as food aid

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

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management ⁽¹⁾, as last amended by Regulation (EEC) No 1930/90 ⁽²⁾, and in particular Article 6 (1) (c) thereof,

Whereas Council Regulation (EEC) No 1420/87 of 21 May 1987 laying down implementing rules for Regulation (EEC) No 3972/86 on food-aid policy and food-aid management ⁽³⁾ lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas following the taking of a number of decisions on the allocation of food aid the Commission has allocated to certain countries and beneficiary organizations 60 tonnes of butteroil;

Whereas it is necessary to provide for the carrying-out of this measure in accordance with the rules laid down by Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community

food aid ⁽⁴⁾; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

Article 1

Milk products shall be mobilized in the Community, as Community food aid, for supply to the recipients listed in the Annex in accordance with Regulation (EEC) No 2200/87 and under the conditions set out in the Annex. Supplies shall be awarded by the tendering procedure.

The successful tenderer is deemed to have noted and accepted all the general and specific conditions applicable. Any other condition or reservation included in his tender is deemed unwritten.

Article 2

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

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

Done at Brussels, 28 November 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 174, 7. 7. 1990, p. 6.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

ANNEX

1. **Operation No** (1): 1019/90 — Commission Decision of 1. 3. 1990
2. **Programme**: 1989
3. **Recipient**: Euronaid, PO Box 77, NL-2340 AB Oegstgeest
4. **Representative of the recipient** (2): see OJ No 103, 16. 4. 1987
5. **Place or country of destination**: Egypt
6. **Product to be mobilized**: butteroil
7. **Characteristics and quality of the goods** (3) (4) (5): see OJ No C 216, 14. 8. 1987, p. 7 (under I.3.1 and I.3.2)
8. **Total quantity**: 60 tonnes
9. **Number of lots**: one
10. **Packaging and marking**: 5 kg (6) (10) (11) and OJ No C 216, 14. 8. 1987, p. 7 (under I.3.3)
Supplementary marking on packaging:
'ACTION No 1019/90 / BUTTEROIL / EGYPT / CARITAS GERMANY / 900444 / CAIRO VIA ALEXANDRIA / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY / FOR FREE DISTRIBUTION'
and see OJ No C 216, 14. 8. 1987, p. 8 (under I.3.4)
11. **Method of mobilization**: the Community market
12. **Stage of supply**: free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 1 — 15. 1. 1991
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **In the case of an invitation to tender, date of expiry of the period allowed for submission of tenders** (7): 12 noon on 17. 12. 1990
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon on 7. 1. 1991
 - (b) period for making the goods available at the port of shipment: 1 — 7. 2. 1991
 - (c) deadline for the supply: —
22. **Amount of the tendering security**: ECU 20 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders**:
Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, Bâtiment Loi 120, bureau 7/58, 200 Rue de la Loi, B-1049 Bruxelles; telex AGREC 22037 B or 25670 B
25. **Refund payable on request by the successful tenderer** (8): Refund applicable on 16. 11. 1990, fixed by Commission Regulation (EEC) No 3303/90 (OJ No L 317, 16. 11. 1990, p. 29)

Notes

- (¹) The operation number is to be quoted in all correspondence.
- (²) The successful tenderer shall deliver to the beneficiary for each action number/shipping number a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.
- Radioactivity analysis must indicate the caesium-134 and -137 levels.
- (³) Commission delegate to be contacted by the successful tenderer : see list published in OJ No C 227, 7. 9. 1985, p. 4.
- (⁴) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of the Annex, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably :
- by porter at the office referred to in point 24 of the Annex, or
 - by telecopier on one of the following numbers in Brussels :
 - 235 01 32,
 - 236 10 97,
 - 235 01 30,
 - 236 20 05.
- (⁵) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56), as last amended by Regulation (EEC) No 2226/89 (OJ No L 214, 24. 7. 1989, p. 10), is applicable as regards the export refund and, where appropriate, the monetary and accession compensatory amounts, the representative rate and the monetary coefficient. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 25 of the Annex.
- (⁶) The successful tenderer shall give the beneficiaries' representative, at the time of delivery, a certificate of origin for each action number/shipping number.
- (⁷) The successful tenderer shall give the beneficiaries' representative, at the time of delivery, a health certificate for each action number/shipping number.
- (⁸) Radiation certificate must be issued by official authorities and be legalized for Egypt.
- (⁹) Shipment to take place in 20-foot containers, condition FCL/LCL. The supplier shall be responsible for the cost of making the containers available in the stack position at the container terminal at the port of shipment. The recipient shall be responsible for all subsequent loading costs including the cost of moving the containers from the container terminal.
- The provisions of Article 13 (2), second paragraph, of Regulation (EEC) No 2200/87 shall not apply.
- (¹⁰) The supplier should send a duplicate of the original invoice to :
- MM De Keyzer & Schütz BV,
Postbus 1438,
Blaak 16,
NL-3000 BK Rotterdam.
- (¹¹) The successful tenderer has to submit to the recipient's agent a complete packaging list of each container, specifying the number of boxes belonging to each shipping number as specified in the invitation to tender.
- The successful tenderer has to seal each container with a numbered locktainer, the number of which is to be provided to the beneficiary's forwarder.

COMMISSION REGULATION (EEC) No 3474/90

of 28 November 1990

on the supply of various lots of skimmed-milk powder as food aid

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

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management⁽¹⁾, as last amended by Regulation (EEC) No 1930/90⁽²⁾, and in particular Article 6 (1) (c) thereof,

Whereas Council Regulation (EEC) No 1420/87 of 21 May 1987 laying down implementing rules for Regulation (EEC) No 3972/86 on food-aid policy and food-aid management⁽³⁾ lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas following the taking of a number of decisions on the allocation of food aid the Commission has allocated to certain beneficiary organizations 2 850 tonnes of skimmed-milk powder;

Whereas it is necessary to provide for the carrying-out of this measure in accordance with the rules laid down by Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community

food aid⁽⁴⁾; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

Article 1

Milk products shall be mobilized in the Community, as Community food aid, for supply to the recipients listed in the Annex in accordance with Regulation (EEC) No 2200/87 and under the conditions set out in the Annexes. Supplies shall be awarded by the tendering procedure.

The successful tenderer is deemed to have noted and accepted all the general and specific conditions applicable. Any other condition or reservation included in his tender is deemed unwritten.

Article 2

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

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

Done at Brussels, 28 November 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 174, 7. 7. 1990, p. 6.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

ANNEX

LOTS A, B and C

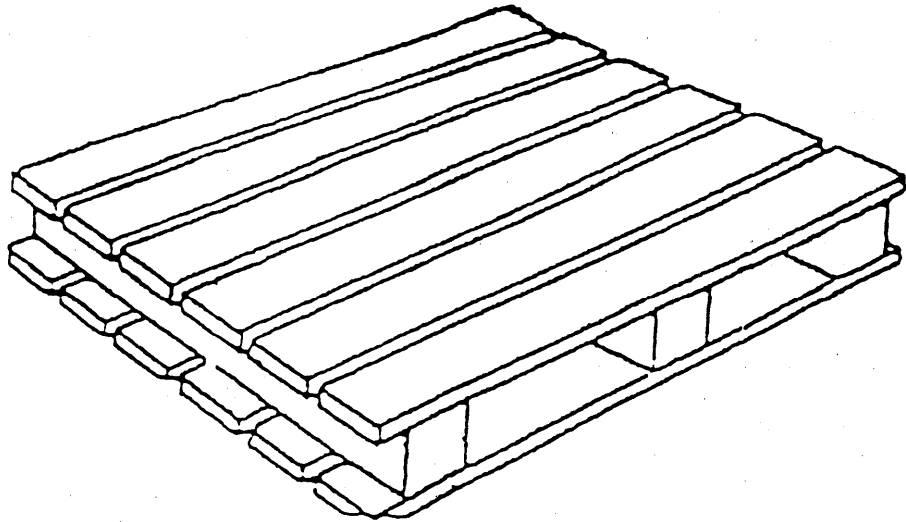
1. **Operation Nos⁽¹⁾**: 841-843/90 — Commission Decision of 2. 7. 1990
2. **Programme**: 1990
3. **Recipient**: Peru
4. **Representative of the recipient⁽²⁾**: Oficina Nacional de Apoyo Alimentario (ONAA), Natallo Sánchez 220, Piso 14, Jesus Maria, Lima (Peru); tel. 24 24 64
5. **Place or country of destination**: Peru
6. **Product to be mobilized**: vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods⁽³⁾ ⁽⁴⁾ ⁽⁵⁾**: (see OJ No C 216, 14. 8. 1987, p. 4 (under I.1.B.1 to I.1.B.3))
8. **Total quantity**: 1 500 tonnes
9. **Number of lots**: three (three × 500 tonnes)
10. **Packaging and marking**: 25 kg ⁽⁶⁾
see OJ No C 216, 14. 8. 1987, pp. 4 and 6 (under I.1.B.4 and I.1.B.4.3)
Supplementary marking on packaging:
'ACCIÓN 841/90/, 842/90/ or 843/90 / LECHE EN POLVO DESCREMADA VITAMINADA / DONACIÓN DE LA COMUNIDAD ECONÓMICA EUROPEA AL PERU / DISTRIBUCIÓN GRATUITA'
and OJ No C 216, 14. 8. 1987, p. 6 (under I.1.B.5)
11. **Method of mobilization**: the Community market
The manufacture of the skimmed-milk powder, and the incorporation of vitamins must be carried out after the award of the tender
12. **Stage of supply**: free at destination
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
Avenida Argentina, 3017, Callao
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage where the supply is awarded at the port of shipment**: 7 — 18. 1. 1991
18. **Deadline for the supply**: 22. 2. 1991
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders⁽⁷⁾**: 12 noon on 17. 12. 1990
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon on 7. 1. 1991
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 7 — 12. 2. 1991
 - (c) deadline for the supply: 22. 3. 1991
22. **Amount of the tendering security**: ECU 20 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders**:
Bureau de l'aide alimentaire,
Attention Mr N. Arend,
Bâtiment Loi 120, bureau 7/58,
200 rue de la Loi,
B-1049 Brussels;
telex: AGREC 22037 B or 25670 B
25. **Refund payable on application by the successful tenderer⁽⁸⁾**: refund applicable on 26. 10. 1990, fixed by Commission Regulation (EEC) No 3088/90, (OJ No L 295, 26. 10. 1990, p. 40)

LOTS D and E

1. **Operation Nos** ⁽¹⁾: 967 and 975/90 — Commission Decision of 15. 6. 1990
2. **Programme**: 1990
3. **Recipient**: Mozambique
4. **Representative of the recipient** ⁽²⁾:
 - lot D:
Protal-Produtos alimentares limitada,
Av. Moçambique 2270,
PO Box 1852 Maputo,
tel. 47 52 33, fax 475218, telex 6-373 prota mo
 - lot E:
Cogropa
Av. 25 de Setembro, 916 r/c, 1, PO Box 308, Maputo, Mozambique
tel. 41 70 71, telex 6370, fax 201 35
5. **Place or country of destination**: Mozambique
6. **Product to be mobilized**: skimmed-milk powder
7. **Characteristics and quality of the goods** ⁽³⁾ ⁽⁴⁾ ⁽¹⁰⁾:
(see OJ No C 216, 14. 8. 1987, p. 4 (under I.1.A.1 to I.1.A.2))
8. **Total quantity**: 1 350 tonnes
9. **Number of lots**: two (lot D: 967/90 — 850 tonnes; lot E: 975/90 — 500 tonnes)
10. **Packaging and marking**: 25 kg ⁽¹¹⁾ ⁽¹²⁾
and OJ No C 216, 14. 8. 1987, p. 3 (under I.1.A.3)
Supplementary markings on the packaging:
'ACÇÃO Nº 967/90 /' or '975/90 / LEITE EM PÓ / DONATIVO DA COMUNIDADE ECONÓMICA EUROPEIA'
and OJ No C 216, 14. 8. 1987, p. 3 (under I.1.A.4)
11. **Method of mobilization of the product**: the Community market
The manufacture of the skimmed-milk powder must be carried out after the award of the tender
12. **Stage of supply**: free at port of landing — landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Maputo
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 1 — 17. 1. 1991
18. **Deadline for the supply**: 28. 2. 1991
19. **Procedure for determining the costs of supply**: invitation to tender
20. **In the case of invitation to tender, date of expiry of the period allowed for submission of tenders** ⁽⁴⁾: 12 noon on 17. 12. 1990
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon on 7. 1. 1991
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 1 — 7. 2. 1991
 - (c) deadline for the supply: 15. 3. 1991
22. **Amount of the tendering security**: ECU 20 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders**:
Bureau de l'aide alimentaire,
Attention Mr N. Arend,
Bâtiment Loi 120, bureau 7/58,
200, rue de la Loi,
B-1049 Brussels,
telex: AGREC 22037 B or 25670 B
25. **Refund payable on application by the successful tenderer** ⁽⁵⁾: refund applicable on 26. 10. 1990, fixed by Commission Regulation (EEC) No 3088/90 (OJ No L 295, 26. 10. 1990, p. 40)

Notes

- (¹) The operation number is to be quoted in all correspondence.
- (²) The successful tenderer shall deliver to the beneficiary for each action number/shipping number a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.
- Radioactivity analysis must indicate the caesium-134 and -137 levels.
- (³) Commission delegate to be contacted by the successful tenderer: M. Benito Prior, Délégation CCE, Calle Orinoco, Las Mercedes, Ap. 768076, Las Americas 1061A, Caracas, Venezuela, tel. (58-2) 91 51 33, telex 27298 COMEU VC, fax (58-2) 91 88 76.
- (⁴) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of this Annex, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably:
- by porter at the office referred to in point 24 of this Annex, or
 - by telecopier on one of the following numbers in Brussels:
 - 235 01 32,
 - 236 10 97,
 - 235 01 30,
 - 236 20 05.
- (⁵) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56), as last amended by Regulation (EEC) No 2226/89 (OJ No L 214, 24. 7. 1989, p. 10), is applicable as regards the export refund and where appropriate, the monetary and accession compensatory amounts, the representative rate and the monetary coefficient. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 25 of this Annex.
- (⁶) The successful tenderer shall give the beneficiaries' representative, at the time of delivery, a certificate of origin.
- (⁷) The successful tenderer shall give the beneficiaries' representative, at the time of delivery, a health certificate.
- (⁸) The bags must be placed in 20-foot containers.
- The free holding period for containers must be at least 15 days.
- (⁹) Commission delegate to be contacted by the successful tenderer:
- FSC Da Camara, CP 1306, Maputo, tél. 74 40 93, télex 6-146 CCE-MO.
- (¹⁰) Veterinary certificate issued by an official entity stating that the product was processed with pasteurized milk, coming from healthy animals, processed under excellent sanitary conditions which are supervised by qualified technical personnel and that the area of production of raw milk had not registered food-and-mouth disease nor any other notifiable infectious/contagious disease during the 90 days prior to the processing.
- (¹¹) The following documents must be sent to the beneficiary's representative immediately after loading to enable him to obtain an import license:
- original *pro forma* invoice indicating:
 - type of goods,
 - fob price,
 - insurance costs,
 - freight costs,
 - packing list,
 - veterinary certificate,
 - certificate of origin,
 - bill of lading (1/3 original).
- (¹²) Palletization of skimmed-milk powder:
- 25 kilogram bags to be supplied on a two-way double deck reversible pallet with protruding slats, as per design, of the following dimensions:
- 1,1 m × 1,4 m (approximately):
- upper board 22 mm thick
 - bottom board 22 mm thick
 - blocks 95 × 95 mm
- 40 bags to be placed onto the pallets, interlocked and shrink-wrapped with a plastic sheet of 150 micron thickness, with three external adjustable nylon straps in each direction to secure the unit-load.



COMMISSION REGULATION (EEC) No 3475/90
of 29 November 1990
concerning the stopping of fishing for cod by vessels flying the flag of Spain

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

Having regard to Council Regulation (EEC) No 2241/87 of 23 July 1987 establishing certain control measures for fishing activities ⁽¹⁾, as amended by Regulation (EEC) No 3483/88 ⁽²⁾, and in particular Article 11 (3) thereof,

Whereas Council Regulation (EEC) No 4055/89 of 19 December 1989 fixing catch possibilities for 1990 for certain fish stocks and groups of fish stocks in the Regulatory Area as defined in the NAFO Convention ⁽³⁾, provides for cod quotas for 1990;

Whereas, in order to ensure compliance with the provisions relating to the quantitative limitations on catches of stocks subject to quotas, it is necessary for the Commission to fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated;

Whereas, according to the information communicated to the Commission, catches of cod in the waters of NAFO zone 3 NO by vessels flying the flag of Spain or registered in Spain have reached the quota allocated for 1990; whereas Spain has prohibited fishing for this stock as

from 23 November 1990; whereas it is therefore necessary to abide by that date,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of cod in the waters of NAFO zone 3 NO by vessels flying the flag of Spain or registered in Spain are deemed to have exhausted the quota allocated to Spain for 1990.

Fishing for cod in the waters of NAFO zone 3 NO by vessels flying the flag of Spain or registered in Spain is prohibited, as well as the retention on board, the transshipment and the landing of such stock captured by the abovementioned vessels after the date of application of this Regulation.

Article 2

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

It shall apply with effect from 23 November 1990.

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

Done at Brussels, 29 November 1990.

For the Commission

Manuel MARÍN

Vice-President

⁽¹⁾ OJ No L 207, 29. 7. 1987, p. 1.

⁽²⁾ OJ No L 306, 11. 11. 1988, p. 2.

⁽³⁾ OJ No L 389, 30. 12. 1989, p. 67.

COMMISSION REGULATION (EEC) No 3476/90

of 29 November 1990

opening individual sales by invitation to tender for the export of vinous alcohol
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⁾,

Whereas Commission Regulation (EEC) No 1780/89 ⁽⁴⁾, as last amended by Regulation (EEC) No 3391/90 ⁽⁵⁾, lays down detailed rules for the disposal of alcohol obtained from distillation as provided for 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, individual sales by invitation to tender should be opened for vinous alcohol obtained from distillation as provided for in Articles 35, 36 and 39 of Regulation (EEC) No 822/87 and held by the Spanish, French and Italian intervention agencies;

Whereas individual sales by invitation to tender should be organized for the export of alcohol to certain third countries for end use as motor fuel; whereas these countries should be given the assurance of increased continuity of supply;

Whereas the invitations to tender opened by this Regulation relate to certain third countries where there is some guarantee that exports of vinous alcohol will not disturb their markets in alcohol and spirituous beverages; whereas the amount and detailed rules for the release of the performance security may be adapted accordingly;

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

1. Four individual sales by invitation to tender Nos 57/90 to 60/90 shall be held of a total quantity of 200 000

⁽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 273, 27. 11. 1990, p. 23.

hectolitres of alcohol at 100 % vol obtained from distillation as provided for in Articles 35, 36 and 39 of Regulation (EEC) No 822/87 and held by the Spanish, French and Italian intervention agencies. Each invitation to tender should be for a quantity of 50 000 hectolitres of alcohol at 100 % vol.

2. The alcohol offered for sale:

— shall be for export outside the European Economic Community,

— must be imported into and dehydrated in one of the following third countries:

- Guatemala,
 - Belize,
 - Honduras, including the Swan Islands,
 - El Salvador,
 - Costa Rica,
 - St Christopher and Nevis,
 - Haiti,
 - Bahamas,
 - Dominican Republic,
 - Antigua and Barbuda,
 - Dominica,
 - British Virgin Islands and Montserrat,
 - Jamaica,
 - St Lucia,
 - St Vincent, including the Northern Grenadines,
 - Barbados,
 - Trinidad and Tobago,
 - Grenada, including the Southern Grenadines,
 - Aruba,
 - Netherlands Antilles: Curaçao, Bonaire, St Eustace, Saba and the southern part of St Martin,
 - Guyana,
 - Virgin Islands of the United States,
- must be used only as motor fuel.

Article 2

The location and reference numbers of the vats concerned, the quantity of alcohol contained in each vat, the alcoholic strength and the characteristics of the alcohol shall be specified in the notices of individual invitation to tender Nos 57/90 to 60/90.

Article 3

The sales shall take place in accordance with Regulation (EEC) No 1780/89, and in particular Articles 10 to 17 and 29 to 38 thereof.

However :

- one half of the performance security shall be released by the intervention agency holding the alcohol on removal of the quantity concerned from the agency's stores when the successful tenderer furnishes proof that that quantity has been placed under customs supervision in the territory of one of the third countries listed in Article 1 (2),
- the remainder of the performance security shall be released in accordance with Article 33 (3) (b) of Regulation (EEC) No 1780/89.

In addition, to be admissible, tenders must indicate the place where end use of the alcohol awarded is to take place and must include an undertaking by the tenderer to the effect that the alcohol will be sent to that destination and used for that purpose.

Tenders must also include a statement by the tenderer to the effect that he has engaged an operator in the motor

fuel sector in one of the third countries listed in Article 1 (2) who has undertaken to dehydrate the alcohol awarded in one of these countries and to export it for use solely in the motor fuel sector.

Article 4

The specific conditions applying to the four individual sales by invitation to tender and the names and addresses of the intervention agencies concerned shall be given in the notices of individual invitation to tender Nos 57/90 to 60/90 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 notices of invitation to tender 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*.

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

Done at Brussels, 29 November 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 3477/90

of 30 November 1990

re-establishing the levying of customs duties applicable to third countries on
certain products originating in Yugoslavia

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

Having regard to the Cooperation Agreement between the
European Economic Community and the Socialist Federal
Republic of Yugoslavia ⁽¹⁾, and in particular Protocol No 1
thereto,

Having regard to Article 1 of Council Regulation (EEC)
No 3606/89 of 20 November 1989 establishing ceilings
and Community supervision for imports of certain
products originating in Yugoslavia (1990) ⁽²⁾, and in parti-
cular Article 1 thereof,

Whereas the abovementioned Protocol No 1 and Article
15 of the cooperation Agreement provide that the
products listed in the Annex are imported exempt of
customs duty into the Community, subject to the ceiling
shown, above which the customs duties applicable to
Third countries may be re-established;

Whereas imports into the Community of those products,
originating in Yugoslavia, have reached that ceiling;

whereas the situation on the Community market requires
that customs duties applicable to third countries on the
products in question be re-established,

HAS ADOPTED THIS REGULATION:

Article 1

From 4 to 31 December 1990, the levying of customs
duties applicable to third countries shall be re-established
on imports into the Community of the products listed in
the Annex, originating in Yugoslavia.

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, 30 November 1990.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 41, 14. 2. 1983, p. 2.

⁽²⁾ OJ No L 352, 4. 12. 1989, p. 1.

ANNEX

Order No	CN code	Description of goods	Ceiling (tonnes)
04.0030	7202	Ferro-alloys :	7 711
		— Ferro-silicon :	
	7202 21	— — Containing by weight more than 55 % of silicon :	
	7202 21 10	— — — Containing by weight more than 55 % but not more than 80 % of silicon	
	7202 21 90	— — — Containing by weight more than 80 % of silicon	
	7202 29 00	— — Other	

COMMISSION REGULATION (EEC) No 3478/90

of 30 November 1990

re-establishing the levying of the customs duties applicable to the products of CN code 2817 00 00 originating in China, to which the preferential tariff arrangements of Council Regulation (EEC) No 3896/89 apply

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

Having regard to Council Regulation (EEC) No 3896/89 of 18 December 1989 applying generalized tariff preferences for 1990 in respect of certain industrial products originating in developing countries⁽¹⁾, and in particular Article 9 thereof,

Whereas, pursuant to Article 1 of Regulation (EEC) No 3896/89, customs duties on certain products originating in each of the countries or territories listed in Annex III are totally suspended, and the products as such are, as a general rule, subject to statistical surveillance every three months on the reference base referred to in Article 8;

Whereas, as provided for in Article 8, where the increase of preferential imports of these products, originating in one or more beneficiary countries, threatens to cause economic difficulties in a region of the Community, the levying of customs duties may be re-established, once the Commission has had an appropriate exchange of information with the Member States; whereas for this purpose the reference base to be considered is equal, as a general rule, to 6 % of the total importations into the Community, originating from third countries in 1987;

Whereas, in the case of the products of CN code 2817 00 00 originating in China, the reference base is fixed at ECU 317 000; whereas that reference base was

reached on 31 January 1990 by charges of imports into the Community of the products in question originating in China; whereas the exchange of information organized by the Commission has demonstrated that continuance of the preference threatens to cause economic difficulties in a region of the Community; whereas, therefore, customs duties for the products in question must be re-established with regard to China,

HAS ADOPTED THIS REGULATION:

Article 1

As from 4 December 1990, the levying of customs duties, suspended in pursuance of Council Regulation (EEC) No 3896/89, shall be re-established on imports into the Community of the following products, originating in China:

CN code	Description
2817 00 00	Zinc oxide; zinc peroxide

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, 30 November 1990.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 383, 30. 12. 1989, p. 1.

COMMISSION REGULATION (EEC) No 3479/90

of 30 November 1990

re-establishing the levying of the customs duties applicable to products of CN code 4203 originating in India, to which the preferential arrangements of Council Regulation (EEC) No 3896/89 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3896/89 of 18 December 1989 applying generalized tariff preferences for 1990 in respect of certain industrial products originating in developing countries⁽¹⁾, and in particular Article 9 thereof,

Whereas, pursuant to Articles 1 and 6 of Regulation (EEC) No 3896/89, suspension of customs duties is accorded to each of the countries or territories listed in Annex III other than those listed in column 4 of Annex I, within the framework of the preferential tariff ceilings fixed in column 6 of Annex I; Whereas Article 7 of that Regulation provides that the levying of customs duties on imports of the products in question originating in each of the countries and territories concerned may at any time be re-established as soon as the individual ceilings in question are reached at Community level;

Whereas, in the case of the products of CN code 4203 originating in India, the individual ceiling amounts to ECU 6 300 000 whereas that ceiling was reached on 31 January 1990, by charges of imports into the Community of the products in question originating in India;

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

HAS ADOPTED THIS REGULATION:

Article 1

As from 4 December 1990, the levying of customs duties, suspended in pursuance of Council Regulation (EEC) No 3896/89 shall be re-established on imports into the Community of the following products, originating in India:

Order No	CN code	Description
10.0580	4203 10 00 4203 21 00 4203 29 91 4203 29 99 4203 30 00 4203 40 00	Articles of apparel and clothing accessories, of leather or of composition leather, excluding gloves, mittens, and mitts, protective for all trades

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, 30 November 1990.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 383, 30. 12. 1989, p. 1.

COMMISSION REGULATION (EEC) No 3480/90
of 30 November 1990

amending Regulation (EEC) No 1725/79 on the rules for granting laid to skimmed milk processes into compound feedingstuffs and skimmed-milk powder intended in particular for feed for calves

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 3117/90 ⁽²⁾, and in particular Article 10 (3) thereof,

Whereas Article 10 (3) of Commission Regulation (EEC) No 1725/79 ⁽³⁾, as last amended by Regulation (EEC) No 2871/90 ⁽⁴⁾, states that the skimmed-milk powder has to be determined by testing each sample at least in duplicate in accordance with the method of analysis specified in Annex III; whereas it is desirable to extend the field of application to compound feedingstuffs even containing less than 50 % skimmed-milk powder;

Whereas the analytical procedure has to be modified in order to eliminate possible sources of error;

Whereas a correction of the analytical data by a factor obtained from regression analysis leads to more accurate results;

Whereas the repeatability and reproducibility of the new procedure have to be determined;

Whereas a tolerance limit should be given in order to facilitate the interpretation of analytical results;

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

Regulation (EEC) No 1725/79 is hereby amended as follows:

1. in Article 10 (3), the first subparagraph is replaced by the following:

'The results of the inspections referred to in Article 2 (2) and in paragraph 2 (a), (b) and (c) of this Article shall be recorded by the agency responsible for inspection in the analysis report and inspection report, specimens of which appear in Annexes I and II. The quantity of skimmed-milk powder shall be determined by testing each sample at least in duplicate in accordance with the method of analysis specified in Annex III. Where such inspections relate to skimmed-milk powder to be used, whether as such or in the form of a mixture, the absence of rennet whey powder is proven by the procedure outlined in Annex IV.';

2. Annex III is amended 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 1 January 1991.

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

Done at Brussels, 30 November 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 303, 31. 10. 1990, p. 5.

⁽³⁾ OJ No L 199, 7. 8. 1979, p. 1.

⁽⁴⁾ OJ No L 275, 5. 10. 1990, p. 20.

ANNEX

amending Annex III to Regulation (EEC) No 1725/79

The following points are hereby amended as set out below:

2. Replace '50 %' by '10 %'.
- 3.3. Replace 'Commisison Directive 72/199/EEC of 27 April 1972' by 'IDF 20A 1986'.
Insert '(see 9.1)' after '27,5 %'.
- 4.2. Replace by: 'Calcium chloride (2M solution). Weigh 20,018 g of CaCO₃ (analytical grade) in a porcelain capsule of suitable size (150 to 200 ml) or in a beaker. Cover with distilled water and transfer onto a boiling water bath. Add slowly 50 to 60 ml of HCl solution (conc. HCl : water = 1 : 1) to solubilize the carbonate completely. Keep on the boiling water bath until the CaCl₂ is dried, to eliminate the HCl which has not reacted. Transfer with distilled water to a 100 ml measuring flask and dilute to the mark. Control the pH value, which must be not lower than 4,0. Store the solution in a refrigerator.'
- 4.6. Replace 'Commission Directive 72/199/EEC of 27 April 1972' by 'IDF 20A 1986'.
- 6.3.1. Replace '1 ml' by '3,4 ml'.
- 6.3.2. to 6.4.1.: Replace by the following text:
 - '6.3.2. Transfer the liquid into one (or two) certifuge tubes and centrifuge at 2 000 g for 10 minutes in order to remove the precipitated material. Transfer the supernatant, without washing the sediment, into one (or two) centrifuge tubes.
 - 6.3.3. Bring the temperature of the supernatant back to 37 °C. While stirring the extract, add, dropwise, 0,5 ml of the liquid rennet (4.5). Coagulation appears in one or two minutes.
 - 6.3.4. Return the sample to the water bath and leave at a temperature of 37 °C for 15 minutes. Remove the sample from the bath and break the coagulum by stirring. Centrifuge at 2 000 g for 10 minutes. Filter the supernatant through a suitable filter paper', Whatman No 541 or equivalent, retain the filter paper. Wash the precipitate in the centrifuge tube with 50 ml of water at approximately 35 °C by stirring the precipitate.

Centrifuge again at 2 000 g for 10 minutes. Filter the supernatant through the filter paper retained previously.

(*) A fast filtering ashless paper should be used.
- 6.4. Determination of casein nitrogen.
- 6.4.1. After washing, transfer quantitatively the precipitate to the filter paper retained from 6.3.4 using distilled water. Transfer the filter paper to the Kjeldahl flask. Determine the nitrogen by the Kjeldahl method as described by IDF 20A 1986.'
- 7.1. Replace 'Commission Directive 72/199/EEC of 27 April 1972' by 'IDF 20A 1986'.
- 9.1. Replace by: 'The percentage of skimmed-milk powder in the compound feedingstuff is calculated by the following formula:

$$\% \text{ SMP} = \frac{\left(\frac{N \times 6,38}{27,5} \times 100 \right) - 2,81}{0,908}$$

Where N is the percentage of para-casein nitrogen; 27,5 is the factor for converting determined casein into the percentage of skimmed-milk powder; 2,81 and 0,908 are correction factors obtained from regression analysis.
- 10.1. Repeatability:

'90 %' is replaced by '95 %';
'2 g' is replaced by '2,3 g'.
- 10.2. Reproducibility:

'90 %' is replaced by '95 %';
'5 g' is replaced by '6,5 g'.

The following is inserted under point 11 :

'11. Tolerance limit :

The CrD_{95} -value (critical difference ; 95 % confidence limit)-is calculated using the formula (ISO 5725) :

$$CrD_{95} = \frac{1}{\sqrt{2}} \sqrt{R^2 - r^2 \left(\frac{n-1}{n} \right)}$$

(R : reproducibility ; r : repeatability)

Double determination : $CrD_{95} = 4,5 \text{ g}$

Where the result of the chemical analysis differs from the declared content of skimmed-milk powder by not more than 4,5 g (double determination) the consignment of compound feedingstuff is deemed to comply with this provision of the Regulation.

Existing point 11 becomes point 12.

COMMISSION REGULATION (EEC) No 3481/90

of 30 November 1990

amending Regulation (EEC) No 1272/88 as regards the scheme for specific aid for the use of arable land for non-food purposes

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 797/85 of 12 March 1985 on improving the efficiency of agricultural structures⁽¹⁾, as last amended by Council Regulation (EEC) No 2176/90⁽²⁾, and in particular Article 1a (7) thereof,

Whereas, by Regulation (EEC) No 2176/90 the Council introduced a specific aid scheme for the use of arable land for non-food purposes; whereas Commission Regulation (EEC) No 1272/88 of 29 April 1988 laying down detailed rules for applying the set-aside incentive scheme for arable land⁽³⁾, as amended by Regulation (EEC) No 3981/89⁽⁴⁾, should therefore be supplemented;

Whereas, in order in particular to prevent the quantities of cereals produced under this scheme being marketed on the food market, cultivation of the same species of cereals as that covered by the specific aid should be forbidden outside the area covered by this aid; whereas, however, derogation from this rule may be allowed in cases where a Member State is able to introduce additional control measures to avoid such a risk;

Whereas provision should be made for all the cereals produced on the areas covered by the specific aid to be used for the manufacture of non-food products; whereas this quantity may be estimated on the basis of the indicative yields for the region, but also in the light of the performance of the holding in question; whereas, since fluctuations in supply are inevitable, these must be taken into consideration;

Whereas the uses for non-food purposes qualifying for the specific aid should be determined; whereas this list should be drawn up so as to exclude food products and to avoid distortions in competition between similar sectors of industrial activity; whereas, moreover, provision should be made for efficient controls to exclude the cumulation of the specific aid with the aid schemes provided for in Articles 11a and 11b of Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽⁵⁾, as last amended by Regulation

(EEC) No 1340/96⁽⁶⁾; whereas, for the purposes of these checks, provision should be made for the submission by processors of a declaration indicating the scheme chosen for each finished product; whereas changing from one scheme to the other may be allowed under certain conditions; whereas the side-by-side operation of the two schemes by the same processor makes additional checks necessary;

Whereas, in order to ensure the proper functioning of the specific aid scheme, it is necessary to lay down the terms to be included in the contract between the producer and the processor;

Whereas, where the choice is made to cultivate a cereal of the same species but of a distinct variety outside the areas qualifying for the specific aid, provision should be made for a cultivation declaration indicating certain details, and, moreover, performance of the contract by the processor should be ensured by a guarantee;

Whereas producers should be enabled to change from the set-aside aid scheme to the specific aid scheme during the course of their original undertaking;

Whereas, in view of the special nature of the scheme, special supervisory rules are indispensable to ensure that the main objectives of this scheme are achieved;

Whereas the Standing Committee on Agricultural Structures has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1272/88 is hereby amended as follows.

1. The following subparagraph is added to Article 3 (3):

'In the case of the specific aid referred to in Article 1a (3a) of Regulation (EEC) No 797/85, the percentages of arable land on the holdings in question shall be established at the time the application for specific aid is submitted.'

⁽¹⁾ OJ No L 93, 30. 3. 1985, p. 1.

⁽²⁾ OJ No L 198, 28. 7. 1990, p. 6.

⁽³⁾ OJ No L 121, 11. 5. 1988, p. 36.

⁽⁴⁾ OJ No L 380, 29. 12. 1989, p. 22.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽⁶⁾ OJ No L 134, 28. 5. 1990, p. 1.

2. The following paragraph 1a is hereby inserted in Article 4:

'1a. In the case of the specific aid referred to in Article 1a (3a) of Regulation (EEC) No 797/85, the second and third indents of paragraph 1 (b) shall apply.'

3. The following Article 6a is inserted:

'Article 6a

1. In the case of the specific aid referred to in Article 1a (3a) of Regulation (EEC) No 797/85, a producer may not, during the course of one of the contracts referred to in Article 7 (5), grow, sell or use cereals of the same species as those covered by the contract outside the areas concerned.

These species are defined in Article 1 (a) of Council Regulation (EEC) No 2727/75 (*).

However, the competent authorities of the Member State may authorize the producer to grow a cereal of the same species but of a variety with characteristics which make it different, in the field and in store on the farm, from the variety which is the subject of the contract referred to in Article 7 (5).

Member States intending to make use of the possibility provided for in the previous subparagraph shall inform the Commission thereof, not later than two months after the beginning of the marketing year in question and, in the case of the 1990/91 marketing year, before 1 February 1991, and shall submit to it the control provisions enabling the simultaneous use of different varieties of the same species of cereal to be verified.

2. The cereals produced each marketing year on the areas qualifying for the specific aid referred to in Article 1a (3a) of Regulation (EEC) No 797/85 shall be eligible for the aid only if the total quantity of cereals concerned is delivered for the manufacture of non-food products.

To this end, the non-food sector shall consist of all products of the combined nomenclature with the exception of:

- dextrines and other modified starches falling within CN code ex 3505 10,
- starch-based raw materials falling within CN codes 3809 10 and 3809 20,
- all of the products falling within Chapters 1 to 24 of the combined nomenclature, with the exception of denatured ethyl alcohol falling within CN code 2207 20 00 for direct use in motor fuel or for processing for use in motor fuel,
- mannitol and sorbitol falling within CN codes 2905 43 00, 2905 44 and 3823 60.

3. The processor must choose, for each finished product falling within a combined nomenclature code,

between this scheme and that provided for in Articles 11a and 11b of Regulation (EEC) No 2727/75 by presenting a declaration to the competent national authorities at least one month before transfer to the new scheme chosen for each product falling within a code of the nomenclature.

Beneficiaries of this scheme shall not be entitled to benefit from that provided for in Articles 11a and 11b of Regulation (EEC) No 2727/75 until all the cereals acquired pursuant to the contracts referred to in Article 7 (5) have been processed.'

(*) OJ No L 281, 1. 11. 1975, p. 1.

4. The following paragraphs are added to Article 7:

'5. In the case of the specific aid referred to in Article 1a (3a) of Regulation (EEC) No 797/85, the producer shall submit in support of his application, prior to the first sowing of the cereals concerned, a contract concluded with the processor specifying at least the following:

- the contract's duration,
- the areas concerned and their location,
- the species or, where applicable, the variety of cereals concerned,
- the forecast yield, the agreed payment terms and any conditions which may apply to the delivery of the actual quantity produced,
- an indication of the end-use of the cereals, the secondary products and the by-products, as well as the quantities,
- the obligation of the producer to deliver all the cereals produced on the arable areas concerned and the obligation of the processor to take delivery of all of these cereals and to guarantee their use for non-food products used within the Community,
- the obligation of the processor to lodge the security referred to in the sixth subparagraph,
- the time required for the processing of the products.

In the case of a producer's group within the meaning of the fourth subparagraph of Article 1a (3a) of Regulation (EEC) No 797/85, the particulars referred to in the first subparagraph must be specified for each of the contracting parties.

For the first year of operation of this scheme, the producer may conclude a contract after sowing.

Where the producer plans to cultivate two varieties of the same species of cereals as provided for in the third paragraph of Article 6a (1), he shall submit each year to the competent authority a cultivation declaration showing, for each variety, the following particulars:

- the name of the varieties,
- the areas concerned,
- the forecast yields.

Member States may provide that each applicant may conclude only one supply contract.

Prior to taking delivery of the products to which the contract relates, the processor shall lodge a security equivalent to 120 % of the value of the aid actually granted each year for the areas covered by the contract, so as to guarantee the proper execution of the contract by the processor. This security shall be lodged with the competent authority in the Member State where the processing takes place. Where the processing takes place in a Member State other than that of production, the competent authority in the Member State where the processing takes place shall furnish the competent authority in the Member State of production with confirmation that the security has been lodged. The processing of the quantities specified in the contract constitutes a primary requirement within the meaning of Article 20 of Commission Regulation (EEC) No 2220/85 (*).

The processor shall inform the competent authority of the dates when the processing operations commence, are interrupted and finish and in respect of each contract, the quantities actually delivered, the use to which they have been put, broken down by finished product, the quantities of finished and secondary products and by-products as well as their intended use.

(*) OJ No L 205, 3. 8. 1985, p. 5.

5. The following subparagraph is added to Article 12 (2):

'The beneficiary may at any time ask to adjust his undertaking in order to fulfil the requirements of the specific aid scheme referred to in Article 1a (3a) of Regulation (EEC) No 797/85. Such adjustment may, in particular, consist in an increase in the area and an extension of the undertaking in order to cover the duration of the processing contract in question.'

6. In Article 14:

(a) the following indent is added to paragraph 3:

'— in the case of the specific aid referred to in Article 1a (3a) of Regulation (EEC) No 797/85, verification of the quantity of the cereals held in stock and/or in the field as well as verification of compliance with the obligations referred to in Article 6a (1)';

(b) the following paragraph 4 is added:

'4. In the case of the specific aid referred to in Article 1a (3a) of Regulation (EEC) No 797/85:

(a) the processors shall keep stock records, according to a model defined by the competent authorities, containing at least daily entries of quantities purchased broken down by contract, quantities processed, finished products and by-products obtained, processing losses and products leaving the factory. They shall draw up a stock inventory at least once a month;

(b) the competent authorities shall verify, by taking samples of at least 10 % of the contracts, that

the quantities actually delivered tally with the indicative yields referred to in (d) below. In the event of irregularities an inspection of the producer's holding shall be arranged;

(c) the competent authorities shall, without prior notification, carry out the following checks in the processing establishments:

- annually, a detailed verification of the stock records and stocks,
- a check on the stock records and a physical check on products and sampling of finished products and by-products. The number of visits during each year shall be at least equal to 5 % of the number of operating days of the establishment in question but shall not be less than eight per year. In cases where, during the same marketing year, a processor has benefited from this scheme and from that provided for in Articles 11a and 11b of Regulation (EEC) No 2727/75, the number of visits laid down in the preceding indent shall be increased to not less than 10 % of the number of operating days of the establishment;

(d) Member States shall fix, for each marketing year, at regional and local level where appropriate, indicative yields for each species or, if necessary, each variety covered by the contract.

These checks and verifications shall be carried out in such a manner as to ensure:

- coherence between the delivery of cereals, final production and by-products.
- These relationships shall be verified in particular on the basis of the technical processing coefficients for the cereals, taking account of the provisions set out in Council Regulation (EEC) No 1999/85 (*). The coefficients applied must be forwarded to the Commission,
- the final intended use of the products and by-products,
 - the non-cumulation of the specific aid with other Community support measures.

In the case of:

- significant irregularities affecting 3 % or more of the operations checked,
- significant deviation from the previous activities of the beneficiary,
- the detection of processing operations aimed at obtaining by-products the quantities or value of which are disproportionate by comparison with the coefficients referred to in the previous subparagraph,

Member States shall intensify the checks referred to above and shall immediately inform the Commission.'

(*) OJ No L 188, 20. 7. 1985, p. 1.

7. The following paragraph 1a is inserted in Article 15 :

'1a. In the case of the specific aid referred to in Article 1a (3a) of Regulation (EEC) No 797/85, a producer who, during the period of his contract, cultivates, sells or utilizes on the holding cereals of a species or, where applicable, of a variety identical to those covered by the contract, shall be considered to be infringing the obligation referred to in Article 6a. As regards the undertakings entered into by the processor, he shall also be subject to the provisions laid down in paragraph 1.'

- the number of contracts, grouped according to duration,
- a summary of the information contained in the cultivation declarations,
- the area concerned for each contract as well as the geographic situation, drawn up for each agricultural region,
- the final use of the cereals by type of end product,
- the quantity of end products, secondary products and by-products, as well as their intended use.'

8. The following point (e) is added to Article 16 (2) :

'(e) and moreover, in the case of the specific aid referred to in Article 1a (3a) of Regulation (EEC) No 797/85 :

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, 30 November 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 3482/90

of 30 November 1990

fixing the maximum buying-in price and the quantities of beef bought in for the
35th 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 3369/90⁽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 35th 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 35th 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 270 per 100 kilograms of carcasses or half-carcasses of quality R3,
- the maximum quantity of carcasses or half-carcasses accepted is hereby fixed at 7 250 tonnes; the quantities are hereby reduced by 70 % pursuant to Article 11 (3) of Regulation (EEC) No 859/89;

(b) for category C:

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 270 per 100 kilograms of carcasses or half-carcasses of quality R3,
- the maximum quantity of carcasses or half-carcasses accepted is hereby fixed at 642 tonnes; the quantities are hereby reduced by 70 % pursuant to Article 11 (3) of Regulation (EEC) No 859/89;

(c) 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 of carcasses or half-carcasses is hereby fixed at 51 596 tonnes.

Article 2

This Regulation shall enter into force on 1 December 1990.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.⁽²⁾ OJ No L 61, 4. 3. 1989, p. 43.⁽³⁾ OJ No L 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 326, 24. 11. 1990, p. 35.

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

Done at Brussels, 30 November 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 3483/90

of 30 November 1990

on the transitional measures relating to the application of the system of
accession compensatory amounts for olive oil

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 473/86 of
25 February 1986 laying down the general rules for the
system of accession compensatory amounts for olive
oil⁽¹⁾, and in particular Article 7 (1) (a) thereof,

Whereas Article 2 (2) of Regulation (EEC) No 473/86
stipulates that the accession compensatory amount is
corrected by the difference between the consumption aid
applicable in the Community as constituted on 31
December 1985 and that applicable in the new Member
State;

Whereas the entry into force of the consumption aid in
Spain and Portugal will bring about a significant change
in the calculation of accession compensatory amounts;
whereas, as a result, enterprises which have not received
consumption aid will be subjected to a negative accession
compensatory amount on exports; whereas there is there-
fore the risk of a distortion of competition;

Whereas, in order to avoid such distortion, provision
should be made for olive oil which would have been
eligible for the grant of consumption aid but which did
not benefit from it because it was packaged without an
identification number to receive, for a certain period, the
accession compensatory amounts which would have been
valid prior to the date of entry into force of the consump-
tion aid in Spain and Portugal;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The accession compensatory amounts applicable to
exports from Spain or Portugal to third countries or the
Community of Ten during the two months following the

date of entry into force of the consumption aid in Spain
and Portugal for olive oil falling within CN codes
1509 10 90, 1509 90 00 and 1510 00 90, in respect of
which packaging meets the conditions laid down for the
grant of consumption aid but for which proof is supplied
that consumption aid has not been paid, shall be those
fixed in the Annex.

2. The proof mentioned in paragraph 1 shall comprise
a certificate from the customs office at the frontier cross-
ing point relating to the absence of the identification
number referred to in Article 2 (2) of Council Regulation
(EEC) No 3089/78⁽²⁾ on the immediate packings contain-
ing the olive oil.

Article 2

1. Member States concerned shall adopt the measures,
in particular control measures, necessary for the imple-
mentation of this Regulation.

2. Should checks reveal that false evidence has been
submitted deliberately or as a result of negligence, in
addition to the penalties provided by national law, the
operator must reimburse the amount improperly received
plus interest calculated on the basis of the interbank rate
applicable during the month in which the aid was paid to
the applicant plus two percentage points and of the time
elapsed between payment of the aid and its reimburse-
ment. In addition the operator shall be excluded from
entitlement to consumption aid for a period of twelve
months.

3. The amounts referred to in paragraph 2 shall be paid
to the disbursing agencies and shall be deducted by them
from the expenditure financed by the EAGGF Guarantee
Section.

Article 3

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, 30 November 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 53, 1. 3. 1986, p. 43.

⁽²⁾ OJ No L 369, 29. 12. 1978, p. 12.

ANNEX

(ECU/100 kg)

CN code	Accession compensatory amount to be charged on export	
	from Spain to third countries or to EEC of Ten	from Portugal to third countries or to EEC of Ten
1509 10 90	— 17,71	— 50,17
1509 90 00	— 16,08	— 49,84
1510 00 90	— 35,48	— 53,78

COMMISSION REGULATION (EEC) No 3484/90
of 30 November 1990
fixing the accession compensatory amounts for olive oil for 1990/91

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 473/86 of 25 February 1986 laying down the general rules for the system of accession compensatory amounts for olive oil⁽¹⁾, and in particular Article 7 (3) thereof,

Whereas Council Regulation (EEC) No 1314/90⁽²⁾, fixed for 1990/91 the intervention prices for olive oil;

Whereas the detailed rules for the application of accession compensatory amounts are laid down in Commission Regulation (EEC) No 583/86⁽³⁾ laying down the detailed rules for the application of accession compensatory

amounts for olive oil, as last amended by Regulation (EEC) No 3379/88⁽⁴⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The accession compensatory amounts applicable in 1990/91 for olive oil shall be as 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*.

It shall apply from 1 December 1990.

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

Done at Brussels, 30 November 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 53, 1. 3. 1986, p. 43.

⁽²⁾ OJ No L 132, 23. 5. 1990, p. 5.

⁽³⁾ OJ No L 57, 1. 3. 1986, p. 31.

⁽⁴⁾ OJ No L 296, 29. 10. 1988, p. 72.

ANNEX I

Olive oil

(ECU/100 kg)

CN code	Table	Additional code	Notes	Accession compensatory amount to be charged (–) or granted (+) in trade as follows							
				from third countries to Spain	from the Community of Ten to Spain	from Spain to third countries or to EEC of Ten	from third countries to Portugal	from the Community of Ten to Portugal	from Portugal to third countries or to EEC of Ten	from Spain to Portugal	from Portugal to Spain
1509 10 10	1	7298		—	+ 40,75	– 40,75	—	+ 8,29	– 8,29	– 32,46	+ 32,46
	1	7299		—	+ 40,75	– 40,75	—	+ 8,29	– 8,29	– 32,46	+ 32,46
	1	7314		+ 23,50	—	—	– 4,17	—	—	—	—
1509 10 90	2	7709		—	+ 40,75	– 40,75	—	+ 8,29	– 8,29	– 32,46	+ 32,46
	2	7713		—	+ 23,50	– 23,50	—	– 4,17	+ 4,17	– 27,67	+ 27,67
	2	7714		+ 23,50	—	—	– 4,17	—	—	—	—
1509 90 00	3	7717		—	+ 42,38	– 42,38	—	+ 8,62	– 8,62	– 33,76	+ 33,76
	3	7718		—	+ 25,13	– 25,13	—	– 3,84	+ 3,84	– 28,97	+ 28,97
	3	7719		+ 25,13	—	—	– 3,84	—	—	—	—
1510 00 10	4	7724		—	+ 19,15	– 19,15	—	+ 3,90	– 3,90	– 15,25	+ 15,25
	4	7729		—	+ 19,15	– 19,15	—	+ 3,90	– 3,90	– 15,25	+ 15,25
	4	7733		– 1,90	—	—	– 8,56	—	—	—	—
1510 00 90	5	7734		—	+ 22,98	– 22,98	—	+ 4,68	– 4,68	– 18,30	+ 18,30
	5	7737		—	+ 5,73	– 5,73	—	– 7,78	+ 7,78	– 13,51	+ 13,51
	5	7738		+ 5,73	—	—	– 7,78	—	—	—	—

Appendix to Annex I

ADDITIONAL CODES

TABLE 1

CN code	Description	Additional code
1509 10 10	– Olive oil which satisfies the requirements of Article 9 (2) of the Treaty:	
	– – Presented in bulk or in immediate packings of a net capacity of more than 5 litres	7298
	– – Presented in immediate packings of a net capacity not exceeding 5 litres	7299
	– Other	7314

TABLE 2

CN code	Description	Additional code
1509 10 90	– Olive oil which satisfies the requirements of Article 9 (2) of the Treaty:	
	– – Presented in bulk or in immediate packings of a net capacity of more than 5 litres	7709
	– – Presented in immediate packings of a net capacity not exceeding 5 litres	7713
	– Other	7714

TABLE 3

CN code	Description	Additional code
1509 90 00	– Olive oil which satisfies the requirements of Article 9 (2) of the Treaty:	
	– – Presented in bulk or in immediate packings of a net capacity of more than 5 litres	7717
	– – Presented in immediate packings of a net capacity not exceeding 5 litres	7718
	– Other	7719

TABLE 4

CN code	Description	Additional code
1510 00 10	– Olive oil which satisfies the requirements of Article 9 (2) of the Treaty:	
	– – Presented in bulk or in immediate packings of a net capacity of more than 5 litres	7724
	– – Presented in immediate packings of a net capacity not exceeding 5 litres	7729
	– Other	7733

TABLE 5

CN code	Description	Additional code
1510 00 90	– Olive oil which satisfies the requirements of Article 9 (2) of the Treaty:	
	– – Presented in bulk or in immediate packings of a net capacity of more than 5 litres	7734
	– – Presented in immediate packings of a net capacity not exceeding 5 litres	7737
	– Other	7738

ANNEX II

Products containing olive oil

(ECU/100 kg)

CN code	Accession compensatory amount deducted (–) or granted (+) in the following exchanges		
	From third countries or from EEC of 10 to Spain	From third countries or from EEC of 10 to Portugal	From Spain to Portugal
0709 90 39	(+) 8,97	(+) 1,82	(–) 7,15
0711 20 90	(+) 8,97	(+) 1,82	(–) 7,15
1522 00 31	(+) 20,38	(+) 4,15	(–) 16,23
1522 00 39	(+) 32,60	(+) 6,63	(–) 25,97
2306 90 19	(+) 1,53	(+) 0,31	(–) 1,22

Note: For trade in the opposite direction, the signs are reversed.

COMMISSION REGULATION (EEC) No 3485/90

of 30 November 1990

fixing for the 1990/91 marketing year the Community offer price for clementines
applicable with regard to Spain

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 compensation mechanism on exports of fruit and vegetables originating in Spain⁽¹⁾, and in particular Article 4 (1) thereof,

Whereas, Commission Regulation (EEC) No 3815/89⁽²⁾, lays down detailed rules for the application of the compensation mechanism to imports of fruit and vegetables from Spain,

Whereas, pursuant to Article 152 of the Act of Accession, a compensation mechanism is to be introduced on imports into the Community as constituted at 31 December 1985, hereinafter referred to as the 'Community of Ten', from 1 January 1990, of fruit and vegetables from Spain for which a reference price is fixed with regard to third countries; whereas, the Community offer price for clementines coming from Spain should be fixed only during the period where the reference price is fixed with regard to third countries, this means from 1 December up to and including 28 February of the following year;

Whereas, in accordance with Article 152 (2) (a) of the Act of Accession, a Community offer price is to be calculated annually on the basis of the arithmetic mean of the producer prices in each Member State of the Community of Ten, plus transport and packaging costs incurred by the products from the production regions to the representative consumption centres of the Community and bearing in mind developments in the cost of production in the fruit and vegetable sector; whereas the abovementioned producer prices correspond to the average prices recorded during the three years preceding the date of fixing of the Community offer price; whereas, however, the annual Community offer price cannot exceed the reference price applied for third countries;

Whereas, in accordance with Article 1 of Regulation (EEC) No 3709/89, the producer prices to be used for the determination of the community offer price are to be those of a domestic product defined by its commercial characteristics recorded on the representative market or

markets located in the production areas where prices are lowest for products or varieties representing a considerable proportion of production marketed throughout the year or during a part of the latter and which meet Quality Class I requirements and conditions laid down as regards packaging; whereas the average price for each representative market must be established after disregarding prices which may be considered excessively high or excessively low compared with the normal fluctuations recorded on the market; whereas, moreover, if the average price for a Member State shows excessive variations with respect of normal price fluctuations, it shall not be taken into account;

Whereas Commission Regulation (EEC) No 784/90 of 28 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⁾ established the list of prices and amounts to which the coefficient 1,001712 is applied in the framework of the arrangements on the automatic dismantlement of negative monetary gaps; whereas the prices and amounts fixed in ecus by the Commission for the 1990/91 marketing year must take account of the resulting reduction; whereas this reducing coefficient shall apply to the prices referred to above;

Whereas the application of the abovementioned criteria results in a Community offer price being fixed for clementines for the period 1 December 1990 to 28 February 1991 at the level set out hereinafter;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1990/91 marketing year, the Community offer price for clementines (CN code 0805 20 10), expressed in ecus per 100 kilograms net of packed products of class I, of all sizes, shall be as follows:

from 1 December to 28 February 1991: ECU 51,40.

Article 2

This Regulation shall enter into force on 1 December 1990.

⁽¹⁾ OJ No L 363, 13. 12. 1989, p. 3.

⁽²⁾ OJ No L 371, 20. 12. 1989, p. 28.

⁽³⁾ OJ No L 83, 30. 3. 1990, p. 102.

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

Done at Brussels, 30 November 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 3486/90

of 30 November 1990

fixing for the 1990/91 marketing year the Community offer price for sweet oranges applicable with regard to Spain

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 compensation mechanism on exports of fruit and vegetables originating in Spain⁽¹⁾, and in particular Article 4 (1) thereof,

Whereas, Commission Regulation (EEC) No 3815/89 of 19 December 1989⁽²⁾, lays down detailed rules for the application of the compensation mechanism to imports of fruit and vegetables from Spain,

Whereas, pursuant to Article 152 of the Act of Accession, a compensation mechanism is to be introduced on imports into the Community as constituted at 31 December 1985, hereinafter referred to as the 'Community of Ten', from 1 January 1990, of fruit and vegetables from Spain for which a reference price is fixed with regard to third countries; whereas, the Community offer price for sweet oranges coming from Spain should be fixed only during the period where the reference price is fixed with regard to third countries, this means from 1 December up to and including 31 May of the following year;

Whereas, in accordance with Article 152 (2) (a) of the Act of Accession, a Community offer price is to be calculated annually on the basis of the arithmetic mean of the producer prices in each Member State of the Community of Ten, plus transport and packaging costs incurred by the products from the production regions to the representative consumption centres of the Community and bearing in mind developments in the cost of production in the fruit and vegetable sector; whereas the abovementioned producer prices correspond to the average prices recorded during the three years preceding the date of fixing of the Community offer price; whereas, however, the annual Community offer price cannot exceed the reference price applied for third countries;

Whereas, in accordance with Article 1 of Regulation (EEC) No 3709/89, the producer prices to be used for the determination of the Community offer price are to be those of a domestic product defined by its commercial characteristics recorded on the representative market or markets located in the production areas where prices are

lowest for products or varieties representing a considerable proportion of production marketed throughout the year or during a part of the latter and which meet Quality Class I requirements and conditions laid down as regards packaging; whereas the average price for each representative market must be established after disregarding prices which may be considered excessively high or excessively low compared with the normal fluctuations recorded on the market; whereas, moreover, if the average price for a Member State shows excessive variations with respect of normal price fluctuations, it shall not be taken into account;

Whereas Commission Regulation (EEC) No 784/90 of 29 March 1990 fixing the reducing coefficient for agricultural prices in the 1990/91 marketing year as a result of the monetary realignment of 5 January 1990 and amending the prices and amounts fixed in ecus for that marketing year⁽³⁾ establishes the list of prices and amounts to which the coefficient 1,001712 is applied in the framework of the arrangements on the automatic dismantlement of negative monetary gaps; whereas the prices and amounts fixed in ecus by the Commission for the 1990/91 marketing year must take account of the resulting reduction; whereas this reducing coefficient shall apply to the prices referred to above;

Whereas the application of the abovementioned criteria results in a Community offer price being fixed for sweet oranges for the period 1 December 1990 to 31 May 1991 at the level set out hereinafter;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1990/91 marketing year, the Community offer price for sweet oranges (CN code 0805 10 11, 15, 19, 21, 25, 29, 31, 35, 39, 41, 45 and 49), expressed in ecus per 100 kilograms net of packed products of class I, of all sizes, shall be as follows:

from 1 December 1990 to 31 May 1991: ECU 22,66.

Article 2

This Regulation shall enter into force on 1 December 1990.

⁽¹⁾ OJ No L 363, 13. 12. 1989, p. 3.

⁽²⁾ OJ No L 371, 20. 12. 1989, p. 28.

⁽³⁾ OJ No L 83, 30. 3. 1990, p. 102.

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

Done at Brussels, 30 November 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 3487/90

of 30 November 1990

laying down certain additional detailed rules for the application of the supplementary trade mechanism (STM) to fruit and vegetable trade between Spain and the Community as constituted at 31 December 1985 as regards tomatoes, lettuce, broad-leaf endives, carrots, artichokes, table grapes and melons

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 3210/89 of 23 October 1989 laying down general rules for applying the supplementary trade mechanism to fresh fruit and vegetables ⁽¹⁾, and in particular Article 9 thereof,

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

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

Whereas Commission Regulation (EEC) No 2890/90 ⁽⁵⁾ lays down that the periods referred to in Article 2 of Regulation (EEC) No 3210/89 shall be up to 2 December 1990 for the above products; whereas, in view of expected exports from Spain to the rest of the Community, with the exception of Portugal, and of the Community market situation, the above periods should be fixed up to end December 1990 for the products in question, in accordance with the Annex; whereas, in consideration of the same factors, a reasonable period should be determined and an indicative ceiling be set for broad-leaved endives;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. For tomatoes falling within CN code 0702 00 10, cabbage lettuce falling within CN code 0705 11 90, lettuce other than cabbage lettuce falling within CN code 0705 19 00, artichokes falling within CN code 0709 10 00, table grapes falling within CN codes 0806 10 11 and 0806 10 15 and melons falling within CN code 0807 10 90 the periods provided for in Article 2 of Regulation (EEC) No 3210/89 shall be as set out in the Annex.

2. For broad-leaf endives falling within CN code ex 0705 29 00:

— the indicative ceilings referred to in Article 83 (1) of the Act of Accession,

and

— the periods referred to in Article 2 of Regulation (EEC) No 3210/89

shall be as fixed in the Annex hereto.

Article 2

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

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

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

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

Article 3

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

It shall apply from 3 December 1990.

⁽¹⁾ OJ No L 312, 27. 10. 1989, p. 6.

⁽²⁾ OJ No L 86, 31. 3. 1989, p. 35.

⁽³⁾ OJ No L 379, 28. 12. 1989, p. 20.

⁽⁴⁾ OJ No L 27, 31. 1. 1990, p. 14.

⁽⁵⁾ OJ No L 276, 6. 10. 1990, p. 26.

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

Done at Brussels, 30 November 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

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

Period from 3 to 31 December 1990

Description	CN code	Period
Tomatoes	0702 00 10	I
Cabbage lettuce	0705 11 90	I
Lettuce other than cabbage lettuce	0705 19 00	I
Artichokes	0709 10 00	I
Table grapes	0806 10 11 and 0806 10 15	I
Melons	0807 10 90	I

Description	CN code	Indicative ceilings (tonnes)	Periods
Broad-leaf endives	ex 0705 29 00	5. 12. — 16. 12. 1990 : — 17. 12. — 31. 12. 1990 : 1 000	I II

COMMISSION REGULATION (EEC) No 3488/90

of 30 November 1990

laying down transitional measures for the application of consumption aid for
olive oil in Spain and Portugal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,Having regard to the Act of Accession of Spain and
Portugal, and in particular Articles 90 and 257 thereof,

Whereas Council Regulation (EEC) No 3416/90 of 27
November 1990 on the introduction of consumption aid
for olive oil in Spain and Portugal⁽¹⁾ fixes the initial
amounts of aid in those countries; whereas these amounts
are valid for the period 1 January to 31 October 1991
subject to the transitional measures taken in compliance
with Articles 90 and 257 of the Act of Accession;

Whereas, in order to avoid serious disturbances on the
olive oil market during the passage from the standstill
scheme for oils and fats to the new scheme, and taking
into account the transitional measures already taken for
sunflower seeds, the implementation of consumption aid
in Spain and Portugal should be brought forward to 1
December 1990;

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

HAS ADOPTED THIS REGULATION:

Article 1

The amounts of consumption aid fixed by Regulation
(EEC) No 3416/90 shall be applied in Spain and Portugal
from 1 December 1990.

Article 2

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

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

Done at Brussels, 30 November 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 330, 29. 11. 1990, p. 6.

COMMISSION REGULATION (EEC) No 3489/90

of 30 November 1990

altering the export refunds on white sugar and raw sugar exported in the natural state

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

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

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

Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EEC) No 3337/90 ⁽³⁾, as last amended by Regulation (EEC) No 3434/90 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 3337/90 to the information known to the Commission that the export refunds

at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, as fixed in the Annex to amended Regulation (EEC) No 3337/90 are hereby altered to the amounts shown 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, 30 November 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 321, 21. 11. 1990, p. 15.

⁽⁴⁾ OJ No L 330, 29. 11. 1990, p. 42.

ANNEX

to the Commission Regulation of 30 November 1990 altering the export refunds on white sugar and raw sugar exported in the natural state

(ECU)

Product code	Amount of refund	
	per 100 kg	per percentage point of sucrose content and per 100 kg net of the product in question
1701 11 90 100	34,77 ⁽¹⁾	
1701 11 90 910	34,46 ⁽¹⁾	
1701 11 90 950	⁽²⁾	
1701 12 90 100	34,77 ⁽¹⁾	
1701 12 90 910	34,46 ⁽¹⁾	
1701 12 90 950	⁽²⁾	
1701 91 00 000		0,3780
1701 99 10 100	37,80	
1701 99 10 910	37,80	
1701 99 10 950	37,80	
1701 99 90 100		0,3780

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the refund applicable is calculated in accordance with the provisions of Article 5 (3) of Regulation (EEC) No 766/68.

⁽²⁾ Fixing suspended by Commission Regulation (EEC) No 2689/85 (OJ No L 255, 26. 9. 1985, p. 12), as amended by Regulation (EEC) No 3251/85 (OJ No L 309, 21. 11. 1985, p. 14).

COMMISSION REGULATION (EEC) No 3490/90
of 30 November 1990
correcting Regulation (EEC) No 3438/90 fixing the export refunds 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 the fourth subparagraph
of Article 16 (2) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the export refunds on cereals and on wheat or
rye flour, groats and meal were fixed by Commission
Regulation (EEC) No 3438/90 ⁽³⁾;

Whereas a check has shown that the Annex thereto does
not correspond to the measures submitted for an opinion

to the management committee; whereas the Regulation
in question should be corrected accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

In the Annex to Regulation (EEC) No 3438/90, at the line
'product code 1102 10 00 900', in the column 'refund', the
figure '158,00' is replaced by '—'.

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, 30 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 333, 30. 11. 1990, p. 8.

CORRIGENDA

Corrigendum to Commission Regulation (EEC) No 3393/90 of 26 November 1990 fixing the import levies on products processed from cereals and rice

(Official Journal of the European Communities No L 327 of 27 November 1990)

Page 28, Annex, CN code 1104 19 10, column 'ACP or OCT':

for: '302,74',

read: '302,76'.
