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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 3557/90
of 4 December 1990
on financial aid for the countries most directly affected by the Gulf crisis

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Article 2

Having regard to the Treaty establishing the European Economic Community, and in particular Article 235 thereof,

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

Having regard to the opinion of the European Parliament ⁽²⁾,

Whereas the Community and its Member States have decided to combine forces in order to mount an operation to give financial aid to the countries most directly affected by the Gulf crisis and, in particular, by strict implementation of the embargo decided on by the United Nations' Security Council;

Whereas the Community must have the means to undertake the said operation;

Whereas the amount of Community financial resources needed to carry out this operation in 1991 has to be estimated and whereas the definitive amounts are adopted by the budgetary authority in keeping with the financial perspectives covering the period 1988 to 1992 attached to the Interinstitutional Agreement of 29 June 1988 ⁽³⁾;

Whereas the breakdown of funds among the three countries most affected will have to be based on an analysis of the injury suffered and take account of the contributions of all donors;

Whereas the carrying out of this operation is such as to contribute to the achievement of Community objectives;

Whereas the Treaty does not provide, for the adoption of this Regulation, powers other than those of Article 235,

HAS ADOPTED THIS REGULATION:

Article 1

The Community shall provide financial aid for Egypt, Jordan and Turkey.

⁽¹⁾ OJ No C 265, 20. 10. 1990, p. 5.

⁽²⁾ Opinion delivered on 23 November 1990 (not yet published in the Official Journal).

⁽³⁾ OJ No L 185, 15. 7. 1988, p. 33.

The amount necessary for the implementation of the operation referred to in Article 1 is estimated at ECU 500 million — primarily in the form of non-reimbursable aid, the rest in the form of loans — to be charged in full against the 1991 budget.

However, the financial implementation of this Regulation may take place only when the budget for 1991 and the budget estimates have been suitably amended according to the procedure provided for in respect of each of these cases.

Article 3

The aid shall be earmarked in particular to cover the cost of importing capital goods and spare parts and local budgetary expenditure incurred by the beneficiary countries as a result of the Gulf crisis. It shall be provided in instalments.

The general guidelines governing this aid and its breakdown among the beneficiary countries shall be adopted in accordance with the procedure laid down in Article 5.

Article 4

The Commission shall ensure that the funds are used in accordance with the aims of this Regulation by the beneficiary countries, which shall be required to provide a programme specifying the use to be made of the funds, and a report on the actual use made thereof afterwards.

The Commission shall ensure that the financial aid is coordinated with that of international financial institutions and other donor countries.

Article 5

1. The Commission shall be assisted by a Committee composed of representatives of the Member States and chaired by a representative of the Commission.

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

3. The Commission shall adopt measures which shall apply immediately. However, if these measures are not in accordance with the opinion of the Committee, they shall be communicated by the Commission to the Council forthwith.

In that event, the Commission shall defer application of the measures which it has decided for a period not exceeding two months from the date of communication.

The Council, acting by a qualified majority, may take a different decision within the time limit referred to in the previous subparagraph.

Article 6

The Commission shall present a report to the European Parliament and the Council on the implementation of the aid operations carried out under this Regulation by 28 February 1992.

Article 7

This Regulation shall enter into force on the third day following that 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, 4 December 1990.

For the Council

The President

G. DE MICHELIS

COMMISSION REGULATION (EEC) No 3558/90

of 11 December 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 10 December 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 12 December 1990.

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

Done at Brussels, 11 December 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 11 December 1990 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CN code	Levies	
	Portugal	Third country
0709 90 60	29,58	142,64 ⁽²⁾ ⁽³⁾
0712 90 19	29,58	142,64 ⁽²⁾ ⁽³⁾
1001 10 10	24,85	199,74 ⁽¹⁾ ⁽³⁾
1001 10 90	24,85	199,74 ⁽¹⁾ ⁽³⁾
1001 90 91	29,99	167,45
1001 90 99	29,99	167,45
1002 00 00	55,10	156,16 ⁽⁹⁾
1003 00 10	46,40	149,84
1003 00 90	46,40	149,84
1004 00 10	38,04	145,90
1004 00 90	38,04	145,90
1005 10 90	29,58	142,64 ⁽²⁾ ⁽³⁾
1005 90 00	29,58	142,64 ⁽²⁾ ⁽³⁾
1007 00 90	46,40	146,39 ⁽⁴⁾
1008 10 00	46,40	64,22
1008 20 00	46,40	128,48 ⁽⁴⁾
1008 30 00	46,40	75,10 ⁽⁵⁾
1008 90 10	(7)	(7)
1008 90 90	46,40	75,10
1101 00 00	55,84	248,28
1102 10 00	90,99	233,30
1103 11 10	51,84	323,40
1103 11 90	59,40	267,23

(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.

(⁹) 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 3559/90

of 11 December 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 10 December 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 12 December 1990.

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

Done at Brussels, 11 December 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 11 December 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	24,25	24,25	24,19
1001 90 99	0	24,25	24,25	24,19
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 10	0	0	0	0
1004 00 90	0	0	0	0
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	33,95	33,95	33,87

B. Malt

CN code	(ECU/tonne)				
	Current 12	1st period 1	2nd period 2	3rd period 3	4th period 4
1107 10 11	0	43,17	43,17	43,06	43,06
1107 10 19	0	32,25	32,25	32,17	32,17
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 3560/90
of 10 December 1990
on the supply of various consignments of cereals 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 40 000 tonnes of cereals;

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

Cereals 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, 10 December 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, C, D, E and F

1. **Operation No** ⁽¹⁾: 971/90 to 974/90; 950/90 and 951/90
2. **Programme**: 1990
3. **Recipient** ⁽²⁾: Mozambique
4. **Representative of the recipient** ⁽³⁾:
 - Lots A and B: Mobeira, Beira, telex 7370, Tel. 30 10 91/5
 - Lots C and D: Socimol, Av. da Matola gare, PO Box 2056, Matola, Maputo, Mozambique, Tel. 75 21 64
 - Parts E₁ and F₁: CIM-Matola, PO Box 605, Matola, Maputo, Mozambique, Tel. 72 31 40/72 33 76; Telex 6-333 CIM MO
 - Parts E₂ and F₂: CIM-Nacala, PO Box 332, Tel. 42 42 74
5. **Place or country of destination**: Mozambique
6. **Product to be mobilized**: common wheat
7. **Characteristics and quality of the goods** ⁽⁴⁾:
 - See list published in OJ No C 216, 14. 8. 1987, p. 3 (under II A 1). 14 % maximum moisture content
8. **Total quantity**: 40 000 tonnes
9. **Number of lots**: 6
 - Operation No 974/90: Lot A: 6 500 tonnes;
 - Operation No 973/90: Lot B: 6 500 tonnes;
 - Operation No 972/90: Lot C: 4 000 tonnes;
 - Operation No 971/90: Lot D: 4 000 tonnes;
 - Operation No 951/90: Lot E: 9 500 tonnes (E₁: 6 000 tonnes; E₂: 3 500 tonnes);
 - Operation No 950/90: Lot F: 9 500 tonnes (F₁: 6 000 tonnes; F₂: 3 500 tonnes)
10. **Packaging**: in bulk, plus
 - Lot A: 136 500
 - Lot B: 136 500
 - Lot C: 84 000
 - Lot D: 84 000
 - Lot E: 199 500
 - Lot F: 199 500

} new woven-polypropylene bags for food use, weighing not less than 120 grams, which have been specially treated against the effects of ultraviolet light, needles and sufficient twine

— marking on the bags in letters at least 5 cm high:

 - Lot A: 'ACCÃO Nº 974/90
 - Lot B: 'ACCÃO Nº 973/90
 - Lot C: 'ACCÃO Nº 972/90
 - Lot D: 'ACCÃO Nº 971/90
 - Lot E: 'ACCÃO Nº 951/90
 - Lot F: 'ACCÃO Nº 950/90

} / TRIGO / DONATIVO DA COMUNIDADE ECONÓMICA EUROPEIA'
11. **Method of mobilization**: the Community market
12. **Stage of supply**: free at port of landing — landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**:
 - Lots A and B: Beira
 - Lots C, D and Parts E₁ and F₁: Maputo
 - Parts E₂ and F₂: Nacala
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 where the supply is awarded at the port of shipment stage**: Lots B, D and F: 15 — 31. 1. 1991; Lots A, C and E: 1 — 15. 3. 1991

18. **Deadline for the supply:** Lots B, D and F: 28. 2. 1991; Lots A, C and E: 15 — 30. 4. 1991
19. **Procedure for determining the costs of supply:** tendering
20. **Date of expiry of the period allowed for submission of tenders:** 12 noon on 8. 1. 1991
21. **In the case of a second invitation to tender:**
 - (a) deadline for the submission of tenders: 12 noon on 15. 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: Lots B, D and F: 1. — 15. 2. 1991; Lots A, C and E: 1 — 15. 3. 1991
 - (c) deadline for the supply: Lots B, D and F: 15. 3. 1991; Lots A, C and E: 15 — 30. 4. 1991
22. **Amount of the tendering security:** 5 ECU/tonne
23. **Amount of the delivery security:** 10 % of the amount of the tender in ECU
24. **Address for submission of tenders⁽¹⁾:**

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⁽²⁾:**

Refund applicable on 27. 11. 1990 fixed by Regulation (EEC) No 3098/90 (OJ No L 296, 27. 10. 1990, p. 13)

Notes:

- (1) The operation number is to be quoted in all correspondence.
- (2) Commission delegate to contact by the successful tenderer:

FSC DA CAMARA, CP 1306 Maputo — Telex 6-146 CCE MO
- (3) The successful tenderer shall deliver to the beneficiaries 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.

The radioactivity certificate must indicate the caesium - 134 and - 137 levels.

The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following documents:

 - certificate of origin,
 - phytosanitary certificate.
- (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:
 - either 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 is to contact the recipient as soon as possible to establish what consignment documents are required and how they are to be distributed.

COMMISSION REGULATION (EEC) No 3561/90
of 11 December 1990
on determining the origin of certain ceramic products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the common tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, as last amended by Regulation (EEC) No 3274/90⁽²⁾, and in particular Article 15 thereof,

Whereas the classification of the goods described in Commission Regulation (EEC) No 2025/73 of 25 July 1973 on determining the origin of certain ceramic products⁽³⁾ uses the Common Customs Tariff Nomenclature, which is itself based on the Customs Cooperation Council Nomenclature; whereas this has been replaced by the Harmonized Commodity Description and Coding System which is applied in the Community by means of the combined nomenclature; whereas, for reasons of clarity, it is preferable to replace Regulation (EEC) No 2025/73 entirely;

Whereas the abovementioned adaptations to the combined nomenclature constitute simple technical adaptations not entailing any amendment concerning the scope of the rules, which had been previously laid down in Regulation (EEC) No 2025/73,

HAS ADOPTED THIS REGULATION:

Article 1

The decoration of ceramic articles falling within CN codes ex 4910, 6911, 6912, 6913, ex 7117, ex 9401, ex 9403 and ex 9405 shall not confer the origin of the country where that decoration was carried out, in so far as this decoration does not result in the goods obtained being classified under a heading other than the heading covering the products used.

Article 2

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

Article 3

Regulation (EEC) No 2025/73 is hereby repealed.

Article 4

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

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

Done at Brussels, 11 December 1990.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽²⁾ OJ No L 315, 15. 11. 1990, p. 2.

⁽³⁾ OJ No L 206, 27. 7. 1973, p. 32.

COMMISSION REGULATION (EEC) No 3562/90

of 11 December 1990

amending Regulation (EEC) No 2814/90 laying down detailed rules for the definition of lambs fattened as heavy carcasses

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat⁽¹⁾, and in particular Article 5 (9) thereof,

Having regard to Council Regulation (EEC) No 3901/89 of 12 December 1989 defining lambs fattened as heavy carcasses⁽²⁾, and in particular Article 1 (2) thereof,

Whereas the detailed rules for the definition of lambs fattened as heavy carcasses have been laid down by Commission Regulation (EEC) No 2814/90⁽³⁾; whereas provision should be made for measures to prevent and penalize irregularities and frauds as regards declarations relating to the fattening of lambs;

Whereas the Management Committee for Sheep and Goats has not delivered an opinion with the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2814/90 is hereby amended as follows:

1. the following paragraphs are added to Article 1:

'6. If the number of lambs actually eligible as a result of the check as referred to in paragraph 3 is less than that given in the corresponding specific declaration, the producer shall not be able to receive the premium for the heavy category within the meaning of Article 5 (4) of Regulation (EEC) No 3013/89, subject to paragraphs 7, 8 and 9 of this Article.

7. If the reduction in the number of lambs is attributable to natural circumstances in the life of the flock, the premium for the heavy category shall be paid on the basis of the number of lambs actually eligible, on condition that this reduction and its cause be entered in the fattening register provided for in paragraph 2 and communicated to the competent

authority at the end of the fattening period of the batch concerned.

8. In cases where the reduction is due to *force majeure*, the premium for the heavy category shall be granted on the basis of the number of eligible lambs at the time the case of *force majeure* occurred, on condition that this reduction and its cause be entered in the fattening register provided for in paragraph 2 and communicated to the competent authority at the end of the fattening period of the batch concerned. The incidences of *force majeure* shall be examined case by case, taking into account the actual circumstances referred to and the evidence submitted.

9. In cases where the difference between the number of lambs actually eligible and the number declared, where applicable after deduction of the cases referred to in paragraphs 7 and 8, is less than or equal to 20 %, the premium for the heavy category, less 15 %, shall be paid on the basis of the number of eligible lambs, provided that, in the view of the competent authority, no false declaration made deliberately or as a result of serious negligence is involved.

10. If, in the event of paragraph 6 being applied, the competent authority finds that this was as a result of a false declaration made deliberately or of serious negligence, the producer in question shall also lose entitlement to the premium within the meaning of Article 5 (3) of Regulation (EEC) No 3013/89, for the marketing year for which the false declaration is discovered.

11. In order to verify the minimum percentage of 40 % provided for in Article 5 (4) of Regulation (EEC) No 3013/89, the number of lambs actually eligible, increased by the cases of natural circumstances referred to in paragraph 7 of this Article will be taken into account.'

2. the following paragraphs are added to Article 2:

'5. If the number of lambs actually eligible as a result of the control measures referred to in paragraph 3 is less than that resulting from application of the index provided for in Article 1 (5), after deduction of the natural circumstances provided for in paragraph 4 and cases of *force majeure*, the producer shall not be able to receive the premium for the heavy category within the meaning of Article 5 (4) of Regulation (EEC) No 3013/89, subject to paragraph 6 of this Article. The cases of *force majeure* must be communicated to the competent authority at the end of the period referred to in paragraph 2, and shall be examined case by case, taking into account the actual circumstances referred to and the evidence submitted.

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 375, 23. 12. 1989, p. 4.

⁽³⁾ OJ No L 268, 29. 9. 1990, p. 35.

6. If the difference referred to in paragraph 5 is less than or equal to 20 %, the premium for the heavy category, less 15 %, shall be paid for all the eligible ewes, provided that, in the view of the competent authority, no false declaration made deliberately or as a result of serious negligence is involved.

7. If, in the event of paragraph 5 being applied, the competent authority finds that the information contained in the premium application, pursuant to paragraph 1, constitutes a false declaration made deliberately or as a result of serious negligence, the producer in question shall also lose entitlement to the

premium within the meaning of Article 5 (3) of Regulation (EEC) No 3013/89, for the marketing year for which the false declaration is discovered.'

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 to premiums to be granted in respect of the 1991 marketing year, for which applications have not yet been submitted.

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

Done at Brussels, 11 December 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 3563/90

of 11 December 1990

determining the prices and amounts fixed in ecus in the olive oil sector and reduced as a result of the monetary realignment of 5 January 1990

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

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

Whereas Commission Regulation (EEC) No 784/90 of 29 March 1990, fixing the reducing coefficient for 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 in the olive oil sector adjusted by the coefficient of 1,001712 with effect from 1 December 1990 in application of the system of automatic dismantling of negative monetary gaps; whereas Article 3 of Regulation (EEC) No 784/90 provides for the resulting reduction to be specified;

Whereas the target price, intervention price, production aid for olive oil and production aid for producers whose average production is less than 500 kilograms of olive oil per marketing year are fixed by Council Regulation (EEC) No 1314/90 ⁽⁴⁾ for the 1990/91 marketing year; whereas the intervention price increases and reductions are fixed by Commission Regulation (EEC) No 1859/88 ⁽⁵⁾;

whereas the representative market price and the threshold price for olive oil are fixed by Council Regulation (EEC) No 3415/90 ⁽⁶⁾; whereas consumption aid in Spain and Portugal has been fixed by Council Regulation (EEC) No 3416/90 ⁽⁷⁾;

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 prices and amounts fixed in ecus for the 1990/91 marketing year in the olive oil sector and reduced in accordance with Article 2 of Regulation (EEC) No 784/90 are indicated 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 with effect from 1 December 1990.

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

Done at Brussels, 11 December 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 6.

⁽²⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽³⁾ OJ No L 83, 30. 3. 1990, p. 102.

⁽⁴⁾ OJ No L 132, 23. 5. 1990, p. 5.

⁽⁵⁾ OJ No L 166, 1. 7. 1988, p. 13.

⁽⁶⁾ OJ No L 330, 29. 11. 1990, p. 5.

⁽⁷⁾ OJ No L 330, 29. 11. 1990, p. 6.

ANNEX

Description of prices and amounts	(ecus/100 kilogrammes)
	Prices or amounts reduced by the coefficient of 1,001712
1. Target price for olive oil	322,01
2. Intervention price	215,87
3. Intervention price for:	
— Spain	175,12
— Portugal	207,58
4.1. Increases applicable to olive oil:	
— extra virgin	17,26
— virgin	6,04
4.2. Reductions applicable to olive oil:	
— lampante virgin (1° acidity)	8,13
5. Representative market price for olive oil	190,28
6. Threshold price	189,11
7. Production aid for olive oil:	
— in Spain	39,61
— in Portugal	35,46
— in the Community of Ten	70,83
8. Production aid to producers whose average production is less than 500 kg of olive oil per marketing year:	
— in Spain	44,36
— in Portugal	40,21
— in the Community of Ten	81,62
9. Consumption aid applicable:	
— in Spain	42,93
— in Portugal	47,92

COMMISSION REGULATION (EEC) No 3564/90**of 11 December 1990****on the conclusion of processing contracts for oranges in Spain and in Portugal
in respect of 1990/91 marketing year production**

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

Having regard to Council Regulation (EEC) No 2601/69
of 18 December 1969 laying down special measures to
encourage the processing of mandarins, satsumas, clemen-
tines and oranges ⁽¹⁾, as last amended by Regulation (EEC)
No 3848/89 ⁽²⁾, and in particular Article 3 (2) thereof,

Whereas Article 7 (1) of Commission Regulation (EEC)
No 1562/85 of 7 June 1985 laying down detailed rules for
the application of measures to encourage the processing
of certain citrus fruit and the marketing of products
processed from lemons ⁽³⁾, as last amended by
Regulation (EEC) No 3041/90 ⁽⁴⁾, stipulates that industrial
processing contracts for oranges are to be concluded
before 15 February;

Whereas, in order to take account of the late harvest of
certain varieties of orange, the Spanish and Portuguese
authorities should, as they have requested, be authorized
to set a subsequent date for the conclusion of processing

contracts for oranges for which financial compensation is
granted under Council Regulation (EEC) No 2601/69;

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 Spain and Portugal are
authorized to set 30 April 1991 as the final date for the
conclusion of processing contracts for oranges for which
financial compensation is granted under Regulation (EEC)
No 2601/69.

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, 11 December 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 324, 27. 12. 1969, p. 21.

⁽²⁾ OJ No L 374, 22. 12. 1989, p. 6.

⁽³⁾ OJ No L 152, 11. 6. 1985, p. 5.

⁽⁴⁾ OJ No L 290, 23. 10. 1990, p. 11.

COMMISSION REGULATION (EEC) No 3565/90
of 11 December 1990

amending Regulation (EEC) No 2983/90 concerning the allocation of the quantities of the import quota for frozen meat of bovine animals, opened by Regulation (EEC) No 3889/89, for which import licence applications have not been lodged

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3889/89 of 11 December 1989 opening, allocating and providing for the administration of a Community tariff quota for frozen meat of bovine animals falling within CN code 0202 and products falling within CN code 0206 29 91 (1990)⁽¹⁾, and in particular Article 4 thereof,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽²⁾, as last amended by Regulation (EEC) No 571/89⁽³⁾, and in particular Article 15 (2) thereof,

Whereas Commission Regulation (EEC) No 4024/89⁽⁴⁾, as amended by Regulation (EEC) No 143/90⁽⁵⁾, lays down detailed rules for the application of the import arrangements provided for in Regulation (EEC) No 3889/89;

Whereas Commission Regulation (EEC) No 2983/90⁽⁶⁾, as last amended by Regulation (EEC) No 3135/90⁽⁷⁾, laid down the rules for the re-allocation of the quantities of the import quota for frozen meat of bovine animals, opened by Regulation (EEC) No 3889/89, for which import licence applications were not lodged by 31 August 1990;

Whereas a quantity slightly exceeding 15 tonnes has been the subject of court proceedings pending in a Member

State concerning the decision by the national authorities not to grant an import licence;

Whereas following those court proceedings the final balance under the 1990 quota should be fixed at 20 tonnes;

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

Regulation (EEC) No 2983/90 is hereby amended as follows:

1. in Article 1 (1) '35 tonnes' is replaced by '20 tonnes',
2. Article 4 (3) is deleted.

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, 11 December 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 378, 27. 12. 1989, p. 16.

⁽²⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽³⁾ OJ No L 61, 4. 3. 1989, p. 43.

⁽⁴⁾ OJ No L 382, 30. 12. 1989, p. 53.

⁽⁵⁾ OJ No L 16, 20. 1. 1990, p. 29.

⁽⁶⁾ OJ No L 283, 16. 10. 1990, p. 36.

⁽⁷⁾ OJ No L 299, 30. 10. 1990, p. 41.

COMMISSION REGULATION (EEC) No 3566/90

of 6 December 1990

establishing the list of products processed from fruit and vegetables the granting of import licences for which is covered by special rules

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 2201/90⁽²⁾, and in particular Articles 14 (3) and 15 (4) thereof,

Whereas Commission Regulation (EEC) No 2405/89⁽³⁾, as amended by Regulation (EEC) No 619/90⁽⁴⁾, lays down special detailed rules for the application of the system of import licences and advance fixing certificates for products processed from fruit and vegetables; whereas, for products in respect of which import trends need to be followed in detail in order to appreciate any disturbance or threatened disturbance of the market, the abovementioned Regulation provides that import licences with or without advanced fixing of the levy, are to be issued on the fifth working day following that on which the application was lodged;

Whereas cultivated mushrooms in brine or vinegar and certain cherry-based products are subject to import control measures at the Community frontier; whereas Article 2 (2) of Regulation (EEC) No 2405/89 should continue to be applied to these products;

Whereas the same arrangements were extended to cultivated preserved mushrooms of CN code 2003 10 10 by

Commission Regulation (EEC) No 1707/90⁽⁵⁾; whereas proper management of the import mechanism provides, for certain processed sour-cherry-based products, pursuant to Council Regulation (EEC) No 1201/88⁽⁶⁾, as amended by Regulation (EEC) No 2781/90⁽⁷⁾, leads to the insertion of frozen sour cherries containing added sugar to the specific monetary system of certificates;

Whereas, in the interests of clarity and administrative efficiency, Commission Regulation (EEC) No 203/85 of 25 January 1985 establishing the list of products processed from fruit and vegetables the granting of import licences for which is covered by special rules⁽⁸⁾, as amended by Regulation (EEC) No 1095/85⁽⁹⁾, should be replaced;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 2 (2) of Regulation (EEC) No 2405/89 shall apply to the following products:

CN code	Description
ex 0711 90 50	— — — Mushrooms: — — — — Cultivated mushrooms as defined in additional note 1 of Chapter 7 of the combined nomenclature
ex 0811	Fruit, uncooked or cooked by steaming or boiling in water, frozen, whether or not containing added sugar or other sweetening matter:
ex 0811 90	— Other: — — Containing added sugar or other sweetening matter:

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ OJ No L 201, 31. 7. 1990, p. 1.

⁽³⁾ OJ No L 227, 4. 8. 1989, p. 34.

⁽⁴⁾ OJ No L 67, 15. 3. 1990, p. 31.

⁽⁵⁾ OJ No L 158, 23. 6. 1990, p. 34.

⁽⁶⁾ OJ No L 115, 3. 5. 1988, p. 9.

⁽⁷⁾ OJ No L 265, 28. 9. 1990, p. 3.

⁽⁸⁾ OJ No L 23, 26. 1. 1985, p. 24.

⁽⁹⁾ OJ No L 117, 29. 4. 1985, p. 5.

CN code	Description
ex 0811 90 10	— — — With a sugar content exceeding 13 % by weight : — — — — Cherries : — — — — — Sour cherries (<i>Prunus cerasus</i>): — — — — — Not stored : — — — — — Other
ex 0811 90 30	— — — Other : — — — — Cherries : — — — — — Sour cherries (<i>Prunus cerasus</i>): — — — — — Not stored — — — — — Other — — Other : — — — — Sour cherries (<i>Prunus cerasus</i>):
ex 0811 90 90	— — — — — Not stoned
ex 0811 90 90	— — — — — Other
	— — — Other cherries :
ex 0811 90 90	— — — — — Not stoned
ex 0811 90 90	— — — — — Other
0812 10 00	— Cherries : — — Sour cherries (<i>Prunus cerasus</i>) — — Other
ex 2001 90 50	— — Mushrooms : — — — cultivated
ex 2003 10	— Mushrooms :
2003 10 10	— — Cultivated
2008	Fruit, nuts and other edible parts of plants, otherwise prepared or preserved, whether or not containing added sugar or other sweetening matter or spirit, not elsewhere specified or included :
2008 60	— Cherries : — — Not containing added spirit : — — — Containing added sugar, in immediate packings of a net content exceeding 1 kg :
2008 60 51	— — — — Sour cherries (<i>Prunus cerasus</i>)
2008 60 59	— — — — Other
	— — — Containing added sugar, in immediate packings of a net content not exceeding 1 kg :
2008 60 61	— — — — Sour cherries (<i>Prunus cerasus</i>)
2008 60 69	— — — — Other
	— — — Not containing added sugar, in immediate packings of a net content :
	— — — — Of 4,5 kg or more :
2008 60 71	— — — — — Sour cherries (<i>Prunus cerasus</i>)
2008 60 79	— — — — — Other
	— — — — Of less than 4,5 kg :
2008 60 91	— — — — — Sour cherries (<i>Prunus cerasus</i>)
2008 60 99	— — — — — Other

Article 2

Regulation (EEC) No 203/85 is hereby repealed.

Article 3

This Regulation shall enter into force on the 15th 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, 6 December 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 3567/90
of 11 December 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 3468/90 ⁽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 45,397 per 100 kilograms.

Article 2

This Regulation shall enter into force on 12 December 1990.

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

Done at Brussels, 11 December 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 336, 1. 12. 1990, p. 41.

II

(Acts whose publication is not obligatory)

CONFERENCE OF THE REPRESENTATIVES OF THE
GOVERNMENTS OF THE MEMBER STATES

DECISION
OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER
STATES OF THE EUROPEAN COMMUNITIES

of 4 December 1990

appointing the President of the Commission of the European Communities

(90/635/Euratom, ECSC, EEC)

THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES OF THE
EUROPEAN COMMUNITIES.

Having regard to the Treaty establishing a Single Council and a Single Commission of the
European Communities, and in particular Article 14 thereof,

Having regard to the Decision of the Representatives of the Governments of the Member
States of the European Communities of 8 December 1988 appointing Members of the
Commission of the European Communities ⁽¹⁾,

Having consulted the Commission,

HAVE DECIDED AS FOLLOWS:

Sole Article

Mr Jacques Delors is hereby appointed President of the Commission of the European
Communities for the period 6 January 1991 to 5 January 1993 inclusive.

Done at Brussels, 4 December 1990.

The President
G. DE MICHELIS

⁽¹⁾ OJ No L 351, 21. 12. 1988, p. 38.

**DECISION
OF THE REPRESENTATIVES OF THE GOVERNMENTS
OF THE MEMBER STATES OF THE EUROPEAN COMMUNITIES**

of 4 December 1990

appointing Vice-Presidents of the Commission of the European Communities

(90/636/Euratom, ECSC, EEC)

THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing a Single Council and a Single Commission of the European Communities, and in particular Article 14 thereof,

Having regard to the Decision of the Representatives of the Governments of the Member States of the European Communities of 8 December 1988 appointing Members of the Commission of the European Communities⁽¹⁾,

Having consulted the Commission,

HAVE DECIDED AS FOLLOWS:

Sole Article

The following are hereby appointed Vice-Presidents of the Commission of the European Communities for the period 6 January 1991 to 5 January 1993 inclusive:

- Mr F.H.J.J. Andriessen
- Dr Martin Bangemann
- The Right Honourable Sir Leon Brittan, QC
- Mr Henning Christophersen
- Mr Manuel Marín González
- Mr Filippo Maria Pandolfi

Done at Brussels, 4 December 1990.

The President
G. DE MICHELIS

⁽¹⁾ OJ No L 351, 21. 12. 1988, p. 38.

COUNCIL

COUNCIL DECISION

of 22 October 1990

concerning the conclusion of a Protocol renewing the Cooperation Agreement between the European Economic Community and the Kingdom of Thailand on manioc production, marketing and trade

(90/637/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas the conclusion of a Protocol renewing the Cooperation Agreement between the European Economic Community, and the Kingdom of Thailand on manioc production, marketing and trade⁽¹⁾ is in their mutual interest;

Whereas the said Protocol should be approved,

HAS DECIDED AS FOLLOWS:

Article 1

The Protocol renewing the Cooperation Agreement between the European Economic Community and the

Kingdom of Thailand on manioc production, marketing and trade is hereby approved on behalf of the Community.

The text of the Protocol is attached to this Decision.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreement referred to in Article 1 in order to bind the Community.

Done at Luxembourg, 22 October 1990.

For the Council

The President

G. DE MICHELIS

⁽¹⁾ OJ No L 219, 28. 7. 1982, p. 53.

PROTOCOL**Renewing the Cooperation agreement between the Kingdom of Thailand and the European Economic Community on manioc production, marketing and trade**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

of the one part,

THE GOVERNMENT OF THE KINGDOM OF THAILAND,

of the other part,

HAVING REGARD to the consultations requested by the Government of the Kingdom of Thailand under Article 1 of the Protocol, signed on 23 May 1986, renewing the Cooperation Agreement between the European Economic Community and the Kingdom of Thailand on manioc production, marketing and trade, hereinafter referred to as the 'Cooperation Agreement';

TAKING into consideration the fact that, since the entry into force of the Cooperation Agreement, the Kingdom of Thailand has become a Contracting Party to the General Agreement on Tariffs and Trade (GATT);

RECOGNIZING that the Cooperation Agreement has been properly applied;

TAKING into account that not all the objectives of agricultural development and diversification could be realised in Thailand in the course of the initial nine-year period and that, therefore, efforts in this context should be pursued, including, if necessary, examination at ministerial level;

AFFIRMING their willingness to continue the Cooperation Agreement;

HAVE DECIDED to renew the Cooperation Agreement as supplemented and amended in respect of the relevant provisions of its Articles 1, 3, 6 and 9 by this Protocol and to this end have designated as their Plenipotentiaries:

THE COUNCIL OF THE EUROPEAN COMMUNITIES

THE GOVERNMENT OF THE KINGDOM OF THAILAND

WHO, having exchanged their Full Powers, found in good and due form,

HAVE AGREED AS FOLLOWS:

Article 1

The Cooperation Agreement shall be extended for another four-year period starting on 1 January 1991.

It shall thereafter continue to apply for subsequent four-year periods based on the quantities established for the four-year period 1 January 1991 to 31 December 1994, unless denounced by either party at least one year before the expiry of the initial or any subsequent four-year period. A denunciation will take effect at the end of the four-year period in which it has been notified.

However, before notifying the denunciation of the Agreement, either party should enter into consultation with the other party with a view to finding mutually acceptable

solutions or to agreeing upon amendments, which would make it possible to maintain the Cooperation Agreement in force.

Article 2

1. For the four-year period 1 January 1991 to 31 December 1994 and for each subsequent four-year period the total export quantity shall be 21 million tonnes for each period. However, exports shall not exceed a total of 5 750 000 tonnes in any one year.

2. In order to maintain a continuity of supply of manioc between the years 1990 and 1991 and between subsequent extensions starting in 1995 and subject to the annual maximum quantity as specified in paragraph 1, export certificates to cover an additional quantity of up to

750 000 tonnes may be issued for export by the Kingdom of Thailand in the last six months of 1990 and of up to 650 000 tonnes in the last six months of 1994 and in the final year of any subsequent four-year period.

This quantity will be charged against the export quantities determined for the four-year period immediately following.

Article 3

1. For the agreed quantities the Community will continue to apply a maximum import levy of 6 % *ad valorem* to manioc roots and products imported at present under the Cooperation Agreement, which includes those hard pellets resulting from a process in which manioc roots are first reduced to flour-meal before pelletizing. It is recognized that technological improvements in the processing of manioc for the purpose of facilitating its transportation and/or of solving environmental problems should be kept under review in the joint working group set up by Article 7 of the Cooperation Agreement.

2. The provisions in paragraph 1 will not be prejudiced by the entry into force of the new harmonized system of tariff classification.

*On behalf of the
Council of the European Communities*
Ray MAC SHARRY

3. The provisions embodied in this Article do not, however, affect or prejudice the future definition of either :

- (a) the products covered by the Community's initial GATT binding, which is at present suspended ; or
- (b) those products covered by the present GATT arrangements, consisting of a temporary suspension of the Community's GATT binding, which has been replaced by a tariff quota.

4. Any future definition or interpretation of the Community's GATT binding or the temporary arrangements specified in paragraph 3 shall not affect the Cooperation Agreement.

Article 4

The Community confirms that the assistance provided for under Article 6 of the Cooperation Agreement will be continued.

Article 5

This Protocol is drawn up in two copies in the Danish, Dutch, English, French, German, Greek, Italian, Portuguese, Spanish and Thai languages, each text being equally authentic.

*For the Government of the
Kingdom of Thailand*
Amaret SILA-ON

Information concerning the signing of the Protocol renewing the Cooperation Agreement between the European Economic Community and the Kingdom of Thailand on manioc production, marketing and trade ⁽¹⁾

The Protocol renewing the Cooperation Agreement between the European Economic Community and the Kingdom of Thailand on manioc production, marketing and trade was signed on 15 November 1990, on behalf of the European Economic Community, by Mr Ray Mac Sharry, Member of the Commission, duly empowered so to do by the President of the Council, and by Mr Amaret Sila-on, Minister for Trade, on behalf of the Government of the Kingdom of Thailand.

⁽¹⁾ See page 23 of this Official Journal.

COUNCIL DECISION**of 27 November 1990****laying down Community criteria for the eradication and monitoring of certain animal diseases****(90/638/EEC)**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field ⁽¹⁾, and in particular Article 24 (2) thereof,

Having regard to the proposal from the Commission,

Whereas Article 24 (2) of Decision 90/424/EEC states that Community criteria for a Community financial measure for the eradication and monitoring of certain animal diseases must be laid down;

Whereas the said criteria must ensure that the measure is effective and enable the Member States to submit to the Commission programmes to secure the rapid eradication of appropriate monitoring of the diseases in question.

HAS ADOPTED THIS DECISION:

Article 1

In order to be approved under the measure provided for in Article 24 (1) of Decision 90/424/EEC, programmes

submitted by the Member States to the Commission must meet the following criteria:

- for eradication programmes: the criteria set out in Annex I,
- for monitoring programmes: the criteria set out in Annex II.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 27 November 1990.

For the Council

The President

V. SACCOMANDI

⁽¹⁾ OJ No L 224, 18. 8. 1990, p. 19.

*ANNEX I***Criteria for eradication programmes**

Eradication programmes shall contain at least :

1. a description of the epidemiological situation of the disease ;
2. an analysis of the estimated costs and an estimate of the anticipated benefits of the programme ;
3. the likely duration of the programme and the objective to be attained by the completion date ;
4. designation of the central authority charged with supervising and coordinating the departments responsible for implementing the programme ;
5. description and delimitation of the geographical and administrative area in which the programme is to be applied ;
6. a system ensuring the notification of all suspected or confirmed outbreaks of the disease in the area concerned ;
7. the control procedures and in particular rules on the movement of animals liable to be affected or contaminated by a given disease and the regular inspection of the holdings or areas concerned ;
8. a system for registration of holdings involved in the programme ;
9. measures to identify the origin of the animals ;
10. the different statuses applicable to holdings or areas, the objectives to be attained in the case of each status, the conditions applicable to movements of animals between holdings or areas of different status and the consequences of loss of status ;
11. if necessary, a description of the analysis, test and sampling methods used for each disease ;
12. the measures to be taken where positive results are found during checks carried out under the programme. Such measures must include all the necessary precautions to secure rapid eradication of the disease, in the light of the epidemiological data and preventive methods specific to it, for example :
 - (a) the slaughter of animals which are affected or contaminated, or suspected of being affected or contaminated, with :
 - either the destruction of the carcasses or their subsequent use after treatment for purposes other than for human consumption, provided that the treatments employed afford adequate guarantees with regard to public and/or animal health or
 - subsequent use of the meat, provided this does not represent any danger to human health ;
 - (b) the destruction of all products which could transmit the disease or the treatment of such products to avoid any possible contamination ;
 - (c) a procedure for the disinfection of infected holdings ;
 - (d) the therapeutic or preventive treatment chosen ;
 - (e) a procedure for the restocking with healthy animals of holdings which have been depopulated by slaughter ;
 - (f) the creation of a surveillance zone around the infected holding ;
13. where necessary, rules for adequate compensation to farmers for slaughtered animals as soon as possible ;
14. an undertaking by the authority referred to in point 4 to inform the Commission's departments regularly and fully.

*ANNEX II***Criteria for control programmes**

Monitoring programmes must contain at least the following:

1. the criteria referred to in points 1 to 9, 12, 13 and 14 of Annex I;
 2. a system of monitoring based on serological, microbiological, pathological or epidemiological analyses, or any other method appropriate to the disease;
 3. a system for ascertaining the absence of the disease in the light of its epidemiological characteristics.
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CORRIGENDA

Corrigendum to Commission Regulation (EEC) No 3465/90 of 30 November 1990 fixing the amount of the subsidy on oil seeds

(Official Journal of the European Communities No L 336 of 1 December 1990)

On page 30, Annex II 2 (b), seed harvested in Spain and processed in Spain (Pta), column '4th period':

for: '346,46',

read: '364,46'.
