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I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EURATOM, ECSC, EEC) No 3736/90
of 19 December 1990**

correcting, with effect from 1 July 1989, and adjusting, with effect from 1 July 1990, the remuneration and pensions of officials and other servants of the European Communities and the weightings applied thereto

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing a Single Council and a Single Commission of the European Communities,

Having regard to the Protocol on the Privileges and Immunities of the European Communities, and in particular Article 13 thereof,

Having regard to the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Communities laid down by Regulation (Euratom, ECSC, EEC) No 259/68 ⁽¹⁾, as last amended by Regulation (Euratom, ECSC, EEC) No 2258/90 ⁽²⁾, and in particular Articles 63, 64, 65 and 82 of the Staff Regulations and the first subparagraph of Article 20 and Article 64 of the Conditions of Employment,

Having regard to Council Decision 81/1061/Euratom, ECSC, EEC of 15 December 1981 amending the method of adjusting the remuneration of officials and other servants of the Communities ⁽³⁾, as last amended by Decision 87/530/Euratom, ECSC, EEC ⁽⁴⁾,

Having regard to the proposal from the Commission,

Whereas Regulation (Euratom, ECSC, EEC) No 2258/90 did not take account of the actual increase in remuneration in certain national civil services; whereas the figures for these increases are now available; whereas the amounts laid down by the said Regulation should therefore be corrected;

Whereas a review of the remuneration of officials and other servants carried out on the basis of a report by the Commission has shown that the remuneration and pensions of officials and other servants of the Communities should be adjusted under the 1990 annual review,

HAS ADOPTED THIS REGULATION:

Article 1

With effect from 1 July 1989:

(a) the table of basic monthly salaries in Article 66 of the Staff Regulations shall be replaced by the following:

⁽¹⁾ OJ No L 56, 4. 3. 1968, p. 1.

⁽²⁾ OJ No L 204, 2. 8. 1990, p. 1.

⁽³⁾ OJ No L 386, 31. 12. 1981, p. 6.

⁽⁴⁾ OJ No L 307, 29. 10. 1987, p. 40.

Grades	Steps							
	1	2	3	4	5	6	7	8
A 1	350 643	369 271	387 899	406 527	425 155	443 783		
A 2	311 169	328 944	346 719	364 494	382 269	400 044		
A 3 / LA 3	257 706	273 253	288 800	304 347	319 894	335 441	350 988	366 535
A 4 / LA 4	216 500	228 635	240 770	252 905	265 040	277 175	289 310	301 445
A 5 / LA 5	178 494	189 068	199 642	210 216	220 790	231 364	241 938	252 512
A 6 / LA 6	154 247	162 664	171 081	179 498	187 915	196 332	204 749	213 166
A 7 / LA 7	132 777	139 384	145 991	152 598	159 205	165 812		
A 8 / LA 8	117 431	122 165						
B 1	154 247	162 664	171 081	179 498	187 915	196 332	204 749	213 166
B 2	133 647	139 912	146 177	152 442	158 707	164 972	171 237	177 502
B 3	112 102	117 312	122 522	127 732	132 942	138 152	143 362	148 572
B 4	96 955	101 474	105 993	110 512	115 031	119 550	124 069	128 588
B 5	86 666	90 324	93 982	97 640				
C 1	98 898	102 884	106 870	110 856	114 842	118 828	122 814	126 800
C 2	86 016	89 671	93 326	96 981	100 636	104 291	107 946	111 601
C 3	80 242	83 372	86 502	89 632	92 762	95 892	99 022	102 152
C 4	72 497	75 435	78 373	81 311	84 249	87 187	90 125	93 063
C 5	66 853	69 591	72 329	75 067				
D 1	75 550	78 853	82 156	85 459	88 762	92 065	95 368	98 671
D 2	68 888	71 821	74 754	77 687	80 620	83 553	86 486	89 419
D 3	64 116	66 860	69 604	72 348	75 092	77 836	80 580	83 324
D 4	60 453	62 932	65 411	67 890				

- (b) — Bfrs 5 312 shall be replaced by Bfrs 5 307 in Article 1 (1) of Annex VII to the Staff Regulations,
- Bfrs 6 842 shall be replaced by Bfrs 6 835 in Article 2 (1) of Annex VII to the Staff Regulations,
- Bfrs 12 221 shall be replaced by Bfrs 12 209 in the second sentence of Article 69 of the Staff Regulations and in the second subparagraph of Article 4 (1) of Annex VII thereto,
- Bfrs 6 113 shall be replaced by Bfrs 6 107 in the first subparagraph of Article 3 of Annex VII to the Staff Regulations.

Article 2

With effect from 1 July 1989, the table of basic monthly salaries in Article 63 of the Conditions of Employment of Other Servants shall be replaced by the following :

Category	Group	Steps			
		1	2	3	4
A	I	164 627	185 021	205 415	225 809
	II	119 484	131 126	142 768	154 410
	III	100 407	104 881	109 355	113 829
B	IV	96 458	105 899	115 340	124 781
	V	75 765	80 758	85 751	90 744
C	VI	72 056	76 299	80 542	84 785
	VII	64 495	66 688	68 881	71 074
D	VIII	58 292	61 725	65 158	68 591
	IX	56 135	56 918	57 701	58 484

Article 3

With effect from 1 July 1989 the fixed allowance referred to in Article 4a of Annex VII to the Staff Regulations shall be :

- Bfrs 3 186 per month for officials in Grade C 4 or C 5,
- Bfrs 4 883 per month for officials in Grade C 1, C 2 or C 3.

Article 4

Pensions for which entitlement has accrued by 1 July 1989 shall be calculated from that date by reference to the table of basic monthly salaries laid down in Article 66 of the Staff Regulations, as amended by Article 1 (a) of this Regulation.

Article 5

1. With effect from 15 May 1989, the weighting applicable to the remuneration of officials and other servants employed in Greece shall be 87,0.
2. The weightings applicable to pensions shall be determined in accordance with Article 82 (1) of the Staff Regulations. Articles 3 to 10 of Regulation (ECSC, EEC, Euratom) No 2175/88 ⁽¹⁾ shall remain applicable.

Article 6

With effect from 1 July 1989, the table in Article 10 (1) of Annex VII to the Staff Regulations shall be replaced by the following :

	Entitled to household allowance		Not entitled to household allowance	
	1st to 15th day	from 16th day	1st to 15th day	from 16th day
	Bfrs per calendar day			
A 1 to A 3 and LA 3	2 069	975	1 422	816
A 4 to A 8 and LA 4 to LA 8 and category B	2 008	910	1 363	712
Other grades	1 822	848	1 173	586

Article 7

With effect from 1 July 1989, the allowances for shiftwork laid down in Article 1 of Regulation (ECSC, EEC, Euratom) No 300/76 ⁽²⁾, as last amended by Regulation (Euratom, ECSC, EEC) No 2258/90, shall be Bfrs 9 232, Bfrs 13 934, Bfrs 15 234 and Bfrs 20 771.

Article 8

With effect from 1 July 1989, the amounts in Article 4 of Council Regulation (EEC, Euratom, ECSC) No 260/68 ⁽³⁾ shall be subject to a weighting of 3,303604.

⁽¹⁾ OJ No L 191, 22. 7. 1988, p. 1.

⁽²⁾ OJ No L 38, 13. 2. 1976, p. 1.

⁽³⁾ OJ No L 56, 4. 3. 1968, p. 8.

Article 9

With effect from 1 July 1990:

- (a) the table of basic monthly salaries in Article 66 of the Staff Regulations shall be replaced by the following:

Grades	Steps							
	1	2	3	4	5	6	7	8
A 1	377 992	398 073	418 154	438 235	458 316	478 397		
A 2	335 441	354 602	373 763	392 924	412 085	431 246		
A 3 / LA 3	277 806	294 566	311 326	328 086	344 846	361 606	378 366	395 126
A 4 / LA 4	233 388	246 469	259 550	272 631	285 712	298 793	311 874	324 955
A 5 / LA 5	192 418	203 816	215 214	226 612	238 010	249 408	260 806	272 204
A 6 / LA 6	166 279	175 352	184 425	193 498	202 571	211 644	220 717	229 790
A 7 / LA 7	143 135	150 257	157 379	164 501	171 623	178 745		
A 8 / LA 8	126 591	131 695						
B 1	166 279	175 352	184 425	193 498	202 571	211 644	220 717	229 790
B 2	144 071	150 825	157 579	164 333	171 087	177 841	184 595	191 349
B 3	120 847	126 463	132 079	137 695	143 311	148 927	154 543	160 159
B 4	104 518	109 389	114 260	119 131	124 002	128 873	133 744	138 615
B 5	93 425	97 369	101 313	105 257				
C 1	106 611	110 908	115 205	119 502	123 799	128 096	132 393	136 690
C 2	92 726	96 666	100 606	104 546	108 486	112 426	116 366	120 306
C 3	86 501	89 875	93 249	96 623	99 997	103 371	106 745	110 119
C 4	78 152	81 319	84 486	87 653	90 820	93 987	97 154	100 321
C 5	72 068	75 020	77 972	80 924				
D 1	81 442	85 003	88 564	92 125	95 686	99 247	102 808	106 369
D 2	74 261	77 423	80 585	83 747	86 909	90 071	93 233	96 395
D 3	69 117	72 075	75 033	77 991	80 949	83 907	86 865	89 823
D 4	65 168	67 841	70 514	73 187				

- (b) — Bfrs 5 312 shall be replaced by Bfrs 5 721 in Article 1 (1) of Annex VII to the Staff Regulations,
- Bfrs 6 842 shall be replaced by Bfrs 7 368 in Article 2 (1) of Annex VII to the Staff Regulations,
- Bfrs 12 221 shall be replaced by Bfrs 13 161 in the second sentence of Article 69 of the Staff Regulations in the second subparagraph of Article 4 (1) of Annex VII thereto,
- Bfrs 6 113 shall be replaced by Bfrs 6 583 in the first subparagraph of Article 3 of Annex VII to the Staff Regulations.

Article 10

With effect from 1 July 1990, the table of basic monthly salaries in Article 63 of the Conditions of Employment of Other Servants shall be replaced by the following:

Category	Group	Steps			
		1	2	3	4
A	I	177 469	199 453	221 437	243 421
	II	128 804	141 354	153 904	166 454
	III	108 240	113 063	117 886	122 709
B	IV	103 983	114 160	124 337	134 514
	V	81 675	87 057	92 439	97 821
C	VI	77 677	82 251	86 825	91 399
	VII	69 525	71 890	74 255	76 620
D	VIII	62 838	66 539	70 240	73 941
	IX	60 514	61 358	62 202	63 046

Article 11

With effect from 1 July 1990 the fixed allowance referred to in Article 4a of Annex VII to the Staff Regulations shall be:

- Bfrs 3 435 per month for officials in Grade C 4 or C 5,
- Bfrs 5 264 per month for officials in Grade C 1, C 2 or C 3.

Article 12

Pensions for which entitlement has accrued by 1 July 1990 shall be calculated from that date by reference to the table of basic monthly salaries laid down in Article 66 of the Staff Regulations, as amended by Article 9 (a) of this Regulation.

Article 13

With effect from 1 July 1990, the date '1 July 1989' in the second subparagraph of Article 63 of the Staff Regulations shall be replaced by '1 July 1990'.

Article 14

1. With effect from 15 May 1990, the weighting applicable to the remuneration of officials and other servants employed in one of the countries listed below shall be as follows:

Greece	99,5
United Kingdom (except Culham)	119,2
Portugal	98,1

2. With effect from 1 July 1990, the weightings applicable to the remuneration of officials and other servants employed in one of the countries listed below shall be as follows:

Belgium	100,0
Denmark	127,4
Germany (except Berlin)	95,5
Germany (Berlin)	104,0
France	108,5
Greece	79,8
Ireland	94,0
Italy (except Varese)	102,8
Italy (Varese)	106,0
Luxembourg	100,0
Netherlands	84,8 ⁽¹⁾
United Kingdom (except Culham)	103,3
United Kingdom (Culham)	93,9 ⁽¹⁾
Spain	109,2
Portugal	84,9

2. The weightings applicable to pensions shall be determined in accordance with Article 82 (1) of the Staff Regulations. Articles 3 to 10 of Regulations (ECSC, EEC, Euratom) No 2175/88 shall remain applicable.

Article 15

With effect from 1 July 1990, the table in Article 10 (1) of Annex VII to the Staff Regulations shall be replaced by the following:

⁽¹⁾ Provisional figure.

	Entitled to household allowance		Not entitled to household allowance	
	1st to 15th day	from 16th day	1st to 15th day	from 16th day
	Bfrs per calendar day			
A 1 to A 3 and LA 3	2 230	1 051	1 533	880
A 4 to A 8 and LA 4 to LA 8 and category B	2 165	981	1 469	768
Other grades	1 964	914	1 264	632

Article 16

With effect from 1 July 1990, the allowance for shiftwork laid down in Article 1 of Council Regulation (ECSC, EEC, Euratom) No 300/76 shall be Bfrs 9 952, Bfrs 15 021, Bfrs 16 422 and Bfrs 22 391.

Article 17

With effect from 1 July 1990, the amounts in Article 4 of Regulation (EEC, Euratom, ECSC) No 260/68 shall be subject to a weighting of 3,561285.

Article 18

This Regulations shall enter into force on the 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, 19 December 1990.

For the Council

The President

C. VIZZINI

COMMISSION REGULATION (EEC) No 3737/90

of 21 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 20 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 22 December 1990.

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

Done at Brussels, 21 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 21 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	140,55 ⁽²⁾ ⁽³⁾
0712 90 19	29,58	140,55 ⁽²⁾ ⁽³⁾
1001 10 10	24,85	198,00 ⁽¹⁾ ⁽³⁾
1001 10 90	24,85	198,00 ⁽¹⁾ ⁽³⁾
1001 90 91	29,99	190,05
1001 90 99	29,99	190,05
1002 00 00	55,10	156,16 ⁽⁶⁾
1003 00 10	46,40	148,98
1003 00 90	46,40	148,98
1004 00 10	38,04	145,90
1004 00 90	38,04	145,90
1005 10 90	29,58	140,55 ⁽²⁾ ⁽³⁾
1005 90 00	29,58	140,55 ⁽²⁾ ⁽³⁾
1007 00 90	46,40	145,55 ⁽⁴⁾
1008 10 00	46,40	61,69
1008 20 00	46,40	127,60 ⁽⁴⁾
1008 30 00	46,40	72,57 ⁽⁵⁾
1008 90 10	⁽⁷⁾	⁽⁷⁾
1008 90 90	46,40	72,57
1101 00 00	55,84	279,92
1102 10 00	90,99	232,46
1103 11 10	51,84	320,22
1103 11 90	59,40	301,40

⁽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 3738/90

of 21 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 20 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 22 December 1990.

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

Done at Brussels, 21 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 21 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	0	0	0
1001 90 99	0	0	0	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 10	0	0	0	0
1004 00 90	0	0	0	0
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	3,20
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	0

B. Malt

CN code	(ECU/tonne)				
	Current 12	1st period 1	2nd period 2	3rd period 3	4th period 4
1107 10 11	0	0	0	0	0
1107 10 19	0	0	0	0	0
1107 10 91	0	0	0	0	0
1107 10 99	0	0	0	0	0
1107 20 00	0	0	0	0	0

COMMISSION REGULATION (EEC) No 3739/90
of 21 December 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 3537/90 ⁽⁵⁾, as amended by Regulation (EEC) No 3614/90 ⁽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 24 December 1990.

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

Done at Brussels, 21 December 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 344, 8. 12. 1990, p. 5.

⁽⁶⁾ OJ No L 351, 15. 12. 1990, p. 11.

ANNEX

to the Commission Regulation of 21 December 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⁾) (⁽⁴⁾)
1006 10 21	—	—	156,93	321,07
1006 10 23	—	245,75	160,23	327,66
1006 10 25	—	245,75	160,23	327,66
1006 10 27	—	245,75	160,23	327,66
1006 10 92	—	—	156,93	321,07
1006 10 94	—	245,75	160,23	327,66
1006 10 96	—	245,75	160,23	327,66
1006 10 98	—	245,75	160,23	327,66
1006 20 11	—	—	197,07	401,34
1006 20 13	—	307,19	201,19	409,58
1006 20 15	—	307,19	201,19	409,58
1006 20 17	—	307,19	201,19	409,58
1006 20 92	—	—	197,07	401,34
1006 20 94	—	307,19	201,19	409,58
1006 20 96	—	307,19	201,19	409,58
1006 20 98	—	307,19	201,19	409,58
1006 30 21	13,05	—	244,46	512,78
1006 30 23	12,97	462,30	296,31	616,40
1006 30 25	12,97	462,30	296,31	616,40
1006 30 27	12,97	462,30	296,31	616,40
1006 30 42	13,05	—	244,46	512,78
1006 30 44	12,97	462,30	296,31	616,40
1006 30 46	12,97	462,30	296,31	616,40
1006 30 48	12,97	462,30	296,31	616,40
1006 30 61	13,90	—	260,70	546,11
1006 30 63	13,90	495,59	318,04	660,78
1006 30 65	13,90	495,59	318,04	660,78
1006 30 67	13,90	495,59	318,04	660,78
1006 30 92	13,90	—	260,70	546,11
1006 30 94	13,90	495,59	318,04	660,78
1006 30 96	13,90	495,59	318,04	660,78
1006 30 98	13,90	495,59	318,04	660,78
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.

(⁽⁴⁾) The import levy on rice originating in Bangladesh is specified in Regulation (EEC) No 3491/90.

COMMISSION REGULATION (EEC) No 3740/90

of 21 December 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 3615/90 ⁽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 24 December 1990.

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

Done at Brussels, 21 December 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 351, 15. 12. 1990, p. 13.

ANNEX

to the Commission Regulation of 21 December 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 3741/90

of 21 December 1990

fixing the refunds applicable for January 1991 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 3577/90 ⁽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 January 1991 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 January 1991.

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

Done at Brussels, 21 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 353, 17. 12. 1990, p. 23.
⁽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 21 December 1990 fixing the refunds applicable for January 1991 to cereal and rice sector products supplied as Community and national food aid

(ECU/tonne)	
Product code	Refund
1001 10 90 000	162,93
1001 90 99 000	110,90
1002 00 00 000	100,00
1003 00 90 000	101,45
1004 00 90 000	—
1005 90 00 000	101,45
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	160,00
1007 00 90 000	101,45
1101 00 00 110	138,00
1101 00 00 120	138,00
1101 00 00 130	138,00
1102 20 10 100	176,57
1102 20 10 300	151,34
1102 30 00 000	—
1102 90 10 100	147,45
1103 11 10 500	238,00
1103 11 90 100	155,00
1103 13 19 100	227,02
1103 14 00 000	—
1104 12 90 100	198,80
1104 21 50 100	196,60

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 3742/90

of 21 December 1990

fixing the difference in white sugar prices to be used in calculating the levy for
processed fruit and vegetable products and for wine

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables ⁽¹⁾, as last amended by Regulation (EEC) No 2201/90 ⁽²⁾, and in particular Article 10 (4) thereof,Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987, on the common organization of the market in wine ⁽³⁾ as last amended by Regulation (EEC) No 3577/90 ⁽⁴⁾, and in particular Article 55 (3) thereof,

Whereas, in order that the Member States may determine the amount of the levy applicable in respect of the various added sugars to imports of the products listed in Annex III to Regulation (EEC) No 426/86 and of the products falling within CN codes 2009 60 11, 2009 60 71, 2009 60 79 and 2204 30 99 which are listed in Article 1 (2) (a) of Regulation (EEC) No 822/87, it is necessary in accordance with Article 10 (3) of Regulation (EEC) No 426/86 and Article 55 (2) of Regulation (EEC) No 822/87 to determine the difference between, firstly, the average of the threshold prices for one kilogram of white sugar for

each month of the quarter for which the difference is being determined and, secondly, the average of the cif prices for one kilogram of white sugar used in fixing the levies on white sugar, as calculated for a period comprising the first 15 days of the month preceding the quarter for which the difference is being determined and the two months immediately preceding that month; whereas, pursuant to the abovementioned Regulations, this difference must be determined by the Commission for each quarter of the calendar year,

HAS ADOPTED THIS REGULATION:

Article 1

For the period 1 January to 31 March 1991, the difference referred to in Article 10 (3) of Regulation (EEC) No 426/86 and in Article 55 (2) of Regulation (EEC) No 822/87 is fixed at ECU 0,4460.

Article 2

This Regulation shall enter into force on 1 January 1991.

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

Done at Brussels, 21 December 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ OJ No L 201, 31. 7. 1990, p. 1.

⁽³⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽⁴⁾ OJ No L 353, 17. 12. 1990, p. 23.

COMMISSION REGULATION (EEC) No 3743/90

of 21 December 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 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 accor-

dance 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 January 1991.

⁽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, 21 December 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 21 December 1990 fixing the corrective amount applicable to the refund on rice and broken rice

(ECU/tonne)					
Product code	Destination (1)	Current 1	1st period 2	2nd period 3	3rd period 4
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 1	1st period 2	2nd period 3	3rd period 4
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 3744/90
of 19 December 1990
on the supply of various lots 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 930 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, 19 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

LOT A.

1. **Operation No (1):** 1045/90 — Commission Decision of 20. 9. 1990
2. **Programme:** 1990
3. **Recipient:** Egypt
4. **Representative of the recipient (2):** Ambassade de la République Arabe d'Égypte — Section Commerciale, 522, Av. Louise, B-1050 Bruxelles, tel. 02/ 647 32 27; telex 64809 COMRAU B
5. **Place or country of destination:** Egypt.
6. **Product to be mobilized:** butteroil
7. **Characteristics and quality of the goods (3) (4):** See OJ No C 216, 14. 8. 1987, p. 7 under (I.3.1 and I.3.2)
8. **Total quantity:** 480 tonnes
9. **Number of lots:** one
10. **Packaging and marking:** five kilograms
OJ No C 216, 14. 8. 1987, p. 7 (under I.3.3)
Supplementary markings on the packaging:
'ACTION No 1045/90 / BUTTEROIL / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY TO EGYPT'
and 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 — fob at ship's rail (5)
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:** 18 — 28. 2. 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 (6):** 12 noon on 7. 1. 1991
21. **In the case of a second invitation to tender:**
 - (a) deadline for the submission of tenders: 12 noon on 21. 1. 1991
 - (b) period for making the goods available at the port of shipment: 18 — 28. 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 application by the successful tenderer (7):** refund applicable on 16. 11. 1990, fixed by Commission Regulation (EEC) No 3303/90 (OJ No L 317, 16. 11. 1990, p. 29)

LOTS B and C

1. **Operation Nos⁽¹⁾**: 966 and 969/90 — Commission Decision of 15. 6. 1990
2. **Programme**: 1990
3. **Recipient**: Mozambique
4. **Representative of the recipient⁽¹¹⁾⁽¹²⁾**:
 - lot B: Protal — Produtos alimentares limitada,
Ave. Moçambique 2270,
PO Box 1852, Maputo,
tel.: 47 52 23, fax: 47 52 18; telex 6-373 prota mo
 - lot C: Cogropa
Ave. 25 de Setembro, 916 r/c, 1 PO Box 308,
tel.: 41 70 71; telex: 6370; fax: 20 135;
5. **Place or country of destination**: Mozambique
6. **Product to be mobilized**: butteroil
7. **Characteristics and quality of the goods⁽²⁾⁽⁹⁾⁽¹⁰⁾**: see OJ No C 216, 14. 8. 1987, p. 7 (under I.3.1 and I.3.2)
8. **Total quantity**: 450 tonnes
9. **Number of lots**: two (lot B: 300 tonnes; lot C: 150 tonnes)
10. **Packaging and marking**: 20 kg in 20-foot containers and OJ No C 216, 14. 8. 1987, p. 7 (under I.3.3)
Special markings on packaging:
 - lot B: 'ACÇÃO N° 966/90
 - lot C: 'ACÇÃO N° 969/90
/ BUTTEROIL / COMUNIDADE ECONOMICA EUROPEIA'and OJ No C 216, van 14. 8. 1987, p. 8 (under I.3.4)
11. **Method of mobilization**: the Community market
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**: Cogropa, Avenida de Mocambique c.p. 2746, Maputo
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 1 — 10. 2. 1991
18. **Deadline for the supply**: 31. 3. 1991
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⁽⁴⁾**: 12 noon on 7. 1. 1991
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon on 21. 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: 10 — 21. 2. 1991
 - (c) deadline for the supply: 15. 4. 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, 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⁽⁵⁾**: 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 a certificate from an official entity, certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member States concerned, have not been exceeded. The radioactivity certificate must indicate the caesium-134 and -137 levels.
- (³) Commission delegate to be contacted by the successful tenderer: see list 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 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) 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 radioactivity certificate must be endorsed by an Egyptian embassy or consulate.
- (⁷) Commission delegate to be contacted by the successful tenderer:
Mme F. Henrich, Délégué, 6 Ibn Zanri Street, Cairo Zamalek, telex 94258 EUROP UN CAIRO.
- (⁸) Port customs to the contrary notwithstanding, delivery fob at ship's rail shall be deemed to include all costs up to the time when the goods clear the ship's rail.
- (⁹) The successful tenderer shall give the beneficiaries' representative, at the time of delivery, a certificate of origin.
- (¹⁰) Veterinary certificate issued by an official entity stating that the product derives from healthy animals, was processed under excellent sanitary conditions which are supervised by qualified technical personnel and that the area of production of raw milk had not registered foot-and-mouth disease.
- (¹¹) Commission delegate to be contacted by the successful tenderer: FSC DA CAMARA, CP 1306, Maputo, tel. 74 40 93; telex 6-146 CEE-MO.
- (¹²) The following documents must be sent to the beneficiary's representative immediately after loading to enable him to obtain an import licence:
- 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).

COMMISSION REGULATION (EEC) No 3745/90
of 19 December 1990
on the supply of various lots of white sugar 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 400 tonnes of sugar;

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

Sugar 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, 19 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

LOT A, B and C

1. **Operation Nos** ⁽¹⁾: 958/90 — 960/90
2. **Programme**: 1989
3. **Recipient** ⁽⁴⁾: Mozambique
4. **Representative of the recipient** ⁽²⁾: Empresa de Supermercados de Maputo, Av. Fernao de Magalhaes 481, Maputo, tel. 42 10 31/3)
5. **Place or country of destination**: Mozambique
6. **Product to be mobilized**: white sugar
7. **Characteristics and quality of the goods** ⁽³⁾: white sugar of category 2 standard quality (Council Regulation (EEC) No 793/72 (OJ No L 94, 21. 4. 1972, p. 1)) meeting the requirements set out in Article 3 (3) of Commission Regulation (EEC) No 2103/77 (OJ No L 246, 27. 9. 1977, p. 12)
8. **Total quantity**: 400 tonnes
9. **Number of lots**: three (lot A: 150 tonnes; lot B: 150 tonnes; lot C: 100 tonnes)
10. **Packaging and marking** ⁽⁴⁾: new jute bags, with inner polythene bag at least 0,05 mm thick, minimum weight of jute and polythene 420 g, net capacity 50 kilograms
 Marking on bags (at least 5 cm high):

Lot A: 'Acção no. 958/90	}	/ AÇÚCAR / DONATIVO DA COMUNIDADE ECONÓMICA EUROPEIA'
Lot B: 'Acção no. 959/90		
Lot C: 'Acção no. 960/90		
11. **Method of mobilization** ⁽⁷⁾: sugar produced in the Community as defined at (a) and (b) in the sixth subparagraph of Article 24 (1) (a) of Council Regulation (EEC) No 1785/81 (OJ No L 177, 1. 7. 1981, p. 4)
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**: Beira
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**: lot A: 10 — 20. 1. 1991; lot B: 1 — 15. 3. 1991; lot C: 1 — 15. 6. 1991
18. **Deadline for the supply**: lot A: 28. 2. 1991; lot B: 15 — 30. 4. 1991; lot C: 15 — 30. 7. 1991.
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**: 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 22. 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: lot A: 25. 1. — 5. 2. 1991; lot B: 1 — 15. 3. 1991; lot C: 1 — 15. 6. 1991
 (c) deadline for the supply: lot A: 15. 3. 1991; lot B: 15 — 30. 4. 1991; lot C: 15 — 30. 7. 1991
22. **Amount of the tendering security**: ECU 15 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders** ⁽⁵⁾:
 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** ⁽⁶⁾: periodic refund applicable to white sugar on 1. 12. 1990, fixed by Commission Regulation (EEC) No 3470/90 (OJ No L 336, 1. 12. 1990, p. 45)

Notes :

- (¹) The operation number is to be quoted in all correspondence.
- (²) Commission delegate to be contacted by the successful tenderer :
FSC DA CAMARA, CP 1306, Maputo
Tel. 74 40 93 ; telex 6-146 CCE-MO
- (³) The successful tenderer shall deliver to the beneficiary 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 origin,
— phytosanitary certificate.
- (⁴) Since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.
- (⁵) 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.
- (⁶) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56) 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.
- (⁷) The rule provided at the second indent in point (a) of Article 18 (2) of Regulation (EEC) No 2103/77 is binding for determination of the sugar category.
- (⁸) The successful tenderer shall contact the recipient as soon as possible to establish which consignment documents are required and how they are to be distributed.
-

COMMISSION REGULATION (EEC) No 3746/90
of 19 December 1990
on the supply of various lots of refined sunflower oil 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 3 120 tonnes of refined sunflower oil;

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

Refined sunflower oil shall be mobilized in the Community as Community food aid for supply to the recipients listed in the Annexes 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, 19 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 I

1. **Operation Nos** ⁽¹⁾: 1039 — 1041/90
 2. **Programme**: 1989
 3. **Recipient**: Euronaid, PO Box 77, NL-2340 AB Oegstgeest
 4. **Representative of the recipient** ⁽²⁾: see OJ No C 103, 16. 4. 1987
 5. **Place or country of destination**: Egypt
 6. **Product to be mobilized**: refined sunflower oil
 7. **Characteristics and quality of the goods** ⁽³⁾ ⁽⁴⁾: see list published in OJ No C 216, 14. 8. 1987, p. 3 (under III.A.2)
 8. **Total quantity**: 180 tonnes net
 9. **Number of lots**: one
 10. **Packaging and marking** ⁽⁵⁾ ⁽¹²⁾ ⁽¹³⁾: see list published in OJ No C 216, 14. 8. 1987, p. 3, (under I.3.3):
 - metal cans of five kilograms
 - the cans and the cartons must carry the following wording: see Annex IV
 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**: 8 — 18. 2. 1991
 18. **Deadline for the supply**: —
 19. **Procedure for determining the costs of supply** ⁽⁶⁾: 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 22. 1. 1991
 - (b) period for making the goods available at the port of shipment: 22. 2 — 8. 3. 1991
 - (c) deadline for the supply: —
 22. **Amount of the tendering security**: ECU 15 per tonne
 23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
 24. **Address for submission of tenders** ⁽⁷⁾: 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**: —
-

ANNEX II

1. **Operation No** (1): 844/90
2. **Programme**: 1990
3. **Recipient**: Peru
4. **Representative of the recipient** (2): Oficina Nacional de Apoyo Alimentario (ONAA), Natalio Sanchez 220, Piso 14, Jesus Maria, Lima (Peru); tél. 24 24 64
5. **Place or country of destination**: Peru
6. **Product to be mobilized**: refined sunflower oil
7. **Characteristics and quality of the goods** (3) (4): see list published in OJ No C 216, 14. 8. 1987, p. 3 (under IIIA.2)
8. **Total quantity**: 1 500 tonnes net
9. **Number of lots**: one
10. **Packaging and marking** (5): see list published in OJ No C 216, 14. 8. 1987, p. 3 (under I.3.3):
 - metal cans of five kilograms
 - the cans and cartons must carry the following wording:
'ACCIÓN N° 844/90 / ACEITE DE GIRASOL / DONACIÓN DE LA COMUNIDAD ECONÓMICA EUROPEA AL PERÚ / DISTRIBUCIÓN GRATUITA'
11. **Method of mobilization**: the Community market
12. **Stage of supply** (6): free at destination
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Callao
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**: 8 — 28. 2. 1991
18. **Deadline for the supply**: 28. 3. 1991
19. **Procedure for determining the costs of supply** (7): 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 22. 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: 22. 2 — 14. 3. 1991
 - (c) deadline for the supply: 11. 4. 1991
22. **Amount of the tendering security**: ECU 15 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders** (8): 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**: —

ANNEX III

1. **Operation No** ⁽¹⁾: 1044/90
2. **Programme**: 1990
3. **Recipient**: Arab Republic of Egypt
4. **Representative of the recipient** ⁽¹⁴⁾: Ambassade de la République Arabe d'Égypte, section commerciale, 522 avenue Louise, B-1050 Bruxelles; tel. (02) 647 32 27, telex 64809 COMRAU B
5. **Place or country of destination**: Egypt
6. **Product to be mobilized**: refined sunflower oil
7. **Characteristics and quality of the goods** ⁽¹⁾ ⁽⁹⁾: see list published in OJ No C 216, 14. 8. 1987, p. 3 (under III.A.2)
8. **Total quantity**: 1 440 tonnes net
9. **Number of lots**: one
10. **Packaging and marking** ⁽¹¹⁾: see list published in OJ No C 216, 14. 8. 1987, p. 3 (under III.B):
 - new drums of 200 litres or 200 kilograms,
 - the drums must carry the following wording:
'ACTION No 1044/90 / SUNFLOWER OIL / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY TO EGYPT'
11. **Method of mobilization**: the Community market
12. **Stage of supply**: ⁽¹⁰⁾ free at port of shipment — FOB at ship's ail
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 stage**: 8. — 28. 2. 1991
18. **Deadline for the supply**: —
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 22. 1. 1991
 - (b) period for making the goods available at the port of shipment: 22. 2. — 14. 3. 1991
 - (c) deadline for the supply: —
22. **Amount of the tendering security**: ECU 15 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders** ⁽⁵⁾: 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
25. **Refund payable on request by the successful tenderer**: —

Notes:

- (1) The operation number is to be quoted in all correspondence.
- (2) Commission delegate to be contacted by the successful tenderer: see list published in OJ No C 227, 7. 9. 1985, p. 4.
- (3) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the products to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.

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

- phytosanitary certificate,
- certificate of origin.

- (4) Point (g) of Article 7 (3) of Regulation (EEC) No 2200/87 shall not be applicable to tenders submitted.
- (5) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of these Annexes, 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 these Annexes,
 - or by telecopier on one of the following numbers in Brussels:
 - 235 01 32,
 - 236 10 97,
 - 235 01 30,
 - 236 20 05.
- (6) As regards packaging and storage, the provisions on butteroil in point I.3.3 of the Commission notice in OJ No C 216, 14. 8. 1987, p. 7 shall apply. However hermetic sealing in an atmosphere of nitrogen shall not be required.

- (7) Commission delegate to be contacted by the successful tenderer:
- M. Benito Prior — Délégation CEE, Calle Orinoco, Las Mercedes, Ap. 768076, Las Americas 1061A, Caracas, Venezuela; tel. (58-2) 91 51 33, telex 27298 COMEU VC, telefax (58-2) 91 88 76.

- (8) Placed in 20-foot containers.

The free holding period for containers must be at least 15 days.

- (9) The radioactivity certificate must be endorsed by an Egyptian embassy or consulate.
- (10) Port custom to the contrary notwithstanding, delivery fob at ship's rail shall be deemed to include all costs up to the time when the goods clear the ship's rail.
- (11) In new bunged metal drums, coated inside with food-can varnish or having been subject to a procedure giving equivalent guarantees, of 190 to 200 kilograms (to be indicated in the tender) net weight, fully filled and hermetically sealed in an atmosphere of nitrogen. The drums should be strong enough to withstand a long sea journey. Their composition must not be such as to be harmful to human health or to cause a change in the colour, taste or odour of their contents. Each drum must be fully leakproof.

- (12) The supplier should send a duplicate of the original invoice to:

MM De Keyzer & Schütz BV,
Postbus 1438,
Blaak 16,
NL-3000 BK Rotterdam.

- (13) Shipment to take place in 20-foot containers, condition FLC/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 subparagraph, of Regulation (EEC) No 2200/87 shall not apply.

The successful tenderer has to submit to the recipient's agent a complete packing list of each container, specifying the number of cartons 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.

- (14) Commission delegate to be contacted by the successful tenderer:

Mme Henrich, Délégué, 6 IBN Zanki Str. Cairo Zamalek; telex 94258 EUROP UN-CAIRO.

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

Designación de la partida Parti Bezeichnung der Partie Χαρακτηρισμός της παρτίδας Lot Désignation de la partie Designazione della partita Aanduiding van de partij Designação da parte	Cantidad total de la partida (en toneladas) Totalmængde (i tons) Gesamtmenge der Partie (in Tonnen) Συνολική ποσότητα της παρτίδας (σε τόνους) Total quantity (in tonnes) Quantité totale de la partie (en tonnes) Quantità totale della partita (in tonnellate) Totale hoeveelheid van de partij (in ton) Quantidade total (em toneladas)	Cantidades parciales (en toneladas) Delmængde (i tons) Teilmengen (in Tonnen) Μερικές ποσότητες (σε τόνους) Partial quantities (in tonnes) Quantités partielles (en tonnes) Quantitativi parziali (in tonnellate) Deelhoeveelheden (in ton) Quantidades parciais (em toneladas)	Beneficiario Modtager Empfänger Δικαιούχος Beneficiary Bénéficiaire Beneficiario Begunstigde Beneficiário	País destinatario Modtagerland Bestimmungsland Χώρα προορισμού Recipient country Pays destinataire Paese destinatario Bestemmingsland País destinatário	Inscripción en el embalaje Emballagens påtegning Aufschrift auf der Verpackung Ένδειξη επί της συσκευασίας Markings on the packaging Inscription sur l'emballage Iscrizione sull'imballaggio Aanduiding op de verpakking Inscrição na embalagem
	180	45	Caritas Germany	Egypt	Action No 1039/90 / Sunflower oil / Egypt / Caritas Germany / 90439 / Alexandria / Gift of the European Economic Community / For free distribution
		75	CAM	Egypt	Action No 1040/90 / Sunflower oil / Egypt / CAM / 92009 / Cairo via Alexandria / Gift of the European Economic Community / For free distribution
		60	CAM	Egypt	Action No 1041/90 / Sunflower oil / Egypt / CAM / 92046 / Cairo via Alexandria / Gift of the European Economic Community / For free distribution

COMMISSION REGULATION (EEC) No 3747/90

of 19 December 1990

opening compulsory distillation as provided for in Article 39 of Council Regulation (EEC) No 822/87 and derogating for the 1990/91 wine year from certain detailed rules for the application thereof

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 90 thereof,

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⁾, and in particular Article 39 (9), (10) and (11) thereof,

Whereas the data available at present to the Commission, and in particular those in the forward estimate for the 1990/91 wine year, show that a feature of that year is an imbalance on the market for table wine and wine suitable for yielding table wine; whereas the conditions laid down in Article 39 (1) of Regulation (EEC) No 822/87 for initiating compulsory distillation are therefore fulfilled;

Whereas in view of the prices and the desirable level of availabilities at the end of the year, the distillation of 17 950 000 hectolitres of wine appears necessary in the Community;

Whereas the experience acquired in the 1987/88 marketing year of the option whereby grape must intended for the production after 15 March of products other than table wine may be deducted from the volume to be used for determining the quantity of wine to be delivered for distillation is inadequate for judging the effect of the measure; whereas that opinion should be made available again in the 1988/89 marketing year so that its impact can be assessed;

Whereas a large number of small producers of grapes belong to cooperative wineries or producer groups; whereas the articles of association of these organizations are such that in certain production regions the delivery obligation provided for in Article 39 of Regulation (EEC) No 822/87 falls on the organization as a whole and in others falls on the producers individually; whereas in consequence there is a danger that the exemption

provided for small producers will differ greatly in effect between regions; whereas both this fact and the difficulties that were produced by the introduction of a dual exemption arrangement within regions must be taken into account for the fixing of the minimum quantity for delivery by producers;

Whereas experience has shown that the fulfilment of a producer's obligation through the delivery of wine obtained in a region of production other than that of the production of the said wine-grower has contributed to the imbalance on the market in certain regions; whereas the obligation should be considered as fulfilled only where wine delivered and wine which is the subject of the obligation are obtained from the same region;

Whereas, in accordance with Article 39 (7) of Regulation (EEC) No 822/87, distillers may either receive aid in respect of the product to be distilled or deliver the product obtained from distillation to the intervention agency; whereas the amount of the aid must be fixed on the basis of the criteria laid down in Article 16 of Council Regulation (EEC) No 2046/89⁽³⁾;

Whereas the derogation provided for in the first subparagraph of Article 39 (10) of Regulation (EEC) No 822/87 was extended for one wine year by Regulation (EEC) No 1325/90, whereas the detailed rules relating thereto must be extended for the same period;

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. Distillation as provided for in Article 39 (1) of Regulation (EEC) No 822/87 is hereby decided on for the 1990/91 wine year.
2. The total quantity of table wine to be distilled shall be 17 950 000 hectolitres.

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 132, 23. 5. 1990, p. 19.

⁽³⁾ OJ No L 202, 14. 7. 1989, p. 14.

3. The quantities to be distilled in the regions as referred to in Article 4 (2) of Commission Regulation (EEC) No 441/88⁽¹⁾ shall be as follows:

- Region 1: 0 hectolitres,
- Region 2: 0 hectolitres,
- Region 3: 1 000 000 hectolitres,
- Region 4: 2 200 000 hectolitres,
- Region 5: 50 000 hectolitres,
- Region 6: 14 700 000 hectolitres.

4. Region 6 as referred to in paragraph 3 shall be divided into two parts as follows:

- Part A:
consisting of the Regions of Asturias, the Balearic Islands, Cantabria and Galicia and the provinces of Guipúzcoa and Vizcaya,
- Part B:
consisting of any territory in Region 6 not included in Part A.

The quantities to be distilled in the abovementioned parts of Region 6 shall be as follows:

- Part A: 0 hectolitres,
- Part B: 14 700 000 hectolitres.

Article 2

By way of derogation from Article 6 (1) of Regulation (EEC) No 441/88 producers may deduct from the volume indicated in the first paragraph of that Article quantities of grape must intended for the preparation of products other than table wine not yet processed by 15 March, provided that they undertake to process them by 31 August. If such processing has not taken place by the latter date, producers must deliver for compulsory distillation in the form of wine, a quantity resulting from the application of the percentage provided for in Article 8 to the quantity of unprocessed must, plus 20 %. That quantity must be delivered by the date fixed by the competent national authority pursuant to Article 12 (5) of Regulation (EEC) No 441/88.

Article 3

By way of derogation from Article 9 (1) of Regulation (EEC) No 441/88 the quantity of table wine below which producers are exempted from the obligation to deliver shall be 5 hectolitres except for producers in the regions indicated in the first indent in the second subparagraph of Article 7 of that Regulation, for whom it shall be 25 hectolitres.

Article 4

Without prejudice to the application of Article 44 of Regulation (EEC) No 822/87, the buying-in prices for table wine to be delivered for compulsory distillation shall be ECU 0,88 per % vol alcohol and per hectolitre for

white table, wine of type A I, R I and R II except in Spain, where the price shall be ECU 0,77,

Article 5

The aid for which the distiller may qualify, as against the prices laid down in Article 4, shall be:

- (a) where the product obtained from distillation complies with the definition of neutral spirits as set out in the Annex to Regulation (EEC) No 2046/89: ECU 0,36 and 0,25 per % vol alcohol per hectolitre.
- (b) where the product obtained from distillation is wine spirits complying with the quality criteria laid down by national provisions in force: ECU 0,25 and 0,14 per % vol alcohol per hectolitre.
- (c) where the product obtained from distillation where it is obtained from white wine of type A I: ECU 0,25 and 0,14 per % vol alcohol per hectolitre.

Article 6

1. The price to be paid to the distiller by the intervention agency for the product delivered in accordance with the second indent of the first subparagraph of Article 39 (7) of Regulation (EEC) No 822/87, as against the prices laid down in Article 4, shall be ECU 1,32 and 1,21 per % vol alcohol per hectolitre.

These prices shall apply to neutral spirits complying with the definition as set out in the Annex to Regulation (EEC) No 2046/89.

2. For spirits other than those referred to in paragraph 1, the prices given in that paragraph shall be reduced by ECU 0,11 per % vol alcohol per hectolitre.

Article 7

The aid for which fortifiers of wine for distillation shall qualify, as against the prices laid down in Article 4, shall be:

- ECU 0,24 and 0,13 per % vol alcohol per hectolitre.

Article 8

For the purposes of Article 12 (1) and (2) of Regulation (EEC) No 441/88 the obligation shall be deemed to have been fulfilled only where the wine delivered is obtained from the same region as that of the producer's own production.

Article 9

In Article 21 of Regulation (EEC) No 441/88, '1987/1988 until 1989/1990' is replaced by '1987/1988 until 1990/1991'.

Article 10

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

⁽¹⁾ OJ No L 45, 18. 2. 1988, p. 15.

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

Done at Brussels, 19 December 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 3748/90

of 19 December 1990

opening, for the 1990/91 wine year, distillation of table wine as provided for in
Article 41 of Regulation (EEC) No 822/87

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⁾, and in particular Articles 41 (10), 47 (3) and 81 thereof,Whereas Commission Regulation (EEC) No 2721/88⁽³⁾, as last amended by Commission Regulation (EEC) No 2355/89⁽⁴⁾, lays down detailed rules for voluntary distillation as provided for in Articles 38, 41 and 42 of Regulation (EEC) No 822/87; whereas Commission Regulation (EEC) No 2270/90⁽⁵⁾ fixes the price, the aid and certain other factors applicable to preventive distillation for the 1990/91 wine year;

Whereas Article 41 (1) of Regulation (EEC) No 822/87 provides that in years during which the distillation indicated in Article 39 thereof is decided on, support distillation is to be introduced as soon as the said measure enters into force;

Whereas Commission Regulation (EEC) No 3747/90⁽⁶⁾ opened for the 1990/91 wine year distillation as indicated in the said Article 39; whereas distillation as provided for in Article 41 (1) of Regulation (EEC) No 822/87 must therefore be opened;

Whereas given the improvement in market conditions expected to result from application in the 1990/91 wine year of the provisions on compulsory distillation of the said Article 39, application of the present support distillation measure should be restricted to the regions in which compulsory distillation is opened, the total quantity of table wine that may be distilled should be restricted to 4 700 000 hectolitres and the total quantity of table wine for which each producer may submit one or more delivery contract declarations for approval by the intervention agency should be limited to an appropriate percentage of the quantity of table wine that he produced during the 1990/91 wine year;

Whereas because of the large differences in yields per hectare recorded in the different production regions

defined for the purposes of compulsory distillation operations by Regulation (EEC) No 441/88⁽⁷⁾, as last amended by Regulation (EEC) No 2351/89⁽⁸⁾, there is a risk, because of the way in which the total volume is allocated among producers, that this market support operation will be concentrated in a single region; whereas so that its impact will be balanced a maximum volume for each region should therefore be set;

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

Distillation under Article 41 (1) of Regulation (EEC) No 822/87 is hereby opened for the 000/9 wine year for all table wine up to a maximum of 4 700 000 hectolitres obtained from grapes grown in the production regions as indicated in Article 4 of Commission Regulation (EEC) No 441/88 in which compulsory distillation has been opened for the 1990/91 wine year.
This quantity is allocated by region as defined in Article 4 (2) of Regulation (EEC) No 441/88, as follows:

- Region 3: 1 000 000 hectolitres
- Region 4: 1 450 000 hectolitres
- Region 5: 50 000 hectolitres
- Region 6: 2 200 000 hectolitres.

Article 2

The total quantity of table wine for which each producer may conclude one or more contracts may not exceed 12 hectolitres per hectare of area used for the production of table wine.

Article 3

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

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 132, 23. 5. 1990, p. 19.

⁽³⁾ OJ No L 241, 1. 9. 1988, p. 88.

⁽⁴⁾ OJ No L 222, 1. 8. 1989, p. 60.

⁽⁵⁾ OJ No L 204, 2. 8. 1990, p. 35.

⁽⁶⁾ See page 34 of this Official Journal.

⁽⁷⁾ OJ No L 45, 18. 2. 1988, p. 15.

⁽⁸⁾ OJ No L 222, 1. 8. 1989, p. 52.

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

Done at Brussels, 19 December 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 3749/90

of 19 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 Commission Regulation (EEC) No 2814/90 laying down detailed rules for the definition of lambs fattened as heavy carcasses⁽³⁾ provided that producers marketing sheep's milk or sheep's milk products who wish to receive the premium for the heavy category as provided for in Article 5 (4) of Regulation (EEC) No 3013/89 must submit an application during a set period within the period 1 November to 31 December preceding the beginning of the marketing year for which it is made ;

Whereas administrative difficulties in Portugal, in Spain and in Italy have delayed the introduction of national implementing provisions ; whereas by way of derogation for the 1990 and 1991 marketing years in the case of Portugal, and for the 1991 marketing year in the case of Spain and Italy a longer period should be allowed for submission of premium applications by producers ;

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

HAS ADOPTED THIS REGULATION :

Article 1

Article 3 of Regulation (EEC) No 2814/90 is hereby amended as follows :

1. '31 December 1990' is replaced by '31 January 1991' ;
2. the following subparagraph is added :

By derogation for the 1991 marketing year the period for submission of premium applications provided for in Articles 1 (1) and 2 (1) shall be :

- in Portugal and in Spain : 1 November 1990 to 31 January 1991,
- in Italy : 1 November 1990 to 28 February 1991.'

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, 19 December 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 375, 23. 12. 1989, p. 4.

⁽³⁾ OJ No L 268, 29. 9. 1990, p. 35.

COMMISSION REGULATION (EEC) No 3750/90

of 19 December 1990

amending for the third time Regulation (EEC) No 3773/89 laying down
transitional measures relating to spirituous beverages

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,Having regard to Council Regulation (EEC) No 1576/89
of 29 May 1989 laying down general rules on the defini-
tion, description and presentation of spirit drinks ⁽¹⁾, and
in particular Article 17 (1) thereof,Whereas Commission Regulation (EEC) No 3773/89 ⁽²⁾,
as last amended by Regulation (EEC) No 3207/90 ⁽³⁾,
determined transitional measures for spirituous beverages ;Whereas the time limit set for completion of preparation
of Community and imported products as specified in
Regulation (EEC) No 1576/89 that may go through their
first stage of marketing up to 14 December 1991 in a
presentation complying with the provisions in force
before 15 December 1989 has turned out to be too short
and should be extended ;Whereas the time limit set in Regulation (EEC) No
3773/89 for adoption of detailed rules as provided for in
Articles 4 (8) and 11 (1) of Regulation (EEC) No 1576/89
has turned out to be too short and should be extended ;
whereas the Member States should be authorized to apply
their national rules in the meantime ;Whereas the measures provided for in this Regulation are
in accordance with the opinion of the Implementation
Committee for Spirit Drinks,

HAS ADOPTED THIS REGULATION :

*Article 1*Regulation (EEC) No 3773/89 is hereby amended as
follows :

1. Article 1 (2) is replaced by the following :

'2. The first stage of marketing of Community and
imported products covered by Regulation (EEC) No
1576/89 preparation of which began before 15 June
1990 and is completed in conformity with the provi-
sions in force before 15 December 1989, as regards
bottling before 31 December 1990 and as regards
presentation before 31 March 1991, may take place up
to 14 December 1991 in a presentation complying
with these provisions.'

2. In Article 2 (3) the date 31 December 1990 is
replaced by 31 March 1991.*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 15 December 1990.

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

Done at Brussels, 19 December 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 160, 12. 6. 1989, p. 1.⁽²⁾ OJ No L 365, 15. 12. 1989, p. 48.⁽³⁾ OJ No L 307, 7. 11. 1990, p. 11.

COMMISSION REGULATION (EEC) No 3751/90

of 20 December 1990

re-establishing the levying of the customs duties applicable to the products falling within CN code 7013 originating in China, 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 Regulation (EEC) No 3896/89 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 falling within CN code 7013 originating in China the individual ceiling amounts to ECU 3 150 000 tonnes; whereas that ceiling was reached on 27 June 1990, by charges of imports into the Community of the products in question originating in China; whereas it is appropriate to reintroduce the levying of customs duties for the products in question with regard to China,

HAS ADOPTED THIS REGULATION:

Article 1

As from 25 December 1990, the levying of customs duties, suspended pursuant to Regulation (EEC) No 3896/89, shall be re-established on imports into the Community of the following products, originating in China:

Order No	CN code	Description
10.0770	7013	Glassware of a kind used for table, kitchen, toilet, office, indoor decoration or similar purposes (other than that of heading No 7010 or 7018)

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, 20 December 1990.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 383, 30. 12. 1989, p. 1.

COMMISSION REGULATION (EEC) No 3752/90
of 20 December 1990
concerning the stopping of fishing for common sole by vessels flying the flag of
Denmark

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 4047/89 of 19 December 1989 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1990 and certain conditions under which they may be fished ⁽³⁾, as last amended by Regulation (EEC) No 1887/90 ⁽⁴⁾, provides for common sole 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 common sole in the waters of ICES divisions III a, b, c, d (EC zone) by vessels flying the flag of Denmark or registered in Denmark have reached the quota allocated for 1990; whereas Denmark has

prohibited fishing for this stock as from 26 November 1990; whereas it is therefore necessary to abide by that date,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of common sole in the waters of ICES divisions III a, b, c and d (EC zone), by vessels flying the flag of Denmark or registered in Denmark are deemed to have exhausted the quota allocated to Denmark for 1990.

Fishing for common sole in the waters of ICES divisions III a, b, c and d (EC zone), by vessels flying the flag of Denmark or registered in Denmark is prohibited, as well as the retention on board, the transshipment and the landing of such stocks 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 26 November 1990.

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

Done at Brussels, 20 December 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. 1.

⁽⁴⁾ OJ No L 172, 5. 7. 1990, p. 1.

COMMISSION REGULATION (EEC) No 3753/90
of 20 December 1990
concerning the stopping of fishing for megrim by vessels flying the flag of France

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 last amended by Regulation (EEC) No 3483/88 ⁽²⁾, and in particular Article 11 (3) thereof,

Whereas Council Regulation (EEC) No 4047/89 of 19 December 1989 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1990 and certain conditions under which they may be fished ⁽³⁾, as last amended by Regulation (EEC) No 1887/90 ⁽⁴⁾, provides for megrim 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 megrim in the waters of ICES divisions VIII a, b, d and e by vessels flying the flag of

France or registered in France have reached the quota allocated for 1990,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of megrim in the waters of ICES divisions VIII a, b, d and e by vessels flying the flag of France or registered in France are deemed to have exhausted the quota allocated to France for 1990.

Fishing for megrim in the waters of ICES divisions VIII a, b, d and e by vessels flying the flag of France or registered in France is prohibited, as well as the retention on board, the transhipment and the landing of such stocks captured by the abovementioned vessels after the date of entry into force 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*.

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

Done at Brussels, 20 December 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. 1.

⁽⁴⁾ OJ No L 172, 5. 7. 1990, p. 1.

COMMISSION REGULATION (EEC) No 3754/90
of 20 December 1990
concerning the stopping of fishing for common sole by vessels flying the flag of
France

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 last amended by Regulation (EEC)
No 3483/88 ⁽²⁾, and in particular Article 11 (3) thereof,

Whereas Council Regulation (EEC) No 4047/89 of 19
December 1989 fixing, for certain fish stocks and groups
of fish stocks, the total allowable catches for 1990 and
certain conditions under which they may be fished ⁽³⁾, as
last amended by Regulation (EEC) No 1887/90 ⁽⁴⁾,
provides for common sole quotas for 1990;

Whereas, in order to ensure compliance with the provi-
sions relating to the quantitative limitations on catches of
stocks subject to quotas, it is necessary for the Commis-
sion 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 common sole in the waters of
ICES division VIII a, and b by vessels flying the flag of

France or registered in France have reached the quota
allocated for 1990,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of common sole in the waters of ICES division
VIII a and b by vessels flying the flag of France or regis-
tered in France are deemed to have exhausted the quota
allocated to France for 1990.

Fishing for common sole in the waters of ICES division
VIII a and b by vessels flying the flag of France or regis-
tered in France 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
entry in to force of this Regulation.

Article 2

This Regulation shall enter into force on the day follo-
wing 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, 20 December 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. 1.

⁽⁴⁾ OJ No L 172, 5. 7. 1990, p. 1.

COMMISSION REGULATION (EEC) No 3755/90

of 20 December 1990

concerning the stopping of fishing for cod by vessels flying the flag of Portugal

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 last 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 2J + 3KL by vessels flying the flag of Portugal or registered in Portugal have reached the quota allocated for 1990; whereas Portugal has prohibited fishing for this

stock as from 10 December 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 2J + 3KL by vessels flying the flag of Portugal or registered in Portugal are deemed to have exhausted the quota allocated to Portugal for 1990.

Fishing for cod in the waters of NAFO zone 2J + 3KL by vessels flying the flag of Portugal or registered in Portugal 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*.

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

Done at Brussels, 20 December 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 3756/90

of 20 December 1990

concerning the stopping of fishing for common sole by vessels flying the flag of the United Kingdom

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 4047/89 of 19 December 1989 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1990 and certain conditions under which they may be fished⁽³⁾, as last amended by Regulation (EEC) No 1887/90⁽⁴⁾, provides for common sole 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 common sole in the waters of ICES divisions II and IV by vessels flying the flag of the United Kingdom or registered in the United Kingdom have reached the quota allocated for 1990; whereas the United Kingdom has prohibited fishing for this stock as

from 8 December 1990; whereas it is therefore necessary to abide by that date,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of common sole in the waters of ICES divisions II and IV by vessels flying the flag of the United Kingdom or registered in the United Kingdom are deemed to have exhausted the quota allocated to the United Kingdom for 1990.

Fishing for common sole in the waters of ICES divisions II and IV by vessels flying the flag of the United Kingdom or registered in the United Kingdom 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 8 December 1990.

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

Done at Brussels, 20 December 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. 1.

⁽⁴⁾ OJ No L 172, 5. 7. 1990, p. 1.

COMMISSION REGULATION (EEC) No 3757/90

of 20 December 1990

amending Regulation (EEC) No 1207/90 fixing the monetary compensatory amounts applicable in the agricultural sector and certain coefficients and rates required for their application

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 12 thereof,

Whereas the monetary compensatory amounts introduced by Regulation (EEC) No 1677/85 were fixed by Commis-

sion Regulation (EEC) No 1207/90 ⁽³⁾, as last amended by Regulation (EEC) No 3701/90 ⁽⁴⁾;

Whereas with effect from 1 January 1991 Commission Regulation (EEC) No 2472/90 of 31 July 1990 ⁽⁵⁾ alters CN codes 1806 20 90, 1902 11 00, 1902 19 10 and 1905 90 50 by subdividing them for statistical purposes; whereas Regulation (EEC) No 1207/90 uses the CN codes and in consequence must be amended where these codes appear;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committees concerned,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1207/90 is amended as follows:

1. Annex I, part 8:

	CN code	Table	Additional code
old	'1806 20 90	18-2	"
new	'1806 20 80	18-2	*
	1806 20 95	18-2	"
old	'1902 11 00'		
new	'1902 11 10		
	1902 11 90'		
old	'1902 19 10'		
new	'1902 19 11		
	1902 19 19'		
old	'1905 90 50	19-1	"
new	'1905 90 45	19-1	*
	1905 90 55	19-1	"

2. Appendix to Annex I: first column of tables:

Table 18-2

	CN code
old	'1806 20 90'
new	'1806 20 80
	1806 20 95'

Table 19-1

	CN code
old	'1905 90 50'
new	'1905 90 45
	1905 90 55'

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 6.

⁽²⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽³⁾ OJ No L 122, 14. 5. 1990, p. 1.

⁽⁴⁾ OJ No L 361, 24. 12. 1990, p. 1.

⁽⁵⁾ OJ No L 247, 10. 9. 1990, p. 1.

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, 20 December 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 3758/90

of 21 December 1990

on a protective measure applicable to imports of provisionally preserved cultivated mushrooms

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 2201/90⁽²⁾, and in particular Article 18 (2) thereof,

Whereas Council Regulation (EEC) No 521/77 of 14 March 1977 lays down detailed rules for applying protective measures in the market in products processed from fruit and vegetables⁽³⁾;

Whereas the quantities of cultivated mushrooms, provisionally preserved but unsuitable for consumption in that state, released for free circulation in the Community since the beginning of 1990 are constantly increasing;

Whereas the levels of prices maintained by the main third country suppliers for the 1990/91 marketing year are lower than those for similar products obtained in the Community; whereas it is difficult, therefore, to market the latter;

Whereas Commission Regulation (EEC) No 2891/90 of 5 October 1990 on the issue of import licences for provisionally preserved cultivated mushrooms⁽⁴⁾ fixes the maximum quantity of that product which may be released for free circulation for 1990;

Whereas there is a danger that from 1 January 1991 applications for import licences may be excessive in relation to requirements and be submitted for speculative reasons, in view of the uncertainty of the outcome of the discussions now in hand with certain exporting countries; whereas this could create serious disturbances on the Community market which could undermine the objectives of Article 59 of the Treaty; whereas it is necessary, therefore, to apply protective measures from 1 January 1991;

Whereas the protective measures must be such as to prevent large-scale imports during a very limited period; whereas, to that end, taking into consideration the criteria laid down in Regulation (EEC) No 521/77, pending the customs of the abovementioned discussions, the quantity

of the products in question which may be released for free circulation for the first quarter of 1991 should be determined on the basis of the quantities imported during the previous year and of a rate of increase that reflects the smooth development of trade;

Whereas, in order to ensure that the said quantity is properly used and avoid the submission of applications for speculative reasons, the bulk of the quantity should be reserved for importers who in the past obtained supplies of provisionally preserved cultivated mushrooms on the basis of the quantities they obtained in 1989 and 1990, while access to that quantity should be maintained for new importers;

Whereas, lastly, the additional rules necessary for the issue of the licences should be laid down; whereas such rules are complementary to or in derogation from the provisions laid down by Commission Regulation (EEC) No 2405/89 of 1 August 1989 laying down special detailed rules for the application of the system of import licences and advance fixing certificates for products processed from fruit and vegetables⁽⁵⁾, as amended by Regulation (EEC) No 619/90⁽⁶⁾,

HAS ADOPTED THIS REGULATION:

Article 1

1. For the first quarter of 1991, import licences shall be issued for 10 000 tonnes of cultivated mushrooms provisionally preserved but unsuitable for consumption in that state falling within CN code ex 0711 90 50.
2. Import licences shall be applied for and issued in accordance with Regulation (EEC) No 2405/89, without prejudice to the specific provisions of this Regulation.

Article 2

1. The quantity fixed in Article 1 (1) shall be allocated as follows:
 - (a) 9 000 tonnes to importers who submitted applications for import licences for the products in question in the course of 1989 and 1990;
 - (b) 1 000 tonnes to importers who do not fulfil the condition set out in (a).

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ OJ No L 201, 31. 7. 1990, p. 1.

⁽³⁾ OJ No L 73, 21. 3. 1977, p. 28.

⁽⁴⁾ OJ No L 276, 6. 10. 1990, p. 29.

⁽⁵⁾ OJ No L 227, 4. 8. 1989, p. 34.

⁽⁶⁾ OJ No L 67, 15. 3. 1990, p. 31.

However, where the quantity specified in (a) or (b) is not applied for, or is only partially applied for, or is only partially applied for, the quantity available shall be allocated to the other group of importers who have submitted applications.

2. (a) No application for a licence, submitted by an importer referred to in paragraph 1 (a), may relate to a quantity in excess of 15 % of the quantity supplied to that importer in 1989 and 1990 ;
- (b) No application for a licence, submitted by an importer referred to in 1 (b), may relate to a quantity in excess of 25 % of the quantity shown under that point.

Article 3

Applications for import licences shall be submitted to the competent authorities of the Member States on 3 and 4 January 1991. The abovementioned authorities shall

forward these applications to the Commission at the latest by 7 January 1991 at 4 p.m., distinguishing between the quantities applied for under points (a) and (b) respectively of Article 2 (1).

Article 4

The Commission shall, by 8 January 1991 at the latest, fix and communicate by telex to the Member States the quantities for which licences are to be issued for each of the two categories of applications mentioned in Article 2 (1).

Article 5

The licences for which applications are forwarded pursuant to Article 3 shall be issued on 9 January 1991.

Article 6

This Regulation shall enter into force on 1 January 1991.

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

Done at Brussels, 21 December 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 3759/90

of 21 December 1990

concerning the stopping of fishing for herring by vessels flying the flag of Denmark

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 4047/89 of 19 December 1989 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1990 and certain conditions under which they may be fished ⁽³⁾, as last amended by Regulation (EEC) No 1887/90 ⁽⁴⁾, provides for herring 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 herring in the waters of ICES divisions II a (EC zone), IV a and b by vessels flying the flag of Denmark or registered in Denmark have reached the quota allocated for 1990; whereas Denmark has

prohibited fishing for this stock as from 7 December 1990; whereas it is therefore necessary to abide by that date;

HAS ADOPTED THIS REGULATION:

Article 1

Catches of herring in the waters of ICES divisions II a (EC zone), IV a and b by vessels flying the flag of Denmark or registered in Denmark are deemed to have exhausted the quota allocated to Denmark for 1990.

Fishing for herring in the waters of ICES divisions II a (EC zone), IV a and b by vessels flying the flag of Denmark or registered in Denmark 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 7 December 1990.

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

Done at Brussels, 21 December 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. 1.

⁽⁴⁾ OJ No L 172, 5. 7. 1990, p. 1.

COMMISSION REGULATION (EEC) No 3760/90

of 21 December 1990

concerning the stopping of fishing for hake by vessels flying the flag of Germany

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 4047/89 of 19 December 1989 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1990 and certain conditions under which they may be fished ⁽³⁾, as last amended by Regulation (EEC) No 1887/90 ⁽⁴⁾, provides for hake 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 hake in the waters of ICES divisions II a (EC Zone) and IV (EC Zone) by vessels flying the flag of Germany or registered in Germany have reached the quota allocated for 1990; whereas Germany

has prohibited fishing for this stock as from 17 December 1990; whereas it is therefore necessary to abide by the date;

HAS ADOPTED THIS REGULATION:

Article 1

Catches of hake in the waters of ICES divisions II a (EC Zone) and IV (EC Zone) by vessels flying the flag of Germany or registered in Germany are deemed to have exhausted the quota allocated to Germany for 1990.

Fishing for hake in the waters of ICES divisions II a (EC Zone) and IV (EC Zone) by vessels flying the flag of Germany or registered in Germany 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 17 December 1990.

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

Done at Brussels, 21 December 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. 1.

⁽⁴⁾ OJ No L 172, 5. 7. 1990, p. 1.

COMMISSION REGULATION (EEC) No 3761/90

of 21 December 1990

concerning the stopping of fishing for anglerfish 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 4047/89 of 19 December 1989 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1990 and certain conditions under which they may be fished ⁽³⁾, as last amended by Regulation (EEC) No 1887/90 ⁽⁴⁾, provides for anglerfish 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 anglerfish in the waters of ICES division VII 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 17 December 1990; whereas it is therefore necessary to abide by that date;

HAS ADOPTED THIS REGULATION:

Article 1

Catches of anglerfish in the water of ICES division VII 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 anglerfish in the waters of ICES division VII 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 17 December 1990.

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

Done at Brussels, 21 December 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. 1.⁽⁴⁾ OJ No L 172, 5. 7. 1990, p. 1.

COMMISSION REGULATION (EEC) No 3762/90

of 20 December 1990

adding a temporary provision to the detailed rules for the application of the special measures 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 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⁾;

Whereas Article 13 (2) of 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⁾, states that advance fixing certificates for the aid shall be valid for six months from the month following that in which the application was lodged; whereas in view of the uncertainty prevalent at the present time the validity of licences applied for from January 1991 onwards should be restricted to 30 June 1991;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1990/91 marketing year advance fixing certificates for the aid, requested in January or February 1991, shall, Article 13 (2) of Regulation (EEC) No 3540/85 notwithstanding, be valid until 30 June 1991 only.

Article 2

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

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

Done at Brussels, 20 December 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽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.

COMMISSION REGULATION (EEC) No 3763/90**of 21 December 1990****suspending advance fixing of the import levy for certain cereals**

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 first subparagraph of Article 15 (7) thereof,

Whereas Article 15 (7) of Regulation (EEC) No 2727/75 provides that the provisions concerning advance fixing of the levy may be suspended if the market situation shows that the application of these provisions is causing or is likely to cause difficulties;

Whereas there is a danger, given the irregular pattern of fixings at the end of the year and the uncertain trend of prices during that period, that if existing arrangements are adhered to, levies could be fixed in advance in the short term for quantities considerably in excess of the quantities which might be expected under more normal conditions;

Whereas the above situation requires that application of the provisions concerning advance fixing of levies for the products concerned be temporarily suspended;

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

Advance fixing of the import levy on the products referred to in Article 1 (a), (b), (c) and (d) of Regulation (EEC) No 2727/75 is hereby suspended from 22 December 1990 until 3 January 1991.

Article 2

This Regulation shall enter into force on 22 December 1990.

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

Done at Brussels, 21 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.

COMMISSION REGULATION (EEC) No 3764/90
of 21 December 1990
suspending advance fixing of the import levy for rice

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

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 paragraph of Article 13 (7) thereof,

Whereas Article 13 (7) of Regulation (EEC) No 1418/76 provides that the provisions concerning advance fixing of the levy may be suspended if the market situation shows that the application of such provisions will or is likely to cause difficulties;

Whereas there is danger, given the irregular pattern of fixings at the end of the year and the uncertain trend of prices during that period, that if existing arrangements are adhered to, levies could be fixed in advance in the short term for quantities considerably in excess of the quantities which might be excepted under more normal conditions;

Whereas the abovementioned situation requires that application of the provisions concerning advance fixing of

levies for the product concerned be temporarily suspended;

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

Advance fixing of the import levy for the products referred to in Article 1 (a), (b) and (c) of Regulation (EEC) No 1418/76 is hereby suspended from 22 December 1990 to 3 January 1991.

Article 2

This Regulation shall enter into force on 22 December 1990.

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

Done at Brussels, 21 December 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.

COMMISSION REGULATION (EEC) No 3765/90

of 21 December 1990

adopting interim protective measures on applications for STM licences in the
beef and veal sector submitted during the period 17 to 21 December 1990

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

Whereas Commission Regulation (EEC) No 4026/89 of
22 December 1989 laying down detailed rules for the
application of the supplementary trade mechanism in the
beef and veal sector for 1990 ⁽¹⁾ set the indicative ceilings
applicable in the beef and veal sector and the maximum
quantities for which STM licences may be issued each
quarter;

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

Whereas the licence applications lodged between 17 to 21
December 1990 have achieved the indicative ceiling set
for fresh and refrigerated meat; whereas as an interim

protective measure only no further certificates should be
issued for the time being,

HAS ADOPTED THIS REGULATION:

Article 1

For fresh and refrigerated beef and veal:

1. applications for STM licences for the following
products submitted between 17 and 21 December
1990 and notified to the Commission shall be
accepted for 39,952 %;
2. the issuing of STM licences in response to applications
submitted from 24 December 1990 onwards is
suspended.

Article 2

This Regulation shall enter into force on 31 December
1990.

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

Done at Brussels, 21 December 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 382, 30. 12. 1989, p. 62.

COMMISSION REGULATION (EEC) No 3766/90
of 21 December 1990

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat ⁽¹⁾, as amended by Regulation (EEC) No 3577/90 ⁽²⁾, Article 10 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, under Article 9 (2) of Regulation (EEC) No 3013/89, a levy is applicable to the products falling within CN codes codes 0204 10 00, 0204 21 00, 0204 22 10, 0204 22 30, 0204 22 50, 0204 22 90, 0204 23 00, 0204 50 11, 0204 50 13, 0204 50 15, 0204 50 19, 0204 50 31 and 0204 50 39 listed in Annex II of that Regulation;

Whereas, in accordance with Article 11 of Regulation (EEC) No 3013/89, the levy on fresh or chilled carcasses and half-carcasses is to be equal to the difference between the seasonally adjusted basic price and the Community free-at-frontier offer price;

Whereas the seasonally-adjusted basic price is fixed in Article 2 of Council Regulation (EEC) No 1248/89 ⁽³⁾ for the 1990 marketing year;

Whereas the Community free-at-frontier offer price is determined in the light of the most representative purchasing possibilities, as regard quality and quantity, recorded over the period from the 21st day of the preceding month to the 20th day of the month during which the levies are determined, taking particular account of the supply and demand situation for fresh or chilled meat, the world market price for frozen meat of a category which is competitive with fresh or chilled meat and of past experience;

Whereas the free-at-frontier offer price is to be determined, if necessary, on the basis of the most representative purchasing possibilities recorded for live sheep;

Whereas, pursuant to Article 3 of Regulation (EEC) No 2668/80 ⁽⁴⁾, as amended by Regulation (EEC) No 3939/87 ⁽⁵⁾, the free-at-frontier offer prices are to be based

inter alia on the prices shown in the customs documents which accompany products imported from non-member countries or on other information concerning the export prices applied by those non-member countries; whereas offer prices which do not correspond to actual purchasing possibilities or which relate to unrepresentative quantities and offer prices which, in view of general price movements or other information available, may be considered not to be representative of actual price trends in the country of origin are to be disregarded;

Whereas a special levy may be fixed for products originating in or coming from one or more non-member countries if exports of the said products are made at abnormally low prices;

Whereas the levy on live animals within CN codes 0104 10 90 and 0104 20 90 and on the meat falling within CN codes codes 0204 10 00, 0204 21 00, 0204 22 10, 0204 22 30, 0204 22 50, 0204 22 90, 0204 23 00, 0204 50 11, 0204 50 13, 0204 50 15, 0204 50 19, 0204 50 31, 0204 50 39, 0210 90 11 and 0210 90 19 listed in Annex II to Regulation (EEC) No 3013/89 is to be equal to the levy determined for carcasses, multiplied by a standard coefficient fixed for each of the products in question; whereas these coefficients are fixed in Annex I to Regulation (EEC) No 2668/80;

Whereas the levies should be so fixed that the obligations arising from international agreements concluded by the Community continue to be fulfilled; whereas, moreover, account should be taken of the voluntary restraint arrangements made by the Community with certain non-member countries;

Whereas Council Regulation (EEC) No 486/85 ⁽⁶⁾ lays down the arrangements applicable on agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories;

Whereas the levies are fixed before the 27th day of each month for each week during the following month; whereas they are applicable from Monday to Sunday; whereas they can be altered within that period if necessary;

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 129, 11. 5. 1989, p. 10.

⁽⁴⁾ OJ No L 276, 20. 10. 1980, p. 39.

⁽⁵⁾ OJ No L 373, 31. 12. 1987, p. 1.

⁽⁶⁾ OJ No L 84, 30. 3. 1990, p. 85.

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 the 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, having regard to the provisions of the above-mentioned Regulations and, in particular, to the information and quotations known to the Commission, the levies

on live sheep and goats and on sheepmeat and goatmeat other than frozen meat should be as set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 7 January 1991.

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

Done at Brussels, 21 December 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 21 December 1990 fixing the import levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat

(ECU/100 kg)

CN code	Week No 1 from 7 to 13 January 1991	Week No 2 from 14 to 20 January 1991	Week No 3 from 21 to 27 January 1991	Week No 4 from 28 January to 3 February 1991
0104 10 90 ⁽¹⁾	89,483	93,751	98,503	101,670
0104 20 90 ⁽¹⁾	89,483	93,751	98,503	101,670
0204 10 00 ⁽²⁾	190,390	199,470	209,580	216,320
0204 21 00 ⁽²⁾	190,390	199,470	209,580	216,320
0204 22 10 ⁽²⁾	133,273	139,629	146,706	151,424
0204 22 30 ⁽²⁾	209,429	219,417	230,538	237,952
0204 22 50 ⁽²⁾	247,507	259,311	272,454	281,216
0204 22 90 ⁽²⁾	247,507	259,311	272,454	281,216
0204 23 00 ⁽²⁾	346,510	363,035	381,436	393,702
0204 50 11 ⁽²⁾	190,390	199,470	209,580	216,320
0204 50 13 ⁽²⁾	133,273	139,629	146,706	151,424
0204 50 15 ⁽²⁾	209,429	219,417	230,538	237,952
0204 50 19 ⁽²⁾	247,507	259,311	272,454	281,216
0204 50 31 ⁽²⁾	247,507	259,311	272,454	281,216
0204 50 39 ⁽²⁾	346,510	363,035	381,436	393,702
0210 90 11 ⁽³⁾	247,507	259,311	272,454	281,216
0210 90 19 ⁽³⁾	346,510	363,035	381,436	393,702

⁽¹⁾ The levy applicable is limited in the conditions laid down by Council Regulations (EEC) No 3643/85, (EEC) No 715/90 and (EEC) No 1373/90 and Commission Regulations (EEC) No 19/82, (EEC) No 1249/90, (EEC) No 1580/90 and (EEC) No 2085/90.

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

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

COMMISSION REGULATION (EEC) No 3767/90

of 21 December 1990

fixing the import levies on frozen sheepmeat and goatmeat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat ⁽¹⁾, as amended by Regulation (EEC) No 3577/90 ⁽²⁾, and in particular Article 10 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, pursuant to Article 9 (2) of Regulation (EEC) No 3013/89, a levy is applicable to the products falling within CN codes 0204 30 00, 0204 41 00, 0204 42 10, 0204 42 30, 0204 42 50, 0204 42 90, 0204 43 00, 0204 50 51, 0204 50 53, 0204 50 55, 0204 50 59, 0204 50 71 and 0204 50 79 listed in Annex II to that Regulation;

Whereas, pursuant to Article 12 of Regulation (EEC) No 3013/89, the levy on frozen carcasses and halfcarcasses is to be equal to the difference between:

- (a) the basic price multiplied by a coefficient representing the relationship existing in the Community between the price of fresh meat of a category competitive with the frozen meat in question, presented in the same form, and the average price of fresh and chilled sheep carcasses, and
- (b) the Community free-at-frontier offer price for the said frozen meat;

Whereas the seasonally-adjusted basic price for the 1990 marketing year is fixed in Article 2 of Council Regulation (EEC) No 1248/89 ⁽³⁾; whereas the coefficient referred to in Article 2 (1) (a) of Regulation (EEC) No 3013/89 is fixed in Article 2 (2) of Regulation (EEC) No 2668/80 ⁽⁴⁾, as amended by Regulation (EEC) No 3939/87 ⁽⁵⁾;

Whereas the Community free-at-frontier offer price is determined in the light of the most representative purchasing possibilities, as regards quality and quantity, recorded over the period from the 21st day of the preceding month to the 20th day of the month during

which the levies are determined, taking particular account of the supply and demand situation for fresh or chilled meat, the world market price for frozen meat of a category which is competitive with fresh or chilled meat and of past experience;

Whereas, pursuant to Article 3 of Regulation (EEC) No 2668/80, the free-at-frontier offer prices are to be based *inter alia* on the prices shown in the customs documents which accompany products imported from non-member countries or on other information concerning the export prices applied by those non-member countries; whereas offer prices which do not correspond to actual purchasing possibilities or which relate to unrepresentative quantities and offer prices which, in view of general price movements or other information available, may be considered not to be representative of actual price trends in the country of origin are to be disregarded;

Whereas a special levy may be fixed for products originating in or coming from one or more non-member countries if exports of the said products are made at abnormally low prices;

Whereas the levy on the meat falling within CN codes 0204 30 00, 0204 41 00, 0204 42 10, 0204 42 30, 0204 42 50, 0204 42 90, 0204 43 00, 0204 50 51, 0204 50 53, 0204 50 55, 0204 50 59, 0204 50 71 and 0204 50 79 listed in Annex II to Regulation (EEC) No 3013/89 is to be equal to the levy determined for frozen carcasses, multiplied by a standard coefficient fixed for each of the products in question; whereas these coefficients are fixed in Annex II to Regulation (EEC) No 2668/80;

Whereas the levies should be so fixed that the obligations arising from international agreements concluded by the Community continue to be fulfilled; whereas, moreover, account should be taken of the voluntary restraint arrangements made by the Community with certain non-member countries;

Whereas Council Regulation (EEC) No 715/90 ⁽⁶⁾, lays down the arrangements applicable on agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories;

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 129, 11. 5. 1989, p. 10.

⁽⁴⁾ OJ No L 276, 20. 10. 1980, p. 39.

⁽⁵⁾ OJ No L 373, 31. 12. 1987, p. 1.

⁽⁶⁾ OJ No L 84, 30. 3. 1990, p. 85.

Whereas the levies are fixed before the 27th day of each month for each week during the following month; whereas they are applicable from Monday to Sunday; whereas they can be altered within that period if necessary;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽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, having regard to the provisions of the above-mentioned Regulations and, in particular, to the information and quotations known to the Commission, the levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat should be as set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 7 January 1991.

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

Done at Brussels, 21 December 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 21 December 1990 fixing the import levies on frozen
sheepmeat and goatmeat⁽¹⁾

(ECU/100 kg)

CN code	Week No 1 from 7 to 13 January 1991	Week No 2 from 14 to 20 January 1991	Week No 3 from 21 to 27 January 1991	Week No 4 from 28 January to 3 February 1991
0204 30 00	183,293	190,103	197,685	202,740
0204 41 00	183,293	190,103	197,685	202,740
0204 42 10	128,305	133,072	138,380	141,918
0204 42 30	201,622	209,113	217,454	223,014
0204 42 50	238,281	247,134	256,991	263,562
0204 42 90	238,281	247,134	256,991	263,562
0204 43 00	333,593	345,987	359,787	368,987
0204 50 51	183,293	190,103	197,685	202,740
0204 50 53	128,305	133,072	138,380	141,918
0204 50 55	201,622	209,113	217,454	223,014
0204 50 59	238,281	247,134	256,991	263,562
0204 50 71	238,281	247,134	256,991	263,562
0204 50 79	333,593	345,987	359,787	368,987

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

COMMISSION REGULATION (EEC) No 3768/90**of 21 December 1990****fixing the amounts by which import duties on beef and veal originating in the African, Caribbean and Pacific States (ACP) are to be reduced**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 715/90 of 5 March 1990 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States (ACP) or in the overseas countries and territories (OCT)⁽¹⁾, and in particular Article 3 thereof,

Whereas Article 3 of Regulation (EEC) No 715/90 provides for a 90 % reduction in the import duties on

beef and veal ; whereas the amount of this reduction must be calculated in conformity with Article 3 of Commission Regulation (EEC) No 970/90⁽²⁾,

HAS ADOPTED THIS REGULATION :

Article 1

The amounts by which import duties on beef and veal are to be reduced pursuant to Article 3 of Regulation (EEC) No 715/90 shall, in respect of importations during the first quarter of 1991, be as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 January 1991.

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

Done at Brussels, 21 December 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽²⁾ OJ No L 99, 19. 4. 1990, p. 8.

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

Código NC KN-kode Κωδικός ΣΟ CN code Codice NC GN-code Código NC	Belgique Luxembourg FB/Flux/100 kg	Danmark dkr/100 kg	Deutschland DM/100 kg	Ελλάδα Δρχ/100 γρ	España Pta/100 kg	France FF/100 kg	Ireland £ Ir/100 kg	Italia Lit/100 kg	Nederland Fl./100 kg	Portugal Esc/100 kg	United Kingdom £/100 kg
0102 90 10	5 427,3	1 003,71	263,13	22 228,77	17 489,22	882,51	98 223	196 882	296,49	23 324,30	88,741
0102 90 31	5 427,3	1 003,71	263,13	22 228,77	17 489,22	882,51	98 223	196 882	296,49	23 324,30	88,741
0102 90 33	5 427,3	1 003,71	263,13	22 228,77	17 489,22	882,51	98 223	196 882	296,49	23 324,30	88,741
0102 90 35	5 427,3	1 003,71	263,13	22 228,77	17 489,22	882,51	98 223	196 882	296,49	23 324,30	88,741
0102 90 37	5 427,3	1 003,71	263,13	22 228,77	17 489,22	882,51	98 223	196 882	296,49	23 324,30	88,741
0201 10 10	10 311,8	1 907,04	499,95	42 234,50	33 229,40	1 676,77	186 624	374 075	563,32	44 316,02	168 607
0201 10 90	10 311,8	1 907,04	499,95	42 234,50	33 229,40	1 676,77	186 624	374 075	563,32	44 316,02	168 607
0201 20 21	10 311,8	1 907,04	499,95	42 234,50	33 229,40	1 676,77	186 624	374 075	563,32	44 316,02	168 607
0201 20 29	10 311,8	1 907,04	499,95	42 234,50	33 229,40	1 676,77	186 624	374 075	563,32	44 316,02	168 607
0201 20 31	8 249,4	1 525,63	399,96	33 787,61	26 583,50	1 341,42	149 298	299 260	450,66	35 452,78	134 885
0201 20 39	8 249,4	1 525,63	399,96	33 787,61	26 583,50	1 341,42	149 298	299 260	450,66	35 452,78	134 885
0201 20 51	12 374,2	2 288,45	599,94	50 681,48	39 875,31	2 012,13	223 949	448 890	675,98	53 179,26	202 327
0201 20 59	12 374,2	2 288,45	599,94	50 681,48	39 875,31	2 012,13	223 949	448 890	675,98	53 179,26	202 327
0201 20 90	15 467,7	2 860,56	749,93	69 544,84	49 116,97	2 515,17	279 935	561 112	844,97	66 474,04	254 284
0201 30 00	17 692,8	3 272,07	857,81	75 538,67	56 653,75	2 876,99	320 207	641 833	966,54	76 036,86	289 975
0202 10 00	8 616,2	1 593,45	417,74	34 812,68	27 821,29	1 401,06	155 936	312 564	470,69	37 028,87	140 775
0202 10 10	8 616,2	1 593,45	417,74	34 812,68	27 821,29	1 401,06	155 936	312 564	470,69	37 028,87	140 775
0202 20 30	6 892,9	1 274,76	334,19	27 850,11	22 256,97	1 120,84	124 748	250 051	376,55	29 623,02	112 620
0202 20 90	10 770,2	1 991,82	522,18	43 515,93	34 776,64	1 751,32	194 920	390 704	588,36	46 286,13	175 970
0202 30 10	10 770,2	1 991,82	522,18	43 515,93	34 776,64	1 751,32	194 920	390 704	588,36	46 286,13	175 970
0202 30 50	10 770,2	1 991,82	522,18	43 515,93	34 776,64	1 751,32	194 920	390 704	588,36	46 286,13	175 970
0202 30 90	14 819,8	2 740,73	718,52	63 576,33	47 418,30	2 409,81	268 210	537 609	809,59	63 689,59	242 955
0206 10 95	17 692,8	3 272,07	857,81	75 538,67	56 653,75	2 876,99	320 207	641 833	966,54	76 036,86	289 975
0206 29 91	14 819,8	2 740,73	718,52	63 576,33	47 418,30	2 409,81	268 210	537 609	809,59	63 689,59	242 955
0210 20 10	15 467,7	2 860,56	749,93	69 544,84	49 116,97	2 515,17	279 935	561 112	844,97	66 474,04	254 284
0210 20 90	17 692,8	3 272,07	857,81	77 540,90	56 418,66	2 876,99	320 207	641 833	966,54	76 036,86	290 419
0210 90 41	17 692,8	3 272,07	857,81	77 540,90	56 418,66	2 876,99	320 207	641 833	966,54	76 036,86	290 419
0210 90 90	17 692,8	3 272,07	857,81	77 540,90	56 418,66	2 876,99	320 207	641 833	966,54	76 036,86	290 419
1602 50 10	17 692,8	3 272,07	857,81	77 540,90	56 418,66	2 876,99	320 207	641 833	966,54	76 036,86	290 419
1602 90 61	17 692,8	3 272,07	857,81	83 594,21	55 707,93	2 876,99	320 207	641 833	966,54	76 036,86	291 763

NB: Los códigos NC, incluidas las notas a pie de página, se definen en el Reglamento (CEE) n° 2658/87 modificado.

NB: KN-koderne, herunder henvisninger til fodnoter, er fastsat i den ændrede forordning (EØF) nr. 2658/87.

NB: Die KN-Code sowie die Verweisungen und Fußnoten sind durch die geänderte Verordnung (EWG) Nr. 2658/87 bestimmt.

NB: Οι κωδικοί της συνδυασμένης ονοματολογίας, συμπεριλαμβανομένων των υποσημειώσεων, καθορίζονται στον τροποποιημένο κανονισμό (ΕΟΚ) αριθ. 2658/87.

NB: The CN codes and the footnotes are defined in amended Regulation (EEC) No 2658/87.

NB: Les codes NC ainsi que les renvois en bas de page sont définis au règlement (CEE) n° 2658/87 modifié.

NB: I codici NC e i relativi richiami in calce sono definiti dal regolamento (CEE) n. 2658/87 modificato.

NB: GN-codes en voetnoten : zie de gewijzigde Verordening (EEG) nr. 2658/87.

NB: Os códigos NC, incluindo as remissões em pé-de-página são definidos no Regulamento (CEE) n° 2658/87 alterado.

COMMISSION REGULATION (EEC) No 3769/90

of 21 December 1990

reintroducing the preferential customs duty on imports of small-flowered roses
originating in Israel

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

Having regard to Council Regulation (EEC) No 4088/87
of 21 December 1987 fixing conditions for the
application of preferential customs duties on imports of
certain flowers originating in Cyprus, Israel, Jordan and
Morocco⁽¹⁾, as amended by Regulation (EEC) No
3551/88⁽²⁾, and in particular Article 5 (2) (b) thereof,

Whereas Regulation (EEC) No 4088/87 fixes conditions
for the application of a preferential customs duty on
large-flowered roses, small-flowered roses, uniflorous
(bloom) carnations and multiflorous (spray) carnations
within the limit of tariff quotas opened annually for
imports of fresh cut flowers into the Community;

Whereas Council Regulation (EEC) No 728/90⁽³⁾ opens
and provides for the administration of Community tariff
quotas for cut flowers and 3129/90 buds, fresh, originating
in Cyprus, Jordan, Morocco and Israel respectively;

Whereas Article 2 (3) of Regulation (EEC) No 4088/87
stipulates that the preferential customs duty shall be
reintroduced for a given product of a given origin if the
prices of the imported product (full rate customs duty not
deducted) are, for at least 70 % of the quantities for which
prices are available on representative Community import
markets, not less than 85 % of the Community producer
price for a period, calculated from the actual date of
suspension of the actual preferential customs duty,

- of two successive market days, after suspension under
Article 2 (2) (a) of that Regulation,
- of three successive market days, after suspension
under Article 2 (2) (b) of that Regulation;

Whereas, Article 2 (3) of that Regulation stipulates that in
the absence of available price quotations, the preferential
customs duty shall be reintroduced if there are no prices
for six successive working days from the date the measure
was applied;

Whereas Commission Regulation (EEC) No 3129/90⁽⁴⁾
fixed Community producer prices for carnations and roses
for application of the arrangements for importation from
the countries in question;

Whereas Commission Regulation (EEC) No 700/88⁽⁵⁾, as
amended by Regulation (EEC) No 3556/88⁽⁶⁾, laid down
detailed rules for the application of these arrangements;

Whereas to permit the import arrangements to function
in the normal manner, prices on importation should be
calculated using:

- for currencies maintained against each other within a
maximum spread at any given moment for spot rate
transactions of 2,25 % a conversion rate based on
their central rate multiplied by the correcting 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⁾,
- 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 preferential customs duty fixed for small-
flowered roses originating in Israel by Regulation (EEC)
No 728/90 was suspended by Commission Regulation
(EEC) No 3548/90⁽⁹⁾;

Whereas on the basis of price recordings made as
specified in Regulations (EEC) No 4088/87 and (EEC) No
700/88 it must be concluded that the requirement for
reintroduction of the preferential customs duty laid down
in the first paragraph of Article 2 (3) relative to the
absence of available price quotations for six successive
working days is met for small-flowered roses originating
in Israel; whereas the preferential customs duty should be
reintroduced,

HAS ADOPTED THIS REGULATION:

Article 1

For imports of small-flowered roses (CN codes ex
0603 10 11 and ex 0603 10 51) originating in Israel the
preferential customs duty set by Regulation (EEC) No
728/90 is reintroduced.

Article 2

This Regulation shall enter into force on 22 December
1990.

⁽¹⁾ OJ No L 382, 31. 12. 1987, p. 22.

⁽²⁾ OJ No L 311, 17. 11. 1988, p. 1.

⁽³⁾ OJ No L 81, 28. 3. 1990, p. 7.

⁽⁴⁾ OJ No L 299, 30. 10. 1990, p. 26.

⁽⁵⁾ OJ No L 72, 18. 3. 1988, p. 16.

⁽⁶⁾ OJ No L 311, 17. 11. 1988, p. 8.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁸⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁹⁾ OJ No L 344, 8. 12. 1990, p. 30.

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

Done at Brussels, 21 December 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 3770/90
of 21 December 1990
fixing the export refunds on fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 3577/90⁽²⁾, and in particular Article 30 (4) thereof,

Having regard to the opinion of the Monetary Committee,

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

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

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

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

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

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

Whereas, under the second subparagraph of Article 12 (1) of Regulation (EEC) No 1035/72, derogations from Community quality standards may be granted in the light of the requirements of the intended markets; whereas, in view of the requirement of the Singaporean and Malaysian markets for small table apples, derogations from the minimum sizes laid down by Commission Regulation (EEC) No 920/89⁽⁵⁾, as last amended by Regulation (EEC) No 3544/90⁽⁶⁾ should be granted for Granny Smith apples exported to these markets;

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

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

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

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

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 318, 18. 12. 1969, p. 17.

⁽⁴⁾ OJ No L 266, 14. 11. 1972, p. 7.

⁽⁵⁾ OJ No L 97, 11. 4. 1989, p. 19.

⁽⁶⁾ OJ No L 344, 8. 12. 1990, p. 21.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁸⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁹⁾ OJ No L 351, 14. 12. 1987, p. 1.

⁽¹⁰⁾ OJ No L 152, 16. 6. 1990, p. 33.

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

Whereas where Spain and, from the beginning of the second stage of transition on 1 January 1990, Portugal are concerned when refunds are fixed, account is to be taken for each product in accordance with Articles 87 and 255 of the Act of Accession, of economically justified price differences;

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

1. The export refunds on fruit and vegetables shall be as set out in column I of the Annex hereto. However, the

refunds applicable on products harvested on the one part in Spain and on the other part in Portugal shall be those given in columns II and III of the Annex.

2. The provisions of Articles 5 (1)(b) and 19 (1)(c) of Regulation (EEC) No 3665/87 shall apply to exports of fresh sweet oranges, lemons, walnuts in shell, shelled hazelnuts, apples and table grapes as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 January 1991.

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

Done at Brussels, 21 December 1990.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX

to the Commission Regulation of 21 December 1990 fixing the export refunds on fruit and vegetables

(ECU/100 kg net)

Product code	Destination of refund (I)	Amounts of refunds		
		Community as constituted on 31 December 1985 (I)	Spain (II)	Portugal (III)
0702 00 10 100		4,50	—	—
0702 00 10 900	—	—	—	—
0702 00 90 100		4,50	—	—
0702 00 90 900	—	—	—	—
0802 12 90 000	07	9,67	9,67	9,67
0802 21 00 000	07	11,30	11,30	11,30
0802 22 00 000	07	21,80	21,80	21,80
0802 31 00 000	07	14,00	14,00	14,00
0805 10 11 100	01	11,00	7,00	4,74
	06	11,00	7,00	4,74
0805 10 11 300	01	11,00	7,00	4,74
	06	11,00	7,00	4,74
0805 10 11 900	—	—	—	—
0805 10 15 100	01	11,00	7,00	4,74
	06	11,00	7,00	4,74
0805 10 15 300	01	11,00	7,00	4,74
	06	11,00	7,00	4,74
0805 10 15 900	—	—	—	—
0805 10 19 100	01	11,00	7,00	4,74
	06	11,00	7,00	4,74
0805 10 19 300	01	11,00	7,00	4,74
	06	11,00	7,00	4,74
0805 10 19 900	—	—	—	—
0805 10 21 100	01	11,00	7,00	4,74
	06	11,00	7,00	4,74
0805 10 21 300	01	11,00	7,00	4,74
	06	11,00	7,00	4,74
0805 10 21 900	—	—	—	—
0805 10 25 100	01	11,00	7,00	4,74
	06	11,00	7,00	4,74
0805 10 25 300	01	11,00	7,00	4,74
	06	11,00	7,00	4,74
0805 10 25 900	—	—	—	—
0805 10 29 100	01	11,00	7,00	4,74
	06	11,00	7,00	4,74
0805 10 29 300	01	11,00	7,00	4,74
	06	11,00	7,00	4,74
0805 10 29 900	—	—	—	—
0805 10 31 100	01	11,00	7,00	4,74
	06	11,00	7,00	4,74
0805 10 31 300	01	11,00	7,00	4,74
	06	11,00	7,00	4,74
0805 10 31 900	—	—	—	—
0805 10 35 100	01	11,00	7,00	4,74
	06	11,00	7,00	4,74
0805 10 35 300	01	11,00	7,00	4,74
	06	11,00	7,00	4,74
0805 10 35 900	—	—	—	—

(ECU/100 kg net)

Product code	Destination of refund (1)	Amounts of refunds		
		Community as constituted on 31 December 1985 (I)	Spain (II)	Portugal (III)
0805 10 39 100	01	11,00	7,00	4,74
	06	11,00	7,00	4,74
0805 10 39 300	01	11,00	7,00	4,74
	06	11,00	7,00	4,74
0805 10 39 900	—	—	—	—
0805 10 41 100	01	11,00	7,00	4,74
	06	11,00	7,00	4,74
0805 10 41 300	01	11,00	7,00	4,74
	06	11,00	7,00	4,74
0805 10 41 900	—	—	—	—
0805 10 45 100	01	11,00	7,00	4,74
	06	11,00	7,00	4,74
0805 10 45 300	01	11,00	7,00	4,74
	06	11,00	7,00	4,74
0805 10 45 900	—	—	—	—
0805 10 49 100	01	11,00	7,00	4,74
	06	11,00	7,00	4,74
0805 10 49 300	01	11,00	7,00	4,74
	06	11,00	7,00	4,74
0805 10 49 900	—	—	—	—
0805 20 50 100	—	—	—	—
0805 20 50 900	—	—	—	—
0805 30 10 100	07	13,50	3,70	0,86
0805 30 10 900	—	—	—	—
0806 10 11 100	07	10,50	10,50	3,10
0806 10 11 300	07	10,50	10,50	3,10
0806 10 11 900	—	—	—	—
0806 10 15 100	07	10,50	10,50	3,10
0806 10 15 300	07	10,50	10,50	3,10
0806 10 15 900	—	—	—	—
0806 10 19 100	07	10,50	10,50	3,10
0806 10 19 300	07	10,50	10,50	3,10
0806 10 19 900	—	—	—	—
0808 10 91 100	—	—	—	—
0808 10 91 910	02	14,00	5,50	7,79
	03	4,50	—	—
	04	14,00 (?)	5,50 (?)	7,79
0808 10 91 990	—	—	—	—
0808 10 93 100	—	—	—	—
0808 10 93 910	02	14,00	5,50	7,79
	03	4,50	—	—
	04	14,00 (?)	5,50 (?)	7,79
0808 10 93 990	—	—	—	—
0808 10 99 100	—	—	—	—
0808 10 99 910	02	14,00	5,50	7,79
	03	4,50	—	—
	04	14,00 (?)	5,50 (?)	7,79
0808 10 99 990	—	—	—	—
0809 30 00 110	05	—	—	—
0809 30 00 190	—	—	—	—
0809 30 00 900	05	—	—	—

(¹) The destinations are as follows :

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

(²) Notwithstanding Chapter 3 of Annex III to Regulation (EEC) No 920/89, for exports to Malaysia and Singapore of table apples of the Granny Smith variety, the minimum size for 'Extra' class, class I and class II shall be 65 mm, 60 mm and 60 mm respectively.

COMMISSION REGULATION (EEC) No 3771/90
of 21 December 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 3499/90⁽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 3709/90⁽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 3723/90⁽⁷⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 3723/90 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⁽⁸⁾ 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⁽⁹⁾ 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⁽¹⁰⁾, for sunflower seed harvested and processed in Portugal is as set out in Annex III.

Article 2

This Regulation shall enter into force on 24 December 1990.

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

Done at Brussels, 21 December 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 338, 5. 12. 1990, p. 1.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁴⁾ OJ No L 358, 21. 12. 1990, p. 13.

⁽⁵⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 11.

⁽⁷⁾ OJ No L 358, 21. 12. 1990, p. 64.

⁽⁸⁾ OJ No L 266, 28. 9. 1983, p. 1.

⁽⁹⁾ OJ No L 53, 1. 3. 1986, p. 47.

⁽¹⁰⁾ 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	25,970	25,970	25,970	25,970	25,970
— Other Member States	21,765	19,000	19,000	19,000	19,000	19,000
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	51,24	44,73	44,73	44,73	44,73	44,79
— Netherlands (Fl)	57,73	50,40	50,40	50,40	50,40	50,46
— BLEU (Bfrs/Lfrs)	1 056,83	922,57	922,57	922,57	922,57	922,62
— France (FF)	171,85	150,02	150,02	150,02	150,02	150,02
— Denmark (Dkr)	195,45	170,62	170,62	170,62	170,62	170,62
— Ireland (£ Irl)	19,127	16,697	16,697	16,697	16,697	16,697
— United Kingdom (£)	16,579	14,325	14,314	14,289	14,281	14,228
— Italy (Lit)	38 338	33 468	33 468	33 468	33 468	33 371
— Greece (Dr)	4 607,68	3 914,94	3 874,91	3 828,41	3 821,96	3 695,12
(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	5 427,74	5 427,89	5 418,25	5 418,23	5 377,45
— in another Member State (Esc)	6 002,90	5 427,74	5 427,89	5 418,25	5 418,23	5 377,45

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	0,000	0,000	0,000	0,000	0,000
— Portugal	1,030	28,470	28,470	28,470	28,470	28,470
— Other Member States	24,265	21,500	21,500	21,500	21,500	21,500
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	57,12	50,61	50,61	50,61	50,61	50,68
— Netherlands (Fl)	64,36	57,03	57,03	57,03	57,03	57,09
— BLEU (Bfrs/Lfrs)	1 178,22	1 043,96	1 043,96	1 043,96	1 043,96	1 044,01
— France (FF)	191,59	169,76	169,76	169,76	169,76	169,76
— Denmark (Dkr)	217,90	193,07	193,07	193,07	193,07	193,07
— Ireland (£ Irl)	21,323	18,894	18,894	18,894	18,894	18,894
— United Kingdom (£)	18,528	16,274	16,263	16,238	16,230	16,177
— Italy (Lit)	42 742	37 871	37 871	37 871	37 871	37 775
— Greece (Dr)	5 164,95	4 472,21	4 432,17	4 385,67	4 379,22	4 252,38
(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)	371,04	0,00	0,00	0,00	0,00	0,00
(c) Seed harvested in Portugal and processed:						
— in Portugal (Esc)	214,94	5 949,43	5 949,58	5 939,94	5 939,92	5 899,14
— in another Member State (Esc)	6 524,59	5 949,43	5 949,58	5 939,94	5 939,92	5 899,14

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	27,272	27,266	27,259	27,253
— Portugal	0,000	36,240	36,240	36,240	36,240
— Other Member States	26,285	24,000	24,000	24,000	24,000
2. Final aids:					
(a) Seed harvested and processed in (1):					
— Federal Republic of Germany (DM)	61,88	56,50	56,50	56,50	56,50
— Netherlands (Fl)	69,72	63,66	63,66	63,66	63,66
— BLEU (Bfrs/Lfrs)	1 276,30	1 165,35	1 165,35	1 165,35	1 165,35
— France (FF)	207,54	189,50	189,50	189,50	189,50
— Denmark (Dkr)	236,04	215,52	215,52	215,52	215,52
— Ireland (£ Irl)	23,099	21,091	21,091	21,091	21,091
— United Kingdom (£)	20,018	18,152	18,140	18,111	18,101
— Italy (Lit)	46 300	42 275	42 275	42 275	42 275
— Greece (Dr)	5 561,95	4 983,18	4 937,09	4 883,55	4 875,86
(b) Seed harvested in Spain and processed:					
— in Spain (Pta)	1 314,91	4 231,62	4 228,44	4 221,59	4 221,55
— in another Member State (Pta)	4 635,43	4 295,52	4 293,34	4 287,58	4 288,47
(c) Seed harvested in Portugal and processed:					
— in Portugal (Esc)	0,00	7 571,72	7 571,90	7 561,23	7 561,21
— in Spain (Esc)	8 226,79	7 740,91	7 741,09	7 730,19	7 730,17
— in another Member State (Esc)	8 046,98	7 571,72	7 571,90	7 561,23	7 561,21
3. Compensatory aids:					
— in Spain (Pta)	4 606,52	—	—	—	—
4. Special aid:					
— in Portugal (Esc)	8 046,98	—	—	—	—

(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	2,041570	2,038950	2,036470	2,034300	2,034300	2,027980
Fl	2,304490	2,301740	2,298990	2,296910	2,296910	2,289670
Bfrs/Lfrs	42,287700	42,243100	42,206100	42,172000	42,172000	42,073500
FF	6,939100	6,933540	6,930220	6,928350	6,928350	6,923370
Dkr	7,878370	7,874620	7,870670	7,870220	7,870220	7,864700
£Irl	0,766932	0,766825	0,766415	0,766479	0,766479	0,766439
£	0,710475	0,712514	0,714195	0,715187	0,715187	0,717792
Lit	1 540,24	1 542,80	1 544,91	1 546,67	1 546,67	1 553,30
Dr	212,70000	214,67000	216,88300	219,43000	219,43000	226,73400
Esc	180,50800	180,73500	181,14200	182,00100	182,00100	184,38000
Pta	130,21500	130,63800	131,03100	131,37000	131,37000	132,45800

COMMISSION REGULATION (EEC) No 3772/90

of 21 December 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 3697/90⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 3697/90 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 Regulation (EEC) No 3697/90 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 22 December 1990.

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

Done at Brussels, 21 December 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 357, 20. 12. 1990, p. 40.

ANNEX

to the Commission Regulation of 21 December 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	34,61 ⁽¹⁾	
1701 11 90 950	⁽²⁾	
1701 12 90 100	34,77 ⁽¹⁾	
1701 12 90 910	34,61 ⁽¹⁾	
1701 12 90 950	⁽²⁾	
1701 91 00 000		0,3780
1701 99 10 100	37,80	
1701 99 10 910	37,62	
1701 99 10 950	37,62	
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 3773/90

of 21 December 1990

altering the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EEC) No 1806/89⁽⁴⁾, and in particular Article 12 (4) thereof,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽⁵⁾, as last amended by Regulation (EEC) No 2205/90⁽⁶⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on products processed from cereals and rice were fixed by Commission Regulation (EEC) No 3393/90⁽⁷⁾;

Whereas Council Regulation (EEC) No 1906/87⁽⁸⁾ amended Council Regulation (EEC) No 2744/75⁽⁹⁾ as regards products falling within CN codes 2302 10, 2302 20, 2302 30 and 2302 40;

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

— 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 20 December 1990;

Whereas the aforesaid corrective factor affects the entire calculation basis for the levies, including the equivalence coefficients;

Whereas the levy on the basic product as last fixed differs from the average levy by more than ECU 3,02 per tonne of basic product; whereas, pursuant to Article 1 of Commission Regulation (EEC) No 1579/74⁽¹⁰⁾, as last amended by Regulation (EEC) No 1740/78⁽¹¹⁾, the levies at present in force must therefore be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products processed from cereals and rice covered by Regulation (EEC) No 2744/75 as fixed in the Annex to Regulation (EEC) No 3393/90 are hereby altered to the amounts set out in the Annex.

Article 2

This Regulation shall enter into force on 22 December 1990.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 134, 28. 5. 1990, p. 1.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁷⁾ OJ No L 327, 27. 11. 1990, p. 26.

⁽⁸⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁹⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽¹⁰⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽¹¹⁾ OJ No L 202, 26. 7. 1978, p. 8.

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

Done at Brussels, 21 December 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 21 December 1990 altering the import levies on products processed from cereals and rice

(ECU/tonne)

CN code	Import levies		
	Portugal	ACP or OCT	Third countries (other than ACP or OCT)
1103 21 00	60,94	340,79	346,83
1104 19 10	60,94	340,79	346,83
1104 29 11	43,59	251,81	254,83
1104 29 31	51,82	302,93	305,95
1104 29 91	34,13	193,12	196,14
1104 30 10	28,92	142,00	148,04
1107 10 11	65,17	337,01	347,89
1107 10 19	51,45	251,81	262,69
1108 11 00	87,65	416,53	437,08
1109 00 00	303,34	757,32	938,66
2302 10 10	21,03	67,30	73,30
2302 10 90	38,20	144,21	150,21
2302 20 10	21,03	67,30	73,30
2302 20 90	38,20	144,21	150,21
2302 30 10	21,03	67,30	73,30
2302 30 90	38,20	144,21	150,21
2302 40 10	21,03	67,30	73,30
2302 40 90	38,20	144,21	150,21

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 17 December 1990

appointing a member of the Economic and Social Committee

(90/666/Euratom, EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 193 to 195 thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Articles 165 to 167 thereof,

Having regard to the Convention on certain institutions common to the European Communities, and in particular Article 5 thereof,

Having regard to the Council Decision of 24 September 1990 appointing the members of the Economic and Social Committee for the period ending on 20 September 1994⁽¹⁾,

Whereas a seat was left vacant on the above Committee at the time of that Council Decision;

Having regard to the nominations submitted by the Permanent Representation of Belgium on 17 October 1990,

Having obtained the favourable opinion of the Commission of the European Communities,

HAS DECIDED AS FOLLOWS:

Sole Article

Mr François Willekens is hereby appointed a member of the Economic and Social Committee for the period until 20 September 1994.

Done at Brussels, 17 December 1990.

For the Council

The President

G. CARLI

⁽¹⁾ OJ No L 290, 23. 10. 1990, p. 13.

CORRIGENDA

Corrigendum to Commission Regulation (EEC) No 3469/90 of 30 November 1990 fixing the rate of the aid for dried fodder

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

On page 44, in the Annex, third line:

for: 'Aid applicable from 1 November 1990...'

read: 'Aid applicable from 1 December 1990...'
