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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2059/89

of 11 July 1989

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 1834/89⁽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 1636/87⁽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 1915/89⁽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 other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

Whereas these exchange rates being those recorded on 10 July 1989;

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 1915/89 to today's offer prices and quotations known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 2727/75 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 12 July 1989.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 27. 6. 1989, p. 1.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 187, 1. 7. 1989, p. 1.

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

Done at Brussels, 11 July 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 11 July 1989 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Levies	
	Portugal	Third country
0709 90 60	34,31	134,65
0712 90 19	34,31	134,65
1001 10 10	13,87	151,84 ⁽¹⁾ ⁽²⁾
1001 10 90	13,87	151,84 ⁽¹⁾ ⁽²⁾
1001 90 91	13,66	106,69
1001 90 99	13,66	106,69
1002 00 00	41,42	112,67 ⁽²⁾
1003 00 10	32,09	106,27
1003 00 90	32,09	106,27
1004 00 10	23,49	84,86
1004 00 90	23,49	84,86
1005 10 90	34,31	134,65 ⁽²⁾ ⁽³⁾
1005 90 00	34,31	134,65 ⁽²⁾ ⁽³⁾
1007 00 90	52,35	142,54 ⁽⁴⁾
1008 10 00	32,09	4,15
1008 20 00	32,09	23,03 ⁽⁴⁾
1008 30 00	32,09	0,00 ⁽²⁾
1008 90 10	(?)	(?)
1008 90 90	32,09	0,00
1101 00 00	32,13	162,37
1102 10 00	70,99	170,74
1103 11 10	35,82	249,68
1103 11 90	34,71	175,36

⁽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 486/85 the levies are not applied to imports into the French overseas departments of products 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 reduced by 50 %.

⁽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 2060/89

of 11 July 1989

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 Regulation (EEC) No 2727/75 of the Council of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1834/89⁽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 1636/87⁽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 1916/89⁽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 other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

Whereas these exchange rates being those recorded on 10 July 1989;

Whereas, on the basis of today's cif prices and cif forward delivery prices, the premiums at present in force, which are to be added to the levies, should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

1. The premiums referred to in Article 15 of Regulation (EEC) No 2727/75 to be added to the import levies fixed in advance in respect of cereals and malt coming from Portugal shall be zero.
2. The premiums referred to in Article 15 of Regulation (EEC) No 2727/75 to be added to the import levies fixed in advance in respect of cereals and malt coming from third countries shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 12 July 1989.

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

Done at Brussels, 11 July 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 27. 6. 1989, p. 1.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 187, 1. 7. 1989, p. 4.

ANNEX

to the Commission Regulation of 11 July 1989 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CN code	(ECU/tonne)			
	Current 7	1st period 8	2nd period 9	3rd period 10
0709 90 60	0	0	0	0,96
0712 90 19	0	0	0	0,96
1001 10 10	0	0	0	0,40
1001 10 90	0	0	0	0,40
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	1,65	1,65	1,65
1004 00 90	0	1,65	1,65	1,65
1005 10 90	0	0	0	0,96
1005 90 00	0	0	0	0,96
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	0

B. Malt

CN code	(ECU/tonne)				
	Current 7	1st period 8	2nd period 9	3rd period 10	4th period 11
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 2061/89**of 7 July 1989****concerning the classification of certain goods in the combined nomenclature**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2658/87⁽¹⁾ on the tariff and statistical nomenclature and on the Common Customs Tariff, as last amended by Regulation (EEC) No 1672/89⁽²⁾, and in particular Article 9 thereof,

Whereas in order to ensure uniform application of the combined nomenclature annexed to Regulation 2658/87, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation;

Whereas Regulation (EEC) No 2658/87 has set down the general rules for the interpretation of the combined nomenclature and these rules also apply to any other nomenclature which is wholly or partly based on it or which adds any additional subdivisions to it and which is established by specific Community provisions, with a view to the application of tariff or other measures relating to trade in goods;

Whereas, pursuant to the said general rules, the goods described in column 1 of the table annexed to the present

Regulation must be classified under the appropriate CN codes indicated in column 2, by virtue of the reasons set out in column 3;

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

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column 1 of the annexed table are now classified within the combined nomenclature under the appropriate CN codes indicated in column 2 of the said table.

Article 2

This Regulation shall enter into force on the 21st 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, 7 July 1989.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽²⁾ OJ No L 169, 19. 6. 1989, p. 1.

ANNEX

Description of the goods	Classification (CN code)	Reasons
(1)	(2)	(3)
<p>1. Preparation in the form of tablets put up in packings for retail sale with instructions on dosage and composition to counter deficiency resulting from food lacking in proteins.</p> <p>Composition per 100 g of the preparation:</p> <ul style="list-style-type: none"> — L-histidine : 4,2 g — L-isoleucine : 4,2 g — L-leucine : 4,2 g — L-lysine : 4,2 g — L-methionine : 4,2 g — L-phenylalanine : 4,2 g — L-threonine : 4,2 g — L-tryptophan : 4,2 g — L-valine : 4,2 g — L-cystine : 2,8 g — L-glycine : 2,8 g — L-cystein : 2,8 g — L-tyrosine : 2,8 g — L-aurine : 2,8 g — L-arginine : 2,8 g — L-ornithine : 2,8 g — L-glutamine : 2,8 g — L-alanine : 1,4 g — L-aspartic acid : 1,4 g — L-glutamic acid : 1,4 g — L-citruline : 1,4 g — L-serine : 1,4 g — L-proline : 1,4 g — L-glutathion : 1,4 g — L-carnitine : 1,4 g — Cellulose, stearic acid, magnesium stearate, silicon dioxide and food glaze containing protein : ad 100 g 	2106 90 91	<p>Classification is determined by the provisions of general rules 1 and 6 for the interpretation of the combined nomenclature and the texts of CN codes 2106, 2106 90 and 2106 90 91.</p> <p>The products is a food supplement (see also HS Explanatory Notes to CN code 2106)</p>
<p>2. Preparation in the form of tablets put up in packings for retail sale with instructions on dosage and composition to counter, in particular, deficiency resulting from the growth of children.</p> <p>Composition per 100 g of the preparation:</p> <ul style="list-style-type: none"> — glycine : 36,2 g — L-ornithine : 27,2 g — L-tryptophan : 9,1 g — Niacinamide : 2,2 g — Vitamin B6 : 0,8 g — Cellulose, stearic acid, magnesium stearate, silicon dioxide, and food glaze containing protein : ad 100 g 	2106 90 91	<p>Classification is determined by the provisions of general rules 1 and 6 for the interpretation of the combined nomenclature and the texts of CN codes 2106, 2106 90 and 2106 90 91.</p> <p>The product is a food supplement (see also HS Explanatory Notes to CN code 2106)</p>

Description of the goods	Classification (CN code)	Reasons
(1)	(2)	(3)
<p>3. Preparation in the form of tablets put up in packings for retail sale with instructions on dosage and composition to counter deficiency resulting from the menstruation of women.</p> <p>Composition per 100 g of the preparation :</p> <ul style="list-style-type: none"> — Oil of evening primrose : 11,4 g — Vitamin B6 : 6,8 g — Magnesium oxide : 5,7 g — Calcium carbonate : 2,9 g — Herbal mixture : 2,4 g — Potassium gluconate : 2,3 g — Folic acid : 0,009 g — Cellulose, stearic acid, magnesium stearate, silicon dioxide and food glaze containing protein : ad 100 g. 	2106 90 91	<p>Classification is determined by the provisions of general rules 1 and 6 for the interpretation of the combined nomenclature and the texts of CN codes 2106, 2106 90 and 2106 90 91.</p> <p>The product is a food supplement (see also HS code Explanatory Notes to CN code 2106)</p>
<p>4. Preparation in the form of tablets put up in packings for retail sale with instructions on dosage and composition, to ensure a balance of substances contained in hair.</p> <p>Each tablet of approximately 2g contains :</p> <ul style="list-style-type: none"> — Biotin : 500 µg — L-Cysteine : 150 mg — Choline bitartrate : 125 mg — Inositol : 62,5 mg — Vitamin B12 : 12,5 µg — Folic acid : 400 µg — Ascorbic acid : 150 mg — Manganese gluconate : 5 mg — Para aminobenzoic acid : 37,5 mg — Niacinamide : 15 mg — Pantothenic acid : 50 mg — Vitamin B6 : 37,5 mg — Zinc gluconate : 15 mg — Ferrous gluconate : 10 mg — Iodine : 75 µg — Copper gluconate : 1 mg — Millet extract : 200 mg <p>In a base containing :</p> <p>Beta carotene, aloe vera, amino acids, cellulose, stearic acid and food glaze containing protein</p>	2106 90 91	<p>Classification is determined by the provisions of general rules 1 and 6 for the interpretation of the combined nomenclature and the texts of CN codes 2106, 2106 90 and 2106 90 91.</p> <p>The product is a food supplement (see also HS Explanatory Notes to CN code No 2106)</p>
<p>5. Preparation in the form of tablets put up in packages for retail sale with instructions on dosage and composition, to counter deficiency in vitamin C.</p> <p>Each tablet weighing 750 mg contains :</p> <ul style="list-style-type: none"> — Ascorbic acid : 500 g — Rose hip powder, cellulose, vegetable stearine, botanical oil solids, magnesium stearate, silicon dioxide and food glaze containing protein : 250 mg 	2106 90 91	<p>Classification is determined by the provisions of general rules 1 and 6 for the interpretation of the combined nomenclature and the texts of CN codes 2106, 2106 90 and 2106 90 91.</p> <p>The product is a food supplement (see also HS Explanatory Notes to CN code 2106)</p>

Description of the goods	Classification (CN code)	Reasons
(1)	(2)	(3)
6. Injectable preparation, sterile, pyrogen-free, consisting of purified collagen dispersed in a phosphate physiological saline buffered solution, whether or not containing lidocaine (INN), put up for retail sale	3004 90 19	Classification is determined by the provisions of general rules 1 and 6 for the interpretation of the combined nomenclature and the texts of CN codes 3004, 3004 90 and 3004 90 91. This product is used in the treatment of atrophy due to disease, trauma or other disorders of the conjunctive tissue

COMMISSION REGULATION (EEC) No 2062/89

of 10 July 1989

re-establishing the levying of customs duties on men's shirts, other than knitted or crocheted, products of category No 8 (order No 40.0080), originating in India, and women's knitted or crocheted suits and ensembles, products of category No 74 (order No 40.0740), originating in the Philippines to which the preferential tariff arrangements of Council Regulation (EEC) No 4259/88 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 4259/88 of 19 December 1988 applying generalized tariff preferences for 1989 to textile products originating in developing countries⁽¹⁾, and in particular Article 13 thereof,

Whereas Article 11 of Regulation (EEC) No 4259/88 provides that preferential tariff treatment shall be accorded, for each category of products subjected in Annexes I and II thereto to individual ceilings, within the limits of the quantities specified in column 8 of Annex I and column 7 of Annex II, in respect of certain or each of the countries or territories of origin referred to in column 5 of the same Annexes;

Whereas Article 12 of the abovementioned Regulation provides that the levying of customs duties may be re-established at any time in respect of imports of the products in question once the relevant individual ceilings have been reached at Community level;

Whereas, in respect of men's shirts, other than knitted or crocheted, products of category No 8 (order No 40.0080), originating in India, and women's knitted or crocheted

suits and ensembles, products of category No 74 (order No 40.0740), originating in the Philippines, the relevant ceiling amounts respectively to 1 826 000 and 64 000 pieces;

Whereas on 23 June 1989 imports of the products in question into the Community, originating in India for category No 8 and the Philippines for category No 74 countries covered by preferential tariff arrangements, reached and were charged against that ceiling;

Whereas it is appropriate to re-establish the levying of customs duties for the products in question with regard to India for category No 8 and the Philippines for category No 74,

HAS ADOPTED THIS REGULATION:

Article 1

As from 15 July 1989, the levying of customs duties, suspended pursuant to Regulation (EEC) No 4259/88, shall be re-established in respect of the following products, imported into the Community and originating in India for category No 8 and the Philippines for category No 74:

Order No	Category (unit)	CN code	Description	Origin
40.0080	8 (1 000 pieces)	6205 10 00 6205 20 00 6205 30 00	Men's or boys' shirts, other than knitted or crocheted of wool, cotton or man-made fibres	India
40.0740	74 (1 000 pieces)	6104 11 00 6104 12 00 6104 13 00 ex 6104 19 00 6104 21 00 6104 22 00 6104 23 00 6104 29 00	Women's or girls' knitted or crocheted suits and ensembles, of wool, cotton or man-made fibres, excluding ski-suits	Philippines

⁽¹⁾ OJ No L 375, 31. 12. 1988, p. 83.

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, 10 July 1989.

For the Commission
Christiane SCRIVENER
Member of the Commission

COMMISSION REGULATION (EEC) No 2063/89

of 10 July 1989

re-establishing the levying of customs duties on jerseys, pullovers, etc., products of category No 5 (order No 40.0050), socks, sockettes, knitted or crocheted, products of category No 12 (order No 40.0120), track suits of knitted or crocheted fabric, products of category No 73 (order No 40.0730), and women's knitted or crocheted suits and ensembles, products of category No 74 (order No 40.0740), originating in the Indonesia, to which the preferential tariff arrangements of Council Regulation (EEC) No 4259/88 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 4259/88 of 19 December 1988 applying generalized tariff preferences for 1989 to textile products originating in developing countries⁽¹⁾, and in particular Article 13 thereof,

Whereas Article 11 of Regulation (EEC) No 4259/88 provides that preferential tariff treatment shall be accorded, for each category of products subjected in Annexes I and II thereto to individual ceilings, within the limits of the quantities specified in column 8 of Annex I and column 7 of Annex II, in respect of certain or each of the countries or territories of origin referred to in column 5 of the same Annexes;

Whereas Article 12 of the abovementioned Regulation provides that the levying of customs duties may be re-established at any time in respect of imports of the products in question once the relevant individual ceilings have been reached at Community level;

Whereas, in respect of jerseys, pullovers, etc., products of category No 5 (order No 40.0050), socks, sockettes,

knitted or crocheted, products of category No 12 (order No 40.0120), track suits of knitted or crocheted fabric, products of category No 73 (order No 40.0730), and women's knitted or crocheted suits and ensembles, products of category No 74 (order No 40.0740), the relevant ceiling amounts respectively to 1 437 000, 3 037 000, 172 000 and 64 000 pieces;

Whereas on 23 June 1989 imports of the products in question into the Community, originating in Indonesia, a country covered by preferential tariff arrangements, reached and were charged against the ceiling;

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

HAS ADOPTED THIS REGULATION:

Article 1

As from 15 July 1989, the levying of customs duties, suspended pursuant to Regulation (EEC) No 4259/88, shall be re-established in respect of the following products, imported into the Community and originating in Indonesia:

Order No	Category (Unit)	CN code	Description
40.0050	5 (1 000 pieces)	6101 10 90	Jerseys, pullovers, slipovers, waistcoats, twinsets, cardigans, bed jackets and jumpers (other than jackets and blazers), anoraks, windcheaters, waister jackets and the like, knitted or crocheted
		6101 20 90	
		6101 30 90	
		6102 10 90	
		6102 20 90	
		6102 30 90	
		6110 10 10	
		6110 10 31	
		6110 10 39	
		6110 10 91	
		6110 10 99	
		6110 20 91	
		6110 20 99	
		6110 30 91	
		6110 30 99	

⁽¹⁾ OJ No L 375, 31. 12. 1988, p. 83.

Order No	Category (Unit)	CN code	Description
40.0120	12 (1 000 pairs or pieces)	6115 12 00	Panty-house (tights), stockings, under stockings, socks, ankle-socks, sockettes and the like, knitted or crocheted, other than for babies, including stockings for varicose veins, other than products of category 70
		6115 19 10	
		6115 19 90	
		6115 20 11	
		6115 20 90	
		6115 91 00	
		6115 92 00	
		6115 93 10	
		6115 93 30	
		6115 93 99	
		6115 99 00	
40.0730	73 (1 000 pieces)	6112 11 00	Track suits of knitted or crocheted fabric, of wool, cotton or man-made textile fibres
		6112 12 00	
		6112 19 00	
40.0740	74 (1 000 pieces)	6104 11 00	Women's or girls' knitted or crocheted suits and ensembles, of wool, cotton or man-made fibres, excluding ski-suits
		6104 12 00	
		6104 13 00	
		ex 6104 19 00	
		6104 21 00	
		6104 22 00	
		6104 23 00	
		ex 6104 29 00	

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, 10 July 1989.

For the Commission

Christiane SCRIVENER

Member of the Commission

COMMISSION REGULATION (EEC) No 2064/89

of 10 July 1989

re-establishing the levying of customs duties on men's knitted or crocheted suits and ensembles, products of category No 75 (order No 40.0750), originating in China, to which the preferential tariff arrangements of Council Regulation (EEC) No 4259/88 apply

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

Having regard to Council Regulation (EEC) No 4259/88 of 19 December 1988 applying generalized tariff preferences for 1989 to textile products originating in developing countries⁽¹⁾, and in particular Article 13 thereof,

Whereas Article 11 of Regulation (EEC) No 4259/88 provides that preferential tariff treatment shall be accorded, for each category of products subjected in Annexes I and II thereto to individual ceilings, within the limits of the quantities specified in column 8 of Annex I and column 7 of Annex II, in respect of certain or each of the countries or territories of origin referred to in column 5 of the same Annexes;

Whereas Article 12 of the abovementioned Regulation provides that the levying of customs duties may be re-established at any time in respect of import of the products in question once the relevant individual ceilings have been reached at Community level;

Whereas, in respect of men's knitted or crocheted suits and ensembles, products of category No 75 (order No 40.0750), the relevant ceiling amounts to 2 000 pieces;

Whereas on 23 June 1989 imports of the products in question into the Community, originating in China, a country covered by preferential tariff arrangements, reached and were charged against that ceiling;

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

HAS ADOPTED THIS REGULATION:

Article 1

As from 15 July 1989, the levying of customs duties, suspended pursuant to Regulation (EEC) No 4259/88, shall be re-established in respect of the following products, imported into the Community and originating in China:

Order No	Category (Unit)	CN code	Description
40.0750	75 (1 000 pieces)	6103 11 00 6103 12 00 6103 19 00 6103 21 00 6103 22 00 6103 23 00 6103 29 00	Men's or boys' knitted or crocheted suits and ensembles, of wool, cotton or man-made fibres, excluding ski-suits

Article 2

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

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

Done at Brussels, 10 July 1989.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 375, 31. 12. 1988, p. 83.

COMMISSION REGULATION (EEC) No 2065/89

of 10 July 1989

re-establishing the levying of customs duties on women's suits and ensembles, other than knitted or crocheted, products of category No 29 (order No 40.0290), originating in Pakistan, and women's suits and ensembles, knitted or crocheted, products of category No 74 (order No 40.0740), originating in India to which the preferential tariff arrangements of Council Regulation (EEC) No 4259/88 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 4259/88 of 19 December 1988 applying generalized tariff preferences for 1989 to textile products originating in developing countries⁽¹⁾, and in particular Article 13 thereof,

Whereas Article 11 of Regulation (EEC) No 4259/88 provides that preferential tariff treatment shall be accorded, for each category of products subjected in Annexes I and II thereto to individual ceilings, within the limits of the quantities specified in column 8 of Annex I and column 7 of Annex II, in respect of certain or each of the countries or territories of origin referred to in column 5 of the same Annexes;

Whereas Article 12 of the abovementioned Regulation provides that the levying of customs duties may be re-established at any time in respect of imports of the products in question once the relevant individual ceilings have been reached at Community level;

Whereas, in respect of women's suits and ensembles, other than knitted or crocheted products of category No

29 (order No 40.0290), originating in Pakistan, and women's suits and ensembles, knitted or crocheted, products of category No 74 (order No 40.0740), originating in India, the relevant ceiling amounts respectively to 118 000 and 64 000 pieces;

Whereas on 23 June 1989 imports of the products in question into the Community, originating in Pakistan for category No 29 and India for category No 74, countries covered by preferential tariff arrangements, reached and were charged against that ceiling;

Whereas it is appropriate to re-establish the levying of customs duties for the products in question with regard to Pakistan for category No 29 and India for category No 74,

HAS ADOPTED THIS REGULATION:

Article 1

As from 15 July 1989, the levying of customs duties, suspended pursuant to Regulation (EEC) No 4259/88, shall be re-established in respect of the following products, imported into the Community and originating in Pakistan for category No 29 and India for category No 74:

Order No	Category (unit)	CN code	Description	Origin
40.0290	29 (1 000 pieces)	6204 11 00 6204 12 00 6204 13 00 6204 13 00 6204 19 10 6204 21 00 6204 22 90 6204 23 90 6204 29 19	Women's or girls' suits and ensembles, other than knitted or crocheted, of wool, cotton or man-made fibres, excluding ski-suits	Pakistan
40.0740	74 (1 000 pieces)	6104 11 00 6104 12 00 6104 13 00 ex 6104 19 00 6104 21 00 6104 22 00 6104 23 00 6104 29 00	Women's or girls' knitted or crocheted suits and ensembles, of wool, cotton or man-made fibres, excluding ski-suits	India

⁽¹⁾ OJ No L 375, 31. 12. 1988, p. 83.

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, 10 July 1989.

For the Commission

Christiane SCRIVENER

Member of the Commission

COMMISSION REGULATION (EEC) No 2066/89

of 10 July 1989

re-establishing the levying of customs duties on women's woven overcoats and raincoats, products of category No 15 (order No 40.0150), originating in Thailand, women's dresses, products of category No 26 (order No 40.0260), originating in Brazil, and trousers, knitted or crocheted, products of category No 28 (order No 40.0280), originating in Malaysia, to which the preferential tariff arrangements of Council Regulation (EEC) No 4259/88 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 4259/88 of 19 December 1988 applying generalized tariff preferences for 1989 to textile products originating in developing countries⁽¹⁾, and in particular Article 13 thereof,

Whereas Article 11 of Regulation (EEC) No 4259/88 provides that preferential tariff treatment shall be accorded, for each category of products subjected in Annexes I and II thereto to individual ceilings, within the limits of the quantities specified in column 8 of Annex I and column 7 of Annex II, in respect of certain or each of the countries or territories of origin referred to in column 5 of the same Annexes;

Whereas Article 12 of the abovementioned Regulation provides that the levying of customs duties may be re-established at any time in respect of imports of the products in question once the relevant individual ceilings have been reached at Community level;

Whereas, in respect of women's woven overcoats and raincoats, products of category No 15 (order No 40.0150), originating in Thailand, women's dresses, products of

category No 26 (order No 40.0260), originating in Brazil and trousers, knitted or crocheted, products of category No 28 (order No 40.0280), originating in Malaysia, relevant ceiling amounts respectively to 216 000, 376 000 and 104 000 pieces;

Whereas on 23 June 1989 imports of the products in question into the Community, originating in countries covered by preferential tariff arrangements, reached and were charged against that ceiling;

Whereas it is appropriate to re-establish the levying of customs duties for the products in question with regard to Thailand for category No 15, Brazil for category No 26 and Malaysia for category No 28,

HAS ADOPTED THIS REGULATION:

Article 1

As from 15 July 1989, the levying of customs duties, suspended pursuant to Regulation (EEC) No 4259/88, shall be re-established in respect of the following products, imported into the Community and originating in Thailand for category No 15, Brazil for category No 26 and Malaysia for category No 28:

Order No	Category Unit	CN code	Description	Origin
40.0150	15 (1 000 pieces)	6202 11 00 ex 6202 12 00 ex 6202 12 90 ex 6202 13 10 ex 6202 13 90 6204 31 00 6204 32 90 6204 33 90 6204 39 19 6210 30 00	Women's or girls' woven overcoats, raincoats and other coats, cloaks and capes; jackets and blazers, of wool, cotton or man-made textile fibres (other than parkas) (of category 21)	Thailand

⁽¹⁾ OJ No L 375, 31. 12. 1988, p. 83.

Order No	Category Unit	CN code	Description	Origin
40.0260	26 (1 000 pieces)	6104 41 00	Women's or girls' dresses, of wool cotton or man-made fibres	Brazil
		6104 42 00		
		6104 43 00		
		6104 44 00		
		6204 41 00		
		6204 42 00		
		6204 43 00		
		6204 44 00		
40.0280	28 (1 000 pieces)	6103 41 10	Trousers, bib and brace overalls, breeches and shorts (other than swimwear) knitted or crocheted, of wool, cotton, or man-made fibres	Malaysia
		6103 41 90		
		6103 42 10		
		6103 42 90		
		6103 43 10		
		6103 43 90		
		6103 49 10		
		6103 49 91		
		6104 61 10		
		6104 61 90		
		6104 62 10		
		6104 62 90		
		6104 63 10		
		6104 63 90		
		6104 69 10		
		6104 69 91		

Article 2

This Regulation shall enter into force 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, 10 July 1989.

For the Commission

Christiane SCRIVENER

Member of the Commission

COMMISSION REGULATION (EEC) No 2067/89

of 11 July 1989

establishing the date of implementation in the Community of the system of certificates of origin provided for under the International Coffee Agreement 1983, when quotas are suspended

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 678/87 of 26 January 1987 on the application of the system of certificates of origin provided for under the International Coffee Agreement 1983⁽¹⁾, and in particular Article 4 thereof,

Whereas the Council of the International Coffee Organization decided at its meeting of 3 July 1989 to suspend quotas from 4 July 1989;

Whereas it is therefore appropriate to implement the above provisions,

HAS ADOPTED THIS REGULATION:

Article 1

For the implementation of the International Coffee Agreement 1983, the provisions of Regulation (EEC) No 678/87 shall apply from 4 July 1989.

Article 2

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

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

Done at Brussels, 11 July 1989.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 69, 12. 3. 1987, p. 1.

COMMISSION REGULATION (EEC) No 2068/89

of 11 July 1989

establishing the detailed rules for administering Community export quotas for certain types of non-ferrous metal waste and scrap

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1023/70 of 25 May 1970 establishing a common procedure for administering quantitative quotas⁽¹⁾ and in particular Article 11 thereof,

Whereas Council Regulation (EEC) No 4249/88 of 21 December 1988 on export arrangements for certain types of non-ferrous metal waste and scrap⁽²⁾ sets Community quantitative export quotas for copper ash and residues and copper waste and scrap for 1989;

Whereas detailed rules for the administration of these arrangements have been established for the period from 1 January to 30 June 1989 by Commission Regulation (EEC) No 1032/89⁽³⁾;

Whereas detailed rules must be established for the administration of these arrangements for the period from 1 July to 31 December 1989;

Whereas, in accordance with Article 3 of Regulation (EEC) No 4249/88, the allocation of quotas must take account of estimated requirements; whereas in order better to estimate these requirements, any export opportunities that already exist for the products in question, have to be taken into account;

Whereas an adaptable and flexible method of administration must be provided for the Community reserve, ensuring all exporters equal and continuous access to the quotas until they are used up;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any measure concerning the administration of the quantities allocated to that economic union may be carried out by any one of its members;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Quota Administration Committee set up by Regulation (EEC) No 1023/70,

Article 1

1. Between 1 July and 31 December 1989 export licences for the products referred to in Article 2 of Regulation (EEC) No 4249/88 shall be issued by the appropriate authorities of the Member States.

2. Each Member State shall inform the Commission within the first 20 days of each month of:

- (a) the quantities in tonnes and the prices of the products for which export licences have been issued during the previous month;
- (b) the quantities in tonnes of products which have been exported during the month preceding that referred to under point (a);
- (c) the quantities in tonnes authorized for export or exported under outward processing arrangements;
- (d) the third country of destination.

Article 2

Member States shall inform the Commission whether licences are issued as and when requests are received or once all requests have been examined together and shall pass on to the Commission the information referred to in Article 4 of Regulation (EEC) No 1023/70.

Article 3

1. The licences referred to in Article 1 shall be issued up to the available quantities referred to in Article 3.1 of Regulation (EEC) No 1032/89, supplemented by quantities drawn from the Community reserve by virtue of Article 4 of the said Regulation.

2. The remainder of the quotas fixed by Regulation (EEC) No 4249/89, i.e. 16 600 tonnes for ash and residues of copper alloys and 18 565 tonnes for waste and scrap of copper and copper alloys, shall constitute the Community reserve.

Article 4

1. Member States shall communicate before 31 July 1989 an estimate of their additional requirements over and above the quantities referred to in Article 3.1. These communications should include the information available concerning the quantities requested by each of the exporters and the opportunities for exporting which had been made available to them over the preceding 18 months.

⁽¹⁾ OJ No L 124, 8. 6. 1970, p. 1.

⁽²⁾ OJ No L 373, 31. 12. 1988, p. 53.

⁽³⁾ OJ No L 110, 21. 4. 1989, p. 24.

2. The Commission shall determine, taking into account the communications referred to in paragraph 1, the supplementary quantities which each Member State may use from the reserve, and will notify each Member State concerned. It shall also inform Member States of the extent to which the reserve has been used up.

3. The Commission may invite the Member States to renew the communications referred to in paragraph 1 within a deadline which it shall determine in function of the exhaustion of the reserve, and will proceed with the notifications and information referred to in paragraph 2.

Article 5

1. Member States shall take all measures necessary to ensure that the opening of supplementary quantities does not provoke any interruption in the charging of exports against the Community quantitative quota.

2. Member States shall ensure that exporters of the said goods established in their territory have free access to the quantities allocated to them.

3. Member States shall charge exports of the said goods against their quantities as and when such goods are presented to the customs authorities under cover of export licences or customs export documents.

4. The extent to which a Member State has used up its quantities shall be determined on the basis of exports charged in accordance with paragraph 3.

Article 6

1. Member States shall notify the Commission of the fraction, not utilized by 31 October 1989, of the quantities which they were allocated by virtue of Articles 3 and 4.

2. The Commission shall fix, in function of the needs communicated to it, the non-utilized quantities which must be set aside for the Community reserve.

Article 7

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

It shall be applicable until 31 December 1989.

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

Done at Brussels, 11 July 1989.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 2069/89

of 11 July 1989

amending Regulation (EEC) No 3846/87 establishing an agricultural product nomenclature for export refunds

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

Having regard to Council Regulation (EEC) No 804/87 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by Regulation (EEC) No 763/89⁽²⁾, and in particular Article 17 (4) thereof,

Whereas footnote ⁽¹⁰⁾ to Section 10 of the Annex to Commission Regulation (EEC) No 3846/87⁽³⁾, as last amended by Regulation (EEC) No 1311/89⁽⁴⁾, specifies how the fat content by weight and refund amount are to be calculated for processed cheeses if caseins and/or caseinates have been added; whereas in the case of the fat content by weight there is no need to refer to the weight of added casein or caseinates; whereas this reference should therefore be withdrawn with effect from 13 May 1989, the date on which the footnote was introduced;

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

HAS ADOPTED THIS REGULATION:

Article 1

In Section 10 of the Annex to Regulation (EEC) No 3846/87 the opening sentence of footnote ⁽¹⁰⁾ is deleted.

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 13 May 1989.

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

Done at Brussels, 11 July 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 84, 29. 3. 1989, p. 1.

⁽³⁾ OJ No L 366, 24. 12. 1987, p. 1.

⁽⁴⁾ OJ No L 131, 13. 5. 1989, p. 17.

COMMISSION REGULATION (EEC) No 2070/89

of 11 July 1989

amending Regulation (EEC) No 2755/80 in respect of the fixing of intervention
buying-in prices for lamb for the period 15 July to 15 December 1989

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

Having regard to Council Regulation (EEC) No 1837/80
of 27 June 1980 on the common organization of the
market in sheepmeat and goatmeat ⁽¹⁾, as last amended by
Regulation (EEC) No 1115/88 ⁽²⁾, and in particular Article
7 (7) (c) thereof,

Whereas the Annex to Commission Regulation (EEC) No
2755/80 of 28 October 1980 on the conditions for
implementing and suspending intervention buying in of
sheepmeat ⁽³⁾, as last amended by Regulation (EEC) No
1982/88 ⁽⁴⁾, lays down the qualities and buying-in prices
for products which could be bought in by intervention
agencies during the period 15 July to 15 December 1988 ;

Whereas in the Annex to Commission Regulation (EEC)
No 3817/88 of 7 December 1988 on the application of
the guarantee limitation arrangements for sheepmeat and
goatmeat ⁽⁵⁾ the weekly amounts of the intervention prices
are set out pursuant to Article 9a (3) of Regulation (EEC)
No 1837/80 ; whereas, it is possible that intervention
measures will be instituted during the period 15 July to
15 December 1989 ; whereas the buying-in prices to
apply during that period should be fixed now ; whereas,
therefore, Regulation (EEC) No 2755/80 should be
amended accordingly ;

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

Regulation (EEC) No 2755/80 is hereby amended as
follows :

1. The second subparagraph of Article 2 is replaced by
the following :

‘During the period 15 July to 15 December 1989 the
qualities and buying-in prices for products which may
be bought in by the intervention agencies are fixed in
the said Annex’.

2. The Annex is replaced by the Annex to this
Regulation.

Article 2

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

It shall apply from 15 July 1989.

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

Done at Brussels, 11 July 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.
⁽²⁾ OJ No L 110, 29. 4. 1988, p. 36.
⁽³⁾ OJ No L 284, 29. 10. 1980, p. 33.
⁽⁴⁾ OJ No L 174, 6. 7. 1988, p. 30.
⁽⁵⁾ OJ No L 337, 8. 12. 1988, p. 16.

ANNEX

ANNEX

INTERVENTION BUYING-IN PRICES

FRANCE : LAMB

(ECU/100 kg green rate)

Period \ Quality (1)	U 3 (couvert)	R 3 (couvert)	O 3 (couvert)	U 4 (gras)	R 4 (gras)
Period 15-16 July 1989	384,744	365,507	333,445	288,558	269,321
week starting on :					
17 July 1989	380,892	361,847	330,106	285,669	266,624
24 July 1989	379,032	360,080	328,494	284,274	265,322
31 July 1989	378,324	359,408	327,881	283,743	264,827
7 August 1989	378,324	359,408	327,881	283,743	264,827
14 August 1989	378,324	359,408	327,881	283,743	264,827
21 August 1989	378,324	359,408	327,881	283,743	264,827
28 August 1989	378,324	359,408	327,881	283,743	264,827
4 September 1989	378,324	359,408	327,881	283,743	264,827
11 September 1989	378,324	359,408	327,881	283,743	264,827
18 September 1989	378,324	359,408	327,881	283,743	264,827
25 September 1989	378,852	359,909	328,338	284,139	265,196
2 October 1989	378,852	359,909	328,338	284,139	265,196
9 October 1989	379,152	360,194	328,598	284,264	265,406
16 October 1989	379,632	360,650	329,014	284,724	265,742
23 October 1989	380,400	361,380	329,680	285,300	266,280
30 October 1989	384,528	365,302	333,258	288,396	269,170
6 November 1989	387,516	368,140	335,847	290,637	271,261
13 November 1989	393,096	373,441	340,683	294,822	275,167
20 November 1989	398,676	378,742	345,519	299,007	279,073
27 November 1989	404,268	384,055	350,366	303,201	282,988
4 December 1989	410,700	390,165	355,940	308,025	287,490
11 December 1989	319,124	398,168	363,241	314,343	293,387
(5 days only)					

(1) Within the meaning of point E of Annex III to Commission Regulation (EEC) No 1481/86 (OJ No L 130, 16. 5. 1986, p. 12).

COMMISSION REGULATION (EEC) No 2071/89

of 11 July 1989

on determining the origin of photocopying apparatus, incorporating an optical system or of the contact type

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Regulation (EEC) No 802/68 of the Council of 27 June 1968 on the common definition of the concept of the origin of goods ⁽¹⁾, as last amended by Regulation (EEC) No 3860/87 ⁽²⁾, and in particular Article 14 thereof,

Whereas Article 5 of Regulation (EEC) No 802/68 provides that a product in the production of which two or more countries were concerned shall be regarded as originating in the country in which the last substantial process or operation that is economically justified was performed, having been carried out in an undertaking equipped for the purpose, and resulting in the manufacture of a new product or representing an important stage of manufacture;

Whereas, in the production of a photocopying apparatus, incorporating an optical system or of the contact type, the assembly operations accompanied by the manufacture of the harness, drum, rollers, side plates, roller bearings, screws and nuts do not constitute a process or operation within the meaning of Article 5 of Regulation (EEC) No 802/68;

Whereas the assembly operations in question accompanied by the manufacture of the abovementioned components are, with regard to the totality of the operations necessary for the production of the photocopy machines concerned so significantly less important than the other operations (manufacture of complicated or technically sophisticated components such as the various printed circuit boards, lenses, various motors and

high-voltage generators) that they cannot be considered as being, whether individually or collectively, the last substantial operation within the meaning of Article 5 of Regulation (EEC) No 802/68; whereas, consequently, they do not confer the origin of the country in which they have been carried out;

Whereas, in the absence of concurring opinion from the Committee on Origin, the Commission was not able to adopt the provisions which it had envisaged in this connection in accordance with the procedure provided for in Article 14 (3) (a) of Regulation (EEC) No 802/68; whereas, in pursuance of the provisions of paragraph 3 (b) and (c) of that Article, the Commission submitted to the Council a proposal relating to the measures to be taken; whereas, by the end of a period of three months since the matter was placed before the Council, the latter has not acted,

HAS ADOPTED THIS REGULATION:

Article 1

The manufacture of photocopying apparatus, incorporating an optical system or of the contact type, falling within CN code ex 9009 shall not confer on the said apparatus the origin of the country where it was carried out when only the operations listed in column 3 of the Annex are effected.

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, 11 July 1989.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 1.

⁽²⁾ OJ No L 363, 23. 12. 1987, p. 30.

ANNEX

CN codes	Description of product	Process or operation carried out on non-originating materials that does not confer the status of originating products
(1)	(2)	(3)
ex 9009	Photocopying apparatus incorporating an optical system or of the contact type	Assembly of photocopying apparatus accompanied by the manufacture of the harness, drum, rollers, side plates, roller bearings, screws and nuts

COMMISSION REGULATION (EEC) No 2072/89

of 11 July 1989

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

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

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

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

Whereas the rates of the refunds applicable from 1 July 1989 to the products listed in the Annex, exported in the form of goods not covered by Annex II to the Treaty, were fixed by Regulation (EEC) No 1944/89 ⁽³⁾, as amended by Regulation (EEC) No 1981/89 ⁽⁴⁾;

Whereas it follows from applying the rules and criteria contained in Regulation (EEC) No 1944/89 to the information at present available to the Commission that the export refunds at present applicable should be altered as shown in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The rates of refund fixed by Regulation (EEC) No 1944/89 are hereby altered as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 12 July 1989.

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

Done at Brussels, 11 July 1989.

For the Commission

Christiane SCRIVENER

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 187, 1. 7. 1989, p. 83.

⁽⁴⁾ OJ No L 189, 4. 7. 1989, p. 31.

ANNEX

to the Commission Regulation of 11 July 1989 altering the rates of the refunds applicable to certain products in the sugar sector exported in the form of goods not covered by Annex II to the Treaty

Rate of refund in ECU/100 kg:

White sugar:	21,61
Raw sugar:	19,88
Syrups of beet sugar or cane sugar containing, in the dry state, 85 % or more by weight of sucrose (including invert sugar expressed as sucrose):	$21,61 \times \frac{S^{(1)}}{100}$ or
If those syrups are obtained by dissolving white or raw sugar in the solid state, whether or not the dissolving is followed by inversion:	The rate fixed above for 100 kg of white or raw sugar used for the dissolution
Molasses:	—
Isoglucose ⁽²⁾ :	21,61 ⁽³⁾

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

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

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

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

COMMISSION REGULATION (EEC) No 2073/89

of 11 July 1989

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 1997/89 ⁽³⁾, as amended by Regulation (EEC) No 2057/89 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1997/89 to the infor-

mation known to the Commission that the export refunds at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, as fixed in the Annex to amended Regulation (EEC) No 1997/89 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 12 July 1989.

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

Done at Brussels, 11 July 1989.

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 191, 6. 7. 1989, p. 8.

⁽⁴⁾ OJ No L 195, 11. 7. 1989, p. 20.

ANNEX

to the Commission Regulation of 11 July 1989 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	19,88 ⁽¹⁾	
1701 11 90 910	23,76 ⁽¹⁾	
1701 11 90 950	⁽²⁾	
1701 12 90 100	19,88 ⁽¹⁾	
1701 12 90 910	23,76 ⁽¹⁾	
1701 12 90 950	⁽²⁾	
1701 91 00 000		0,2161
1701 99 10 100	21,61	
1701 99 10 910	25,83	
1701 99 10 950	24,33	
1701 99 90 100		0,2161

⁽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 2074/89

of 11 July 1989

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1785/81 of 18 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EEC) No 1069/89⁽²⁾, and in particular Article 19 (4) thereof,Whereas the refunds on syrups and certain other sugar products were fixed by Regulation (EEC) No 1923/89⁽³⁾, as amended by Regulation (EEC) No 1982/89⁽⁴⁾;

Whereas it follows from applying the rules, criteria and other provisions contained in Regulation (EEC) No 1923/89 to the information at present available to the

Commission that the export refunds at present in force should be altered as shown in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The refunds to be granted on the products listed in Article 1 (1) (d), (f) and (g) of Regulation (EEC) No 1785/81, exported in the natural state, as fixed in the Annex to amended Regulation (EEC) No 1923/89 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 12 July 1989.

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

Done at Brussels, 11 July 1989.

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 187, 1. 7. 1989, p. 19.⁽⁴⁾ OJ No L 189, 4. 7. 1989, p. 33.

ANNEX

to the Commission Regulation of 11 July 1989 altering the export refunds on syrups and certain other sugar products exported in the natural state

(ECU)

Product code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question ⁽¹⁾	Amount of refund per 100 kg of dry matter ⁽²⁾
1702 40 10 100		21,61
1702 60 10 000		21,61
1702 60 90 000	0,2161	
1702 90 30 000		21,61
1702 90 60 000	0,2161	
1702 90 71 000	0,2161	
1702 90 90 900	0,2161	
2106 90 30 000		21,61
2106 90 59 000	0,2161	

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

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

COMMISSION REGULATION (EEC) No 2075/89
of 11 July 1989
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 Regulation No 136/66/EEC of the Council 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 1225/89 ⁽²⁾, and in particular Article 27 (4) thereof,

Having regard to Council Regulation (EEC) No 1678/85 of 11 June 1985 fixing the conversion rates to be applied in agriculture ⁽³⁾, as last amended by Regulation (EEC) No 1887/89 ⁽⁴⁾,

Having regard to Regulation (EEC) No 1569/72 of the Council of 20 July 1972 laying down special measures for colza, rape and sunflower seed ⁽⁵⁾, as last amended by Regulation (EEC) No 2216/88 ⁽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 1933/89 ⁽⁷⁾, as amended by Regulation (EEC) No 2040/89 ⁽⁸⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1933/89 to the information 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;

Whereas the abatement of the subsidy which arises, where appropriate, from the system of maximum guaranteed

quantities for the 1989/90 year, has not, to date, been fixed; whereas the amount of the subsidy for the 1989/90 year has been provisionally calculated on the basis of an abatement of ECU 3,44 per 100 kilograms for colza and rape seed, and of ECU 11,55 per 100 kilograms for sunflower seed,

HAS ADOPTED THIS REGULATION:

Article 1

1. The amount of the subsidy and the exchange rate referred to in Article 33 (2) and (3) of Commission Regulation (EEC) No 2681/83 ⁽⁹⁾ are as set out in the Annexes hereto.
2. The amount of the compensatory aid referred to in Article 14 of Council Regulation (EEC) No 475/86 ⁽¹⁰⁾ is as set out in Annex III for sunflower seed harvested in Spain.
3. The amount of the special subsidy provided for by Council Regulation (EEC) No 1920/87 ⁽¹¹⁾ for sunflower seed harvested and processed in Portugal is as set out in Annex III.
4. However, the amount of the subsidy in the case of advance fixing for the 1989/90 marketing year for colza, rape and sunflower seed will be confirmed or replaced as from 12 July 1989 to take into account the consequences of the application of the system of maximum guaranteed quantities.

Article 2

This Regulation shall enter into force on 12 July 1989.

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

Done at Brussels, 11 July 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

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

⁽²⁾ OJ No L 128, 11. 5. 1989, p. 15.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁴⁾ OJ No L 182, 29. 6. 1989, p. 22.

⁽⁵⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁶⁾ OJ No L 197, 26. 7. 1988, p. 10.

⁽⁷⁾ OJ No L 187, 1. 7. 1989, p. 48.

⁽⁸⁾ OJ No L 193, 8. 7. 1989, p. 33.

⁽⁹⁾ OJ No L 266, 28. 9. 1983, p. 1.

⁽¹⁰⁾ OJ No L 53, 1. 3. 1986, p. 47.

⁽¹¹⁾ OJ No L 183, 3. 7. 1987, p. 18.

ANNEX I

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

(amounts per 100 kg)

	Current 7 (')	1st period 8 (')	2nd period 9 (')	3rd period 10 (')	4th period 11 (')	5th period 12 (')
1. Gross aids (ECU):						
— Spain	1,170	1,170	1,170	1,170	1,170	1,170
— Portugal	0,000	0,000	0,000	0,000	0,000	0,000
— Other Member States	20,298	20,386	20,500	20,396	20,535	20,814
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	48,24	48,45	48,72	48,47	48,80	49,60
— Netherlands (Fl)	53,54	53,78	54,08	53,86	54,23	55,27
— BLEU (Bfrs/Lfrs)	980,13	984,38	989,88	984,86	991,57	1 005,04
— France (FF)	153,81	154,50	155,39	154,58	155,63	157,78
— Denmark (Dkr)	181,26	182,05	183,07	182,14	183,38	185,87
— Ireland (£ Irl)	17,119	17,195	17,295	17,204	17,322	17,561
— United Kingdom (£)	13,273	13,340	13,395	13,273	13,364	13,436
— Italy (Lit)	33 868	34 016	34 207	33 975	34 206	34 495
— Greece (Dr)	3 303,42	3 267,19	3 234,45	3 157,62	3 179,28	3 099,65
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	178,89	178,89	178,89	178,89	178,89	178,89
— in another Member State (Pta)	3 191,30	3 204,16	3 213,15	3 188,47	3 210,31	3 222,58
(c) Seed harvested in Portugal and processed:						
— in Portugal (Esc)	0,00	0,00	0,00	0,00	0,00	0,00
— in another Member State (Esc)	4 527,15	4 542,97	4 549,82	4 509,97	4 482,67	4 471,99

(') Subject in the case of advance fixing for the 1989/90 marketing year to the consequences of the application of the system of maximum guaranteed quantities.

ANNEX II

Aids to colza and rape seed 'double zero'

(amounts per 100 kg)

	Current 7 (1)	1st period 8 (1)	2nd period 9 (1)	3rd period 10 (1)	4th period 11 (1)	5th period 12 (1)
1. Gross aids (ECU):						
— Spain	3,670	3,670	3,670	3,670	3,670	3,670
— Portugal	2,500	2,500	2,500	2,500	2,500	2,500
— Other Member States	22,798	22,886	23,000	22,896	23,035	23,314
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	54,15	54,35	54,62	54,37	54,71	55,50
— Netherlands (Fl)	60,14	60,37	60,67	60,46	60,83	61,86
— BLEU (Bfrs/Lfrs)	1 100,84	1 105,09	1 110,60	1 105,58	1 112,29	1 125,76
— France (FF)	173,05	173,54	174,64	173,82	174,88	177,03
— Denmark (Dkr)	203,59	204,37	205,39	204,46	205,70	208,20
— Ireland (£ Irl)	19,260	19,337	19,437	19,346	19,463	19,703
— United Kingdom (£)	15,027	15,094	15,149	15,027	15,118	15,190
— Italy (Lit)	38 051	38 198	38 390	38 157	38 389	38 677
— Greece (Dr)	3 751,89	3 715,66	3 682,92	3 606,08	3 627,75	3 548,12
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	561,13	561,13	561,13	561,13	561,13	561,13
— in another Member State (Pta)	3 573,54	3 586,40	3 595,39	3 570,71	3 592,55	3 604,82
(c) Seed harvested in Portugal and processed:						
— in Portugal (Esc)	480,01	480,01	480,01	480,01	480,01	480,01
— in another Member State (Esc)	5 007,15	5 022,98	5 029,83	4 989,97	4 962,68	4 952,00

(1) Subject in the case of advance fixing for the 1989/90 marketing year to the consequences of the application of the system of maximum guaranteed quantities.

ANNEX III

Aids to sunflower seed

(amounts per 100 kg)

	Current 7	1st period 8 (1)	2nd period 9 (1)	3rd period 10 (1)	4th period 11 (1)
1. Gross aids (ECU):					
— Spain	5,170	6,890	6,890	6,890	6,890
— Portugal	0,000	0,000	0,000	0,000	0,000
— Other Member States	20,256	18,939	19,070	20,312	19,177
2. Final aids:					
(a) Seed harvested and processed in (2):					
— Federal Republic of Germany (DM)	48,34	45,15	45,46	48,37	45,71
— Netherlands (Fl)	53,85	49,96	50,30	53,66	50,67
— BLEU (Bfrs/Lfrs)	978,10	914,51	920,83	980,80	926,00
— France (FF)	146,81	142,44	143,47	153,22	144,26
— Denmark (Dkr)	176,84	169,13	170,30	181,39	171,25
— Ireland (£ Irl)	16,326	15,853	15,968	17,053	16,056
— United Kingdom (£)	11,457	11,962	12,018	12,912	12,023
— Italy (Lit)	32 005	31 561	31 781	33 791	31 879
— Greece (Dr)	2 022,79	2 859,77	2 809,17	2 995,64	2 746,84
(b) Seed harvested in Spain and processed:					
— in Spain (Pta)	797,28	1 053,45	1 053,45	1 053,45	1 053,45
— in another Member State (Pta)	3 250,09	3 225,68	3 234,32	3 404,31	3 238,87
(c) Seed harvested in Portugal and processed:					
— in Portugal (Esc)	0,00	0,00	0,00	0,00	0,00
— in Spain (Esc)	5 984,69	5 963,66	5 969,00	6 192,84	5 897,50
— in another Member State (Esc)	5 832,60	5 812,10	5 817,31	6 035,46	5 747,62
3. Compensatory aids:					
— in Spain (Pta)	3 199,96	3 175,98	3 184,62	3 354,61	3 189,17
4. Special aid:					
— in Portugal (Esc)	5 832,60	5 812,10	5 817,31	6 035,46	5 747,62

(1) Subject in the case of advance fixing for the 1989/90 marketing year to the consequences of the application of the system of maximum guaranteed quantities.

(2) 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 1,0260760.

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 7	1st period 8	2nd period 9	3rd period 10	4th period 11	5th period 12
DM	2,069410	2,065840	2,062540	2,059530	2,059530	2,051440
Fl	2,331530	2,326300	2,321390	2,316370	2,316370	2,299660
Bfrs/Lfrs	43,323899	43,301300	43,280100	43,268700	43,268700	43,213200
FF	7,026930	7,026550	7,025520	7,023860	7,023860	7,022230
Dkr	8,055980	8,059220	8,062190	8,065370	8,065370	8,078360
£Irl	0,777513	0,777085	0,777186	0,777313	0,777313	0,778110
£	0,679740	0,682390	0,685114	0,687718	0,687718	0,695423
Lit	1 497,87	1 501,80	1 505,32	1 508,64	1 508,64	1 518,73
Dr	178,37900	182,66500	186,21800	189,69900	189,69900	197,91200
Esc	173,00200	173,94000	174,84400	175,99400	175,99400	179,31500
Pta	131,30700	131,89500	132,38300	132,89600	132,89600	134,53000

COMMISSION REGULATION (EEC) No 2076/89

of 11 July 1989

abolishing the countervailing charge on tomatoes originating in Poland

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 1119/89⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 1962/89⁽³⁾ introduced a countervailing charge on tomatoes originating in Poland;

Whereas for these products originating in Poland there were no prices for six consecutive working days; whereas

the conditions specified in Article 26 (1) of Regulation (EEC) No 1035/72 are therefore fulfilled and the countervailing charge on imports of tomatoes originating in Poland can be abolished,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1962/89 is hereby repealed.

Article 2

This Regulation shall enter into force on 12 July 1989.

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

Done at Brussels, 11 July 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 118, 29. 4. 1989, p. 12.

⁽³⁾ OJ No L 187, 1. 7. 1989, p. 120.

COMMISSION REGULATION (EEC) No 2077/89**of 11 July 1989****abolishing a countervailing charge on cherries originating in Bulgaria**

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 1119/89⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 1963/89⁽³⁾ introduced a countervailing charge on cherries originating in Bulgaria;

Whereas for cherries originating in Bulgaria there were no prices for six consecutive working days; whereas the

conditions specified in Article 26 (1) of Regulation (EEC) No 1035/72 are therefore fulfilled and the countervailing charge on imports of cherries originating in Bulgaria can be abolished,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1963/89 is hereby repealed.

Article 2

This Regulation shall enter into force on 12 July 1989.

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

Done at Brussels, 11 July 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 118, 29. 4. 1989, p. 12.

⁽³⁾ OJ No L 187, 1. 7. 1989, p. 112.

COMMISSION REGULATION (EEC) No 2078/89...

of 11 July 1989

abolishing the countervailing charge on apples originating in Chile

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 1119/89⁽²⁾, and in particular the second subparagraph of Article 27(2) thereof,

Whereas Commission Regulation (EEC) No 1574/89⁽³⁾, as last amended by Regulation (EEC) No 2006/89⁽⁴⁾, introduced a countervailing charge on apples originating in Chile;

Whereas the present trend of prices for these products on the representative markets referred to in Commission Regulation (EEC) No 2118/74⁽⁵⁾, as last amended by Regulation (EEC) No 3811/85⁽⁶⁾, recorded or calculated

in accordance with the provisions of Article 5 of that Regulation, indicates that the application of the first subparagraph of Article 26(1) of Regulation (EEC) No 1035/72 would result in the countervailing charge being fixed at zero; whereas the conditions specified in the second indent of Article 26(1) of Regulation (EEC) No 1035/72 are therefore fulfilled and the countervailing charge on imports of these products originating in Chile can be abolished,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1574/89 is hereby repealed.

Article 2

This Regulation shall enter into force on 12 July 1989.

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

Done at Brussels, 11 July 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 118, 29. 4. 1989, p. 12.

⁽³⁾ OJ No L 154, 7. 6. 1989, p. 15.

⁽⁴⁾ OJ No L 191, 6. 7. 1989, p. 22.

⁽⁵⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁶⁾ OJ No L 368, 31. 12. 1985, p. 1.

COMMISSION REGULATION (EEC) No 2079/89**of 11 July 1989****amending Regulation (EEC) No 798/89 introducing a countervailing charge on
fresh lemons originating in Brazil**

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 Regulation (EEC) No 1035/72 of the Council of 18 May 1972 on the common organization of the market in fruit and vegetables ⁽¹⁾, as last amended by Regulation (EEC) No 1119/89 ⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 1798/89 ⁽³⁾, introduced a countervailing charge on fresh lemons originating in Brazil;

Whereas Article 26 (1) of Regulation (EEC) No 1035/72 laid down the conditions under which a charge intro-

duced in application of Article 25 of that Regulation is amended; whereas if those conditions are taken into consideration the countervailing charge on the import of fresh lemons originating in Brazil must be altered,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 1789/89, 'ECU 8,98' is hereby replaced by 'ECU 1,79'.

Article 2

This Regulation shall enter into force on 12 July 1989.

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

Done at Brussels, 11 July 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 118, 29. 4. 1989, p. 12.

⁽³⁾ OJ No L 176, 23. 6. 1989, p. 32.

COMMISSION REGULATION (EEC) No 2080/89

of 11 July 1989

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 Regulation (EEC) No 2727/75 of the Council of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1882/89⁽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 1219/89⁽⁴⁾, and in particular Article 12 (4) thereof,

Having regard to Council Regulation 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 1636/87⁽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 1882/89⁽⁷⁾, as last amended by Regulation (EEC) No 2058/89⁽⁸⁾;

Whereas Council Regulation (EEC) No 1906/87⁽⁹⁾ amended Council Regulation (EEC) No 2744/75⁽¹⁰⁾ 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:

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.
⁽²⁾ OJ No L 180, 27. 6. 1989, p. 1.
⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.
⁽⁴⁾ OJ No L 128, 11. 5. 1989, p. 9.
⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.
⁽⁶⁾ OJ No L 153, 13. 6. 1987, p. 1.
⁽⁷⁾ OJ No L 182, 29. 6. 1989, p. 10.
⁽⁸⁾ OJ No L 195, 11. 7. 1989, p. 22.
⁽⁹⁾ OJ No L 182, 3. 7. 1987, p. 49.
⁽¹⁰⁾ OJ No L 281, 1. 11. 1975, p. 65.

— 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 other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

Whereas these exchange rates being those recorded on 10 July 1989;

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 Regulation (EEC) No 1579/74 of the Commission⁽¹¹⁾, as last amended by Regulation (EEC) No 1740/78⁽¹²⁾, 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 amended Regulation (EEC) No 1882/89 are hereby altered to the amounts set out in the Annex.

Article 2

This Regulation shall enter into force on 12 July 1989.

⁽¹¹⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽¹²⁾ 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, 11 July 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 11 July 1989 altering the import levies on products processed from cereals and rice

(ECU/tonne)

CN code	Import levies		
	Portugal	Third countries (other than ACP or OCT)	ACP or OCT
0714 10 10 (*)	33,66 (*)	110,55	105,72
0714 10 91	30,64	107,53	105,72
0714 10 99	33,66	110,55	105,72
0714 90 11	30,64	107,53	105,72 (*)
0714 90 19	33,66	110,55	105,72 (*)
1102 20 10	69,65	246,00	239,96
1102 20 90	39,07	139,00	135,98
1102 90 10	61,19	199,59	193,55
1102 90 30	45,71	158,70	152,66
1102 90 90	56,39	149,94	146,92
1103 12 00	45,71	158,70	152,66
1103 13 11	69,65	246,00	239,96
1103 13 19	69,65	246,00	239,96
1103 13 90	39,07	139,00	135,98
1103 19 10	78,15	207,95	201,91
1103 19 30	61,19	199,59	193,55
1103 19 90	56,39	149,94	146,92
1103 21 00	27,26	199,83	193,79
1103 29 10	78,15	207,95	201,91
1103 29 20	61,19	199,59	193,55
1103 29 30	45,71	158,70	152,66
1103 29 40	69,65	246,00	239,96
1103 29 90	56,39	149,94	146,92
1104 11 10	34,27	112,70	109,68
1104 11 90	67,32	221,10	215,06
1104 12 10	25,50	89,53	86,51
1104 12 90	50,12	175,66	169,62
1104 19 10	27,26	199,83	193,79
1104 19 30	78,15	207,95	201,91
1104 19 50	69,65	246,00	239,96
1104 19 99	100,22	265,31	259,27
1104 21 10	52,04	175,07	172,05
1104 21 30	52,04	175,07	172,05
1104 21 50	82,64	274,87	268,83
1104 21 90	34,27	112,70	109,68
1104 22 10	42,69	155,68	152,66
1104 22 30	42,69	155,68	152,66
1104 22 50	38,28	138,72	135,70
1104 22 90	25,50	89,53	86,51
1104 23 10	59,56	216,32	213,30
1104 23 30	59,56	216,32	213,30
1104 23 90	39,07	139,00	135,98
1104 29 10*10 (*)	18,70	146,21	143,19
1104 29 10*20 (*)	56,30	152,21	149,19

(ECU/tonne)

CN code	Import levies		
	Portugal	Third countries (other than ACP or OCT)	ACP or OCT
1104 29 10*30 (*)	86,73	233,48	230,46
1104 29 10*40 (*)	86,73	233,48	230,46
1104 29 10*90 (*)	86,73	233,48	230,46
1104 29 30*10 (*)	21,88	175,28	172,26
1104 29 30*20 (*)	67,12	182,49	179,47
1104 29 30*30 (*)	86,73	233,48	230,46
1104 29 30*40 (*)	86,73	233,48	230,46
1104 29 30*90 (*)	86,73	233,48	230,46
1104 29 91	15,05	112,83	109,81
1104 29 95	43,88	117,43	114,41
1104 29 99	56,39	149,94	146,92
1104 30 10	14,88	86,79	80,75
1104 30 90	32,55	106,02	99,98
1106 20 10	33,66	110,55	103,90 (*)
1106 20 91	77,45	235,18	211,00 (*)
1106 20 99	77,45	235,18	211,00 (*)
1107 10 11	31,87	202,51	191,63
1107 10 19	26,56	154,07	143,19
1107 10 91	65,42	202,28 (*)	191,40
1107 10 99	51,63	153,89	143,01
1107 20 00	58,37	177,55 (*)	166,67
1108 11 00	46,49	257,40	236,85
1108 12 00	77,45	235,18	214,63
1108 13 00	77,45	235,18	214,63
1108 14 00	77,45	235,18	107,31
1108 19 90	77,45	235,18	107,31 (*)
1109 00 00	228,50	611,98	430,64
1702 30 51	170,93	376,67	279,95
1702 30 59	123,39	281,12	214,63
1702 30 91	170,93	376,67	279,95
1702 30 99	123,39	281,12	214,63
1702 40 90	123,39	281,12	214,63
1702 90 50	123,39	281,12	214,63
1702 90 75	174,47	390,00	293,28
1702 90 79	120,56	270,45	203,96
2106 90 55	123,39	281,12	214,63
2302 10 10	16,04	54,79	48,79
2302 10 90	27,52	110,56	104,56
2302 20 10	16,04	54,79	48,79
2302 20 90	27,52	110,56	104,56
2302 30 10	16,04	54,79	48,79
2302 30 90	27,52	110,56	104,56
2302 40 10	16,04	54,79	48,79
2302 40 90	27,52	110,56	104,56
2303 10 11	252,02	447,96	266,62

(*) 6 % *ad valorem*, subject to certain conditions.

(*) In accordance with Council Regulation (EEC) No 1180/77 (OJ No L 142, 9. 6. 1977, p. 10) this levy is reduced by ECU 5,44 per tonne for products originating in Turkey.

(*) In accordance with Regulation (EEC) No 486/85 the levy shall not be charged on the following products originating in the African, Caribbean and Pacific States and in the overseas countries and territories:

- arrow-root falling within CN codes 0714 90 11 and 0714 90 19,
- flours and meal of arrow-root falling within CN code 1106 20,
- arrow-root starch falling within CN code 1108 19 90.

(*) TARIC code: wheat.

(*) TARIC code: rye.

(*) TARIC code: millet.

(*) TARIC code: sorghum.

(*) TARIC code: others.

COMMISSION REGULATION (EEC) No 2081/89
of 11 July 1989
fixing the import levies on white sugar and raw sugar

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

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

Having regard to Council Regulation (EEC) No 1785/81
of 30 June 1981 on the common organization of the
markets in the sugar sector ⁽¹⁾, as last amended by Regula-
tion (EEC) No 1069/89 ⁽²⁾, and in particular Article 16 (8)
thereof,

Whereas the import levies on white sugar and raw sugar
were fixed by Commission Regulation (EEC) No
1920/89 ⁽³⁾, as last amended by Regulation (EEC) No
2041/89 ⁽⁴⁾;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 1920/89 to the infor-

mation known to the Commission that the levies at
present in force should be altered to the amounts set out
in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies referred to in Article 16 (1) of Regula-
tion (EEC) No 1785/81 shall be, in respect of white sugar
and standard quality raw sugar, as set out in the Annex
hereto.

Article 2

This Regulation shall enter into force on 12 July 1989.

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

Done at Brussels, 11 July 1989.

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 187, 1. 7. 1989, p. 13.

⁽⁴⁾ OJ No L 193, 8. 7. 1989, p. 37.

ANNEX

to the Commission Regulation of 11 July 1989 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	27,66 ⁽¹⁾
1701 11 90	27,66 ⁽¹⁾
1701 12 10	27,66 ⁽¹⁾
1701 12 90	27,66 ⁽¹⁾
1701 91 00	31,48
1701 99 10	31,48
1701 99 90	31,48 ⁽²⁾

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the levy applicable is calculated in accordance with the provisions of Article 2 of Commission Regulation (EEC) No 837/68 (OJ No L 151; 30. 6. 1968, p. 42).

⁽²⁾ In accordance with Article 16 (2) of Regulation (EEC) No 1785/81 this amount is also applicable to sugar obtained from white and raw sugar containing added substances other than flavouring or colouring matter.

COMMISSION REGULATION (EEC) No 2082/89

of 11 July 1989

altering the basic amount of the import levies on syrups and certain other products in the sugar sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EEC) No 1069/89⁽²⁾, and in particular Article 16 (8) thereof,Whereas the import levies on syrups and certain other sugar products were fixed by Commission Regulation (EEC) No 1921/89⁽³⁾, as last amended by Regulation (EEC) No 2023/89⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1921/89 to the infor-

mation known to the Commission that the basic amount of the levy on syrups and certain other sugar products at present in force should be altered,

HAS ADOPTED THIS REGULATION:

Article 1

The basic amounts of the import levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81, as fixed in the Annex to amended Regulation (EEC) No 1921/89, are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 12 July 1989.

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

Done at Brussels, 11 July 1989.

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 187, 1. 7. 1989, p. 16.

⁽⁴⁾ OJ No L 192, 7. 7. 1989, p. 22.

ANNEX

to the Commission Regulation of 11 July 1989 altering the basic amount of the import
levies on syrups and certain other products in the sugar sector

(ECU)

CN code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question	Amount of levy per 100 kg of dry matter
1702 20 10	0,3148	—
1702 20 90	0,3148	—
1702 30 10	—	36,39
1702 40 10	—	36,39
1702 60 10	—	36,39
1702 60 90	0,3148	—
1702 90 30	—	36,39
1702 90 60	0,3148	—
1702 90 71	0,3148	—
1702 90 90	0,3148	—
2106 90 30	—	36,39
2106 90 59	0,3148	—

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 22 June 1989

relating to the specific programme concerning the processing and marketing of fish and fish products in Italy for the period 1989 to 1990 forwarded by Italy pursuant to Council Regulation (EEC) No 355/77

(Only the Italian text is authentic)

(89/423/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 355/77 of 15 February 1977 on common measures to improve the conditions under which agricultural and fishery products are processed and marketed⁽¹⁾, as last amended by Regulation (EEC) No 1760/87⁽²⁾, and in particular Article 5 thereof,

Whereas the specific programme approved by Commission Decision 86/385/EEC⁽³⁾ expired on 31 December 1988;

Whereas Italy submitted on 30 March 1989 a request to extend the specific programme for the period 1988 to 1990;

Whereas, in accordance with Article 1 (3) of Regulation (EEC) No 355/77 regarding the granting of EAGGF aid, the investments which appear in Title II should form part of a specific programme;

Whereas this programme contributes to the fulfilment of the objectives of the common fisheries policy and it includes the details referred to in Article 3 of that Regulation;

Whereas the programme should be consistent with the multiannual guidance programmes for restructuring, modernizing and developing the fishing industry and for developing aquaculture in Italy adopted by Commission Decisions of 23 December 1988 amending Decision 88/140/EEC of 11 December 1987 on the

multiannual guidance programme for the fishing fleet 1987 to 1991 forwarded by Italy pursuant to Regulation (EEC) No 4028/86⁽⁴⁾, and 88/4/EEC⁽⁵⁾;

Whereas Council Regulation (EEC) No 4256/88⁽⁶⁾ lays down that Regulation (EEC) No 355/77 is to be repealed by 31 December 1989 at the latest, but in relation to the fisheries sector projects submitted under Regulation (EEC) No 355/77 may be introduced until 31 December 1990;

Whereas the measures provided for in this Decision are in accordance with the joint opinion of the Standing Committee on Agricultural Structures and Rural Development and the Standing Committee for the Fishing Industry,

HAS ADOPTED THIS DECISION:

Article 1

The specific programme concerned the processing and marketing of fisheries products in Italy, approved by Decision 86/385/EEC, and whose main features are set out in Annex I, is hereby extended to 31 December 1990, subject to the provisions in Annex II.

Article 2

This Decision is addressed to the Italian Republic.

Done at Brussels, 22 June 1989.

For the Commission

Manuel MARÍN

Vice-President

⁽¹⁾ OJ No L 51, 23. 2. 1977, p. 1.

⁽²⁾ OJ No L 167, 26. 6. 1987, p. 1.

⁽³⁾ OJ No L 226, 13. 8. 1986, p. 27.

⁽⁴⁾ Not yet published in the Official Journal.

⁽⁵⁾ OJ No L 4, 7. 1. 1988, p. 21.

⁽⁶⁾ OJ No L 374, 31. 12. 1988, p. 25.

ANNEX I

Main features of the programme in respect of the common measures to improve the conditions under which fish and fish products are processed and marketed, drawn up by Italy pursuant to Regulation (EEC) No 355/77

1. Purpose of the programme

Improvement and rationalization of marketing/distribution networks for fish and fish products and, in the processing sector, modernization of existing facilities and access to new markets.

2. Delimitation of the area concerned by the programme

The whole of Italy.

3. Duration of the programme

The programme covers the period from 1 January 1989 to 31 December 1990.

4. Objectives of the programme

For the processing sector:

- the maintenance of present production capacity and the containment of the costs of production by mechanization of processing lines,
- the upgrading and promotion of traditional products and new products,
- the rationalization of supplies of raw materials.

For the marketing/distribution of fish and fish products:

- the development of refrigerated units and purification plants,
- the rationalization of marketing networks.

5. Estimated investments

To attain the specified objectives, and particularly to contain the costs of production and create new products, the total investment for the duration of the programme is estimated to be ECU 73 400 000, allocated as follows:

- processing of tuna, mackerel, sardine, anchovy, clam: ECU 33 200 000,
- refrigeration and deep-freezing installations: ECU 26 800 000,
- wholesale centres, auctions markets and purification facilities: ECU 13 400 000.

The financial data, as well as the breakdown between various types of investments, are indicative.

6. National aids

The above investments are liable to benefit from aids and subsidised loans from the ministry by means of funding from the central fisheries fund, the regions and the other public bodies which have a specific interest in the different sectors.

*ANNEX II***Final conclusions**

1. The Commission considers that the programme submitted by Italy as a framework for future Community or national financing schemes constitutes a suitable basis to facilitate the development of the processing and marketing of fish and fish products.

In this connection, the Commission emphasizes the importance of the prospective development of resources and of the consequences and objectives of the multiannual guidance programmes with regard to the fishing fleet and to aquaculture for the future development of the processing and marketing of fish products.

2. Investments relating to products destined for human consumption which are not included in Annex II of the Treaty will be examined in relation to the provisions of Article 7 of Regulation (EEC) No 355/77. These products should contain a significant element of fish.
 3. With regard to the processing of clams, particular attention will have to be paid to shellfish resources, which determine the supplies available to this sector.
 4. The Commission points out that the estimated investment needs contained in these programmes do not imply any commitment to financial participation by the Community.
 5. The Commission underlines that it is necessary that projects and programmes financed through the Structural Funds and Community financial instruments comply with Community rules on public procurement.
-

COMMISSION DIRECTIVE

of 30 June 1989

amending Directive 86/109/EEC limiting the marketing of seed of certain species of fodder plants and oil and fibre plants to seed which has been officially certified as 'basic seed' or 'certified seed'

(89/424/EEC)

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

Having regard to Directive 66/401/EEC of the Council of 14 June 1966 on the marketing of fodder plant seed⁽¹⁾, as last amended by Directive 89/100/EEC⁽²⁾, and in particular Article 3 (3) thereof,

Having regard to Directive 69/208/EEC of the Council of 30 June 1969 on the marketing of seed of oil and fibre plants⁽³⁾, as last amended by Directive 88/380/EEC⁽⁴⁾, and in particular Article 3 (3) thereof,

Whereas Directive 66/401/EEC allows the marketing of basic seed, certified seed and commercial seed of certain species of fodder plants;

Whereas Directive 69/208/EEC allows the marketing of basic seed, certified seed and commercial seed of certain species of oil and fibre plants;

Whereas Article 3 (3) of each of the aforementioned Directives authorizes the Commission to prohibit the marketing of seed unless it has been officially certified as 'basic seed' or 'certified seed';

Whereas, accordingly, Commission Directive 86/109/EEC⁽⁵⁾ limits the marketing of seed of particular species of fodder plants and oil and fibre plants to seed

which has been officially certified as 'basic seed' or 'certified seed';

Whereas for some of the species referred to in Directive 86/109/EEC this marketing restriction applies as from 1 July 1989; whereas it now appears that, for a number of these species, Member States will not be in a position, at that date, to produce sufficient basic seed and certified seed to satisfy the demand for seed within the Community;

Whereas it is therefore appropriate to postpone the application of this marketing restriction until 1 July 1990 for brown top, birdsfoot trefoil, black medick and alsike clover and until 1 July 1991 for the other species concerned;

Whereas it has also been established, on the basis of the information available at present, that, as from 1 July 1991, Member States will be in a position to produce sufficient basic seed and certified seed to satisfy within the Community the demand for seed of rescue grass, Alaska brome-grass, Egyptian clover and California bluebell;

Whereas the measures provided for in this Directive are in accordance with the opinion of the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 86/109/EEC is hereby amended as follows:

1. Article 2 is replaced by the following:

'Article 2

Member States shall provide that from 1 July 1989 it shall not be permitted to place on the market seed of:

- | | |
|---|--|
| — <i>Agrostis gigantea</i> Roth | — redtop |
| — <i>Agrostis stolonifera</i> L. | — creeping bent grass |
| — <i>Phleum bertolonii</i> DC | — timothy |
| — <i>Poa palustris</i> L. | — swamp meadowgrass |
| — <i>Poa trivialis</i> L. | — rough-stalked meadowgrass |
| — <i>Lupinus albus</i> L. | — white lupin, varieties other than bitter |
| — <i>Brassica juncea</i> (L.) Czernj. et Cosson | — brown mustard |

unless it has been officially certified as "basic seed" or "certified seed".

⁽¹⁾ OJ No 125, 11. 7. 1966, p. 2298/66.

⁽²⁾ OJ No L 38, 10. 2. 1989, p. 36.

⁽³⁾ OJ No L 169, 10. 7. 1969, p. 3.

⁽⁴⁾ OJ No L 187, 16. 7. 1988, p. 31.

⁽⁵⁾ OJ No L 93, 8. 4. 1986, p. 21.

2. The following Article is inserted :

'Article 2a

Member States shall provide that from 1 July 1990 it shall not be permitted to place on the market seed of :

- | | |
|---------------------------------|---------------------|
| — <i>Agrostis capillaris</i> L. | — brown top |
| — <i>Lotus corniculatus</i> L. | — birdsfoot trefoil |
| — <i>Medicago lupulina</i> L. | — black medick |
| — <i>Trifolium hybridum</i> L. | — alsike clover |

unless it has been officially certified as "basic seed" or "certified seed".

3. Article 3 is replaced by the following :

'Article 3

Member States shall provide that from 1 July 1991 it shall not be permitted to place on the market seed of :

- | | |
|---|---------------------------------|
| — <i>Agrostis canina</i> L. | — velvet bent |
| — <i>Alopecurus pratensis</i> L. | — meadow foxtail |
| — <i>Arrhenatherum elatius</i> (L.) Beauv. ex
J. S. et K. B. Presl | — tall oatgrass |
| — <i>Bromus catharticus</i> Vahl | — rescue grass |
| — <i>Bromus sitchensis</i> Trin. | — Alaska brome-grass |
| — <i>Festuca ovina</i> L. | — sheep's fescue |
| — <i>Poa nemoralis</i> L. | — wood meadowgrass |
| — <i>Trisetum flavescens</i> (L.) Beauv. | — golden oatgrass |
| — <i>Lupinus albus</i> L. | — white lupin, bitter varieties |
| — <i>Lupinus angustifolius</i> L. | — blue lupin |
| — <i>Lupinus luteus</i> L. | — yellow lupin |
| — <i>Trifolium alexandrinum</i> L. | — Egyptian clover |
| — <i>Trifolium incarnatum</i> L. | — crimson clover |
| — <i>Trifolium resupinatum</i> L. | — Persian clover |
| — <i>Vicia sativa</i> L. | — common vetch |
| — <i>Vicia villosa</i> Roth | — hairy vetch |
| — <i>Phacelia tanacetifolia</i> Benth. | — California bluebell |
| — <i>Sinapis alba</i> L. | — white mustard |

unless it has been officially certified as "basic seed" or "certified seed".

4. In Article 4, after the second indent, the following indent is inserted :

- not later than 1 July 1990 the laws, regulations or administrative provisions necessary to comply with Article 2a, and

Article 2

This Directive is addressed to the Member States.

Done at Brussels, 30 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION DECISION

of 5 July 1989

determining the amount of VAT own resources payable by the Federal Republic of Germany for 1987 in respect of transactions covered by the 20th Council Directive 85/361/EEC of 16 July 1985 on the harmonization of the laws of the Member States relating to turnover taxes — Common system of value added tax: derogations in connection with the special aids granted to certain farmers to compensate for the dismantlement of monetary compensatory amounts applying to certain agricultural products

(Only the German text is authentic)

(89/425/EEC)

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

Having regard to the 20th Council Directive 85/361/EEC of 16 July 1985 on the harmonization of the laws of the Member States relating to turnover taxes — Common system of value added tax: derogations in connection with the special aids granted to certain farmers to compensate for the dismantlement of monetary compensatory amounts applying to certain agricultural products⁽¹⁾, and in particular Article 5 thereof,

Whereas the Directive authorizes the Federal Republic of Germany to use value added tax to grant a special aid to farmers provided that own resources accruing from VAT are not affected;

Whereas, for the 1987 financial year, the net VAT revenue to be taken into account under Article 6 of Council Regulation (EEC, Euratom, ECSC) No 2892/77 of 19 December 1977 implementing, in respect of own resources accruing from value added tax, the Decision of 21 April 1970 on the replacement of financial contributions from Member States by the Communities own resources⁽²⁾ as last amended by Regulation (ECSC, EEC, Euratom) No 3735/85⁽³⁾ should be increased by DM 2 392 million;

Whereas, the average weighted rate referred to in the said Article is 12,5804 % for 1987 but may be changed again;

Whereas the rate of VAT own resources payable by the Federal Republic of Germany for 1987 is 1,3459 %;

Whereas the Advisory Committee on Own Resources has been consulted,

HAS ADOPTED THIS DECISION:

Article 1

VAT own resources payable by the Federal Republic of Germany for 1987 according to Article 5 of Directive 85/361/EEC, amount to DM 255 910 000.

Article 2

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 5 July 1989.

For the Commission

Peter SCHMIDHUBER

Member of the Commission

⁽¹⁾ OJ No L 192, 24. 7. 1985, p. 18.

⁽²⁾ OJ No L 336, 27. 12. 1977, p. 8.

⁽³⁾ OJ No L 356, 31. 12. 1985, p. 1.