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(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 1427/89

of 25 May 1989

amending Regulation (EEC) No 4103/88 fixing the monetary compensatory amounts in the agricultural sector and certain coefficients and rates required for their application

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1677/85 of 11 June 1985 on monetary compensatory amounts in agriculture ⁽¹⁾, as last amended by Regulation (EEC) No 1889/87 ⁽²⁾, and in particular Article 9 (2) thereof,

Having regard to Commission Regulation (EEC) No 3153/85 of 11 November 1985 laying down detailed rules for the calculation of monetary compensatory amounts ⁽³⁾, as last amended by Regulation (EEC) No 3521/88 ⁽⁴⁾, and in particular Article 6 (3) thereof,

Whereas the monetary compensatory amounts introduced by Regulation (EEC) No 1677/85 were fixed by Commission Regulation (EEC) No 4103/88 ⁽⁵⁾, as last amended by Regulation (EEC) No 1361/89 ⁽⁶⁾;

Whereas Regulation (EEC) No 3153/85 lays down the rules for calculating monetary compensatory amounts;

whereas the spot market rates recorded as provided for in Regulation (EEC) No 3153/85 in the period 17 to 23 May 1989 for the Spanish peseta lead, pursuant to Article 5 (3) of Regulation (EEC) No 1677/85, to an adjustment of the monetary compensatory amounts applicable for Spain in respect of the wine sector; whereas, pursuant to Article 8 of Regulation (EEC) No 3153/85, the monetary compensatory amounts should be updated in the sectors concerned;

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 4103/88 is hereby amended as follows:

1. The column 'Spain' in Parts 1, 3, 4, 5, 6, 7 and 8 of Annex I is replaced by that given in Annex I hereto.
2. Annexes II, III and IV are replaced by Annexes II, III and IV hereto.

Article 2

This Regulation shall enter into force on 29 May 1989.

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

Done at Brussels, 25 May 1989.

For the Commission
Ray MAC SHARRY
Member of the Commission

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 6.

⁽²⁾ OJ No L 182, 3. 7. 1987, p. 1.

⁽³⁾ OJ No L 310, 21. 11. 1985, p. 4.

⁽⁴⁾ OJ No L 307, 12. 11. 1988, p. 28.

⁽⁵⁾ OJ No L 364, 30. 12. 1988, p. 1.

⁽⁶⁾ OJ No L 138, 22. 5. 1989, p. 4.

CN-code	Table	Additional code	Notes	Positive			Negative							
				Germany	Netherlands	Spain	United Kingdom	Belgium/Luxembourg	Denmark	Italy	France	Greece	Ireland	Portugal
				DM	Fl	Pta	£	Bfrs/Lfrs	Dkr	Lit	FF	Dr	£ Irl	Esc
2309 90 53	23-13	7548	(¹)(²)				— 1 000 kg —							
							2 781,83							
	23-13	7549	(²)(³)				5 563,65							
	23-13	7681	(²)(³)				844,68							
	23-13	7682	(²)(³)				2 532,89							
	23-13	7683	(²)(³)				4 221,10							
	23-13	7684	(²)(³)				844,68							
	23-13	7685	(²)(³)				1 263,36							
	23-13	7686	(²)(³)				1 682,03							
	23-13	7687	(²)(³)				844,68							
	23-13	7688	(²)(³)				3 626,51							
23-13	7689	(²)(³)				6 408,33								

(¹) When completing the customs formalities, the applicant must state in the declaration provided for this purpose the content by weight of starch, expressed as dry matter, per 1 000 kg of the product.

(²) When completing customs formalities, the party concerned shall state in the declaration provided for this purpose, in particular, the actual content by weight per tonne of finished product of:

- milk powder or granules (other than whey),
- whey powder or granules,
- added casein and/or caseinate.

(³) When completing:

- customs export formalities carried out in a Member State the currency of which has appreciated,
- customs import formalities carried out in a Member State the currency of which has depreciated,
- customs export formalities carried out in a Member State making use of the option provided in Article 10 of Regulation (EEC) No 1677/85, the applicant must state in the declaration provided for this purpose the complete composition of the product and the exact content by weight of non-milk constituents broken down by the combined nomenclature code.

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- (¹) The compensatory amount shall not be applied on animals imported within an annual tariff quota to be granted by the competent authorities of the European Communities:
- (a) for heifers and cows, other than those intended for slaughter, of the grey, brown, and mottled yellow Simmental and Pinzgau breeds;
 - (b) for bulls, heifers and cows, other than those intended for slaughter, of the mottled Simmental breed, the Schwyz breed and the Friburg breed.
- (²) The compensatory amount shall not be applied:
- in respect of quantities coming within an annual tariff quota of 50 000 tonnes, expressed in boned meat, to be granted by the competent authorities of the European Communities for frozen beef and veal,
 - in respect of quantities coming within an annual tariff quota of 2 250 tonnes, expressed in boned meat, to be granted by the competent authorities of the European Communities for frozen buffalo meat.
- (³) Entry under this CN code is subject to the production of a certificate issued on conditions laid down by the competent authorities of the European Communities.
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PART 4

SECTOR EGGS AND POULTRY

Monetary compensatory amounts

CN-code	Table	Additional code	Notes	Positive			Negative									
				Germany	Netherlands	Spain	United Kingdom	Belgium/Luxembourg	Denmark	Italy	France	Greece	Ireland	Portugal		
				DM	Fl	Pta	£	Bfrs/Lfrs	Dkr	Lit	FF	Dr	£ Irl	Esc		
				— 100 pieces —												
0105 11 00				8,39												
0105 19 10				24,49												
0105 19 90				8,39												
				— 100 kg —												
0105 91 00				36,86												
0105 99 10				59,31												
0105 99 20				56,23												
0105 99 30				40,09												
0105 99 50				58,61												
0207 10 11				46,31												
0207 10 15				52,66												
0207 10 19				57,37												
0207 10 31				57,27												
0207 10 39				62,77												
0207 10 51				69,79												
0207 10 55				84,74												
0207 10 59				94,15												
0207 10 71				80,33												
0207 10 79				87,84												
0207 10 90				83,73												
0207 21 10				52,66												
0207 21 90				57,37												
0207 22 10				57,27												
0207 22 90				62,77												
0207 23 11				84,74												
0207 23 19				94,15												
0207 23 51				80,33												
0207 23 59				87,84												
0207 23 90				83,73												
0207 39 11				154,79												
0207 39 13				63,11												
0207 39 15				47,61												
0207 39 17				32,96												
0207 39 21				86,88												
0207 39 23				81,62												
0207 39 25				146,49												
0207 39 27				32,96												
0207 39 31				120,26												
0207 39 33				69,05												

CN-code	Table	Additional code	Notes	Positive			Negative							
				Germany	Nether-lands	Spain	United Kingdom	Belgium/Luxem-bourg	Denmark	Italy	France	Greece	Ireland	Portugal
				DM	Fl	Pta	£	Bfrs/Lfrs	Dkr	Lit	FF	Dr	£ Irl	Esc
						— 100 kg —								
2309 10 19	23-14	7580				556,37								
	23-14	7581				834,55								
	23-14	7582				1 043,19								
	23-14	7583				1 168,37								
	23-14	7584				1 251,82								
2309 10 39	23-14	7553				168,82								
	23-14	7554				337,64								
	23-14	7555				506,46								
	23-14	7556				633,08								
	23-14	7557				709,05								
	23-14	7558				759,69								
	23-14	7559				41,87								
	23-14	7569				83,74								
	23-14	7573				125,60								
	23-14	7574				157,00								
	23-14	7577				175,84								
	23-14	7578				188,40								
	23-14	7579				278,18								
	23-14	7580				556,37								
	2309 10 59	23-14	7581				834,55							
23-14		7582				1 043,19								
23-14		7583				1 168,37								
23-14		7584				1 251,82								
23-14		7553				168,82								
23-14		7554				337,64								
23-14		7555				506,46								
23-14		7556				633,08								
23-14		7557				709,05								
23-14		7558				759,69								
23-14		7559				41,87								
23-14		7569				83,74								
23-14		7573				125,60								
23-14		7574				157,00								
23-14		7577				175,84								
23-14	7578				188,40									
23-14	7579				278,18									
23-14	7580				556,37									
2309 10 70	23-14	7581				834,55								
	23-14	7582				1 043,19								
	23-14	7583				1 168,37								
	23-14	7584				1 251,82								
	23-14	7553				168,82								
	23-14	7554				337,64								
	23-14	7555				506,46								
	23-14	7556				633,08								

CN-code	Table	Additional code	Notes	Positive			Negative										
				Germany	Nether-lands	Spain	United Kingdom	Belgium/Luxem-bourg	Denmark	Italy	France	Greece	Ireland	Portugal			
				DM	Fl	Pta	£	Bfrs/Lfrs	Dkr	Lit	FF	Dr	£ Irl	Esc			
2309 90 70	23-14	7557				— 100 kg —											
	23-14	7558				709,05											
	23-14	7559				759,69											
	23-14	7569				41,87											
	23-14	7573				83,74											
	23-14	7574				125,60											
	23-14	7577				157,00											
	23-14	7578				175,84											
	23-14	7579				188,40											
	23-14	7580				278,18											
	23-14	7581				556,37											
	23-14	7582				834,55											
	23-14	7583				1 043,19											
	23-14	7584				1 168,37											
						1 251,82											
	a					— % milk fat/100 kg product —											
	b					28,219											
	c					— % non-fatty lactic dry matter excluding added whey and/or lactose and/or casein and/or caseinates/100 kg product —											
	d					15,572											
	e					— % lactic matter excluding added whey and/or lactose and/or casein and/or caseinates/100 kg product —											
	f					17,591											
						— % non-fatty lactic matter excluding added whey and/or lactose and/or casein and/or caseinates/100 kg product —											
						1,416											
						— % sucrose/100 kg product —											
						4,497											

Annex

For certain milk products, falling within CN codes 0401, 0402, 0403 and 0404, the applicant, when completing customs formalities, shall state on the declaration provided for this purpose: the weight of fat, the weight of non-fatty lactic dry matter and the weight of added sucrose, contained in 100 kg of product, as well as whether or not whey and/or lactose and/or casein and/or caseinates have been added, and where this is the case, the actual content by weight of these products and the lactose content of the added whey.

CN-code	Table	Additional code	Notes	Positive			Negative									
				Germany	Netherlands	Spain	United Kingdom	Belgium/Luxembourg	Denmark	Italy	France	Greece	Ireland	Portugal		
				DM	Fl	Pta	£	Bfrs/Lfrs	Dkr	Lit	FF	Dr	£ Irl	Esc		
2204 29 35	22-14	7614	(¹)			2,91										
2204 29 39	22-15	7524	(²)			46,77										
	22-15	7526	(¹)			2,91										
	22-15	7618	(²)			46,77										
	22-15	7619	(¹)			2,91										

(¹) % vol/hl

(²) hl

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- (¹) Where the yield of the raw sugar differs from that of the standard quality defined by Regulation (EEC) No 431/68 (OJ No L 89, 10. 4. 1968, p. 3) the monetary compensatory amount shall be adjusted in accordance with the provisions of Article 2 of Regulation (EEC) No 837/68 (OJ No L 151, 30. 6. 1968, p. 42).
- (²) For flavoured or coloured sugar the monetary compensatory amount per 100 kg of the product in question shall be equal to the amount indicated multiplied by the sucrose content expressed as a percentage.
- (³) The sucrose content, including other sugars expressed as sucrose, shall be determined in accordance with Article 7 (2) of Regulation (EEC) No 837/68 in the case of imports and in accordance with Article 13 of Regulation (EEC) No 394/70 (OJ No L 50, 4. 3. 1970, p. 1) in the case of exports.
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CN-code	Table	Additional code	Notes	Positive			Negative							
				Germany	Netherlands	Spain	United Kingdom	Belgium/Luxembourg	Denmark	Italy	France	Greece	Ireland	Portugal
				DM	Fl	Pta	£	Bfrs/Lfrs	Dkr	Lit	FF	Dr	£ Irl	Esc
						— 100 kg —								
—		7100	(¹)											
—		7101	(¹)											
—		7102	(¹)											
—		7103	(¹)											
—		7104	(¹)											
—		7105	(¹)											
—		7106	(¹)											
—		7107	(¹)											
—		7108	(¹)											
—		7109	(¹)			490,56								
—		7110	(¹)											
—		7111	(¹)											
—		7112	(¹)											
—		7113	(¹)											
—		7115	(¹)											
—		7116	(¹)											
—		7117	(¹)											
—		7120	(¹)											
—		7121	(¹)											
—		7122	(¹)			473,33								
—		7123	(¹)			554,28								
—		7124	(¹)			667,61								
—		7125	(¹)											
—		7126	(¹)											
—		7127	(¹)			517,93								
—		7128	(¹)			598,88								
—		7129	(¹)			712,21								
—		7130	(¹)											
—		7131	(¹)			483,61								
—		7132	(¹)			568,61								
—		7133	(¹)			649,56								
—		7135	(¹)											
—		7136	(¹)			538,35								
—		7137	(¹)			623,35								
—		7140	(¹)			734,49								
—		7141	(¹)			831,63								
—		7142	(¹)			916,63								
—		7143	(¹)			997,58								
—		7144	(¹)			1 110,91								
—		7145	(¹)			779,09								
—		7146	(¹)			876,23								
—		7147	(¹)			961,23								
—		7148	(¹)			1 042,18								
—		7149	(¹)			1 155,51								
—		7150	(¹)			829,77								

CN-code	Table	Additional code	Notes	Positive			Negative							
				Germany	Netherlands	Spain	United Kingdom	Belgium/Luxembourg	Denmark	Italy	France	Greece	Ireland	Portugal
				DM	Fl	Pta	£	Bfrs/Lfrs	Dkr	Lit	FF	Dr	£ Irl	Esc
—		7961	(¹)			— 100 kg — 1 558,85								

Amounts to be deducted

—	51xx	37,38
—	52xx	79,02
—	53xx	126,44
—	54xx	169,90
—	55xx	248,93
—	56xx	369,90
—	570x	566,85
—	571x	566,85
—	572x	785,08
—	573x	785,08
—	574x	1 009,39
—	575x	1 009,39
—	576x	1 233,70
—	577x	1 233,70
—	578x	1 458,00
—	59xx	37,38

Amounts to be deducted

—	61xx	32,35
—	62xx	68,37
—	63xx	109,40
—	64xx	147,00
—	65xx	215,37
—	66xx	320,04
—	670x	490,44
—	671x	490,44
—	672x	679,26
—	673x	679,26
—	674x	873,33
—	675x	873,33
—	676x	1 067,40
—	677x	1 067,40
—	678x	1 261,48
—	69xx	32,35

(*) If the goods contain butter reduced in price under the Regulation indicated in Table 7 of Chapter 4 of the additional codes, the amount indicated in additional code 7xxx shall be reduced, for formula A and formula C products, by the amount indicated in additional code 5xxx and, for formula B products, by that indicated in additional code 6xxx. The additional code to be declared will be 5xxx or 6xxx as appropriate (x representing any figure from 0 to 9).

(*) See the additional codes related to the contents of the goods by weight of, respective milkfat, milk proteins, starch/glucose, and sucrose/invert sugar/isoglucose. These codes are mentioned in Annex I to the TARIC in the tables of Chapters 17, 18, 19 and 21. The numbers of the tables are mentioned above in the column 'Table'. The tables are reprinted (in OJ No L 364 of 30. 12. 1988, p. 48) without prejudice to any later modification of the TARIC.

NB: For the application of the additional code:

Starch/Glucose

The content of the goods (as presented) in starch, its degradation products i.e. all the polymers of glucose, and the glucose, determined as glucose and expressed as starch (on a dry matter basis, 100 % purity; factor for conversion of glucose to starch: 0,9).

However, where a mixture of glucose and fructose is declared (in whatever form) or is found to be present in the goods, the amount of glucose to be included in the above calculation is that which is in excess of the fructose content of the goods.

Sucrose/Invert Sugar/Isoglucose

The content of the goods (as presented), in sucrose, together with the sucrose which results from expressing as sucrose any mixture of glucose and fructose (the sum of the amounts of these two sugars multiplied by 0,95), which is declared (in whatever form) or found to be present in the goods.

However, where the fructose content of the goods is less than the glucose content, the amount of glucose to be included in the above calculation shall be an amount equal, by weight, to that of fructose.

Note: In all cases, where a hydrolysis product of lactose is declared, and/or galactose is found to be present among the sugars, then the amount of glucose equal to that of galactose is deducted from the total glucose content before any other calculations are carried out.

Milk proteins

Milk proteins, excluding those contained in the whey, casein and/or caseinates, added to the product.

ANNEX II

Monetary coefficients

Products	Member States										
	Germany	Netherlands	United Kingdom	Belgium/Luxembourg	Denmark	Italy	France	Greece	Ireland	Spain	Portugal
— Beef and veal	—	—	—	—	—	—	—	1,186	—	0,946	
— Milk and milk products	—	—	1,019	—	—	—	—	1,186	—	0,946	
— Pigmeat	—	—	—	—	—	—	—	1,163	—	—	
— Sugar	—	—	1,067	—	—	1,010	1,020	1,188	1,021	0,956	1,010
— Cereals	—	—	1,067	—	—	1,020	1,020	1,188	1,021	0,956	
— Eggs and poultry and albumins	—	—	1,016	—	—	—	—	1,273	—	0,981	
— Wine	—	—	—	—	—	—	—	1,153	—	0,990	
— Processed products (Regulation (EEC) No 3033/80):											
— to be applied to charges	—	—	1,019	—	—	—	—	1,186	—	0,946	1,010
— to be applied to refunds:											
— cereals	—	—	1,067	—	—	1,020	1,020	1,188	1,021	0,956	
— milk	—	—	1,019	—	—	—	—	1,186	—	0,946	
— sugar	—	—	1,067	—	—	1,010	1,020	1,188	1,021	0,956	
— Jams and marmalades (Regulation (EEC) No 426/86)	—	—	—	—	—	—	—	1,188	—	—	—
— Olive oil sector	—	—	—	—	—	—	—	1,103	—	—	—

ANNEX III

Application of Article 10 of Regulation (EEC) No 1677/85

	100 Lit	1 £	1 £ Irl
Bfrs/Lfrs	2,85276	66,1022	55,2545
Dkr	0,527582	12,2248	10,2187
DM	0,138312	3,20488	2,67895
FF	0,463881	10,7487	8,98483
Fl	0,155842	3,61108	3,01849
£ Irl	0,0516294	1,19632	—
£	0,0431567	—	0,835894
Lit	—	2 317,14	1 936,88
Dr	11,7072	271,271	226,754
Esc	11,3433	262,841	219,707
Pta	8,57223	198,630	166,034

ANNEX IV

Adjustments to be made pursuant to Article 6 (1) of Regulation (EEC) No 3155/85 to the monetary compensatory amounts fixed in advance

Subject to the provisions of Article 7 (1) of Regulation (EEC) No 3155/85, the monetary compensatory amounts fixed in advance in the case of the following countries, from 29 May 1989 until the date set out below, shall be multiplied by the following coefficients:

Member State	Sector concerned	Coefficient	Applicable to imports and exports carried out from
United Kingdom	Cereals	0,418691	1 July 1989
	Eggs and poultry and albumins	0	1 July 1989
	Sugar	0,418691	1 July 1989
Italy	Cereals	0	1 July 1989
	Sugar	0	1 July 1989
France	Cereals	0	1 July 1989
	Sugar	0	1 July 1989
Greece	Cereals	0,141849	1 July 1989
	Olive oil sector	0	1 November 1989
	Eggs and poultry and albumins	0	1 July 1989
	Pigmeat	0	1 July 1989
	Sugar	0,141849	1 July 1989
	Wine	0	1 September 1989
Ireland	Cereals	0	1 July 1989
	Sugar	0	1 July 1989
Spain	Wine	0	1 September 1989
Portugal	Sugar	0	1 July 1989