

COMMISSION REGULATION (EEC) No 1755/89**of 20 June 1989****fixing the sluice-gate prices and levies on pigmeat and repealing Regulation (EEC) No 960/89**

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 2759/75 of the Council of 29 October 1975 on the common organization of the market in pigmeat⁽¹⁾, as last amended by Regulation (EEC) No 1249/89⁽²⁾, and in particular Articles 8 and 12 (1) thereof,

Whereas a levy fixed quarterly in advance must be charged on imports into the Community for the products specified in Article 1 (1) of Regulation (EEC) No 2759/75;

Whereas Regulation (EEC) No 2759/75 was amended, with effect on 1 July 1989, by Regulation (EEC) No 1249/89 as regards the quarterly fixing of the sluice-gate prices and levies so that henceforward such fixing is to take place according to quarters of the calendar year, namely on 1 January, 1 April, 1 July and 1 October;

Whereas, as the levies and sluice-gate prices were fixed latterly in Commission Regulation (EEC) No 960/89 of 13 April 1989⁽³⁾, new levies and sluice-gate prices must be fixed for the period 1 July to 30 September 1989 and Regulation (EEC) No 960/89, which fixes the amounts for the period 1 May to 31 July 1989, must be repealed;

Whereas the levy on pig carcasses is made up of two components;

Whereas the first component must be equal to the difference between prices within the Community and on the world market for the quantity of feed grain determined in accordance with Article 1 of Regulation (EEC) No 2764/75 of the Council of 29 October 1975 laying down the rules for calculating a component of the levy on pig carcasses⁽⁴⁾, as last amended by Regulation (EEC) No 4160/87⁽⁵⁾, the composition whereof is indicated therein;

Whereas the value within the Community of that quantity of feed grain must be determined in accordance with

Article 2 of Regulation (EEC) No 2764/75; whereas the value for the same quantity on the world market must be determined in accordance with Article 3 thereof;

Whereas Article 3 of that Regulation provides that the price of each cereal on the world market is to be equal to the average of the cif prices of that cereal; whereas the cif prices are recorded for the five-month period ending one month before the quarter in respect of which the said component is calculated; whereas that period is 1 January to 31 May 1989;

Whereas the second component must be equal to 7 % of the average of the sluice-gate prices applicable for the four quarters to 1 April in each year; whereas, however, in this year of changeover in quarterly periods, the sluice-gate prices applicable for the four quarters to 1 May 1989 are to be maintained as they were fixed quarterly for the purposes of calculating the second component of the levy;

Whereas the levies on the products specified in Article 1 (1) (a) and (b) of Regulation (EEC) No 2759/75 other than pig carcasses must be derived from the levy on pig carcasses on the basis of the coefficients fixed for such products pursuant to Article 10 (4) of Regulation (EEC) No 2759/75 in Annex I to Commission Regulation (EEC) No 3944/87 of 21 December 1987 fixing coefficients for calculating levies on pigmeat products⁽⁶⁾;

Whereas the levies on the products specified in Article 1 (1) (c) of Regulation (EEC) No 2759/75 are made up of two components;

Whereas the first component must be derived from the levy on pig carcasses on the basis of the coefficients fixed in Annex II to Regulation (EEC) No 3944/87;

Whereas the second component must be equal to 7 %, and for products falling within CN code ex 1602 to 10 % of the average offer prices for imports during the 12 months to 1 April; whereas those averages should be determined bearing in mind all the information available on imports into the Community from third countries, taking into account the representative character of prices;

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 129, 11. 5. 1989, p. 12.

⁽³⁾ OJ No L 102, 14. 4. 1989, p. 31.

⁽⁴⁾ OJ No L 282, 1. 11. 1975, p. 21.

⁽⁵⁾ OJ No L 392, 31. 12. 1987, p. 46.

⁽⁶⁾ OJ No L 373, 31. 12. 1987, p. 25.

Whereas, in the case of products falling within CN codes 0206 30 21, 0206 30 31, 0206 41 91, 0206 49 91, 1501 00 11, 1601 00 10, 1602 10 00, 1602 20 90 and 1602 90 10 in respect of which the rate of duty has been bound under the General Agreement on Tariffs and Trade (GATT), the levies must not exceed the amount resulting from that binding;

Whereas, for pig carcasses and other products referred to in Article 1 of Council Regulation (EEC) No 2766/75 of 29 October 1975 establishing the list of products for which sluice-gate prices are to be fixed and laying down the rules for fixing the sluice-gate price for pig carcasses⁽¹⁾, as last amended by Council Regulation (EEC) No 3909/87⁽²⁾, the sluice-gate prices must be fixed in advance for each quarter; whereas as sluice-gate prices were last fixed by Regulation (EEC) No 960/89 for the period 1 May to 31 July 1989, bearing in mind the new definition of quarters introduced by Regulation (EEC) No 1249/89, the sluice-gate price must be fixed anew for the period 1 July to 30 September 1989;

Whereas the sluice-gate price for pig carcasses is made up of three components;

Whereas the first component must be equal to the value on the world market of the quantity of feed grain equivalent to the quantity of feedingstuffs required for the production in third countries of one kilogram of pigmeat, such quantity being composed as provided in Article 2 (1) of Regulation (EEC) No 2766/75;

Whereas the value of that quantity of grain must be determined in accordance with Article 2 (2) and (3) of Regulation (EEC) No 2766/75;

Whereas the said Article 2 provides that the price for each cereal on the world market shall be equal to the average of the cif prices of such cereal; whereas the cif prices shall be determined for the period of five months ending one month before the quarter in respect of which the said amount is calculated; whereas that period is 1 January to 31 May 1989;

Whereas the second component, which represents the extra cost, in relation to feed grain of feedingstuffs other than grain required for the production of one kilogram of pigmeat, shall, in accordance with Article 3 (1) of Regulation (EEC) No 2766/75, be 15 % of the value of the quantity of feed grain;

Whereas the third amount, which represents overhead costs of production and marketing, shall, in accordance with Article 3 (2) of Regulation (EEC) No 2766/75, be 38,69 ECU per 100 kilograms of pig carcasses:

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 25.

⁽²⁾ OJ No L 370, 30. 12. 1987, p. 11.

Whereas the sluice-gate prices of products referred to in Article 1 of Regulation (EEC) No 2766/75, other than pig carcasses, must be derived from the sluice-gate price for pig carcasses on the basis of the coefficients laid down by Regulation (EEC) No 3944/87;

Whereas, Commission Regulation (EEC) No 616/86 of 28 February 1986 on the application of import levies on pigmeat products from Portugal⁽³⁾ suspended the application of import levies on pigmeat products from Portugal owing to the minimal difference between the prices obtaining in the Community on the one hand and in Portugal on the other hand; whereas the situation still pertains;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. For the period 1 July to 30 September 1989 the levies provided for in Article 8 of Regulation (EEC) No 2759/75 for the products referred to in Article 1 (1) thereof and the sluice-gate prices provided for in Article 12 of Regulation (EEC) No 2759/75 for the products referred to in Article 1 of Regulation (EEC) No 2766/75 shall be as set out in the Annex hereto.

2. Nevertheless, in the case of products falling within CN codes 0206 30 21, 0206 30 31, 0206 41 91, 0206 49 91, 1501 00 11, 1601 00 10, 1602 10 00, 1602 20 90 and 1602 90 10, in respect of which the rate of duty has been bound within GATT, the levy shall not exceed the amount resulting from that binding.

3. For imports from Portugal of products specified in paragraph 1 and in free circulation in that Member State, application of the levies specified in the Annex shall be suspended.

Article 2

Regulation (EEC) No 960/89 is repealed.

Article 3

This Regulation shall enter into force on 1 July 1989.

⁽³⁾ OJ No L 58, 1. 3. 1986, p. 45.

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

Done at Brussels, 20 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 20 June 1989 fixing the sluice-gate prices and levies on pigmeat

CN code	Sluice-gate price (ECU/100 kg)	Amount of levies (ECU/100 kg)	Conventional rate of duty bound within GATT (%)
0103 91 10	91,36	39,47	—
0103 92 11	77,70	33,57	—
0103 92 19	91,36	39,47	—
0203 11 10	118,81	51,32	—
0203 12 11	172,27	74,42	—
0203 12 19	133,07	57,48	—
0203 19 11	133,07	57,48	—
0203 19 13	192,47	83,15	—
0203 19 15	103,36	44,65	—
0203 19 55	192,47	83,15	—
0203 19 59	192,47	83,15	—
0203 21 10	118,81	51,32	—
0203 22 11	172,27	74,42	—
0203 22 19	133,07	57,48	—
0203 29 11	133,07	57,48	—
0203 29 13	192,47	83,15	—
0203 29 15	103,36	44,65	—
0203 29 55	192,47	83,15	—
0203 29 59	192,47	83,15	—
0206 30 21	143,76	62,10	7
0206 30 31	104,55	45,17	4
0206 41 91	143,76	62,10	7
0206 49 91	104,55	45,17	4
0209 00 11	47,52	20,53	—
0209 00 19	52,28	22,58	—
0209 00 30	28,51	12,32	—
0210 11 11	172,27	74,42	—
0210 11 19	133,07	57,48	—
0210 11 31	335,04	144,73	—
0210 11 39	263,76	113,94	—
0210 12 11	103,36	44,65	—
0210 12 19	172,27	74,42	—
0210 19 10	152,08	65,69	—
0210 19 20	166,33	71,85	—
0210 19 30	133,07	57,48	—
0210 19 40	192,47	83,15	—
0210 19 51	192,47	83,15	—
0210 19 59	192,47	83,15	—
0210 19 60	263,76	113,94	—
0210 19 70	331,48	143,19	—
0210 19 81	335,04	144,73	—
0210 19 89	335,04	144,73	—
0210 90 31	143,76	62,10	—
0210 90 39	104,55	45,17	—
1501 00 11	38,02	16,42	3
1501 00 19	38,02	16,42	—
1601 00 10	166,33	89,09	24
1601 00 91	279,20	153,00	—

CN code	Sluice-gate price (ECU/100 kg)	Amount of levies (ECU/100 kg)	Conventional rate of duty bound within GATT (%)
1601 00 99	190,10	101,29	—
1602 10 00	133,07	78,27	26
1602 20 90	154,45	87,99	25
1602 41 10	291,08	161,81	—
1602 42 10	243,56	131,10	—
1602 49 11	291,08	168,19	—
1602 49 13	243,56	137,90	—
1602 49 15	243,56	135,54	—
1602 49 19	160,39	85,57	—
1602 49 30	133,07	76,80	—
1602 49 50	79,60	55,48	—
1602 90 10	154,45	87,99	26
1602 90 51	160,39	85,57	—
1902 20 30	79,60	60,28	—

NB: The CN codes and the footnotes are defined in Commission Regulation (EEC) No 2658/87 (OJ No L 256, 7. 9. 1987, p. 1) as amended.