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*(Acts whose publication is obligatory)*

## COMMISSION REGULATION (EEC) No 193/89

of 27 January 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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 1889/87 <sup>(2)</sup>, and in particular Articles 9 and 12 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 <sup>(3)</sup>, as last amended by Regulation (EEC) No 3521/88 <sup>(4)</sup>, and in particular Article 6 (3) thereof,

Having regard to Commission Regulation (EEC) No 3155/85 of 11 November 1985 establishing advanced fixing of monetary compensatory amounts <sup>(5)</sup>, as last amended by Regulation (EEC) No 3521/88, 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 <sup>(6)</sup>, as last amended by Regulation (EEC) No 112/89 <sup>(7)</sup>;

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 18 to 24 January 1989 for the pound sterling and the Spanish peseta tended to indicate that the agricultural conversion rate for the pigmeat sector should be adjusted as provided for in Article 6a of Regulation (EEC) No 1677/85;

Whereas pursuant to Article 8 of Regulation (EEC) No 3153/85 the monetary compensatory amounts applicable in the Member States in question should be altered;

Whereas Council Regulation (EEC) No 1678/85 <sup>(8)</sup>, as last amended by Regulation (EEC) No 197/89 <sup>(9)</sup>, fixes the conversion rates to be applied in agriculture; whereas the new agricultural conversion rates, effective from 30 January 1989 have been fixed for the pigmeat sector for Ireland and for all sectors for Greece;

Whereas the monetary compensatory amounts for the Greek drachma are, pursuant to Article 2 of Regulation (EEC) No 3153/85, to be calculated from the rates during the reference period 18 to 24 January 1989;

Whereas Article 6 (1) of Regulation (EEC) No 3155/85 provides that monetary compensatory amounts fixed in advance shall be adjusted if a new agricultural conversion rate which was publicly announced before an application for advance fixing was lodged comes into effect; whereas in the beef and veal sector this situation arises for Belgium, Denmark, France, Ireland, Italy and Luxembourg owing to the new agricultural conversion rates fixed with effect from 27 February 1989;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the relevant management committees,

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. The column 'United Kingdom' in Parts 1, 5, 7 and 8 of Annex I is replaced by that given in Annex I hereto.
3. The column 'Greece' in Annex I is replaced by that given in Annex I hereto.
4. The column 'Ireland' in Part 2 of Annex I is replaced by that given in Annex I hereto.

<sup>(1)</sup> OJ No L 164, 24. 6. 1985, p. 6.

<sup>(2)</sup> OJ No L 182, 3. 7. 1987, p. 1.

<sup>(3)</sup> OJ No L 310, 21. 11. 1985, p. 4.

<sup>(4)</sup> OJ No L 307, 12. 11. 1988, p. 28.

<sup>(5)</sup> OJ No L 310, 21. 11. 1985, p. 22.

<sup>(6)</sup> OJ No L 364, 30. 12. 1988, p. 1.

<sup>(7)</sup> OJ No L 18, 23. 1. 1989, p. 1.

<sup>(8)</sup> OJ No L 164, 24. 6. 1985, p. 11.

<sup>(9)</sup> OJ No L 25, 28. 1. 1989, p. 24.

5. Annexes II and III are replaced by Annexes II and III hereto.

amounts fixed in advance are shown in Annex IV hereto.

6. The coefficients for carrying out the adjustments to be made, pursuant to Article 6 (1) of Regulation (EEC) No 3155/85, to monetary compensatory

*Article 2*

This Regulation shall enter into force on 30 January 1989.

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

Done at Brussels, 27 January 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*











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	( <sup>1</sup> )( <sup>2</sup> )			2 833,34	4,984	— 1 000 kg —					15 009,8	
	23-13	7549	( <sup>1</sup> )( <sup>2</sup> )			5 666,68	9,967						30 019,5	
	23-13	7681	( <sup>1</sup> )( <sup>2</sup> )			883,07	3,193						3 158,0	
	23-13	7682	( <sup>1</sup> )( <sup>2</sup> )			2 602,54	6,217						12 267,0	
	23-13	7683	( <sup>1</sup> )( <sup>2</sup> )			4 322,01	9,242						21 376,0	
	23-13	7684	( <sup>1</sup> )( <sup>2</sup> )			883,07	3,193						3 158,0	
	23-13	7685	( <sup>1</sup> )( <sup>2</sup> )			1 309,50	3,943						5 417,0	
	23-13	7686	( <sup>1</sup> )( <sup>2</sup> )			1 735,93	4,693						7 676,1	
	23-13	7687	( <sup>1</sup> )( <sup>2</sup> )			883,07	3,193						3 158,0	
	23-13	7688	( <sup>1</sup> )( <sup>2</sup> )			3 716,41	8,177						18 167,8	
	23-13	7689	( <sup>1</sup> )( <sup>2</sup> )			6 549,75	13,160						33 177,5	

(<sup>1</sup>) 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.

(<sup>2</sup>) 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.

(<sup>3</sup>) 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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- (<sup>1</sup>) 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.
- (<sup>2</sup>) 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.
- (<sup>3</sup>) 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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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
2204 29 35	22-14	7614	( <sup>1</sup> )			3,21								52,5
2204 29 39	22-15	7524	( <sup>2</sup> )			51,45								839,6
	22-15	7526	( <sup>1</sup> )			3,21								52,5
	22-15	7618	( <sup>2</sup> )			51,45								839,6
	22-15	7619	( <sup>1</sup> )			3,21								52,5

(<sup>1</sup>) % vol/hl

(<sup>2</sup>) hl



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- (<sup>1</sup>) 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).
- (<sup>2</sup>) 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.
- (<sup>3</sup>) 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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- (<sup>1</sup>) 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.

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## ANNEX II

## Monetary coefficients

Products	Member States										
	Germany	Netherlands	United Kingdom	Belgium/Luxembourg	Denmark	Italy	France	Greece	Ireland	Spain	Portugal
— Beef and veal	—	—	—	—	—	1,046	1,010	1,313	1,020	0,945	
— Milk and milk products	—	—	1,022	—	—	1,021	1,020	1,313	1,020	0,945	
— Pigmeat	—	—	—	—	—	—	—	1,163	—	—	
— Sugar	—	—	1,038	—	—	1,021	1,020	1,154	1,021	0,954	—
— Cereals	—	—	1,038	—	—	1,032	1,020	1,154	1,021	0,954	
— Eggs and poultry and albumins	—	—	—	—	—	—	—	1,236	—	0,980	
— Wine	—	—	—	—	—	—	—	1,119	—	0,989	
— Processed products (Regulation (EEC) No 3033/80):											
— to be applied to charges	—	—	1,022	—	—	1,021	1,020	1,313	1,020	0,945	—
— to be applied to refunds:											
— cereals	—	—	1,038	—	—	1,032	1,020	1,154	1,021	0,954	
— milk	—	—	1,022	—	—	1,021	1,020	1,313	1,020	0,945	
— sugar	—	—	1,038	—	—	1,021	1,020	1,154	1,021	0,954	
— Jams and marmalades (Regulation (EEC) No 426/86)	—	—	—	—	—	—	—	1,154	—	—	—
— Olive oil sector	—	—	—	—	—	—	—	1,069	—	—	—

## ANNEX III

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

	100 Lit	1 £	1 £ Irl
Bfrs/Lfrs	2,82076	67,9479	55,2545
Dkr	0,521665	12,5661	10,2187
DM	0,136761	3,29437	2,67895
FF	0,458678	11,0489	8,98483
Fl	0,154094	3,71190	3,01849
£ Irl	0,0510503	1,22973	—
£	0,0415136	—	0,813189
Lit	—	2 408,85	1 958,85
Dr	11,2527	271,060	220,423
Esc	11,1985	269,755	219,361
Pta	8,46259	203,851	165,770

*ANNEX IV***Adjustments to be made pursuant to Article 7 (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 30 January 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
Belgium/Luxembourg	Beef and veal	0	27 February 1989
Denmark	Beef and veal	0	27 February 1989
Italy	Beef and veal	0,467558	27 February 1989
France	Beef and veal	0	27 February 1989
Ireland	Beef and veal	0	27 February 1989