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(Acts whose publication is obligatory)

**COMMISSION REGULATION (EEC) No 449/89
of 23 February 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 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 ⁽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 389/89 ⁽⁶⁾;

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

Whereas Council Regulation (EEC) No 1678/85 ⁽⁷⁾, as last amended by Regulation (EEC) No 275/89 ⁽⁸⁾, fixes the conversion rates to be applied in agriculture; whereas the new agricultural conversion rates, effective from 27 February 1989, have been fixed for the beef and veal

sector for Belgium, Denmark, France, Ireland, Italy and Luxembourg;

Whereas the monetary compensatory amounts for the Italian lira are, pursuant to Article 2 of Regulation (EEC) No 3153/85, to be calculated from the rates during the reference period 15 to 21 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 'Italy' in Parts 1, 3, 5, 7 and 8 of Annex I is replaced by that given in Annex I hereto.
2. The columns 'France' and 'Ireland' in Part 3 of Annex I are replaced by those given in Annex I hereto.
3. Annexes II and III are replaced by Annexes II and III hereto.

Article 2

This Regulation shall enter into force on 27 February 1989.

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

Done at Brussels, 23 February 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 47, 20. 2. 1989, p. 1.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁸⁾ OJ No L 32, 3. 2. 1989, p. 8.

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 33	23-11	7543	(?)(?)								— 1 000 kg —						
											8 620						
	23-11	7544	(?)(?)								—						
	23-11	7545	(?)(?)								1 069						
	23-11	7546	(?)(?)								2 138						
	23-11	7547	(?)(?)								—						
	23-11	7548	(?)(?)								7 102						
	23-11	7549	(?)(?)								14 203						
	23-11	7663	(?)(?)								749						
	23-11	7664	(?)(?)								5 059						
	23-11	7665	(?)(?)								9 369						
	23-11	7666	(?)(?)								749						
	23-11	7667	(?)(?)								1 818						
	23-11	7668	(?)(?)								2 887						
	23-11	7669	(?)(?)								749						
	23-11	7670	(?)(?)								7 851						
23-11	7671	(?)(?)								14 952							
2309 90 41	23-6	7624	(?)								—						
	23-6	7694	(?)								2 372						
2309 90 43	23-12	7541	(?)(?)								—						
	23-12	7542	(?)(?)								4 310						
	23-12	7543	(?)(?)								8 620						
	23-12	7544	(?)(?)								—						
	23-12	7545	(?)(?)								1 069						
	23-12	7546	(?)(?)								2 138						
	23-12	7547	(?)(?)								—						
	23-12	7548	(?)(?)								7 102						
	23-12	7549	(?)(?)								14 203						
	23-12	7672	(?)(?)								2 372						
	23-12	7673	(?)(?)								6 682						
	23-12	7674	(?)(?)								10 992						
	23-12	7675	(?)(?)								2 372						
	23-12	7676	(?)(?)								3 441						
	23-12	7677	(?)(?)								4 510						
	23-12	7678	(?)(?)								2 372						
23-12	7679	(?)(?)								9 474							
23-12	7680	(?)(?)								16 575							
2309 90 51	23-7	7624	(?)								—						
	23-7	7695	(?)								4 681						
2309 90 53	23-13	7541	(?)(?)								—						
	23-13	7542	(?)(?)								4 310						
	23-13	7543	(?)(?)								8 620						
	23-13	7544	(?)(?)								—						
	23-13	7545	(?)(?)								1 069						
	23-13	7546	(?)(?)								2 138						
23-13	7547	(?)(?)								—							

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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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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 —						
0406 90 21	04-14	7251								—						
	04-14	7252								5 562						
0406 90 23	04-15	7254								—						
	04-15	7255								4 415						
	04-15	7256								5 171						
	04-15	7257								3 035						
	04-15	7258								4 048						
0406 90 25	04-15	7254								—						
	04-15	7255								4 415						
	04-15	7256								5 171						
	04-15	7257								3 035						
	04-15	7258								4 048						
0406 90 27	04-15	7254								—						
	04-15	7255								4 415						
	04-15	7256								5 171						
	04-15	7257								3 035						
	04-15	7258								4 048						
0406 90 29	04-15	7253								—						
	04-15	7254								—						
	04-15	7255								4 415						
	04-15	7256								5 171						
	04-15	7257								3 035						
	04-15	7258								4 048						
0406 90 31	04-15	7253								—						
	04-15	7254								—						
	04-15	7255								4 415						
	04-15	7256								5 171						
	04-15	7257								3 035						
	04-15	7258								4 048						
0406 90 33	04-15	7253								—						
	04-15	7254								—						
	04-15	7255								4 415						
	04-15	7256								5 171						
	04-15	7257								3 035						
	04-15	7258								4 048						
0406 90 35	04-16	7259								—						
	04-16	7274								4 415						
	04-16	7277								5 171						
	04-16	7278								3 035						
	04-16	7279								4 048						
0406 90 37	04-16	7259								—						
	04-16	7274								4 415						
	04-16	7277								5 171						
	04-16	7278								3 035						
	04-16	7279								4 048						

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	
0406 90 85	04-16	7259									— 100 kg —				
	04-16	7274									—				
	04-16	7277									4 415				
	04-16	7278									5 171				
	04-16	7279									3 035				
0406 90 89	04-15	7253									4 048				
	04-15	7254									—				
	04-15	7255									—				
	04-15	7256									4 415				
	04-15	7257									5 171				
0406 90 91	04-8	7226									3 035				
	04-8	7231									4 048				
	04-8	7232									—				
	04-8	7226									1 380				
	04-8	7231									2 055				
0406 90 93	04-8	7226									—				
	04-8	7231									1 380				
	04-8	7232									2 055				
0406 90 97	04-8	7226									—				
	04-8	7228									5 171				
	04-8	7230									4 048				
	04-8	7232									2 055				
0406 90 99	04-8	7226									—				
	04-8	7228									5 171				
	04-8	7230									4 048				
	04-8	7232									2 055				
2309 10 15	23-14	7553									431				
	23-14	7554									862				
	23-14	7555									1 293				
	23-14	7556									1 616				
	23-14	7557									1 810				
	23-14	7558									1 939				
	23-14	7559									107				
	23-14	7569									214				
	23-14	7573									321				
	23-14	7574									401				
	23-14	7577									449				
	23-14	7578									481				
	23-14	7579									710				
	23-14	7580									1 420				
	23-14	7581									2 131				
	23-14	7582									2 663				
23-14	7583									2 983					
23-14	7584									3 196					
2309 10 19	23-14	7553									431				
	23-14	7554									862				

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 10 19	23-14	7555									— 100 kg —						
	23-14	7556									1 293						
	23-14	7557									1 616						
	23-14	7558									1 810						
	23-14	7559									1 939						
	23-14	7569									107						
	23-14	7569									214						
	23-14	7573									321						
	23-14	7574									401						
	23-14	7577									449						
	23-14	7578									481						
	23-14	7579									710						
	23-14	7580									1 420						
	23-14	7581									2 131						
	23-14	7582									2 663						
	23-14	7583									2 983						
	23-14	7584									3 196						
2309 10 39	23-14	7553									431						
	23-14	7554									862						
	23-14	7555									1 293						
	23-14	7556									1 616						
	23-14	7557									1 810						
	23-14	7558									1 939						
	23-14	7559									107						
	23-14	7569									214						
	23-14	7573									321						
	23-14	7574									401						
	23-14	7577									449						
	23-14	7578									481						
	23-14	7579									710						
	23-14	7580									1 420						
	23-14	7581									2 131						
	23-14	7582									2 663						
	23-14	7583									2 983						
23-14	7584									3 196							
2309 10 59	23-14	7553									431						
	23-14	7554									862						
	23-14	7555									1 293						
	23-14	7556									1 616						
	23-14	7557									1 810						
	23-14	7558									1 939						
	23-14	7559									107						
	23-14	7569									214						
	23-14	7573									321						
	23-14	7574									401						
	23-14	7577									449						

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 39	23-14	7555									— 100 kg —							
	23-14	7556									1 293							
	23-14	7557									1 616							
	23-14	7558									1 810							
	23-14	7559									1 939							
	23-14	7569									107							
	23-14	7569									214							
	23-14	7573									321							
	23-14	7574									401							
	23-14	7577									449							
	23-14	7578									481							
	23-14	7579									710							
	23-14	7580									1 420							
	23-14	7581									2 131							
	23-14	7582									2 663							
	2309 90 49	23-14	7583									2 983						
		23-14	7584									3 196						
		23-14	7553									431						
23-14		7554									862							
23-14		7555									1 293							
23-14		7556									1 616							
23-14		7557									1 810							
23-14		7558									1 939							
23-14		7559									107							
23-14		7569									214							
23-14		7573									321							
23-14		7574									401							
23-14		7577									449							
23-14		7578									481							
23-14		7579									710							
23-14		7580									1 420							
2309 90 59		23-14	7581									2 131						
		23-14	7582									2 663						
	23-14	7583									2 983							
	23-14	7584									3 196							
	23-14	7553									431							
	23-14	7554									862							
	23-14	7555									1 293							
	23-14	7556									1 616							
	23-14	7557									1 810							
	23-14	7558									1 939							
	23-14	7559									107							
	23-14	7569									214							

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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 DM	Nether- lands Fl	Spain Pta	United Kingdom £	Belgium/ Luxem- bourg Bfrs/Lfrs	Denmark Dkr	Italy Lit	France FF	Greece Dr	Ireland £ Irl	Portugal Esc	
—		7747	(¹)								— 100 kg — 5 408				
—		7750	(¹)								5 186				
—		7751	(¹)								5 454				
—		7760	(¹)								5 693				
—		7761	(¹)								5 961				
—		7762	(¹)								6 195				
—		7765	(¹)								5 941				
—		7766	(¹)								6 209				
—		7770	(¹)								6 221				
—		7771	(¹)								6 489				
—		7780	(¹)								6 729				
—		7781	(¹)								6 997				
—		7785	(¹)								6 977				
—		7786	(¹)								7 245				
—		7800									—				
—		7801									—				
—		7810									6 647				
—		7811									6 915				
—		7812									7 149				
—		7815									6 895				
—		7816									7 163				
—		7817									7 397				
—		7820									—				
—		7821									—				
—		7830									7 175				
—		7831									7 443				
—		7840									—				
—		7841									—				
—		7860									—				
—		7861									—				
—		7900	(¹)								—				
—		7901	(¹)								—				
—		7910	(¹)								6 820				
—		7911	(¹)								7 088				
—		7912	(¹)								7 322				
—		7915	(¹)								7 068				
—		7916	(¹)								7 336				
—		7917	(¹)								7 570				
—		7920	(¹)								—				
—		7921	(¹)								—				
—		7930	(¹)								7 348				
—		7931	(¹)								7 616				
—		7940	(¹)								—				
—		7941	(¹)								—				
—		7960	(¹)								—				

- (¹) 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	—	—	—	—	—	1,013	—	1,313	—	0,940	
— Milk and milk products	—	—	1,020	—	—	1,013	1,020	1,313	1,020	0,940	
— Pigmeat	—	—	—	—	—	—	—	1,163	—	—	
— Sugar	—	—	1,036	—	—	1,013	1,020	1,154	1,021	0,949	—
— Cereals	—	—	1,036	—	—	1,023	1,020	1,154	1,021	0,949	
— Eggs and poultry and albumins	—	—	—	—	—	—	—	1,236	—	0,975	
— Wine	—	—	—	—	—	—	—	1,119	—	0,984	
— Processed products (Regulation (EEC) No 3033/80):											
— to be applied to charges	—	—	1,020	—	—	1,013	1,020	1,313	1,020	0,940	—
— to be applied to refunds:											
— cereals	—	—	1,036	—	—	1,023	1,020	1,154	1,021	0,949	
— milk	—	—	1,020	—	—	1,013	1,020	1,313	1,020	0,940	
— sugar	—	—	1,036	—	—	1,013	1,020	1,154	1,021	0,949	
— 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	2,84427	68,0846	55,2545
Dkr	0,526013	12,5914	10,2187
DM	0,137901	3,30100	2,67895
FF	0,462501	11,0711	8,98483
Fl	0,155379	3,71937	3,01849
£ Irl	0,0514758	1,23220	—
£	0,0417755	—	0,811556
Lit	—	2 393,75	1 942,66
Dr	11,3465	271,606	220,423
Esc	11,2918	270,297	219,361
Pta	8,48677	203,152	164,869