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(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2389/90

of 16 August 1990

amending Regulation (EEC) No 1207/90 fixing the monetary compensatory amounts in the agricultural sector and certain coefficients 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 2205/90 ⁽²⁾, and in particular Article 9 (2) thereof,

Whereas the monetary compensatory amounts introduced by Regulation (EEC) No 1677/85 were fixed by Commission Regulation (EEC) No 1207/90 ⁽³⁾, as last amended by Regulation (EEC) No 2345/90 ⁽⁴⁾;

Whereas Commission Regulation (EEC) No 3153/85 ⁽⁵⁾, as last amended by Regulation (EEC) No 3672/89 ⁽⁶⁾, lays down detailed rules for calculating monetary compensatory amounts; whereas the spot market rates recorded as provided for in Regulation (EEC) No 3153/85 in the period 8 to 14 August 1990 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 the wine sector; whereas the monetary compensatory amounts applicable for Spain in the sectors concerned should be adjusted pursuant to Article 8 of Regulation (EEC) No 3153/85,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1207/90 is hereby amended as follows:

1. The column headed 'Spain' in parts 1, 3, 4, 5, 6, 7 and 8 in Annex I is replaced by that in Annex I hereto.
2. Annex II is replaced by Annex II hereto.
3. Annex III A is replaced by Annex III A hereto.

Article 2

This Regulation shall enter into force on 20 August 1990.

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

Done at Brussels, 16 August 1990.

For the Commission
Ray MAC SHARRY
Member of the Commission

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 6.

⁽²⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽³⁾ OJ No L 122, 14. 5. 1990, p. 1.

⁽⁴⁾ OJ No L 218, 13. 8. 1990, p. 1.

⁽⁵⁾ OJ No L 310, 21. 11. 1985, p. 4.

⁽⁶⁾ OJ No L 358, 8. 12. 1989, p. 28.

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 43	23-12	7549	(¹)(²)			— 1 000 kg —								
						5 477,07								
	23-12	7672	(¹)(²)			456,82								
	23-12	7673	(¹)(²)			2 193,96								
	23-12	7674	(¹)(²)			3 931,10								
	23-12	7678	(¹)(²)			456,82								
	23-12	7679	(¹)(²)			3 195,35								
2309 90 51	23-12	7680	(¹)(²)			5 933,89								
	23-7	7624	(¹)			—								
2309 90 53	23-7	7695	(¹)			901,63								
	23-13	7541	(¹)(²)			—								
	23-13	7542	(¹)(²)			1 737,14								
	23-13	7543	(¹)(²)			3 474,28								
	23-13	7547	(¹)(²)			—								
	23-13	7548	(¹)(²)			2 738,53								
	23-13	7549	(¹)(²)			5 477,07								
	23-13	7681	(¹)(²)			901,63								
	23-13	7682	(¹)(²)			2 638,77								
	23-13	7683	(¹)(²)			4 375,91								
	23-13	7687	(¹)(²)			901,63								
23-13	7688	(¹)(²)			3 640,16									
23-13	7689	(¹)(²)			6 378,70									

(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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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 70	23-14	7584		— 100 kg —										
	23-14	7885		1 232,34										
				— % milk fat/100 kg product —										
	a			26,778										
	b			29,232										
				— % non-fatty lactic dry matter excluding added whey and/or lactose and/or casein and/or caseinates/100 kg product —										
	c			14,732										
				— % lactic matter excluding added whey and/or lactose and/or casein and/or caseinates/100 kg product —										
	d			16,719										
				— % non-fatty lactic matter excluding added whey and/or lactose and/or casein and/or caseinates/100 kg product —										
	e			1,339										
				— % sucrose/100 kg product —										
	f			4,943										

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)			3,20								
2204 29 39	22-15	7524	(²)			51,65								
	22-15	7526	(¹)			3,20								
	22-15	7618	(²)			51,65								
	22-15	7619	(¹)			3,20								

(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 —								
—		7977	(¹)			999,20								
—		7978	(¹)			857,44								
—		7979	(¹)			964,22								
—		7980	(¹)			991,36								
—		7981	(¹)			1 098,14								
—		7982	(¹)			1 191,56								
—		7983	(¹)			1 280,54								
—		7984	(¹)			1 405,11								
—		7985	(¹)			1 038,96								
—		7986	(¹)			1 145,74								
—		7987	(¹)			1 239,16								
—		7988	(¹)			1 328,14								
—		7990	(¹)			1 093,06								
—		7991	(¹)			1 199,84								
—		7992	(¹)			1 293,26								
—		7995	(¹)			1 151,48								
—		7996	(¹)			1 258,26								

Amounts to be deducted

—	51xx	32,88
—	52xx	69,50
—	53xx	111,20
—	54xx	153,70
—	55xx	219,18
—	56xx	317,82
—	570x	493,16
—	571x	493,16
—	572x	690,43
—	573x	690,43
—	574x	887,69
—	5750	887,69
—	5751	887,69
—	5760	1 084,96
—	5761	1 084,96
—	5762	1 084,96
—	5765	1 084,96
—	5766	1 084,96
—	5770	1 084,96
—	5771	1 084,96
—	5780	1 282,23
—	5781	1 282,23
—	5785	1 282,23
—	5786	1 282,23
—	579x	32,88

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			
—		5808				— 100 kg — 32,88											
—		5809				32,88											
—		5818				32,88											
—		5819				32,88											
—		582x				32,88											
—		5830				32,88											
—		5831				32,88											
—		5838				69,50											
—		584x				69,50											
—		585x				69,50											
—		586x				111,20											
—		587x				111,20											
—		590x				153,70											
—		591x				153,70											
—		594x				219,18											
—		595x				219,18											
—		596x				317,82											
—		597x				317,82											
—		598x				493,16											
—		599x				493,16											

Amounts to be deducted

—	61xx	25,37
—	62xx	53,63
—	63xx	85,80
—	64xx	118,60
—	65xx	169,13
—	66xx	245,24
—	670x	380,55
—	671x	380,55
—	672x	532,77
—	673x	532,77
—	674x	684,99
—	6750	684,99
—	6751	684,99
—	6760	837,21
—	6761	837,21
—	6762	837,21
—	6765	837,21
—	6766	837,21
—	6770	837,21
—	6771	837,21
—	6780	989,43
—	6781	989,43

ANNEX II

Monetary coefficients

Products	Member States										
	Germany	Netherlands	United Kingdom	Belgium/Luxembourg	Denmark	Italy	France	Greece	Ireland	Spain	Portugal
— Beef and veal	—	—	—	—	—	—	—	1,143	—	0,940	—
— Milk and milk products	—	—	1,033	—	—	—	—	1,143	—	0,946	—
— Pigmeat	—	—	—	—	—	—	—	—	—	—	—
— Sugar	—	—	—	—	—	—	—	1,013	—	0,950	—
— Cereals	—	—	—	—	—	—	—	1,013	—	0,950	—
— Eggs and poultry and albumins	—	—	—	—	—	—	—	1,065	—	0,981	—
— Wine	—	—	—	—	—	—	—	1,080	—	0,990	—
— Processed products (Regulation (EEC) No 3033/80):											
— to be applied to charges	—	—	1,033	—	—	—	—	1,143	—	0,946	—
— to be applied to refunds:											
— cereals	—	—	—	—	—	—	—	1,013	—	0,950	—
— milk	—	—	1,033	—	—	—	—	1,143	—	0,946	—
— sugar	—	—	—	—	—	—	—	1,013	—	0,950	—
— Jams and marmalades (Regulation (EEC) No 426/86)	—	—	—	—	—	—	—	—	—	—	—
— Olive oil sector	—	—	1,028	—	—	—	—	1,030	—	—	—

ANNEX III

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

A

Subject to the provisions of Article 7 (1) of Regulation (EEC) No 3155/85, monetary compensatory amounts fixed in advance from 20 August 1990 onwards are in the cases indicated below to be multiplied by the coefficients shown:

Member State	Sector concerned	Coefficient	Applicable to imports and exports carried out from
Spain	Sugar	0,915735	1 October 1990
	Olive oil	0	1 November 1990
	Wine	0	1 September 1990
United Kingdom	Olive oil	0	1 November 1990
Greece	Olive oil	0	1 November 1990
	Wine	0	1 September 1990
Portugal	Olive oil	0	1 November 1990