

Official Journal

of the European Communities

ISSN 0378-6978

L 151

Volume 33

15 June 1990

English edition

Legislation

Contents

I *Acts whose publication is obligatory*

- ★ **Council Regulation (Euratom, EEC) No 1588/90 of 11 June 1990 on the transmission of data subject to statistical confidentiality to the Statistical Office of the European Communities** 1
- ★ **Council Regulation (EEC) No 1589/90 of 11 June 1990 amending Regulation (EEC) No 2245/85 laying down certain technical measures for the conservation of fish stocks in the Antarctic** 5
- Commission Regulation (EEC) No 1590/90 of 14 June 1990 fixing the import levies on cereals and on wheat or rye flour, groats and meal 8
- Commission Regulation (EEC) No 1591/90 of 14 June 1990 fixing the premiums to be added to the import levies on cereals, flour and malt 10
- Commission Regulation (EEC) No 1592/90 of 14 June 1990 fixing the minimum levies on the importation of olive oil and levies on the importation of other olive oil sector products 12
- Commission Regulation (EEC) No 1593/90 of 14 June 1990 fixing the import levies on milk and milk products 15
- Commission Regulation (EEC) No 1594/90 of 14 June 1990 fixing the maximum export refunds on olive oil for the 14th partial invitation to tender under the standing invitation to tender issued by Regulation (EEC) No 3246/89 22
- Commission Regulation (EEC) No 1595/90 of 14 June 1990 opening invitations to tender for the fixing of aid for the private storage of carcases and half-carcases of lamb 24
- Commission Regulation (EEC) No 1596/90 of 14 June 1990 fixing the quantities of frozen beef intended for processing which may be imported on special conditions for the third quarter of 1990 25

* Commission Regulation (EEC) No 1597/90 of 14 June 1990 on the arrangement applicable to agricultural products subject to reference quantities and originating in the African, Caribbean and Pacific States or in the overseas countries and territories (1990/91)	26
* Commission Regulation (EEC) No 1598/90 of 14 June 1990 exempting certain Member States from the obligation to buy in certain fruit and vegetables	28
* Commission Regulation (EEC) No 1599/90 of 14 June 1990 amending Regulations (EEC) No 3154/85 and (EEC) No 3719/88 with a view to facilitating certain private humanitarian aid operations for the benefit of people in third countries	29
Commission Regulation (EEC) No 1600/90 of 14 June 1990 amending Regulation (EEC) No 651/90 on the opening of a sale by periodic invitation to tender of oilseeds held by the Spanish intervention agency and derogating from Regulation (EEC) No 3418/82 on the procedure for sale of oil seeds held by the intervention agencies as regards the selling price	31
Commission Regulation (EEC) No 1601/90 of 14 June 1990 abolishing the countervailing charge on tomatoes originating in Portugal	32
Commission Regulation (EEC) No 1602/90 of 14 June 1990 adjusting the corrective amount on the import of apricots into the Community of Ten from Spain except the Canary Islands	33
Commission Regulation (EEC) No 1603/90 of 14 June 1990 fixing the amount of the subsidy on oil seeds	34
Commission Regulation (EEC) No 1604/90 of 14 June 1990 fixing the import levies on white sugar and raw sugar	38

Corrigenda

* Corrigendum to Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks in intra-Community trade with a view to the completion of the internal market (OJ No L 395 of 30.12.1989)	40
* Corrigendum to Commission Regulation (EEC) No 1502/90 of 1 June 1990 amending Regulation (EEC) No 1767/82 as regards the adaptation of the free-at-frontier values and the adjustment of the specific import levies on certain cheeses for the 1990/91 milk year (OJ No L 141 of 2.6.1990)	40

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EURATOM, EEC) No 1588/90**of 11 June 1990****on the transmission of data subject to statistical confidentiality to the Statistical Office of the European Communities**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 213 thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 187 thereof,

Having regard to the draft Regulation submitted by the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Whereas, to enable it to carry out the duties entrusted to it by the Treaties, and especially in the light of the internal market as provided for in Article 8a of the Treaty establishing the European Economic Community, hereinafter referred to as the 'EEC Treaty', the Commission must have full and reliable information; whereas, with a view to efficient management, the Statistical Office of the European Communities, hereinafter referred to as the 'SOEC', must be able to obtain all the national statistical information necessary in order to prepare Community statistics and carry out the necessary analyses;

Whereas Article 5 of the EEC Treaty and Article 192 of the Treaty establishing the European Atomic Energy Community, hereinafter referred to as the 'Euratom Treaty', require Member States to facilitate the achievement of the Community's tasks; whereas this obligation extends to providing all the requisite information; whereas the absence of confidential statistical data constitutes for the SOEC a considerable loss of information at Community level and makes it difficult to prepare statistics and carry out analyses on the Community;

Whereas Member States will have no further cause to invoke provisions on statistical confidentiality once it is established that the SOEC offers the same data confidentiality guarantees as the national statistical institutes;

whereas these guarantees are already to some extent enshrined in the Community Treaties, notably in Article 214 of the EEC Treaty and Article 194 (1) of the Euratom Treaty, and in the Staff Regulations of Officials of the European Communities and can be backed up by appropriate measures under this Regulation;

Whereas, in accordance with Article 214 of the EEC Treaty and Article 194 (1) of the Euratom Treaty, officials and other servants of the Community are required, even after their duties have ceased, not to disclose information of the kind covered by the obligation of professional secrecy;

Whereas Article 17 of the Staff Regulations of Officials of the European Communities requires officials to respect the confidentiality of all facts and information coming to their knowledge in the course of, or in connection with, the performance of their duties; whereas they remain bound by this obligation after leaving the service;

Whereas any violation of statistical confidentiality protected by this Regulation must be dealt with effectively, whoever the offender may be;

Whereas any infringement of the rules binding officials and other servants working for the SOEC, whether committed wilfully or through negligence, renders them liable to disciplinary sanctions and, if appropriate, legal penalties for violation of professional secrecy, pursuant to the combined provisions of Articles 12 and 18 of the Protocol on the Privileges and Immunities of the European Communities;

Whereas, in accordance with Article 215 of the EEC Treaty and Article 188 of the Euratom Treaty, the Community shall make good any damage caused by its institutions or by its servants in the performance of their duties;

Whereas this Regulation applies only to the transmission to the SOEC of statistical data which, in the national statistical institutes' field of competence, are covered by statistical confidentiality, and whereas it does not affect special national or Community provisions relating to the transmission of other types of information to the Commission;

⁽¹⁾ OJ No C 86, 7. 4. 1989, p. 12.

⁽²⁾ OJ No C 291, 20. 11. 1989, p. 27.

Whereas this Regulation is to be adopted without prejudice to Article 223 of the EEC Treaty, under which no Member State is required to supply information the disclosure of which it considers contrary to the essential interests of its security;

Whereas, in accordance with Article 47 of the Treaty establishing the European Coal and Steel Community, the Commission has adopted in particular Decision No 1566/86/ECSC⁽¹⁾ and whereas decisions of that type are not affected by this Regulation, in compliance with Article 232 of the EEC Treaty;

Whereas the establishment, under this Regulation, of a Committee on Statistical Confidentiality accords with Council Decision 87/373/EEC of 13 July 1987 laying down the procedures for the exercise of the implementing powers conferred on the Commission⁽²⁾;

Whereas implementation of the provisions contained in this Regulation, and in particular those designed to ensure the protection of confidential statistical data transmitted to the SOEC, will require human, technical and financial resources,

HAS ADOPTED THIS REGULATION :

Article 1

1. The purpose of this Regulation is :

- to authorize national authorities to transmit confidential statistical data to the Statistical Office of the European Communities (hereinafter referred to as the 'SOEC'),
- to provide a guarantee that the Commission will take all necessary measures to ensure the confidentiality of data thus transmitted.

2. This Regulation shall apply to statistical confidentiality only. It shall not affect special, Community or national provisions safeguarding confidentiality other than statistical confidentiality.

Article 2

For the purposes of this Regulation, the terms given below are defined as follows :

1. confidential statistical data : data declared confidential by the Member States in line with national legislation or practices governing statistical confidentiality;
2. national authorities : national statistical institutes and other national bodies responsible for the collection and use of statistics for the Communities;

3. information on the private lives of natural persons : information on the private and family lives of natural persons as defined by national legislation or practices in the various Member States;

4. use for statistical purposes : use exclusively for the compilation of statistical tables or for statistical economic analyses ; may not be used for administrative, legal or tax purposes or for verification against the units surveyed ;

5. statistical unit : basic unit covered by statistical data transmitted to the SOEC ;

6. direct identification : identification of a statistical unit from its name or address, or from an officially allocated and published identification number ;

7. indirect identification : possibility of deducing the identity of a statistical unit other than from the information mentioned in point 6 ;

8. officials of the SOEC : officials of the Communities, within the meaning of Article 1 of the Staff Regulations of Officials of the European Communities, working at the SOEC ;

9. other staff of the SOEC : servants of the Communities, within the meaning of Articles 2 to 5 of the Conditions of Employment of Other Servants of the European Communities, working at the SOEC ;

10. dissemination : supply of data in any form whatever : publications, access to databases, microfiches, telephone communications, etc.

Article 3

1. The national authorities shall be authorized to transmit confidential statistical data to the SOEC.

2. National rules on statistical confidentiality may not be invoked to prevent the transmission of confidential statistical data to the SOEC where an act of Community law governing a Community statistic provides for the transmission of such data.

3. Transmission to the SOEC of confidential statistical data on the structure and activity of undertakings, collected before the entry into force of this Regulation, must be carried out in accordance with the rules and practices on statistical confidentiality in force in the Member States.

Transmission to the SOEC of confidential statistical data, within the meaning of paragraph 2, shall be carried out in such a way that statistical units cannot be directly identified. This does not preclude the admissibility of more far-reaching transmission rules in accordance with the legislation of the Member States.

4. National authorities shall not be obliged to transmit information on the private lives of natural persons to the SOEC if the information transmitted could enable those persons to be identified either directly or indirectly.

⁽¹⁾ OJ No L 141, 28. 5. 1986, p. 1.

⁽²⁾ OJ No L 197, 18. 7. 1987, p. 33.

Article 4

1. The Commission shall take all the necessary regulatory, administrative, technical and organizational measures to ensure the confidentiality of statistical data transmitted by the competent departments of Member States to the SOEC in accordance with Article 3.

2. The protection measures referred to in Article 5 shall apply to:

- (a) all confidential statistical data the transmission of which to the SOEC is covered by an act of Community law governing a Community statistic,
- (b) all confidential statistical data transmitted voluntarily by Member States to the SOEC.

3. The Commission shall establish the procedures for transmitting confidential statistical data to the SOEC and the principles for protection of such data in accordance with the procedure laid down in Article 7.

Article 5

1. The Commission shall instruct the Director-General of the SOEC to ensure the protection of data transmitted to the SOEC by the national departments of the Member States. It shall establish the arrangements for the internal organization of the SOEC in order to ensure such protection, after consulting the Committee referred to in Article 7.

2. Confidential statistical data transmitted to the SOEC shall be accessible only to officials of the SOEC and may be used by them exclusively for statistical purposes.

3. However, the Commission may grant access to confidential statistical data to other staff of the SOEC and other natural persons working on the premises of the SOEC under contract, in special cases and exclusively for statistical purposes. The procedures for such access shall be determined by the Commission in accordance with the procedure laid down in Article 7.

4. Confidential statistical data in the SOEC's possession may be disseminated only when combined with other data in a form which ensures that statistical units cannot be identified either directly or indirectly.

5. Officials and other staff of the SOEC and other natural persons working on the premises of the SOEC under contract may not use or distribute these data for purposes other than those laid down in this Regulation. This prohibition shall continue to apply following transfer, termination of service or retirement.

Article 6

Member States shall, before 1 January 1992, take appropriate measures to curb any violations of the obligation to

maintain the secrecy of confidential statistical data transmitted in accordance with Article 3. These measures shall concern at least violations committed in the territory of the Member State concerned, by officials or other staff of the SOEC and by the other natural persons working under contract on the premises of the SOEC.

Member States shall inform the Commission without delay of the measures taken. The Commission shall pass on this information to the other Member States.

Article 7

A Committee on Statistical Confidentiality, hereinafter referred to as 'the Committee', shall be set up, composed of representatives of all the Member States and chaired by a representative of the Commission (the Director-General of the SOEC or a person designated by him).

The representative of the Commission shall submit to the Committee a draft of the measures to be taken, as referred to in Articles 4 (3) and 5 (3). The Committee shall deliver its opinion on the draft, within a time limit which the chairman may lay down according to the urgency of the matter. The opinion shall be delivered by the majority laid down in Article 148 (2) of the EEC Treaty in the case of decisions which the Council is required to adopt on a proposal from the Commission. The votes of the representatives of the Member States within the Committee shall be weighted in the manner set out in that Article. The chairman shall not vote.

The Commission shall adopt measures which shall apply immediately. However, if these measures are not in accordance with the opinion of the Committee, they shall be communicated by the Commission to the Council forthwith. In that event:

- the Commission shall defer application of the measures upon which it has decided for a period of three months from the date of communication,
- the Council, acting by a qualified majority, may take a different decision within the time limit referred to in the first indent.

The Committee shall lay down its own rules of procedure.

Article 8

The Committee shall examine questions raised by its chairman, either on his own initiative or at the request of the representative of a Member State, relating to the implementation of this Regulation.

Article 9

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*.

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

Done at Luxembourg, 11 June 1990.

For the Council

The President

A. REYNOLDS

COUNCIL REGULATION (EEC) No 1589/90

of 11 June 1990

amending Regulation (EEC) No 2245/85 laying down certain technical measures
for the conservation of fish stocks in the Antarctic

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 170/83 of 25 January 1983 establishing a Community system for the conservation and management of fishery resources⁽¹⁾, as amended by the Act of Accession of Spain and Portugal, and in particular Article 11 thereof,

Having regard to the proposal from the Commission,

Whereas, pursuant to Article 2 of Regulation (EEC) No 170/83, the conservation measures necessary to achieve the aims set out in Article 1 of that Regulation are to be formulated in the light of the available scientific advice;

Whereas the Convention on the Conservation of Antarctic Marine Living Resources, hereinafter called 'the Convention', was approved by Decision 81/691/EEC⁽²⁾; whereas it entered into force for the Community on 21 May 1982;

Whereas the Commission for the Conservation of Antarctic Marine Living Resources' (CCAMLR), established by the Convention, adopted, on the recommendation of its Scientific Committee, conservation measures for the waters off South Georgia, providing for total allowable catches (TAC) of 8 000 tonnes of *Champsocephalus gunnari* and of 12 000 tonnes of *Patagonotothen brevicauda guntheri* for the 1989/90 fishing year, a prohibition on directed fishing for *Nototothenia gibberifrons*, *Chaenocephalus aceratus*, *Pseudochaenichthys georgianus* and *Nototothenia squamifrons* for the whole of the 1989/90 fishing year and for *Champsocephalus gunnari* from 20 November 1989 to 15 January 1990 and from 1 April 1990 to 4 November 1990, a limitation of 300 tonnes on by-catches of *Nototothenia rossii*, *Nototothenia gibberifrons*, *Chaenocephalus aceratus* and *Pseudochaenichthys georgianus* a restriction to 5 % of by-catches per haul of any one of those species and a catch reporting system for the 1989/90 fishing year;

Whereas these conservation measures were notified to the members of the CCAMLR on 29 November 1989; whereas, in the absence of objections to the measures, they become binding on 29 May 1990 under Article IX (6) of the Convention;

Whereas the members of the CCAMLR stated that they intended to apply these conservation measures on a provisional basis, without waiting until they became binding, in view of the fact that the TAC for *Champsocephalus gunnari* and *Patagonotothen brevicauda guntheri* and the prohibition on directed fishing for *Nototothenia gibberifrons*, *Chaenocephalus aceratus*, *Pseudochaenichthys georgianus* and *Nototothenia squamifrons* were fixed for the 1989/90 fishing year, which began on 1 July 1989, and that the closed season for *Champsocephalus gunnari* began on 20 November 1989;

Whereas, therefore, the necessary provisions should now be laid down to ensure that the conservation measures adopted by the CCAMLR are applied to Community fishermen;

Whereas, pursuant to Article 3 of Regulation (EEC) No 170/83, it is for the Council to establish the TAC per stock or group of stocks, the share available to the Community and the specific conditions under which catches have to be taken;

Whereas the fishing activities referred to in this Regulation are subject to the control measures provided for in Council Regulation (EEC) No 2241/87 of 23 July 1987 establishing certain control measures for fishing activities⁽³⁾, as amended by Regulation (EEC) No 3483/88⁽⁴⁾;

Whereas the TAC adopted by the CCAMLR for *Champsocephalus gunnari* and *Patagonotothen brevicauda guntheri* covers the entire 1989/90 fishing year; whereas Member States should therefore also communicate to the Commission the catches taken by their vessels between 1 July 1989 and the date on which this Regulation enters into force;

Whereas Regulation (EEC) No 2245/85⁽⁵⁾, as last amended by Regulation (EEC) No 1271/89⁽⁶⁾, should be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Articles 2, 2a and 2b of Regulation (EEC) No 2245/85 are hereby replaced by the following:

⁽¹⁾ OJ No L 207, 29. 7. 1987, p. 1.

⁽²⁾ OJ No L 306, 11. 11. 1988, p. 2.

⁽³⁾ OJ No L 210, 7. 8. 1985, p. 2.

⁽⁴⁾ OJ No L 127, 11. 5. 1989, p. 7.

⁽¹⁾ OJ No L 24, 27. 1. 1983, p. 1.

⁽²⁾ OJ No L 252, 5. 9. 1981, p. 26.

*Article 2***Prohibition on fishing (*)**

1. Directed fishing for *Nototothenia gibberifrons*, *Chaenocephalus aceratus*, *Pseudochaenichthys georgianus* and *Nototothenia squamifrons* in FAO Antarctic sub-area 48.3 (South Georgia) shall be prohibited from 1 July 1989 to 30 June 1990.

2. Directed fishing for *Nototothenia rossii* shall be prohibited:

- in the Peninsular area (FAO Antarctic sub-area 48.1),
- off the South Orkneys (FAO Antarctic sub-area 48.2),
- off South Georgia (FAO Antarctic sub-area 48.3).

In these zones, by-catches of *Nototothenia rossii* taken in the course of directed fishing for other species shall be kept at a level that permits optimum stock recruitment.

3. Directed fishing for *Champscephalus gunnari* off South Georgia (FAO Antarctic sub-area 48.3) shall be prohibited from 1 April to 4 November 1990.

During this period, fishing for *Champscephalus gunnari*, *Nototothenia rossii*, *Nototothenia gibberifrons*, *Chaenocephalus aceratus*, *Pseudochaenichthys georgianus* and *Nototothenia squamifrons* shall be prohibited in FAO Antarctic sub-area 48.3, except for scientific research purposes.

*Article 2a***Catch limitations (*)**

1. Catches of *Patagonotothen brevicauda guntheri* taken in FAO Antarctic sub-area 48.3 in the period 1 July 1989 to 30 June 1990 shall be limited to a TAC of 12 000 tonnes.

2. Catches of *Champscephalus gunnari* taken in FAO Antarctic sub-area 48.3 in the period 1 July 1989 to 30 June 1990 shall be limited to a TAC of 8 000 tonnes.

3. In the course of fishing for *Champscephalus gunnari* by-catches of *Nototothenia rossii*, *Nototothenia gibberifrons*, *Chaenocephalus aceratus* and *Pseudochaenichthys georgianus* taken in FAO Antarctic

sub-area 48.3 shall be limited to 300 tonnes for each species.

4. Fishing in FAO Antarctic sub-area 48.3 shall be terminated if by-catches of one of the species listed in paragraph 3 reach 300 tonnes or if total catches of *Champscephalus gunnari* reach 8 000 tonnes, whichever happens first.

5. The date on which the catches taken by Community vessels or the other vessels concerned are deemed to have exhausted the TAC specified in paragraphs 1, 2, 3 and 4 of this Article shall be fixed by the Commission pursuant to Article 11 (3) of Regulation (EEC) No 2241/87 as soon as the required information is received from the CCAMLR.

6. With effect from the date fixed pursuant to paragraph 5, all fishing for the species concerned shall be prohibited in FAO Antarctic sub-area 48.3 and Community vessels shall cease to retain on board, tranship or land any catches of this fish taken in that sub-area after that date.

7. If, in the course of directed fishing for *Champscephalus gunnari*, the by-catch of any of the species listed at paragraph 3 exceed 5 % of the haul, the fishing vessels shall move to another fishing area in FAO Antarctic sub-area 48.3.

8. The use of bottom trawls for directed fishing for *Champscephalus gunnari* within FAO Antarctic sub-area 48.3 shall be prohibited.

*Article 2b***Catch reports (*)**

1. Catches of *Patagonotothen brevicauda guntheri*, *Champscephalus gunnari*, *Nototothenia rossii*, *Nototothenia gibberifrons*, *Chaenocephalus aceratus* and *Pseudochaenichthys georgianus* in FAO Antarctic sub-area 48.3 shall be the subject of reports in accordance with this Article, without prejudice to the application of Articles 5 to 9 of Regulation (EEC) No 2241/87.

2. Total catches, broken down by vessels, which were made by Community vessels in the period between 1 July 1989 and the end of the first month following the month in which this Regulation enters into force shall, within 10 days of the end of that period, be notified to the Commission by the Member States in which the vessels concerned are registered or whose flag they fly.

3. For the purposes of reporting the catches taken after the period referred to in paragraph 2, each calendar month shall be divided into six reporting periods designated by the letters A, B, C, D, E and F and running from day 1 to day 5, day 6 to day 10, day 11 to day 15, day 16 to day 20, day 21 to day 25 and day 26 to the last day of the month, respectively.

At the latest within three days of each reporting period, each Member State shall notify the Commission of the total catches, broken down by vessels, that the vessels flying its flag or registered in its territory have made in the preceding reporting period, specifying the month and reporting period concerned.

4. On the basis of the information received pursuant to paragraphs 2 and 3, the Commission shall, at the end of each reporting period, inform the CCAMLR of the total catches made by the Community vessels in the preceding reporting period.

(*) The FAO zones mentioned in this Regulation are defined in Commission communication 85/C335/02, (OJ No C 335, 24. 12. 1985, p. 2).

Article 2

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*.

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

Done at Luxembourg, 11 June 1990.

For the Council

The President

A. REYNOLDS

COMMISSION REGULATION (EEC) No 1590/90

of 14 June 1990

fixing the import levies on cereals and on wheat or rye flour, groats and meal

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 Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1340/90⁽²⁾, and in particular Article 13 (5) thereof,Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽³⁾, as last amended by Regulation (EEC) No 1636/87⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 754/90⁽⁵⁾ and subsequent amending Regulations;

Whereas, if the levy system is to operate normally, levies should be calculated on the following basis:

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85,

- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

Whereas these exchange rates being those recorded on 13 June 1990;

Whereas the aforesaid corrective factor affects the entire calculation basis for the levies, including the equivalence coefficients;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 754/90 to today's offer prices and quotations known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 2727/75 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 15 June 1990.

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

Done at Brussels, 14 June 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 281, 11. 11. 1975, p. 1.⁽²⁾ OJ No L 134, 28. 5. 1990, p. 1.⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.⁽⁵⁾ OJ No L 83, 30. 3. 1990, p. 4.

ANNEX

to the Commission Regulation of 14 June 1990 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Levies	
	Portugal	Third country
0709 90 60	39,80	128,91 ⁽²⁾ ⁽³⁾
0712 90 19	39,80	128,91 ⁽²⁾ ⁽³⁾
1001 10 10	49,77	190,51 ⁽¹⁾ ⁽²⁾
1001 10 90	49,77	190,51 ⁽¹⁾ ⁽²⁾
1001 90 91	40,78	151,33
1001 90 99	40,78	151,33
1002 00 00	65,46	135,24 ⁽⁶⁾
1003 00 10	56,71	130,91
1003 00 90	56,71	130,91
1004 00 10	48,11	123,39
1004 00 90	48,11	123,39
1005 10 90	39,80	128,91 ⁽²⁾ ⁽³⁾
1005 90 00	39,80	128,91 ⁽²⁾ ⁽³⁾
1007 00 90	56,71	143,97 ⁽⁴⁾
1008 10 00	56,71	38,09
1008 20 00	56,71	105,69 ⁽⁴⁾
1008 30 00	56,71	5,14 ⁽⁵⁾
1008 90 10	⁽⁷⁾	⁽⁷⁾
1008 90 90	56,71	5,14
1101 00 00	71,56	225,49
1102 10 00	106,11	203,80
1103 11 10	91,98	309,02
1103 11 90	75,71	241,95

⁽¹⁾ Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.

⁽²⁾ In accordance with Regulation (EEC) No 715/90 the levies are not applied to products imported directly into the French overseas departments, originating in the African, Caribbean and Pacific States or in the 'overseas countries and territories'.

⁽³⁾ Where maize originating in the ACP or OCT is imported into the Community the levy is reduced by ECU 1,81/tonne.

⁽⁴⁾ Where millet and sorghum originating in the ACP or OCT is imported into the Community the levy is applied in accordance with Regulation (EEC) No 715/90.

⁽⁵⁾ Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.

⁽⁶⁾ The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 (OJ No L 142, 9. 6. 1977, p. 10) and Commission Regulation (EEC) No 2622/71 (OJ No L 271, 10. 12. 1971, p. 22).

⁽⁷⁾ The levy applicable to rye shall be charged on imports of the product falling within CN code 1008 90 10 (triticale).

COMMISSION REGULATION (EEC) No 1591/90

of 14 June 1990

fixing the premiums to be added to the import levies on cereals, flour and malt

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 Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1340/90 ⁽²⁾, and in particular Article 15 (6) thereof,Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy ⁽³⁾, as last amended by Regulation (EEC) No 1636/87 ⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EEC) No 1916/89 ⁽⁵⁾ and subsequent amending Regulations;

Whereas, if the levy system is to operate normally, levies should be calculated on the following basis:

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85,

- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

Whereas these exchange rates being those recorded on 13 June 1990;

Whereas, on the basis of today's cif prices and cif forward delivery prices, the premiums at present in force, which are to be added to the levies, should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

1. The premiums referred to in Article 15 of Regulation (EEC) No 2727/75 to be added to the import levies fixed in advance in respect of cereals and malt coming from Portugal shall be zero.

2. The premiums referred to in Article 15 of Regulation (EEC) No 2727/75 to be added to the import levies fixed in advance in respect of cereals and malt coming from third countries shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 15 June 1990.

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

Done at Brussels, 14 June 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 134, 28. 5. 1990, p. 1.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 187, 1. 7. 1989, p. 4.

ANNEX

to the Commission Regulation of 14 June 1990 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CN code	(ECU/tonne)			
	Current 6	1st period 7	2nd period 8	3rd period 9
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 10	0	3,73	3,73	3,73
1001 10 90	0	3,73	3,73	3,73
1001 90 91	0	2,38	2,38	1,12
1001 90 99	0	2,38	2,38	1,12
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 10	0	0	0	0
1004 00 90	0	0	0	0
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	3,33	3,33	1,57

B. Malt

CN code	(ECU/tonne)				
	Current 6	1st period 7	2nd period 8	3rd period 9	4th period 10
1107 10 11	0	4,24	4,24	1,99	1,99
1107 10 19	0	3,17	3,17	1,49	1,49
1107 10 91	0	0	0	0	0
1107 10 99	0	0	0	0	0
1107 20 00	0	0	0	0	0

COMMISSION REGULATION (EEC) No 1592/90

of 14 June 1990

fixing the minimum levies on the importation of olive oil and levies on the importation of other olive oil sector products

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 Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 2902/89⁽²⁾, and in particular Article 16 (2) thereof,Having regard to Council Regulation (EEC) No 1514/76 of 24 June 1976 on imports of olive oil originating in Algeria⁽³⁾, as last amended by Regulation (EEC) No 4014/88⁽⁴⁾, and in particular Article 5 thereof,Having regard to Council Regulation (EEC) No 1521/76 of 24 June 1976 on imports of olive oil originating in Morocco⁽⁵⁾, as last amended by Regulation (EEC) No 4015/88⁽⁶⁾, and in particular Article 5 thereof,Having regard to Council Regulation (EEC) No 1508/76 of 24 June 1976 on imports of olive oil originating in Tunisia⁽⁷⁾, as last amended by Regulation (EEC) No 413/86⁽⁸⁾, and in particular Article 5 thereof,Having regard to Council Regulation (EEC) No 1180/77 of 17 May 1977 on imports into the Community of certain agricultural products originating in Turkey⁽⁹⁾, as last amended by Regulation (EEC) No 4016/88⁽¹⁰⁾, and in particular Article 10 (2) thereof,Having regard to Council Regulation (EEC) No 1620/77 of 18 July 1977 laying down detailed rules for the importation of olive oil from Lebanon⁽¹¹⁾;Whereas by Regulation (EEC) No 3131/78⁽¹²⁾, as amended by the Act of Accession of Greece, the Commission decided to use the tendering procedure to fix levies on olive oil;Whereas Article 3 of Council Regulation (EEC) No 2751/78 of 23 November 1978 laying down general rules for fixing the import levy on olive oil by tender⁽¹³⁾ specifies that the minimum levy rate shall be fixed for each of the products concerned on the basis of the situation on the world market and the Community market and of the levy rates indicated by tenderers;

Whereas, in the collection of the levy, account should be taken of the provisions in the Agreements between the Community and certain third countries; whereas in particular the levy applicable for those countries must be fixed, taking as a basis for calculation the levy to be collected on imports from the other third countries;

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 11 and 12 June 1990 leads to the minimum levies being fixed as indicated in Annex I to this Regulation;

Whereas the import levy on olives falling within CN codes 0709 90 39 and 0711 20 90 and on products falling within CN codes 1522 00 31, 1522 00 39 and 2306 90 19 must be calculated from the minimum levy applicable on the olive oil contained in these products; whereas, however, the levy charged for olive oil may not be less than an amount equal to 8 % of the value of the imported product, such amount to be fixed at a standard rate; whereas application of these provisions leads to the levies being fixed as indicated in Annex II to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The minimum levies on olive oil imports are fixed in Annex I.

Article 2

The levies applicable on imports of other olive oil sector products are fixed in Annex II.

Article 3

This Regulation shall enter into force on 15 June 1990.

⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.⁽²⁾ OJ No L 280, 29. 9. 1989, p. 2.⁽³⁾ OJ No L 169, 28. 6. 1976, p. 24.⁽⁴⁾ OJ No L 358, 27. 12. 1988, p. 1.⁽⁵⁾ OJ No L 169, 28. 6. 1976, p. 43.⁽⁶⁾ OJ No L 358, 27. 12. 1988, p. 2.⁽⁷⁾ OJ No L 169, 28. 6. 1976, p. 9.⁽⁸⁾ OJ No L 48, 26. 2. 1986, p. 1.⁽⁹⁾ OJ No L 142, 9. 6. 1977, p. 10.⁽¹⁰⁾ OJ No L 358, 27. 12. 1988, p. 3.⁽¹¹⁾ OJ No L 181, 21. 7. 1977, p. 4.⁽¹²⁾ OJ No L 370, 30. 12. 1978, p. 60.⁽¹³⁾ OJ No L 331, 28. 11. 1978, p. 6.

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

Done at Brussels, 14 June 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX I

Minimum import levies on olive oil

(ECU/100 kg)

CN code	Non-member countries
1509 10 10	75,00 ⁽¹⁾
1509 10 90	75,00 ⁽¹⁾
1509 90 00	87,00 ⁽²⁾
1510 00 10	77,00 ⁽¹⁾
1510 00 90	122,00 ⁽³⁾

⁽¹⁾ For imports of oil falling within this CN code and produced entirely in one of the countries listed below and transported directly from any of those countries to the Community, the levy to be collected is reduced by :

- (a) Lebanon : ECU 0,60 per 100 kg ;
- (b) Tunisia : ECU 12,69 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force ;
- (c) Turkey : ECU 22,36 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force ;
- (d) Algeria and Morocco : ECU 24,78 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force.

⁽²⁾ For imports of oil falling within this CN code :

- (a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by ECU 3,86 per 100 kg ;
- (b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by ECU 3,09 per 100 kg.

⁽³⁾ For imports of oil falling within this CN code :

- (a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by ECU 7,25 per 100 kg ;
- (b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by ECU 5,80 per 100 kg.

ANNEX II

Import levies on other olive oil sector products

(ECU/100 kg)

CN code	Non-member countries
0709 90 39	16,50
0711 20 90	16,50
1522 00 31	37,50
1522 00 39	60,00
2306 90 19	6,16

COMMISSION REGULATION (EEC) No 1593/90
of 14 June 1990
fixing the import levies on milk and milk products

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 Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 3879/89 ⁽²⁾, and in particular Article 14 (8) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 14 of Regulation (EEC) No 804/68 provides for charging a levy on imports of the products listed in Article 1 of that Regulation; whereas these products may be divided into groups; whereas the product groups and the pilot groups and the pilot product for each of these groups are set out in Annex I to Council Regulation (EEC) No 2915/79 of 18 December 1979 determining the groups of products and the special provisions for calculating levies on milk and milk products ⁽³⁾, as last amended by Regulation (EEC) No 3884/89 ⁽⁴⁾;

Whereas the levy on the products in any one group must be equal to the threshold price for the pilot product less the free-at-frontier price; whereas these threshold prices were fixed for the 1990/1991 milk year by Council Regulation (EEC) No 1182/90 ⁽⁵⁾;

Whereas the threshold price fixed by the Council is to be reduced by Commission Regulation (EEC) No 1552/90 of 8 June 1990 determining the reduced ecu values of milk sector prices and amounts consequent on the monetary realignment of 5 January 1990 ⁽⁶⁾;

Whereas, however, Regulation (EEC) No 2915/79 lays down special provisions for calculating the levy on certain assimilated products; whereas these products are listed and the method of calculating the levy on them described in Annex II and in Articles 2 to 12 of that Regulation respectively;

Whereas, as provided for in Regulation (EEC) No 2915/79, the component of the levy established using a factor expressing the weight ratio existing between the milk components contained in the product on the one hand and the product itself on the other is, for products containing sugar or other sweeteners, calculated by multi-

plying the basic amount by the quantity of milk components contained in the product;

Whereas Article 12 of Regulation (EEC) No 2915/79 provides that for certain products originating in or coming from certain third countries a specific levy is to be applied; whereas the levy applicable to those products is fixed in Annex I to Commission Regulation (EEC) No 1767/82 ⁽⁷⁾, as last amended by Regulation (EEC) No 107/90 ⁽⁸⁾;

Whereas, for as long as it is found that on importation into the Community the price of an assimilated product for which the levy is not equal to the levy on its pilot product is considerably lower than the price which would obtain if the ratio to the price of the pilot product were normal, the levy must be equal to the sum of two components:

- one component equal to the amount resulting from the provisions of Articles 2 to 7 of Regulation (EEC) No 2915/79 applicable to the assimilated product in question,
- an additional component fixed at a level which, the composition and quality of the assimilated product being taken into account, makes it possible to re-establish normal price ratios for imports into the Community;

Whereas Article 14 (3) of Regulation (EEC) No 804/68 provides that the levy on products in respect of which the customs duty has been bound within GATT must be limited to the amount resulting from that binding;

Whereas Commission Regulation (EEC) No 1073/68 ⁽⁹⁾, as amended by Regulation (EEC) No 222/88 ⁽¹⁰⁾, provides that a free-at-frontier price must be established for each of the pilot products defined in Annex I to Regulation (EEC) No 2915/79; whereas these prices must be determined for products of good marketable quality;

Whereas the free-at-frontier prices must be established on the basis of the most favourable purchasing opportunities in international trade for the products listed in Article 1 of Regulation (EEC) No 804/68 other than assimilated products for which the levy is not equal to the levy on the related pilot products; whereas, when recording these purchasing opportunities, the Commission must take account of all information obtained direct or through the Member States concerning prices for delivery of third-country products free-at-Community-frontier and prices on third-country markets;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 378, 27. 12. 1989, p. 1.

⁽³⁾ OJ No L 329, 24. 12. 1979, p. 1.

⁽⁴⁾ OJ No L 378, 27. 12. 1989, p. 9.

⁽⁵⁾ OJ No L 119, 11. 5. 1990, p. 26.

⁽⁶⁾ OJ No L 146, 9. 6. 1990, p. 14.

⁽⁷⁾ OJ No L 196, 5. 7. 1982, p. 1.

⁽⁸⁾ OJ No L 13, 17. 1. 1990, p. 13.

⁽⁹⁾ OJ No L 180, 26. 7. 1968, p. 25.

⁽¹⁰⁾ OJ No L 28, 1. 2. 1988, p. 1.

Whereas Commission Regulation (EEC) No 788/86⁽¹⁾, as last amended by Regulation (EEC) No 1525/90⁽²⁾, specifies the free-at-Spanish-frontier values of certain cheeses imported from and originating in Switzerland;

Whereas, however, no account should be taken of information relating to small quantities which are not representative of trade in the products in question and quantities in respect of which price trends in general or other information available to it lead the Commission to believe that the price in question is unrepresentative of the real trend of the market;

Whereas the prices used must be adjusted where they are not quoted free-at-Community-frontier or where they do not apply to products of good marketable quality; whereas the adjustment in respect of an assimilated product the levy on which is equal to the levy on its pilot product must be effected in such a way as to allow, in particular, for differences in composition, maturity, quality and presentation between the assimilated product and the related pilot product; whereas adjustments relating to composition must be calculated by multiplying the difference between the milk component content of the pilot product and that of the assimilated product in question by the value attributed in international trade to one unit of weight of the milk component in question; whereas, when the other adjustments are being effected, the difference between the value attributed on the Community market to each of the relevant characteristics of the pilot product and the value attributed on that market to the corresponding characteristics of the assimilated product in question must be taken into account;

Whereas, if no information on prices is available, the free-at-frontier price may, by way of exception, be established on the basis of the value of the raw materials contained in the pilot product in question (calculated on the basis of the prices of milk products for which prices are available), average processing costs and average yields;

Whereas, in exceptional circumstances, a free-at-frontier price may remain unchanged for a limited period where the new level of the price for a given quality or a specific origin, used as a basis for establishing the previous free-at-frontier price, has not reached the Commission to enable it to establish the next free-at-frontier price and if the Commission considers that the prices which are available could lead to sudden and considerable changes in the free-at-frontier price because they are not sufficiently representative of real market trends;

Whereas, in accordance with Article 19 (1) of Regulation (EEC) No 804/68, the nomenclature provided for in this Regulation is incorporated in the combined nomenclature;

Whereas Article 8 of Regulation (EEC) No 1073/68 provides that the levies are fixed every fortnight; whereas they may be altered in the intervening period if neces-

sary; whereas the levy remains valid until another becomes applicable;

Whereas Council Regulation (EEC) No 2730/75 of 29 October 1975 on glucose and lactose⁽³⁾, as amended by Regulation (EEC) No 222/88, stipulates that the treatment provided for lactose and lactose syrup falling within CN code 1702 10 90 by Regulation (EEC) No 804/68 and by the provisions adopted for the application of that Regulation is to be extended to lactose and lactose syrup falling within CN code 1702 10 10; whereas consequently the levy fixed for products falling within CN code 1702 10 90 also applies to products falling within CN code 1702 10 10; whereas to ensure that the provision in question is properly applied these products and the levy thereon should be explicitly mentioned in the list of levies;

Whereas Council Regulation (EEC) No 715/90⁽⁴⁾ lays down the arrangements applicable to agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories;

Whereas, if the levy system is to operate normally, refunds should be calculated on the following basis:

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the coefficient provided for in the last subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁵⁾, as last amended by Regulation (EEC) No 1636/87⁽⁶⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent and the aforesaid coefficient;

Whereas it follows from applying these provisions that the levies on milk and milk products should be as set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

1. The import levies referred to in Article 14 of Regulation (EEC) No 804/68 shall be as set out in the Annex hereto.
2. There shall be no levy for imports from Portugal, including the Azores and Madeira, for milk and milk products listed in Article 1 of Regulation (EEC) No 804/68.

Article 2

This Regulation shall enter into force on 16 June 1990.

⁽¹⁾ OJ No L 74, 19. 3. 1986, p. 20.

⁽²⁾ OJ No L 144, 7. 6. 1990, p. 15.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 20.

⁽⁴⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 153, 13. 6. 1987, p. 1.

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

Done at Brussels, 14 June 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 14 June 1990 fixing the import levies on milk and milk products

(ECU/100 kg net weight, unless otherwise indicated)

CN code	Note	Import levy
0401 10 10		19,46
0401 10 90		18,25
0401 20 11		26,48
0401 20 19		25,27
0401 20 91		31,73
0401 20 99		30,52
0401 30 11		80,32
0401 30 19		79,11
0401 30 31		153,36
0401 30 39		152,15
0401 30 91		256,05
0401 30 99		254,84
0402 10 11	(*)	142,49
0402 10 19	(*)	135,24
0402 10 91	(1) (*)	1,3524/kg + 23,63
0402 10 99	(1) (*)	1,3524/kg + 16,38
0402 21 11	(*)	191,75
0402 21 17	(*)	184,50
0402 21 19	(*)	184,50
0402 21 91	(*)	230,29
0402 21 99	(*)	223,04
0402 29 11	(1) (3) (*)	1,8450/kg + 23,63
0402 29 15	(1) (*)	1,8450/kg + 23,63
0402 29 19	(1) (*)	1,8450/kg + 16,38
0402 29 91	(1) (*)	2,2304/kg + 23,63
0402 29 99	(1) (*)	2,2304/kg + 16,38
0402 91 11	(*)	28,57
0402 91 19	(*)	28,57
0402 91 31	(*)	35,71
0402 91 39	(*)	35,71
0402 91 51	(*)	153,36
0402 91 59	(*)	152,15
0402 91 91	(*)	256,05
0402 91 99	(*)	254,84
0402 99 11	(*)	49,40
0402 99 19	(*)	49,40
0402 99 31	(1) (*)	1,4973/kg + 20,01
0402 99 39	(1) (*)	1,4973/kg + 18,80
0402 99 91	(1) (*)	2,5242/kg + 20,01
0402 99 99	(1) (*)	2,5242/kg + 18,80

(ECU/100 kg net weight, unless otherwise indicated)

CN code	Note	Import levy
0403 10 11		28,89
0403 10 13		34,14
0403 10 19		82,73
0403 10 31	(¹)	0,2285/kg + 22,42
0403 10 33	(¹)	0,2810/kg + 22,42
0403 10 39	(¹)	0,7669/kg + 22,42
0403 90 11		142,49
0403 90 13		191,75
0403 90 19		230,29
0403 90 31	(¹)	1,3524/kg + 23,63
0403 90 33	(¹)	1,8450/kg + 23,63
0403 90 39	(¹)	2,2304/kg + 23,63
0403 90 51		28,89
0403 90 53		34,14
0403 90 59		82,73
0403 90 61	(¹)	0,2285/kg + 22,42
0403 90 63	(¹)	0,2810/kg + 22,42
0403 90 69	(¹)	0,7669/kg + 22,42
0404 10 11		27,23
0404 10 19	(¹)	0,2723/kg + 16,38
0404 10 91	(²)	0,2723/kg
0404 10 99	(²)	0,2723/kg + 16,38
0404 90 11		142,49
0404 90 13		191,75
0404 90 19		230,29
0404 90 31		142,49
0404 90 33		191,75
0404 90 39		230,29
0404 90 51	(¹)	1,3524/kg + 23,63
0404 90 53	(¹) (²)	1,8450/kg + 23,63
0404 90 59	(¹)	2,2304/kg + 23,63
0404 90 91	(¹)	1,3524/kg + 23,63
0404 90 93	(¹) (²)	1,8450/kg + 23,63
0404 90 99	(¹)	2,2304/kg + 23,63
0405 00 10		264,20
0405 00 90		322,32
0406 10 10	(⁴)	243,51
0406 10 90	(⁴)	292,67
0406 20 10	(³) (⁴)	389,56
0406 20 90	(⁴)	389,56
0406 30 10	(³) (⁴)	193,07
0406 30 31	(³) (⁴)	182,06
0406 30 39	(³) (⁴)	193,07
0406 30 90	(³) (⁴)	289,79
0406 40 00	(³) (⁴)	148,14
0406 90 11	(³) (⁴)	213,86

(ECU/100 kg net weight, unless otherwise indicated)

CN code	Note	Import levy
0406 90 13	(3) (*)	190,56
0406 90 15	(3) (*)	190,56
0406 90 17	(3) (*)	190,56
0406 90 19	(3) (*)	389,56
0406 90 21	(3) (*)	213,86
0406 90 23	(3) (*)	195,95
0406 90 25	(3) (*)	195,95
0406 90 27	(3) (*)	195,95
0406 90 29	(3) (*)	195,95
0406 90 31	(3) (*)	195,95
0406 90 33	(*)	195,95
0406 90 35	(3) (*)	195,95
0406 90 37	(3) (*)	195,95
0406 90 39	(3) (*)	195,95
0406 90 50	(3) (*)	195,95
0406 90 61	(*)	389,56
0406 90 63	(*)	389,56
0406 90 69	(*)	389,56
0406 90 71	(*)	243,51
0406 90 73	(*)	195,95
0406 90 75	(*)	195,95
0406 90 77	(*)	195,95
0406 90 79	(*)	195,95
0406 90 81	(*)	195,95
0406 90 83	(*)	195,95
0406 90 85	(*)	195,95
0406 90 89	(3) (*)	195,95
0406 90 91	(*)	243,51
0406 90 93	(*)	243,51
0406 90 97	(*)	292,67
0406 90 99	(*)	292,67
1702 10 10		35,96
1702 10 90		35,96
2106 90 51		35,96
2309 10 15		103,85
2309 10 19		134,96
2309 10 39		126,25
2309 10 59		103,71
2309 10 70		134,96
2309 90 35		103,85
2309 90 39		134,96
2309 90 49		126,25
2309 90 59		103,71
2309 90 70		134,96

-
- (1) The levy on 100 kg of product falling within this subheading is equal to the sum of the following :
- (a) the amount per kilogram shown, multiplied by the weight of milk and milk cream contained in 100 kg of product ; and
 - (b) the other amount indicated.
- (2) The levy on 100 kg of product falling within this subheading is equal to :
- (a) the amount per kilogram shown, multiplied by the weight of the dried milk contained in 100 kg of product plus, where appropriate,
 - (b) the other amount indicated.
- (3) Products falling within this subheading imported from a third country under special arrangements concluded between that country and the Community for which an IMA 1 certificate issued under the conditions provided for in Regulation (EEC) No 1767/82 is issued are subject to the levies in Annex I to that Regulation.
- (4) The levy applicable is limited under the conditions laid down in Regulation (EEC) No 715/90.
-

COMMISSION REGULATION (EEC) No 1594/90

of 14 June 1990

fixing the maximum export refunds on olive oil for the 14th partial invitation to tender under the standing invitation to tender issued by Regulation (EEC) No 3246/89

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats ⁽¹⁾, as last amended by Regulation (EEC) No 2902/89 ⁽²⁾,

Having regard to Council Regulation (EEC) No 1650/86 of 26 May 1986 on the refunds and levies applicable to exports of olive oil ⁽³⁾, and in particular Article 7 thereof,

Whereas Commission Regulation (EEC) No 3246/89 ⁽⁴⁾, issued a standing invitation to tender with a view to determining the export refunds on olive oil;

Whereas Article 7 of Regulation (EEC) No 3246/89 provides that maximum amounts are to be fixed for the export refunds in the light in particular of the current situation and foreseeable developments on the Community and world olive-oil markets and on the basis of the tenders received; whereas contracts are awarded to any tenderer who submits a tender at the level of the maximum refund or at a lower level;

Whereas, in view of the present circumstances in the German Democratic Republic and their effects on the

market situation, no refund should be fixed for products exported to that destination;

Whereas, for the purposes of applying the above-mentioned provisions, the maximum export refunds should be set at the levels specified in the Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The maximum export refunds for olive oil for the 14th partial invitation to tender under the standing invitation to tender issued by Regulation (EEC) No 3246/89 are hereby fixed in the Annex, on the basis of the tenders submitted by 9 June 1990.

Article 2

2. No refund shall be fixed for such products exported to the German Democratic Republic.

This Regulation shall enter into force on 15 June 1990.

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

Done at Brussels, 14 June 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽²⁾ OJ No L 280, 29. 9. 1989, p. 2.

⁽³⁾ OJ No L 145, 30. 5. 1986, p. 8.

⁽⁴⁾ OJ No L 314, 28. 10. 1989, p. 48.

ANNEX

to the Commission Regulation of 14 June 1990 fixing the maximum export refunds on olive oil for the 14th partial invitation to tender under the standing invitation to tender issued by Regulation (EEC) No 3246/89

<i>(ECU/100 kg)</i>	
Product code	Amount of refund
1509 10 90 100	65,00
1509 10 90 900	—
1509 90 00 100	74,02
1509 90 00 900	110,09
1510 00 90 100	17,00
1510 00 90 900	52,60

NB: The products codes and the footnotes are defined in amended Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1).

COMMISSION REGULATION (EEC) No 1595/90

of 14 June 1990

opening invitations to tender for the fixing of aid for the private storage of
carcasses and half-carcasses of lamb

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat ⁽¹⁾, and in particular Article 7 (5) thereof,Whereas Commission Regulation (EEC) No 2659/80 of 17 October 1980 laying down detailed rules for granting private storage aid for sheepmeat and goatmeat products ⁽²⁾, as amended by Regulation (EEC) No 3496/88 ⁽³⁾, provides in particular for detailed rules on the invitation to tender;Whereas Commission Regulation (EEC) No 287/90 of 1 February 1990 setting out some detailed rules for private storage aid for lamb in the period 1 January to 30 April 1990 ⁽⁴⁾, as amended by Regulation (EEC) No 1222/90 ⁽⁵⁾, provides in particular the list of products eligible and the minimum quantities in respect of which a tender may be submitted;

Whereas the application of Article 7 (3) of Regulation (EEC) No 3013/89 results in the opening of invitations to tender for private storage aid;

Whereas that Article provides for the application of these measures on the basis of the situation of each quotation

zone; whereas it is appropriate consequently to open tenders separately for each of the zones where the conditions are fulfilled;

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

HAS ADOPTED THIS REGULATION:

Article 1

Separate invitations to tender are opened in Denmark, France, Ireland, Northern Ireland, Germany, the Netherlands, Spain and Portugal for aid to private storage for carcasses and half-carcasses of lamb.

Subject to the provisions of Regulation (EEC) No 287/90 tenders may be made to the intervention agencies of the Member States concerned.

Article 2

Tenders must be submitted not later than 2 p.m. on 2 July 1990 to the relevant intervention agency.

*Article 3*This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

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

Done at Brussels, 14 June 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.⁽²⁾ OJ No L 276, 20. 10. 1980, p. 12.⁽³⁾ OJ No L 306, 11. 11. 1988, p. 28.⁽⁴⁾ OJ No L 31, 2. 2. 1990, p. 11.⁽⁵⁾ OJ No L 120, 11. 5. 1990, p. 52.

COMMISSION REGULATION (EEC) No 1596/90

of 14 June 1990

fixing the quantities of frozen beef intended for processing which may be imported on special conditions for the third quarter of 1990

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EEC) No 571/89⁽²⁾, and in particular Article 14 (4) (a) and (c) thereof,

Whereas the Council, under a special import system applicable to frozen beef and veal intended for processing, has drawn up, for the period 1 January to 31 December 1990 an estimate of 50 000 tonnes divided into two quantities of 25 000 tonnes each, according to the type of product to be obtained;

Whereas, pursuant to Article 14 (4) (a) of Regulation (EEC) No 805/68, it is necessary to determine the quantities to be imported per quarter as well as the rate of reduction of the import levy for meat referred to in Article 14 (1) (b) of that Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the third quarter of 1990 the maximum quantities referred to in Article 14 (4) (a) of Regulation (EEC) No 805/68 shall be as follows:

- in respect of the meat referred to in Article 14 (1) (a) of Regulation (EEC) No 805/68, 6 250 tonnes of meat, expressed in bone-in meat,
- in respect of the meat referred to in Article 14 (1) (b) of the said Regulation, 6 250 tonnes of meat, expressed in bone-in meat.

Article 2

The levy on import of the meat referred to in the second indent of Article 1 shall be equal to the levy applicable on the day of acceptance of the declaration of entry into free circulation less 55 %.

*Article 3*This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

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

Done at Brussels, 14 June 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.⁽²⁾ OJ No L 61, 4. 3. 1989, p. 43.

COMMISSION REGULATION (EEC) No 1597/90

of 14 June 1990

on the arrangement applicable to agricultural products subject to reference quantities and originating in the African, Caribbean and Pacific States or in the overseas countries and territories (1990/91)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 715/90 of 5 March 1990 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories⁽¹⁾, and in particular Articles 16 and 27 therein,

Whereas Article 16 of Regulation (EEC) No 715/90 stipulates for certain agricultural products, covered by that Regulation and originating in those countries, the progressive reduction, subject to reference quantities laid down within a set time-table, of the customs duties.

Whereas, under the provisions of Council Regulation (EEC) No 486/85⁽²⁾, as last amended by Regulation (EEC) No 3530/89⁽³⁾, when the rate of customs duty applied to imports into the Community of Ten of a product subject to a reference quantity is lower than that applying in respect of Spain, Portugal or both of these Member States, the process of dismantling begins once duty on imports of that product from Spain and Portugal falls below that applied to imports of the product in question from the other countries; whereas, for this reason, the Annex to this Regulation lists only products in respect of which tariff dismantling begins or continues in 1990.

Whereas by virtue of Council Regulation (EEC) No 1820/87 of 25 June 1987 concerning the application of Decision No 2/87 of the ACP-EEC Council of Ministers on the advance implementation of the Protocol to the Third ACP-EEC Convention⁽⁴⁾ consequent on the Accession of the Kingdom of Spain and the Portuguese Republic to the European Communities, Portugal is to postpone implementation of the preferential arrangements for fruit and vegetables falling within Council Regulation (EEC) No 1035/72⁽⁵⁾, as last amended by Regulation (EEC) No 1193/90⁽⁶⁾ until 31 December 1990 whereas, consequently, the above tariff concession does not apply until this date in Portugal;

Whereas, in order to enable the competent authorities within the Commission to establish an annual trade balance sheet for each of the products and, if necessary, to put into application the arrangement provided for in Article 16 (3) of the Regulation (EEC) No 715/90 above-

mentioned, of the products are subject to a statistical surveillance;

Whereas imports of the products in question are charged against the reference quantities at Community level within pre-established timetables, as and when the products are entered with the customs authorities for free circulation; whereas, therefore, it is appropriate to establish, reference quantities for those products listed in the Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Imports into the Community of certain products originating in the African, Caribbean and Pacific States or in the overseas countries and territories shall be subject to reference quantities and to a statistical surveillance.

The products referred to in the first subparagraph, their CN codes, the periods of validity and the levels of the reference quantities are set out in the Annex.

2. The provisions of this Regulation shall apply until 31 December 1990 throughout the Community with the exclusion of Portugal.

3. Quantities shall be charged against the reference quantities as and when products are entered with customs authorities for free circulation and accompanied by a movement certificate. If the movement certificate is submitted *a posteriori*, the goods shall be charged against the corresponding reference quantity at the moment when the goods are entered for free circulation.

The extent to which the reference quantities are used up shall be determined at Community level on the basis of the imports charged against them in the manner defined in the first subparagraph, as communicated to the Statistical Office of the European Communities.

Article 2

The Member States and the Commission shall cooperate closely to ensure that this Regulation is complied with.

Article 3

This Regulation shall enter into force on 1 September 1990.

⁽¹⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽²⁾ OJ No L 61, 1. 3. 1985, p. 2.

⁽³⁾ OJ No L 347, 28. 11. 1989, p. 3.

⁽⁴⁾ OJ No L 172, 30. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽⁶⁾ OJ No L 119, 11. 5. 1990, p. 43.

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

Done at Brussels, 14 June 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

Order No	CN code	Taric codes	Description	Period	(tonnes)
					Reference quantities
12.0030	ex 0704 90 90	0704 90 90 *92	Cabbages, fresh or chilled	1. 11 — 31. 12. 1990	1 000
12.0080	ex 0809 10 00	0809 10 00 *10 0809 10 00 *20 0809 10 00 *30 0809 10 10 *40 0809 10 00 *80	Apricots, fresh	1. 9. 1990 — 30. 4. 1991	2 000
12.0090	ex 0809 20 90	0809 20 90 *21 0809 20 90 *25 0809 20 90 *29 0809 20 90 *31 0809 20 90 *33 0809 20 90 *39 0809 20 90 *41 0809 20 90 *45 0809 20 90 *49	Cherries, fresh	1. 11. 1990 — 31. 3. 1991	2 000
12.0100	ex 0809 30 00	0809 30 00 *11 0809 30 00 *12 0809 30 00 *13 0809 30 00 *91 0809 30 00 *92 0809 30 00 *93	Peaches (including nectarines), fresh	1. 12. 1990 — 31. 3. 1991	2 000
12.0110	ex 0809 40 19	0809 40 19 *30 0809 40 19 *40 0809 40 19 *51	Plums, fresh	15. 12. 1990 — 31. 3. 1991	2 000

COMMISSION REGULATION (EEC) No 1598/90

of 14 June 1990

exempting certain Member States from the obligation to buy in certain fruit and vegetables

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 1035/72 of the Council of 18 May 1972 on the common organization of the market in fruit and vegetables ⁽¹⁾, as last amended by Regulation (EEC) No 1193/90 ⁽²⁾, and in particular Article 19a (4) thereof,Whereas Commission Regulation (EEC) No 1852/85 of 2 July 1985 laying down detailed rules of application with a view to exempt Member States from the obligation to buy in certain types of fruit and vegetables ⁽³⁾ specified what information the Member States were to provide to the Commission with a view to their being exempted if they so requested, as provided for in Article 19a (4) of Regulation (EEC) No 1035/72, from intervention purchasing;

Whereas this information must concern either the proportion of each of the products indicated in Article 19a of Regulation (EEC) No 1035/72 marketed through recognized producer organizations or the proportion harvested in the Member State concerned during the last three marketing years;

Whereas the Member States have supplied this information; whereas the conditions for exemption laid down in Regulation (EEC) No 1852/85 are met by certain Member

States for certain products for the 1990/91 marketing year; whereas those Member States which have so applied should therefore be exempted from the obligation to make intervention purchases,

HAS ADOPTED THIS REGULATION:

Article 1

The following Member States are hereby exempted from the obligations to make intervention purchases, as provided for in Article 19a of Regulation (EEC) No 1035/72, of pears from 1 July to 31 August 1990, and peaches, apricots, tomatoes and aubergines during the 1990/91 marketing year:

Belgium
Denmark
Germany
Ireland
Luxembourg
Netherlands
United Kingdom

This exemption shall apply in respect of Greece only to the pears during the period referred to above.

*Article 2*This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

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

Done at Brussels, 14 June 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.⁽²⁾ OJ No L 119, 11. 5. 1990, p. 43.⁽³⁾ OJ No L 174, 4. 7. 1985, p. 24.

COMMISSION REGULATION (EEC) No 1599/90

of 14 June 1990

amending Regulations (EEC) No 3154/85 and (EEC) No 3719/88 with a view to facilitating certain private humanitarian aid operations for the benefit of people in third countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Article 1

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 Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽³⁾, as last amended by Regulation (EEC) No 1340/90 ⁽⁴⁾, and in particular Articles 12 (2), 15 (5), 16 (6) and 24 thereof, and to the corresponding provisions of the other Regulations on the common organization of the markets in agricultural products;

Whereas Article 21 of Commission Regulation (EEC) No 3154/85 of 11 November 1985 laying down detailed rules for the administrative application of monetary compensatory amounts ⁽⁵⁾, as last amended by Regulation (EEC) No 1546/89 ⁽⁶⁾, provides that certain exports for Community or national food-aid operations are to be exempted from the application of monetary compensatory amounts; whereas, in order to facilitate private humanitarian aid operations for the benefit of people in third countries, such operations should also be exempted from monetary compensatory amounts under conditions to be laid down;

Whereas for the same reason it should be provided that, under similar conditions, an export licence need not be required in accordance with Commission Regulation (EEC) No 3719/88 ⁽⁷⁾, as last amended by Regulation (EEC) No 1903/89 ⁽⁸⁾, for such exports for private food-aid purposes;

Whereas the measures provided for in this Regulation are in accordance with the opinions of the Management Committees concerned,

The following paragraph 4 is hereby added to Article 21 of Regulation (EEC) No 3154/85:

'4. Member States shall be authorized not to collect any negative monetary compensatory amount in respect of products or goods consigned by private individuals or groups of private individuals with a view to their free distribution for humanitarian aid purposes in third countries where all the following conditions are fulfilled:

- (a) no refund is applied for by the parties who wish to benefit from this exemption;
- (b) such consignments are occasional in nature, comprise varied products and goods and do not exceed a total of 30 000 kilograms per means of transport, and
- (c) the competent authorities have sufficient proof as to the destination and/or use of the products and the proper execution of the operation.

The following endorsement shall be added to box 44 of export declarations or in the appropriate box of any other declaration within the meaning of Article 1 (2) (d) of this Regulation: "No refund or MCA — Article 21 (4) of Regulation (EEC) No 3154/85/Article 5 (3) of Regulation (EEC) No 3719/88".

The Member States shall inform the Commission as soon as possible of cases where such operations give rise to deflection or to doubt regarding their proper execution.'

Article 2

The following paragraph 3 is hereby added to Article 5 of Regulation (EEC) No 3719/88:

'3. Member States shall not require an export licence or licences for consignments qualifying under Article 21 (4) of Regulation (EEC) No 3154/85.

In addition, the Member States shall be authorized not to require an export licence or licences for products or goods consigned by private individuals or groups of private individuals with a view to their free distribution for humanitarian aid purposes in third countries where all the following conditions are fulfilled:

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 6.

⁽²⁾ OJ No L 182, 3. 7. 1987, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽⁴⁾ OJ No L 134, 28. 5. 1990, p. 1.

⁽⁵⁾ OJ No L 310, 21. 11. 1985, p. 9.

⁽⁶⁾ OJ No L 151, 3. 6. 1989, p. 24.

⁽⁷⁾ OJ No L 331, 16. 11. 1988, p. 1.

⁽⁸⁾ OJ No L 184, 30. 6. 1989, p. 22.

- (a) no refund or monetary compensatory amount is applied for by the parties which wish to benefit from this exemption ;
- (b) such consignments are occasional in nature, comprise varied products and goods and do not exceed a total of 30 000 kilograms per means of transport, and
- (c) the competent authorities have sufficient proof as to the destination and/or use of the products and the proper execution of the operation.

The following endorsement shall be added to box 44 of export declarations or to the appropriate section of

any other declaration within the meaning of Article 1 (2) (d) of Regulation (EEC) No 3154/85 : "No refund or MCA — Article 21 (4) of Regulation (EEC) No 3154/85/Article 5 (3) of Regulation (EEC) No 3719/88".

Article 3

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*.

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

Done at Brussels, 14 June 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 1600/90

of 14 June 1990

amending Regulation (EEC) No 651/90 on the opening of a sale by periodic invitation to tender of oilseeds held by the Spanish intervention agency and derogating from Regulation (EEC) No 3418/82 on the procedure for sale of oil seeds held by the intervention agencies as regards the selling price

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 2902/89⁽²⁾, and in particular Article 26 (3) thereof,

Having regard to Commission Regulation (EEC) No 3418/82 of 20 December 1982 on the procedure for the sale of oil seeds held by the intervention agencies⁽³⁾, as last amended by Regulation (EEC) No 676/89⁽⁴⁾, and in particular Article 4 thereof,

Whereas Commission Regulation (EEC) No 651/90⁽⁵⁾ opens a periodic sale of 5 294 tonnes of sunflower seed and 131 tonnes of rapeseed; whereas, in view of the risk of a deterioration in the quality of the seed as a result of lengthy storage, the selling period should be extended and the terms should be made more flexible; whereas to that end provision should be made by way of a derogation from Regulation (EEC) No 3418/82 for a reduction in the minimum selling price which, while preventing disturbance of the market, is such as to facilitate the disposal of such stocks;

Whereas provision should be made for takeover of the goods by the successful tenderers before the beginning of the forthcoming marketing year in order to prevent any disturbance of the market;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management for Oils and Fats,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 651/90 is hereby amended as follows:

1. The following paragraph is added to Article 1:
'However, by way of a derogation from Article 8 (1) of Regulation (EEC) No 3418/82, the minimum price to be met shall be the buying-in price referred to in that paragraph, minus 10 %.'
2. In Article 2, the dates '30 March 1990' and '20 April 1990' are replaced by '29 June 1990' and '6 July 1990' respectively.
3. The following Article 2a is added:
'Article 2a
The seeds must be taken over by the successful tenderers by 31 June 1990.'

Article 2

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

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

Done at Brussels, 14 June 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽²⁾ OJ No L 280, 29. 9. 1989, p. 2.

⁽³⁾ OJ No L 360, 21. 12. 1982, p. 19.

⁽⁴⁾ OJ No L 73, 17. 3. 1989, p. 17.

⁽⁵⁾ OJ No L 71, 17. 3. 1990, p. 13.

COMMISSION REGULATION (EEC) No 1601/90**of 14 June 1990****abolishing the countervailing charge on tomatoes originating in Portugal**

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 1035/72 of the Council of 18 May 1972 on the common organization of the market in fruit and vegetables ⁽¹⁾, as last amended by Regulation (EEC) No 1193/90 ⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 1433/90 ⁽³⁾, as amended by Regulation (EEC) No 1543/90 ⁽⁴⁾, introduced a countervailing charge on tomatoes originating in Portugal;

Whereas the present trend of prices for products originating in Portugal on the representative markets referred to in Regulation (EEC) No 2118/74 of the Commission ⁽⁵⁾, as last amended by Regulation (EEC) No 3811/85 ⁽⁶⁾,

recorded or calculated in accordance with the provisions of Article 5 of that Regulation, indicated that entry prices have been at least equal to the reference price for two consecutive market days; whereas the conditions specified in the second indent of Article 26 (1) of Regulation (EEC) No 1035/72 are therefore fulfilled and the countervailing charge on imports of these products originating in Portugal can be abolished,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1433/90 is hereby repealed.

Article 2

This Regulation shall enter into force on 15 June 1990.

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

Done at Brussels, 14 June 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 119, 11. 5. 1990, p. 43.

⁽³⁾ OJ No L 137, 30. 5. 1990, p. 29.

⁽⁴⁾ OJ No L 145, 8. 6. 1990, p. 29.

⁽⁵⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁶⁾ OJ No L 368, 31. 12. 1985, p. 1.

COMMISSION REGULATION (EEC) No 1602/90**of 14 June 1990****adjusting the corrective amount on the import of apricots into the Community
of Ten from Spain except the Canary Islands**

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 Council Regulation (EEC) No 3709/89
of 4 December 1989 laying down general rules for imple-
menting the Act of Accession of Spain and Portugal as
regards the compensatory mechanism for imports of fruit
and vegetables from Spain ⁽¹⁾, and in particular Article 4
(2) thereof,

Whereas Article 152 of the Act of Accession introduces
from 1 January 1990 a compensatory mechanism for
imports into the Community as constituted on 31
December 1985, hereinafter called 'the Community of
Ten', of fruit and vegetables from Spain (except the
Canary Islands) for which a reference price is fixed with
regard to third countries;

Whereas Regulation (EEC) No 3709/89 lays down general
rules for applying the said compensatory mechanism and
Commission Regulation (EEC) No 3815/89 ⁽²⁾ lays down
detailed rules for applying the said compensatory
mechanism;

Whereas Commission Regulation (EEC) No 1542/90 ⁽³⁾
introduces a corrective amount on imports of apricots
into the Community of Ten from Spain (except the
Canary Islands);

Whereas Article 3 (4) of Regulation (EEC) No 3709/89
lays down the conditions under which a corrective
amount introduced pursuant to Article 3 (1) of the said
Regulation, is to be adjusted; whereas the said conditions
require that the corrective amount on imports of apricots
from Spain (except the Canary Islands) into the Commu-
nity of Ten be adjusted,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 1542/90 'ECU 47,26'
is replaced by 'ECU 14,24'.

Article 2

This Regulation shall enter into force on 15 June 1990.

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

Done at Brussels, 14 June 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 363, 13. 12. 1989, p. 3.

⁽²⁾ OJ No L 371, 20. 12. 1989, p. 28.

⁽³⁾ OJ No L 145, 8. 6. 1990, p. 28.

COMMISSION REGULATION (EEC) No 1603/90
of 14 June 1990
fixing the amount of the subsidy on oil seeds

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 Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 2902/89⁽²⁾, and in particular Article 27 (4) thereof,

Having regard to Council Regulation (EEC) No 1678/85 of 11 June 1985 fixing the conversion rates to be applied in agriculture⁽³⁾, as last amended by Regulation (EEC) No 1536/90⁽⁴⁾,

Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza, rape and sunflower seed⁽⁵⁾, as last amended by Regulation (EEC) No 2216/88⁽⁶⁾, and in particular Article 2 (3) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the amount of the subsidy referred to in Article 27 of Regulation No 136/66/EEC was fixed by Commission Regulation (EEC) No 1574/90⁽⁷⁾;

Whereas the abatement of the subsidy which arises, where appropriate, from the system of maximum guaranteed quantities for the 1990/91 marketing year, has not yet been fixed; whereas the amount of the subsidy for the 1990/91 marketing year has been calculated provisionally on the basis of the abatement for the 1989/90 marketing year;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1475/90 to the information known to the Commission that the amount of the subsidy at present in force should be altered to the amount set out in the Annexes hereto,

HAS ADOPTED THIS REGULATION:

Article 1

1. The amount of the subsidy and the exchange rate referred to in Article 33 (2) and (3) of Commission Regulation (EEC) No 2681/83⁽⁸⁾ are as set out in the Annexes hereto.

2. The amount of the compensatory aid referred to in Article 14 of Council Regulation (EEC) No 475/86⁽⁹⁾ is as set out in Annex III for sunflower seed harvested in Spain.

3. The amount of the special subsidy provided for by Council Regulation (EEC) No 1920/87⁽¹⁰⁾ for sunflower seed harvested and processed in Portugal is as set out in Annex III.

4. However, the amount of the subsidy in the case of advance fixing for the 1990/91 marketing year for colza, rape and sunflower will be confirmed or replaced as from 15 June 1990 to take into account the application of the system of maximum guaranteed quantities for colza and rape seed for the 1990/91 marketing year.

Article 2

This Regulation shall enter into force on 15 June 1990.

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

Done at Brussels, 14 June 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽²⁾ OJ No L 280, 29. 9. 1989, p. 2.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁴⁾ OJ No L 145, 8. 6. 1990, p. 8.

⁽⁵⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁶⁾ OJ No L 197, 26. 7. 1988, p. 10.

⁽⁷⁾ OJ No L 149, 13. 6. 1990, p. 11.

⁽⁸⁾ OJ No L 266, 28. 9. 1983, p. 1.

⁽⁹⁾ OJ No L 53, 1. 3. 1986, p. 47.

⁽¹⁰⁾ OJ No L 183, 3. 7. 1987, p. 18.

ANNEX I

Aids to colza and rape seed other than 'double zero'

(amounts per 100 kg)

	Current 6	1st period 7 (¹)	2nd period 8 (¹)	3rd period 9 (¹)	4th period 10 (¹)	5th period 11 (¹)
1. Gross aids (ECU):						
— Spain	1,170	1,750	1,750	1,750	1,750	1,750
— Portugal	0,000	0,000	0,000	0,000	0,000	0,000
— Other Member States	28,334	23,272	23,438	23,716	23,217	23,051
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	67,13	54,48	54,87	55,54	54,37	54,14
— Netherlands (Fl)	74,74	61,39	61,83	62,56	61,24	60,99
— BLEU (Bfrs/Lfrs)	1 368,16	1 123,73	1 131,75	1 145,17	1 121,08	1 113,06
— France (FF)	216,37	182,73	184,03	186,21	182,30	180,99
— Denmark (Dkr)	253,02	207,82	209,30	211,79	207,33	205,85
— Ireland (£ Irl)	24,082	20,337	20,482	20,725	20,289	20,142
— United Kingdom (£)	18,562	17,439	17,548	17,740	17,325	17,060
— Italy (Lit)	47 583	40 765	41 056	41 543	40 669	40 378
— Greece (Dr)	5 002,69	4 848,99	4 855,56	4 887,57	4 769,71	4 606,47
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	178,89	267,57	267,57	267,57	267,57	267,57
— in another Member State (Pta)	4 086,85	3 437,78	3 457,85	3 491,12	3 418,16	3 377,66
(c) Seed harvested in Portugal and processed:						
— in Portugal (Esc)	0,00	0,00	0,00	0,00	0,00	0,00
— in another Member State (Esc)	5 860,24	5 104,69	5 128,26	5 157,69	5 053,06	4 956,33

(¹) Subject to the abatement resulting from the system of maximum guaranteed quantities for the 1990/91 marketing year.

ANNEX II

Aids to colza and rape seed 'double zero'

(amounts per 100 kg)

	Current 6	1st period 7 (1)	2nd period 8 (1)	3rd period 9 (1)	4th period 10 (1)	5th period 11 (1)
1. Gross aids (ECU):						
— Spain	3,670	4,250	4,250	4,250	4,250	4,250
— Portugal	2,500	2,500	2,500	2,500	2,500	2,500
— Other Member States	30,834	25,772	25,938	26,216	25,717	25,551
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	73,03	60,34	60,72	61,39	60,22	59,99
— Netherlands (Fl)	81,34	67,98	68,42	69,15	67,84	67,59
— BLEU (Bfrs/Lfrs)	1 488,88	1 244,45	1 252,47	1 265,89	1 241,80	1 233,78
— France (FF)	235,62	202,36	203,66	205,84	201,93	200,62
— Denmark (Dkr)	275,35	230,15	231,63	234,11	229,65	228,17
— Ireland (£ Irl)	26,224	22,522	22,667	22,910	22,474	22,327
— United Kingdom (£)	20,323	19,388	19,497	19,689	19,273	19,009
— Italy (Lit)	51 833	45 144	45 435	45 922	45 048	44 757
— Greece (Dr)	5 482,63	5 392,35	5 398,92	5 430,93	5 313,07	5 149,83
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	561,13	649,81	649,81	649,81	649,81	649,81
— in another Member State (Pta)	4 469,09	3 820,02	3 840,09	3 873,36	3 800,40	3 759,90
(c) Seed harvested in Portugal and processed:						
— in Portugal (Esc)	499,40	517,26	517,26	517,26	517,26	517,26
— in another Member State (Esc)	6 359,64	5 621,94	5 645,51	5 674,95	5 570,32	5 473,59

(1) Subject to the abatement resulting from the system of maximum guaranteed quantities for the 1990/91 marketing year.

ANNEX III

Aids to sunflower seed

(amounts per 100 kg)

	Current 6	1st period 7	2nd period 8 (1)	3rd period 9 (1)	4th period 10 (1)
1. Gross aids (ECU):					
— Spain	6,890	6,890	8,600	8,600	8,600
— Portugal	0,000	0,000	0,000	0,000	0,000
— Other Member States	37,139	36,939	30,919	31,250	31,340
2. Final aids:					
(a) Seed harvested and processed in (2):					
— Federal Republic of Germany (DM)	87,94	87,47	72,39	73,18	73,39
— Netherlands (Fl)	97,97	97,44	81,56	82,43	82,67
— BLEU (Bfrs/Lfrs)	1 793,33	1 783,67	1 492,98	1 508,97	1 513,31
— France (FF)	283,97	282,39	242,77	245,37	246,08
— Denmark (Dkr)	331,65	329,87	276,11	279,06	279,87
— Ireland (£ Irl)	31,605	31,430	27,020	27,309	27,388
— United Kingdom (£)	24,616	24,450	23,271	23,500	23,575
— Italy (Lit)	62 490	62 140	54 160	54 740	54 897
— Greece (Dr)	6 646,65	6 588,67	6 445,42	6 484,86	6 506,12
(b) Seed harvested in Spain and processed:					
— in Spain (Pta)	1 053,45	1 053,45	1 314,91	1 314,91	1 314,91
— in another Member State (Pta)	4 746,24	4 717,15	4 096,13	4 135,82	4 148,98
(c) Seed harvested in Portugal and processed:					
— in Portugal (Esc)	0,00	0,00	0,00	0,00	0,00
— in Spain (Esc)	8 232,00	8 189,70	7 289,16	7 326,68	7 345,97
— in another Member State (Esc)	8 052,08	8 010,70	7 129,84	7 166,55	7 185,42
3. Compensatory aids:					
— in Spain (Pta)	4 721,67	4 692,58	4 070,74	4 110,43	4 121,54
4. Special aid:					
— in Portugal (Esc)	8 052,08	8 010,70	7 129,84	7 166,55	7 185,42

(1) Subject to the abatement resulting from the system of maximum guaranteed quantities for the 1990/91 marketing year.

(2) For seed harvested in the Community as constituted at 31 December 1985 and processed in Spain, the amounts shown in 2 (a) to be multiplied by 1,0223450.

ANNEX IV

Exchange rate of the ecu to be used for converting final aids into the currency of the processing country when the latter is a country other than the country of production

(value of ECU 1)

	Current 6	1st period 7	2nd period 8	3rd period 9	4th period 10	5th period 11
DM	2,055660	2,051790	2,048060	2,044390	2,044390	2,035470
Fl	2,312880	2,309080	2,305210	2,301290	2,301290	2,290420
Bfrs/Lfrs	42,278100	42,259100	42,237800	42,205300	42,205300	42,086300
FF	6,926830	6,923640	6,920780	6,919310	6,919310	6,913160
Dkr	7,832540	7,835570	7,838740	7,838790	7,838790	7,838820
£Irl	0,766937	0,767076	0,767662	0,767986	0,767986	0,770909
£	0,719512	0,722226	0,724934	0,727466	0,727466	0,734412
Lit	1 510,83	1 512,24	1 513,42	1 514,40	1 514,40	1 517,80
Dr	201,30800	203,29300	205,33800	207,49600	207,49600	214,83900
Esc	180,65500	181,34100	182,21800	183,98500	183,98500	187,57700
Pta	127,33900	127,79200	128,20700	128,62700	128,62700	129,60000

COMMISSION REGULATION (EEC) No 1604/90**of 14 June 1990****fixing the import levies on white sugar and raw sugar**

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 Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 1069/89 ⁽²⁾, and in particular Article 16 (8) thereof,Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 1920/89 ⁽³⁾, as last amended by Regulation (EEC) No 1579/90 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1920/89 to the information known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies referred to in Article 16 (1) of Regulation (EEC) No 1785/81 shall be, in respect of white sugar and standard quality raw sugar, as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 15 June 1990.

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

Done at Brussels, 14 June 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.⁽²⁾ OJ No L 114, 27. 4. 1989, p. 1.⁽³⁾ OJ No L 187, 1. 7. 1989, p. 13.⁽⁴⁾ OJ No L 150, 14. 6. 1990, p. 5.

ANNEX

to the Commission Regulation of 14 June 1990 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	33,06 ⁽¹⁾
1701 11 90	33,06 ⁽¹⁾
1701 12 10	33,06 ⁽¹⁾
1701 12 90	33,06 ⁽¹⁾
1701 91 00	36,11
1701 99 10	36,11
1701 99 90	36,11 ⁽²⁾

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the levy applicable is calculated in accordance with the provisions of Article 2 of Commission Regulation (EEC) No 837/68 (OJ No L 151, 30. 6. 1968, p. 42).

⁽²⁾ In accordance with Article 16 (2) of Regulation (EEC) No 1785/81 this amount is also applicable to sugar obtained from white and raw sugar containing added substances other than flavouring or colouring matter.

CORRIGENDA**Corrigendum to Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks in intra-Community trade with a view to the completion of the internal market**

(Official Journal of the European Communities No L 395 of 30 December 1989)

On page 20 the second sentence of Article 17 (2) shall read as :

'The Committee shall deliver its opinion on the draft within two days.'

Corrigendum to Commission Regulation (EEC) No 1502/90 of 1 June 1990 amending Regulation (EEC) No 1767/82 as regards the adaptation of the free-at-frontier values and the adjustment of the specific import levies on certain cheeses for the 1990/91 milk year

(Official Journal of the European Communities No L 141 of 2 June 1990)

On page 5 in the table in Article 1 (2) against point (o) under the the column heading 'Description' add :

'The description "Kashkaval" is replaced by "Kashkaval cheese of sheep's milk matured for at least two months, of a minimum fat content of 45 % by weight in the dry matter and a dry matter content of at least 58 % in whole cheeses of a net maximum weight of 10 kg, whether or not wrapped in plastic".'

On page 6 in the table in Article 1 (2) against point (u) under the column heading 'CN code' :

for: 'ex 0406 90 86',

read: 'ex 0406 90 89'.
