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I Acts whose publication is obligatory

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 348/89

of 13 February 1989

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 166/89 ⁽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 2401/88 ⁽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 10 February 1989;

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 2401/88 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 14 February 1989.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 20, 25. 1. 1989, p. 16.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 205, 30. 7. 1988, p. 96.

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

Done at Brussels, 13 February 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 13 February 1989 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CN code	Levies	
	Portugal	Third country
0709 90 60	20,50	128,27
0712 90 19	20,50	128,27
1001 10 10	53,13	170,58 ⁽¹⁾ ⁽²⁾
1001 10 90	53,13	170,58 ⁽¹⁾ ⁽²⁾
1001 90 91	30,85	117,87
1001 90 99	30,85	117,87
1002 00 00	58,63	112,40 ⁽³⁾
1003 00 10	49,19	119,55
1003 00 90	49,19	119,55
1004 00 10	40,25	75,67
1004 00 90	40,25	75,67
1005 10 90	20,50	128,27 ⁽³⁾ ⁽⁴⁾
1005 90 00	20,50	128,27 ⁽³⁾ ⁽⁴⁾
1007 00 90	43,84	137,45 ⁽⁴⁾
1008 10 00	49,19	24,51
1008 20 00	49,19	59,20 ⁽⁴⁾
1008 30 00	49,19	0,00 ⁽⁵⁾
1008 90 10	⁽⁷⁾	⁽⁷⁾
1008 90 90	49,19	0,00
1101 00 00	57,38	179,21
1102 10 00	96,27	171,55
1103 11 10	95,80	277,84
1103 11 90	60,70	192,28

⁽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 486/85 the levies are not applied to imports into the French overseas departments of products 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 reduced by 50 %.

⁽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 349/89

of 13 February 1989

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 Regulation (EEC) No 2727/75 of the Council of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 166/89⁽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 2402/88⁽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 10 February 1989;

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 14 February 1989.

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

Done at Brussels, 13 February 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.⁽²⁾ OJ No L 20, 25. 1. 1989, p. 16.⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.⁽⁵⁾ OJ No L 205, 30. 7. 1988, p. 99.

ANNEX

to the Commission Regulation of 13 February 1989 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CN code	(ECU/tonne)			
	Current 2	1st period 3	2nd period 4	3rd period 5
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 10	0	0	0	7,16
1001 10 90	0	0	0	7,16
1001 90 91	0	0	0	1,71
1001 90 99	0	0	0	1,71
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	0	0	2,38

B. Malt

CN code	(ECU/tonne)				
	Current 2	1st period 3	2nd period 4	3rd period 5	4th period 6
1107 10 11	0	0	0	3,04	3,04
1107 10 19	0	0	0	2,27	2,27
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 350/89

of 13 February 1989

laying down transitional measures for the 1988/89 marketing year regarding
production aid for olive oil in Spain and Portugal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Articles 90 (1) and 257 (1) thereof,

Whereas Articles 90 and 257 of the Act of Accession provide that where difficulties arise in applying the Community arrangements, transitional measures may be adopted to facilitate the passage from the national arrangements to the Community arrangements; whereas transitional measures relating to production aid for olive oil have already been adopted, in particular by Commission Regulation (EEC) No 521/87 of 20 February 1987 laying down special measures for the 1986/87 marketing year for the grant of production aid for olive oil in Spain and Portugal⁽¹⁾;

Whereas Council Regulation (EEC) No 4007/87⁽²⁾ as amended by Regulation (EEC) No 4074/88⁽³⁾, extends the period during which transitional measures may be taken until 31 December 1989 for Spain and until 31 December 1990 for Portugal; whereas, in view of the special situation existing in Spain, where many olive growers sell their production of olives to the mill, the provisions of Regulation (EEC) No 521/87 should in this respect be extended for the 1988/89 marketing year; whereas, to facilitate the implementation of the Community system of production aid in Spain and Portugal, the possibility of approving mills provisionally for the 1988/89 marketing year should be maintained;

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

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

Done at Brussels, 13 February 1989.

Article 1

For the 1988/89 marketing year in Spain, notwithstanding Article 7 of Council Regulation (EEC) No 2261/84⁽⁴⁾, where an olive grower who is a member of a producer organization recognized pursuant to Council Regulation No 136/66/EEC⁽⁵⁾, and whose production is at least 300 kilograms within the meaning of that Regulation, has sold all or part of his production of olives to an approved mill, the quantity eligible for the aid shall be equal to that obtained by applying the oil yield, fixed pursuant to Article 18 of Regulation (EEC) No 2261/84, to the quantity of olives produced.

Article 2

Notwithstanding the first subparagraph of Article 13 (3) of Regulation (EEC) No 2261/84, in Spain and Portugal the provisional approval granted to mills in the 1986/87 and 1987/88 marketing years shall expire at the end of the 1988/89 marketing year.

Article 3

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

It shall apply with effect from 1 November 1988.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 52, 21. 2. 1987, p. 14.

⁽²⁾ OJ No L 378, 31. 12. 1987, p. 1.

⁽³⁾ OJ No L 359, 28. 12. 1988, p. 3.

⁽⁴⁾ OJ No L 208, 3. 8. 1984, p. 3.

⁽⁵⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

COMMISSION REGULATION (EEC) No 351/89

of 13 February 1989

repealing Regulations (EEC) No 596/86 and (EEC) No 597/86 fixing the quotas for imports into Portugal of maize starch

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 3797/85 of 20 December 1985 laying down detailed rules concerning quantitative restrictions on imports into Portugal from third countries of certain agricultural products subject to the system of transition by stages ⁽¹⁾, as amended by Regulation (EEC) No 222/88 ⁽²⁾, and in particular Article 3 thereof,Having regard to Council Regulation (EEC) No 3792/85 of 20 December 1985 laying down the arrangements applying to trade in agricultural products between Spain and Portugal ⁽³⁾, as last amended by Regulation (EEC) No 3296/88 ⁽⁴⁾, and in particular Article 13 thereof,

Whereas the Portuguese authorities have notified the Commission of their intention no longer to maintain as from 1989 quantitative restrictions on imports of maize starch from the Community and from third countries;

Whereas, for the sake of clarity, Commission Regulation (EEC) No 596/86 of 28 February 1986 fixing the quota

for imports into Portugal of maize starch from third countries ⁽⁵⁾ and Commission Regulation (EEC) No 597/86 of 28 February 1986 fixing, for the first stage, the quota for imports into Portugal of maize starch from Spain ⁽⁶⁾ should be repealed;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulations (EEC) Nos 596/86 and 597/86 are hereby repealed.

*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, 13 February 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 367, 31. 12. 1985, p. 23.⁽²⁾ OJ No L 28, 1. 2. 1988, p. 1.⁽³⁾ OJ No L 367, 31. 12. 1985, p. 7.⁽⁴⁾ OJ No L 293, 27. 10. 1988, p. 7.⁽⁵⁾ OJ No L 58, 1. 3. 1986, p. 14.⁽⁶⁾ OJ No L 58, 1. 3. 1986, p. 15.

COMMISSION REGULATION (EEC) No 352/89

of 13 February 1989

amending Regulation (EEC) No 570/88 on the sale of butter at reduced prices and the granting of aid for butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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 1109/88⁽²⁾, and in particular Articles 6 (7) and 12 (3) thereof,

Whereas Article 11 of Commission Regulation (EEC) No 570/88⁽³⁾ was last amended by Regulation (EEC) No 2951/88⁽⁴⁾ to provide in particular that the manufacture of concentrated butter must take place within three months calculated from the closing date for the submission of tenders; whereas that amendment was introduced as a result of a situation featuring abnormally high demand for butter from public stocks and from the market; whereas, in order to limit the quantities applied for, the Commission had to increase the minimum selling prices, to reduce the level of the aids and to shorten the periods laid down for the manufacture of the concentrated butter and for its incorporation in the end products; whereas, as a result of those measures, the quantities applied for fell to normal levels having regard to the actual requirements of the industry concerned; whereas, in view of this new situation, the period originally laid down for the processing of the butter into

concentrated butter should be re-established in order in particular to reduce the difference between that period and that laid down for incorporation in the end products;

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

HAS ADOPTED THIS REGULATION:

Article 1

The first indent of Article 11 of Regulation (EEC) No 570/88 is hereby replaced by the following:

‘— seven months for the manufacture of concentrated butter.’

Article 2

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

It shall apply to quantities awarded prior to the date of its entry into force in respect of which the three month period for the manufacture of concentrated butter has not yet expired at that date.

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

Done at Brussels, 13 February 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 27.

⁽³⁾ OJ No L 55, 1. 3. 1988, p. 31.

⁽⁴⁾ OJ No L 266, 27. 9. 1988, p. 28.

COMMISSION REGULATION (EEC) No 353/89

of 13 February 1989

amending Regulation (EEC) No 756/70 on granting aid for skimmed milk processed into casein and caseinates

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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 1109/88⁽²⁾, and in particular Article 11 (3) thereof,

Whereas Article 2 (4) of Council Regulation (EEC) No 987/68 of 15 July 1968 laying down general rules for granting aid for skimmed milk processed into casein or caseinates⁽³⁾, as last amended by Regulation (EEC) No 3554/88⁽⁴⁾ provides that aid may be restricted to casein or caseinates for specific uses if the market situation so dictates; whereas, pursuant to that provision, Commission Regulation (EEC) No 756/70⁽⁵⁾, as last amended by Regulation (EEC) No 4177/88⁽⁶⁾, establishes in which cases and under what conditions the aid may be granted;

Whereas certain provisions on the arrangements for verifying the use made of the casein or caseinates should be added in order to prevent possible fraudulent trade and with the general aim of making it easier to identify products under supervision;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 756/70 is hereby amended as follows:

1. The following subparagraph is added to Article 4 (3):

'Once the export declaration submitted for the casein and caseinates concerned has been accepted, the latter shall be deemed to be no longer covered by Article 9 (2) of the Treaty and shall consequently circulate in accordance with Article 1 (2) of Council Regulation (EEC) No 222/77 of 13 December 1976 on Community transit⁽⁷⁾.

(⁽⁷⁾) OJ No L 38, 9. 2. 1977, p. 1.'

2. The following paragraph is added to Article 4a:

'In addition, sections 106 or 44 must, as the case may be, show:

- the manufacturing batch numbers,
- the dates of manufacture of the products,
- the name of the Member States where the security is lodged.'

3. The following paragraphs are added to Chapter I in Annex IV:

'Containers and packages of casein and caseinates must also show:

- the reference "Regulation (EEC) No 756/70",
- the date of manufacture,
- the manufacturing batch number.

These particulars must also appear on the containers and packages of the mixtures referred to in Article 4 (5).'

Article 2

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

It shall apply to quantities of casein and caseinates manufactured from 1 March 1989.

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

Done at Brussels, 13 February 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

(⁽¹⁾) OJ No L 148, 28. 6. 1968, p. 13.

(⁽²⁾) OJ No L 110, 29. 4. 1988, p. 27.

(⁽³⁾) OJ No L 169, 18. 7. 1968, p. 6.

(⁽⁴⁾) OJ No L 311, 17. 11. 1988, p. 6.

(⁽⁵⁾) OJ No L 91, 25. 4. 1970, p. 28.

(⁽⁶⁾) OJ No L 367, 31. 12. 1988, p. 68.

COMMISSION REGULATION (EEC) No 354/89

of 13 February 1989

on the supply of various consignments of cereals as food aid

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

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management⁽¹⁾, as last amended by Regulation (EEC) No 1870/88⁽²⁾, and in particular Article 6 (1)(c) thereof,

Whereas Council Regulation (EEC) No 1420/87 of 21 May 1987 laying down implementing rules for Regulation (EEC) No 3972/86 on food-aid policy and food-aid management⁽³⁾ lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas following the taking of a number of decisions on the allocation of food aid the Commission has allocated to certain countries and beneficiary organizations 5 500 tonnes of cereals;

Whereas it is necessary to provide for the carrying-out of this measure in accordance with the rules laid down by

Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid⁽⁴⁾; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

Article 1

Cereals shall be mobilized in the Community, as Community food aid for supply to the recipients listed in the Annex in accordance with Regulation (EEC) No 2200/87 and under the conditions set out in the Annex. Supplies shall be awarded by the tendering procedure.

Article 2

This Regulation shall enter into force on the 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, 13 February 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 168, 1. 7. 1988, p. 7.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

ANNEX

LOT A

1. **Operation No** (1): 15/89
2. **Programme**: 1987
3. **Recipient**: Cooperative Republic of Guyana
4. **Representative of the recipient** (2): Embassy of Guyana, avenue des Arts 21/22, B-1040 Bruxelles; tel. 02/230 60 65; telex B 26180 Guyic
5. **Place or country of destination**: Guyana (Ministry of Finance, Main & Urquhart Streets, Georgetown, Guyana)
6. **Product to be mobilized**: common wheat flour
7. **Characteristics and quality of the goods** (3): see list published in OJ No C 216, 14. 8. 1987, p. 3 (under IIA.6)
8. **Total quantity**: 365 tonnes (500 tonnes of cereals)
9. **Number of lots**: one
10. **Packaging and marking** (4): see list published in OJ No C 216, 14. 8. 1987, p. 3 (under II.B.2(a)):
Additional markings on the packing:
'ACTION No 15/89 / WHEAT FLOUR / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY TO GUYANA'
11. **Method of mobilization**: the Community market
12. **Stage of supply**: free at port of landing — landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Georgetown
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 15 to 31. 3. 1989 1989
18. **Deadline for the supply**: 30. 4. 1989
19. **Procedure for determining the costs of supply**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon on 28. 2. 1989
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon on 14. 3. 1989
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 1 to 15. 4. 1989
 - (c) deadline for the supply: 15. 5. 1989
22. **Amount of the tendering security**: ECU 5 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders** (5): Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, bâtiment Loi 120, bureau 7/58, 200 rue de la Loi, B-1049 Bruxelles; telex AGREC 22037 B
25. **Refund payable on request by the successful tenderer** (6): refund applicable on 15. 2. 1989, fixed by Regulation (EEC) No 217/89 (OJ No L 25, 28. 1. 1989, p. 74)

LOT B

1. Operation No (1): 16/89
2. Programme: 1988
3. Recipient: People's Republic of China
4. Representative of the recipient (2) Administration of Civil Affairs, (attention Mr Zhang Zhenliang, Director), 40 Gu Dong Lu, Gulougu, Fuzhou, Fujian Province, People's Republic of China
5. Place or country of destination: People's Republic of China
6. Product to be mobilized: common wheat
7. Characteristics and quality of the goods (3): see OJ No C 216, 14. 8. 1987, p. 3 (under II.A.1); specific characteristics: protein content 11 % minimum
8. Total quantity: 5 000 tonnes
9. Number of lots: one
10. Packaging and marking (4): see list published in OJ No C 216, 14. 8. 1987, p. 3 (under II.B.1 (a))
— marking on the bags, in letters at last 5 cm high:
'ACTION No 16/89 / SOFT WHEAT / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY'
11. Method of mobilization: the Community market
12. Stage of supply: free at destination
13. Port of shipment: —
14. Port of landing specified by the recipient: —
15. Port of landing: —
16. Address of the warehouse and, if appropriate, port of landing: port warehouse — Fuzhou
17. Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 15 to 31. 3. 1989
18. Deadline for the supply: 15. 5. 1989
19. Procedure for determining the costs of supply: tendering
20. Date of expiry of the period allowed for submission of tenders: 28. 2. 1989 at 12 noon
21. In the case of a second invitation to tender:
 - (a) deadline for the submission of tenders: 14. 3. 1989 at 12 noon
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 1 to 15. 4. 1989
 - (c) deadline for the supply: 31. 5. 1989
22. Amount of the tendering security: ECU 5 per tonne
23. Amount of the delivery security: 10 % of the amount of the tender in ecus
24. Address for submission of tenders (5): Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, Bâtiment Loi 120, bureau 7/58, 200 rue de la Loi, B-1049 Bruxelles; telex AGREC 22037 B
25. Refund payable on request by the successful tenderer (6): refund applicable on 15. 2. 1989, fixed by Regulation (EEC) No 217/89 (OJ No L 25, 28. 1. 1989, p. 74)

Notes:

- (¹) The operation number is to be quoted in all correspondence.
- (²) Commission delegate to be contacted by the successful tenderer:
- Lot A: Mr J. C. Heyraud; telex 2258 DELEG GY. Address for correspondence: Diplomatic Bag, Berlaymont 1/123, rue de la Loi 200, B-1049 Brussels;
- Lot B: Mr Pierre Duchateau, EEC Delegation, Ta Yuan Diplomatic Offices Building, Appartment No 2-6-1, Liang Ma He Nan Lu 14, Beijing; tel. 532 44 43, telex 222690 ECDEL CN, telefax 532 43 42.
- (³) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.
- The radioactivity certificate must indicate the caesium-134 and -137 levels.
- (⁴) Since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.
- (⁵) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of this Annex, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably:
- either by porter at the office referred to in point 24 of this Annex,
 - or by telecopier on one of the following numbers in Brussels:
- 235 01 32
236 10 97
235 01 30
236 20 05
- (⁶) Commission Regulation (EEC) No 2330/87 (OJ NO L 210, 1. 8. 1987) is applicable as regards the export refund and, where appropriate, the monetary and accession compensatory amounts, the representative rate and the monetary coefficient. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 25 of this Annex.
-

COMMISSION REGULATION (EEC) No 355/89**of 13 February 1989****concerning applications for export licences for products falling within CN code
1103 11 10 with advance fixing of the refund**

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

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 166/89 ⁽²⁾,

Whereas Article 9e (1) of Commission Regulation (EEC)
No 2042/75 ⁽³⁾, as last amended by Regulation (EEC) No
314/89 ⁽⁴⁾, provides until 1 July 1989 for an interval of
four working days between the day of submission of
applications and the granting of export licences with
advance fixing of the refund for durum-wheat meal falling
within CN code 1103 11 10; whereas paragraph 2 of that
Article provides that the Commission is to fix a uniform
percentage reduction in the quantities if applications for
export licences exceed the quantities which may be
exported; whereas applications for licences submitted on
10 February 1989 relate to 5 013 600 tonnes and the
maximum quantity which may be exported is 300 000

tonnes; whereas the percentage for the reduction in the
export licence applications submitted on 10 February
1989 should be fixed,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for export licences with advanced fixing of
the refund conveyed to the Commission before 11
February 1989 for durum-wheat meal falling within CN
code 1103 11 10, submitted on 10 February 1989 shall be
accepted for the tonnages indicated therein multiplied by
a coefficient of 0,06. Requests that are not conveyed to
the Commission before 11 February shall be refused.

Article 2

This Regulation shall enter into force on 14 February
1989.

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

Done at Brussels, 13 February 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 20, 25. 1. 1989, p. 16.

⁽³⁾ OJ No L 213, 11. 8. 1975, p. 5.

⁽⁴⁾ OJ No L 37, 9. 2. 1989, p. 5.

COMMISSION REGULATION (EEC) No 356/89
of 13 February 1989
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 2306/88 ⁽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 2336/88 ⁽³⁾, as last amended by Regulation (EEC) No 345/89 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2336/88 to the infor-

mation 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 14 February 1989.

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

Done at Brussels, 13 February 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 201, 27. 7. 1988, p. 65.

⁽³⁾ OJ No L 203, 28. 7. 1988, p. 22.

⁽⁴⁾ OJ No L 39, 11. 2. 1989, p. 23.

ANNEX

to the Commission Regulation of 13 February 1989 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	35,61 ⁽¹⁾
1701 11 90	35,61 ⁽¹⁾
1701 12 10	35,61 ⁽¹⁾
1701 12 90	35,61 ⁽¹⁾
1701 91 00	42,81
1701 99 10	42,81
1701 99 90	42,81 ⁽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.

⁽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.

COMMISSION REGULATION (EEC) No 357/89

of 13 February 1989

fixing for Great Britain the level of the variable slaughter premium for sheep
and the amounts to be charged on products leaving region 5

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 1837/80 of 27 June 1980 on the common organization of the market in sheepmeat and goatmeat ⁽¹⁾, as last amended by Regulation (EEC) No 1115/88 ⁽²⁾,Having regard to Commission Regulation (EEC) No 1633/84 of 8 June 1984 laying down detailed rules for applying the variable slaughter premium for sheep and repealing Regulation (EEC) No 2661/80 ⁽³⁾, as last amended by Regulation (EEC) No 3939/87 ⁽⁴⁾, and in particular Articles 3 (1) and 4 (1) thereof,

Whereas the United Kingdom is the only country which grants the variable slaughter premium, in region 5, within the meaning of Article 3 (5) of Regulation (EEC) No 1837/80; whereas it is necessary therefore for the Commission to fix, for the week beginning 23 January 1989, the level of the premium and the amount to be charged on products leaving that region;

Whereas Article 3 (1) of Regulation (EEC) No 1633/84 stipulates that the level of the variable slaughter premium is to be fixed each week by the Commission;

Whereas Article 4 (1) of Regulation (EEC) No 1633/84 lays down that the amount to be charged on products leaving region 5 shall be fixed weekly by the Commission;

Whereas in the Annex to Commission Regulation (EEC) No 1310/88 of 11 May 1988 on the application of the guarantee limitation arrangements for sheepmeat and goatmeat ⁽⁵⁾ the weekly amounts of the guide level are set out pursuant to Article 9a (3) of Regulation (EEC) No 1837/80;

Whereas, pursuant to the provisions of Article 9 (1) of Regulation (EEC) No 1837/80, for the week beginning 23

January 1989, the variable slaughter premium for sheep certified as eligible in the United Kingdom is to be in accordance with the amounts fixed in the Annexes hereto; whereas, for that week, in the light of the Judgment of the Court of Justice of 2 February 1988 in Case 61/86, the provisions of Article 9 (3) of Regulation (EEC) No 1837/80 and of Article 4 of Regulation (EEC) No 1633/84 lead to the amounts to be charged on products, leaving region 5, being fixed in accordance with those Annexes;

Whereas, as regards the controls necessary for the application of the provisions relating to the said amounts, the system of controls provided for by Regulation (EEC) No 1633/84 should be maintained without prejudice to the preparation of any more specific provisions following the abovementioned Judgment of the Court of Justice,

HAS ADOPTED THIS REGULATION:

Article 1

For sheep or sheepmeat certified as eligible in the United Kingdom in region 5, within the meaning of Article 3 (5) of Regulation (EEC) No 1837/80, for the variable slaughter premium during the week beginning 23 January 1989, the level of the premium is fixed at 160,473 ECU/100 kilograms of estimated or actual dressed carcase weight within the limits laid down by Article 1 (1) (b) of Regulation (EEC) No 1633/84.

Article 2

For products referred to in Article 1 (a) and (c) of Regulation (EEC) No 1837/80, which left the territory of region 5 during the week beginning 23 January 1989, the amounts to be charged shall be equivalent to those fixed in the Annexes hereto.

Article 3

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

It shall apply with effect from 23 January 1989.

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 36.

⁽³⁾ OJ No L 154, 9. 6. 1984, p. 27.

⁽⁴⁾ OJ No L 373, 31. 12. 1987, p. 1.

⁽⁵⁾ OJ No L 122, 12. 5. 1988, p. 69.

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

Done at Brussels, 13 February 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 13 February 1989 fixing for Great Britain the level of the variable slaughter premium for sheep and the amounts to be charged on products leaving region 5

(ECU/100 kg)

CN code	Amounts	
	A. Products qualifying for the premium specified in Article 9 of Regulation (EEC) No 1837/80	B. Products specified in Article 4 (4) of Regulation (EEC) No 1633/84 (1)
	Live weight	Live weight
0104 10 90	75,422	0
0104 20 90		0
	Net weight	Net weight
0204 10 00	160,473	0
0204 21 00	160,473	0
0204 50 11		0
0204 22 10	112,331	
0204 22 30	176,520	
0204 22 50	208,615	
0204 22 90	208,615	
0204 23 00	292,061	
0204 30 00	120,355	
0204 41 00	120,355	
0204 42 10	84,249	
0204 42 30	132,391	
0204 42 50	156,462	
0204 42 90	156,462	
0204 43 00	219,046	
0204 50 13		0
0204 50 15		0
0204 50 19		0
0204 50 31		0
0204 50 39		0
0204 50 51		0
0204 50 53		0
0204 50 55		0
0204 50 59		0
0204 50 71		0
0204 50 79		0
0210 90 11	208,615	
0210 90 19	292,061	
1602 90 71:		
— unboned (bone-in)	208,615	
— boned or boneless	292,061	

(1) Eligibility for these reduced amounts is subject to compliance with the conditions laid down in the second subparagraph of Article 5 (3) of Regulation (EEC) No 1633/84.

COMMISSION REGULATION (EEC) No 358/89

of 13 February 1989

reintroducing the preferential customs duty on imports of large-flowered roses
originating in Morocco

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 4088/87
of 21 December 1987 fixing conditions for the
application of preferential customs duties on imports of
certain flowers originating in Cyprus, Israel, Jordan and
Morocco⁽¹⁾, as amended by Regulation (EEC) No
3551/88⁽²⁾, and in particular Article 5 (2) (b) thereof,

Whereas Regulation (EEC) No 4088/87 fixes conditions
for the application of a preferential customs duty on
large-flowered roses, small-flowered roses, uniflorous
(bloom) carnations and multiflorous (spray) carnations
within the limit of tariff quotas opened annually for
imports of fresh cut flowers into the Community;

Whereas Council Regulations (EEC) No 3005/88⁽³⁾,
(EEC) No 3175/88⁽⁴⁾, (EEC) No 3552/88⁽⁵⁾ and (EEC) No
4078/88⁽⁶⁾ open and provide for the administration of
Community tariff quotas for cut flowers and flower buds,
fresh, originating in Cyprus, Jordan, Morocco and Israel
respectively;

Whereas Article 2 (3) of Regulation (EEC) No 4088/87
stipulates that the preferential customs duty shall be
reintroduced for a given product of a given origin if the
prices of the imported product (full rate customs duty not
deducted) are, for at least 70 % of the quantities for which
prices are available on representative Community import
markets, not less than 85 % of the Community producer
price for a period, calculated from the actual date of
suspension of the actual preferential customs duty,

- of two successive market days, after suspension under
Article 2 (2) (a) of that Regulation,
- of three successive market days, after suspension
under Article 2 (2) (b) of that Regulation;

Whereas Commission Regulation (EEC) No 3557/88⁽⁷⁾
fixed Community producer prices for carnations and roses
for application of the arrangements for importation from
the countries in question;

Whereas Commission Regulation (EEC) No 700/88⁽⁸⁾, as
amended by Regulation (EEC) No 3556/88⁽⁹⁾, laid down
detailed rules for the application of these arrangements;

Whereas to permit the import arrangements to function
in the normal manner prices on importation should be
calculated using

- for currencies maintained against each other within a
maximum spread at any given moment for spot rate
transactions of 2,25 % a conversion rate based on
their central rate multiplied by the correcting factor
provided for in the last subparagraph of Article 3 (1)
of Council Regulation (EEC) No 1676/85⁽¹⁰⁾, as last
amended by Regulation (EEC) No 1636/87⁽¹¹⁾,
- for other currencies a conversion rate based on the
arithmetic mean of the spot market rate of the
currency, recorded for a given period, against the
Community currencies indicated in the preceding
indent and of the aforesaid coefficient;

Whereas the preferential customs duty fixed for large-
flowered roses originating in Morocco by Regulation
(EEC) No 3552/88 was suspended by Commission
Regulation (EEC) No 53/89⁽¹²⁾;

Whereas on the basis of price recordings made as
specified in Regulations (EEC) No 4088/87 and (EEC) No
700/88 it must be concluded that the requirement for
reintroduction of the preferential customs duty laid down
in the first indent of Article 2 (3) of Regulation (EEC) No
4088/87 is met for large-flowered roses originating in
Morocco; whereas the preferential customs duty should
be reintroduced,

HAS ADOPTED THIS REGULATION:

Article 1

For imports of large-flowered roses (CN code
ex 0603 10 51) originating in Morocco the preferential
customs duty set by Regulation (EEC) No 3552/88 is
reintroduced with effect from 14 February 1989.

Article 2

This Regulation shall enter into force on 14 February
1989.

⁽¹⁾ OJ No L 382, 31. 12. 1987, p. 22.

⁽²⁾ OJ No L 311, 17. 11. 1988, p. 1.

⁽³⁾ OJ No L 271, 1. 10. 1988, p. 7.

⁽⁴⁾ OJ No L 283, 18. 10. 1988, p. 1.

⁽⁵⁾ OJ No L 311, 17. 11. 1988, p. 2.

⁽⁶⁾ OJ No L 359, 28. 12. 1988, p. 8.

⁽⁷⁾ OJ No L 311, 17. 11. 1988, p. 9.

⁽⁸⁾ OJ No L 72, 18. 3. 1988, p. 16.

⁽⁹⁾ OJ No L 311, 17. 11. 1988, p. 8.

⁽¹⁰⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽¹¹⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽¹²⁾ OJ No L 9, 12. 1. 1989, p. 19.

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

Done at Brussels, 13 February 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission
