

English edition

Legislation

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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 390/89**of 14 February 1989****suspending wholly or in part certain duties applicable by the Community of Ten to imports from Spain**

THE COUNCIL 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, and in particular Article 33 thereof,

Having regard to the proposal from the Commission,

Whereas a suspension of the customs duties applicable to certain goods resulting from the processing of agricultural products imported from Spain by the Community of Ten will encourage the integration of the Community market for these products,

HAS ADOPTED THIS REGULATION:

Article 1

The customs duties (fixed components) applicable in the Community of Ten under the Act of Accession of Spain and Portugal to the products listed in the Annex to this Regulation and imported from Spain and Portugal shall be suspended at the levels indicated in each case.

Article 2

This Regulation shall enter into force on the third day following that 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 February 1989.

For the Council

The President

C. ROMERO HERRERA

ANNEX

CN code	Description	Rate of duty (fixed component %)
1	2	3
0710	Vegetables (uncooked or cooked by steaming or by boiling in water), frozen :	
0710 40 00	— Sweet corn	free
0711	Vegetables, provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption :	
0711 90	— Other vegetables ; mixtures of vegetables :	
	— — Vegetables :	
0711 90 30	— — — Sweet corn	free
1704	Sugar confectionery (including white chocolate), not containing cocoa :	
1704 10 91	— — — Gum in strips	3,6
1704 10 99	— — — Other	3,6
1704 90	— Other :	
1704 90 30	— — White chocolate	free
	— — Other :	
1704 90 51	— — — Pastes, including marzipan, in immediate packings of a net content of 1 kg or more	free
1704 90 55	— — — Throat pastilles and cough drops	free
1704 90 61	— — — Sugar coated (panned) goods	free
	— — — Other :	
1704 90 65	— — — — Gum confectionery and jelly confectionery including fruit pastes in the form of sugar confectionery	free
1704 90 71	— — — — Boiled sweets whether or not filled	free
1704 90 75	— — — — Toffees, caramels and similar sweets	free
	— — — — Other :	
1704 90 81	— — — — — Compressed tablets	free
1704 90 99	— — — — — Other	free
1806	Chocolate and other food preparations containing cocoa :	
1806 10	— Cocoa powder, containing added sugar or other sweetening matter :	
1806 10 10	— — Containing no sucrose or containing less than 65 % by weight of sucrose (including invert sugar expressed as sucrose) or isoglucose expressed as sucrose	free
1806 10 30	— — Containing 65 % or more but less than 80 % by weight of sucrose (including invert sugar expressed as sucrose) or isoglucose expressed as sucrose	free
1806 10 90	— — Containing 80 % or more by weight of sucrose (including invert sugar expressed as sucrose) or isoglucose expressed as sucrose	free
1806 20	— Other preparations in blocks, slabs or bars weighing more than 2 kg or in liquid, paste, powder, granular or other bulk form in containers or immediate packings, of a content exceeding 2 kg :	
1806 20 10	— — Containing 31 % or more by weight of cocoa butter or containing a combined weight of 31 % or more of cocoa butter and milk fat	free
1806 20 30	— — Containing a combined weight of 25 % or more, but less than 31 % of cocoa butter and milk fat	free

CN code	Description	Rate of duty (fixed component %)
1	2	3
	-- Other :	
1806 20 50	-- -- Containing 18 % or more weight or cocoa butter	free
1806 20 70	-- -- Chocolate milk crumb	free
1806 20 90	-- -- Other	free
	-- Other in blocks, slabs or bars :	
1806 31 00	-- filled	free
1806 32	-- Not filled :	
1806 32 10	-- -- With added cereal, fruit or nuts	free
1806 32 90	-- -- Other	free
1806 90	-- Other :	
	-- Chocolate and chocolate products :	
	-- -- Chocolates, whether or not filled :	
1806 90 11	-- -- -- Containing alcohol	free
1806 90 19	-- -- -- Other	free
	-- -- -- Other :	
1806 90 31	-- -- -- Filled	free
1806 90 39	-- -- -- Not filled	free
1806 90 50	-- Sugar confectionery and substitutes therefor made from sugar substitution products, containing cocoa	free
1806 90 60	-- Spreads containing cocoa	free
1806 90 70	-- Preparations containing cocoa for making beverages	free
1806 90 90	-- Other	free
1905	Bread, pastry, cakes, biscuits and other bakers' wares, whether or not containing cocoa ; communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products :	
1905 20	-- Gingerbread and the like :	
1905 20 10	-- -- Containing by weight of sucrose less than 30 % (including invert sugar expressed as sucrose)	4,7
1905 20 30	-- -- Containing by weight of sucrose 30 % or more but less than 50 % (including invert sugar expressed as sucrose)	4,7
1905 20 90	-- -- Containing by weight of sucrose 50 % or more (including invert sugar expressed as sucrose)	4,7
1905 30	-- Sweet biscuits : waffles and wafers :	
	-- -- Completely or partially coated or covered with chocolate or other preparations containing cocoa :	
1905 30 11	-- -- -- In immediate packings of a net content not exceeding 85 g	4,7
1905 30 19	-- -- -- Other	4,7
	-- -- Other :	
	-- -- -- Sweet biscuits :	
1905 30 30	-- -- -- -- Containing 8 % or more weight or milkfats	4,7
	-- -- -- -- Other :	
1905 30 51	-- -- -- -- Sandwich biscuits	4,7
1905 30 59	-- -- -- -- Other	4,7
	-- -- -- Waffles and wafers :	
1905 30 91	-- -- -- -- Salted, whether or not filled	4,1
1905 30 99	-- -- -- -- Other	4,1
1905 90	-- Other :	
	-- -- Other :	
1905 90 40	-- -- -- Waffles and wafers with a water content exceeding 10 % by weight	4,1
1905 90 50	-- -- -- Biscuits, extruded or expanded products, savoury or salted	4,1

CN code	Description	Rate of duty (fixed component %)
1	2	3
1905 90 60	- - - Other : - - - - With added sweetening matter	4,7
1905 90 90	- - - - Other	4,1
2001	Vegetables, fruit, nuts and other edible parts of plants, prepared or preserved by vinegar or acetic acid :	
2001 90	- Other :	
2001 90 30	- - Sweet corn (<i>Zea mays</i> var. <i>saccharata</i>)	free
2004	Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, frozen :	
2004 90	- Other vegetables and mixtures of vegetables :	
2004 90 10	- - Sweet corn (<i>Zea mays</i> var. <i>saccharata</i>)	free
2005	Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, not frozen :	
2005 80 00	- Sweet corn (<i>Zea mays</i> var. <i>saccharata</i>)	free
2008	Fruit, nuts and other edible parts of plants, otherwise prepared or preserved, whether or not containing added sugar or other sweetening matter or spirit, not elsewhere specified or included :	
2008 99	- Other, including mixtures other than those of subheading 2008 19	
2008 99	- - Other :	
2008 99 85	- - - Not containing added spirit :	
2008 99 85	- - - - Not containing added sugar :	
2008 99 85	- - - - - Maize (corn), other than sweet corn (<i>Zea mays</i> var. <i>saccharata</i>)	free
2102	Yeasts (active or inactive); other single-cell micro-organisms, dead (but including vaccines of heading No 3002); prepared baking powders :	
2102 10	- Active yeasts :	
2102 10 31	- - Bakers' yeast :	
2102 10 31	- - - Dried	free
2102 10 39	- - - Other	free

COMMISSION REGULATION (EEC) No 391/89

of 16 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 15 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 17 February 1989.

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

Done at Brussels, 16 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. 96.

ANNEX

to the Commission Regulation of 16 February 1989 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	20,50	125,59
0712 90 19	20,50	125,59
1001 10 10	53,13	170,34 ⁽¹⁾ ⁽²⁾
1001 10 90	53,13	170,34 ⁽¹⁾ ⁽²⁾
1001 90 91	30,85	118,41
1001 90 99	30,85	118,41
1002 00 00	58,63	112,23 ⁽³⁾
1003 00 10	49,19	119,38
1003 00 90	49,19	119,38
1004 00 10	40,25	75,46
1004 00 90	40,25	75,46
1005 10 90	20,50	125,59 ⁽³⁾ ⁽²⁾
1005 90 00	20,50	125,59 ⁽³⁾ ⁽²⁾
1007 00 90	43,84	137,31 ⁽⁴⁾
1008 10 00	49,19	24,22
1008 20 00	49,19	58,95 ⁽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	179,96
1102 10 00	96,27	171,31
1103 11 10	95,80	277,47
1103 11 90	60,70	193,09

- (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 392/89

of 16 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 15 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 17 February 1989.

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

Done at Brussels, 16 February 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 281, 11. 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 16 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	0,16	0,16	0
0712 90 19	0	0,16	0,16	0
1001 10 10	0	0	0	8,88
1001 10 90	0	0	0	8,88
1001 90 91	0	0	0	0,98
1001 90 99	0	0	0	0,98
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	0,16	0,16	0
1005 90 00	0	0,16	0,16	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	1,37

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	1,74	- 1,74
1107 10 19	0	0	0	1,30	1,30
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 393/89

of 16 February 1989

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 2210/88⁽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⁾ 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 13 and 14 February 1989 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 17 February 1989.

⁽¹³⁾ OJ No L 331, 28. 11. 1978, p. 6.⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.⁽²⁾ OJ No L 197, 26. 7. 1988, p. 1.⁽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.

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

Done at Brussels, 16 February 1989.

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	75,00 ⁽¹⁾
1510 00 90	119,00 ⁽²⁾

⁽¹⁾ For imports of oil falling within this subheading 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 subheading:

- (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 subheading:

- (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	6,00

COMMISSION REGULATION (EEC) No 394/89

of 16 February 1989

fixing the maximum tolerance for quantity losses as a result of the public storage of ethyl alcohol of vinous origin

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3247/81 of 9 November 1981 on the financing by the European Agricultural Guidance and Guarantee Fund, Guarantee Section, of certain intervention measures, particularly those involving the buying-in, storage and sale of agricultural products by intervention agencies⁽¹⁾, as last amended by Regulation (EEC) No 2632/85⁽²⁾, and in particular Article 3 (1) thereof,

Whereas Article 3 of Regulation (EEC) No 3247/81 provides that beyond a maximum tolerance to be fixed, the value of quantity losses is to be borne by the intervention agencies; whereas the quantity losses relate both to quantities entering storage during the financial year in question and to those in storage at the beginning of that financial year;

Whereas the tolerance must be calculated on the basis of the normal preservation of ethyl alcohol of vinous origin; whereas that tolerance should accordingly be the strictest possible and it should be identical throughout the Community;

Whereas, to determine the tolerance required, the simplest way is to express it as a percentage of the quantity of alcohol in storage;

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

HAS ADOPTED THIS REGULATION:

Article 1

The tolerance provided for in Article 3 (1) of Regulation (EEC) No 3247/81 for ethyl alcohol of vinous origin shall be 7,5‰ of quantities in storage at the end of the financial year.

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 with effect from 1 January 1987.

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

Done at Brussels, 16 February 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 327, 14. 11. 1981, p. 1.

⁽²⁾ OJ No L 251, 20. 9. 1985, p. 1.

COMMISSION REGULATION (EEC) No 395/89

of 16 February 1989

opening an invitation to tender for the refund for the export of common wheat to the Soviet Union

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⁾,Having regard to Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds⁽³⁾, and in particular Article 5 thereof,

Whereas, in view of the current situation on the cereals market, an invitation should be opened in respect of common wheat to tender for the export refund provided for in Article 5 of Regulation (EEC) No 2746/75; whereas, in order to ensure supply, the invitation to tender for export should be limited to the Soviet Union;

Whereas the detailed procedural rules governing invitations to tender are, as regards the fixing of the export refund, laid down by Commission Regulation (EEC) No 279/75⁽⁴⁾, as last amended by Regulation (EEC) No 2788/86⁽⁵⁾; whereas the commitments on the part of the tenderer include an obligation to lodge an application for an export licence; whereas compliance with this obligation may be ensured by requiring tenderers to lodge a tendering security of ECU 12 per tonne when they submit their tenders;

Whereas, in order to ensure that all those concerned are treated equally, it is necessary to lay down that the period of validity of the licences issued should be identical;

Whereas, since the interested parties are already aware of the terms of the invitation, a derogation may be made from the provisions of Regulation (EEC) No 279/75 on the period that must elapse between the date of publication and the first closing date for the submission of tenders;

Whereas, in order to ensure the smooth operation of the present tendering procedure, it is appropriate to prescribe a minimum quantity to be tendered for and a time limit and form for the communication of tenders submitted to the competent authorities;

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

1. Tenders shall be invited for the export refund provided for in Article 5 of Regulation (EEC) No 2746/75.
2. The invitation to tender shall relate to common wheat for export to the Soviet Union.
3. The invitation shall remain open until 16 March 1989. During this period weekly awards shall be made, for which the quantities and the time limits for the submission of tenders shall be as prescribed in the notice of invitation to tender.

By way of derogation from Article 1 (2) of Regulation (EEC) No 279/75, the time limit for submission of tenders under the first partial invitation to tender shall expire on 23 February 1989.

Article 2

Tenders shall be valid only if:

- they relate to not less than 100 000 tonnes,
- they are accompanied by an application for advance fixing of the monetary compensatory amount.

Article 3

The security referred to in Article 3 of Regulation (EEC) No 279/75 shall be ECU 12 per tonne.

Article 4

1. Notwithstanding Article 21 (1) of Commission Regulation (EEC) No 3183/80⁽⁶⁾, export licences issued pursuant to Article 8 (1) of Regulation (EEC) No 279/75 shall, for the purpose of determining their period of validity, be deemed to have been issued on the day on which the tender was submitted.

2. Export licences issued in connection with the invitation to tender pursuant to this Regulation shall be valid from their date of issue, as defined in paragraph 1, until the end of the fourth month following that of issue.

3. For the purposes of applying paragraph 2, licences issued in connection with this invitation to tender shall bear, in space 19, a statement of the last day of validity calculated in accordance with the provisions of the first subparagraph of paragraph 2.

⁽⁶⁾ OJ No L 338, 13. 12. 1980, p. 1.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 20, 25. 1. 1989, p. 16.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 31, 5. 2. 1975, p. 8.

⁽⁵⁾ OJ No L 257, 10. 9. 1986, p. 32.

Article 5

1. Notwithstanding Article 5 of Regulation (EEC) No 279/75, the Commission shall decide, under the procedure laid down in Article 26 of Regulation (EEC) No 2727/75 :

- to fix a maximum export refund, taking account in particular of the criteria laid down in Articles 2 and 3 of Regulation (EEC) No 2746/75, or
- to make no award.

2. Where a maximum export refund is fixed, a contract shall be awarded to any tenderer whose tender indicates a rate of refund equal to or less than such maximum export refund.

Article 6

Tenders submitted must reach the Commission through the intermediary Member States, at the latest one and a half hours after expiry of the period for the weekly

submission of tenders as specified in the notice of invitation to tender. They must be communicated in the form indicated in Annex.

If no tenders are received, Member States shall inform the Commission of this within the time limit indicated in the preceding paragraph.

Article 7

The time limits fixed for the submission of tenders shall correspond to Belgian time.

Article 8

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, 16 February 1989.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX

Weekly tender for the refund for the export of common wheat to the Soviet Union

(Regulation (EEC) No 395/89)

(Closing date for the submission of tenders (date/time))

1	2	3
Number of tenderer	Quantity in tonnes	Amount of export refund in ecus per tonne
1		
2		
3		
etc.		

COMMISSION REGULATION (EEC) No 396/89

of 16 February 1989

introducing a countervailing charge on cucumbers originating in 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 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 2238/88⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Article 25 (1) of Regulation (EEC) No 1035/72 provides that, if the entry price of a product imported from a third country remains at least 0,6 ECU below the reference price for two consecutive market days, a countervailing charge must be introduced in respect of the exporting country concerned, save in exceptional circumstances; whereas this charge is equal to the difference between the reference price and the arithmetic mean of the last two entry prices available for that exporting country;

Whereas Commission Regulation (EEC) No 291/89 of 3 February 1989 fixing for the 1989 marketing year the reference prices for cucumbers⁽³⁾ fixed the reference price for products of class I at 143,36 ECU for the period 11 to 20 February 1989 per 100 kilograms net;

Whereas the entry price for a given exporting country is equal to the lowest representative prices recorded for at least 30 % of the quantities from the exporting country concerned which are marketed on all representative markets for which prices are available less the duties and the charges indicated in Article 24 (3) of Regulation (EEC) No 1035/72; whereas the meaning of representative price is defined in Article 24 (2) of Regulation (EEC) No 1035/72;

Whereas, in accordance with Article 3 (1) of Regulation (EEC) No 2118/74⁽⁴⁾, as last amended by Regulation (EEC) No 3811/85⁽⁵⁾, the prices to be taken into consideration must be recorded on the representative markets or, in certain circumstances, on other markets; whereas it is necessary to multiply the prices with the coefficient fixed in the second indent of Article 1 (2) of Regulation (EEC) No 291/89;

Whereas, for cucumbers originating in Spain (except the Canary Islands) the entry price calculated in this way has remained at least 0,6 ECU below the reference price for two consecutive market days; whereas a countervailing charge should therefore be introduced for these cucumbers;

Whereas, if the system is to operate normally, the entry price 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⁽⁶⁾ as last amended by Regulation (EEC) No 1636/87⁽⁷⁾,
- 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, pursuant to Article 136 (2) of the Act of Accession of Spain and Portugal, the arrangements applicable to trade between, on the one hand, a new Member State and, on the other, the Community as constituted at 31 December 1985, must be those which were applicable before accession;

Whereas Article 140 (1) provides for a 8 % reduction in the countervailing charges applicable under Regulation (EEC) No 1035/72 during the fourth year after accession,

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of ECU 5,58 per 100 kilograms net is applied to cucumbers (CN codes 0707 00 11 and 0707 00 19) originating in Spain (except the Canary Islands).

Article 2

This Regulation shall enter into force on 18 February 1989.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 198, 26. 7. 1988, p. 1.

⁽³⁾ OJ No L 33, 4. 2. 1989, p. 29.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ 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, 16 February 1989.

For the Commission
Ray MAC SHARRY
Member of the Commission

COMMISSION REGULATION (EEC) No 397/89

of 16 February 1989

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 Regulation No 136/66/EEC of the Council 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 2210/88 ⁽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 275/89 ⁽⁴⁾,

Having regard to Regulation (EEC) No 1569/72 of the Council 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 250/89 ⁽⁷⁾, as last amended by Regulation (EEC) No 329/89 ⁽⁸⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 250/89 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;

Whereas, in the absence of the target price for the 1989/90 marketing year for colza and rape seed, the abatement of the subsidy from the system of maximum guaranteed quantities, the amount of the subsidy in the

case of advance fixing for this period for colza and rape seed has been obtainable only provisionally on the basis of the latest proposals from the Commission to the Council on price and abatement; whereas this amount may, therefore, be applied on a temporary basis and should be confirmed or replaced when the indicative prices and where appropriate, the effects of the application of the system of maximum guaranteed quantities of the 1989/90 marketing year are known,

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 ⁽⁹⁾ 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 ⁽¹⁰⁾ 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 ⁽¹¹⁾ 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 1989/90 marketing year for colza and rape will be confirmed or replaced as from 17 February 1989 to take into account the target price, and where appropriate, the effects of the application of the system of maximum guaranteed quantities for colza and rape seed.

Article 2

This Regulation shall enter into force on 17 February 1989.

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

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 1.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁴⁾ OJ No L 32, 3. 2. 1989, 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 30, 1. 2. 1989, p. 33.

⁽⁸⁾ OJ No L 38, 10. 2. 1989, p. 22.

⁽⁹⁾ OJ No L 266, 28. 9. 1983, p. 1.

⁽¹⁰⁾ OJ No L 53, 1. 3. 1986, p. 47.

⁽¹¹⁾ OJ No L 183, 3. 7. 1987, p. 18.

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

Done at Brussels, 16 February 1989.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX I

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

(amounts per 100 kg)

	Current 2	1st period 3	2nd period 4	3rd period 5	4th period 6	5th period 7 ⁽¹⁾
1. Gross aids (ECU):						
— Spain	0,580	0,580	0,580	0,580	0,580	1,170
— Portugal	0,000	0,000	0,000	0,000	0,000	0,000
— Other Member States	20,719	20,794	20,950	21,187	21,106	18,800
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	49,30	49,48	49,85	50,41	50,22	44,90
— Netherlands (Fl)	55,02	55,22	55,63	56,26	56,05	50,05
— BLEU (Bfrs/Lfrs)	1 000,46	1 004,08	1 011,61	1 023,05	1 019,14	907,79
— France (FF)	152,07	152,58	153,73	155,51	154,88	137,93
— Denmark (Dkr)	181,52	182,16	183,53	185,62	184,90	164,69
— Ireland (£ Irl)	16,914	16,971	17,098	17,296	17,226	15,341
— United Kingdom (£)	13,341	13,384	13,484	13,641	13,584	12,032
— Italy (Lit)	32 760	32 870	33 070	33 356	33 218	29 334
— Greece (Dr)	2 539,99	2 543,67	2 547,99	2 565,68	2 549,94	2 204,58
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	89,44	89,44	89,44	89,44	89,44	180,43
— in another Member State (Pta)	3 276,38	3 290,17	3 310,92	3 337,93	3 326,19	3 014,49
(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)	4 473,15	4 486,44	4 511,54	4 544,53	4 528,94	4 067,92

⁽¹⁾ Subject in the case of advance fixing for the 1989/90 marketing year to the adoption of prices and measures and where appropriate, the effects of the application of the system of maximum guaranteed quantities.

ANNEX II

Aids to colza and rape seed 'double zero'

(amounts per 100 kg)

	Current 2	1st period 3	2nd period 4	3rd period 5	4th period 6	5th period 7 ⁽¹⁾
1. Gross aids (ECU):						
— Spain	3,080	3,080	3,080	3,080	3,080	3,670
— Portugal	2,500	2,500	2,500	2,500	2,500	2,500
— Other Member States	23,219	23,294	23,450	23,687	23,606	21,300
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	55,20	55,38	55,75	56,31	56,12	50,80
— Netherlands (Fl)	61,64	61,84	62,25	62,88	62,66	56,67
— BLEU (Bfrs/Lfrs)	1 121,17	1 124,80	1 132,33	1 143,77	1 139,86	1 028,51
— France (FF)	171,03	171,54	172,69	174,47	173,84	156,89
— Denmark (Dkr)	203,62	204,27	205,63	207,72	207,00	186,79
— Ireland (£ Irl)	19,023	19,080	19,208	19,406	19,335	17,451
— United Kingdom (£)	15,028	15,072	15,172	15,329	15,271	13,719
— Italy (Lit)	36 848	36 958	37 158	37 444	37 306	33 422
— Greece (Dr)	2 930,04	2 933,72	2 938,04	2 955,73	2 939,99	2 594,63
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	474,98	474,98	474,98	474,98	474,98	565,96
— in another Member State (Pta)	3 661,91	3 675,70	3 696,45	3 723,46	3 711,73	3 400,03
(c) Seed harvested in Portugal and processed:						
— in Portugal (Esc)	470,02	470,02	470,02	470,02	470,02	470,02
— in another Member State (Esc)	4 943,16	4 956,45	4 981,56	5 014,55	4 998,96	4 537,94

⁽¹⁾ Subject in the case of advance fixing for the 1989/90 marketing year to the adoption of prices and measures and where appropriate, the effects of the application of the system of maximum guaranteed quantities.

ANNEX III

Aids to sunflower seed

(amounts per 100 kg)

	Current 2	1st period 3	2nd period 4	3rd period 5	4th period 6
1. Gross aids (ECU):					
— Spain	5,170	5,170	5,170	5,170	5,170
— Portugal	0,000	0,000	0,000	0,000	0,000
— Other Member States	24,624	24,935	25,380	25,460	25,460
2. Final aids:					
(a) Seed harvested and processed in (!):					
— Federal Republic of Germany (DM)	58,54	59,28	60,32	60,52	60,52
— Netherlands (Fl)	65,37	66,19	67,37	67,58	67,58
— BLEU (Bfrs/Lfrs)	1 189,02	1 204,03	1 225,52	1 229,38	1 229,38
— France (FF)	181,38	183,73	187,13	187,67	187,67
— Denmark (Dkr)	215,94	218,69	222,63	223,32	223,32
— Ireland (£ Irl)	20,175	20,436	20,814	20,874	20,874
— United Kingdom (£)	15,938	16,146	16,450	16,493	16,493
— Italy (Lit)	39 078	39 584	40 268	40 280	40 280
— Greece (Dr)	3 107,31	3 154,42	3 211,81	3 196,22	3 196,22
(b) Seed harvested in Spain and processed:					
— in Spain (Pta)	797,28	797,28	797,28	797,28	797,28
— in another Member State (Pta)	3 920,88	3 969,23	4 032,01	4 036,43	4 036,43
(c) Seed harvested in Portugal and processed:					
— in Portugal (Esc)	0,00	0,00	0,00	0,00	0,00
— in Spain (Esc)	6 905,56	6 965,41	7 047,78	7 050,29	7 050,29
— in another Member State (Esc)	6 730,07	6 788,39	6 868,67	6 871,12	6 871,12
3. Compensatory aids:					
— in Spain (Pta)	3 874,61	3 922,19	3 985,74	3 990,63	3 990,63
4. Special aid:					
— in Portugal (Esc)	6 730,07	6 788,39	6 868,67	6 871,12	6 871,12

(!) 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 1,0260760.

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 1 ECU)

	Current 2	1st period 3	2nd period 4	3rd period 5	4th period 6	5th period 7
DM	2,086860	2,083810	2,080480	2,077320	2,077320	2,068160
Fl	2,356410	2,353720	2,350720	2,347630	2,347630	2,338220
Bfrs/Lfrs	43,729900	43,709100	43,698000	43,691299	43,691299	43,647000
FF	7,102320	7,107090	7,112880	7,118110	7,118110	7,132450
Dkr	8,106170	8,105260	8,105550	8,105850	8,105850	8,108220
£Irl	0,780779	0,779892	0,779436	0,779480	0,779480	0,779639
£	0,638270	0,639368	0,640467	0,641536	0,641536	0,645069
Lit	1 522,29	1 527,18	1 532,17	1 536,89	1 536,89	1 550,24
Dr	173,24400	174,05900	174,97200	175,95700	175,95700	180,02500
Esc	171,05200	171,49200	172,08500	172,62600	172,62600	174,64000
Pta	130,74600	131,12800	131,60600	132,04800	132,04800	133,39400

COMMISSION REGULATION (EEC) No 398/89
of 16 February 1989

fixing the amounts to be levied in the beef sector on products which left the United Kingdom during the week 30 January to 5 February 1989

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

Having regard to Council Regulation (EEC) No 1347/86 of 6 May 1986 on the granting of a premium for the slaughter of certain adult bovine animals in the United Kingdom ⁽¹⁾, as amended by Regulation (EEC) No 467/87 ⁽²⁾,

Having regard to Commission Regulation (EEC) No 1695/86 of 30 May 1986 laying down detailed rules for the application of the premium for the slaughter of certain adult bovine animals for slaughter in the United Kingdom ⁽³⁾, as amended by Regulation (EEC) No 3988/87 ⁽⁴⁾, and in particular Article 7 (1) thereof,

Whereas, under Article 3 of Regulation (EEC) No 1347/86, an amount equivalent to the amount of the variable slaughter premium granted in the United Kingdom is levied on meat and meat preparations from animals on which it has been paid, when they are consigned to other Member States or to non-member countries;

Whereas, under Article 7 (1) of Regulation (EEC) No 1695/86 the amounts to be charged on departure from the territory of the United Kingdom of the products listed

in the Annex to the said Regulation must be fixed each week by the Commission;

Whereas, accordingly, the amounts to be levied on products which left the United Kingdom during the week 30 January to 5 February 1989 should be fixed,

HAS ADOPTED THIS REGULATION:

Article 1

Pursuant to Article 3 of amended Regulation (EEC) No 1347/86, the amounts to be levied on the products referred to in Article 7 (1) of Regulation (EEC) No 1695/86 which left the territory of the United Kingdom during the week 30 January to 5 February 1989 shall be those set out in the Annex.

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 with effect from 30 January 1989.

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

Done at Brussels, 16 February 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 119, 8. 5. 1986, p. 40.

⁽²⁾ OJ No L 48, 17. 2. 1987, p. 1.

⁽³⁾ OJ No L 146, 31. 5. 1986, p. 56.

⁽⁴⁾ OJ No L 376, 31. 12. 1987, p. 31.

ANNEX

to the Commission Regulation of 16 February 1989 fixing the amounts to be levied in the beef sector on products which left the United Kingdom during the week 30 January to 5 February 1989

<i>(ECU/100 kg net weight)</i>	
CN code	Amount
0201 10 10	26,26474
0201 10 90	26,26474
0201 20 21	26,26474
0201 20 29	26,26474
0201 20 31	21,01179
0201 20 39	21,01179
0201 20 51	31,51769
0201 20 59	31,51769
0201 20 90	21,01179
0201 30 00	35,98269
0202 10 00	26,26474
0202 20 10	26,26474
0202 20 30	21,01179
0202 20 50	31,51769
0202 20 90	21,01179
0202 30 10	35,98269
0202 30 50	35,98269
0202 30 90	35,98269
0206 10 95	35,98269
0206 29 91	35,98269
0210 20 10	21,01179
0210 20 90	29,94180
0210 90 41	29,94180
1602 50 10 (*)	29,94180
1602 50 10 (?)	21,01179

(*) Containing 80 % or more by weight of beef meat.

(?) Other.

COMMISSION REGULATION (EEC) No 399/89
of 16 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 388/89 ⁽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 17 February 1989.

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

Done at Brussels, 16 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 44, 16. 2. 1989, p. 38.

ANNEX

to the Commission Regulation of 16 February 1989 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	35,56 ⁽¹⁾
1701 11 90	35,56 ⁽¹⁾
1701 12 10	35,56 ⁽¹⁾
1701 12 90	35,56 ⁽¹⁾
1701 91 00	42,52
1701 99 10	42,52
1701 99 90	42,52 ⁽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 400/89

of 16 February 1989

altering the basic amount of the import levies on syrups and certain other products in the sugar sector

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 syrups and certain other sugar products were fixed by Commission Regulation (EEC) No 237/89⁽³⁾, as amended by Regulation (EEC) No 268/89⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 237/89 to the informa-

tion known to the Commission that the basic amount of the levy on syrups and certain other sugar products at present in force should be altered,

HAS ADOPTED THIS REGULATION:

Article 1

The basic amounts of the import levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81, as fixed in the Annex to amended Regulation (EEC) No 237/89 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 17 February 1989.

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

Done at Brussels, 16 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 30, 1. 2. 1989, p. 5.⁽⁴⁾ OJ No L 31, 2. 2. 1989, p. 18.

ANNEX

to the Commission Regulation of 16 February 1989 altering the basic amount of the import levies on syrups and certain other products in the sugar sector.

(ECU)

CN code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question	Amount of levy per 100 kg of dry matter
1702 20 10	0,4252	—
1702 20 90	0,4252	—
1702 30 10	—	54,23
1702 40 10	—	54,23
1702 60 10	—	54,23
1702 60 90	0,4252	—
1702 90 30	—	54,23
1702 90 60	0,4252	—
1702 90 71	0,4252	—
1702 90 90	0,4252	—
2106 90 30	—	54,23
2106 90 59	0,4252	—

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 18 January 1989

authorizing the Italian Republic to apply intra-Community surveillance to imports of textile products falling within category 3, originating in Pakistan, which have been put into free circulation in the Community

(Only the Italian text is authentic)

(89/119/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the first paragraph of Article 115 thereof,

Having regard to Commission Decision 87/433/EEC of 22 July 1987 on surveillance and protective measures which Member States may be authorized to take pursuant to Article 115 of the EEC Treaty⁽¹⁾, and in particular Articles 1 and 2 thereof;

Whereas Decision 87/433/EEC requires Member States to have prior authorization from the Commission before introducing intra-Community surveillance of imports covered by that Decision;

Whereas, under Commission Regulation (EEC) No 2955/87 of 1 October 1987⁽²⁾, the import into Italy of textile products falling within category 3, originating in Pakistan, is subject to quantitative limits from 1987 to 1991;

Whereas a request was made under Article 2 of Decision 87/433/EEC by the Italian Government to the Commission of the European Communities for authorization to introduce intra-Community surveillance for textile products falling within category 3, originating in Pakistan and put into free circulation in the Community;

Whereas the information given by the Italian authorities in support of this request has been examined closely by the Commission, in accordance with the criteria laid down in Decision 87/433/EEC;

Whereas the Commission examined in particular whether, during the reference years set out in Decision 87/433/EEC, significant imports have been realized in the Member States, originating in other Member States;

Whereas this examination has shown that the conditions for the application of surveillance measures in respect of the products in question do exist;

Whereas, therefore, Italy should be authorized to make the imports concerned subject to prior intra-Community surveillance until 31 December 1989,

HAS ADOPTED THIS DECISION:

Article 1

The Italian Republic is hereby authorized to introduce, until 31 December 1989, and in accordance with Decision 87/433/EEC, intra-Community surveillance of imports of textile products of category 3 originating in Pakistan.

Article 2

This Decision is addressed to the Italian Republic.

Done at Brussels, 18 January 1989.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 238, 21. 8. 1987, p. 26.

⁽²⁾ OJ No L 279, 2. 10. 1987, p. 8.

COMMISSION DECISION

of 26 January 1989

approving a specific programme for the processing and marketing of seeds notified by the Greek Government pursuant to Council Regulation (EEC) No 355/77

(Only the Greek text is authentic)

(89/120/EEC)

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

Having regard to Council Regulation (EEC) No 355/77 of 15 February 1977 on common measures to improve the conditions under which agricultural and fishery products are processed and marketed⁽¹⁾, as last amended by Regulation (EEC) No 1760/87 of 15 June 1987⁽²⁾, and in particular Article 5 thereof,

Whereas on 18 March 1988 the Greek Government forwarded a specific programme concerning the seeds sector;

Whereas the aim of this specific programme is to rationalize and adapt the processing and marketing of seeds so as to increase the competitiveness of the sector and add value to its production; whereas it therefore constitutes a programme within the meaning of Article 2 of Regulation (EEC) No 355/77;

Whereas this programme contains sufficient information as prescribed by Article 3 of Council Regulation (EEC) No 355/77 to show that the aims set out in Article 1 of that Regulation can be achieved in the seeds sector in Greece;

Whereas the estimated time required for implementation of this programme does not exceed the period mentioned in Article 3 (1) (g) of the Regulation;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Agricultural Structures,

HAS ADOPTED THIS DECISION:

Article 1

1. The programme for the seeds sector submitted by the Greek Government on 18 March is hereby approved.

Article 2

This Decision is addressed to Greece.

Done at Brussels, 26 January 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 51, 23. 2. 1977, p. 1.

⁽²⁾ OJ No L 167, 26. 6. 1987, p. 1.

COMMISSION DECISION

of 26 January 1989

approving a specific programme for the processing and marketing of table olives notified by the Spanish Government pursuant to Council Regulation (EEC) No 355/77

(Only the Spanish Text is authentic)

(89/121/EEC)

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

Having regard to Council Regulation (EEC) No 355/77 of 15 February 1977 on common measures to improve the conditions under which agricultural and fishery products are processed and marketed⁽¹⁾, as last amended by Regulation (EEC) No 1760/87⁽²⁾, and in particular Article 5 thereof;

Whereas on 14 December 1987 the Spanish Government forwarded a specific programme concerning the processing and marketing of table olives and submitted supplementary information on 4 August and 27 September 1988;

Whereas the aim of this specific programme is to rationalize and adapt the processing and marketing of table olives in Spain so as to increase the competitiveness of the sector and add value to its production; whereas it therefore constitutes a programme within the meaning of Article 2 of Regulation (EEC) No 355/77;

Whereas this programme contains sufficient information as prescribed by Article 3 of Regulation (EEC) No 355/77 to show that the aims set out in Article 1 of that Regulation can be achieved in the table olives sector in Spain;

Whereas the estimated time required for implementation of this programme does not exceed the period mentioned in Article 3 (1) (g) of the abovementioned Regulation;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Agricultural Structures,

HAS ADOPTED THIS DECISION:

Article 1

The programme for the table olive sector submitted by the Spanish Government on 14 December 1987, concerning which further particulars were provided on 4 August and 27 September 1988 pursuant to Council Regulation (EEC) No 355/77 is hereby approved.

Article 2

This Decision is addressed to Spain.

Done at Brussels, 26 January 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 51, 23. 2. 1977, p. 1.

⁽²⁾ OJ No L 167, 26. 6. 1987, p. 1.

COMMISSION DECISION

of 26 January 1989

approving the second specific programme for the storage, processing and marketing of leaf tobacco notified by the Greek Government pursuant to Council Regulation (EEC) No 355/77

(Only the Greek text is authentic)

(89/122/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 355/77 of 15 February 1977 on common measures to improve the conditions under which agricultural and fishery products are processed and marketed⁽¹⁾, as last amended by Regulation (EEC) No 1760/87⁽²⁾, and in particular Article 5 thereof,

Whereas on 7 April 1988 the Greek Government forwarded a specific programme concerning the storage, processing and marketing of leaf tobacco;

Whereas the aim of this programme is to rationalize and adapt the processing, storage and marketing of leaf tobacco in Greece so as to increase the competitiveness of the sector and add value to its production; whereas it therefore constitutes a programme within the meaning of Article 2 of Regulation (EEC) No 355/77;

Whereas approval of this programme cannot include investments which would result in any increase in the output of oriental varieties of tobacco;

Whereas this programme contains sufficient information as prescribed by Article 3 of Council Regulation (EEC) No 355/77 to show that the aims set out in Article 1 of that Regulation can be achieved in the leaf tobacco sector in Greece;

Whereas the estimated time required for implementation of this programme does not exceed the period mentioned in Article 3 (1) (g) of the abovementioned Regulation;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Agricultural Structures,

HAS ADOPTED THIS DECISION:

Article 1

1. The second programme for the leaf tobacco sector submitted by the Greek Government on 7 April 1988 is hereby approved.
2. Such approval does not extend to investments which would result in any increase in the output of oriental varieties of tobacco.

Article 2

This Decision is addressed to Greece.

Done at Brussels, 26 January 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 51, 23. 2. 1977, p. 1.⁽²⁾ OJ No L 167, 26. 6. 1987, p. 1.

COMMISSION DECISION

of 26 January 1989

approving a specific programme for the cattle, beef, poultry and eggs sector in the autonomous region of the Azores notified by the Portuguese Government pursuant to Council Regulation (EEC) No 355/77

(Only the Portuguese text is authentic)

(89/123/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 355/77 of 15 February 1977 on the common measures to improve the conditions under which agricultural and fishery products are processed and marketed⁽¹⁾, as last amended by Regulation (EEC) No 1760/87⁽²⁾, and in particular Article 5 thereof;

Whereas on 30 October 1987 the Portuguese Government forwarded a specific programme concerning the meat sector in the autonomous region of the Azores and submitted supplementary information on 1 July 1988;

Whereas the aim of this specific programme is to rationalize and adapt the marketing and processing of live animals, their meat, processed products and eggs so as to increase the competitiveness of the sector and add value to its production; whereas it therefore constitutes a programme within the meaning of Article 2 of Regulation (EEC) no 355/77;

Whereas in view of the inexistence of some types of installations (egg grading and packing), the distance between the Islands, and between those and the Continent, it would be appropriate to amplify point B.2.12(a) of the Commission criteria for the choice of projects to be financed under Regulation (EEC) No 355/77⁽³⁾ to allow the programme to include investments involving increases in poultrymeat slaughtering capacity and in hen egg grading and packing capacity;

Whereas in view of the above and the need to avoid transporting live animals over long distances by sea, it would be appropriate to allow the financing of projects, namely concerning slaughterhouses, which, elsewhere, #CO38,2# might be considered of such a small scale so as not to be eligible;

Whereas approval of this programme does not extend to investments concerning products not listed in Annex II to the Treaty;

Whereas approval of this programme does not extend to investments in cold storage facilities unless these are attached to processing and/or marketing facilities;

Whereas approval of this programme does not extend to investments in slaughterhouses and other equipment which do not accord with the Community's public health legislation;

Whereas the programme contains sufficient information as prescribed by Article 3 of Regulation (EEC) No 355/77 to show that the aims set out in Article 1 of that Regulation can be achieved in the meat sector in the autonomous region of the Azores;

Whereas the estimated time required for implementation of this programme does not exceed the period mentioned in Article 3 (1) (g) of the Regulation;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Agricultural Structures,

HAS ADOPTED THIS DECISION:

Article 1

1. The programme for the marketing and processing of live animals, their meat, processed products and eggs in the autonomous region of the Azores, presented by the Portuguese Government on 30 October 1987, concerning which further particulars were provided on 1 July 1988 pursuant to Council Regulation (EEC) No 355/77 is hereby approved.

2. Such approval does not extend to investments in:

— the manufacture of non-Annex II products,

⁽¹⁾ OJ No L 51, 23. 2. 1977, p. 1.

⁽²⁾ OJ No L 167, 26. 6. 1987, p. 1.

⁽³⁾ OJ No C 79, 26. 3. 1987, p. 3.

- cold storage facilities not attached to processing and/or marketing facilities,
- slaughterhouses and other equipment not in accordance with EEC public health legislation.

3. Approval of this programme also covers investments involving increases in poultrymeat slaughtering capacity, hen egg grading and packing capacity and projects which, elsewhere, might be considered too small to be eligible.

Article 2

This Decision is addressed to Portugal.

Done at Brussels, 26 January 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission
