

English edition

Legislation

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 436/89

of 22 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 21 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 23 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, 22 February 1989.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX

to the Commission Regulation of 22 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	125,55
0712 90 19	20,50	125,55
1001 10 10	53,13	169,33 ⁽¹⁾ ⁽²⁾
1001 10 90	53,13	169,33 ⁽¹⁾ ⁽²⁾
1001 90 91	30,85	117,70
1001 90 99	30,85	117,70
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	74,59
1004 00 90	40,25	74,59
1005 10 90	20,50	125,55 ⁽³⁾ ⁽⁴⁾
1005 90 00	20,50	125,55 ⁽³⁾ ⁽⁴⁾
1007 00 90	43,84	137,31 ⁽⁴⁾
1008 10 00	49,19	23,07
1008 20 00	49,19	57,94 ⁽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	178,97
1102 10 00	96,27	170,32
1103 11 10	95,80	275,91
1103 11 90	60,70	192,02

⁽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 437/89

of 22 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 21 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 23 February 1989.

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

Done at Brussels, 22 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 22 February 1989 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(ECU/tonne)

CN code	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	0,86
1001 90 99	0	0	0	0,86
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	1,22

B. Malt

(ECU/tonne)

CN code	Current 2	1st period 3	2nd period 4	3rd period 5	4th period 6
1107 10 11	0	0	0	1,53	1,53
1107 10 19	0	0	0	1,14	1,14
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 438/89
of 21 February 1989

on arrangements for imports into the Community of certain textile products
(category 90) originating in Poland

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 4136/86 of 22 December 1986 on common rules for imports of certain textile products originating in third countries ⁽¹⁾, as last amended by Regulation (EEC) No 2995/88 ⁽²⁾, and in particular Article 11 thereof,

Whereas Article 11 of Regulation (EEC) No 4136/86 lays down the conditions under which quantitative limits may be established; whereas imports into the Community of certain textile products (category 90) specified in the Annex hereto and originating in Poland have exceeded the level referred to in paragraph 3 of the said Article 11;

Whereas, in accordance with paragraph 5 of the said Article 11 of Regulation (EEC) No 4136/86, on 9 February 1989 Poland was notified of a request for consultations; whereas, pending a mutually satisfactory solution, the Commission has requested Poland for a provisional period of three months to limit exports to the Community of products falling within category 90 to 450 tonnes with effect from the date of notification of the request for consultations; whereas pending the outcome of the requested consultations quantitative limits identical to those requested of the supplier country should be applied provisionally to imports of the category of products in question;

Whereas paragraph 13 of the said Article 11 ensures that the quantitative limits are observed by means of a double-checking system in accordance with Annex VI to Regulation (EEC) No 4136/86;

Whereas the products in question exported from Poland to the Community between 9 February and the date of entry into force of this Regulation must be set off against the quantitative limits which have been introduced;

Whereas these quantitative limits should not prevent the importation of products covered by them shipped from Poland before the date of entry into force of this Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

Without prejudice to the provisions of Article 2, imports into the Community of the category of products originating in Poland and specified in the Annex hereto shall be subject to the provisional quantitative limit set out in that Annex.

Article 2

1. Products as referred to in Article 1 shipped from Poland to the Community before the date of entry into force of this Regulation and not yet released for free circulation, shall be so released subject to the presentation of a bill of lading or other transport document proving that shipment actually took place during that period.

2. Imports of products shipped from Poland to the Community after the entry into force of this Regulation shall be subject to the double-checking system described in Annex VI to Regulation (EEC) No 4136/86.

3. All quantities of products shipped from Poland on or after 9 February 1989 and released for free circulation shall be deducted from the quantitative limit laid down. This provisional limit shall not, however, prevent the importation of products covered by it but shipped from Poland before the date of entry into force of this Regulation.

Article 3

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

It shall apply until 8 May 1989.

⁽¹⁾ OJ No L 387, 31. 12. 1986, p. 42.

⁽²⁾ OJ No L 270, 30. 9. 1988, p. 64.

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

Done at Brussels, 21 February 1989.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

Category	CN code	Description	Third country	Units	Member State	Quantitative limits from 9 February to 8 May 1989
90	5607 41 00	Twine, cordage, ropes and cables of synthetic fibres, plaited or net	Poland	tonnes	D	57
	F				47	
	I				220	
	BNL				27	
	UK				59	
	IRL				3	
	DK				7	
	GR				5	
	ES	21				
	PT	4				
					EEC	450

COMMISSION REGULATION (EEC) No 439/89

of 22 February 1989

amending Regulation (EEC) No 411/88 on the method to be used and the interest rates to be applied for the calculation of the cost of financing intervention in the form of buying in, storage and disposal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1883/78 of 2 August 1978 laying down general rules for the financing of interventions by the European Agricultural Guidance and Guarantee Fund, Guarantee Section ⁽¹⁾, as last amended by Regulation (EEC) No 2050/88 ⁽²⁾, and in particular Article 5 thereof,

Whereas the first paragraph of Article 5 of Regulation (EEC) No 1883/78 provides for fixing for the Community of a uniform interest rate, representative of the interest rates actually borne; whereas the second paragraph entitles the Commission to set the uniform interest rate at a lower level than its representative level until 1992; whereas the Commission has made use of this possibility, setting the uniform interest rate at 7 % since 1986; whereas, in view of the evolution of the Member States' interest rates it is necessary to increase this interest rate;

Whereas the second paragraph of Article 5 of Regulation (EEC) No 1883/78 confers upon the Commission the power to set the uniform interest rates at a lower level for those Member States having interest costs lower than those deriving from the application of the uniform interest rate for the calculation of the financing costs;

Whereas the conditions laid down in the said Article 5 are met in certain Member States; whereas, in fact, interest rates below the level of the uniform interest rate have been recorded in these Member States since 1986;

Whereas it is appropriate to establish for the Member States concerned the special interest rate to be applied in

these Member States from 1 January 1989 onwards and to amend Commission Regulation (EEC) No 411/88 ⁽³⁾ accordingly;

Whereas the EAGGF Committee has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 411/88 is hereby amended follows:

1. Article 3 is replaced by the following:

'Article 3'

The interest rate mentioned in Article 5 of Regulation (EEC) No 1883/78 shall be 7,7 %.'

2. In Article 4, the second paragraph is replaced by the following:

'2. For the period 1 January to 30 September 1989, the specific interest rate shall be:

- 6 % for Germany,
- 6,5 % for the Netherlands and for Luxembourg.'

Article 2

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

It shall apply with effect from 1 January 1989.

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

Done at Brussels, 22 February 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 216, 5. 8. 1978, p. 1.
⁽²⁾ OJ No L 185, 15. 7. 1988, p. 6.

⁽³⁾ OJ No L 40, 13. 2. 1988, p. 25.

COMMISSION REGULATION (EEC) No 440/89
of 22 February 1989

concerning the classification of certain goods in the combined nomenclature

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, as last amended by Regulation (EEC) No 20/89⁽²⁾, and in particular Article 9 thereof,

Whereas in order to ensure uniform application of the combined nomenclature annexed to the said Regulation, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation;

Whereas Regulation (EEC) No 2658/87 has set down the general rules for the interpretation of the combined nomenclature and these rules also apply to any other nomenclature which is wholly or partly based on it or which adds any additional subdivisions to it and which is established by specific Community provisions, with a view to the application of tariff or other measures relating to trade in goods;

Whereas, pursuant to the said general rules, the goods described in column 1 of the table annexed to the present

Regulation must be classified within the appropriate CN code indicated in column 2, by virtue of the reasons set out in column 3;

Whereas the Nomenclature Committee has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column 1 of the annexed table are now classified within the combined nomenclature within the appropriate CN code indicated in column 2 of the said table.

Article 2

This Regulation shall enter into force on the 21st day after 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, 22 February 1989.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽²⁾ OJ No L 4, 6. 1. 1989, p. 19.

ANNEX

Description of the goods	CN code classification	Reasons
(1)	(2)	(3)
Skating boots without skates attached, essentially of plastic but with minor components of textile or other materials	6402 19 00	Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the combined nomenclature of Note 1 (e) and of subheading Note 1 to Chapter 64, of Note 1 (g) to Chapter 95 and the texts of the CN codes 6402 and 6402 19 00 The product cannot be classified in Chapter 95 because of the provisions of the abovementioned notes 1 (e) and 1 (g).

COMMISSION REGULATION (EEC) No 441/89
of 22 February 1989
fixing the specific levies on beef and veal from Portugal

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

Having regard to the Act of Accession of Spain and Portugal and in particular Article 272 thereof,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 4132/88 ⁽²⁾, and in particular Articles 10 (1), 11 (1) and 12 (8) thereof,

Whereas in accordance with Article 272 (1) and (2) of the Act of Accession the arrangements applicable, during the first stage, by the Community as constituted at 31 December 1985 in respect of imports of products from Portugal must be those that it applied to Portugal before accession, account being taken of any price alignment that may have taken place during the first stage; whereas the levies in question should therefore be fixed;

Whereas Commission Regulation (EEC) No 588/86 ⁽³⁾, as last amended by Regulation (EEC) No 180/89 ⁽⁴⁾, lays

down detailed implementing rules and fixes the specific levies applicable to trade in beef and veal in the case of Portugal;

Whereas, in the light of the arrangements set out in Regulation (EEC) No 588/86, the specific levies applicable in respect of the beef and veal imports concerned should be as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The specific levies applicable in the case of imports from Portugal into the Community as constituted at 31 December 1985 shall be as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 March 1989.

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

Done at Brussels, 22 February 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 362, 30. 12. 1988, p. 4.

⁽³⁾ OJ No L 57, 1. 3. 1986, p. 45.

⁽⁴⁾ OJ No L 23, 27. 1. 1989, p. 10.

ANNEX

to the Commission Regulation of 22 February 1989 fixing the specific levies on imports of beef and veal from Portugal

<i>(ECU/100 kg)</i>	
CN code	Amount of the special levies
0102 90 10	36,19
0102 90 31	36,19
0102 90 33	36,19
0102 90 35	36,19
0102 90 37	36,19
0201 10 10	68,29
0201 10 90	68,29
0201 20 21	68,29
0201 20 29	68,29
0201 20 31	54,63
0201 20 39	54,63
0201 20 51	81,95
0201 20 59	81,95
0201 20 90	102,44
0201 30	117,46
0202 10 00	61,46
0202 20 10	61,46
0202 20 30	49,17
0202 20 50	76,48
0202 20 90	92,19
0202 30 10	76,48
0202 30 50	76,48
0202 30 90	105,85
0206 10 95	117,46
0206 29 91	105,85
0210 20 10	102,44
0210 20 90	117,46
0210 90 41	117,46
0210 90 90	117,46
1602 50 10	117,46
1602 90 61	117,46

COMMISSION REGULATION (EEC) No 442/89
of 22 February 1989
fixing the import levy on molasses

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 market in sugar ⁽¹⁾, as last amended by Regulation (EEC) No 2306/88 ⁽²⁾, and in particular Article 16 (8) thereof,

Whereas the import levy on molasses was fixed by Regulation (EEC) No 2368/88 ⁽³⁾, as last amended by Regulation (EEC) No 386/89 ⁽⁴⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 2368/88 to the information at present available to the Commission

that the levy at present in force should be altered as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levy referred to in Article 16 (1) of amended Regulation (EEC) No 1785/81 shall be, in respect of molasses falling within CN codes 1703 10 00 and 1703 90 00, 1,17 ECU/100 kg.

Article 2

This Regulation shall enter into force on 23 February 1989.

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

Done at Brussels, 22 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 205, 30. 7. 1988, p. 29.

⁽⁴⁾ OJ No L 44, 16. 2. 1989, p. 36.

COMMISSION REGULATION (EEC) No 443/89

of 22 February 1989

abolishing the 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 Regulation (EEC) No 1035/72 of the Council of 18 May 1972 on the common organization of the market in fruit and vegetables ⁽¹⁾, as last amended by Regulation (EEC) No 2238/88 ⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,Whereas Commission Regulation (EEC) No 396/89 ⁽³⁾ introduced a countervailing charge on cucumbers originating in Spain (except the Canary Islands);Whereas the present trend of prices for these products on the representative markets referred to in Commission Regulation (EEC) No 2118/74 ⁽⁴⁾, as last amended by Regulation (EEC) No 3811/85 ⁽⁵⁾, recorded or calculated in accordance with the provisions of Article 5 of that Regulation, indicates that the application of the first subparagraph of Article 26 (1) of Regulation (EEC) No 1035/72 would result in the countervailing charge being

fixed at zero; whereas the conditions specified in the second indent of Article 26 (1) of Regulation (EEC) No 1035/72 are therefore fulfilled and the countervailing charge on imports of these products originating in Spain (except the Canary Islands) can be abolished;

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,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 396/89 is hereby repealed.

Article 2

This Regulation shall enter into force on 23 February 1989.

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

Done at Brussels, 22 February 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.⁽²⁾ OJ No L 198, 26. 7. 1988, p. 1.⁽³⁾ OJ No L 45, 17. 2. 1989, p. 15.⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

COMMISSION REGULATION (EEC) No 444/89
of 22 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 397/89 ⁽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 23 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 23 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 45, 17. 2. 1989, p. 17.

⁽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, 22 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	20,338	20,413	20,650	20,887	20,887	18,580
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	48,41	48,59	49,15	49,71	49,71	44,39
— Netherlands (Fl)	54,01	54,21	54,84	55,47	55,47	49,48
— BLEU (Bfrs/Lfrs)	982,06	985,68	997,12	1 008,57	1 008,57	897,17
— France (FF)	149,08	149,59	151,37	153,16	153,16	136,20
— Denmark (Dkr)	178,11	178,76	180,85	182,94	182,94	162,72
— Ireland (£ Irl)	16,581	16,638	16,836	17,034	17,034	15,149
— United Kingdom (£)	13,071	13,114	13,272	13,415	13,415	11,851
— Italy (Lit)	32 043	32 152	32 502	32 782	32 782	28 882
— Greece (Dr)	2 466,60	2 470,28	2 491,75	2 511,01	2 511,01	2 161,64
(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)	3 221,49	3 235,27	3 266,14	3 292,67	3 292,67	2 979,91
(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)	4 400,11	4 413,40	4 456,96	4 489,16	4 489,16	4 029,31

(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	22,838	22,913	23,150	23,387	23,387	21,080
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	54,31	54,49	55,05	55,61	55,61	50,29
— Netherlands (Fl)	60,63	60,83	61,46	62,09	62,09	56,10
— BLEU (Bfrs/Lfrs)	1 102,78	1 106,40	1 117,84	1 129,29	1 129,29	1 017,89
— France (FF)	168,04	168,55	170,33	172,12	172,12	155,17
— Denmark (Dkr)	200,22	200,86	202,95	205,04	205,04	184,83
— Ireland (£ Irl)	18,691	18,747	18,945	19,144	19,144	17,258
— United Kingdom (£)	14,758	14,801	14,959	15,103	15,103	13,539
— Italy (Lit)	36 130	36 239	36 590	36 869	36 869	32 970
— Greece (Dr)	2 856,65	2 860,33	2 881,80	2 901,06	2 901,06	2 551,69
(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)	3 607,02	3 620,80	3 651,67	3 678,21	3 678,21	3 365,44
(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)	4 870,13	4 883,42	4 926,98	4 959,18	4 959,18	4 499,33

(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	24,969	25,597	26,058	25,924	25,924
2. Final aids:					
(a) Seed harvested and processed in (1):					
— Federal Republic of Germany (DM)	59,35	60,83	61,91	61,60	61,60
— Netherlands (Fl)	66,28	67,93	69,15	68,80	68,80
— BLEU (Bfrs/Lfrs)	1 205,68	1 236,00	1 258,26	1 251,79	1 251,79
— France (FF)	184,09	188,93	192,45	191,31	191,31
— Denmark (Dkr)	219,02	224,60	228,69	227,46	227,46
— Ireland (£ Irl)	20,476	21,014	21,407	21,279	21,279
— United Kingdom (£)	16,182	16,616	16,931	16,809	16,809
— Italy (Lit)	39 588	40 632	41 360	41 004	41 004
— Greece (Dr)	3 173,77	3 281,94	3 344,69	3 290,03	3 290,03
(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)	3 970,59	4 064,61	4 128,40	4 101,82	4 101,82
(c) Seed harvested in Portugal and processed:					
— in Portugal (Esc)	0,00	0,00	0,00	0,00	0,00
— in Spain (Esc)	6 973,42	7 095,62	7 184,21	7 144,32	7 144,32
— in another Member State (Esc)	6 796,20	6 915,30	7 001,63	6 962,76	6 962,76
3. Compensatory aids:					
— in Spain (Pta)	3 921,42	4 018,34	4 083,09	4 058,44	4 058,44
4. Special aid:					
— in Portugal (Esc)	6 796,20	6 915,30	7 001,63	6 962,76	6 962,76

(1) 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	2,084090	2,081150	2,077860	2,074830	2,074830	2,065110
Fl	2,354200	2,351560	2,348270	2,345040	2,345040	2,335540
Bfrs/Lfrs	43,692100	43,670600	43,653300	43,640000	43,640000	43,577500
FF	7,097920	7,102370	7,107300	7,111140	7,111140	7,124050
Dkr	8,115020	8,112110	8,109550	8,107600	8,107600	8,107370
£ Irl	0,785064	0,784336	0,783736	0,783624	0,783624	0,783375
£	0,639982	0,641309	0,642645	0,643894	0,643894	0,648090
Lit	1 526,54	1 530,65	1 535,77	1 540,73	1 540,73	1 555,04
Dr	174,18700	174,90800	175,82300	176,70900	176,70900	180,96600
Esc	171,22300	171,66900	172,11600	172,68700	172,68700	174,59000
Pta	129,74900	130,18700	130,66600	131,11800	131,11800	132,49000

COMMISSION REGULATION (EEC) No 445/89
of 22 February 1989
altering the corrective amount applicable to the refund on cereals

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 the fourth sentence of the second subparagraph of Article 16(4) thereof,

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

Whereas the corrective amount applicable to the refund on cereals was fixed by Commission Regulation (EEC) No 331/89⁽⁴⁾;

Whereas, on the basis of today's cif prices and cif forward delivery prices, taking foreseeable developments on the

market into account, the corrective amount at present applicable to the refund on cereals should be altered,

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 16(4) of Regulation (EEC) No 2727/75, fixed in the Annex to Regulation (EEC) No 331/89 which is applicable to the export refunds fixed in advance in respect of cereals, is hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 23 February 1989.

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

Done at Brussels, 22 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 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 38, 10. 2. 1989, p. 30.

ANNEX

to the Commission Regulation of 22 February 1989 altering the corrective amount applicable to the refund on cereals

(ECU/tonne)

Product code	Destination (1)	Current	1st period	2nd period	3rd period	4th period	5th period	6th period
		2	3	4	5	6	7	8
0709 90 60 000	—	—	—	—	—	—	—	—
0712 90 19 000	—	—	—	—	—	—	—	—
1001 10 10 000	01	0	0	0	0	—	—	—
1001 10 90 000	01	0	0	0	0	- 40,00	- 40,00	- 40,00
1001 90 91 000	—	—	—	—	—	—	—	—
1001 90 99 000	03	0	+ 3,00	+ 3,00	+ 3,00	- 30,00	- 30,00	- 30,00
	04	0	0	+ 30,00	+ 30,00	- 10,00	- 10,00	- 10,00
	02	0	0	0	0	- 30,00	- 30,00	- 30,00
1002 00 00 000	01	0	0	0	0	- 30,00	- 30,00	- 30,00
1003 00 10 000	01	0	0	0	0	—	—	—
1003 00 90 000	03	0	+ 3,00	+ 3,00	+ 3,00	- 30,00	- 30,00	- 30,00
	02	0	0	0	0	- 30,00	- 30,00	- 30,00
1004 00 10 000	—	—	—	—	—	—	—	—
1004 00 90 000	01	0	0	0	- 30,00	- 30,00	- 30,00	- 30,00
1005 10 90 000	—	—	—	—	—	—	—	—
1005 90 00 000	01	0	0	0	0	- 30,00	- 30,00	- 30,00
1007 00 90 000	—	—	—	—	—	—	—	—
1008 20 00 000	—	—	—	—	—	—	—	—
1101 00 00 110	01	0	0	0	0	0	—	—
1101 00 00 120	01	0	0	0	0	0	—	—
1101 00 00 130	01	0	0	0	0	0	—	—
1101 00 00 150	01	0	0	0	0	0	—	—
1101 00 00 170	01	0	0	0	0	0	—	—
1101 00 00 180	01	0	0	0	0	0	—	—
1101 00 00 190	—	—	—	—	—	—	—	—
1101 00 00 900	—	—	—	—	—	—	—	—
1102 10 00 100	01	0	0	0	0	0	—	—
1102 10 00 200	01	0	0	0	0	0	—	—
1102 10 00 300	01	0	0	0	0	0	—	—
1102 10 00 500	01	0	0	0	0	0	—	—
1102 10 00 900	—	—	—	—	—	—	—	—
1103 11 10 100	01	0	0	0	0	- 50,00	- 50,00	- 50,00
1103 11 10 200	01	0	0	0	0	- 50,00	- 50,00	- 50,00
1103 11 10 500	01	0	0	0	0	- 50,00	- 50,00	- 50,00
1103 11 10 900	01	0	0	0	0	- 50,00	- 50,00	- 50,00
1103 11 90 100	01	0	0	0	0	0	—	—
1103 11 90 900	—	—	—	—	—	—	—	—

(1) For the following destinations:

- 01 All third countries,
- 02 Other third countries,
- 03 Algeria, Tunisia, Egypt and the Canary Islands,
- 04 The Soviet Union.

NB: The zones are those defined in Commission Regulation (EEC) No 1124/77 (OJ No L 134, 28. 5. 1977, p. 53), as last amended by Regulation (EEC) No 296/88 (OJ No L 30, 2. 2. 1988, p. 9).

COMMISSION REGULATION (EEC) No 446/89

of 22 February 1989

altering the export refunds on white sugar and raw sugar exported in the natural state

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 the second subparagraph of Article 19 (4) thereof,Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EEC) No 377/89 ⁽³⁾, as amended by Regulation (EEC) No 422/89 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 377/89 to the information known to the Commission that the export refunds at

present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, as fixed in the Annex to amended Regulation (EEC) No 377/89 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 23 February 1989.

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

Done at Brussels, 22 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 44, 16. 2. 1989, p. 13.⁽⁴⁾ OJ No L 49, 21. 2. 1989, p. 14.

ANNEX

to the Commission Regulation of 22 February 1989 altering the export refunds on white sugar and raw sugar exported in the natural state

(ECU)

Product code	Amount of refund	
	per 100 kg	per percentage point of sucrose content and per 100 kg net of the product in question
1701 11 90 100	32,34 ⁽¹⁾
1701 11 90 910	30,08 ⁽¹⁾
1701 11 90 950	⁽²⁾
1701 12 90 100	32,34 ⁽¹⁾
1701 12 90 910	30,08 ⁽¹⁾
1701 12 90 950	⁽²⁾
1701 91 00 000		0,3516
1701 99 10 100	35,16
1701 99 10 910	34,62
1701 99 10 950	34,62
1701 99 90 100		0,3516

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the refund applicable is calculated in accordance with the provisions of Article 5 (3) of Regulation (EEC) No 766/68.

⁽²⁾ Fixing suspended by Commission Regulation (EEC) No 2689/85 (OJ No L 255, 26. 9. 1985, p. 12), as amended by Regulation (EEC) No 3251/85 (OJ No L 309, 21. 11. 1985, p. 14).

COMMISSION REGULATION (EEC) No 447/89
of 22 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 426/89 ⁽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 23 February 1989.

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

Done at Brussels, 22 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 49, 21. 2. 1989, p. 22.

ANNEX

to the Commission Regulation of 22 February 1989 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	34,04 ⁽¹⁾
1701 11 90	34,04 ⁽¹⁾
1701 12 10	34,04 ⁽¹⁾
1701 12 90	34,04 ⁽¹⁾
1701 91 00	41,36
1701 99 10	41,36
1701 99 90	41,36 ⁽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 448/89
of 22 February 1989

fixing the maximum export refund for white sugar for the 42nd partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EEC) No 1035/88

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 the first subparagraph of Article 19 (4) (b) thereof,

Whereas Commission Regulation (EEC) No 1035/88 of 18 April 1988 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar⁽³⁾, requires partial invitations to tender to be issued for the export of this sugar;

Whereas, pursuant to Article 9 (1) of Regulation (EEC) No 1035/88, a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question;

Whereas, following an examination of the tenders submitted in response to the 42nd partial invitation to tender, the provisions set out in Article 1 should be adopted;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 42nd partial invitation to tender for white sugar issued pursuant to Regulation (EEC) No 1035/88 the maximum amount of the export refund is fixed at 37,289 ECU/100 kilograms.

Article 2

This Regulation shall enter into force on 23 February 1989.

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

Done at Brussels, 22 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 102, 21. 4. 1988, p. 14.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 16 February 1989

on improving the efficiency of agricultural structures in the Federal Republic of Germany pursuant to Council Regulation No 797/85

(Only the German text is authentic)

(89/139/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 797/85 of 12 March 1985 on improving the efficiency of agricultural structures ⁽¹⁾, as last amended by Regulation (EEC) No 1137/88 ⁽²⁾, and in particular Article 25 (3) thereof,

Whereas the Government of the Federal Republic of Germany, pursuant to Article 24 (4) of Regulation (EEC) No 797/85, forwarded directives of the Land of Bavaria on the implementation of the programme for the conservation of the natural heritage (11 March 1988 — No B4-7292-410, Part A);

Whereas, pursuant to Article 25 (3) of Regulation (EEC) No 797/85, the Commission has to decide whether the conditions for a financial contribution from the Community to the common measure referred to in Title V of the said Regulation are satisfied in the light of the compatibility of the abovementioned provisions with the aforementioned Regulation and bearing in mind the objectives of the latter and the need to ensure that the various measures are properly related;

Whereas, under Title V of Regulation (EEC) No 797/85, Member States may introduce in those areas which are particularly sensitive from the point of view of the protection of the environment and of natural resources

and from the point of view of the maintenance of the landscape and the countryside, measures to contribute towards the introduction or the maintenance of compatible farming practices;

Whereas these measures involve the grant of an annual premium per hectare to farmers who undertake, under a specific programme for a demarcated area, to apply, for at least five years, specific farming practices;

Whereas the provisions forwarded satisfy the objectives of Title V of Regulation (EEC) No 797/85;

Whereas, however, the financial contribution from the Community to the aid scheme provided for is limited to those cases satisfying the conditions and the criteria laid down in Title V of Regulation (EEC) No 797/85;

Whereas, with the exception of the provisions set out in subprogrammes 2.1 and 2.2, the provisions forwarded relate to the demarcation of areas sensitive from the point of view of the protection of the environment; whereas they determine adequately the conditions under which farming practices compatible with the requirements of the protection of those areas are to be carried out; whereas the amount of the aid is fixed by reference to the undertaking entered into by farmers and the income losses resulting therefrom; whereas they therefore satisfy the conditions and the objectives of Title V of Regulation (EEC) No 797/85;

Whereas the provisions set out in subprogrammes 2.1 and 2.2 have failed to demarcate particularly sensitive areas in the manner provided for in Article 19 of Regulation (EEC) No 797/85;

⁽¹⁾ OJ No L 93, 30. 3. 1985, p. 1.

⁽²⁾ OJ No L 108, 29. 4. 1988, p. 1.

Whereas the EAGGF Committee has been consulted on the financial aspects;

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

HAS ADOPTED THIS DECISION:

Article 1

The Directives adopted by the Land of Bavaria on the implementation of the programme for the conservation of the natural heritage (11 March 1988 — No B4-7292-410, Part A) and forwarded by the Government of the Federal Republic of Germany pursuant to Article 24 (4) of

Regulation (EEC) No 797/85 satisfy, with the exception of the measures provided for in subprogrammes 2.1 and 2.2, the conditions for a Community financial contribution to the scheme referred to in Title V of the said Regulation.

Article 2

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 16 February 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION DECISION

of 16 February 1989

on improving the efficiency of agricultural structures in France pursuant to Council Regulation (EEC) No 797/85

(Only the French text is authentic)

(89/140/EEC)

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

Having regard to Council Regulation (EEC) No 797/85 of 12 March 1985 on improving the efficiency of agricultural structures ⁽¹⁾, as last amended by Regulation (EEC) No 1137/88 ⁽²⁾, and in particular Article 25 ⁽³⁾ thereof,

Whereas on 10 November 1988 the French Government forwarded the following provisions pursuant to Article 24 ⁽⁴⁾ of Regulation (EEC) No 797/85:

- Service note SDEEA/N88/No 7014 of 19 May 1988 concerning investment aid in the pig production sector,
- Circular SDEEA — DEPSE of 28 October 1988 concerning the amendments to the rules on improvement plans;

Whereas pursuant to Article 25 ⁽³⁾ of Regulation (EEC) No 797/85, the Commission has to decide whether the conditions for a financial contribution from the Community are satisfied in the light of the compatibility of the abovementioned provisions with the aforementioned Regulation and bearing in mind the objectives of the latter and the need to ensure that the various measures are properly related;

Whereas the abovementioned provisions satisfy the conditions and the objectives of Regulation (EEC) No 797/85;

Whereas the EAGGF Committee has been consulted on the financial aspects;

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

HAS ADOPTED THIS REGULATION:

Article 1

In view of the provisions forwarded, the measures adopted in France pursuant to Regulation (EEC) No 797/85 continue to satisfy the conditions for a Community financial contribution to the common measure provided for in Article 1 of Regulation (EEC) No 797/85.

Article 2

This Decision is addressed to the French Republic.

Done at Brussels, 16 February 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 93, 30. 3. 1985, p. 1.

⁽²⁾ OJ No L 108, 29. 4. 1988, p. 1.

COMMISSION DECISION

of 16 February 1989

on improving the efficiency of agricultural structures in Denmark pursuant to Council Regulation (EEC) No 797/85

(Only the Danish text is authentic)

(89/141/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 797/85 of 12 March 1985 on improving the efficiency of agricultural structures ⁽¹⁾, as last amended by Regulation (EEC) No 1137/88 ⁽²⁾, and in particular Article 25 (3) thereof,

Whereas the Danish Government forwarded the following provisions pursuant to Article 24 (4) of Regulation (EEC) No 797/85:

— Order of the Ministry of Agriculture No 417 of 12 July 1988 concerning the conditions under which aid is granted in the pig production sector;

Whereas pursuant to Article 25 (3) of Regulation (EEC) No 797/85, the Commission has to decide whether the conditions for a financial contribution from the Community are satisfied in the light of the compatibility of the abovementioned provisions with the aforementioned Regulation and bearing in mind the objectives of the latter and the need to ensure that the various measures are properly related;

Whereas the abovementioned provisions satisfy the conditions and the objectives of Regulation (EEC) No 797/85;

Whereas the EAGGF Committee has been consulted on the financial aspects;

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

HAS ADOPTED THIS DECISION:

Article 1

In view of the provisions forwarded, the measures adopted in Denmark pursuant to Regulation (EEC) No 797/85 continue to satisfy the conditions for a Community financial contribution to the common measure provided for in Article 1 of Regulation (EEC) No 797/85.

Article 2

This Decision is addressed to the Kingdom of Denmark.

Done at Brussels, 16 February 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 93, 30. 3. 1985, p. 1.

⁽²⁾ OJ No L 108, 29. 4. 1988, p. 1.

COMMISSION DECISION

of 16 February 1989

**on improving the efficiency of agricultural structures in the United Kingdom
pursuant to Council Regulation (EEC) No 797/85**

(Only the English text is authentic)

(89/142/EEC)

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

Having regard to Council Regulation (EEC) No 797/85 of
12 March 1985 on improving the efficiency of agricultural
structures ⁽¹⁾, as last amended by Regulation (EEC) No
1137/88 ⁽²⁾, and in particular Article 25 (3) thereof,

Whereas on 7 November 1988 the Government of the
United Kingdom forwarded the following provisions
pursuant to Article 24 (4) of Regulation (EEC) No
797/85:

- The Agricultural Improvement (variation) Scheme
1988 — Statutory Instrument 1988 No 1056;
- The Agricultural Improvement (Amendment)
Regulations 1988 — Statutory Instrument 1988 No
1201;

Whereas pursuant to Article 25 (3) of Regulation (EEC)
No 797/85, the Commission has to decide whether the
conditions for a financial contribution from the
Community are satisfied in the light of the compatibility
of the abovementioned provisions with the aforemen-
tioned Regulation and bearing in mind the objectives of
the latter and the need to ensure that the various
measures are properly related;

Whereas the abovementioned provisions satisfy the
conditions and the objectives of Regulation (EEC) No
797/85;

Whereas the EAGGF Committee has been consulted on
the financial aspects;

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

HAS ADOPTED THIS DECISION:

Article 1

In view of Statutory Instruments 1988 Nos 1056 and
1201, the measures adopted by the United Kingdom
pursuant to Regulation (EEC) No 797/85 continue to
satisfy the conditions for a Community financial contri-
bution to the common measure provided for in Article 1
of Regulation (EEC) No 797/85.

Article 2

This Decision is addressed to the United Kingdom.

Done at Brussels, 16 February 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 93, 30. 3. 1985, p. 1.

⁽²⁾ OJ No L 108, 29. 4. 1988, p. 1.