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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 639/89

of 14 March 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 13 March 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 15 March 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, 14 March 1989.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX

to the Commission Regulation of 14 March 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	21,98	125,28
0712 90 19	21,98	125,28
1001 10 10	55,14	180,03 ⁽¹⁾ ⁽²⁾
1001 10 90	55,14	180,03 ⁽¹⁾ ⁽²⁾
1001 90 91	32,44	117,95
1001 90 99	32,44	117,95
1002 00 00	60,11	112,87 ⁽⁶⁾
1003 00 10	50,67	115,33
1003 00 90	50,67	115,33
1004 00 10	41,73	77,58
1004 00 90	41,73	77,58
1005 10 90	21,98	125,28 ⁽²⁾ ⁽³⁾
1005 90 00	21,98	125,28 ⁽²⁾ ⁽³⁾
1007 00 90	45,32	136,97 ⁽⁴⁾
1008 10 00	50,67	23,67
1008 20 00	50,67	50,61 ⁽⁴⁾
1008 30 00	50,67	0,00 ⁽²⁾
1008 90 10	(7)	(7)
1008 90 90	50,67	0,00
1101 00 00	59,77	179,49
1102 10 00	98,51	172,38
1103 11 10	98,98	291,78
1103 11 90	63,11	192,40

⁽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 640/89

of 14 March 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 13 March 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 15 March 1989.

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

Done at Brussels, 14 March 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 14 March 1989 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CN code	<i>(ECU/tonne)</i>			
	Current 3	1st period 4	2nd period 5	3rd period 6
0709 90 60	0	1,15	1,15	1,15
0712 90 19	0	1,15	1,15	1,15
1001 10 10	0	3,20	3,20	4,10
1001 10 90	0	3,20	3,20	4,10
1001 90 91	0	0	0	3,82
1001 90 99	0	0	0	3,82
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	1,15	1,15	1,15
1005 90 00	0	1,15	1,15	1,15
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	5,33

B. Malt

CN code	<i>(ECU/tonne)</i>				
	Current 3	1st period 4	2nd period 5	3rd period 6	4th period 7
1107 10 11	0	0	0	6,80	6,80
1107 10 19	0	0	0	5,08	5,08
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 641/89

of 14 March 1989

fixing the export refunds on poultrymeat

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 2777/75 of 29 October 1975 on the common organization of the market in poultrymeat⁽¹⁾, as last amended by Regulation (EEC) No 3907/87⁽²⁾, and in particular the first sentence of the fifth subparagraph of Article 9 (2) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 9 of Regulation (EEC) No 2777/75 provides that the difference between prices on the world market for the products listed in Article 1 (1) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 2779/75 of 29 October 1975⁽³⁾, lays down general rules for granting export refunds and criteria for fixing the amount of such refunds;

Whereas it follows from applying these rules and criteria to the present situation on the market in poultrymeat that the refund should be fixed at an amount which would permit Community participation in world trade and would also take account of the nature of these exports and their importance at the present time;

Whereas the present market situation in certain third countries and that regarding competition on particular third country markets make it necessary to fix a refund differentiated by destination for certain products in the poultrymeat sector;

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

— in the case of currencies which are maintained in relation to each other at any given moment within a band

of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁴⁾, as last amended by Regulation (EEC) No 1636/87⁽⁵⁾;

— 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 Commission Regulation (EEC) No 634/86 of 28 February 1986 laying down specific rules on export refunds in the poultrymeat sector following the accession of Portugal and amending Regulation (EEC) No 189/86⁽⁶⁾ established the principle that no Community refund should be granted on poultrymeat products originating in Portugal;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Poultry meat and Eggs,

HAS ADOPTED THIS REGULATION:

Article 1

1. The list of products for which, when they are exported, the export refund referred to in Article 9 of Regulation (EEC) No 2777/75 is granted, and the amount of that refund shall be as shown in the Annex hereto.
2. The refund referred to in paragraph 1 shall not be granted in respect of exports to Portugal from 1 March 1986.
3. The refund referred to in paragraph 1 shall not be granted in respect of exports of products originating in Portugal.

Article 2

This Regulation shall enter into force on 15 March 1989.

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

Done at Brussels, 14 March 1989.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 77.

⁽²⁾ OJ No L 370, 30. 12. 1987, p. 14.

⁽³⁾ OJ No L 282, 1. 11. 1975, p. 90.

⁽⁴⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁵⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁶⁾ OJ No L 60, 1. 3. 1986, p. 15.

ANNEX
to the Commission Regulation of 14 March 1989 fixing the export refunds on poultrymeat

Product code	Destination of refund (1)	Amount of refund
		ECU/100 units
0105 11 00 000	01	4,20
0105 19 10 000	01	8,40
0105 19 90 000	01	4,20
		ECU/100 kg
0105 91 00 000	01	21,00
0207 10 11 000	01	25,00
0207 10 15 000	04	45,00
	05	37,00
	06	30,00
0207 10 19 100	04	49,00
	05	41,00
	06	30,00
0207 10 19 900	01	30,00
0207 10 31 000	01	30,00
0207 10 39 000	01	30,00
0207 10 51 000	01	37,00
0207 10 55 000	01	37,00
0207 10 59 000	01	37,00
0207 21 10 000	04	45,00
	05	37,00
	06	30,00
0207 21 90 100	04	49,00
	05	41,00
	06	30,00
0207 21 90 900	01	30,00
0207 22 10 000	01	30,00
0207 22 90 000	01	30,00
0207 23 11 000	01	37,00
0207 23 19 000	01	37,00
0207 39 11 110	01	10,00
0207 39 11 190	—	—
0207 39 11 910	—	—
0207 39 11 990	01	60,00
0207 39 13 000	02	40,00
	03	33,00
0207 39 15 000	01	15,00
0207 39 21 000	01	45,00
0207 39 23 000	02	50,00
	03	43,00
0207 39 25 100	02	40,00
	03	33,00
0207 39 25 200	02	40,00
	03	33,00
0207 39 25 300	02	40,00
	03	33,00
0207 39 25 900	—	—
0207 39 31 110	01	10,00
0207 39 31 190	—	—
0207 39 31 910	—	—
0207 39 31 990	01	60,00
0207 39 33 000	01	33,00
0207 39 35 000	01	15,00

Product code	Destination of refund (!)	Amount of refund
		ECU/100 kg
0207 39 41 000	01	45,00
0207 39 43 000	01	22,00
0207 39 45 000	01	43,00
0207 39 47 100	01	15,00
0207 39 47 900	—	—
0207 39 55 110	01	10,00
0207 39 55 190	—	—
0207 39 55 910	—	—
0207 39 55 990	01	60,00
0207 39 57 000	01	44,00
0207 39 65 000	01	15,00
0207 39 73 000	01	45,00
0207 39 77 000	01	43,00
0207 41 10 110	01	10,00
0207 41 10 190	—	—
0207 41 10 910	—	—
0207 41 10 990	01	60,00
0207 41 11 000	02	40,00
	03	33,00
0207 41 21 000	01	15,00
0207 41 41 000	01	45,00
0207 41 51 000	02	50,00
	03	43,00
0207 41 71 100	02	40,00
	03	33,00
0207 41 71 200	02	40,00
	03	33,00
0207 41 71 300	02	40,00
	03	33,00
0207 41 71 900	—	—
0207 42 10 110	01	10,00
0207 42 10 190	—	—
0207 42 10 910	—	—
0207 42 10 990	01	60,00
0207 42 11 000	01	33,00
0207 42 21 000	01	15,00
0207 42 41 000	01	45,00
0207 42 51 000	01	22,00
0207 42 59 000	01	43,00
0207 42 71 100	01	15,00
0207 42 71 900	—	—
0207 43 15 110	01	10,00
0207 43 15 190	—	—
0207 43 15 910	—	—
0207 43 15 990	01	60,00
0207 43 21 000	01	44,00
0207 43 31 000	01	15,00
0207 43 53 000	01	45,00
0207 43 63 000	01	43,00
1602 39 11 100	01	23,00
1602 39 11 900	—	—

(¹) The destinations are as follows :

- 01 All destinations except the United States of America,
- 02 Egypt, Iraq, the Canary Islands, Ceuta and Melilla, Saudi Arabia, Kuwait, Bahrain, Qatar, Oman and the United Arab Emirates,
- 03 All destinations except the United States of America and those of 02 above,
- 04 Egypt, Iraq, Saudi Arabia, Kuwait, Bahrain, Qatar, Oman, the United Arab Emirates and Singapore,
- 05 Canary Islands, Ceuta and Melilla,
- 06 All destinations except the United States of America and those of 04 and 05 above.

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

COMMISSION REGULATION (EEC) No 642/89
of 14 March 1989
fixing the import levies on milk and milk products

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

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 1109/88 ⁽²⁾, and in particular Article 14 (8) thereof,

Whereas the import levies on milk and milk products were fixed by Commission Regulation (EEC) No 4137/88 ⁽³⁾, as last amended by Regulation (EEC) No 497/89 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 4137/88 to the prices 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

1. The import levies referred to in Article 14 of Regulation (EEC) No 804/68 shall be as set out in the Annex hereto.

2. There shall be no levy for imports from Portugal, including the Azores and Madeira, for milk and milk products listed in Article 1 of Regulation (EEC) No 804/68.

Article 2

This Regulation shall enter into force on 16 March 1989.

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

Done at Brussels, 14 March 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 27.

⁽³⁾ OJ No L 362, 30. 12. 1988, p. 15.

⁽⁴⁾ OJ No L 57, 28. 2. 1989, p. 43.

ANNEX

to the Commission Regulation of 14 March 1989 fixing the import levies on milk and milk products

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

CN code	Note	Import levy
0401 10 10		14,73
0401 10 90		13,52
0401 20 11		20,55
0401 20 19		19,34
0401 20 91		25,75
0401 20 99		24,54
0401 30 11		66,63
0401 30 19		65,42
0401 30 31		128,91
0401 30 39		127,70
0401 30 91		217,19
0401 30 99		215,98
0402 10 11		97,28
0402 10 19		90,03
0402 10 91	(¹)	0,9003/kg + 28,78
0402 10 99	(¹)	0,9003/kg + 21,53
0402 21 11		151,56
0402 21 17		144,31
0402 21 19		144,31
0402 21 91		194,51
0402 21 99		187,26
0402 29 11	(¹)(²)	1,4431/kg + 28,78
0402 29 15	(¹)	1,4431/kg + 28,78
0402 29 19	(¹)	1,4431/kg + 21,53
0402 29 91	(¹)	1,8726/kg + 28,78
0402 29 99	(¹)	1,8726/kg + 21,53
0402 91 11		31,42
0402 91 19		31,42
0402 91 31		39,27
0402 91 39		39,27
0402 91 51		128,91
0402 91 59		127,70
0402 91 91		217,19
0402 91 99		215,98
0402 99 11		53,76
0402 99 19		53,76
0402 99 31	(¹)	1,2528/kg + 25,16
0402 99 39	(¹)	1,2528/kg + 23,95
0402 99 91	(¹)	2,1356/kg + 25,16
0402 99 99	(¹)	2,1356/kg + 23,95

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

CN code	Note	Import levy
0403 10 11		22,96
0403 10 13		28,16
0403 10 19		69,04
0403 10 31	(¹)	0,1692/kg + 27,57
0403 10 33	(¹)	0,2212/kg + 27,57
0403 10 39	(¹)	0,6300/kg + 27,57
0403 90 11		97,28
0403 90 13		151,56
0403 90 19		194,51
0403 90 31	(¹)	0,9003/kg + 28,78
0403 90 33	(¹)	1,4431/kg + 28,78
0403 90 39	(¹)	1,8726/kg + 28,78
0403 90 51		22,96
0403 90 53		28,16
0403 90 59		69,04
0403 90 61	(¹)	0,1692/kg + 27,57
0403 90 63	(¹)	0,2212/kg + 27,57
0403 90 69	(¹)	0,6300/kg + 27,57
0404 10 11		18,76
0404 10 19	(¹)	0,1876/kg + 21,53
0404 10 91	(²)	0,1876/kg
0404 10 99	(²)	0,1876/kg + 21,53
0404 90 11		97,28
0404 90 13		151,56
0404 90 19		194,51
0404 90 31		97,28
0404 90 33		151,56
0404 90 39		194,51
0404 90 51	(¹)	0,9003/kg + 28,78
0404 90 53	(¹)	1,4431/kg + 28,78
0404 90 59	(¹)	1,8726/kg + 28,78
0404 90 91	(¹)	0,9003/kg + 28,78
0404 90 93	(¹)	1,4431/kg + 28,78
0404 90 99	(¹)	1,8726/kg + 28,78
0405 00 10		223,53
0405 00 90		272,71
0406 10 10		250,24
0406 10 90		306,72
0406 20 10	(³)	377,90
0406 20 90		377,90
0406 30 10	(³)	191,74
0406 30 31	(³)	191,27
0406 30 39	(³)	191,74
0406 30 90	(³)	288,46
0406 40 00	(³)	157,44
0406 90 11	(³)	242,02

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

CN code	Note	Import levy
0406 90 13	(³)	233,44
0406 90 15	(³)	233,44
0406 90 17	(³)	233,44
0406 90 19	(³)	377,90
0406 90 21	(³)	242,02
0406 90 23	(³)	210,00
0406 90 25	(³)	210,00
0406 90 27	(³)	210,00
0406 90 29	(³)	210,00
0406 90 31	(³)	210,00
0406 90 33		210,00
0406 90 35	(³)	210,00
0406 90 37	(³)	210,00
0406 90 39	(³)	210,00
0406 90 50	(³)	210,00
0406 90 61		377,90
0406 90 63		377,90
0406 90 69		377,90
0406 90 71		250,24
0406 90 73		210,00
0406 90 75		210,00
0406 90 77		210,00
0406 90 79		210,00
0406 90 81		210,00
0406 90 83		210,00
0406 90 85		210,00
0406 90 89	(³)	210,00
0406 90 91		250,24
0406 90 93		250,24
0406 90 97		306,72
0406 90 99		306,72
1702 10 10		33,06
1702 10 90		33,06
2106 90 51		33,06
2309 10 15		69,94
2309 10 19		90,65
2309 10 39		85,49
2309 10 59		71,81
2309 10 70		90,65
2309 90 35		69,94
2309 90 39		90,65
2309 90 49		85,49
2309 90 59		71,81
2309 90 70		90,65

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

COMMISSION REGULATION (EEC) No 643/89
of 14 March 1989

determining, for the period 1 February to 30 June 1989, the quantities of raw sugar produced in the French overseas departments benefiting from the refining aid referred to in Council Regulation (EEC) No 2225/86

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the market in the sugar sector⁽¹⁾, as last amended by Regulation (EEC) No 2306/88⁽²⁾, and in particular Article 9 (6) thereof,

Having regard to Council Regulation (EEC) No 2225/86 of 15 July 1986 laying down measures for the marketing of sugar produced in the French overseas departments and for the equalization of the price conditions with preferential raw sugar⁽³⁾, and in particular the second subparagraph of Article 3 (2) thereof,

Whereas Article 3 of Regulation (EEC) No 2225/86 provides for the granting of an aid for raw sugar produced in the French overseas departments and refined in a refinery situated in the European regions of the Community within the limits of the quantities to be determined according to the regions of destination in question and separately according to origin; whereas those quantities must be determined on the basis of a Community supply balance sheet for raw sugar; whereas in a first stage quantities were fixed by Commission Regulation (EEC) No 2136/88⁽⁴⁾ on the basis of a forward estimate covering the period 1 July 1988 to 31 January 1989;

Whereas the final production of the French overseas departments and the quantities available for refining are now known; whereas the latter quantities which may qualify for this refining aid are accordingly to be determined for the remainder of the 1988/89 marketing year;

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

HAS ADOPTED THIS REGULATION:

Article 1

The quantities of sugar referred to in Article 3 (2) of Regulation (EEC) No 2225/86 shall be fixed for the period 1 February to 30 June 1989 in accordance with the Annex to this Regulation.

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 February 1989.

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

Done at Brussels, 14 March 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 194, 17. 7. 1986, p. 7.

⁽⁴⁾ OJ No L 188, 19. 7. 1988, p. 26.

ANNEX

Quantities of raw cane sugar, expressed as 1 000 tonnes of white sugar :

Originating from the French overseas departments	For refining			
	in metropolitan France	in Portugal	in the United Kingdom	in the other regions of the Community
1. Réunion	24	10	12	—
2. Guadeloupe and Martinique	1	—	—	—

COMMISSION REGULATION (EEC) No 644/89

of 14 March 1989

amending Regulation (EEC) No 2137/88 adopting measures for the supply of raw sugar from beet harvested in the Community to Portuguese refineries during the 1988/89 marketing year

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

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 9 (6) and the second paragraph of Article 39 thereof,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the conversion 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 12 thereof,

Whereas the quantity of sugar expressed as white sugar obtained from beet harvested in the Community which may be made available to Portuguese refineries is slightly higher than shown in the forward estimate; whereas the quantity in respect of which Community flat-rate aid for transport and refining in Portugal may be granted should accordingly be adjusted;

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

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Commission Regulation (EEC) No 2137/88⁽⁵⁾, '20 000 tonnes' is hereby replaced by '20 400 tonnes'.

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 July 1988.

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

Done at Brussels, 14 March 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 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 188, 19. 7. 1988, p. 28.

COMMISSION REGULATION (EEC) No 645/89**of 14 March 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⁽¹⁾ on the tariff and statistical nomenclature and on the Common Customs Tariff, 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 this

Regulation must be classified within the appropriate CN codes 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 codes 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, 14 March 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.

Description of the goods	Classification (CN code)	Reasons
(1)	(2)	(3)
<p>2. Set of two garments put up for retail sale consisting of:</p> <p>(a) A loose-fitting woven windjacket (100 % synthetic fibres) lightweight, lined in the upper part of the garment, consisting of two different coloured fabrics. It has a collar and is fully opening at the front with a zip fastening. This opening has a protective flap with press studs fastening left over right. With loose-fitting long sleeves which are elasticated at the sleeve-ends. There is also elastication at the base of the garment. There is a hood which can be tucked into a pouch in the collar. The hood has a drawstring and the pouch has a zip fastening. There are two internal pockets which protective flaps at the waist. (See photograph No 407 A)</p> 	6201 93 00	<p>The classifications are determined by the provisions of general rules 1 and 6 for the interpretation of the combined nomenclature, by note 13 to Section XI, by note 8 to Chapter 62 in the case of the trousers, as well as by the texts of CN codes 6201, 6201 93 00 and 6204 and 6204 63 19.</p> <p>Classification as a tracksuit is excluded because of the partial lining in the windjacket.</p>
<p>(b) A lightweight woven pair of trousers (100 % synthetic fibres) of one colour reaching from the waist to the ankles, tightening at the waist by means of elastication and a drawstring. The bottoms of the trouser legs have zip fastenings and can be tightened by velcro strips. The garment has two internal pockets. (See photograph No 407 B)</p> 	6204 63 19	

COMMISSION REGULATION (EEC) No 646/89
of 14 March 1989

replacing the codes established on the basis of the Common Customs Tariff nomenclature in force on 31 December 1987 with those established on the basis of the combined nomenclature in certain Regulations concerning the classification of goods

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 of 23 July 1987 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 15 thereof,

Whereas Council Regulation (EEC) No 950/68 of 28 June 1968 on the Common Customs Tariff⁽³⁾, as last amended by Regulation (EEC) No 3529/87⁽⁴⁾, established the nomenclature of the Common Customs Tariff on the basis of the Convention of 15 December 1950 on nomenclature for the classification of goods in customs tariffs;

Whereas the Commission has adopted a number of Regulations concerning the classification of goods in the nomenclature of the Common Customs Tariff on the basis of Regulation (EEC) No 97/69 of the Council of 16 January 1969 on measures to be taken for uniform application of the nomenclature of the Common Customs Tariff⁽⁵⁾, as last amended by Council Regulation (EEC) No 2055/84⁽⁶⁾;

Whereas Regulation (EEC) No 2658/87 established a goods nomenclature, called the combined nomenclature, to meet, at one and the same time, the requirements of the Common Customs Tariff and of the external statistics of the Community, based on the International Convention on the Harmonized Commodity Description

and Coding System, which replaces the Convention of 15 December 1950 referred to above;

Whereas Article 15 (1) of Regulation (EEC) No 2658/87 lays down that the codes and descriptions of goods established on the basis of the combined nomenclature are to replace those established on the basis of the nomenclature of the Common Customs Tariff in force on 31 December 1987;

Whereas for the sake of clarity and simplification those of the said Regulations which are still of practical significance and in which the transposition will involve no changes of substance should be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

In the Regulations listed in column 1 of the Annex, which refer to the goods described in column 2, the codes based on the nomenclature of the Common Customs Tariff in column 3 shall be replaced by the codes based on the combined nomenclature listed in column 4.

Article 2

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

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

Done at Brussels, 14 March 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.

⁽³⁾ OJ No L 172, 22. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 336, 26. 11. 1987, p. 3.

⁽⁵⁾ OJ No L 14, 21. 1. 1969, p. 1.

⁽⁶⁾ OJ No L 191, 19. 7. 1984, p. 1.

ANNEX

Regulation (EEC) No	Description of goods	CCT heading number	Combined nomenclature code
(1)	(2)	(3)	(4)
484/79 ⁽¹⁾	Yarn for fishing lines, consisting of hollow braiding made from continuous nylon fibres wholly clad with a layer of polyvinyl chloride, put up in reels in certain lengths, with tapered ends	39.07 E IV	3926 90 99
1218/84 ⁽²⁾	Wash basins composed of 30 % of artificial plastic material (styrenated polyester resin) and 70 % of filler (mainly of silicate) and having a coating of transparent artificial plastic material (styrenated polyester resin about 0,2 mm thick on the working surface)	39.07 B V d)	3922 10 00
2882/83 ⁽³⁾	Electronic games, consisting of a plastic and metal case (110 × 73,5 × 8 mm) with a liquid crystal display screen and containing a monolithic integrated circuit programmed for the game (with a display of the player's score), clock, alarm and calculator functions	97.04 C	9504 90 90
211/85 ⁽⁴⁾	Memory elements intended for use as parts of automatic data-processing machines consisting of: <ul style="list-style-type: none"> — a static random access memory (RAM) in C-MOS technology, — a rectangular multilayer ceramic printed-circuit panel (17 × 39 mm), carrying (in a separable way): <ul style="list-style-type: none"> — four statistic RAMs, in C-MOS technology (C-MOS-SRAMs), comprising a monolithic integrated circuit, each with a 16 K or 64 K memory, — one decoder in the form of a monolithic integrated circuit, — 2 × 14 connector pins, — an electronic programmable read only memory (Eprom), — a rectangular multilayer ceramic printed-circuit panel (17 × 39 mm), carrying (in a separable way): <ul style="list-style-type: none"> — two ultraviolet-erasable programmable read only memories (Eproms), in the form of a monolithic integrated circuit, each with a 64 K memory and a quartz window in the upper surface, — one decoder in the form of a monolithic integrated circuit, — one decoupling capacitor, — 2 × 14 connector pins 	84.55 C	8473 30 00
1936/84 ⁽⁵⁾	A microcomputer of 15 × 51 × 2 mm with 40 connecting pins and equipped with <i>inter alia</i> : <ul style="list-style-type: none"> — a user-programmable ultraviolet-erasable 1 K × 8 bit program memory (Eprom), — a 64 × 8 bit read/write data memory (RAM), 		

Regulation (EEC) No	Description of goods	CCT heading number	Combined nomenclature code
(1)	(2)	(3)	(4)
	<ul style="list-style-type: none"> — 27 in/out lines, — an 8 bit timer/counter, and — an on-board oscillator and clock circuit 	85.21 D II	8542 11 75
1620/81 (6)	Self-propelled machines for forestry use which are capable of being fitted with various attachments enabling the machines to perform a number of operations on timber, such as lifting, handling, hauling, pushing, loading, debarking and cutting to length	87.01 B	8701 90
551/87 (7)	<p>Apparatus for transferring to microfilm information recorded on magnetic tape consisting of:</p> <ul style="list-style-type: none"> — a tape deck for playing the magnetic tape, — a processing unit for transcribing the data recorded on the tape into legible characters to be displayed on a cathode-ray tube and for controlling the operation of a camera and flashlight which are used to photograph those characters. If desired, this part of the operation may be performed by the central processing unit or an automatic data-processing machine instead of the processing unit which forms part of the apparatus, — a cathode-ray tube displaying the characters, — a flashlight apparatus, — a camera for photographing the characters on microfilm, — a unit for developing and printing the film in the form of microfiches 	90.07 A	9006 20 00
2054/83 (8)	<p>Electronic instruments (called multi-channel analysers) which, because they incorporate microprocessors, can classify results previously obtained with external measuring apparatus such as voltmeters, sensors, or angular decoders and received by the instruments in the form of electrical signals, and can compare these results (actual values) with the required values, and which consist essentially of the following parts:</p> <ol style="list-style-type: none"> 1. a control panel with keys and control knobs; 2. a visual display unit with a cathode-ray tube and control knobs to enable signal-evaluation results to be presented in the form of spectral lines or alphanumeric data; 3. analogue-to-digital converters for the conversion of analogue input signals into digital signals; 4. electronic amplifiers for signal enhancement; 5. a data storage unit for data and programs; 6. three microprocessors for data processing (one of which works with programmed calibration data; another serving for comparison of actual values with required values and capable of providing experiment feedback control); 7. a power supply; 8. a line printer for data output; and 9. a floppy-disk unit for additional data and program storage 	90.28 A II a)	9030 39 30

Regulation (EEC) No	Description of goods	CCT heading number	Combined nomenclature code
(1)	(2)	(3)	(4)
2334/83 (*)	<p>Electronic integrators which :</p> <ul style="list-style-type: none"> — with the aid of incorporated detectors and electronic counters, compare, with the data stored in the program, the results of analysis (detect and evaluate the peak heights and areas, determine the number of peaks and the extent of peak areas) which they receive in the form of analogue electrical signals from external analysers as chromatographs or spectrometers, — process the findings of the comparison, converted into digital electrical signals, in incorporated microprocessors, — print out the results of analyses in the form of either a report or graph, and — consist essentially of the following parts : <ol style="list-style-type: none"> 1. an alphanumeric keyboard for program and data input and intermediate result inquiry ; 2. a keyboard for program input and apparatus operation ; 3. an analogue-to-digital converter for the conversion of analogue input signals into digital signals ; 4. electronic amplifiers (input amplifiers, logarithmic amplifiers, integrated amplifiers) for signal amplification ; 5. a unit for data and program storage ; 6. electronic detectors for the ascertainment and evaluation of peak heights and areas ; 7. electronic counters to determine the number of peaks and the extent of peak areas ; 8. microprocessors to calculate the cardinal points (beginning, end and top of peaks) ; 9. a power supply ; and 10. a thermal printer and curve plotter for data output 	90.28 A II a)	9030 39 30

(*) OJ No L 64, 14. 3. 1979, p. 47.

(*) OJ No L 117, 3. 5. 1984, p. 16.

(*) OJ No L 283, 15. 10. 1983, p. 13.

(*) OJ No L 24, 29. 1. 1985, p. 13.

(*) OJ No L 180, 7. 7. 1984, p. 12.

(*) OJ No L 160, 18. 6. 1981, p. 21.

(*) OJ No L 56, 3. 3. 1981, p. 20.

(*) OJ No L 202, 26. 7. 1983, p. 7.

(*) OJ No L 224, 17. 8. 1983, p. 14.

COMMISSION REGULATION (EEC) No 647/89

of 14 March 1989

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 1837/80 of 27 June 1980 on the common organization of the market in sheepmeat and goatmeat ⁽¹⁾, as last amended by Regulation (EEC) No 1115/88 ⁽²⁾,

Having regard to Commission Regulation (EEC) No 1633/84 of 8 June 1984 laying down detailed rules for applying the variable slaughter premium for sheep and repealing Regulation (EEC) No 2661/80 ⁽³⁾, as last amended by Regulation (EEC) No 3939/87 ⁽⁴⁾, and in particular Articles 3 (1) and 4 (1) thereof,

Whereas the United Kingdom is the only country which grants the variable slaughter premium, in region 5, within the meaning of Article 3 (5) of Regulation (EEC) No 1837/80; whereas it is necessary therefore for the Commission to fix, for the week beginning 20 February 1989, the level of the premium and the amount to be charged on products leaving that region;

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

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

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

Whereas, pursuant to the provisions of Article 9 (1) of Regulation (EEC) No 1837/80, for the week beginning 20

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For sheep or sheepmeat certified as eligible in the United Kingdom in region 5, within the meaning of Article 3 (5) of Regulation (EEC) No 1837/80, for the variable slaughter premium during the week beginning 20 February 1989, the level of the premium is fixed at 170,318 ECU/100 kilograms of estimated or actual dressed carcase weight within the limits laid down by Article 1 (1) (b) of Regulation (EEC) No 1633/84.

Article 2

For products referred to in Article 1 (a) and (c) of Regulation (EEC) No 1837/80, which left the territory of region 5 during the week beginning 20 February 1989, the amounts to be charged shall be equivalent to those fixed in the Annexes hereto.

Article 3

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

It shall apply with effect from 20 February 1989.

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.
⁽²⁾ OJ No L 110, 29. 4. 1988, p. 36.
⁽³⁾ OJ No L 154, 9. 6. 1984, p. 27.
⁽⁴⁾ OJ No L 373, 31. 12. 1987, p. 1.
⁽⁵⁾ OJ No L 122, 12. 5. 1988, p. 69.

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

Done at Brussels, 14 March 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 14 March 1989 fixing for Great Britain the level of the variable slaughter premium for sheep and the amounts to be charged on products leaving region 5

(ECU/100 kg)

CN code	Amounts	
	A. Products qualifying for the premium specified in Article 9 of Regulation (EEC) No 1837/80	B. Products specified in Article 4 (4) of Regulation (EEC) No 1633/84 ⁽¹⁾
	Live weight	Live weight
0104 10 90	80,049	0
0104 20 90		0
	Net weight	Net weight
0204 10 00	170,318	0
0204 21 00	170,318	0
0204 50 11		0
0204 22 10	119,223	
0204 22 30	187,350	
0204 22 50	221,413	
0204 22 90	221,413	
0204 23 00	309,979	
0204 30 00	127,739	
0204 41 00	127,739	
0204 42 10	89,417	
0204 42 30	140,513	
0204 42 50	166,061	
0204 42 90	166,061	
0204 43 00	232,485	
0204 50 13		0
0204 50 15		0
0204 50 19		0
0204 50 31		0
0204 50 39		0
0204 50 51		0
0204 50 53		0
0204 50 55		0
0204 50 59		0
0204 50 71		0
0204 50 79		0
0210 90 11	221,413	
0210 90 19	309,979	
1602 90 71 :		
— unboned (bone-in)	221,413	
— boned or boneless	309,979	

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

COMMISSION REGULATION (EEC) No 648/89
of 14 March 1989
concerning applications for STM licences for cereals submitted during the first
10 days of March 1989

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 Commission Regulation (EEC) No 574/86 of 28 February 1986 laying down detailed rules for the application of the supplementary trade mechanism (STM) ⁽¹⁾, as last amended by Regulation (EEC) No 3296/88 ⁽²⁾, and in particular Article 6 (4) thereof,

Whereas Commission Regulation (EEC) No 598/86 of 28 February 1986 on the application of the supplementary trade mechanism to imports into Spain of common wheat of bread-making quality from the Community as constituted at 31 December 1985 ⁽³⁾, as amended by Regulation (EEC) No 3592/86 ⁽⁴⁾, lays down that STM licences issued during any one month may not be issued for quantities totalling more than 50 % of the guide quantity;

Whereas, pursuant to Article 6 (3) of Regulation (EEC) No 574/86, the Commission has been notified of the admis-

sible applications for STM licences for imports of common wheat of bread-making quality into Spain during the first 10 days of March 1989; whereas the necessary provisions regarding the acceptance of the said applications should be adopted,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for STM licences for common wheat of bread-making quality falling within CN code 1001 90 99 submitted during the first 10 days of March 1989 and notified to the Commission shall be accepted for the tonnages applied for adjusted by a coefficient of 0,90683.

Article 2

This Regulation shall enter into force on 15 March 1989.

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

Done at Brussels, 14 March 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 57, 1. 3. 1986, p. 1.

⁽²⁾ OJ No L 293, 27. 10. 1988, p. 7.

⁽³⁾ OJ No L 58, 1. 3. 1986, p. 16.

⁽⁴⁾ OJ No L 334, 27. 11. 1986, p. 19.

COMMISSION REGULATION (EEC) No 649/89

of 14 March 1989

altering the rates of the refunds applicable to certain products from the sugar sector exported in the form of goods not covered by Annex II to the Treaty

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 19 (1) and (2) thereof,Whereas the rates of the refunds applicable from 1 February 1989 to the products listed in the Annex, exported in the form of goods not covered by Annex II to the Treaty, were fixed by Regulation (EEC) No 518/89⁽³⁾;

Whereas it follows from applying the rules and criteria contained in Regulation (EEC) No 518/89 to the informa-

tion at present available to the Commission that the export refunds at present applicable should be altered as shown in the Annex hereto,

HAS ADOPTED THIS REGULATION :

Article 1

The rates of refund fixed by Regulation (EEC) No 518/89 are hereby altered as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 15 March 1989.

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

Done at Brussels, 14 March 1989.

For the Commission

Christiane SCRIVENER

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 58, 1. 3. 1989, p. 32.

ANNEX

to the Commission Regulation of 14 March 1989 altering the rates of the refunds applicable to certain products in the sugar sector exported in the form of goods not covered by Annex II to the Treaty

<i>Rate of refund in ECU/100 kg:</i>	White sugar:	32,68
	Raw sugar:	29,28
	Syrups of beet sugar or cane sugar containing, in the dry state, 85 % or more by weight of sucrose (including invert sugar expressed as sucrose) ^(*) :	$32,68 \times \frac{S^{(1)}}{100}$
	Molasses:	—
	Isoglucose ⁽²⁾ :	32,68 ⁽³⁾

^(*) For aqueous solutions of sugar the refund is calculated according to the quantity of sugar (white or raw) used.

⁽¹⁾ 'S' represents per 100 kilograms of syrup

— the sucrose content (including invert sugar expressed as sucrose) of the syrup in question, where the latter is not less than 98 % pure,

— the extractable sugar content of the syrup in question, where the latter is not less than 85 %, but less than 98 % pure.

⁽²⁾ Products obtained by isomerization of glucose, which have a content by weight in the dry state of at least 41 % fructose and of which the total content by weight in the dry state of polysaccharides and oligosaccharides, including the di- or trisaccharides content, does not exceed 8,5 %.

⁽³⁾ Amount of refund per 100 kilograms of dry matter.

COMMISSION REGULATION (EEC) No 650/89
of 14 March 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 612/89 ⁽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 15 March 1989.

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

Done at Brussels, 14 March 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 66, 10. 3. 1989, p. 29.

ANNEX

to the Commission Regulation of 14 March 1989 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	32,98 ⁽¹⁾
1701 11 90	32,98 ⁽¹⁾
1701 12 10	32,98 ⁽¹⁾
1701 12 90	32,98 ⁽¹⁾
1701 91 00	39,94
1701 99 10	39,94
1701 99 90	39,94 ⁽²⁾

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

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

COMMISSION REGULATION (EEC) No 651/89
of 14 March 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 534/89 ⁽³⁾, as last amended by Regulation (EEC) No 613/89 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 534/89 to the informa-

tion 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 534/89 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 15 March 1989.

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

Done at Brussels, 14 March 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 59, 2. 3. 1989, p. 16.

⁽⁴⁾ OJ No L 66, 10. 3. 1989, p. 31.

ANNEX

to the Commission Regulation of 14 March 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	30,06 ⁽¹⁾	
1701 11 90 910	28,85 ⁽¹⁾	
1701 11 90 950	⁽²⁾	
1701 12 90 100	30,06 ⁽¹⁾	
1701 12 90 910	28,85 ⁽¹⁾	
1701 12 90 950	⁽²⁾	
1701 91 00 000		0,3268
1701 99 10 100	32,68	
1701 99 10 910	32,81	
1701 99 10 950	32,81	
1701 99 90 100		0,3268

⁽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 652/89
of 14 March 1989

altering the export refunds on syrups and certain other sugar sector products
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 18 June 1981 on the common organization of the
markets in the sugar sector⁽¹⁾, as last amended by Regula-
tion (EEC) No 2306/88⁽²⁾, and in particular Article 19 (4)
thereof,

Whereas the refunds on syrups and certain other sugar
products were fixed by Regulation (EEC) No 507/89⁽³⁾;

Whereas it follows from applying the rules, criteria and
other provisions contained in Regulation (EEC) No
507/89 to the information at present available to the

Commission that the export refunds at present in force
should be altered as shown in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The refunds to be granted on the products listed in
Article 1 (1) (d), (f) and (g) of Regulation (EEC) No
1785/81, exported in the natural state, as fixed in the
Annex to Regulation (EEC) No 507/89 are hereby altered
to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 15 March 1989.

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

Done at Brussels, 14 March 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 58, 1. 3. 1989, p. 11.

ANNEX

to the Commission Regulation of 14 March 1989 altering the export refunds on syrups and certain other sugar products exported in the natural state

(ECU)

Product code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question (1)	Amount of refund per 100 kg of dry matter (2)
1702 40 10 100		32,68
1702 60 10 000		32,68
1702 60 90 000	0,3268	
1702 90 30 000		32,68
1702 90 60 000	0,3268	
1702 90 71 000	0,3268	
1702 90 90 900	0,3268	
2106 90 30 000		32,68
2106 90 59 000	0,3268	

(1) The basic amount is not applicable to syrups which are less than 85 % pure (Regulation (EEC) No 394/70).
Sucrose content is determined in accordance with Article 13 of Regulation (EEC) No 394/70.

(2) Applicable only to products referred to in Article 3 of Regulation (EEC) No 1469/77.

COMMISSION REGULATION (EEC) No 653/89

of 14 March 1989

introducing a countervailing charge on artichokes originating in Egypt

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 3138/88 of 12 October 1988 fixing for the 1988/89 marketing year the reference prices for artichokes⁽³⁾ fixed the reference price for products of class I for the period 1 January to 30 April 1989 at 78,03 ECU 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 Commission 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, for artichokes originating in Egypt 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 artichokes;

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 Council 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,

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of 14,48 ECU per 100 kilograms net is applied to artichokes (CN code 0709 10 00) originating in Egypt.

Article 2

This Regulation shall enter into force on 16 March 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 280, 13. 10. 1988, p. 13.

⁽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, 14 March 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 654/89

of 14 March 1989

amending Regulation (EEC) No 828/87 specifying products in the beef and veal sector which are eligible for buying in

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EEC) No 571/89⁽²⁾, and in particular Article 6a (6) thereof,Whereas Commission Regulation (EEC) No 828/87⁽³⁾, as last amended by Regulation (EEC) No 2483/88⁽⁴⁾, provided for the buying-in of forequarters of certain categories, qualities and presentations specified on the basis of the Community scale for the classification of carcasses of adult bovine animals established under Council Regulation (EEC) No 1208/81⁽⁵⁾;

Whereas the situation on the market for beef and veal has deteriorated in several Member States as a result, in particular, of the concern stemming from the forthcoming change in the public intervention arrangements and the system of premiums; whereas

suitable measures should be taken quickly to halt the fall in prices and to ensure a smooth switchover from the old and new support mechanisms; whereas to that end carcasses and half-carcasses should be bought in and the Annex to the said Regulation should be amended accordingly;

Whereas the Management Committee for Beef and Veal has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 828/87 is replaced by the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 20 March 1989.

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

Done at Brussels, 14 March 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 61, 4. 3. 1989, p. 43.⁽³⁾ OJ No L 80, 24. 3. 1987, p. 8.⁽⁴⁾ OJ No L 213, 6. 8. 1988, p. 44.⁽⁵⁾ OJ No L 123, 7. 5. 1981, p. 3.

ANEXO — BILAG — ANHANG — ΠΑΡΑΡΤΗΜΑ — ANNEX — ANNEXE — ALLEGATO —
BIJLAGE — ANEXO

Productos elegibles para la intervención
 Produkterne, der er kvalificeret til intervention
 Interventionsfähige Erzeugnisse
 Προϊόντα επιλέξιμα για την παρέμβαση
 Products eligible for intervention
 Produits éligibles à l'intervention
 Prodotti ammissibili all'intervento
 Produkten die in aanmerking komen voor interventie
 Produtos elegíveis para a intervenção

BELGIQUE/BELGIË

- *Carcasses, demi-carcasses :*
- *Hele dieren, halve dieren :*
 - Catégorie A classe U2 / Categoria A classe U2
 - Catégorie A classe U3 / Categoria A classe U3
 - Catégorie A classe R2 / Categoria A classe R2
 - Catégorie A classe R3 / Categoria A classe R3
 - Catégorie A classe O2 / Categoria A classe O2
 - Catégorie A classe O3 / Categoria A classe O3

DANMARK

- Hele og halve kroppe :*
- Kategori A klasse R2
 - Kategori A klasse R3
 - Kategori A klasse O2
 - Kategori A klasse O3
 - Kategori C klasse R3
 - Kategori C klasse O3

DEUTSCHLAND

- Ganze oder halbe Tierkörper :*
- Kategorie A, Klasse U2
 - Kategorie A, Klasse U3
 - Kategorie A, Klasse R2
 - Kategorie A, Klasse R3
 - Kategorie C, Klasse R3
 - Kategorie C, Klasse R4
 - Kategorie C, Klasse O3

ΕΛΛΑΔΑ

- Ολόκληρα σφάγια ή μισά σφάγια*
- Κατηγορία Α, κλάση R2
 - Κατηγορία Α, κλάση R3
 - Κατηγορία Α, κλάση O2
 - Κατηγορία Α, κλάση O3

ESPAÑA

- Canales o semicanales :*
- Categoría A, clase U2
 - Categoría A, clase U3
 - Categoría A, clase R2
 - Categoría A, clase R3
 - Categoría A, clase O2
 - Categoría A, clase O3

FRANCE*Carcasses, demi-carcasses :*

- Catégorie A classe U2
- Catégorie A classe U3
- Catégorie A classe R2
- Catégorie A classe R3
- Catégorie A classe O2
- Catégorie A classe O3
- Catégorie C classe U2
- Catégorie C classe U3
- Catégorie C classe U4
- Catégorie C classe R3
- Catégorie C classe R4
- Catégorie C classe O3

IRELAND*Carcases, half-carcases :*

- Category C class U3
- Category C class U4
- Category C class R3
- Category C class R4
- Category C class O3

ITALIA*Carcasse e mezzene :*

- Categoria A classe U2
- Categoria A classe U3
- Categoria A classe R2
- Categoria A classe R3
- Categoria A classe O2
- Categoria A classe O3

LUXEMBOURG*Carcasses, demi-carcasses :*

- Catégorie A classe R2
- Catégorie A classe O2
- Catégorie C classe R3
- Catégorie C classe O3

NEDERLAND*Hele dieren, halve dieren :*

- Categoria A klasse R2
- Categoria A klasse R3

UNITED KINGDOM**A. Great Britain***Carcases, half-carcases :*

- Category C class U2
- Category C class U3
- Category C class U4
- Category C class R3
- Category C class R4

B. Northern Ireland*Carcases, half-carcases :*

- Category C class U3
- Category C class U4
- Category C class R3
- Category C class R4
- Category C class O3

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 20 February 1989

on the conclusion of an Agreement between the European Economic Community and Canada concerning trade and commerce in alcoholic beverages

(89/189/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas on 17 December 1988 Canada and the Community, in the light of the findings and conclusions of the GATT Panel on Import, Distribution and Sale of Alcoholic Drinks by Canadian Provincial Marketing Agencies, reached a settlement, in the form of an Agreement;

Whereas the said Agreement should be approved,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement between the European Economic Community and Canada concerning trade and commerce

in alcoholic beverages and the Exchanges of Letters attached thereto are hereby approved on behalf of the Community.

The text of the instruments referred to in the preceding subparagraph is attached to this Decision.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreement in order to bind the Community.

Done at Brussels, 20 February 1989.

For the Council

The President

F. FERNANDEZ ORDOÑEZ

AGREEMENT

between the European Economic Community and Canada concerning trade and commerce in alcoholic beverages

THE EUROPEAN ECONOMIC COMMUNITY AND

THE GOVERNMENT OF CANADA (hereinafter referred to as 'the parties'),

TAKING INTO ACCOUNT their respective rights and obligations under the General Agreement on Tariffs and Trade with respect to the treatment of goods, and particularly alcoholic beverages, originating in the territory of the other party;

RECALLING the findings and conclusions of the GATT Panel on Import, Distribution and Sale of Alcoholic Drinks by Canadian Provincial Marketing Agencies;

DESIRING to resolve their differences over trade in the alcoholic beverage sector and to ensure respect for international legal obligations while acknowledging the temporary need for structural adjustment;

ENDEAVOURING to ensure that measures that are currently benefiting the sale of alcoholic beverages originating in the European Economic Community are not made more restrictive,

HAVE AGREED AS FOLLOWS:

Article 1

Definitions

In this Agreement:

'basic price' means the landed cost of alcoholic beverages, which may include the cost of service, incurred by Canadian competent authorities;

'blended wine' means wine made in Ontario and British Columbia that contains less than 100 % but no less than 30 % Canadian grapes or grape product;

'100 % Canadian wine' means wine that is made entirely from Canadian grapes or grape product in British Columbia, Nova Scotia or Ontario and that is sold in the province of origin;

'Canadian competent authority' means any government or commission, board or other governmental agency that is authorized by law to control the sale of distilled spirits, wine and beer;

'cost of service' means the audited expenses incident to the purchase, storage, delivery to sales points, handling and sale of alcoholic beverages;

'the Community' means 'the European Economic Community';

'delisting' means a revocation of a listing;

'distilled spirits' means spirits, liqueurs and other spirituous beverages;

'distribution' means access to the points of sale for alcoholic beverages other than outlets of the Canadian competent authorities;

'listing' means a decision by a Canadian competent authority whether brands or varieties of distilled spirits, wines and beer may be sold in its outlets;

'mark-up' means the amount added to a base price and to applicable duties and taxes which results in the establishment of a retail price;

'mark-up differential' means the difference between the mark-up on a product of the Community and the mark-up on the like product of Canada other than additional costs of service necessarily associated with imported products of the Community;

'measure' includes any law, regulation, procedure, requirement or practice;

'national treatment' means treatment by a Canadian competent authority of a product of the Community that is no less favourable than the most favourable treatment accorded by such competent authority to any like product of Canada ;

'Ontario brandy' means brandy that is produced in Ontario from Ontario grapes or grape product ;

'product of Canada' means distilled spirits, wine or beer respectively that is produced, bottled or packaged in Canada ;

'product of the Community' means distilled spirits, wine or beer respectively that is produced in the customs territory of the Community.

Article 2

Distilled spirits

1. Canadian competent authorities shall accord national treatment to distilled spirits that are the product of the Community in respect of measures affecting the listing, delisting, distribution and mark-up of such products.
2. Notwithstanding subparagraph 1 :
 - (a) the competent authority in Ontario may accord a preference to Ontario brandy in respect of the mark-up of such brandy, for the time and in the measure provided for in Annex D ;
 - (b) Canadian competent authorities may limit sales by a distillery on its premises to distilled spirits produced there.

Article 3

Beer

Canadian competent authorities :

- (a) shall accord national treatment to beer that is the product of the Community in respect of measures affecting the listing or delisting of such beer ;
- (b) shall not increase any mark-up differential that exists on 1 December 1988 between beer that is the product of the Community and beer that is the product of Canada.

Article 4

Wine

1. Canadian competent authorities shall accord national treatment to wine that is the product of the Community in respect of measures affecting the listing, delisting and distribution of such wine.
2. Notwithstanding subparagraph 1, the appropriate Canadian competent authority may :
 - (a) limit sales by a winery on its premises to wines produced there ;
 - (b) require private wine store outlets in Ontario to sell only wines produced by Canadian wineries ;
 - (c) require that wine sold in grocery stores in Quebec under applicable regulations be bottled in Quebec, provided that alternative outlets are provided in Quebec for the sale of wine that is the product of the Community, whether or not such wine is bottled in Quebec.
3. Canadian competent authorities shall eliminate the mark-up differential between wine that is the product of the Community and wine that is the product of Canada in accordance with the schedules in Annexes A, B and C. Any increase in the mark-up differential after 22 March 1988 shall be eliminated before the scheduled reductions take place.

*Article 5***Listing and delisting measures**

1. Any measure of Canadian competent authorities relating to the listing or delisting of products of the Community shall be :

- (a) non-discriminatory ;
- (b) based on normal commercial considerations ;
- (c) transparent ; and not create disguised barriers to trade ; and be
- (d) published and made available to persons with an interest in the trade and listing or decisions to delist such products.

2. Canadian competent authorities shall, in respect of applications for listing of or decisions to delist products of the Community, provide :

- (a) prompt, written notification of decisions to applicants ;
- (b) written reasons for those decisions ;
- (c) administrative appeal procedures to ensure prompt, objective reviews of a decision to refuse to list or a decision to delist.

*Article 6***Consultations**

The parties shall monitor the implementation of the Agreement and shall consult, promptly at either's request, concerning any matter relating to its interpretation and implementation. This will include consultations on measures that are currently benefiting the sale of the product of the Community.

*Article 7***Relation to GATT**

The parties retain their rights and obligations under the General Agreement on Tariffs and Trade.

*Article 8***Duration**

This Agreement shall enter into force on signature.

This Agreement shall be of indefinite duration. It may be terminated by either party on 30 days' notice.

Hecho en doble ejemplar en Bruselas, el veintiocho de febrero de mil novecientos ochenta y nueve.

Udfærdiget i to eksemplarer i Bruxelles den otteogtyvende februar nitten hundrede og niofirs.

Geschehen zu Brüssel am achtundzwanzigsten Februar neunzehnhundertneunundachtzig in zwei Urschriften.

Έγινε σε δύο αντίτυπα στις Βρυξέλλες, την εικοστή ογδόη Φεβρουαρίου χίλια εννιακόσια ογδόντα εννέα.

Done in duplicate at Brussels this twenty-eighth day of February in the year one thousand nine hundred and eighty-nine.

Fait en double exemplaire à Bruxelles, le vingt-huit février mille neuf cent quatre-vingt neuf.

Fatto in duplice esemplare a Bruxelles, il ventotto febbraio millenovecentottantanove.

Gedaan in tweevoud, te Brussel, op achtentwintig februari negentienhonderd negenenachtig.

Feito em duplo exemplar em Bruxelas, aos vinte e oito de Fevereiro de mil novecentos e oitenta e nove.

Por el Consejo de las Comunidades Europeas
For Rådet for De Europæiske Fællesskaber
Für den Rat der Europäischen Gemeinschaften
Για το Συμβούλιο των Ευρωπαϊκών Κοινοτήτων
For the Council of the European Communities
Pour le Conseil des Communautés européennes
Per il Consiglio delle Comunità europee
Pelo Conselho das Comunidades Europeias

Por el Gobierno de Canadá
For Canadas regering
Für die Regierung Canadas
Για την κυβέρνηση του Καναδά
For the Government of Canada
Pour le gouvernement du Canada
Per il governo del Canada
Voor de Regering van Canada
Pelo Governo do Canadá

ANNEX A

1. Except as otherwise provided in Annexes B and C, Canadian competent authorities shall eliminate, in accordance with Article 4 (3), the mark-up differential that exists between wine that is the product of the Community and wine that is the product of Canada in accordance with the following schedule:
 - (a) on a date no later than 1 April 1989, 25 % of the differential;
 - (b) on 1 January 1990, 25 % of the differential;
 - (c) on the first day of January of each year from 1991 until 1995 inclusive, 10 % of the differential.
2. Nothing in this Agreement shall prevent Canadian competent authorities from eliminating the differential more expeditiously than provided for in the schedule in paragraph 1.

ANNEX B

The Canadian competent authorities in Ontario and British Columbia shall reduce the mark-up differential between blended wine and wine that is the product of the Community in accordance with the following schedule:

- (a) on a date that is no later than 1 April 1989, 19 % of the differential;
- (b) on 1 January 1990, 19 % of the differential;
- (c) on the first day of January of each year from 1991 until 1995 inclusive, 12,4 % of the differential.

ANNEX C

Canadian competent authorities in British Columbia, Nova Scotia and Ontario shall reduce the mark-up differential that exists between 100 % Canadian wine and wine that is the product of the Community in accordance with the following schedule:

- (a) on a date that is no later than 1 April 1989, 10 % of the differential;
- (b) on the first day of January of each year from 1990 until 1998, 10 % of the differential.

ANNEX D

The Canadian competent authority in Ontario shall eliminate the mark-up differential between Ontario brandy and the like product of the Community in accordance with the following schedule:

- (a) on a date no later than 1 April 1989, 20 % of the differential;
 - (b) on the first day of January of each year from 1990 until 1993 inclusive, 20 % of the differential.
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EXCHANGES OF LETTERS*Letter No 1*

Brussels, 28 February 1989

Sir,

I refer to the Agreement between Canada and the European Economic Community concerning Trade and Commerce in Alcoholic Beverages that was signed today.

I wish to confirm that the Prime Minister of Canada and the Premiers of the Provinces of Canada have agreed to initiate negotiations, involving the federal and provincial governments, concerning the reduction or elimination of interprovincial barriers to trade in alcoholic beverages, including beer.

Canada will bring measures on pricing of beer into conformity with its GATT obligations following a successful conclusion of this process.

Please accept, Sir, the assurance of my highest consideration.

For the Government of Canada

Letter No 2

Brussels, 28 February 1989

Sir,

I acknowledge receipt of your letter of today's date with regard to mark-up differentials on beer.

I note it is the intention of the Government of Canada to bring measures on pricing of beer into conformity with its GATT obligations.

Please accept, Sir, the assurance of my highest consideration.

*On behalf of the Council
of the European Communities*

Letter No 1

Brussels, 28 February 1989

Sir,

In the context of the bilateral settlement of the disputes between Canada and the Community regarding the practices of provincial liquor boards in Canada which we have signed today, I hereby confirm the Community's willingness to enter into negotiations with Canada on the reciprocal supervision and protection of spirituous beverages appellations. I note that the Government of Canada is also willing to enter into parallel negotiations on reciprocal recognition of origin appellations for wine and that we agree to start those negotiations in the first quarter of 1989.

I would appreciate your confirmation of the Government of Canada's agreement with the terms of this letter.

Please accept, Sir, the assurance of my highest consideration.

*On behalf of the
Council of the European Communities*

Letter No 2

Brussels, 28 February 1989

Sir,

Thank you for your letter of today's date concerning the Community's willingness to enter into negotiations on the reciprocal supervision and protection of spirituous beverages appellations and on reciprocal recognition of original appellations for wine. I hereby confirm the Government of Canada's willingness to enter into the proposed negotiations.

Please accept, Sir, the assurance of my highest consideration.

For the Government of Canada
