

Official Journal

of the European Communities

ISSN 0378-6978

L 73

Volume 32

17 March 1989

English edition

Legislation

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 668/89

of 16 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 15 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 17 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, 16 March 1989.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX

to the Commission Regulation of 16 March 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	21,98	125,28
0712 90 19	21,98	125,28
1001 10 10	55,14	181,62 ⁽¹⁾ ⁽²⁾
1001 10 90	55,14	181,62 ⁽¹⁾ ⁽²⁾
1001 90 91	32,44	117,95
1001 90 99	32,44	117,95
1002 00 00	60,11	110,86 ⁽³⁾
1003 00 10	50,67	113,97
1003 00 90	50,67	113,97
1004 00 10	41,73	77,58
1004 00 90	41,73	77,58
1005 10 90	21,98	125,28 ⁽³⁾ ⁽²⁾
1005 90 00	21,98	125,28 ⁽³⁾ ⁽²⁾
1007 00 90	45,32	136,97 ⁽⁴⁾
1008 10 00	50,67	23,67
1008 20 00	50,67	34,37 ⁽⁴⁾
1008 30 00	50,67	0,00 ⁽⁵⁾
1008 90 10	⁽⁷⁾	⁽⁷⁾
1008 90 90	50,67	0,00
1101 00 00	59,77	179,49
1102 10 00	98,51	169,56
1103 11 10	98,98	295,02
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 669/89

of 16 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 15 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 17 March 1989.

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

Done at Brussels, 16 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 16 March 1989 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CN code	(ECU/tonne)			
	Current 3	1st period 4	2nd period 5	3rd period 6
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 10	0	0	0	1,69
1001 10 90	0	0	0	1,69
1001 90 91	0	0	0	3,61
1001 90 99	0	0	0	3,61
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 10	0	0	0	0
1004 00 90	0	0	0	0
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	5,07

B. Malt

CN code	(ECU/tonne)				
	Current 3	1st period 4	2nd period 5	3rd period 6	4th period 7
1107 10 11	0	0	0	6,43	6,43
1107 10 19	0	0	0	4,80	4,80
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 670/89

of 16 March 1989

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to 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 16 (2) thereof,

Having regard to Council Regulation (EEC) No 1514/76 of 24 June 1976 on imports of olive oil originating in Algeria⁽³⁾, as last amended by Regulation (EEC) No 4014/88⁽⁴⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1521/76 of 24 June 1976 on imports of olive oil originating in Morocco⁽⁵⁾, as last amended by Regulation (EEC) No 4015/88⁽⁶⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1508/76 of 24 June 1976 on imports of olive oil originating in Tunisia⁽⁷⁾, as last amended by Regulation (EEC) No 413/86⁽⁸⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1180/77 of 17 May 1977 on imports into the Community of certain agricultural products originating in Turkey⁽⁹⁾, as last amended by Regulation (EEC) No 4016/88⁽¹⁰⁾, and in particular Article 10 (2) thereof,

Having regard to Council Regulation (EEC) No 1620/77 of 18 July 1977 laying down detailed rules for the importation of olive oil from Lebanon⁽¹¹⁾;

Whereas by Regulation (EEC) No 3131/78⁽¹²⁾, as amended by the Act of Accession of Greece, the Commission decided to use the tendering procedure to fix levies on olive oil;

Whereas Article 3 of Council Regulation (EEC) No 2751/78 of 23 November 1978 laying down general rules for fixing the import levy on olive oil by tender⁽¹³⁾ specifies that the minimum levy rate shall be fixed for each of the products concerned on the basis of the situation on the world market and the Community market and of the levy rates indicated by tenderers;

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

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 13 and 14 March 1989 leads to the minimum levies being fixed as indicated in Annex I to this Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

Article 3

This Regulation shall enter into force on 17 March 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 169, 28. 6. 1976, p. 24.

⁽⁴⁾ OJ No L 358, 27. 12. 1988, p. 1.

⁽⁵⁾ OJ No L 169, 28. 6. 1976, p. 43.

⁽⁶⁾ OJ No L 358, 27. 12. 1988, p. 2.

⁽⁷⁾ OJ No L 169, 28. 6. 1976, p. 9.

⁽⁸⁾ OJ No L 48, 26. 2. 1986, p. 1.

⁽⁹⁾ OJ No L 142, 9. 6. 1977, p. 10.

⁽¹⁰⁾ OJ No L 358, 27. 12. 1988, p. 3.

⁽¹¹⁾ OJ No L 181, 21. 7. 1977, p. 4.

⁽¹²⁾ OJ No L 370, 30. 12. 1978, p. 60.

⁽¹³⁾ OJ No L 331, 28. 11. 1978, p. 6.

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

Done at Brussels, 16 March 1989.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX I

Minimum import levies on olive oil

(ECU/100 kg)

CN code	Non-member countries
1509 10 10	75,00 ⁽¹⁾
1509 10 90	75,00 ⁽¹⁾
1509 90 00	87,00 ⁽²⁾
1510 00 10	75,00 ⁽¹⁾
1510 00 90	119,00 ⁽³⁾

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

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

⁽²⁾ For imports of oil falling within this subheading:

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

⁽³⁾ For imports of oil falling within this subheading:

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

ANNEX II

Import levies on other olive oil sector products

(ECU/100 kg)

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

COMMISSION REGULATION (EEC) No 671/89

of 16 March 1989

fixing the estimated production of olive oil and the amount of the unit production aid that may be paid in advance for 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 No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 2210/88⁽²⁾,

Having regard to Council Regulation (EEC) No 2261/84 of 17 July 1984 laying down general rules on the granting of aid for the production of olive oil and of aid to olive oil producer organizations⁽³⁾, as last amended by Regulation (EEC) No 892/88⁽⁴⁾, and in particular Article 17a (1) thereof,

Whereas Article 5 of Regulation No 136/66/EEC provides that the unit production aid must be reduced where the actual production in a given marketing year exceeds the guaranteed maximum quantity fixed for that marketing year; whereas, however, producers whose average production does not amount to 300 kilograms of olive oil per marketing year are not affected by such a reduction;

Whereas Article 17a of Regulation (EEC) No 2261/84 provides that in order to determine the unit amount of the production aid for olive oil that can be paid in advance, the estimated production for the marketing year concerned should be determined; whereas that amount must be fixed at a level avoiding any risk of unwarranted payment to olive growers;

Whereas, in order to establish the estimated production, the Member States must forward to the Commission the data for the olive oil production estimates for each marketing year; whereas the Commission may avail itself of other sources of information;

Whereas the amount of the advance withheld for the establishment of the register of olive cultivation provided

for in Council Regulation (EEC) No 1416/82⁽⁵⁾, as amended by Regulation (EEC) No 2212/88⁽⁶⁾, and the amount withheld for measures to improve the quality of olive oil provided for in Council Regulation (EEC) No 1916/87⁽⁷⁾ must be taken into account;

Whereas in Spain and Portugal, the amount of the production aid is different from that in the other Member States; whereas the amount of the advance in those two Member States must therefore be different; whereas, on the basis of the data available, the estimated quantity and the abovementioned amount should be fixed at the levels given below;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1988/89 olive oil marketing year:

- the estimated production shall be 1 200 000 tonnes,
- the unit amount of the production aid that may be paid in advance shall be:
 - ECU 25,62/100 kilograms for Spain,
 - ECU 19,92/100 kilograms for Portugal,
 - ECU 67,79/100 kilograms for the other Member States.

Article 2

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

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

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 1.

⁽³⁾ OJ No L 208, 3. 8. 1984, p. 3.

⁽⁴⁾ OJ No L 89, 6. 4. 1988, p. 1.

⁽⁵⁾ OJ No L 162, 12. 6. 1982, p. 12.

⁽⁶⁾ OJ No L 197, 26. 7. 1988, p. 5.

⁽⁷⁾ OJ No L 183, 3. 7. 1987, p. 12.

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

Done at Brussels, 16 March 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 672/89
of 16 March 1989

fixing for the 1989 marketing year the reference prices for courgettes

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 Article 27 (1) thereof,

Whereas, pursuant to Article 23 (1) of Regulation (EEC) No 1035/72, reference prices valid for the whole Community are to be fixed at the beginning of the marketing year;

Whereas courgettes are produced in such quantities in the Community that reference prices should be fixed for them;

Whereas courgettes harvested during a given crop year are marketed from January to December; whereas the quantities harvested from 1 January to 20 April and in October, November and December are so small that there is no need to fix reference prices for these periods; whereas reference prices should be fixed only for the period 21 April up to and including 30 September;

Whereas Article 23 (2) (b) of Regulation (EEC) No 1035/72 stipulates that reference prices are to be fixed at the same level as for the preceding marketing year, adjusted, after deducting the standard cost of transporting Community products between production areas and Community consumption centres in the preceding year, by:

- the increase in production costs for fruit and vegetables, less productivity growth, and
- the standard rate of transport costs in the current marketing year;

Whereas the resulting figure may nevertheless not exceed the arithmetic mean of producer prices in each Member State plus transport costs for the current year, after this amount has been increased by the rise in production costs less productivity growth; whereas the reference price may,

however, not be lower than in the preceding marketing year;

Whereas, to take seasonal price variations into account, the marketing year should be divided into several periods and a reference price fixed for each of these periods;

Whereas producer prices are to correspond to the average of the prices recorded on the representative market or markets situated in the production areas where prices are lowest, during the three years prior to the date on which the reference price is fixed, for a home-grown product with defined commercial characteristics, being a product or variety representing a substantial proportion of the production marketed over the year or over part thereof and satisfying specified requirements as regards market preparation; whereas, when the average of prices recorded on each representative market is being calculated, prices which could be considered excessively high or excessively low in relation to normal price fluctuations on that market are to be disregarded;

Whereas, in accordance with Articles 140 (2) and 272 (3) of the Act of Accession, the prices of Spanish and Portuguese products will not be used for the purpose of calculating reference prices, during the first phase in the case of Spain and during the first stage in the case of Portugal;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1989 marketing year, the reference prices for courgettes falling within CN code 0709 90 70, expressed in ecu per 100 kilograms net of packed products of class I, of all sizes, shall be as follows:

— April (21 to 30):	71,19;
— May:	63,12;
— June:	42,18;
— July:	38,33;
— August:	44,63;
— September:	49,28.

Article 2

This Regulation shall enter into force on 21 April 1989.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 198, 26. 7. 1988, p. 1.

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

Done at Brussels, 16 March 1989.

For the Commission
Ray MAC SHARRY
Member of the Commission

COMMISSION REGULATION (EEC) No 673/89

of 16 March 1989

fixing for the 1989 marketing year the reference prices for aubergines

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 Article 27 (1) thereof,

Whereas, pursuant to Article 23 (1) of Regulation (EEC) No 1035/72, reference prices valid for the whole Community are to be fixed at the beginning of the marketing year;

Whereas aubergines are produced in such quantities in the Community that reference prices should be fixed for them;

Whereas aubergines harvested during a given crop year are marketed from January to December; whereas the quantities harvested from 1 January to 31 March and in November and December are so small that there is no need to fix reference prices for these periods; whereas reference prices should be fixed only for the period 1 April to 31 October inclusive;

Whereas Article 23 (2) (b) of Regulation (EEC) No 1035/72 stipulates that reference prices are to be fixed at the same level as for the preceding marketing year, adjusted, after deducting the standard cost of transporting Community products between production areas and Community consumption centres in the preceding year, by:

- the increase in production costs for fruit and vegetables, less productivity growth, and
- the standard rate of transport costs in the current marketing year;

Whereas the resulting figure may nevertheless not exceed the arithmetic mean of producer prices in each Member State plus transport costs for the current year, after this amount has been increased by the rise in production costs less productivity growth; whereas the reference price may,

however, not be lower than in the preceding marketing year;

Whereas, to take seasonal price variations into account, the marketing year should be divided into several periods and a reference price fixed for each of these periods;

Whereas producer prices are to correspond to the average of the prices recorded on the representative market or markets situated in the production areas where prices are lowest, during the three years prior to the date on which the reference price is fixed, for a home-grown product with defined commercial characteristics, being a product or variety representing a substantial proportion of the production marketed over the year or over part thereof and satisfying specified requirements as regards market preparation; whereas, when the average of prices recorded on each representative market is being calculated, prices which could be considered excessively high or excessively low in relation to normal price fluctuations on that market are to be disregarded;

Whereas, in accordance with Articles 140 (2) and 272 (3) of the Act of Accession, the prices of Spanish and Portuguese products will not be used for the purpose of calculating reference prices, during the first phase in the case of Spain and during the first stage in the case of Portugal;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1989 marketing year, the reference prices for aubergines (CN code 0709 30 00), expressed in ecus per 100 kilograms net of packed products of class I, of all sizes, shall be as follows:

— April:	87,72;
— May:	82,00;
— June:	78,58;
— July:	69,85;
— August:	46,72;
— September:	50,09;
— October:	54,13.

Article 2

This Regulation shall enter into force on 1 April 1989.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 198, 26. 7. 1988, p. 1.

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

Done at Brussels, 16 March 1989.

For the Commission
Ray MAC SHARRY
Member of the Commission

COMMISSION REGULATION (EEC) No 674/89

of 16 March 1989

fixing for the 1989 marketing year the reference prices for tomatoes

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 Article 27 (1) thereof,

Whereas, pursuant to Article 23 (1) of Regulation (EEC) No 1035/72, reference prices valid for the whole Community are to be fixed at the beginning of the marketing year;

Whereas tomatoes are produced in such quantities in the Community that reference prices should be fixed for them;

Whereas tomatoes harvested during a given crop year are marketed from January to December; whereas the quantities harvested from January to March and during the last 10 days of December are so small that there is no need to fix reference prices for the whole year; whereas reference prices should therefore be fixed only for the period 1 April up to and including 20 December;

Whereas, Article 23 (2) (b) of Regulation (EEC) No 1035/72 stipulates that reference prices are to be fixed at the same level as for the preceding marketing year, adjusted, after deducting the standard cost of transporting Community products between production areas and Community consumption centres in the preceding year, by:

- the increase in production costs for fruit and vegetables, less productivity growth, and
- the standard rate of transport costs in the current marketing year;

Whereas the resulting figure may nevertheless not exceed the arithmetic mean of producer prices in each Member State plus transport costs for the current year, after this amount has been increased by the rise in production costs less productivity growth; whereas the reference price may,

however, not be lower than in the preceding marketing year;

Whereas, to take seasonal variations into account, the year should be divided into several periods and a reference price fixed for each of these periods;

Whereas producer prices are to correspond to the average of the prices recorded on the representative market or markets situated in the production areas where prices are lowest during the three years prior to the date on which the reference price is fixed, for a home-grown product with defined commercial characteristics, being a product or variety representing a substantial proportion of the production marketed over the year or over part thereof and satisfying specified requirements as regards market preparation; whereas, when the average of prices recorded on each representative market is being calculated, prices which could be considered excessively high or excessively low in relation to normal price fluctuations on that market are to be disregarded;

Whereas, in accordance with Articles 140 (2) and 272 (3) of the Act of Accession, the prices of Spanish and Portuguese products will not be used for the purpose of calculating reference prices, during the first phase in the case of Spain and during the first stage in the case of Portugal;

Whereas, up to 10 July, Community-produced tomatoes are grown mainly under glass; whereas the reference prices for this period of the marketing year must therefore be fixed for a product of that type; whereas tomatoes imported from certain third countries during the same period will have been grown in the open; whereas, although such tomatoes may be classed in class I, their quality and price are not comparable with those of products grown under glass; whereas the prices for tomatoes not grown under glass should therefore be adjusted by a conversion factor;

Whereas, from October to December inclusive, tomatoes imported from certain third countries are cultivated under glass; whereas a conversion factor should also be applied to the prices of these tomatoes to make them comparable with the reference prices which are during this period calculated on the basis of prices of Community products cultivated in the open;

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

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 198, 26. 7. 1988, p. 1.

HAS ADOPTED THIS REGULATION :

Article 1

1. For the 1988 marketing year, the reference prices for tomatoes (CN code 0702 00), expressed in ecus per 100 kg net of packed products of class I, of all sizes, shall be as follows :

— April :	197,77 ;
— May :	136,75 ;
— 1 June to 10 July :	99,96 ;
— 11 July to 31 August :	41,64 ;
— September :	44,71 ;
— 1 October to 20 December :	46,18.

2. For the purpose of calculating the entry price :

- (a) the prices for tomatoes not produced under glass, imported from third countries, shall, after deduction of customs duties, be multiplied :
- for April, by a conversion factor of 1,80,
 - for May, by a conversion factor of 1,70,
 - from 1 June to 10 July by a conversion factor of 1,65 ;
- (b) the price for tomatoes produced under glass and imported from third countries shall, after deduction of customs duties, be multiplied by a conversion factor of 0,65 from 1 October to 20 December.

Article 2

This Regulation shall enter into force on 1 April 1989.

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

Done at Brussels, 16 March 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 675/89

of 16 March 1989

altering certain dates in Regulations (EEC) No 1694/86 and (EEC) No 859/87
applicable to premium arrangements in the beef and veal sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 468/87 of 10 February 1987 laying down general rules applying to the special premium for beef producers⁽¹⁾, as amended by Regulation (EEC) No 572/89⁽²⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1346/86 of 6 May 1986 on the granting of a calf birth premium in Greece, Ireland, Italy and Northern Ireland and on the granting of an additional national premium in Italy⁽³⁾, as last amended by Regulation (EEC) No 4132/88⁽⁴⁾, and in particular Article 3 thereof,

Whereas Article 1 (3) of Commission Regulation (EEC) No 859/87 of 25 March 1987 laying down detailed rules applying to the special premium for beef producers⁽⁵⁾, as last amended by Regulation (EEC) No 4142/88⁽⁶⁾, states that the authorization provided for in Article 3 (2) of Regulation (EEC) No 468/87 is valid up to 5 March 1989;

Whereas by virtue of Article 1 (1) of Commission Regulation (EEC) No 1694/86 of 30 May 1986 laying down detailed implementing rules for the granting of a calf birth premium⁽⁷⁾, as last amended by Regulation (EEC) No 4142/88, that premium is available in respect of any calf born during the period 6 April 1987 to 5 March 1989;

Whereas pending new premium arrangements for the beef and veal sector the Council has, by Regulation (EEC)

No 571/89⁽⁸⁾, extended the period of availability of the special premium and of the calf birth premium to 2 April 1989; whereas Regulations (EEC) No 859/87 and (EEC) No 1694/86 should therefore be amended accordingly;

Whereas, for administrative reasons, it is necessary to fix a cut-off date for the introduction of applications for the calf premium;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The date of 5 March 1989 given in the third indent in Article 1 (3) of Regulation (EEC) No 859/87 is replaced by 2 April 1989.

2. The date of 5 March 1989 given in the first indent in Article 1 (1) of Regulation (EEC) No 1694/86 is replaced by 2 April 1989.

3. The following paragraph is added to Article 1 of Regulation (EEC) No 1694/86:

'4. Applications referred to in paragraph 1 must be made at the latest on 31 December 1989.'

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 6 March 1989.

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

Done at Brussels, 16 March 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 48, 17. 2. 1987, p. 4.

⁽²⁾ OJ No L 63, 7. 3. 1989, p. 1.

⁽³⁾ OJ No L 119, 8. 5. 1986, p. 39.

⁽⁴⁾ OJ No L 362, 30. 12. 1988, p. 4.

⁽⁵⁾ OJ No L 82, 26. 3. 1987, p. 25.

⁽⁶⁾ OJ No L 362, 30. 12. 1988, p. 28.

⁽⁷⁾ OJ No L 146, 31. 5. 1986, p. 54.

⁽⁸⁾ OJ No L 61, 4. 3. 1989, p. 43.

COMMISSION REGULATION (EEC) No 676/89

of 16 March 1989

amending Regulation (EEC) No 3418/82 on the procedure for sale of oil seeds held by the intervention agencies

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 2210/88⁽²⁾, and in particular Article 26 (3) thereof,

Whereas, pursuant to Regulation No 724/67/EEC of the Council of 17 October 1967 laying down conditions for intervention in respect of oil seeds during the last two months of the marketing year and principles for the disposal of seeds bought in by intervention agencies⁽³⁾, as last amended by Regulation (EEC) No 2382/79⁽⁴⁾, oil seeds held by intervention agencies must be sold by tender; whereas Commission Regulation (EEC) No 3418/82⁽⁵⁾, as last amended by Regulation (EEC) No 2305/86⁽⁶⁾, lays down that such sales may be by standing invitation to tender or by periodic invitation to tender;

Whereas, in the event of sale by periodic invitation to tender, the sale must be on the basis of price conditions preventing deterioration of the market; whereas that aim can be achieved if the selling price is at least equal to the local market price without being below the intervention buying-in price; whereas, subject to these conditions, the intervention agencies can be entrusted with the task of publishing the notice of invitation to tender and of awarding contracts once the Commission has opened the tendering procedure;

Whereas the adjustments made pursuant to Regulation No 136/66/EEC to the intervention price in the event of sale by standing invitation to tender and the intervention buying-in price in the event of sale by periodic invitation to tender should be specified;

Whereas, at the end of the marketing year, a price plus all monthly increases should be taken into account in order to avoid any disturbance of the market;

Whereas Regulation (EEC) No 3418/82 should be amended accordingly;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3418/82 is hereby amended as follows:

1. Article 2 (1) is replaced by the following:

'1. The intervention agencies shall sell the oil seeds in their possession, in the manner provided for in this Article and in Article 3, to any purchaser who offers at least the intervention price applying on the day of submission of the tender, plus ECU 1 per 100 kilograms.

The intervention price shall, where appropriate, be adjusted by:

- the amount referred to in Article 27a (4) of Regulation No 136/66/EEC,
- the supplement referred to in Article 24a (1) of Regulation No 136/66/EEC,
- the monthly increases referred to in Article 25 of Regulation No 136/66/EEC.

However, for a given marketing year, the intervention price to be taken into consideration after the period provided for in Article 26 (1) of Regulation No 136/66/EEC shall be that applying during the last month of that period.'

2. In Article 2 (2), 'telex' is replaced by 'telex or telefax'.

3. The second subparagraph of Article 3 (1) is replaced by the following:

'However, tenders shall be admissible only from the third working day following the date of publication of the notice of invitation to tender in the *Official Journal of the European Communities* and until the date of publication of the invitation to tender in the following month.'

4. Articles 5 to 9 are replaced by the following:

Article 5

The following shall be determined in particular in the Decision referred to in Article 4:

- (a) the quantities to be put up for tender;
- (b) the opening and closing dates for the submission of tenders;
- (c) the places where the quantities offered for sale are stored.

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

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 1.

⁽³⁾ OJ No 252, 19. 10. 1967, p. 10.

⁽⁴⁾ OJ No L 274, 31. 10. 1979, p. 7.

⁽⁵⁾ OJ No L 360, 21. 12. 1982, p. 19.

⁽⁶⁾ OJ No L 201, 24. 7. 1986, p. 21.

A period of at least 10 days shall elapse between the date of publication of that Decision and the opening date for the submission of tenders.

Article 6

1. Intervention agencies shall draw up notices of invitation to tender in accordance with paragraph 2 and shall publicize them, in particular by displaying them at their head offices. They shall specify therein the closing date for the submission of tenders for each partial invitation to tender.

2. At least eight days before the opening date for the submission of tenders, intervention agencies shall publish the notices of invitation to tender following the specimen set out in Annex II and including, where appropriate, the supplementary terms and conditions of sale compatible with the provisions of this Regulation.

Such notices and any amendments thereto shall be forwarded to the Commission before the first closing date for the submission of tenders.

3. Lots not awarded as the result of a partial invitation to tender shall be included in the next partial invitation.

Article 7

1. Tenders must be received not later than the date and time fixed in the notice of invitation to tender.

Tenders received after the deadline or tenders which do not meet the conditions of sale cannot be considered.

2. Tenders shall state the amount proposed in the national currency of the Member State where the seeds are stored, per 100 kilograms of standard quality seeds, delivered on the means of transport, unstowed, outside the intervention agency's warehouse.

Article 8

1. Successful tenders must offer a price at least equal to the price recorded, for an equivalent quality and for a representative quantity, on the market for the place of storage or, failing this, the nearest market, account being taken of transport costs. The tender price may not in any circumstances be lower than the intervention buying-in price referred to in Article 26 (1) of Regulation No 136/66/EEC applicable on the closing date for the submission of tenders and adjusted, where appropriate, by:

— the amount referred to in Article 27a (4) of Regulation No 136/66/EEC,

— the supplement referred to in Article 24a (1) of Regulation No 136/66/EEC,

— the monthly increases referred to in Article 25 of Regulation No 136/66/EEC.

However, for a given marketing year, the intervention buying-in price to be taken into consideration after the period provided for in Article 26 (1) of Regulation No 136/66/EEC shall be that applying during the last month of that period.

2. Where for a given lot the highest price is quoted by more than one tender, the award shall be made by drawing lots.

Article 9

Within 15 days following the closing date for the submission of tenders, the Member State concerned shall inform the Commission of the outcome of the tendering procedure and shall specify, in particular, the sale prices of the various lots and the quantities sold.'

5. The following Article 10a is inserted:

Article 10a

The notice of invitation to tender may provide, where certain lots exceed 1 000 tonnes, for them to be subdivided.'

6. The first sentence of Article 11 (1) is replaced by the following:

'The tenders referred to in Articles 3 and 7 must reach the relevant intervention agency, in writing, being either handed in against a receipt at its head office or forwarded by registered letter, telex, telefax or telegram.'

7. In Articles 11 (6) and 13 (3), the words 'Regulation (EEC) No 1204/72' are replaced by 'Regulation (EEC) No 2681/83' (OJ No L 266, 28. 9. 1983, p. 1).'

8. Article 13 (1) is replaced by the following:

'1. Intervention agencies shall immediately inform all tenderers of the outcome of their tenders. They shall notify successful tenderers by registered letter, telex, telefax or telegram of the award of contracts.'

Article 2

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

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

Done at Brussels, 16 March 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 677/89
of 16 March 1989
amending for the eighth time Regulation (EEC) No 646/86 fixing the export
refunds on wine

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EEC) No 2964/88 ⁽²⁾, and in particular Article 56 (4) thereof,

Whereas Commission Regulation (EEC) No 646/86 ⁽³⁾, as last amended by Regulation (EEC) No 2601/88 ⁽⁴⁾, fixed the export refunds on wine ;

Whereas a substantial increase in market prices, and in particular in the price of certain Spanish table wines, has

been recorded since the last adjustment of the refunds ;
whereas this justifies a further adjustment of the refunds ;

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

HAS ADOPTED THIS REGULATION :

Article 1

The Annex to Regulation (EEC) No 646/86 is hereby replaced by the Annex hereto.

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, 16 March 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 269, 29. 9. 1988, p. 5.

⁽³⁾ OJ No L 60, 1. 3. 1986, p. 46.

⁽⁴⁾ OJ No L 231, 20. 8. 1988, p. 22.

ANNEX

ANNEX

Product code	For export to (*)	Refund amount applicable in the Community as constituted at 31 December 1985	Refund amount applicable in Spain
ECU/% vol/hl			
2009 60 11 100 (?)	01 ; 02 ; 03	1,30	1,00
2009 60 19 100 (?)	01 ; 02 ; 03	1,30	1,00
2009 60 51 100 (?)	01 ; 02 ; 03	1,30	1,00
2009 60 71 100 (?)	01 ; 02 ; 03	1,30	1,00
ECU/hl			
2204 21 25 110	02 ; 03	5,50	—
ECU/% vol/hl			
2204 21 25 130	02 ; 03	0,80	—
2204 21 25 190	02	1,80	1,35
	03	1,65	1,10
ECU/hl			
2204 21 25 910	02 ; 03	5,50	—
ECU/% vol/hl			
2204 21 29 130	02 ; 03	0,80	—
2204 21 29 190	02	1,80	1,61
	03	1,65	1,46
ECU/hl			
2204 21 35 110	02 ; 03	5,50	—
ECU/% vol/hl			
2204 21 35 130	02 ; 03	0,80	—
2204 21 35 190	02	1,80	1,35
	03	1,65	1,10
2204 21 39 130	02 ; 03	0,80	—
2204 21 39 190	02	1,80	1,61
	03	1,65	1,46
ECU/hl			
2204 21 49 910	02 ; 03	17,25	—
2204 21 59 910	02 ; 03	17,25	—
2204 29 25 110	02 ; 03	5,50	—
ECU/% vol/hl			
2204 29 25 130	02 ; 03	0,80	—
2204 29 25 190	02	1,80	1,35
	03	1,65	1,10

Product code	For export to ⁽¹⁾	Refund amount applicable in the Community as constituted at 31 December 1985	Refund amount applicable in Spain
		ECU/hl	
2204 29 25 910	02 ; 03	5,50	—
		ECU/% vol/hl	
2204 29 29 130	02 ; 03	0,80	—
2204 29 29 190	02	1,80	1,61
	03	1,65	1,46
		ECU/hl	
2204 29 35 110	02 ; 03	5,50	—
		ECU/% vol/hl	
2204 29 35 130	02 ; 03	0,80	—
2204 29 35 190	02	1,80	1,35
	03	1,65	1,10
2204 29 39 130	02 ; 03	0,80	—
2204 29 39 190	02	1,80	1,61
	03	1,65	1,46
		ECU/hl	
2204 29 49 910	02 ; 03	17,25	—
2204 29 59 910	02 ; 03	17,25	—
		ECU/% vol/hl	
2204 30 91 100 ⁽²⁾	01 ; 02 ; 03	1,30	1,00
2204 30 99 100 ⁽²⁾	01 ; 02 ; 03	1,30	1,00

(¹) The destinations are as follows :

- 01 Venezuela ;
- 02 All countries of the African continent with the exception of those explicitly excluded under 03 ;
- 03 All other destinations with the exception of the following third countries :
 - all countries of the American continent within the meaning of Commission Regulation (EEC) No 3639/86, as extended by Regulation (EEC) No 634/89 (OJ No L 70, 14. 3. 1989, p. 17),
 - South Africa,
 - Algeria,
 - Australia,
 - Austria,
 - Cyprus,
 - Israel,
 - Morocco,
 - Switzerland,
 - Tunisia,
 - Turkey,
 - Yugoslavia,
 - and Portugal.

(²) The alcoholic strength to be used is the potential alcoholic strength by volume.

NB : The product codes are defined in Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1), as last amended by Regulation (EEC) No 3825/88 (OJ No L 341, 12. 12. 1988, p. 1).

COMMISSION REGULATION (EEC) No 678/89
of 16 March 1989

amending for the time Regulation (EEC) No 2729/88 laying down detailed rules for the application of Council Regulation (EEC) No 1442/88 on the granting, for the 1988/89 to 1995/96 wine years, of permanent abandonment premiums in respect of wine-growing areas

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1442/88 of 24 May 1988 on the granting, for the 1988/89 to 1995/96 wine years, of permanent abandonment premiums in respect of wine-growing areas⁽¹⁾, and in particular Article 20 thereof,

Whereas to enable the Commission to assess the impact of the abandonment measures, in connection with the exhaustive analysis to be conducted by the Council before 1 April 1990 in accordance with Article 11 of Regulation (EEC) No 1442/88 or in connection with the communication referred to in Article 9 (1) of Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine⁽²⁾, as last amended by Regulation (EEC) No 2964/83⁽³⁾, it should be laid down that the Member States are to supply the Commission with certain tables;

Whereas an annual deadline for the submission of applications to the Commission by the Member States pursuant to Article 12 (1) or (2) of Regulation (EEC) No 1442/88 should be fixed so that applicants can be notified in time and so that the competent authorities are saved excessive work on dealing with the applications;

Whereas certain dates should be adopted as regards the 1989/90 wine year so that Member States have time to forward such applications to the Commission; whereas an earliest date for admissibility should be laid down in 1989 for individual applications to be lodged in full knowledge of the facts; whereas, in view of the number of applications already lodged, Member States may however provide that individual applications submitted before that date which do not relate to the areas in respect of which the Commission has already taken measures pursuant to Article 12 (1) or (2) of Regulation (EEC) No 1442/88 are also to be admissible in order to avoid cumbersome administrative procedures;

Whereas an earliest date to which Member States may bring forward deadlines as provided for in Article 4 (4) of Regulation (EEC) No 1442/88 should also be indicated in order to give applicants sufficient time after the possible

publication of areas exempt from application of Regulation (EEC) No 1442/88 in accordance with Article 12 of the said Regulation duly to complete abandonment applications;

Whereas the opportunity provided by this amendment should also be taken to specify details of the communication to be made by the Member States pursuant to Article 10 of Commission Regulation (EEC) No 2729/88⁽⁴⁾, as amended by Regulation (EEC) No 3445/88⁽⁵⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2729/88 is hereby amended as follows:

1. Article 10 is replaced by the following:

Article 10

Member States shall notify the Commission, not later than 31 October, of the total extent of exemption from the obligation provided for in Article 39 of Regulation (EEC) No 822/87, giving a breakdown by class of average yield and by administrative unit. The notification shall specify what quantities have been exempted since the end of the grubbing year just ended and the corresponding areas grubbed, giving the same breakdown.

2. The following Articles are inserted:

Article 10a

Member States shall forward to the Commission the particulars set out in the tables in Annex IV and V by 1 December at the latest of the year in which the grubbing year ended.

Those particulars may be forwarded with the annual communication by the Member States pursuant to Article 9 of Regulation (EEC) No 822/87.

⁽¹⁾ OJ No L 132, 28. 5. 1988, p. 3.

⁽²⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽³⁾ OJ No L 269, 29. 9. 1988, p. 5.

⁽⁴⁾ OJ No L 241, 1. 9. 1988, p. 108.

⁽⁵⁾ OJ No L 302, 5. 11. 1988, p. 21.

Article 11a

1. So that they may take effect from the following wine year, Member States' applications pursuant to Article 12 (1) or (2) of Regulation (EEC) No 1442/88 shall be submitted to the Commission on 1 October at the latest. However, for grubbing to be carried out during the 1989/90 wine year, such applications must be submitted before 1 April 1989.
2. Where Article 4 (4) of Regulation (EEC) No 1442/88 is applied, the earliest date for submitting applications may not be prior to 1 July. In order to apply to the following wine year, the deadline brought forward must be in force in the Member State concerned on 1 April.
3. For grubbing to be carried out during the 1989/90 wine year, only individual applications

submitted from 15 May 1989 shall be admissible. Member States may however provide that individual applications submitted before that date shall also be admissible where they relate to areas other than those in respect of which measures pursuant to Article 12 (1) or (2) of Regulation (EEC) No 1442/88 have been taken by the Commission.

3. Annexes IV and V annexed to this Regulation are added.

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, 16 March 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

ANNEX IV

Analytical statement of wine-growing areas under wine-grape varieties permanently abandoned pursuant to Regulation (EEC) No 1442/88

Member State:

Administrative unit:⁽¹⁾

Wine year:

(in hectares)

Yield class ⁽²⁾ (Y = yield) (for areas > 25 ares)	Table wines		Quality wines psr ⁽³⁾	
	Partial abandonment	Total abandonment ⁽⁴⁾	Partial abandonment	Total abandonment ⁽⁴⁾
Y < 20 hl/ha				
20 < Y < 30				
30 < Y < 40				
40 < Y < 50				
50 < Y < 90				
90 < Y < 130				
Y < 160				
Areas < 25 ares and > 10 ares				

⁽¹⁾ Subdivision in accordance with Article 2 (2) of Council Regulation (EEC) No 357/79 (OJ No L 54, 5. 3. 1979, p. 124), finer subdivision if appropriate. One such table should be supplied per administrative unit involved in the cultivation of wine-grape vines.

⁽²⁾ The yield classes set out here are those indicated in Article 2 (1) (b) of Regulation (EEC) No 1442/88, for areas grubbed per holding exceeding 25 ares; they thus relate to the yield of the areas grubbed.

⁽³⁾ The question is whether the grubbing corresponds to "partial abandonment" or to "total abandonment" of the wine-growing areas of the holdings as a whole.

⁽⁴⁾ Quality wines psr means wine-growing areas suitable for the production of quality wines psr.

ANNEX IV

Analytical statement of wine-growing areas other than those given in Annex IV permanently abandoned pursuant to Regulation (EEC) No 1442/88

Member State:

Administrative unit:⁽¹⁾

Wine year:

(in hectares)

Type of vineyard	Partial abandonment ⁽²⁾	Total abandonment ⁽²⁾
Large-grape varieties, pergola		
Other varieties, pergola		
Other large-grape varieties		
Other		
Charentes		
Dried-grape varieties		
Root-stocks		

⁽¹⁾ Subdivision in accordance with Article 2 (2) of Regulation (EEC) No 357/79, finer subdivision if appropriate. One such table wine should be supplied per administrative unit involved in the cultivation of vines producing grapes as referred to in this Annex.

⁽²⁾ The types of vineyard listed here correspond to those mentioned in Article 2 (1) (c), (d), (e) and (f) of Regulation (EEC) No 1442/88.

⁽³⁾ The question is whether grubbing carried out corresponds to "partial abandonment" or to "total abandonment" of the wine-growing areas of the farm as a whole.

COMMISSION REGULATION (EEC) No 679/89
of 16 March 1989
fixing additional amounts for egg 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 2771/75 of 29 October 1975 on the common organization of the market in eggs⁽¹⁾, as last amended by Regulation (EEC) No 3207/88⁽²⁾, and in particular Article 8 (4) thereof,

Whereas if, for a given product, the free-at-frontier offer price (hereinafter called the 'offer price') falls below the sluice-gate price, the levy applicable to that product must be increased by an additional amount equal to the difference between the sluice-gate price and the offer price determined in accordance with Article 1 of Commission Regulation No 163/67/EEC of 26 June 1967 on fixing the additional amount for imports of poultry-farming products from third countries⁽³⁾, as last amended by Regulation (EEC) No 1527/73⁽⁴⁾;

Whereas the offer price must be determined for all imports from all third countries; whereas, however, if exports from one or more third countries are effected at abnormally low prices, lower than prices ruling for other third countries, a second offer price must be determined for exports from these other countries;

Whereas, pursuant to Article 1 of Regulation (EEC) No 990/69⁽⁵⁾, the levies on imports of eggs not in shell and egg yolks originating in and coming from Austria are not increased by an additional amount;

Whereas the regular review of the information serving as a basis for the determination of average offer prices for the products listed in Article 1 (1) (b) of Regulation (EEC) No 2771/75 indicates that additional amounts corresponding to the figures shown in the Annex hereto should be fixed for the imports specified in that Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

The additional amounts provided for in Article 8 of Regulation (EEC) No 2771/75 shall be as set out in the Annex hereto for the products listed in Article 1 (1) of that Regulation which appear in the said Annex.

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, 16 March 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 49.

⁽²⁾ OJ No L 286, 20. 10. 1988, p. 2.

⁽³⁾ OJ No 129, 28. 6. 1967, p. 2577/67.

⁽⁴⁾ OJ No L 154, 9. 6. 1973, p. 1.

⁽⁵⁾ OJ No L 130, 31. 5. 1969, p. 4.

ANNEX

to the Commission Regulation of 16 March 1989 fixing additional amounts for eggs products

(ECU/100 kg)

CN code	Description of imports (1)	Additional amount
0408 19 19	01	60,00

(1) Origin :
01 Israel and Hungary.

COMMISSION REGULATION (EEC) No 680/89
of 16 March 1989
fixing additional amounts for poultrymeat 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 2777/75 of 29 October 1975 on the common organization of the market in poultrymeat ⁽¹⁾, as last amended by the Regulation (EEC) No 3907/87 ⁽²⁾, and in particular Article 8 ⁽⁴⁾ thereof,

Whereas if, for a given product, the free-at-frontier offer price (hereinafter called the 'offer price') falls below the sluice-gate price, the levy applicable to that product must be increased by an additional amount equal to the difference between the sluice-gate price and the offer price determined in accordance with Article 1 of Commission Regulation No 163/67/EEC of 26 June 1967 on fixing the additional amount for imports of poultry-farming products from third countries ⁽³⁾, as last amended by Regulation (EEC) No 1527/73 ⁽⁴⁾;

Whereas the offer price must be determined for all imports from all third countries; whereas, if exports from one or more third countries are effected at abnormally low prices, lower than prices ruling for other third coun-

tries, a second offer price must be determined for exports from these other countries;

Whereas the regular review of the information serving as a basis for the determination of average offer prices for poultrymeat products other than slaughtered poultry and halves or quarters indicates that additional amounts corresponding to the figures shown in the Annex hereto should be fixed for the imports specified in that Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

The additional amounts provided for in Article 8 of Regulation (EEC) No 2777/75 shall be as set out in the Annex hereto for the products listed in Article 1 (1) of that Regulation which appear in the said Annex.

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, 16 March 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 77.

⁽²⁾ OJ No L 370, 30. 12. 1987, p. 14.

⁽³⁾ OJ No 129, 28. 6. 1967, p. 2577/67.

⁽⁴⁾ OJ No L 154, 9. 6. 1973, p. 1.

ANNEX

to the Commission Regulation of 16 March 1989 fixing additional amounts for poultry-meat products

(ECU/100 kg)

CN code	Description (1)	Additional amount
0207 39 21	01	5,00
0207 39 25	01	5,00
0207 39 31	02	15,00
0207 41 41	01	5,00
0207 41 71	01	5,00
0207 42 10	02	15,00

(1) Origin:
01 Yugoslavia.
02 Israel.

COMMISSION REGULATION (EEC) No 681/89
of 16 March 1989
fixing additional amounts for eggs in shell

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 2771/75 of 29 October 1975 on the common organization of the market in eggs⁽¹⁾, as last amended by Regulation (EEC) No 3207/88⁽²⁾, and in particular Article 8 (4) thereof,

Whereas if, for a given product, the free-at-frontier offer price (hereinafter called the 'offer price') falls below the sluice-gate price, the levy applicable to that product must be increased by an additional amount equal to the difference between the sluice-gate price and the offer price determined in accordance with Article 1 of Commission Regulation No 163/67/EEC of 26 June 1967 on fixing the additional amount for imports of poultry-farming products from third countries⁽³⁾, as last amended by Regulation (EEC) No 1527/73⁽⁴⁾;

Whereas the offer price must be determined for all imports from all third countries; whereas, however, if exports from one or more third countries are effected at abnormally low prices, lower than prices ruling for other third countries, a second offer price must be determined for exports from these other countries;

Whereas, pursuant to Regulation No 54/65/EEC⁽⁵⁾, No 183/66/EEC⁽⁶⁾, No 765/67/EEC⁽⁷⁾, (EEC) No 59/70⁽⁸⁾, as amended by Regulation (EEC) No 4155/87⁽⁹⁾, and (EEC)

No 2164/72⁽¹⁰⁾, as amended by Regulation (EEC) No 3987/87⁽¹¹⁾, the levies on imports of poultry eggs in shell originating in and coming from Poland, South Africa, Australia, Romania or Bulgaria are not increased by an additional amount, in so far as concerns products imported in accordance with Article 4 (a) of Regulation No 163/67/EEC;

Whereas the regular review of the information serving as a basis for the determination of average offer prices for the products listed in Article 1 (1) (a) of Regulation (EEC) No 2771/75 indicates that additional amounts corresponding to the figures shown in the Annex hereto should be fixed for the imports specified in that Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

The additional amounts provided for in Article 8 of Regulation (EEC) No 2771/75 shall be as set out in the Annex hereto for the products listed in Article 1 (1) of that Regulation which appear in the said Annex.

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, 16 March 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 49.

⁽²⁾ OJ No L 286, 20. 10. 1988, p. 2.

⁽³⁾ OJ No 129, 28. 6. 1967, p. 2577/67.

⁽⁴⁾ OJ No L 154, 9. 6. 1973, p. 1.

⁽⁵⁾ OJ No 59, 8. 4. 1965, p. 848/65.

⁽⁶⁾ OJ No 211, 19. 11. 1966, p. 3602/66.

⁽⁷⁾ OJ No 260, 27. 10. 1967, p. 24.

⁽⁸⁾ OJ No L 11, 16. 1. 1970, p. 1.

⁽⁹⁾ OJ No L 392, 31. 12. 1987, p. 29.

⁽¹⁰⁾ OJ No L 232, 12. 10. 1972, p. 3.

⁽¹¹⁾ OJ No L 376, 31. 12. 1987, p. 20.

ANNEX

to the Commission Regulation of 16 March 1989 fixing additional amounts for eggs in shell

(ECU/100 kg)

CN code	Description of imports (1)	Additional amount
0407 00 30	01	40,00

(1) Origin :

01 Finland, Norway, Sweden, Czechoslovakia and the German Democratic Republic (with the exception of the German internal trade pursuant to the Protocol on German internal trade and connected problems).

COMMISSION REGULATION (EEC) No 682/89

of 16 March 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⁽³⁾ fixing the conversion rates to be applied in agriculture, as last amended by Regulation (EEC) No 546/89⁽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 Article 27 of Regulation No 136/66/EEC provides that a subsidy should be granted in respect of oil seeds harvested and processed within the Community when the target price for a species of seed is higher than the price on the world market; whereas these provisions at present apply only in respect of colza, rape and sunflower seeds;

Whereas the subsidy on oil seeds should, theoretically, be equal to the difference between those two prices;

Whereas the target price and the monthly increases in the target price for colza, rape and sunflower seed for the 1988/89 marketing year were fixed by Regulations (EEC) No 2213/88⁽⁷⁾ and (EEC) No 2214/88⁽⁸⁾;

Whereas a supplement to the target price for 'double zero' colza and rape seed was fixed in Regulation (EEC) No 2213/88;

Whereas the abatement of the subsidy for colza, rape and sunflower seed which arises from the system of maximum

guaranteed quantities for the 1988/89 marketing year has been fixed by Commission Regulations (EEC) No 2761/88⁽⁹⁾ and (EEC) No 3042/88⁽¹⁰⁾;

Whereas the standard quality for sunflower seed has been maintained by the Council for the 1988/89 marketing year; whereas the coefficients of equivalence applied to the prices of sunflower seed from third countries have been fixed by Commission Regulation (EEC) No 2869/87⁽¹¹⁾;

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;

Whereas Article 29 of Regulation No 136/66/EEC provides that the world market price, calculated for a Community frontier crossing point, is to be determined on the basis of the most favourable purchasing opportunities, quotations being adjusted where necessary to take account of quotations for competing products;

Whereas Article 4 of Regulation No 115/67/EEC of the Council of 6 June 1967 laying down criteria for determining world market prices for oil seeds and fixing the frontier crossing point⁽¹²⁾, as last amended by Regulation (EEC) No 1983/82⁽¹³⁾, fixed the said crossing point at Rotterdam; whereas Article 1 of that Regulation provides that when the world market price is being determined account should be taken of all offers on the world market known to the Commission and of quotations on those exchanges which are significant for international trade; whereas Article 2 of Commission Regulation No 225/67/EEC of 28 June 1967 on detailed rules for determining the world market price for oil seeds⁽¹⁴⁾, as last amended by Regulation (EEC) No 2869/87, provides that offers and quotations which do not relate to shipments to

⁽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 60, 3. 3. 1989, p. 11.

⁽⁵⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁶⁾ OJ No L 197, 26. 7. 1988, p. 10.

⁽⁷⁾ OJ No L 197, 26. 7. 1988, p. 6.

⁽⁸⁾ OJ No L 197, 26. 7. 1988, p. 8.

⁽⁹⁾ OJ No L 247, 6. 9. 1988, p. 7.

⁽¹⁰⁾ OJ No L 271, 1. 10. 1988, p. 104.

⁽¹¹⁾ OJ No L 273, 26. 9. 1987, p. 16.

⁽¹²⁾ OJ No 111, 10. 6. 1967, p. 2196/67.

⁽¹³⁾ OJ No L 215, 23. 7. 1982, p. 6.

⁽¹⁴⁾ OJ No 136, 30. 6. 1967, p. 2919/67.

be effected within 30 days following the date on which the world market price is determined should be disregarded; whereas offers and quotations which the Commission believes, in view of general price movements or information available to it, not to be representative of the real trend of the market must also be disregarded; whereas offers and quotations relating to quantities of less than 500 tonnes and offers relating to seed of a quality other than that normally acceptable on the world market must also be disregarded;

Whereas Article 3 of Regulation No 225/67/EEC provides that of the offers and quotations taken into consideration, those for delivery c and f should be increased by 0,2 %; whereas offers and quotations for delivery fas, fob or otherwise should be increased, as appropriate, by loading, transport and insurance costs from the point of shipment or loading to the frontier crossing point; whereas cif offers and quotations for frontier crossing points other than Rotterdam should be adjusted to allow for the difference in transport and insurance costs as compared with a product delivered cif Rotterdam; whereas the Commission should take account only of the loading, transport and insurance costs which to its knowledge are the lowest; whereas, finally, offers and quotations for delivery cif Rotterdam should be increased by ECU 0,242;

Whereas Article 5 of Regulation No 115/67/EEC provides that the world market price should be determined for seed of the standard quality for which the target price has been fixed, delivered in bulk;

Whereas Article 3 of Regulation No 225/67/EEC provides that offers and quotations relating to products presented otherwise than in bulk should be adjusted by deducting the additional value resulting from that presentation; whereas offers and quotations relating to a quality other than the standard quality for which the target price was fixed should be adjusted on the basis of the coefficients of equivalence shown in the Annex to that Regulation; whereas, in the case of offers on the world market for qualities of colza and rape seed other than those listed in that Annex, coefficients of equivalence derived from those listed in that Annex may, pursuant to Article 4 of Regulation No 225/67/EEC, be applied; whereas, when derived coefficients are being calculated, account must be taken of the differences between prices for the qualities of seed in question and prices for the qualities listed in that Annex, and of the characteristics of these various seeds;

Whereas Article 2 of Regulation No 115/67/EEC provides that, where no offer or quotation can be used as a basis for determining the world market price, that price should be determined on the basis of the value of the average quantities of oil and oil cake resulting from the processing of 100 kilograms of seed within the Community less an amount corresponding to the cost of processing these seeds into oil and oil cake; whereas the quantities and costs to be taken into consideration for the purposes of the calculation are fixed in Article 5 of Regulation No 225/67/EEC; whereas the value of those quantities should

be determined in accordance with Article 6 of that Regulation;

Whereas Article 3 of Regulation No 115/67/EEC provides that, where no offer or quotation can be used as a basis for determining the world market price and where it is, moreover, impossible to establish the value of the oil or oil cake processed from such seed, the world market price should be determined on the basis of the most recent known value for oil or oil cake, adjusted to take account of the trend of world prices for competing products by applying to that value the rules set out in Article 2 of Regulation No 115/67/EEC; whereas Article 7 of Regulation No 225/67/EEC defines competing products as those oils or oil cakes, as the case may be, which appear to have been offered in the largest quantities on the world market during the period under consideration;

Whereas, under Article 6 of Regulation No 115/67/EEC, the price determined for colza, rape and sunflower seeds must also be adjusted by an amount not exceeding the margin, as calculated in accordance with that Article, where that margin may affect the normal disposal of seeds harvested in the Community;

Whereas Council Regulation (EEC) No 1594/83 of 14 June 1983 on the subsidy for oil seeds⁽¹⁾, as last amended by Regulation (EEC) No 2215/88⁽²⁾, laid down rules for granting the subsidy on oil seeds; whereas, under that Regulation, where the subsidy to be granted is fixed in advance, the amount of such subsidy must be equal to the amount applicable on the day on which the application for advance fixing was lodged, adjusted by the difference between the target price valid on that day and the target price valid on the day on which the seeds are placed under control at an oil or feed mill and, where appropriate, a corrective amount; whereas Article 35 of Commission Regulation (EEC) No 2681/83 of 21 September 1983 laying down detailed rules for the application of the subsidy system for oil seeds⁽³⁾, as last amended by Regulation (EEC) No 626/89⁽⁴⁾, provides that such adjustment should involve increasing or reducing the amount of subsidy applicable on the day on which the application was lodged by the corrective amount and the difference between the target prices mentioned in Article 35 of Regulation (EEC) No 2681/83;

Whereas Article 37 of Regulation (EEC) No 2681/83 provides that the corrective amount must be equal to the difference between the world market price for colza, rape and sunflower seeds and the forward price for those seeds valid for a shipment effected during the month in which the seeds were placed under control at an oil mill, those prices being determined in accordance with Articles 1, 4 and 5 of Regulation No 115/67/EEC; whereas, if no offer

⁽¹⁾ OJ No L 163, 22. 6. 1983, p. 44.

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 9.

⁽³⁾ OJ No L 266, 28. 9. 1983, p. 1.

⁽⁴⁾ OJ No L 68, 11. 3. 1989, p. 24.

and no price can be used for such determination, the method of calculation provided for in Article 37 of Regulation (EEC) No 2681/83 should be used; whereas the abovementioned difference may be adjusted in accordance with Article 38 of Regulation (EEC) No 2681/83, account being taken of the prices of the main competing cereals;

Whereas the aid for colza, rape or sunflower seed harvested or processed in Spain or Portugal is to be advised as provided for in Council Regulation (EEC) No 478/86⁽¹⁾; whereas pursuant to Article 95 (2) and 293 (2) of the Act of Accession this aid is to be introduced at the beginning of the 1986/87 marketing year for seed harvested in these two Member States;

Whereas, in Article 14 of Council Regulation (EEC) No 475/86 of 25 February 1986 laying down general rules for the mechanism for controlling the prices and the quantities of certain products in the oils and fats sector released for consumption in Spain⁽²⁾, as amended by Regulation (EEC) No 1930/88⁽³⁾, provision is made for the granting of compensatory aid, subject to certain conditions; whereas compensatory aid should be fixed for sunflower seeds harvested in Spain;

Whereas Council Regulation (EEC) No 1920/87⁽⁴⁾, provides for the granting of a special subsidy for sunflower seed harvested and processed in Portugal; whereas the amount of this subsidy should be fixed;

Whereas Article 33 of Regulation (EEC) No 2681/83 provides for the publication of the amount of the final subsidy obtained from the conversion into each of the national currencies of the amount in ecus resulting from the calculation referred to above plus or minus the differential amount; whereas Article 1 of Commission Regulation (EEC) No 1813/84⁽⁵⁾, as last amended by Regulation (EEC) No 431/89⁽⁶⁾, defined the elements which determine the differential amounts; whereas these elements are equal to the incidence on the target price less percentage referred to in Article 5, paragraph 1 of the said regulation or the subsidy of the coefficient derived from the percentage referred to in Article 2 (1) of Regulation (EEC) No 1569/72; whereas, according to these provisions, this percentage represents:

(a) for those Member States whose currencies are maintained as between themselves within a spread at any given moment of 2,25 %, the difference between:

- the conversion rate used under the common agricultural policy, and
- the conversion rate resulting from the central rate;

(b) for the other Member States, the difference between:

- the relationship between the conversion rate used under the common agricultural policy for the currency of the Member State concerned and the central rate of each of the currencies of the Member States referred to in (a), and
- the spot market rate for the currency of the Member State in question in relation to each of the currencies of the Member States referred to in (a), as recorded over a period to be determined;

Whereas Regulation (EEC) No 1813/84 specifies the spot and forward exchange rates and the period to be used for calculating the differential amounts; whereas in cases where, for one or more months, quotations of forward exchange rates are not available, the rates adopted for the previous months or the following months, as the case may be, must be used;

Whereas the subsidy should be fixed whenever the market situation makes it necessary and in such a way as to ensure its being applied at least once a week; whereas the subsidy may be altered whenever it becomes obvious that such alteration is necessary;

Whereas it follows from applying these provisions to the offers and quotations known to the Commission that, pursuant to Article 33 of Regulation (EEC) No 2681/83 the amount of the subsidy in ecus and the amount of the subsidy in each of the national currencies must be fixed in accordance with the Annex to this Regulation; whereas, pursuant to the same Article, the spot and forward exchange rates for the ecu in national currencies determined in accordance with Article 4 of Regulation (EEC) No 1813/84 must also be published,

HAS ADOPTED THIS REGULATION:

Article 1

1. The amounts of the subsidy and the exchange rates referred to in Article 33 (2) and (3) of Regulation (EEC) No 2681/83 shall be as set out in the Annex hereto.

2. The amount of the compensatory aid referred to in Article 14 of Regulation (EEC) No 475/86 shall be as shown in Annex III to this Regulation for sunflower seed harvested in Spain.

⁽¹⁾ OJ No L 53, 1. 3. 1986, p. 55.

⁽²⁾ OJ No L 53, 1. 3. 1986, p. 47.

⁽³⁾ OJ No L 170, 2. 7. 1988, p. 3.

⁽⁴⁾ OJ No L 183, 3. 7. 1987, p. 18.

⁽⁵⁾ OJ No L 170, 29. 6. 1984, p. 41.

⁽⁶⁾ OJ No L 50, 22. 2. 1989, p. 7.

3. The amount of the special subsidy provided for by Regulation (EEC) 1920/87 for sunflower seed harvested and processed in Portugal is fixed in Annex III.

4. However, the amount of the subsidy in the case of advance fixing for the 1989/90 marketing year for colza and rape will be confirmed or replaced as from 17 March

1989 to take into account the target price, and where appropriate, the effects of the application of the system of maximum guaranteed quantities for colza and rape seed.

Article 2

This Regulation shall enter into force on 17 March 1989.

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

Done at Brussels, 16 March 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 3	1st period 4	2nd period 5	3rd period 6	4th period 7 (1)	5th period 8 (1)
1. Gross aids (ECU):						
— Spain	0,580	0,580	0,580	0,580	1,170	1,170
— Portugal	0,000	0,000	0,000	0,000	0,000	0,000
— Other Member States	19,377	19,535	19,612	18,971	16,424	16,023
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	46,16	46,54	46,72	45,22	39,17	38,45
— Netherlands (Fl)	51,48	51,90	52,11	50,42	43,66	42,74
— BLEU (Bfrs/Lfrs)	935,66	943,28	947,00	916,05	793,06	773,70
— France (FF)	141,46	142,62	143,14	138,11	119,28	116,13
— Denmark (Dkr)	169,51	170,89	171,55	165,83	143,47	139,89
— Ireland (£ Irl)	15,732	15,862	15,920	15,360	13,265	12,914
— United Kingdom (£)	12,044	12,144	12,185	11,704	10,077	9,698
— Italy (Lit)	30 393	30 643	30 694	29 482	25 446	24 435
— Greece (Dr)	2 228,70	2 228,74	2 203,20	2 045,85	1 724,76	1 564,96
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	89,44	89,44	89,44	89,44	180,43	180,43
— in another Member State (Pta)	3 072,38	3 098,04	3 109,11	3 005,37	2 687,35	2 595,34
(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)	4 214,80	4 244,00	4 252,19	4 115,78	3 646,05	3 529,11

(1) Subject in the case of advance fixing for the 1989/90 marketing year to the adoption of prices and connected 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 3	1st period 4	2nd period 5	3rd period 6	4th period 7 (*)	5th period 8 (*)
1. Gross aids (ECU):						
— Spain	3,080	3,080	3,080	3,080	3,670	3,670
— Portugal	2,500	2,500	2,500	2,500	2,500	2,500
— Other Member States	21,877	22,035	22,112	21,471	18,924	18,523
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	52,06	52,44	52,63	51,13	45,08	44,35
— Netherlands (Fl)	58,10	58,52	58,72	57,03	50,27	49,36
— BLEU (Bfrs/Lfrs)	1 056,37	1 064,00	1 067,72	1 036,77	913,78	894,42
— France (FF)	160,42	161,58	162,11	157,07	138,24	135,09
— Denmark (Dkr)	191,61	193,00	193,66	187,93	165,57	161,99
— Ireland (£ Irl)	17,842	17,971	18,030	17,469	15,374	15,024
— United Kingdom (£)	13,731	13,831	13,872	13,392	11,764	11,386
— Italy (Lit)	34 480	34 730	34 782	33 570	29 534	28 522
— Greece (Dr)	2 618,75	2 618,79	2 593,25	2 435,90	2 114,81	1 955,01
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	474,98	474,98	474,98	474,98	565,96	565,96
— in another Member State (Pta)	3 457,92	3 483,57	3 494,65	3 390,90	3 072,89	2 980,87
(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)	4 684,82	4 714,02	4 722,20	4 585,80	4 116,07	3 999,13

(*) Subject in the case of advance fixing for the 1989/90 marketing year to the adoption of prices and connected 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 3	1st period 4	2nd period 5	3rd period 6	4th period 7
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	24,097	24,642	24,828	24,828	24,828
2. Final aids:					
(a) Seed harvested and processed in (1):					
— Federal Republic of Germany (DM)	57,31	58,60	59,04	59,04	59,04
— Netherlands (Fl)	63,98	65,42	65,91	65,91	65,91
— BLEU (Bfrs/Lfrs)	1 163,57	1 189,89	1 198,87	1 198,87	1 198,87
— France (FF)	177,15	181,34	182,70	182,70	182,70
— Denmark (Dkr)	211,21	216,04	217,67	217,67	217,67
— Ireland (£ Irl)	19,704	20,169	20,321	20,321	20,321
— United Kingdom (£)	15,211	15,588	15,706	15,691	15,691
— Italy (Lit)	38 086	38 989	39 222	39 104	39 104
— Greece (Dr)	2 950,19	3 023,38	3 016,96	2 986,80	2 986,80
(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)	3 834,63	3 916,82	3 944,20	3 933,65	3 933,65
(c) Seed harvested in Portugal and processed:					
— in Portugal (Esc)	0,00	0,00	0,00	0,00	0,00
— in Spain (Esc)	6 800,57	6 906,45	6 936,24	6 923,35	6 923,35
— in another Member State (Esc)	6 627,75	6 730,93	6 759,97	6 747,40	6 747,40
3. Compensatory aids:					
— in Spain (Pta)	3 786,42	3 870,55	3 899,86	3 889,31	3 889,31
4. Special aid:					
— in Portugal (Esc)	6 627,75	6 730,93	6 759,97	6 747,40	6 747,40

(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 3	1st period 4	2nd period 5	3rd period 6	4th period 7	5th period 8
DM	2,079360	2,075730	2,072270	2,069210	2,069210	2,059510
Fl	2,347900	2,344900	2,342450	2,339200	2,339200	2,329910
Bfrs/Lfrs	43,583500	43,576400	43,565600	43,546400	43,546400	43,487200
FF	7,060090	7,063780	7,067290	7,071040	7,071040	7,083180
Dkr	8,111440	8,109920	8,108710	8,107480	8,107480	8,107410
£Irl	0,778758	0,778011	0,777379	0,776980	0,776980	0,776430
£	0,651030	0,652530	0,653776	0,654980	0,654980	0,659141
Lit	1 527,06	1 532,00	1 537,41	1 542,68	1 542,68	1 557,84
Dr	174,93100	176,85400	178,40700	180,02400	180,02400	184,48800
Esc	171,49800	172,03800	172,59800	173,17000	173,17000	175,00800
Pta	129,51600	129,85700	130,27800	130,70100	130,70100	132,10500

COMMISSION REGULATION (EEC) No 683/89
of 16 March 1989
fixing the aid for soya beans

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 1491/85 of 23 May 1985 laying down special measures in respect of soya beans ⁽¹⁾, as last amended by Regulation (EEC) No 2217/88 ⁽²⁾, and in particular Article 2(7) thereof,

Having regard to Council Regulation 2286/88 of 19 July 1988 providing for the granting of special aid for soya beans produced and processed in Portugal ⁽³⁾,

Whereas the amount of the aid referred to in Article 2(1) of Regulation (EEC) No 1491/85 was fixed by Commission Regulation (EEC) No 521/89 ⁽⁴⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 521/89 to the information at present available to the Commission that the amount of the aid at present in force should be altered as set out in this Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

The amount of the aid provided for in Article 2 of Regulation (EEC) No 1491/85 and the amount of the special aid provided for in Article 1 of Regulation (EEC) No 2286/88 in the case of Portugal shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 17 March 1989.

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

Done at Brussels, 16 March 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 151, 10. 6. 1985, p. 15.

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 11.

⁽³⁾ OJ No L 201, 27. 7. 1988, p. 2.

⁽⁴⁾ OJ No L 58, 1. 3. 1989, p. 39.

ANNEX

Aid for soya beans

(ECU/100 kg)

	Seed harvested in		
	Spain	Portugal	another Member State
Seed processed in :			
— Spain	0,000	24,811	24,811
— Portugal	14,501	24,811 (*)	24,811
— another Member State	14,501	24,811	24,811

(*) Special aid

COMMISSION REGULATION (EEC) No 684/89

of 16 March 1989

concerning applications for STM licences for milk and milk products 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 2159/87⁽²⁾, and in particular Article 6 (4) thereof,Having regard to Commission Regulation (EEC) No 606/86 of 28 February 1986 laying down detailed rules for applying the supplementary trade mechanism to milk products imported into Spain from the Community of Ten⁽³⁾, as last amended by Regulation (EEC) No 3851/88⁽⁴⁾, and in particular Article 3 (2) thereof,

Whereas pursuant to Article 6 (3) of Regulation (EEC) No 574/86 the Commission has been notified of the applications for STM licences for milk and milk products 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 submitted during the first 10 days of March 1989 and notified to the Commission shall be accepted for the tonnages applied for, adjusted by the coefficient set out below in the case of the following products and the categories referred to in Article 2 of Regulation (EEC) No 606/86:

CN code	Description	Coefficient
ex 0401	Milk and cream, fresh, not concentrated or sweetened:	
ex 0403	— in immediate packings of a net capacity of 2 litres or less	0,17339
	— other	1,00000
0405 00	Butter and other fats and oils derived from milk	0,02251
ex 0406	Cheese:	
	— Category 1: Emmentaler, Gruyère	1,00000
	— Category 2: Blue-veined cheese	1,00000
	— Category 3: Processed cheese	0,00888
	— Category 4: Parmigiano Reggiano, Grana Padano	0,48731
	— Category 5: Havarti, fat content 60 %	1,00000
	— Category 6: Edam in balls, Gouda	0,04718
	— Category 7: Soft ripened cow's milk cheeses	0,01496
	— Category 8: Cheddar, Chester	0,00573
	— Category 9: Other	0,04540

⁽¹⁾ OJ No L 57, 1. 3. 1986, p. 1.⁽²⁾ OJ No L 202, 23. 7. 1987, p. 30.⁽³⁾ OJ No L 58, 1. 3. 1986, p. 28.⁽⁴⁾ OJ No L 343, 13. 12. 1988, p. 8.

Article 2

This Regulation shall enter into force on 17 March 1989.

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

Done at Brussels, 16 March 1989.

For the Commission
Ray MAC SHARRY
Member of the Commission

COMMISSION REGULATION (EEC) No 685/89

of 16 March 1989

fixing the export refunds 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 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 subparagraph of Article 16 (2),

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 of Regulation (EEC) No 2727/75 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products in the Community may be covered by an export refund;

Whereas Article 2 of 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⁾, provides that when refunds are being fixed, account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals on the Community market on the one hand, and prices for cereals and cereal products on the world market on the other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on cereal markets and, furthermore, to take into account the economic aspect of the proposed exports and the need to avoid disturbances on the Community market;

Whereas Article 3 of Regulation (EEC) No 2746/75 defines the specific criteria to be taken into account when the refund on cereals is being calculated;

Whereas these specific criteria are defined, as far as wheat and rye flour, groats and meal are concerned, in Article 4 of Regulation (EEC) No 2746/75; whereas furthermore, when the refund on these products is being calculated,

account must be taken of the quantities of cereals required for their manufacture; whereas these quantities were fixed in Regulation No 162/67/EEC of the Commission⁽⁴⁾, as amended by Regulation (EEC) No 1607/71⁽⁵⁾;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination;

Whereas the refund must be fixed once a month; whereas it may be altered in the intervening period;

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⁽⁶⁾, as last amended by Regulation (EEC) No 1636/87⁽⁷⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent and the aforesaid coefficient;

Whereas it follows from applying the detailed rules set out above to the present situation on the market in cereals, and in particular to quotations or prices for these products within the Community and on the world market, that the refunds should be as set out in the Annex hereto;

Whereas, pursuant to Article 275 of the Act of Accession of Spain and Portugal, refunds may be granted in the case of exports to Portugal; whereas, in the light of the situation and the level of prices no refund should be fixed in the case of exports to Portugal;

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

⁽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 128, 27. 6. 1967, p. 2574/67.
⁽⁵⁾ OJ No L 168, 27. 7. 1971, p. 16.
⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.
⁽⁷⁾ OJ No L 153, 13. 6. 1987, p. 1.

HAS ADOPTED THIS REGULATION :

The refund on export to Portugal has not been fixed.

Article 1

The export refunds on the products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 2727/75, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 17 March 1989.

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

Done at Brussels, 16 March 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 16 March 1989 fixing the export refunds on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

Product code	Destination (1)	Amount of refund
0709 90 60 000	—	—
0712 90 19 000	—	—
1001 10 10 000	01	0
1001 10 90 000	04	21,00 (2)
	02	20,00 (2)
1001 90 91 000	01	0
1001 90 99 000	05	49,00
	06	54,00
	07	22,00
	08	21,00
	09	19,00
	02	20,00
1002 00 00 000	06	54,00
	02	20,00
1003 00 10 000	01	0
1003 00 90 000	05	53,00
	07	22,00
	02	20,00
1004 00 10 000	01	0
1004 00 90 000	01	0
1005 10 90 000	—	—
1005 90 00 000	03	67,00
	02	0
1007 00 90 000	—	—
1008 20 00 000	—	—
1101 00 00 110	01	81,00
1101 00 00 120	01	81,00
1101 00 00 130	01	73,00
1101 00 00 150	01	63,00
1101 00 00 170	01	53,00
1101 00 00 180	01	43,00
1101 00 00 190	—	—
1101 00 00 900	—	—
1102 10 00 100	01	81,00
1102 10 00 200	01	81,00
1102 10 00 300	01	81,00
1102 10 00 500	01	81,00
1102 10 00 900	—	—
1103 11 10 100	01	190,00
1103 11 10 200	01	180,00
1103 11 10 500	01	160,00
1103 11 10 900	01	151,00
1103 11 90 100	01	81,00
1103 11 90 900	—	—

(¹) The destinations are identified as follows :

- 01 All third countries,
- 02 Other third countries,
- 03 Switzerland, Austria and Liechtenstein,
- 04 Algeria,
- 05 Switzerland, Austria, Liechtenstein, Ceuta and Melilla,
- 06 Zone II b),
- 07 Poland,
- 08 China,
- 09 Soviet Union.

(²) The refund cannot be granted if the quality of durum wheat exported corresponds to less than the quality defined in paragraph 2 of Article 2 of Commission Regulation (EEC) No 1569/77 (OJ No L 174, 14. 7. 1977, p. 15), with the exception of impurities constituted by grain (other than mottled grains and grains affected with fusariosis); 7 % maximum, of which 5 % of soft wheat or other cereals.

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).

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DIRECTIVE

of 13 March 1989

amending Directive 69/169/EEC as regards a derogation granted to the Kingdom of Denmark relating to the rules governing travellers' allowances on imports

(89/194/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 99 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

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

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas, until 31 December 1988, the Kingdom of Denmark enjoyed a derogation from Directive 69/169/EEC ⁽⁴⁾, as last amended by Directive 88/664/EEC ⁽⁵⁾, with regard to the import of certain products by travellers having their residence in Denmark after having stayed in another country for less than 48 hours; whereas, in addition, the Kingdom of Denmark applies a reduced quantitative limit for still wines;

Whereas the same Directive grants the Kingdom of Denmark a derogation to exclude from the travellers' allowance of ECU 390 goods the unit value of which exceeds ECU 310;

Whereas this derogation should be seen in the context of Article 8a of the Treaty, which defines the internal market as an area without internal frontiers in which the free

movement of goods, persons, services and capital is ensured and states that this market should be progressively established over a period expiring on 31 December 1992;

Whereas the Government of the Kingdom of Denmark has announced that it will work actively to arrive at a satisfactory common solution in relation to the approximation of indirect taxation in the Community in the light of the internal market; whereas, with this in mind, the Danish Government has stated that the special excise duties on electronic and household electrical goods will be reduced or abolished and the current rates of excise duties in force in respect of cigarettes, tobacco and alcoholic beverages will not be changed; whereas the Government has also indicated that certain administrative practices relating to the control of travellers entering Denmark from other Member States will be discontinued;

Whereas the immediate cessation of some of the existing derogations could cause economic difficulties for Denmark and whereas their application, in a modified fashion, should be extended to 31 December 1990,

HAS ADOPTED THIS DIRECTIVE:

Article 1

The following is added to Article 7b (1) (a) of Directive 69/169/EEC:

'for the Kingdom of Denmark this threshold figure shall be increased to ECU 340 from 1 January 1990'.

⁽¹⁾ OJ No C 26, 1. 2. 1989, p. 12.

⁽²⁾ Opinion delivered on 17 February 1989 (not yet published in the Official Journal).

⁽³⁾ Opinion delivered on 25 January 1989 (not yet published in the Official Journal).

⁽⁴⁾ OJ No L 133, 4. 6. 1969, p. 6.

⁽⁵⁾ OJ No L 382, 31. 12. 1988, p. 41.

Article 2

Article 7c of Directive 69/169/EEC is hereby replaced by the following:

Article 7c

By way of derogation from Article 4 (1), the Kingdom of Denmark shall be authorized to apply until 31 December 1990 the following quantitative limits for the importation of the goods in question by travellers resident in Denmark after a stay of less than 48 hours in another country:

— cigarettes	80
OR	
— smoking tobacco, where the tobacco particles have a width of less than 1,5 mm ("fine cut")	150 g
— distilled beverages and spirit drinks of an alcoholic strength by volume of more than 22 % vol.	nil

Article 3

By 30 June 1990 the Commission shall review the position and put forward a proposal for the continuation of the derogation, amended as appropriate.

Article 4

1. Member States shall take the measures necessary to comply with this Directive with effect from 1 January 1989.
2. Member States shall inform the Commission of the provisions which they adopt to implement this Directive.

Article 5

This Directive is addressed to the Member States.

Done at Brussels, 13 March 1989.

For the Council

The President

C. SOLCHAGA CATALAN

COUNCIL DECISION

of 13 March 1989

on the conclusion of the Agreement in the form of an Exchange of Letters between the European Economic Community and the Republic of Tunisia on the import into the Community of preserved fruit salads originating in Tunisia

(89/195/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 recommendation from the Commission,

Whereas the Cooperation Agreement between the European Economic Community and the Republic of Tunisia (1) was signed on 25 April 1976 and entered into force on 1 November 1978;

Whereas the Agreement in the form of an Exchange of Letters between the European Economic Community and the Republic of Tunisia on the import into the Community of preserved fruit salads originating in Tunisia should be approved,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement in the form of an Exchange of Letters between the European Economic Community and the

Republic of Tunisia on the import into the Community of preserved fruit salads originating in Tunisia is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Decision.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreement for the purpose of binding the Community.

Article 3

This Regulation shall take effect on the day following that of its publication in the *Official Journal of the European Communities*.

Done at Brussels, 13 March 1989.

*For the Council**The President*

C. SOLCHAGA CATALAN

(1) OJ No L 265, 27. 9. 1978, p. 2.

AGREEMENT

in the form of an Exchange of Letters between the European Economic Community and the Republic of Tunisia on the import into the Community of preserved fruit salads originating in Tunisia

Letter No 1

Sir,

With a view to implementing the 55 % reduction in the applicable customs duties provided for in Article 19 of the Cooperation Agreement concluded between the European Economic Community and the Republic of Tunisia, and following the clarifications exchanged concerning the conditions governing imports into the Community of preserved fruit salads falling within CN codes ex 2008 92 50, ex 2008 92 71 and ex 2008 92 79 and originating in Tunisia, I have the honour to inform you that the Tunisian Government undertakes to take all necessary measures to ensure that the quantities supplied to the Community from 1 January to 31 December of each year do not exceed 100 tonnes.

To this end the Tunisian Government declares that all exports to the Community of the said products will be effected exclusively by exporters whose operations are controlled by the 'Office de Commerce de Tunisie' (Tunisian Board of Trade).

The guarantees relating to quantities will be met in accordance with the procedures agreed between the Tunisian Board of Trade and the Directorate-General for Agriculture of the Commission of the European Communities.

By way of derogation from Article 19 of the Cooperation Agreement, this Agreement in the form of an Exchange of Letters shall remain in force until denounced by one of the parties, which denunciation must be made before 30 September of each year.

I should be grateful if you would confirm the agreement of the Community with the foregoing.

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

*For the Government
of the Republic of Tunisia*

Letter No 2

Sir,

I have the honour to acknowledge receipt of your letter of today worded as follows :

'With a view to implementing the 55 % reduction in the applicable customs duties provided for in Article 19 of the Cooperation Agreement concluded between the European Economic Community and the Republic of Tunisia, and following the clarifications exchanged concerning the conditions governing imports into the Community of preserved fruit salads falling within CN codes ex 2008 92 50, ex 2008 92 71 and ex 2008 92 79 and originating in Tunisia, I have the honour to inform you that the Tunisian Government undertakes to take all necessary measures to ensure that the quantities supplied to the Community from 1 January to 31 December of each year do not exceed 100 tonnes.

To this end the Tunisian Government declares that all exports to the Community of the said products will be effected exclusively by exporters whose operations are controlled by the "Office de Commerce de Tunisie" (Tunisian Board of Trade).

The guarantees relating to quantities will be met in accordance with the procedures agreed between the Tunisian Board of Trade and the Directorate-General for Agriculture of the Commission of the European Communities.

By way of derogation from Article 19 of the Cooperation Agreement, this Agreement in the form of an Exchange of Letters shall remain in force until denounced by one of the parties, which denunciation must be made before 30 September of each year.

I should be grateful if you would confirm the agreement of the Community with the foregoing.'

I am able to confirm the agreement of the Community with the foregoing and consequently to state that the 55 % reduction in the applicable customs duties will apply from 1 January to 31 December of each year to the quantities of preserved fruit salads originating in Tunisia referred to in your letter.

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

*On behalf
of the Council of the European Communities*

COMMISSION

COMMISSION DECISION

of 3 March 1989

laying down detailed rules for the declassification of documents covered by professional or business secrecy

(89/196/EEC, Euratom, ECSC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to Council Regulation (EEC, Euratom) No 354/83 of 1 February 1983 concerning the opening to the public of the historical archives of the European Economic Community and the European Atomic Energy Community⁽¹⁾, and in particular Article 9 thereof,

Having regard to Commission Decision No 359/83/ECSC of 8 February 1983 concerning the opening to the public of the historical archives of the European Coal and Steel Community⁽²⁾, and in particular Article 9 thereof,

Whereas, under the rules governing the opening to the public of the historical archives of the Communities, documents and records covered by the obligation of professional or business secrecy may not be released to the public unless the person or undertaking concerned does not object; whereas, to this effect, the Commission must give notice of its intention to release the documents and records to the public;

Whereas prior notification of the person or undertaking concerned is often difficult, particularly in cases of change of address or legal succession;

Whereas, to ensure that the procedure for opening the historical archives of the Communities to the public operates efficiently, provision should be made to enable the Commission to inform the person or undertaking concerned by means of a notice published in the *Official Journal of the European Communities*,

HAS DECIDED AS FOLLOWS:

Article 1

1. For the purpose of applying Article 4 of Regulation (EEC, Euratom) No 354/83 or Article 4 of Commission

Decision No 359/83/ECSC, the Commission shall notify the person or undertaking concerned in writing of its intention to release to the public a document or record covered by the obligation of professional or business secrecy and invite the person or undertaking concerned to submit any objections within a period of six weeks.

If no objection is raised within this period, the document or record shall be released to the public.

2. If the Commission's written request does not reach the person or undertaking concerned, the Commission shall publish a notice in the *Official Journal of the European Communities* (C series), announcing its intention to release to the public the document or record in question unless an objection is raised within six weeks of publication of the notice. The notice in the *Official Journal of the European Communities* shall indicate the person or undertaking concerned and the nature of the document or record in question.

If no objection is raised within the period indicated, the document or record shall be released to the public.

Article 2

This Decision shall apply with effect from 3 March 1989.

Done at Brussels, 3 March 1989.

For the Commission

António CARDOSO E CUNHA

Member of the Commission

⁽¹⁾ OJ No L 43, 15. 2. 1983, p. 1.

⁽²⁾ OJ No L 43, 15. 2. 1983, p. 14.

COMMISSION DECISION

of 3 March 1989

concerning the import by Member States of fresh meat from Albania

(89/197/EEC)

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

Having regard to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine animals and swine and fresh meat from third countries ⁽¹⁾, as last amended by Directive 88/289/EEC ⁽²⁾, and in particular Articles 4 and 16 thereof,

Whereas Albania appears on the list of third countries from which the Member States authorize the importation of bovine animals, swine and fresh meat laid down by Council Decision 79/542/EEC ⁽³⁾;

Whereas it is the Commission's responsibility to adopt decisions in respect of third countries for animal health conditions and public health and, to this end, the Commission should be in a position to make on-the-spot checks in accordance with Article 5 of Directive 72/462/EEC;

Whereas the Commission has on several occasions written to the competent authorities of Albania with a view to arranging a preliminary visit by veterinary experts of the Member States and the Commission;

Whereas no reply has been received by the Commission to the abovementioned communications;

Whereas compliance with the provisions of Article 4 and 16 of Directive 72/462/EEC cannot be verified on the spot;

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

HAS ADOPTED THIS DECISION:

Article 1

Member States may not authorize the import of fresh meat from Albania.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 3 March 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽²⁾ OJ No L 124, 18. 5. 1988, p. 31.

⁽³⁾ OJ No L 146, 14. 6. 1979, p. 15.

COMMISSION DECISION

of 3 March 1989

withholding approval of a second addendum to the addendum to the Danish programme relating to the manufacture of processed fruit and vegetable products, in accordance with Council Regulation (EEC) No 355/77

(Only the Danish text is authentic)

(89/198/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas on 29 December 1986 the Danish Government submitted a second addendum to the addendum⁽³⁾ to the programme relating to the manufacture of processed fruit and vegetable products⁽⁴⁾;

Whereas the investments relating to pea starch cannot be accepted, given the situation on the starch market and the competition between the different raw materials;

Whereas the main production proposed, i.e. proteins, is not one of the products mentioned in Annex II of the Treaty;

Whereas the proposed investment would allow only a small part of the Member State's pea production to be processed and would not provide any significant increase at Community level in the means of disposing of the basic products concerned;

Whereas the programme submitted by the Danish Government fails to meet the requirements set out in Article 2 of Regulation (EEC) No 355/77;

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

Approval of the second addendum to the addendum to the programme relating to the manufacture of processed fruit and vegetable products, communicated by the Danish Government on 29 December 1986, is hereby withheld.

Article 2

This Decision is addressed to the Kingdom of Denmark.

Done at Brussels, 3 March 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 51, 23. 2. 1977, p. 1.

⁽²⁾ OJ No L 167, 26. 6. 1987, p. 1.

⁽³⁾ OJ No L 6, 8. 1. 1987, p. 30.

⁽⁴⁾ OJ No L 73, 16. 3. 1984, p. 78.

COMMISSION DECISION

of 3 March 1989

derogating from High Authority Recommendation No 1/64 concerning an increase in the protective duty on iron and steel products at the external frontiers of the Community
(137th derogation)

(89/199/ECSC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Recommendation No 1/64, but will help to maintain existing trade flows between Member States and non-member countries;

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular the third paragraph of Article 71 thereof,

Whereas these are special cases in the commercial policy field justifying the authorization of derogations pursuant to Article 3 of Recommendation No 1/64;

Having regard to High Authority Recommendation No 1/64 of 15 January 1964 to the Governments of the Member States concerning an increase in the protective duty on iron and steel products at the external frontiers of the Community⁽¹⁾, as last amended by Recommendation 88/27/ECSC⁽²⁾, and in particular Article 3 thereof,

Whereas provision should be made pursuant to the third paragraph of Article 71 of the Treaty, to ensure that the quotas granted will be used solely to supply the needs of industries in the importing countries and that re-export in the unaltered state to other Member States of the imported iron and steel products will be prevented;

Whereas certain iron and steel products indispensable to the manufacture of certain goods and having very special physical and chemical characteristics are not produced in the Community, or are produced in insufficient quantities; whereas for a number of years insufficiency has been overcome by duty-free tariff quotas; whereas Community producers are still not in a position to comply with the present quality requirements put forward by the users; whereas duty-free quotas at a level securing the supply of users are consequently required;

Whereas the Governments of the Member States have been consulted on the tariff quotas set out below,

HAS ADOPTED THIS DECISION:

Article 1

Whereas import of these products on preferential terms is not injurious to iron and steel undertakings in the Community which produce directly competing products;

Member States are hereby authorized to derogate from the obligations arising under Article 1 of High Authority Recommendation No 1/64 to the extent necessary to suspend at the levels indicated the customs duties on the products set out below, within tariff quotas of the amounts indicated for the Member States concerned:

Whereas neither this suspension of duties nor these tariff quotas are likely to jeopardize the objectives of

CN code	Description	Member State	Quota (tonnes)	Duty (%)
ex 7225 10 91 ex 7226 10 30	Cold-rolled, grain-oriented, flat-rolled products of silicon-electrical steel, of a width of more than 500 mm and of 600 mm or more respectively, of a thickness exceeding 0,20 mm but less than 0,30 mm and a nominal magnetic-reversal loss of less than 1 W/kg, determined in accordance with the Epstein method with a current at 50 Hz and an induction of 1,7 T	Germany	1 500	0

⁽¹⁾ OJ No 8, 22. 1. 1964, p. 99/64.

⁽²⁾ OJ No L 15, 20. 1. 1988, p. 13.

CN code	Description	Member State	Quota (tonnes)	Duty (%)
ex 7225 10 91 ex 7226 10 30	Cold-rolled laser-irradiated, grain-oriented, flat-rolled products of silicon-electrical steel, of a width of more than 500 mm and of 600 mm or more respectively, of a thickness exceeding 0,20 mm but less than 0,60 mm and a nominal magnetic-reversal loss of 0,35 W/kg	Benelux Spain	300 400	0 0
ex 7225 10 99	Cold-rolled, laser-irradiated, non-grain-oriented, flat-rolled products of silicon-electrical steel, in coils of 840 mm by 0,5 mm and with a nominal magnetic-reversal loss, determined in accordance with the Epstein method, of less than 1,04 W/kg with a current at 50 Hz and an induction of 1 T, and of 2,5 W/kg with a current at 50 Hz and an induction of 1,5 t	Spain	300	0

Article 2

1. Member States accorded quotas under Article 1 shall ensure, in liaison with the Commission, that such quotas are apportioned among third countries on a non-discriminatory basis.

2. They shall take all necessary steps to preclude the possibility of iron and steel products imported under the said tariff quotas being re-consigned to other Member States in the unaltered state.

Article 3

This Decision is addressed to the Member States.

It shall apply from 1 January until 30 June 1989.

Done at Brussels, 3 March 1989.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION DECISION

of 6 March 1989

approving an adjustment to the programme for the acceleration of agricultural development in certain regions of Greece pursuant to Council Regulation (EEC)

No 1975/82

(Only the Greek text is authentic)

(89/200/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION :

Having regard to the Treaty establishing the European Economic Community,

Article 1

Having regard to Council Regulation (EEC) No 1975/82 of 19 July 1982 on the acceleration of agricultural development in certain regions of Greece⁽¹⁾, as last amended by Regulation (EEC) No 4073/88⁽²⁾, and in particular Articles 3 and 18 (2a) thereof,

Whereas the programme of public works and other projects for the development of mountain, hill and less-favoured areas in 22 Greek prefectures was approved by Commission Decision 83/387/EEC⁽³⁾; whereas the first adjustment of the programme was approved by Commission Decision 88/425/EEC⁽⁴⁾,

Whereas the Greek Government forwarded the basic particulars concerning an adjustment of the said programme on 29 November 1988 and 2 January 1989; whereas, in the light of these particulars, an amendment of the programme is justified;

Whereas adjustment of the programme requires its extension until 31 December 1989 and the amendment of certain limits set in the first subparagraph of Article 18 (2) of Regulation (EEC) No 1975/82, excepting the amount of ECU 30 referred to in the fifth indent of point (b) of the first subparagraph of Article 18 (2) of the said Regulation, since an increase in that amount is not justified;

Whereas the European Agricultural Guidance and Guarantee Fund 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 Structures and Rural Development,

1. The adjustment of the programme of public works and other projects for the development of mountain, hill and less-favoured areas in 22 Greek prefectures, the basic particulars concerning which were forwarded by the Greek Government on 29 November 1988 in accordance with Regulation (EEC) No 1975/82, is hereby approved.

2. In order to implement the adjustment of the programme, the limits referred to in the first subparagraph of Article 18 (2) of Regulation (EEC) No 1975/82 are hereby amended as follows :

— the maximum eligible amount referred to the first, second and third indents of (a) is fixed at ECU 23 500 000, ECU 62 million and ECU 42 million respectively,

— the maximum eligible amount referred to the first indent of (b) is fixed at ECU 5 000 per hectare, up to a maximum total of 35 000 hectares and ECU 115 million,

— the maximum eligible amount referred to the second indent of (b) is fixed at ECU 500 per hectare, up to a maximum total of 300 000 hectares and ECU 72 million,

— the maximum total referred to in the third indent of (b) is fixed at 900 hectares and ECU 500 000,

— the maximum eligible amount referred to the fourth indent of (b) is fixed at ECU 5 600 000,

— the maximum eligible amount referred to the fifth indent of (b) is fixed at ECU 5 200 000,

— the maximum eligible amount referred to the sixth indent of (b) is fixed at ECU 3 million,

— the maximum total referred to in the seventh indent of (b) is fixed at 12 000 hectares and ECU 25 million,

— the maximum total referred to in the eighth indent of (b) is fixed at 10 000 hectares and ECU 16 million,

— the maximum total referred to in the ninth indent of (b) is fixed at 100 000 hectares and ECU 16 million,

⁽¹⁾ OJ No L 214, 22. 7. 1982, p. 1.

⁽²⁾ OJ No L 359, 28. 12. 1988, p. 1.

⁽³⁾ OJ No L 222, 13. 8. 1983, p. 43.

⁽⁴⁾ OJ No L 208, 2. 8. 1988, p. 28.

- the maximum total referred to in the 10th indent of (b) is fixed at 150 000 hectares and ECU 21 million,
- the maximum total referred to in the 11th indent of (b) is fixed at 3 000 kilometers and ECU 45 million,
- the maximum eligible amount referred to in the last indent of (b) is fixed at 6 % of the total cost of the project concerned for preparatory work relating to projects on private land within the framework of Article 14, up to a maximum total expenditure of ECU 1 200 000.

Article 2

This Decision is addressed to the Hellenic Republic.

Done at Brussels, 6 March 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION DECISION

of 6 March 1989

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

(Only the French text is authentic)

(89/201/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,

Having regard to Commission Regulation (EEC) No
1272/88 of 29 April 1988 laying down detailed rules for
applying the set-aside incentive scheme for arable land ⁽³⁾,

Whereas on 21 and 30 November 1988 the French
Government forwarded the following provisions pursuant
to Article 24 (4) of Regulation (EEC) No 797/85:

- Decree No 88-1049 of 18 November 1988 concerning
the set-aside of arable land;
- Ministerial Order of 18 November 1988 concerning
the amount of the aid paid per hectare of land
set-aside;
- circular DEPSE/SDSA/C88/No 7031 of 25 November
1988;

Whereas, under 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 provisions forwarded relate to the
application of the set-aside scheme in as far as aid
applications submitted not later than 31 December 1989
are concerned; whereas this Decision should be limited
to the period specified in those provisions;

Whereas this Decision is adopted on the assumption that
the measures laid down for the rotation of fallows are
applied in such a way that no minimum duration of
rotation is imposed;

Whereas the list of crops eligible under the set-aside
scheme and appearing in the circular of 25 November
1988 must be supplemented by adding the fodder crops
which are grown in a crop rotation in order to satisfy the
conditions laid down in Article 1a (2) of Regulation (EEC)
No 797/85;

Whereas the financial contribution from the Community
under the set-aside scheme covers only arable land and
hence does not concern fresh vegetables, melons and
strawberries grown in greenhouses or under high shelters
which are not included in a crop rotation;

Whereas, subject to the comments made above, the
abovementioned provisions satisfy the conditions and the
objectives of Title 01 of Regulation (EEC) No 797/85 and
are in accordance with Regulation (EEC) No 1272/88;

Whereas, however, in view of the newness of the set-aside
scheme, the Commission reserves the right to re-examine
the provisions forwarded, particularly as regards the
amount of the aid, on the basis of a report on their
application to be submitted by France pursuant to Article
29 of Regulation (EEC) No 797/85 and to Article 16 (2) of
Regulation (EEC) No 1272/88;

Whereas the European Agricultural Guidance and
Guarantee Fund Committee has been consulted on the
financial aspects;

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

HAS ADOPTED THIS DECISION:

Article 1

1. The provisions relating to the set-aside of arable
land contained in Decree No 88-1049 of 18 November
1988, the Ministerial Order of 18 November 1988 and
circular DEPSE/SDSA/C88/No 7031 of 25 November
1988, forwarded by the French Government pursuant to
Article 24 (4) of Regulation (EEC) No 797/85, satisfy the
conditions for a Community financial contribution to the
common measure provided for in Title 01 of the said
Regulation, subject to the following conditions:

⁽¹⁾ OJ No L 93, 30. 3. 1985, p. 1.

⁽²⁾ OJ No L 108, 29. 4. 1988, p. 1.

⁽³⁾ OJ No L 121, 11. 5. 1988, p. 36.

- (a) this Decision shall be limited to applications for aid under the set-aside scheme submitted not later than 31 December 1989;
- (b) France shall ensure that, when the measures on rotating fallows are applied, no minimum duration of rotation is imposed;
- (c) the list of the crops eligible under the set-aside scheme appearing in the circular of 25 November 1988 must be amended to include the fodder crops which are grown in a crop rotation;
- (d) the financial contribution from the Community shall not concern fresh vegetables, melons and strawberries grown in greenhouses or under high shelters which are not included in a crop rotation.

2. Up to 31 December 1989 the Commission reserves the right to revise this Decision with effect from that date.

Article 2

This Decision is addressed to the French Republic.

Done at Brussels, 6 March 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION DECISION

of 6 March 1989

correcting the German version of Decision 88/620/EEC on improving the efficiency of agricultural structures in the Federal Republic of Germany pursuant to Council Regulation (EEC) No 797/85

(Only the German text is authentic)

(89/202/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, as a result of an error, the German version of Commission Decision 88/620/EEC of 1 December 1988 on improving the efficiency of agricultural structures in the Federal Republic of Germany pursuant to Council Regulation (EEC) No 797/85 ⁽³⁾ does not correspond to that which was submitted to the Standing Committee on Agricultural Structures for an opinion; whereas the said Decision should therefore be corrected,

HAS ADOPTED THIS DECISION:

Article 1

Article 1 of the German version of Decision 88/620/EEC is hereby replaced by the following:

'Artikel 1

Die durch die Regierung der Bundesrepublik Deutschland mitgeteilten Vorschriften über die

jeweiligen Länderprogramme zur Verbesserung der Berufsausbildung in der Landwirtschaft, außer den normalen Programmen oder Ausbildungsgängen an landwirtschaftlichen Schulen des Sekundar- oder Tertiärbereichs, erfüllen die Bedingungen für eine finanzielle Beteiligung der Gemeinschaft an der in Artikel 1 der Verordnung (EWG) Nr. 797/85 genannten gemeinsamen Maßnahme.'

Article 2

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 6 March 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.

⁽³⁾ OJ No L 343, 13. 12. 1988, p. 31.

COMMISSION DECISION

of 13 March 1989

authorizing the United Kingdom to apply intra-Community surveillance to imports of certain textile products originating in third countries and put into free circulation in the Community

(Only the English text is authentic)

(89/203/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

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

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

Whereas on 22 February 1989 a request was made under Article 2 of Decision 87/433/EEC by the United Kingdom Government to the Commission of the European Communities for authorization to introduce intra-Community surveillance for certain textile products originating in third countries and put into free circulation in the Community;

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

Whereas the Commission examined in particular whether, during the reference years set out in Decision

87/433/EEC, significant imports have been realized in the Member States, originating in other Member States;

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

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

HAS ADOPTED THIS DECISION:

Article 1

The United Kingdom is hereby authorized to introduce, until 31 December 1989, and in accordance with Decision 87/433/EEC, intra-Community surveillance of imports of textile products set out in the Annex hereto originating in certain third countries.

Article 2

This Decision is addressed to the United Kingdom.

Done at Brussels, 13 March 1989.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 238, 21. 8. 1987, p. 26.

ANNEX

Textile products for which categories have been established

Category	Country of origin
1	Brazil, China, Pakistan
2	Brazil, China, Indonesia, Pakistan, Peru, Thailand, South Korea, Taiwan
3	China, Czechoslovakia, Indonesia, South Korea, Taiwan
4	China, Singapore
8	Thailand
13	China
15	Romania
21	Taiwan
26	Romania, Taiwan
27	China, Taiwan
31	China
35	South Korea, Taiwan
37	China, South Korea