

Official Journal

of the European Communities

ISSN 0378-6978

L 122

Volume 32

3 May 1989

English edition

Legislation

Contents

I Acts whose publication is obligatory

Commission Regulation (EEC) No 1180/89 of 2 May 1989 fixing the import levies on cereals and on wheat or rye flour, groats and meal	1
Commission Regulation (EEC) No 1181/89 of 2 May 1989 fixing the premiums to be added to the import levies on cereals, flour and malt	3
Commission Regulation (EEC) No 1182/89 of 2 May 1989 suspending the preferential customs duties and re-introducing the Common Customs Tariff duty on imports of uniflorous (standard) carnations originating in Israel	5
Commission Regulation (EEC) No 1183/89 of 2 May 1989 opening an invitation to tender for the sale for export of baled tobacco held by the Italian intervention agency	7
Commission Regulation (EEC) No 1184/89 of 2 May 1989 reintroducing the preferential customs duty on imports of large-flowered roses originating in Morocco	10
Commission Regulation (EEC) No 1185/89 of 2 May 1989 fixing for Great Britain the level of the variable slaughter premium for sheep and the amounts to be charged on products leaving region 5	12
Commission Regulation (EEC) No 1186/89 of 2 May 1989 altering the import levies on products processed from cereals and rice	15
Commission Regulation (EEC) No 1187/89 of 2 May 1989 fixing the import levies on white sugar and raw sugar	17
Commission Regulation (EEC) No 1188/89 of 2 May 1989 abolishing the countervailing charge on courgettes originating in Spain (except the Canary Islands)	19
Commission Regulation (EEC) No 1189/89 of 2 May 1989 amending Regulation (EEC) No 935/89 introducing a countervailing charge on fresh lemons originating in Cyprus	20

1

(Continued overleaf)

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other Acts are printed in bold type and preceded by an asterisk.

Commission Regulation (EEC) No 1190/89 of 2 May 1989 amending Regulation (EEC) No 1057/89 introducing a countervailing charge on tomatoes originating in the Canary Islands 21

II *Acts whose publication is not obligatory*

Commission

89/300/EEC :

- * **Commission Decision of 7 February 1989 on the granting of a contribution from the European Regional Development Fund towards the financing of a national programme of Community interest under the integrated Mediterranean programme (IMP) for Apulia (Italy) 22**

89/301/EEC :

- * **Commission Decision of 7 February 1989 on the granting of a contribution from the European Regional Development Fund towards the financing of a national programme of Community interest under the integrated Mediterranean programme (IMP) for Campania (Italy) 25**

89/302/EEC :

- * **Commission Decision of 7 February 1989 on the granting of a contribution from the European Regional Development Fund towards the financing of a national programme of Community interest under the integrated Mediterranean programme (IMP) for Sicily (Italy) 27**

89/303/EEC :

- * **Commission Decision of 20 April 1989 on the surveillance within the Community of exports of certain types of non-ferrous metal waste and scrap 29**

89/304/EEC :

- * **Commission Decision of 20 April 1989 on improving the efficiency of agricultural structures in the Netherlands pursuant to Council Regulation (EEC) No 797/85 30**

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 1180/89

of 2 May 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 28 April 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 3 May 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, 2 May 1989.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX

to the Commission Regulation of 2 May 1989 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Levies	
	Portugal	Third country
0709 90 60	25,25	128,35
0712 90 19	25,25	128,35
1001 10 10	59,60	190,64 ⁽¹⁾ ⁽²⁾
1001 10 90	59,60	190,64 ⁽¹⁾ ⁽²⁾
1001 90 91	35,73	121,41
1001 90 99	35,73	121,41
1002 00 00	63,32	123,47 ⁽⁴⁾
1003 00 10	53,90	122,72
1003 00 90	53,90	122,72
1004 00 10	44,96	90,50
1004 00 90	44,96	90,50
1005 10 90	25,25	128,35 ⁽²⁾ ⁽³⁾
1005 90 00	25,25	128,35 ⁽²⁾ ⁽³⁾
1007 00 90	48,56	141,85 ⁽⁴⁾
1008 10 00	53,90	25,55
1008 20 00	53,90	16,23 ⁽⁴⁾
1008 30 00	53,90	0,00 ⁽²⁾
1008 90 10	(?)	(?)
1008 90 90	53,90	0,00
1101 00 00	64,72	184,67
1102 10 00	103,35	187,56
1103 11 10	106,02	309,13
1103 11 90	68,09	197,63

⁽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 1181/89

of 2 May 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 28 April 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 3 May 1989.

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

Done at Brussels, 2 May 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 2 May 1989 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CN code	<i>(ECU/tonne)</i>			
	Current 5	1st period 6	2nd period 7	3rd period 8
0709 90 60	0	0	0	0,93
0712 90 19	0	0	0	0,93
1001 10 10	0	4,40	4,40	4,85
1001 10 90	0	4,40	4,40	4,85
1001 90 91	0	0,81	0,81	5,94
1001 90 99	0	0,81	0,81	5,94
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	0,93
1005 90 00	0	0	0	0,93
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	1,14	1,14	8,32

B. Malt

CN code	<i>(ECU/tonne)</i>				
	Current 5	1st period 6	2nd period 7	3rd period 8	4th period 9
1107 10 11	0	1,44	1,44	10,57	10,57
1107 10 19	0	1,08	1,08	7,90	7,90
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 1182/89

of 2 May 1989

suspending the preferential customs duties and re-introducing the Common Customs Tariff duty on imports of uniflorous (standard) carnations originating in Israel

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

Whereas Article 2 of Regulation (EEC) No 4088/87 provides, on the one hand, that for a given product of a given origin, the preferential customs duty is to be applicable only if the price of the imported product is at least equal to 85 % of the Community producer price; whereas, on the other hand, the preferential customs duty is, except in exceptional cases, suspended and the Common Customs Tariff duty introduced for a given product of a given origin:

(a) if, on two successive market days, the prices of the imported product are less than 85 % of the Community producer price in respect of at least 30 % of the quantities for which prices are available on representative import markets;

or

(b) if, over a period of five to seven successive market days, the prices of the imported product are alternatively above and below 85 % of the Community producer price in respect of at least 30 % of the quantities for which prices are available on the representative import markets and if, for three days

during that period, the prices of the import product have been below that level;

Whereas Commission Regulation (EEC) No 3557/88⁽⁷⁾ fixes the Community producer prices for carnations and roses for the application of the import arrangements;

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

Whereas, in order to enable the arrangements to operate normally, the following should be used for the calculation of the import prices:

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

Whereas, on the basis of prices recorded pursuant to Regulations (EEC) No 4088/87 and (EEC) No 700/88, it must be concluded that the conditions laid down in Article 2 (2) of Regulation (EEC) No 4088/87 for suspension of the preferential customs duty are met for uniflorous (standard) carnations originating in Israel; whereas the Common Customs Tariff duty should be reintroduced,

HAS ADOPTED THIS REGULATION:

Article 1

For imports of uniflorous (standard) carnations (CN code ex 0603 10 53) originating in Israel, the preferential customs duty fixed by Council Regulation (EEC) No 4078/88 is hereby suspended and the Common Customs Tariff duty is hereby reintroduced.

Article 2

This Regulation shall enter into force on 3 May 1989.

⁽¹⁾ OJ No L 382, 31. 12. 1987, p. 22.

⁽²⁾ OJ No L 311, 17. 11. 1988, p. 1.

⁽³⁾ OJ No L 271, 1. 10. 1988, p. 7.

⁽⁴⁾ OJ No L 283, 18. 10. 1988, p. 1.

⁽⁵⁾ OJ No L 311, 17. 11. 1988, p. 2.

⁽⁶⁾ OJ No L 359, 28. 12. 1988, p. 8.

⁽⁷⁾ OJ No L 311, 17. 11. 1988, p. 9.

⁽⁸⁾ OJ No L 72, 18. 3. 1988, p. 16.

⁽⁹⁾ OJ No L 311, 17. 11. 1988, p. 8.

⁽¹⁰⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽¹¹⁾ OJ No L 153, 13. 6. 1987, p. 1.

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

Done at Brussels, 2 May 1989.

For the Commission
Ray MAC SHARRY
Member of the Commission

COMMISSION REGULATION (EEC) No 1183/89

of 2 May 1989

opening an invitation to tender for the sale for export of baled tobacco held by the Italian intervention agency

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 727/70 of 21 April 1970 on the common organization of the market in raw tobacco⁽¹⁾, as last amended by Regulation (EEC) No 2267/88⁽²⁾, and in particular Article 7 (4) thereof,

Whereas Commission Regulation (EEC) No 3389/73⁽³⁾, as last amended by Regulation (EEC) No 3263/85⁽⁴⁾, lays down the procedure and conditions for the sale of tobacco held by intervention agencies;

Whereas, on account of the problems caused by the storage of baled tobacco, and in particular the costs of storage, an invitation to tender should be opened for the sale of the tobacco in lots; whereas this tobacco should be intended for export, without refund;

Whereas payment for all these lots is made before the tobacco is removed; whereas it should be provided that, at the request of the successful tenderer, the security should be released progressively as the quantities of tobacco are exported;

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

HAS ADOPTED THIS REGULATION:

Article 1

12 lots of baled raw tobacco from the 1986 and 1987 harvests, held by the Italian intervention agency, with a total weight of 16 083 666 kilograms divided by varieties as shown in the Annex hereto, shall be sold for export.

Article 2

The sale shall take place in accordance with the tendering procedure provided for in Regulation (EEC) No 3389/73.

Article 3

The deadline for the submission of tenders at the headquarters of the Commission of the European Communities shall be 3 p.m., local time, on 23 June 1989.

Article 4

The closing date referred to in Article 9 (1) of Regulation (EEC) No 3389/73 for removal of the tobacco by the successful tenderer shall be:

- (a) at the end of the fourth month following the date of publication of the result of the tendering procedure in the *Official Journal of the European Communities*, in respect of at least one-third of the lots;
- (b) at the end of the sixth month following the said date for the remaining tobacco.

Article 5

1. The security specified in Article 5 of Regulation (EEC) No 3389/73 must be lodged with and by the Azienda di Stato per gli interventi nel mercato agricolo, sezione specializzata per il tabacco (AIMA), via Duccio Galimberti 47, I-00136 Roma.

2. The Commission shall inform the relevant intervention agency forthwith of the result of the sale by tender. The agency shall immediately release the securities of tenderers whose tenders were inadmissible or who were unsuccessful.

Save as otherwise provided in the second subparagraph of Article 7 of Regulation (EEC) No 3389/73, the securities of the successful tenderer or tenderers shall be released once the conditions laid down in Article 7 (c) of that Regulation have been fulfilled.

3. On application by the person concerned, the security shall be released by instalments in proportion to the quantities of tobacco in respect of which the proof referred to in Article 7 (c) of the said Regulation has been furnished.

Article 6

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

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 1.

⁽²⁾ OJ No L 199, 26. 7. 1988, p. 18.

⁽³⁾ OJ No L 345, 15. 12. 1973, p. 47.

⁽⁴⁾ OJ No L 311, 22. 11. 1985, p. 22.

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

Done at Brussels, 2 May 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

Lot No	Variety	Harvest	Weight (kilograms)
1	Xanti Yaka Kentucky	1987	820 298
		1986	274 509
			1 094 807
2	Perustitza Erzegovina Burley I	1987	633 504
		1987	370 504
		1986	577 295
			1 581 303
3	Badischer Geudertheimer Badischer Geudertheimer Bright	1986	542 828
		1987	385 869
		1986	246 278
			1 174 975
4	F. Havana Bright	1987	1 323 388
		1986	246 279
			1 569 667
5	F. Havana Bright	1987	519 150
		1987	99 492
			618 642
6	Badischer Geudertheimer Badischer Burley	1987	348 678
		1987	136 633
			485 311
7	F. Havana Burley I	1987	957 078
		1986	303 297
			1 260 375
8	Tsebelia Burley I	1987	1 518 707
		1987	430 883
			1 949 590
9	Tsebelia Bright	1987	1 518 707
		1987	317 552
			1 836 259
10	Tsebelia Bright	1987	1 518 714
		1987	317 552
			1 836 266
11	Tsebelia	1986	1 228 683
12	Tsebelia	1987	1 447 788
		Total	16 083 666

COMMISSION REGULATION (EEC) No 1184/89

of 2 May 1989

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

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

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

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

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

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

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

Whereas the preferential customs duty fixed for large-flowered roses originating in Morocco by Regulation (EEC) No 3552/88 was suspended by Commission Regulation (EEC) No 627/89⁽¹²⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 3 May 1989.

⁽¹⁾ OJ No L 382, 31. 12. 1987, p. 22.

⁽²⁾ OJ No L 311, 17. 11. 1988, p. 1.

⁽³⁾ OJ No L 271, 1. 10. 1988, p. 7.

⁽⁴⁾ OJ No L 283, 18. 10. 1988, p. 1.

⁽⁵⁾ OJ No L 311, 17. 11. 1988, p. 2.

⁽⁶⁾ OJ No L 359, 28. 12. 1988, p. 8.

⁽⁷⁾ OJ No L 311, 17. 11. 1988, p. 9.

⁽⁸⁾ OJ No L 72, 18. 3. 1988, p. 16.

⁽⁹⁾ OJ No L 311, 17. 11. 1988, p. 8.

⁽¹⁰⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽¹¹⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽¹²⁾ OJ No L 68, 11. 3. 1989, p. 25.

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

Done at Brussels, 2 May 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 1185/89

of 2 May 1989

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to Commission Regulation (EEC) No 1633/84 of 8 June 1984 laying down detailed rules for applying the variable slaughter premium for sheep and repealing Regulation (EEC) No 2661/80⁽³⁾, as last amended by Regulation (EEC) No 1075/89⁽⁴⁾, and in particular Articles 3 (1) and 4 (1) thereof,

Whereas the United Kingdom is the only country which grants the variable slaughter premium, in region 5, within the meaning of Article 3 (5) of Regulation (EEC) No 1837/80; whereas it is necessary therefore for the Commission to fix, for the week beginning 10 April 1989, the level of the premium and the amount to be charged on products leaving that region;

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

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

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

Whereas, pursuant to the provisions of Article 9 (1) of Regulation (EEC) No 1837/80, for the week beginning 10

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For sheep or sheepmeat certified as eligible in the United Kingdom in region 5, within the meaning of Article 3 (5) of Regulation (EEC) No 1837/80, for the variable slaughter premium during the week beginning 10 April 1989, the level of the premium is fixed at 19,563 ECU/100 kilograms of estimated or actual dressed carcass weight within the limits laid down by Article 1 (1) (b) of Regulation (EEC) No 1633/84.

Article 2

For products referred to in Article 1 (a) and (c) of Regulation (EEC) No 1837/80, which left the territory of region 5 during the week beginning 10 April 1989, the amounts to be charged shall be equivalent to those fixed in the Annexes hereto.

Article 3

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

It shall apply with effect from 10 April 1989.

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 36.

⁽³⁾ OJ No L 154, 9. 6. 1984, p. 27.

⁽⁴⁾ OJ No L 114, 27. 4. 1989, p. 13.

⁽⁵⁾ OJ No L 122, 12. 5. 1988, p. 69.

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

Done at Brussels, 2 May 1989.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX

to the Commission Regulation of 2 May 1989 fixing for Great Britain the level of the variable slaughter premium for sheep and the amounts to be charged on products leaving region 5

(ECU/100 kg)

CN code	Amounts	
	A. Products qualifying for the premium specified in Article 9 of Regulation (EEC) No 1837/80	B. Products specified in Article 4 (4) of Regulation (EEC) No 1633/84 ⁽¹⁾
	Live weight	Live weight
0104 10 90	9,195	0
0104 20 90		0
	Net weight	Net weight
0204 10 00	19,563	0
0204 21 00	19,563	0
0204 50 11		0
0204 22 10	13,694	
0204 22 30	21,519	
0204 22 50	25,432	
0204 22 90	25,432	
0204 23 00	35,605	
0204 30 00	14,672	
0204 41 00	14,672	
0204 42 10	10,270	
0204 42 30	16,139	
0204 42 50	19,074	
0204 42 90	19,074	
0204 43 00	26,703	
0204 50 13		0
0204 50 15		0
0204 50 19		0
0204 50 31		0
0204 50 39		0
0204 50 51		0
0204 50 53		0
0204 50 55		0
0204 50 59		0
0204 50 71		0
0204 50 79		0
0210 90 11	25,432	
0210 90 19	35,605	
1602 90 71 :		
— unboned (bone-in)	25,432	
— boned or boneless	35,605	

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

COMMISSION REGULATION (EEC) No 1186/89

of 2 May 1989

altering the import levies on products processed from cereals and rice

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 14 (4) thereof;

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EEC) No 2229/88⁽⁴⁾, and in particular Article 12 (4) thereof;

Having regard to Council Regulation 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⁽⁵⁾, as last amended by Regulation (EEC) No 1636/87⁽⁶⁾, and in particular Article 3 thereof;

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on products processed from cereals and rice were fixed by Commission Regulation (EEC) No 1081/89⁽⁷⁾, as amended by Regulation (EEC) No 1178/89⁽⁸⁾;

Whereas Council Regulation (EEC) No 1906/87⁽⁹⁾ amended Council Regulation (EEC) No 2744/75⁽¹⁰⁾ as regards products falling within CN codes 2302 10, 2302 20, 2302 30 and 2302 40;

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 over 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 28 April 1989;

Whereas the aforesaid corrective factor affects the entire calculation basis for the levies, including the equivalence coefficients;

Whereas the levy on the basic product as last fixed differs from the average levy by more than ECU 3,02 per tonne of basic product; whereas, pursuant to Article 1 of Regulation (EEC) No 1579/74 of the Commission⁽¹¹⁾, as last amended by Regulation (EEC) No 1740/78⁽¹²⁾, the levies at present in force must therefore 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 processed from cereals and rice covered by Regulation (EEC) No 2744/75 as fixed in the Annex to amended Regulation (EEC) No 1081/89 are hereby altered to the amounts set out in the Annex.

Article 2

This Regulation shall enter into force on 3 May 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 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 197, 26. 7. 1988, p. 30.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁷⁾ OJ No L 114, 27. 4. 1989, p. 24.

⁽⁸⁾ OJ No L 121, 29. 4. 1989, p. 54.

⁽⁹⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽¹⁰⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽¹¹⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽¹²⁾ OJ No L 202, 26. 7. 1978, p. 8.

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

Done at Brussels, 2 May 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 2 May 1989 altering the import levies on products processed from cereals and rice

(ECU/tonne)

CN code	Import levies		
	Portugal	Third countries (other than ACP or OCT)	ACP or OCT
0714 10 10 ⁽¹⁾	56,64	126,58	121,75
0714 10 91	53,62	123,56	121,75
0714 10 99	56,64	126,58	121,75
0714 90 11	53,62	123,56	121,75 ⁽²⁾
0714 90 19	56,64	126,58	121,75 ⁽²⁾
1102 90 10	102,56	228,45	222,41
1103 19 30	102,56	228,45	222,41
1103 29 20	102,56	228,45	222,41
1104 11 10	57,71	129,05	126,03
1104 11 90	113,28	253,16	247,12
1104 21 10	88,81	200,72	197,70
1104 21 30	88,81	200,72	197,70
1104 21 50	140,09	314,94	308,90
1104 21 90	57,71	129,05	126,03
1106 20 10	56,64	126,58	119,93 ⁽³⁾
1107 10 91	106,32	230,82 ⁽²⁾	219,94
1107 10 99	82,19	175,21	164,33
1107 20 00	93,99	202,40 ⁽²⁾	191,52

⁽¹⁾ 6 % *ad valorem*, subject to certain conditions.

⁽²⁾ In accordance with Council Regulation (EEC) No 1180/77 (OJ No L 142, 9. 6. 1977, p. 10) this levy is reduced by ECU 5,44 per tonne for products originating in Turkey.

⁽³⁾ In accordance with Regulation (EEC) No 486/85 the levy shall not be charged on the following products originating in the African, Caribbean and Pacific States and in the overseas countries and territories:

- arrow-root falling within CN codes 0714 90 11 and 0714 90 19,
- flours and meal of arrow-root falling within CN code 1106 20,
- arrow-root starch falling within CN code 1108 19 90.

COMMISSION REGULATION (EEC) No 1187/89
of 2 May 1989
fixing the import levies on white sugar and raw sugar

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

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EEC) No 1069/89⁽²⁾, and in particular Article 16 (8) thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 2336/88⁽³⁾, as last amended by Regulation (EEC) No 1105/89⁽⁴⁾;

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

mation known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies referred to in Article 16 (1) of Regulation (EEC) No 1785/81 shall be, in respect of white sugar and standard quality raw sugar, as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 3 May 1989.

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

Done at Brussels, 2 May 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 177, 1-7. 1981, p. 4.

⁽²⁾ OJ No L 114, 27. 4. 1989, p. 1.

⁽³⁾ OJ No L 203, 28. 7. 1988, p. 22.

⁽⁴⁾ OJ No L 116, 28. 4. 1989, p. 37.

ANNEX**to the Commission Regulation of 2 May 1989 fixing the import levies on white sugar and raw sugar***(ECU/100 kg)*

CN code	Levy
1701 11 10	32,32 ⁽¹⁾
1701 11 90	32,32 ⁽¹⁾
1701 12 10	32,32 ⁽¹⁾
1701 12 90	32,32 ⁽¹⁾
1701 91 00	38,79
1701 99 10	38,79
1701 99 90	38,79 ⁽²⁾

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

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

COMMISSION REGULATION (EEC) No 1188/89

of 2 May 1989

abolishing the countervailing charge on courgettes originating in Spain (except the Canary Islands)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1010/89⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 1087/89⁽³⁾, introduced a countervailing charge on courgettes originating in Spain (except the Canary Islands).

Whereas the present trend of prices for products originating in Spain (except in the Canary Islands) on the representative markets referred to in Commission Regulation (EEC) No 2118/74⁽⁴⁾, as last amended by Regulation (EEC) No 3811/85⁽⁵⁾, recorded or calculated in accordance with the provisions of Article 5 of that Regulation, indicated that entry prices have been at least equal to the

reference price for two consecutive market days; whereas the conditions specified in the second indent of Article 26 (1) of Regulation (EEC) No 1035/72 are therefore fulfilled and the countervailing charge on imports of these products originating in Spain (except the Canary Islands) can be abolished;

Whereas, pursuant to Article 136 (2) of the Act of Accession, the arrangements applicable to trade between, on the one hand, a new Member State and, on the other, the Community as constituted at 31 December 1985, must be those which were applicable before accession,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1087/89 is hereby repealed.

Article 2

This Regulation shall enter into force on 3 May 1989.

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

Done at Brussels, 2 May 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 109, 20. 4. 1989, p. 3.

⁽³⁾ OJ No L 114, 27. 4. 1989, p. 40.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

COMMISSION REGULATION (EEC) No 1189/89

of 2 May 1989

amending Regulation (EEC) No 935/89 introducing a countervailing charge on fresh lemons originating in Cyprus

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 1010/89⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,Whereas Commission Regulation (EEC) No 935/89⁽³⁾, as amended by Regulation (EEC) No 1004/89⁽⁴⁾; introduced a countervailing charge on fresh lemons originating in Cyprus;

Whereas Article 26 (1) of Regulation (EEC) No 1035/72 laid down the conditions under which a charge intro-

duced in application of Article 25 of that Regulation is amended; whereas if those conditions are taken into consideration the countervailing charge on the import of fresh lemons originating in Cyprus must be altered,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 935/89, '14,75 ECU' is hereby replaced by '34,10 ECU'.

Article 2

This Regulation shall enter into force on 3 May 1989.

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

Done at Brussels, 2 May 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.⁽²⁾ OJ No L 109, 20. 4. 1989, p. 3.⁽³⁾ OJ No L 99, 12. 4. 1989, p. 24.⁽⁴⁾ OJ No L 107, 19. 4. 1989, p. 16.

COMMISSION REGULATION (EEC) No 1190/89
of 2 May 1989
amending Regulation (EEC) No 1057/89 introducing a countervailing charge on
tomatoes originating in the Canary Islands

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

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

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1010/89⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 1057/89⁽³⁾ introduced a countervailing charge on tomatoes originating in the Canary Islands;

Whereas Article 26 (1) of Regulation (EEC) No 1035/72 laid down the conditions under which a charge introduced in application of Article 25 of that Regulation is amended; whereas, if those conditions are taken into consideration, the countervailing charge on the import of tomatoes originating in the Canary Islands must be altered,

Whereas, in accordance with Article 1 (5) of Protocol 2 to the Act, the Community must apply in its trade with the Canary Islands, for products covered by Annex II to the EEC Treaty, the general arrangements which it applies in its foreign trade;

Whereas, in accordance with Article 4 of the said Protocol, the products, including tomatoes specified in Annex A to the Protocol, qualify for preferential arrangements, subject to the tariff quota opened by way of Council Regulation (EEC) No 4092/88⁽⁴⁾,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 1057/89, 6,81 and 7,41 ECU are hereby replaced by 68,95 and 74,95 ECU.

Article 2

This Regulation shall enter into force on 3 May 1989.

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

Done at Brussels, 2 May 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 109, 20. 4. 1989, p. 3.

⁽³⁾ OJ No L 112, 25. 4. 1989, p. 9.

⁽⁴⁾ OJ No L 363, 30. 12. 1988, p. 1.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 7 February 1989

on the granting of a contribution from the European Regional Development Fund towards the financing of a national programme of Community interest under the integrated Mediterranean programme (IMP) for Apulia (Italy)

(Only the Italian text is authentic)

(89/300/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1787/84 of 19 June 1984 on the European Regional Development Fund⁽¹⁾, as last amended by Regulation (EEC) No 3641/85⁽²⁾, and in particular Articles 10 to 14 thereof,

Whereas the Italian Government, acting in accordance with Article 5 (1) of Council Regulation (EEC) No 2088/85⁽³⁾, presented to the Commission on 30 December 1986 an IMP for Apulia with a view to securing part-financing by the Community;

Whereas the Commission, by decision of 12 October 1988, approved the IMP for Apulia pursuant to Article 7 (3) of Regulation (EEC) No 2088/85;

Whereas the IMP for Apulia includes a series of measures that display the characteristics of a national programme of Community interest (NPCI) within the meaning of Articles 10 to 14 of Regulation (EEC) No 1787/84; whereas those measures may, therefore, benefit from a contribution from the European Regional Development Fund;

Whereas presentation of the IMP for Apulia may, under the circumstances, be regarded as constituting the submission of an application for financing in respect of the said measures; whereas the date of 30 December 1986 may, therefore, be taken to be the date of submission of

the application pursuant to Article 11 (1) of Regulation (EEC) No 1787/84;

Whereas the NPCI, like the IMP for Apulia, covers the period from 1 January 1988 to 31 December 1992 inclusive;

Whereas, on the basis of the rates of Community contribution laid down in the IMP for Apulia, as approved by the Commission in accordance with the provisions governing the various methods of Community financing, a maximum contribution of ECU 54 254 000 may be granted to the Italian Government for this NPCI;

Whereas the budget commitments relating to the implementation of the NPCI will be effected in annual instalments in accordance with Article 25 of Regulation (EEC) No 1787/84;

Whereas, pursuant to Article 7 (3) of Regulation (EEC) No 2088/85 and by way of derogation from Article 11 (5) of Regulation (EEC) No 1787/84, the Advisory Committee set up by the said Article 7 has been consulted and has given a favourable opinion;

Whereas all the other conditions for the granting of a contribution from the European Regional Development Fund are met,

HAS ADOPTED THIS DECISION:

Article 1

The national programme of Community interest which forms part of the IMP for Apulia, as adopted by the Commission on 12 October 1988, is hereby adopted and

⁽¹⁾ OJ No L 169, 28. 6. 1984, p. 1.

⁽²⁾ OJ No L 350, 27. 12. 1985, p. 40.

⁽³⁾ OJ No L 197, 27. 7. 1985, p. 1.

shall constitute a programme agreement pursuant to Article 13 (1) of Regulation (EEC) No 1787/84. The programme shall cover the period from 1 January 1988 to 31 December 1992.

Article 2

The contribution from the European Regional Development Fund to the programme shall not exceed ECU 54 254 000, equivalent to an average of 49 % of the total public expenditure of ECU 110 844 000 taken into account in the programme.

The rates of the ERDF's contribution to the various measures to be financed under the IMP for Apulia are specified in the financing plan for that IMP.

Article 3

An initial commitment amounting to ECU 5 486 000 is hereby made in accordance with the financing plan set out in the IMP for Apulia. Further commitments for the programme shall be effected, within the limits of available budgetary resources, in annual instalments according to the progress made with the programme.

Article 4

Measures assisted under the programme shall be carried out in accordance with the provisions of Council Directives 71/305/EEC⁽¹⁾ and 77/62/EEC⁽²⁾ relating to public contracts.

Article 5

Where the programme concerns measures to exploit the potential for internally generated development to which a contribution is made under this Decision and where these measures relate to the provision of specific services or facilities for individual firms, the aggregate of national aid and the ERDF's contribution shall not exceed 80 % of the expenditure incurred by the firms concerned.

Article 6

Failure to observe any of the conditions set out in this Decision or in the programme hereby adopted shall entitle the Commission to reduce or cancel the assistance granted under the Decision; the Commission may, in such cases, reclaim any part of that assistance which has already been paid to the beneficiary of the Decision. However, any such reduction, cancellation or request for repayment may be made only after the beneficiary has been given an opportunity to submit its observations within a deadline fixed by the Commission.

Article 7

This Decision is addressed to the Italian Republic.

Done at Brussels, 7 February 1989.

For the Commission

Bruce MILLAN

Member of the Commission

⁽¹⁾ OJ No L 185, 16. 8. 1971, p. 5.

⁽²⁾ OJ No L 13, 15. 1. 1977, p. 1.

ANNEX

IMPs — ITALIAN

APULIA

Recapitulative table of ERDF commitments

(Thousand ecus)

	1988	1989	1990	1991 and 1992	1988 to 1992
ERDF commitments	5 486	17 674	17 144	13 950	54 254
Public expenditure on ERDF measures					110 844

COMMISSION DECISION

of 7 February 1989

on the granting of a contribution from the European Regional Development Fund towards the financing of a national programme of Community interest under the integrated Mediterranean programme (IMP) for Campania (Italy)

(Only the Italian text is authentic)

(89/301/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1787/84 of 19 June 1984 on the European Regional Development Fund⁽¹⁾, as last amended by Regulation (EEC) No 3641/85⁽²⁾, and in particular Articles 10 to 14 thereof,

Whereas the Italian Government, acting in accordance with Article 5 (1) of Council Regulation (EEC) No 2088/85⁽³⁾, presented to the Commission on 30 December 1986 an IMP for Campania with a view to securing part-financing by the Community;

Whereas the Commission, by decision of 12 October 1988, approved the IMP for Campania pursuant to Article 7 (3) of Regulation (EEC) No 2088/85;

Whereas the IMP for Campania includes a series of measures that display the characteristics of a national programme of Community interest (NPCI) within the meaning of Articles 10 to 14 of Regulation (EEC) No 1787/84; whereas those measures may, therefore, benefit from a contribution from the European Regional Development Fund;

Whereas presentation of the IMP for Campania may, under the circumstances, be regarded as constituting the submission of an application for financing in respect of the said measures; whereas the date of 30 December 1986 may, therefore, be taken to be the date of submission of the application pursuant to Article 11 (1) of Regulation (EEC) No 1787/84;

Whereas the NPCI, like the IMP for Campania, covers the period from 1 January 1988 to 31 December 1992 inclusive;

Whereas, on the basis of the rates of Community contribution laid down in the IMP for Campania, as approved by the Commission in accordance with the provisions governing the various methods of Community financing, a maximum contribution of ECU 42 339 000 may be granted to the Italian Government for this NPCI;

Whereas the budget commitments relating to the implementation of the NPCI will be effected in annual

instalments in accordance with Article 25 of Regulation (EEC) No 1787/84;

Whereas, pursuant to Article 7 (3) of Regulation (EEC) No 2088/85 and by way of derogation from Article 11 (5) of Regulation (EEC) No 1787/84, the Advisory Committee set up by the said Article 7 has been consulted and has given a favourable opinion;

Whereas all the other conditions for the granting of a contribution from the European Regional Development Fund are met,

HAS ADOPTED THIS DECISION:

Article 1

The national programme of Community interest which forms part of the IMP for Campania, as adopted by the Commission on 12 October 1988, is hereby adopted and shall constitute a programme agreement pursuant to Article 13 (1) of Regulation (EEC) No 1787/84. The programme shall cover the period from 1 January 1988 to 31 December 1992.

Article 2

The contribution from the European Regional Development Fund to the programme shall not exceed ECU 42 339 000, equivalent to an average of 48 % of the total public expenditure of ECU 88 035 000 taken into account in the programme.

The rates of the ERDF's contribution to the various measures to be financed under the IMP for Campania are specified in the financing plan for that IMP.

Article 3

An initial commitment amounting to ECU 80 000 is hereby made in accordance with the financing plan set out in the IMP for Campania. Further commitments for the programme shall be effected, within the limits of available budgetary resources, in annual instalments according to the progress made with the programme.

⁽¹⁾ OJ No L 169, 28. 6. 1984, p. 1.

⁽²⁾ OJ No L 350, 27. 12. 1985, p. 40.

⁽³⁾ OJ No L 197, 27. 7. 1985, p. 1.

Article 4

Measures assisted under the programme shall be carried out in accordance with the provisions of Council Directives 71/305/EEC⁽¹⁾ and 77/62/EEC⁽²⁾ relating to public contracts.

Article 5

Where the programme concerns measures to exploit the potential for internally generated development to which a contribution is made under this Decision and where these measures relate to the provision of specific services or facilities for individual firms, the aggregate of national aid and the ERDF's contribution shall not exceed 80 % of the expenditure incurred by the firms concerned.

Article 6

Failure to observe any of the conditions set out in this Decision or in the programme hereby adopted shall entitle the Commission to reduce or cancel the assistance

granted under the Decision; the Commission may, in such cases, reclaim any part of that assistance which has already been paid to the beneficiary of the Decision. However, any such reduction, cancellation or request for repayment may be made only after the beneficiary has been given an opportunity to submit its observations within a deadline fixed by the Commission.

Article 7

This Decision is addressed to the Italian Republic.

Done at Brussels, 7 February 1989.

For the Commission

Bruce MILLAN

Member of the Commission

ANNEX

IMPs — ITALIAN

CAMPANIA

Recapitulative table of ERDF commitments

(Thousand ecus)

	1988	1989	1990	1991 and 1992	1988 to 1992
ERDF commitments	80	10 956	16 662	14 641	42 339
Public expenditure on ERDF measures					88 035

⁽¹⁾ OJ No L 185, 16. 8. 1971, p. 5.

⁽²⁾ OJ No L 13, 15. 1. 1977, p. 1.

COMMISSION DECISION

of 7 February 1989

on the granting of a contribution from the European Regional Development Fund towards the financing of a national programme of Community interest under the integrated Mediterranean programme (IMP) for Sicily (Italy)

(Only the Italian text is authentic)

(89/302/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1787/84 of 19 June 1984 on the European Regional Development Fund⁽¹⁾, as last amended by Regulation (EEC) No 3641/85⁽²⁾, and in particular Articles 10 to 14 thereof,

Whereas the Italian Government, acting in accordance with Article 5 (1) of Council Regulation (EEC) No 2088/85⁽³⁾, presented to the Commission on 30 December 1986 an IMP for Sicily with a view to securing part-financing by the Community;

Whereas the Commission, by decision of 12 October 1988, approved the IMP for Sicily pursuant to Article 7 (3) of Regulation (EEC) No 2088/85;

Whereas the IMP for Sicily includes a series of measures that display the characteristics of a national programme of Community interest (NPCI) within the meaning of Articles 10 to 14 of Regulation (EEC) No 1787/84; whereas those measures may, therefore, benefit from a contribution from the European Regional Development Fund;

Whereas presentation of the IMP for Sicily may, under the circumstances, be regarded as constituting the submission of an application for financing in respect of the said measures; whereas the date of 30 December 1986 may, therefore, be taken to be the date of submission of the application pursuant to Article 11 (1) of Regulation (EEC) No 1787/84;

Whereas the NPCI, like the IMP for Sicily, covers the period from 1 January 1988 to 31 December 1992 inclusive;

Whereas, on the basis of the rates of Community contribution laid down in the IMP for Sicily, as approved by the Commission in accordance with the provisions governing the various methods of Community financing, a maximum contribution of ECU 43 965 000 may be granted to the Italian Government for this NPCI;

Whereas the budget commitments relating to the implementation of the NPCI will be effected in annual instalments in accordance with Article 25 of Regulation (EEC) No 1787/84;

Whereas, pursuant to Article 7 (3) of Regulation (EEC) No 2088/85 and by way of derogation from Article 11 (5) of Regulation (EEC) No 1787/84, the Advisory Committee set up by the said Article 7 has been consulted and has given a favourable opinion;

Whereas all the other conditions for the granting of a contribution from the European Regional Development Fund are met,

HAS ADOPTED THIS DECISION:

Article 1

The national programme of Community interest which forms part of the IMP for Sicily, as adopted by the Commission on 12 October 1988, is hereby adopted and shall constitute a programme agreement pursuant to Article 13 (1) of Regulation (EEC) No 1787/84. The programme shall cover the period from 1 January 1988 to 31 December 1992.

Article 2

The contribution from the European Regional Development Fund to the programme shall not exceed ECU 43 965 000, equivalent to an average of 50 % of the total public expenditure of ECU 88 130 000 taken into account in the programme.

The rates of the ERDF's contribution to the various measures to be financed under the IMP for Sicily are specified in the financing plan for that IMP.

Article 3

An initial commitment amounting to ECU 1 586 000 is hereby made in accordance with the financing plan set out in the IMP for Sicily. Further commitments for the programme shall be effected, within the limits of available budgetary resources, in annual instalments according to the progress made with the programme.

Article 4

Measures assisted under the programme shall be carried out in accordance with the provisions of Council Directives 71/305/EEC⁽⁴⁾ and 77/62/EEC⁽⁵⁾ relating to public contracts.

⁽¹⁾ OJ No L 169, 28. 6. 1984, p. 1.

⁽²⁾ OJ No L 350, 27. 12. 1985, p. 40.

⁽³⁾ OJ No L 197, 27. 7. 1985, p. 1.

⁽⁴⁾ OJ No L 185, 16. 8. 1971, p. 5.

⁽⁵⁾ OJ No L 13, 15. 1. 1977, p. 1.

Article 5

Where the programme concerns measures to exploit the potential for internally generated development to which a contribution is made under this Decision and where these measures relate to the provision of specific services or facilities for individual firms, the aggregate of national aid and the ERDF's contribution shall not exceed 80 % of the expenditure incurred by the firms concerned.

Article 6

Failure to observe any of the conditions set out in this Decision or in the programme hereby adopted shall entitle the Commission to reduce or cancel the assistance granted under the Decision; the Commission may, in such cases, reclaim any part of that assistance which has

already been paid to the beneficiary of the Decision. However, any such reduction, cancellation or request for repayment may be made only after the beneficiary has been given an opportunity to submit its observations within a deadline fixed by the Commission.

Article 7

This Decision is addressed to the Italian Republic.

Done at Brussels, 7 February 1989.

For the Commission

Bruce MILLAN

Member of the Commission

ANNEX

IMPs — ITALIAN

SICILY

Recapitulative table of ERDF commitments

(Thousand ecus)

	1988	1989	1990	1991 and 1992	1988 to 1992
ERDF commitments	1 586	10 302	8 456	23 621	43 965
Public expenditure on ERDF measures					88 130

COMMISSION DECISION

of 20 April 1989

on the surveillance within the Community of exports of certain types of non-ferrous metal waste and scrap

(89/303/EEC)

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

Having regard to Council Regulation (EEC) No 2603/69 of 20 December 1969 establishing common rules for exports⁽¹⁾, as last amended by Regulation (EEC) No 1934/82⁽²⁾, and in particular Article 5 thereof,

Following consultations with the Committee set up by Article 4 of the said Regulation,

Whereas Council Regulation (EEC) No 4249/88 of 21 December 1988 on export arrangements for certain types of non-ferrous metal waste and scrap⁽³⁾ establishes surveillance of exports of waste and scrap of aluminium, lead and zinc for 1989;

Whereas detailed rules must be established for administering these arrangements,

HAS ADOPTED THIS DECISION:

Article 1

1. Between 1 January and 31 December 1989 the export licences referred to in Article 1 of Regulation (EEC) No 4249/88 shall be issued by the appropriate authorities of the Member States.

2. Each Member State shall inform the Commission within the first 15 days of each month of:

- (a) the quantities in tonnes and the prices of the products for which export licences have been issued during the previous month;
- (b) the quantities in tonnes and the prices of the products for which export licences have been issued in accordance with Article 1 (3) of Regulation (EEC) No 4249/88, during the previous month;
- (c) the quantities in tonnes of products which have been exported during the month preceding that referred to under point (a);
- (d) the quantities in tonnes authorized for export or exported under inward or outward processing arrangements;
- (e) the third country of destination.

Article 2

This Decision shall apply until 31 December 1989.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 20 April 1989.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 324, 27. 12. 1969, p. 25.

⁽²⁾ OJ No L 211, 20. 7. 1982, p. 1.

⁽³⁾ OJ No L 373, 31. 12. 1988, p. 53.

COMMISSION DECISION

of 20 April 1989

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

(Only the Dutch text is authentic)

(89/304/EEC)

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

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

Whereas on 6 January 1989 the Netherlands Government
forwarded the following provisions pursuant to Article 24
(4) of Regulation (EEC) No 797/85:

Decision No 389 of 8 November 1988 of the
governing board of the foundation managing the
agricultural development and reorganization fund
fixing the reference income for 1988 and the interest
charge on capital for calculating the labour income
pursuant to Article 2 (2) of that Regulation;

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

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

Whereas the 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

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

Article 2

This Decision is addressed to the Kingdom of the
Netherlands.

Done at Brussels, 20 April 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.