

English edition

## Legislation

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## I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EEC) No 644/90**

of 16 March 1990

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<sup>(1)</sup>, as last amended by Regulation (EEC) No 201/90<sup>(2)</sup>, 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<sup>(3)</sup>, as last amended by Regulation (EEC) No 1636/87<sup>(4)</sup>, 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 1915/89<sup>(5)</sup> 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 1990;

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

Whereas Council Regulation (EEC) No 486/85<sup>(6)</sup>, as last amended by Regulation (EEC) No 3530/89<sup>(7)</sup>, lays down the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories; whereas the Council has not yet been able formally to adopt the Regulation intended to replace Regulation (EEC) No 486/85; whereas, in order to avoid discontinuity in the arrangements applying, the application of the arrangements laid down in Regulation (EEC) No 486/85 should be contained as a precaution and without prejudice to the definitive arrangements to be adopted subsequently by the Council;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1915/89 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 1990.

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 22, 27. 1. 1990, p. 7.

<sup>(3)</sup> OJ No L 164, 24. 6. 1985, p. 1.

<sup>(4)</sup> OJ No L 153, 13. 6. 1987, p. 1.

<sup>(5)</sup> OJ No L 187, 1. 7. 1989, p. 1.

<sup>(6)</sup> OJ No L 61, 1. 3. 1985, p. 4.

<sup>(7)</sup> OJ No L 347, 28. 11. 1989, p. 3.

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

Done at Brussels, 16 March 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

ANNEX

to the Commission Regulation of 16 March 1990 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	35,37	134,84 <sup>(1)</sup> <sup>(2)</sup>
0712 90 19	35,37	134,84 <sup>(2)</sup> <sup>(3)</sup>
1001 10 10	43,59	184,15 <sup>(1)</sup> <sup>(3)</sup>
1001 10 90	43,59	184,15 <sup>(1)</sup> <sup>(3)</sup>
1001 90 91	36,15	139,12
1001 90 99	36,15	139,12
1002 00 00	61,28	131,51 <sup>(4)</sup>
1003 00 10	52,45	116,90
1003 00 90	52,45	116,90
1004 00 10	43,85	122,91
1004 00 90	43,85	122,91
1005 10 90	35,37	134,84 <sup>(2)</sup> <sup>(3)</sup>
1005 90 00	35,37	134,84 <sup>(2)</sup> <sup>(3)</sup>
1007 00 90	52,45	142,53 <sup>(4)</sup>
1008 10 00	52,45	27,44
1008 20 00	52,45	93,65 <sup>(4)</sup>
1008 30 00	52,45	0,00 <sup>(5)</sup>
1008 90 10	<sup>(7)</sup>	<sup>(7)</sup>
1008 90 90	52,45	0,00
1101 00 00	64,78	209,72
1102 10 00	99,96	197,37
1103 11 10	82,30	300,16
1103 11 90	68,70	225,12

<sup>(1)</sup> Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.

<sup>(2)</sup> In accordance with Regulation (EEC) No 486/85 the levies are not applied to products imported directly into the French overseas departments, originating in the African, Caribbean and Pacific States or in the 'overseas countries and territories'.

<sup>(3)</sup> Where maize originating in the ACP or OCT is imported into the Community the levy is reduced by ECU 1,81/tonne.

<sup>(4)</sup> Where millet and sorghum originating in the ACP or OCT is imported into the Community the levy is reduced by 50 %.

<sup>(5)</sup> 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.

<sup>(6)</sup> 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).

<sup>(7)</sup> 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 645/90**  
of 16 March 1990

**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 Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals<sup>(1)</sup>, as last amended by Regulation (EEC) No 201/90<sup>(2)</sup>, 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<sup>(3)</sup>, as last amended by Regulation (EEC) No 1636/87<sup>(4)</sup>, 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 1916/89<sup>(5)</sup> 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 1990;

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 1990.

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

Done at Brussels, 16 March 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 22, 27. 1. 1990, p. 7.

<sup>(3)</sup> OJ No L 164, 24. 6. 1985, p. 1.

<sup>(4)</sup> OJ No L 153, 13. 6. 1987, p. 1.

<sup>(5)</sup> OJ No L 187, 1. 7. 1989, p. 4.

## ANNEX

to the Commission Regulation of 16 March 1990 fixing the premiums to be added to the import levies on cereals, flour and malt

## A. Cereals and flour

*(ECU/tonne)*

CN code	Current	1st period	2nd period	3rd period
	3	4	5	6
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 10	0	0	0	0
1001 10 90	0	0	0	0
1001 90 91	0	0	0	0
1001 90 99	0	0	0	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	5,87
1003 00 90	0	0	0	5,87
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	0

## B. Malt

*(ECU/tonne)*

CN code	Current	1st period	2nd period	3rd period	4th period
	3	4	5	6	7
1107 10 11	0	0	0	0	0
1107 10 19	0	0	0	0	0
1107 10 91	0	0	0	10,45	10,45
1107 10 99	0	0	0	7,81	7,81
1107 20 00	0	0	0	9,10	9,10

**COMMISSION REGULATION (EEC) No 646/90**  
**of 16 March 1990**  
**fixing the import levies on rice and broken 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 Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice <sup>(1)</sup>, as last amended by Regulation (EEC) No 1806/89 <sup>(2)</sup>, and in particular Article 11 (2) thereof,

Having regard to Commission Regulation (EEC) No 883/87 of 23 March 1987 laying down detailed rules for the application of Council Regulation (EEC) No 3877/86 on imports rice of the long-grain aromatic Basmati variety falling within CN codes 1006 10, 1006 20 and 1006 30 <sup>(3)</sup>, as amended by Regulation (EEC) No 1546/87 <sup>(4)</sup>, and in particular Article 8 thereof,

Whereas the import levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2637/89 <sup>(5)</sup>, as last amended by Regulation (EEC) No 597/90 <sup>(6)</sup>;

Whereas Council Regulation (EEC) No 486/85 <sup>(7)</sup>, as last amended by Regulation (EEC) No 3530/89 <sup>(8)</sup>, lays down the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific

States or in the overseas countries and territories; whereas the Council has not yet been able formally to adopt the Regulation intended to replace Regulation (EEC) No 486/85; whereas, in order to avoid discontinuity in the arrangements applying, the application of the arrangements laid down in Regulation (EEC) No 486/85 should be contained as a precaution and without prejudice to the definitive arrangements to be adopted subsequently by the Council;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2637/89 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 the products listed in Article 1 (1) (a) and (b) of Regulation (EEC) No 1418/76 shall be as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 19 March 1990.

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

Done at Brussels, 16 March 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 166, 25. 6. 1976, p. 1.

<sup>(2)</sup> OJ No L 177, 24. 6. 1989, p. 1.

<sup>(3)</sup> OJ No L 80, 24. 3. 1987, p. 20.

<sup>(4)</sup> OJ No L 144, 4. 6. 1987, p. 10.

<sup>(5)</sup> OJ No L 255, 1. 9. 1989, p. 8.

<sup>(6)</sup> OJ No L 61, 10. 3. 1990, p. 5.

<sup>(7)</sup> OJ No L 61, 1. 3. 1985, p. 4.

<sup>(8)</sup> OJ No L 347, 28. 11. 1989, p. 3.

## ANNEX

## to the Commission Regulation of 16 March 1990 fixing the import levies on rice and broken rice

(ECU/tonne)

CN code	Portugal	Arrangement in Regulation (EEC) No 3877/86	ACP or OCT ( <sup>1</sup> ) ( <sup>2</sup> ) ( <sup>3</sup> )	Third countries (except ACP or OCT) ( <sup>3</sup> )
1006 10 21	—	—	152,01	311,23
1006 10 23	—	219,47	142,71	292,63
1006 10 25	—	219,47	142,71	292,63
1006 10 27	—	219,47	142,71	292,63
1006 10 92	—	—	152,01	311,23
1006 10 94	—	219,47	142,71	292,63
1006 10 96	—	219,47	142,71	292,63
1006 10 98	—	219,47	142,71	292,63
1006 20 11	—	—	190,92	389,04
1006 20 13	—	274,34	179,29	365,79
1006 20 15	—	274,34	179,29	365,79
1006 20 17	—	274,34	179,29	365,79
1006 20 92	—	—	190,92	389,04
1006 20 94	—	274,34	179,29	365,79
1006 20 96	—	274,34	179,29	365,79
1006 20 98	—	274,34	179,29	365,79
1006 30 21	13,05	—	245,39	514,63
1006 30 23	12,97	436,68	279,23	582,24
1006 30 25	12,97	436,68	279,23	582,24
1006 30 27	12,97	436,68	279,23	582,24
1006 30 42	13,05	—	245,39	514,63
1006 30 44	12,97	436,68	279,23	582,24
1006 30 46	12,97	436,68	279,23	582,24
1006 30 48	12,97	436,68	279,23	582,24
1006 30 61	13,90	—	261,69	548,09
1006 30 63	13,90	468,12	299,73	624,16
1006 30 65	13,90	468,12	299,73	624,16
1006 30 67	13,90	468,12	299,73	624,16
1006 30 92	13,90	—	261,69	548,09
1006 30 94	13,90	468,12	299,73	624,16
1006 30 96	13,90	468,12	299,73	624,16
1006 30 98	13,90	468,12	299,73	624,16
1006 40 00	2,17	—	77,70	161,41

(<sup>1</sup>) Subject to the application of the provisions of Articles 10 and 11 of Regulation (EEC) No 486/85 and of Regulation No 551/85.

(<sup>2</sup>) In accordance with Regulation (EEC) No 486/85, the levies are not applied to imports into the overseas department of Réunion of products originating in the African, Caribbean and Pacific States or in the 'overseas countries and territories'.

(<sup>3</sup>) The import levy on rice entering the overseas department of Réunion is specified in Article 11a of Regulation (EEC) No 1418/76.



COMMISSION REGULATION (EEC) No 647/90  
of 16 March 1990

fixing the premiums to be added to the import levies on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

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 1418/76 of 21 June 1976 on the common organization of the market in rice <sup>(1)</sup>, as last amended by Regulation (EEC) No 1806/89 <sup>(2)</sup>, and in particular Article 13 (6) thereof,

Whereas the premiums to be added to the levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2638/89 <sup>(3)</sup>, as last amended by Regulation (EEC) No 598/90 <sup>(4)</sup>;

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 shown in the Annex hereto,

*Article 1*

1. The premiums to be added to the import levies fixed in advance in respect of rice and broken rice originating in Portugal shall be zero.
2. The premiums to be added to the import levies fixed in advance in respect of rice and broken rice originating in third countries shall be as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 19 March 1990.

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

Done at Brussels, 16 March 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 166, 25. 6. 1976, p. 1.

<sup>(2)</sup> OJ No L 177, 24. 6. 1989, p. 1.

<sup>(3)</sup> OJ No L 255, 1. 9. 1989, p. 11.

<sup>(4)</sup> OJ No L 61, 10. 3. 1990, p. 7.

## ANNEX

to the Commission Regulation of 16 March 1990 fixing the premiums to be added to the import levies on rice and broken rice

CN code	<i>(ECU / tonne)</i>			
	Current 3	1st period 4	2nd period 5	3rd period 6
1006 10 21	0	0	0	—
1006 10 23	0	0	0	—
1006 10 25	0	0	0	—
1006 10 27	0	0	0	—
1006 10 92	0	0	0	—
1006 10 94	0	0	0	—
1006 10 96	0	0	0	—
1006 10 98	0	0	0	—
1006 20 11	0	0	0	—
1006 20 13	0	0	0	—
1006 20 15	0	0	0	—
1006 20 17	0	0	0	—
1006 20 92	0	0	0	—
1006 20 94	0	0	0	—
1006 20 96	0	0	0	—
1006 20 98	0	0	0	—
1006 30 21	0	0	0	—
1006 30 23	0	0	0	—
1006 30 25	0	0	0	—
1006 30 27	0	0	0	—
1006 30 42	0	0	0	—
1006 30 44	0	0	0	—
1006 30 46	0	0	0	—
1006 30 48	0	0	0	—
1006 30 61	0	0	0	—
1006 30 63	0	0	0	—
1006 30 65	0	0	0	—
1006 30 67	0	0	0	—
1006 30 92	0	0	0	—
1006 30 94	0	0	0	—
1006 30 96	0	0	0	—
1006 30 98	0	0	0	—
1006 40 00	0	0	0	0

**COMMISSION REGULATION (EEC) No 648/90  
of 16 March 1990**

**closing an invitation to tender for the supply of common wheat as food aid**

THE COMMISSION OF THE EUROPEAN COMMUNITIES

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management <sup>(1)</sup>, as last amended by Regulation (EEC) No 1870/88 <sup>(2)</sup>, and in particular Article 6 (1) (c) thereof,

Whereas, by Regulation (EEC) No 478/90 <sup>(3)</sup>, the Commission issued an invitation to tender for the supply of 7 000 tonnes of common wheat to Lesotho as food aid; whereas the conditions of the supply be reviewed and the invitation to tender in question should consequently be closed,

HAS ADOPTED THIS REGULATION:

*Article 1*

For lot C of the Annex to Regulation (EEC) No 478/90 the invitation to tender is closed.

*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 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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<sup>(1)</sup> OJ No L 370, 30. 12. 1986, p. 1.

<sup>(2)</sup> OJ No L 168, 1. 7. 1988, p. 7.

<sup>(3)</sup> OJ No L 51, 27. 2. 1990, p. 12.

COMMISSION REGULATION (EEC) No 649/90  
of 16 March 1990

opening invitations to tender for the fixing of aid for the private storage of  
carcasses and half-carcasses of lamb

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

Having regard to Council Regulation (EEC) No 3013/89  
of 25 September 1989 on the common organization of  
the market in sheepmeat and goatmeat <sup>(1)</sup>, and in parti-  
cular Article 7 (5) thereof;

Whereas Commission Regulation (EEC) No 2659/80 of  
17 October 1980 laying down detailed rules for granting  
private storage aid for sheepmeat and goatmeat  
products <sup>(2)</sup>, as amended by Regulation (EEC) No  
3496/88 <sup>(3)</sup>, provides in particular for detailed rules on the  
invitation to tender;

Whereas Commission Regulation (EEC) No 287/90 of 1  
February 1990 setting out some detailed rules for private  
storage aid for lamb in the period 1 January to 30 April  
1990 <sup>(4)</sup> provides in particular the list of products eligible  
and the minimum quantities in respect of which a tender  
may be submitted;

Whereas the application of Article 7 (3) of Regulation  
(EEC) No 3013/89 results in the opening of invitations to  
tender for private storage aid;

Whereas that Article provides for the application of these  
measures on the basis of the situation of each quotation  
zone; whereas it is appropriate consequently to open  
tenders separately for each of the zones where the condi-  
tions are fulfilled;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

Separate invitations to tender are opened in Denmark,  
France, Ireland, Northern Ireland, Germany, the Nether-  
lands, Spain, Portugal and Greece for aid to private  
storage for carcasses and half-carcasses of lamb.

Subject to the provisions of Regulation (EEC) No 287/90  
tenders may be made to the intervention agencies of the  
Member States concerned.

*Article 2*

Tenders must be submitted not later than 2 p.m. on 11  
April 1990, to the relevant intervention agency.

*Article 3*

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 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 289, 7. 10. 1989, p. 1.

<sup>(2)</sup> OJ No L 276, 20. 10. 1980, p. 12.

<sup>(3)</sup> OJ No L 306, 11. 11. 1988, p. 28.

<sup>(4)</sup> OJ No L 31, 2. 2. 1990, p. 11.

**COMMISSION REGULATION (EEC) No 650/90**  
**of 16 March 1990**  
**concerning the classification of certain goods in the combined nomenclature**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2658/87<sup>(1)</sup> on the tariff and statistical nomenclature and on the Common Customs Tariff, as last amended by Regulation (EEC) No 323/90<sup>(2)</sup>, and in particular Article 9,

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

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

Whereas, pursuant to the said general rules, the goods described in column 1 of the table annexed to the present Regulation must be classified under the appropriate CN

codes indicated in column 2, by virtue of the reasons set out in column 3;

Whereas the Nomenclature Committee has not delivered an opinion within the time limit set by its chairman, as regards product No 2 in the annexed table;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Nomenclature Committee as regards product Nos 1 and 3 in the annexed table,

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on the 21st day after its publication in the *Official Journal of the European Communities*.

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

Done at Brussels, 16 March 1990.

*For the Commission*  
Henning CHRISTOPHERSEN  
*Vice-President*

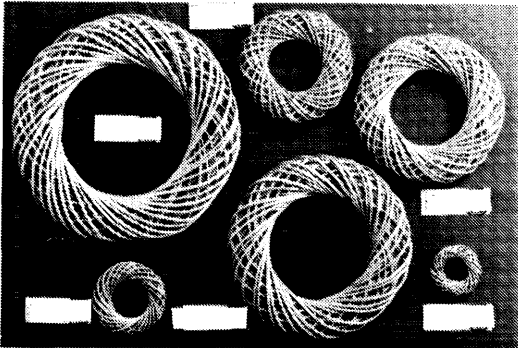
<sup>(1)</sup> OJ No L 256, 7. 9. 1987, p. 1.

<sup>(2)</sup> OJ No L 36, 8. 2. 1990, p. 7.

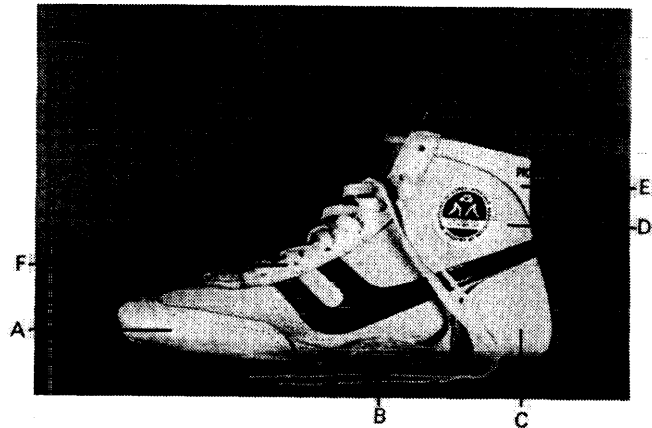
## ANNEX

Description of goods	Classification GN code	Reasons
(1)	(2)	(3)
1. Crown shaped articles of different diameters (7 to 35 cm) consisting of whole osier canes, peeled and then twisted and interlaced (see photograph No 1) (*)	4602 10 91	Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the Combined Nomenclature, Note 1 to Chapter 6 as well as the texts of CN codes 4602 and 4602 10 91. The goods cannot be classified in Chapter 6 because they do not fulfil the requirements of Note 1 to this Chapter.
2. Sport shoes (boots) with outer soles of rubber and uppers wholly of textile material on which pieces of leather and decorative pieces of plastic-covered textile material are sewn externally. Leather covers approximately 59 % of the external surface area, while textile material covers approximately 41 % (see photograph No 2) (*)	6404 11 00	Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the Combined Nomenclature, Notes 3 and 4 (a) and Subheading Note 1 (b) to Chapter 64 as well as the texts of codes 6404 and 6404 11 00. In effect, disregarding those parts of leather or plastic which constitute an accessory or reinforcement, the area of textile material predominates.
3. Sheets of drawn glass, of rectangular (including square) shape known as 'horticultural glass', one of the edges of which has been simply smoothed and which is normally used in the construction of greenhouses	7004 90 70	Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the Combined Nomenclature and the texts of CN codes 7004 and 7004 90 70. The goods cannot be classified in subheading 7006 00 90 as they have not been worked within the meaning of that subheading. The smoothing which has been carried out on a single edge is without any real significance from a technical and economic viewpoint and so does not alter the character of the goods as specified under B. of the Harmonized System Explanatory Note to heading 7006.

(\*) The photographs are of a purely illustrative nature.



Photograph No 1



Photograph No 2

Parts A, B, C, E and F are of leather.  
Part D is of textile.

## COMMISSION REGULATION (EEC) No 651/90

of 16 March 1990

## on the opening of a sale by periodic invitation to tender of oilseeds held by the Spanish intervention agency

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<sup>(1)</sup>, as last amended by Regulation (EEC) No 2902/89<sup>(2)</sup>, and in particular Article 26 (3) thereof,

Having regard to Commission Regulation (EEC) No 3418/82 of 20 December 1982 on the procedure for sale of oilseed held by the intervention agencies<sup>(3)</sup>, as last amended by Regulation (EEC) No 676/89<sup>(4)</sup>, and in particular Article 4 thereof,

Whereas Article 2 of Council Regulation No 724/67/EEC of 17 October 1967 laying down conditions for intervention in respect of oilseeds during the last two months of the marketing year and principles for the disposal of seeds bought in by intervention agencies<sup>(5)</sup>, as last amended by Regulation (EEC) No 1230/89<sup>(6)</sup>, provides that oilseeds held by intervention agencies are to be sold by invitation to tender;

Whereas Regulation (EEC) No 3418/82 lays down the procedures and the terms for the sale of oilseeds held by the intervention agencies; whereas, pursuant to the provisions of Article 4 thereof, a sale by periodic invitation to tender may be decided on in accordance with the provisions in Articles 5 to 9 thereof;

Whereas, in the present situation of the market, a periodic invitation to tender should be issued for the sale of 5 294 tonnes of sunflower seed and 131 tonnes of rapeseed held by the Spanish intervention agency;

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*

The Spanish intervention agency shall issue a periodic invitation to tender under the conditions laid down in Regulation (EEC) No 3418/82 for the sale of 5 294 tonnes of sunflower seed and 131 tonnes of rapeseed which it holds.

*Article 2*

1. The closing date for the submission of tenders for the first partial invitation to tender shall expire on 30 March 1990.

2. The closing date for the submission of tenders for the last partial invitation to tender shall expire on 20 April 1990.

3. The notice of invitation to tender to be published by the intervention agency shall indicate the places of storage.

4. Tenders must be lodged with the intervention agency at the following address:

SENPA, Beneficencia, 8, 28004 Madrid; Tel. 347 65 00  
Telex: 23427 SENPA, E Telefax: 521 9382.

*Article 3*

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 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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

<sup>(2)</sup> OJ No L 280, 29. 9. 1989, p. 2.

<sup>(3)</sup> OJ No L 360, 21. 12. 1982, p. 19.

<sup>(4)</sup> OJ No L 73, 17. 3. 1989, p. 17.

<sup>(5)</sup> OJ No 252, 19. 10. 1967, p. 10.

<sup>(6)</sup> OJ No L 128, 11. 5. 1989, p. 23.

## COMMISSION REGULATION (EEC) No 652/90

of 16 March 1990

amending Regulation (EEC) No 1546/88 laying down detailed rules for the application of the additional levy referred to in Article 5c of Regulation (EEC) No 804/68

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products <sup>(1)</sup>, as last amended by Regulation (EEC) No 3879/89 <sup>(2)</sup>, and in particular Article 5c <sup>(7)</sup> thereof,

Whereas Article 3b of Council Regulation (EEC) No 857/84 of 31 March 1984 adopting general rules for the application of the levy referred to in Article 5c of Regulation (EEC) No 804/68 in the milk and milk products sector <sup>(3)</sup>, as last amended by Regulation (EEC) No 3880/89 <sup>(4)</sup>, authorizes the Member States to grant additional or special reference quantities to be given to producers with the approval of the Commission provided that such quantities have not already been allocated in excess of the guaranteed total quantity fixed in Article 5c <sup>(3)</sup> of Regulation (EEC) No 804/68; whereas Council Regulation (EEC) No 3881/89 of 11 December 1989 establishing, for the period 1 April 1989 to 31 March 1990, the Community reserve for the application of the levy referred to in Article 5c of Regulation (EEC) No 804/68 in the milk and milk products sector <sup>(5)</sup> increases that reserve to that end to 1 039 885,740 tonnes, which must be allocated; whereas Commission Regulation (EEC) No 1546/88 <sup>(6)</sup>, as last amended by Regulation (EEC) No 3835/89 <sup>(7)</sup>, should be amended accordingly;

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

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

Done at Brussels, 16 March 1990.

HAS ADOPTED THIS REGULATION:

*Article 1*

The following point (c) is hereby added to the third paragraph of Article 1 of Regulation (EEC) No 1546/88:

(c) 1 039 885,740 tonnes shall be distributed pursuant to Article 3b <sup>(1)</sup> of Regulation (EEC) No 857/84 to given producers with the approval of the Commission and pursuant to paragraph 2 of that Article.

The quantity shall be distributed as follows:

— Belgium	32 110	tonnes,
— Denmark	48 820	tonnes,
— Germany	234 230	tonnes,
— Greece	5 370	tonnes,
— Spain	46 500	tonnes,
— France	256 340	tonnes,
— Ireland	52 800	tonnes,
— Italy	87 980	tonnes,
— Luxembourg	2 650	tonnes,
— Netherlands	119 790	tonnes,
— United Kingdom	153 295,740	tonnes.

*Article 2*

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

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 13.

<sup>(2)</sup> OJ No L 378, 27. 12. 1989, p. 1.

<sup>(3)</sup> OJ No L 90, 1. 4. 1984, p. 13.

<sup>(4)</sup> OJ No L 378, 27. 12. 1989, p. 3.

<sup>(5)</sup> OJ No L 378, 27. 12. 1989, p. 5.

<sup>(6)</sup> OJ No L 139, 4. 6. 1988, p. 12.

<sup>(7)</sup> OJ No L 372, 20. 12. 1989, p. 27.



**COMMISSION REGULATION (EEC) No 653/90****of 16 March 1990****amending Regulation (EEC) No 999/89 on a standing invitation to tender as regards the closing dates for the submission of tenders for the export of sugar**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector <sup>(1)</sup>, as last amended by Regulation (EEC) No 1069/89 <sup>(2)</sup>, and in particular Articles 13 (2), 18 (5) and 19 (4) and (7) thereof,Having regard to Council Regulation (EEC) No 608/72 of 23 March 1972 laying down rules to be applied in cases of considerable price rises on the world sugar market <sup>(3)</sup>, and in particular Article 1 (1) thereof,Whereas, pursuant to Commission Regulation (EEC) No 999/89 <sup>(4)</sup>, as amended by Regulation (EEC) No 1381/89 <sup>(5)</sup>, the Member States have been issuing partial invitations to tender for exports of sugar; whereas for

administrative reasons the dates of certain partial invitations to tender should be changed;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The following indents are added to Article 4 (3) of Regulation (EEC) No 999/89:

- Wednesday, 25 April 1990 shall end on Tuesday, 24 April 1990 at 10.30 a.m.;
- Wednesday, 2 and 9 May 1990 shall end on Thursday, 3 and 10 May 1990 respectively at 10.30 a.m.

*Article 2*

This Regulation shall enter into force on 17 March 1990.

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

Done at Brussels, 16 March 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.<sup>(2)</sup> OJ No L 114, 27. 4. 1989, p. 1.<sup>(3)</sup> OJ No L 75, 28. 3. 1972, p. 5.<sup>(4)</sup> OJ No L 107, 19. 4. 1989, p. 6.<sup>(5)</sup> OJ No L 139, 23. 5. 1989, p. 5.

**COMMISSION REGULATION (EEC) No 654/90**  
**of 16 March 1990**

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

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

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector <sup>(1)</sup>, as last amended by Regulation (EEC) No 1069/89 <sup>(2)</sup>, and in particular Article 19 (1) and (2) thereof, ...

Whereas the rates of the refunds applicable from 1 March 1990 to the products listed in the Annex, exported in the form of goods not covered by Annex II to the Treaty, were fixed by Commission Regulation (EEC) No 521/90 <sup>(3)</sup>;

Whereas it follows from applying the rules and criteria contained in Regulation (EEC) No 521/90 to the information at present available to the Commission that the export refunds at present applicable should be altered as shown in the Annex hereto,

HAS ADOPTED THIS REGULATION:

*Article 1*

The rates of refund fixed by Regulation (EEC) No 521/90 are hereby altered as shown in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 17 March 1990.

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

Done at Brussels, 16 March 1990.

*For the Commission*

Martin BANGEMANN

*Vice-President*

<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ No L 114, 27. 4. 1989, p. 1.

<sup>(3)</sup> OJ No L 53, 1. 3. 1990, p. 76.

## ANNEX

to the Commission Regulation of 16 March 1990 altering the rates of the refunds applicable to certain products in the sugar sector exported in the form of goods not covered by Annex II to the Treaty

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Rate of refund in ECU/100 kg:

White sugar :	24,86	
Raw sugar :	22,87	
Syrups of beet sugar or cane sugar containing, in the dry state, 85 % or more by weight of sucrose (including invert sugar expressed as sucrose) :	$24,86 \times \frac{S^{(1)}}{100}$	or
If those syrups are obtained by dissolving white or raw sugar in the solid state, whether or not the dissolving is followed by inversion :		The rate fixed above for 100 kg of white or raw sugar used for the dissolution
Molasses :	—	
Isoglucose <sup>(2)</sup> :	24,86 <sup>(3)</sup>	

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(<sup>1</sup>) 'S' represents per 100 kilograms of syrup

- the sucrose content (including invert sugar expressed as sucrose) of the syrup in question, where the latter is not less than 98 % pure,
- the extractable sugar content of the syrup in question, where the latter is not less than 85 %, but less than 98 % pure.

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

(<sup>3</sup>) Amount of refund per 100 kilograms of dry matter.

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## COMMISSION REGULATION (EEC) No 655/90

of 16 March 1990

## introducing a countervailing charge on cabbage lettuces originating in the United States of America

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<sup>(1)</sup>, as last amended by Regulation (EEC) No 1119/89<sup>(2)</sup>, and in particular the second subparagraph of Article 27 (2) thereof,

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

Whereas Commission Regulation (EEC) No 3103/89 of 16 October 1989 fixing for the 1989/90 marketing year the reference prices for cabbage lettuces<sup>(3)</sup> fixed the reference price for products of class I for the period 1 March to 31 May 1990 at ECU 82,34 per 100 kilograms net;

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

Whereas, in accordance with Article 3 (1) of Commission Regulation (EEC) No 2118/74<sup>(4)</sup>, as last amended by

Regulation (EEC) No 3811/85<sup>(5)</sup>, the prices to be taken into consideration must be recorded on the representative markets or, in certain circumstances, on other markets;

Whereas, for cabbage lettuces originating in the United States of America the entry price calculated in this way has remained at least ECU 0,6 below the reference price for two consecutive market days; whereas a countervailing charge should therefore be introduced for these cabbage lettuces;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85<sup>(6)</sup>, as last amended by Regulation (EEC) No 1636/87<sup>(7)</sup>,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient,

HAS ADOPTED THIS REGULATION:

*Article 1*

A countervailing charge of ECU 1,50 per 100 kilograms net is applied to cabbage lettuces (CN code 0705 11 10) originating in the United States of America.

*Article 2*

This Regulation shall enter into force on 20 March 1990.

<sup>(1)</sup> OJ No L 118, 20. 5. 1972, p. 1.

<sup>(2)</sup> OJ No L 118, 29. 4. 1989, p. 12.

<sup>(3)</sup> OJ No L 298, 17. 10. 1989, p. 8.

<sup>(4)</sup> OJ No L 220, 10. 8. 1974, p. 20.

<sup>(5)</sup> OJ No L 368, 31. 12. 1985, p. 1.

<sup>(6)</sup> OJ No L 164, 24. 6. 1985, p. 1.

<sup>(7)</sup> OJ No L 153, 13. 6. 1987, p. 1.

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

Done at Brussels, 16 March 1990.

*For the Commission*  
Ray MAC SHARRY  
*Member of the Commission*

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## COMMISSION REGULATION (EEC) No 656/90

of 16 March 1990

## introducing a countervailing charge on fresh sweet oranges originating in Egypt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables<sup>(1)</sup>, as last amended by Regulation (EEC) No 1119/89<sup>(2)</sup>, and in particular the second subparagraph of Article 27 (2) thereof,

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

Whereas Commission Regulation (EEC) No 3104/89 of 16 October 1989 fixing for the 1989/90 marketing year the reference prices for fresh sweet oranges<sup>(3)</sup> fixed the reference price for products of class I for the period 1 December 1989 to 31 May 1990 at ECU 22,66 per 100 kilograms net;

Whereas the entry price for a given exporting country is equal to the lowest representative prices recorded for at least 30 % of the quantities from the exporting country concerned which are marketed on all representative markets for which prices are available less the duties and the charges indicated in Article 24 (3) of Regulation (EEC) No 1035/72 according to the dispositions of Regulation (EEC) No 3982/89 of 20 December 1989 altering the entry price for citrus fruit originating in certain Mediterranean third countries<sup>(4)</sup>; whereas the meaning of representative price is defined in Article 24 (2) of Regulation (EEC) No 1035/72;

Whereas, in accordance with Article 3 (1) of Regulation (EEC) No 2118/74<sup>(5)</sup>, as last amended by Regulation

(EEC) No 3811/85<sup>(6)</sup>, the prices to be taken into consideration must be recorded on the representative markets or, in certain circumstances, on other markets;

Whereas, for fresh sweet oranges originating in Egypt the entry price calculated in this way has remained at least ECU 0,6 below the reference price for two consecutive market days; whereas a countervailing charge should therefore be introduced for these fresh sweet oranges;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85<sup>(7)</sup>, as last amended by Regulation (EEC) No 1636/87<sup>(8)</sup>,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient,

HAS ADOPTED THIS REGULATION:

*Article 1*

A countervailing charge of ECU 2,42 per 100 kilograms net is applied to fresh sweet oranges (CN code ex 0805 10) originating in Egypt.

*Article 2*

This Regulation shall enter into force on 20 March 1990.

<sup>(1)</sup> OJ No L 118, 20. 5. 1972, p. 1.

<sup>(2)</sup> OJ No L 118, 29. 4. 1989, p. 12.

<sup>(3)</sup> OJ No L 298, 17. 10. 1989, p. 10.

<sup>(4)</sup> OJ No L 380, 29. 12. 1989, p. 24.

<sup>(5)</sup> OJ No L 220, 10. 8. 1974, p. 20.

<sup>(6)</sup> OJ No L 368, 31. 12. 1985, p. 1.

<sup>(7)</sup> OJ No L 164, 24. 6. 1985, p. 1.

<sup>(8)</sup> OJ No L 153, 13. 6. 1987, p. 1.

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

Done at Brussels, 16 March 1990.

*For the Commission*  
Ray MAC SHARRY  
*Member of the Commission*

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**COMMISSION REGULATION (EEC) No 657/90**  
**of 16 March 1990**  
**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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 1069/89 <sup>(2)</sup>, and in particular Article 16 (8) thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 1920/89 <sup>(3)</sup>, as last amended by Regulation (EEC) No 634/90 <sup>(4)</sup>;

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

Done at Brussels, 16 March 1990.

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1920/89 to the information known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION :

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 17 March 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ No L 114, 27. 4. 1989, p. 1.

<sup>(3)</sup> OJ No L 187, 1. 7. 1989, p. 13.

<sup>(4)</sup> OJ No L 69, 16. 3. 1990, p. 49.



## ANNEX

to the Commission Regulation of 16 March 1990 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	27,65 <sup>(1)</sup>
1701 11 90	27,65 <sup>(1)</sup>
1701 12 10	27,65 <sup>(1)</sup>
1701 12 90	27,65 <sup>(1)</sup>
1701 91 00	32,05
1701 99 10	32,05
1701 99 90	32,05 <sup>(2)</sup>

<sup>(1)</sup> 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).

<sup>(2)</sup> 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 658/90  
of 16 March 1990

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

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

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

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

Whereas the import levies on syrups and certain other sugar products were fixed by Commission Regulation (EEC) No 500/90<sup>(3)</sup>;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 500/90 to the informa-

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The basic amounts of the import levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81, as fixed in the Annex to Regulation (EEC) No 500/90 are hereby altered to the amounts shown in the Annex hereto.

*Article 2.*

This Regulation shall enter into force on 17 March 1990.

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

Done at Brussels, 16 March 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.  
<sup>(2)</sup> OJ No L 114, 27. 4. 1989, p. 1.  
<sup>(3)</sup> OJ No L 53, 1. 3. 1990, p. 25.

## ANNEX

to the Commission Regulation of 16 March 1990 altering the basic amount of the import levies on syrups and certain other products in the sugar sector

(ECU)

CN code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question	Amount of levy per 100 kg of dry matter
1702 20 10	0,3205	—
1702 20 90	0,3205	—
1702 30 10	—	43,21
1702 40 10	—	43,21
1702 60 10	—	43,21
1702 60 90	0,3205	—
1702 90 30	—	43,21
1702 90 60	0,3205	—
1702 90 71	0,3205	—
1702 90 90	0,3205	—
2106 90 30	—	43,21
2106 90 59	0,3205	—

COMMISSION REGULATION (EEC) No 659/90  
of 16 March 1990

altering the export refunds on syrups and certain other sugar sector products  
exported in the natural state

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

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

Having regard to Council Regulation (EEC) No 1785/81  
of 18 June 1981 on the common organization of the  
markets in the sugar sector <sup>(1)</sup>, as last amended by Regula-  
tion (EEC) No 1069/89 <sup>(2)</sup>, and in particular Article 19 (4)  
thereof,

Whereas the refunds on syrups and certain other sugar  
products were fixed by Regulation (EEC) No 499/90 <sup>(3)</sup>;

Whereas it follows from applying the rules, criteria and  
other provisions contained in Regulation (EEC) No  
499/90 to the information at present available to the

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

HAS ADOPTED THIS REGULATION :

*Article 1*

The refunds to be granted on the products listed in  
Article 1 (1) (d), (f) and (g) of Regulation (EEC) No  
1785/81, exported in the natural state, as fixed in the  
Annex to Regulation (EEC) No 499/90 are hereby altered  
to the amounts shown in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 17 March 1990.

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

Done at Brussels, 16 March 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ No L 114, 27. 4. 1989, p. 1.

<sup>(3)</sup> OJ No L 53, 1. 3. 1990, p. 22.

## ANNEX

to the Commission Regulation of 16 March 1990 altering the export refunds on syrups and certain other sugar products exported in the natural state

(ECU)

Product code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question <sup>(1)</sup>	Amount of refund per 100 kg of dry matter <sup>(2)</sup>
1702 40 10 100		24,86
1702 60 10 000		24,86
1702 60 90 000	0,2486	
1702 90 30 000		24,86
1702 90 60 000	0,2486	
1702 90 71 000	0,2486	
1702 90 90 900	0,2486	
2106 90 30 000		24,86
2106 90 59 000	0,2486	

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

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

**COMMISSION REGULATION (EEC) No 660/90**  
**of 16 March 1990**  
**altering the export refunds on white sugar and raw sugar exported in the natural state**

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

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector <sup>(1)</sup>, as last amended by Regulation (EEC) No 1069/89 <sup>(2)</sup>, and in particular the second subparagraph of Article 19 (4) thereof,

Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EEC) No 613/90 <sup>(3)</sup>;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 613/90 to the information known to the Commission that the export refunds at

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, as fixed in the Annex to Regulation (EEC) No 613/90 are hereby altered to the amounts shown in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 17 March 1990.

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

Done at Brussels, 16 March 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ No L 114, 27. 4. 1989, p. 1.

<sup>(3)</sup> OJ No L 67, 15. 3. 1990, p. 5.

## ANNEX

## to the Commission Regulation of 16 March 1990 altering the export refunds on white sugar and raw sugar exported in the natural state

(ECU)

Product code	Amount of refund	
	per 100 kg	per percentage point of sucrose content and per 100 kg net of the product in question
1701 11 90 100	22,87 <sup>(1)</sup>	
1701 11 90 910	22,87 <sup>(1)</sup>	
1701 11 90 950	<sup>(2)</sup>	
1701 12 90 100	22,87 <sup>(1)</sup>	
1701 12 90 910	22,87 <sup>(1)</sup>	
1701 12 90 950	<sup>(2)</sup>	
1701 91 00 000		0,2486
1701 99 10 100	24,86	
1701 99 10 910	24,86	
1701 99 10 950	24,86	
1701 99 90 100		0,2486

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

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

**COMMISSION REGULATION (EEC) No 661/90**  
**of 16 March 1990**  
**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 Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats<sup>(1)</sup>, as last amended by Regulation (EEC) No 2902/89<sup>(2)</sup>, and in particular Article 27 (4) thereof,

Having regard to Council Regulation (EEC) No 1678/85 of 11 June 1985 fixing the conversion rates to be applied in agriculture<sup>(3)</sup>, as last amended by Regulation (EEC) No 448/90<sup>(4)</sup>,

Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza, rape and sunflower seed<sup>(5)</sup>, as last amended by Regulation (EEC) No 2216/88<sup>(6)</sup>, and in particular Article 2 (3) thereof,

Having regard to the opinion of the Monetary Committee, Whereas the amount of the subsidy referred to in Article 27 of Regulation No 136/66/EEC was fixed by Commission Regulation (EEC) No 588/90<sup>(7)</sup>, as amended by Regulation (EEC) No 635/90<sup>(8)</sup>;

Whereas, in the absence of the target price for the 1990/91 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 1990/91 marketing year are known;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 588/90 to the information known to the Commission that the amount of the subsidy at present in force should be altered to the amount set out in the Annexes hereto,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. The amount of the subsidy and the exchange rate referred to in Article 33 (2) and (3) of Commission Regulation (EEC) No 2681/83<sup>(9)</sup> are as set out in the Annexes hereto.
2. The amount of the compensatory aid referred to in Article 14 of Council Regulation (EEC) No 475/86<sup>(10)</sup> is as set out in Annex III for sunflower seed harvested in Spain.
3. The amount of the special subsidy provided for by Council Regulation (EEC) No 1920/87<sup>(11)</sup> for sunflower seed harvested and processed in Portugal is as set out in Annex III.
4. However, the amount of the subsidy in the case of advance fixing for the 1990/91 marketing year for colza, and rape seed will be confirmed or replaced as from 17 March 1990 to take into account the target price, and where appropriate, the effects for the 1990/91 marketing year of the application of the system of maximum guaranteed quantities for colza and rape seed for this marketing year.

*Article 2*

This Regulation shall enter into force on 17 March 1990.

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

Done at Brussels, 16 March 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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

<sup>(2)</sup> OJ No L 280, 29. 9. 1989, p. 2.

<sup>(3)</sup> OJ No L 164, 24. 6. 1985, p. 11.

<sup>(4)</sup> OJ No L 47, 23. 2. 1990, p. 8.

<sup>(5)</sup> OJ No L 167, 25. 7. 1972, p. 9.

<sup>(6)</sup> OJ No L 197, 26. 7. 1988, p. 10.

<sup>(7)</sup> OJ No L 59, 8. 3. 1990, p. 39.

<sup>(8)</sup> OJ No L 69, 16. 3. 1990, p. 51.

<sup>(9)</sup> OJ No L 266, 28. 9. 1983, p. 1.

<sup>(10)</sup> OJ No L 53, 1. 3. 1986, p. 47.

<sup>(11)</sup> OJ No L 183, 3. 7. 1987, p. 18.



## 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 <sup>(1)</sup>	5th period 8 <sup>(1)</sup>
1. Gross aids (ECU):						
— Spain	1,170	1,170	1,170	1,170	1,770	1,770
— Portugal	0,000	0,000	0,000	0,000	0,000	0,000
— Other Member States	23,500	23,500	23,500	21,000	19,000	19,000
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	55,80	55,80	55,81	50,01	45,30	45,53
— Netherlands (Fl)	61,99	61,99	61,99	55,39	50,12	50,37
— BLEU (Bfrs/Lfrs)	1 134,74	1 134,74	1 134,74	1 014,03	917,45	917,45
— France (FF)	178,49	178,45	178,41	158,79	143,34	143,34
— Denmark (Dkr)	209,86	209,86	209,86	187,53	169,67	169,43
— Ireland (£ Irl)	19,866	19,862	19,857	17,673	15,954	15,954
— United Kingdom (£)	14,376	14,343	14,284	12,127	10,883	10,756
— Italy (Lit)	39 141	39 128	39 116	34 737	32 687	32 562
— Greece (Dr)	4 048,09	4 040,84	3 999,00	3 404,95	3 669,25	3 557,42
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	178,89	178,89	178,89	178,89	270,63	270,63
— in another Member State (Pta)	3 307,07	3 307,76	3 304,46	2 919,15	2 705,58	2 678,10
(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)	4 895,03	4 893,79	4 879,48	4 342,92	4 142,72	4 069,36

<sup>(1)</sup> Subject in the case of advance fixing for the 1990/91 marketing year to the adoption of prices and measures and where appropriate, the effects of the application of the system of maximum guaranteed quantities.

## ANNEX II

## Aids to colza and rape seed 'double zero'

(amounts per 100 kg)

	Current 3	1st period 4	2nd period 5	3rd period 6	4th period 7 <sup>(1)</sup>	5th period 8 <sup>(1)</sup>
1. Gross aids (ECU):						
— Spain	3,670	3,670	3,670	3,670	4,270	4,270
— Portugal	2,500	2,500	2,500	2,500	2,500	2,500
— Other Member States	26,000	26,000	26,000	23,500	21,500	21,500
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	61,70	61,71	61,71	55,91	51,20	51,43
— Netherlands (Fl)	68,58	68,58	68,58	61,99	56,71	56,97
— BLEU (Bfrs/Lfrs)	1 255,46	1 255,46	1 255,46	1 134,74	1 038,17	1 038,17
— France (FF)	197,73	197,70	197,66	178,03	162,59	162,59
— Denmark (Dkr)	232,18	232,18	232,18	209,86	192,00	191,76
— Ireland (£ Irl)	22,008	22,003	21,999	19,815	18,096	18,096
— United Kingdom (£)	16,137	16,103	16,045	13,888	12,658	12,531
— Italy (Lit)	43 391	43 378	43 366	38 987	37 027	36 902
— Greece (Dr)	4 528,02	4 520,77	4 478,94	3 884,89	4 193,03	4 081,20
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	561,13	561,13	561,13	561,13	652,87	652,87
— in another Member State (Pta)	3 689,31	3 690,00	3 686,70	3 301,39	3 087,82	3 060,34
(c) Seed harvested in Portugal and processed:						
— in Portugal (Esc)	499,40	499,40	499,40	499,40	512,33	512,33
— in another Member State (Esc)	5 394,43	5 393,19	5 378,88	4 842,32	4 655,05	4 581,68

<sup>(1)</sup> Subject in the case of advance fixing for the 1990/91 marketing year to the adoption of prices and measures and where appropriate, the effects of the application of the system of maximum guaranteed quantities.

## ANNEX III

## Aids to sunflower seed

(amounts per 100 kg)

	Current 3	1st period 4	2nd period 5	3rd period 6	4th period 7
1. Gross aids (ECU):					
— Spain	6,890	6,890	6,890	6,890	6,890
— Portugal	0,000	0,000	0,000	0,000	0,000
— Other Member States	33,000	33,000	32,500	32,500	30,500
2. Final aids:					
(a) Seed harvested and processed in (1):					
— Federal Republic of Germany (DM)	78,24	78,24	77,08	77,13	72,45
— Netherlands (Fl)	87,05	87,05	85,73	85,73	80,45
— BLEU (Bfrs/Lfrs)	1 593,47	1 593,47	1 569,33	1 569,33	1 472,75
— France (FF)	251,56	251,51	247,54	247,54	231,84
— Denmark (Dkr)	294,69	294,69	290,23	290,23	272,37
— Ireland (£ Irl)	27,998	27,993	27,551	27,551	25,803
— United Kingdom (£)	21,010	20,970	20,482	20,441	18,746
— Italy (Lit)	55 270	55 255	54 364	54 364	50 861
— Greece (Dr)	5 859,61	5 850,99	5 694,85	5 662,88	5 211,72
(b) Seed harvested in Spain and processed:					
— in Spain (Pta)	1 053,45	1 053,45	1 053,45	1 053,45	1 053,45
— in another Member State (Pta)	4 062,22	4 063,04	3 984,47	3 975,28	3 673,73
(c) Seed harvested in Portugal and processed:					
— in Portugal (Esc)	0,00	0,00	0,00	0,00	0,00
— in Spain (Esc)	7 393,17	7 391,66	7 271,47	7 250,83	6 827,79
— in another Member State (Esc)	7 231,58	7 230,11	7 112,54	7 092,35	6 678,56
3. Compensatory aids:					
— in Spain (Pta)	4 033,14	4 033,97	3 955,81	3 946,62	3 645,07
4. Special aid:					
— in Portugal (Esc)	7 231,58	7 230,11	7 112,54	7 092,35	6 678,56

(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 1,0223450.

## 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 ECU 1)

	Current 3	1st period 4	2nd period 5	3rd period 6	4th period 7	5th period 8
DM	2,039680	2,035060	2,031060	2,026880	2,026880	2,016250
Fl	2,296380	2,292570	2,288780	2,284910	2,284910	2,273160
Bfrs/Lfrs	42,398300	42,384600	42,369200	42,345600	42,345600	42,279700
FF	6,897550	6,895750	6,894460	6,894060	6,894060	6,887140
Dkr	7,821580	7,833770	7,840010	7,848310	7,848310	7,871670
£Irl	0,766311	0,766242	0,766682	0,766821	0,766821	0,768927
£	0,736518	0,739422	0,741803	0,744317	0,744317	0,751266
Lit	1 505,72	1 508,06	1 510,38	1 512,46	1 512,46	1 518,96
Dr	193,20400	194,17600	196,33800	198,21400	198,21400	203,65600
Esc	180,08000	180,89700	181,71900	182,81000	182,81000	186,24500
Pta	131,07000	131,55700	131,93400	132,37100	132,37100	133,60100

## II

(Acts whose publication is not obligatory)

## COUNCIL

## COUNCIL DIRECTIVE

of 5 March 1990

on the acceptance of pure-bred breeding pigs for breeding

(90/118/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 88/661/EEC of 19 December 1988 on the zootechnical standards applicable to breeding animals of the porcine species<sup>(1)</sup> and in particular Article 3 thereof,

Having regard to the proposal from the Commission,

Whereas Directive 88/661/EEC was particularly intended gradually to liberalize intra-Community trade in pure-bred breeding pigs; whereas, for this purpose, additional harmonization with regard to the acceptance of such animals for breeding purposes is necessary;

Whereas the provisions concerning acceptance for breeding relate both to animals as well as their semen, ova and embryos;

Whereas, in this respect, it is necessary to prevent national provisions relating to the acceptance for breeding purposes of pure-bred breeding pigs and their semen, ova and embryos from constituting a prohibition or restriction of intra-Community trade or an obstacle thereto whether in the case of natural service, artificial insemination or the taking of ova or embryos;

Whereas pure-bred female pigs, their ova and embryos should be subject to no prohibition, restriction or obstacle in connection with breeding;

Whereas artificial insemination constitutes an important technique for increasing the use of the best breeders and,

hence, for improving the porcine species; whereas in so doing, however, any impairment of the pedigree must be avoided, particularly with regard to male breeders, which must possess all guarantees of their genetic value and of their freedom from hereditary defects;

Whereas it is necessary to make a distinction between the acceptance for artificial insemination of pure-bred breeding pigs and their semen which have undergone all the official tests laid down for their breed in a Member State and the acceptance of them solely for the purposes of official testing;

Whereas it is useful to establish a procedure for solving, in particular, disputes that may arise in the assessment of the result of tests;

Whereas the provision that semen, ova and embryos must be manipulated by officially approved staff is capable of providing the guarantees necessary for attaining the desired end;

Whereas in the light of particular conditions currently existing in Spain and Portugal it is necessary to provide for a longer period for the implementation of this Directive in those Member States,

HAS ADOPTED THIS DIRECTIVE:

*Article 1*

Member States shall ensure that, without prejudice to animal health rules, there is no prohibition or restriction of or obstacle to:

— the acceptance of pure-bred breeding female pigs for breeding,

<sup>(1)</sup> OJ No L 382, 31. 12. 1988, p. 36.

- the acceptance of pure-bred breeding male pigs for natural service,
- the use of ova and embryos from pure-bred breeding female pigs.

#### *Article 2*

1. A Member State may not prohibit, restrict or impede:

- the acceptance for artificial insemination within its territory of pure-bred breeding male pigs or the use of their semen when those animals have been accepted for artificial insemination in a Member State on the basis of tests for monitoring their performance and assessing their genetic value to be carried out in accordance with Commission Decision 89/507/EEC<sup>(1)</sup>,
- the acceptance for official testing of pure-bred breeding male pigs or the use of their semen within the quantitative limits necessary for the tests for monitoring their performance and assessing their genetic value to be carried out in accordance with Decision 89/507/EEC by officially approved associations or organizations.

2. Where implementation of the provisions of paragraph 1 would give rise to disputes, particularly with regard to interpretation of the tests, operators shall have the right to seek the opinion of an expert.

In the light of the expert's opinion, measures may be adopted at the request of a Member State in accordance with the procedure laid down in Article 4.

3. The general rules for implementing paragraph 2 shall, where necessary, be adopted in accordance with the procedure set out in Article 4.

#### *Article 3*

Member States shall ensure that, without prejudice to animal health rules, for marketing, the semen, ova and embryos are collected, treated and stored by an officially approved centre or officially approved staff.

#### *Article 4*

Where the procedure laid down in this Article is to be followed, the Standing Committee on Zootechnics, set up by Decision 77/505/EEC<sup>(2)</sup> shall act in accordance with the rules set out in Article 11 of Directive 88/661/EEC<sup>(3)</sup>.

#### *Article 5*

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by not later than 1 January 1991. They shall forthwith inform the Commission thereof.

However, the Kingdom of Spain and the Portuguese Republic shall have an additional period of time of two years within which to comply with this Directive.

#### *Article 6*

This Directive is addressed to the Member States.

Done at Brussels, 5 March 1990.

*For the Council*

*The President*

J. WALSH

<sup>(1)</sup> OJ No L 247, 23. 8. 1989, p. 43.

<sup>(2)</sup> OJ No L 206, 12. 8. 1977, p. 11.

<sup>(3)</sup> OJ No L 382, 31. 12. 1988, p. 36.

**COUNCIL DIRECTIVE**  
of 5 March 1990  
of hybrid breeding pigs for breeding

(90/119/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 88/661/EEC of 19 December 1988 on the zootechnical standards applicable to breeding animals of the porcine species<sup>(1)</sup> and in particular Article 8 thereof,

Having regard to the proposal from the Commission,

Whereas Directive 88/661/EEC was particularly intended gradually to liberalize intra-Community trade in hybrid breeding pigs; whereas, for this purpose, additional harmonization with regard to the acceptance of such animals, for breeding purposes, is necessary;

Whereas the provisions concerning acceptance for breeding relate both to animals as well as their semen, ova and embryos;

Whereas, in this respect, it is necessary to prevent national provisions relating to the acceptance for breeding purposes of hybrid breeding pigs and their semen, ova and embryos from constituting a prohibition or restriction of intra-Community trade or an obstacle thereto whether in the case of natural service, artificial insemination or the taking of ova or embryos;

Whereas female and male hybrid breeding pigs, their semen, ova and embryos should be subject to no prohibition, restriction or obstacle in connection with breeding;

Whereas the provision that semen, ova and embryos must be manipulated by officially approved staff is capable of providing the guarantees necessary for attaining the desired end;

Whereas in the light of particular conditions currently existing in Spain and Portugal it is necessary to provide for a longer period for the implementation of this Directive in those Member States,

HAS ADOPTED THIS DIRECTIVE:

*Article 1*

Member States shall ensure that, without prejudice to animal health rules there is no prohibition or restriction of or obstacle to:

- the acceptance of hybrid breeding female pigs for breeding,

- the acceptance of hybrid breeding male pigs for natural service,
- the acceptance for artificial insemination of hybrid breeding male pigs whose line has been tested for monitoring performance and assessing its genetic value,
- the use of the semen of the animal referred to in the third indent,
- the acceptance, for official testing, of hybrid breeding male pigs or the use of the semen of such pigs within quantitative limits necessary for the tests for monitoring their performance and assessing their genetic value to be carried out,
- the use of ova and embryos from hybrid breeding female pigs.

*Article 2*

Member States shall ensure that, without prejudice to animal health rules, for marketing, the semen, ova and embryos are collected, treated and stored by an officially approved centre or officially approved staff.

*Article 3*

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by not later than 1 January 1991. They shall forthwith inform the Commission thereof.

However, the Kingdom of Spain and the Portuguese Republic shall have an additional period of time of two years within which to comply with this Directive.

*Article 4*

This Directive is addressed to the Member States.

Done at Brussels, 5 March 1990.

*For the Council*

*The President*

J. WALSH

<sup>(1)</sup> OJ No L 382, 31. 12. 1988, p. 36.

## COUNCIL DIRECTIVE

of 5 March 1990

amending Directive 88/407/EEC laying down the animal health requirements applicable to intra-Community trade in and imports of deep-frozen semen of domestic animals of the bovine species

(90/120/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community and in particular Article 43 thereof,

Having regard to Council Directive 88/407/EEC of 14 June 1988 laying down the animal health requirements applicable to intra-Community trade in and imports of deep-frozen semen of domestic animals of the bovine species<sup>(1)</sup> and in particular Article 18 thereof,

Having regard to the proposal from the Commission,

Whereas under Article 21 of the said Directive, Member States are to comply with the Directive by 1 January 1990 at the latest;

Whereas it is appropriate, in order to allow an effective implementation of that Directive, to make a number of amendments to the Annex to take into account developments in the situation,

HAS ADOPTED THIS DIRECTIVE:

*Article 1*

Directive 88/407/EEC is hereby amended as follows:

1. In Annex B, Chapter II, 1:

(a) The following subparagraph shall be added to (iii):

'however, until 30 June 1990 Member States may disregard the results of the test provided that the semen has been subjected, with a negative result, to a test for the presence of white blood cells. Member States exercising this option shall take all the necessary measures to ensure that such semen or embryos resulting therefrom do not enter into intra-Community trade';

(b) Point (iv) shall be replaced by the following:

'(iv) for infectious bovine rhinotracheitis/infectious pustular vulvo-vaginitis, a serum neutralization test or an ELISA test with a negative result. However until 31 December 1992:

— it is not necessary to carry out these tests on bulls which have already been

subjected to such tests and have given a positive result to the serological test carried out in accordance with this Directive,

— vaccination against these diseases may be practised on sero-negative bulls, either with one dose of a temperature-sensitive live vaccine administered intranasally or two doses of an inactivated vaccine separated by an interval of not less than three weeks and not more than four weeks; the vaccination must be repeated subsequently at intervals of not more than six months'.

(c) The following shall be added to (v):

'However, bulls which are not used for the production of semen may be exempt from the antibody test or a culture test for campylobacter foetus infection, with the proviso that such bulls may not be re-admitted to semen production until they have been subjected to such a test or culture and given a negative result'.

2. In Annex B, Chapter II, paragraph 3, the following subparagraph shall be added:

'However, until 31 December 1992:

— these provisions shall not apply to sero-positive bulls which, prior to their first vaccination in accordance with this Directive at the insemination centre, gave a negative reaction to the serum neutralization test or the ELISA test for infectious bovine rhinotracheitis or infectious pustular vulvo-vaginitis;

— sero-positive bulls referred to in the second subparagraph of Article 4 (1) must be isolated, since their semen may be the subject of intra-Community trade in accordance with the provisions for trade in semen from such bulls under Article 4 (1) second, third, fourth and fifth subparagraphs.'

3. In Annex C:

(a) in (b) (ii), first and second indents, the words 'before entering the centre' shall be deleted;

(b) in 3 (ii), the second-last and last lines, shall be amended to read:

'... and which have been sealed and numbered prior to dispatch from the approved storage facilities'.

(1) OJ No L 194, 22. 7. 1988, p. 10.

4. In Annex D, point IV shall be replaced by the text in the Annex hereto.

*Article 2*

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 1 April 1990 at the latest. They shall forthwith inform the Commission thereof.

*Article 3*

This Directive is addressed to the Member States.

Done at Brussels, 5 March 1990.

*For the Council*

*The President*

J. WALSH



## ANNEX

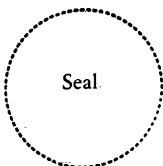
IV. I, the undersigned veterinarian, certify that :

1. the semen described above was collected, processed and stored under conditions which comply with the standards laid down in Directive 88/407/EEC ;
2. the semen described above, was sent to the place of loading in a sealed container under conditions which comply with Directive 88/407/EEC and bearing the number ... ;
3. the semen described above was collected in a centre where all bulls gave a negative result to a serum neutralization test or an ELISA test for infectious bovine rhinotracheitis or infectious pustular vulvovaginitis carried out in accordance with Directive 88/407/EEC <sup>(1)</sup> ;
4. the semen described above was collected from bulls :
  - (i) which gave a negative result to a serum neutralization test or an ELISA test for infectious rhinotracheitis or infectious pustular vulvovaginitis carried out in accordance with Directive 88/407/EEC <sup>(1)</sup> ; or
  - (ii) which gave a positive result to the tests referred to at (i) but which had already given a negative reaction to these tests prior to a first vaccination in accordance with the Directive at the insemination centre <sup>(1)</sup> ; or
  - (iii) which gave a positive result to a serum neutralization test or an ELISA test for infectious bovine rhinotracheitis or infectious pustular vulvovaginitis and have not been vaccinated in accordance with Directive 88/407/EEC <sup>(1)</sup> ; and in which case the semen comes from a consignment which has been subjected, with a negative result, to an examination by inoculation or a virus isolation test <sup>(1)</sup> as referred to in the third subparagraph or Article 4 (1) of Directive 88/407/EEC in laboratory ... <sup>(2)</sup> ;
5. the semen described above was collected from bulls :
  - (i) which have not been vaccinated against foot-and-mouth disease <sup>(1)</sup> ;
  - or,
  - (ii) which have been vaccinated against food-and-mouth disease in accordance with Directive 88/407/EEC <sup>(1)</sup> ; and in which case the semen comes/does not come <sup>(1)</sup> from a collection in which a maximum of 10 per cent of the semen collected with a view of trade (with a minimum of five straws) has been subjected, with a negative result, to a virus isolation test for foot and mouth disease in laboratory ... <sup>(2)</sup>.

Done at .....

.....  
(signature)

.....  
(Name in block letters)



<sup>(1)</sup> Delete as necessary.

<sup>(2)</sup> Name of the laboratory specified in accordance with the second subparagraph of Article 4 (1) of Directive 88/407/EEC.

# COMMISSION

## TWELFTH COMMISSION DIRECTIVE

of 20 February 1990

adapting to technical progress Annexes II, III, IV, V and VI to Council Directive 76/768/EEC on the approximation of the laws of the Member States relating to cosmetic products

(90/121/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 76/768/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to cosmetic products<sup>(1)</sup>, as last amended by Directive 89/679/EEC<sup>(2)</sup>, and in particular Article 8 (2) thereof,

Whereas on the basis of the available information, certain provisionally permitted colouring agents, substances and preservatives may be definitively permitted, while others must be definitively prohibited or be permitted for a further specified period;

Whereas, in order to protect public health, it is necessary to prohibit the use of certain colouring agents, 11- $\alpha$ -hydroxypregn-4-ene-3,20-dione and its esters, hormones, zirconium with the exception of certain complexes, tyrothricin, antiandrogens of steroid structure, acetonitrile and tetrahydrozoline;

Whereas, on the basis of the latest scientific and technical research, the use of lead acetate as a hair dye may be permitted in cosmetic products subject to certain limitations and requirements, provided that certain warnings are given on the labelling for the purpose of protecting public health;

Whereas the use of the lakes of colouring agent CI 17 200 should be authorized;

Whereas, on the basis of the latest scientific and technical research, the use of 3-decyloxy-2-hydroxy-1-aminopropane-hydrochloride as a preservative in cosmetic products and the use of Solvent yellow 98 as a colouring agent in

nail care products, permitted subject to certain limitations and requirements;

Whereas the measures provided for in this Directive are in accordance with the opinion of the Committee on the Adaptation to Technical Progress of the Directives on the removal of technical barriers to trade in the cosmetic products sector,

HAS ADOPTED THIS DIRECTIVE:

### Article 1

Directive 76/768/EEC is amended as follows:

1. In Annex II:

- in No 39, 'with the exception of that given in Annex V' is deleted,
- in No 194, 'with the exception of those listed in Annex V' is deleted,
- in No 289, 'compounds, with the exception of that mentioned in Annex V' is replaced by 'compounds, with the exception of that mentioned in Annex III, No 55 under the conditions stated',
- in Nos 376 and 377, 'and their salts' is added,
- the following substances are added:
  - '385. 11  $\alpha$ -Hydroxypregn-4-ene-3,20-dione and its esters
  - 386. Colouring agent CI 42 640
  - 387. Colouring agent CI 13 065
  - 388. Colouring agent CI 42 535
  - 389. Colouring agent CI 61 554
  - 390. Antiandrogens with steroid structure
  - 391. Zirconium and its compounds, with the exception of the complexes under reference number 50 in Annex III (Part 1) and of zirconium lakes, salts and pigments of colouring agents listed with reference number 3 in Annex IV (Part 1)

<sup>(1)</sup> OJ No L 262, 27. 9. 1976, p. 169.

<sup>(2)</sup> OJ No L 398, 30. 12. 1989, p. 25.

392. Thyrothricine

393. Acetonitrile

394. Tetrahydrozoline and its salts.

replaced by 'ne pas employer dans des produits d'hygiène pour enfants en dessous de 3 ans' (the English text remains unchanged);

2. In Annex III, Part 1, in the French version only, under reference number 1, Boric acid:

(a) in column (e), 'ne pas employer dans des produits de soins pour enfants en dessous de 3 ans' is

(b) in column (f), 'ne pas employer pour les soins d'enfants en dessous de 3 ans' is replaced by 'ne pas employer pour l'hygiène des enfants en dessous de 3 ans' (the English text remains unchanged).

3. In Annex III, Part 1, reference number 55 is added as follows:

a	b	c	d	e	f
'55	Lead acetate	Only for hair-dyeing	0,6 % calculated in lead		Keep away from children. Avoid all contact with the eyes. Wash hands after use. Contains lead acetate. Do not use to dye eyelashes, eyebrows or moustaches. If irritation develops, discontinue use.

4. In Annex III, Part 2, '31.12.1989' in the column headed 'Allowed until' is replaced by '31.12.1990' for the following reference numbers:

2. 1,1,1-Trichloroethane (methyl chloroform), and

4. 2,2'-Dithiobis (pyridine 1-oxide), addition product with magnesium sulphate trihydrate.

(b) for the colour index numbers 42 045 and 44 045 the cross sign 'X' is deleted from column 4 and inserted in column 3;

(c) 'Other limitations and requirements' is deleted for colour index numbers 42 045 and 44 045;

(d) a footnote reference <sup>(3)</sup> is added to the entry for colour index number 17 200.

5. In Annex IV, Part 1:

(a) colour index number 42 640 is deleted;

6. In Annex IV, Part 2:

(a) the following colouring agent is added:

Colour index-number or denomination	Colour	Field of application				Other limitations and requirements <sup>(2)</sup>	Admitted until
		1	2	3	4		
'Solvent yellow 98	Yellow			X		Only in nail care preparations maximum 0,5 % in the final product	31. 12. 1991

(b) colour index numbers 13 065, 21 110, 42 045, 42 535, 44 045, 61 554 are deleted;

(d) '31.12.1990' in the column headed 'Authorization valid until' is replaced by '31.12.1991' in so far as colour index number 74 180 is concerned;

(c) '31.12.1989' in the column headed 'Authorization valid until' is replaced by '31.12.1990' in so far as colour index numbers 26 100 and 73 900 are concerned;

7. In Annex V, numbers 1, 3, 6, 9 are deleted.

8. (a) In Annex VI, Part 2, number 27 is added:

a	b	c	d	e	f
27	3-Decyloxy-2-hydroxy-1-amino propane-hydro-chloride (Decominol) (INN)	0,5 %			31. 12. 1990

(b) in Annex VI, Part 2, '31.12.1989' in column (f) is replaced by '31.12.1990' for the following substances:

2. Chlorphenesin (INN),
4. Alkyl (C12-C22) trimethyl-ammonium bromide and chloride (including Cetrimonium bromide) (\*),
6. 4,4-Dimethyl-1,3-oxazolidine,
15. Benzethonium chloride (INN) (\*),
16. Benzalkonium chloride (INN), bromide and saccharinate (\*),
17. 1-[1,3-Bis (hydroxymethyl)2,5-dioximidazolidin-1-yl]-1,3-bis (hydroxymethyl) urea,
20. Hexamidine (INN) and its salts (including isethionate and 4-hydroxybenzoate) (\*),
21. Benzylhemiformal (a 1 : 1 mixture of benzyloxymethanol and (benzyloxymethoxy) methanol).

#### Article 2

1. Regardless of the dates of admission referred to in Article 1, points 4, 6 and 8, the Member States shall take all necessary measures to ensure that as from 1 January 1991, for the substances mentioned in Article 1, point 1, and as from 1 January 1992, for the substances mentioned in Article 1, points 3, 5, 6 and 8, neither manufacturers nor importers established in the Community shall place on the market products which do not comply with the requirements of this Directive.

2. The Member States shall take all necessary measures to ensure that the products referred to in paragraph 1

containing the substances mentioned in Article 1, point 1 shall no longer be sold or otherwise disposed of to the final consumer after 31 December 1991 and that the products containing the substances mentioned in Article 1, points 3, 5, 6 and 8 shall no longer be sold or disposed of to the final consumer after 31 December 1993, if they do not comply with the requirements of this Directive.

#### Article 3

1. The Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with the provisions of this Directive no later than 31 December 1990. They shall forthwith inform the Commission thereof.

2. Member States shall communicate to the Commission the provisions of national law which they adopt in the field governed by this Directive.

#### Article 4

This Directive is addressed to the Member States.

Done at Brussels, 20 February 1990.

*For the Commission*

Karel VAN MIERT

*Member of the Commission*

**COMMISSION DECISION**

of 28 February 1990

to take no action on the tenders received in response to the invitation to tender for the private storage aid of carcasses and half carcasses of lamb, issued under Regulation (EEC) No 288/90

(90/122/EEC)

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

Having regard to Council Regulation (EEC) No 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat<sup>(1)</sup>, and in particular Article 7 (5) thereof,

Having regard to Regulation (EEC) No 2659/80 of 17 October 1980 laying down the detailed rules for granting private storage aid for sheepmeat and goatmeat products<sup>(2)</sup>, as amended by Regulation (EEC) No 3496/88<sup>(3)</sup>, and in particular Article 11 (1) (f) thereof,

Whereas Commission Regulation (EEC) No 287/90 of 1 February 1990 laying down some detailed rules for private storage aid for lamb in the period 1 January to 30 April 1990<sup>(4)</sup> completes the provisions of Regulation (EEC) No 2659/80 and provides in particular for detailed rules on the tendering procedure;

Whereas Commission Regulation (EEC) No 288/90<sup>(5)</sup> invites, for the first time, tenders for aid for the private storage of lamb;

Whereas according to Article 11 (1) (f) of Regulation (EEC) No 2659/80, on the basis of the tenders received it is necessary to fix a maximum amount for private storage aid or make no award;

Whereas the level of the offers received leads to no award of aid;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Management Committee for sheep and goats,

HAS ADOPTED THIS DECISION:

*Article 1*

For the first invitation to tender opened by Regulation (EEC) No 288/90, no award of aid is made.

*Article 2*

The Decision is addressed to the Member States.

Done at Brussels, 28 February 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 289, 7. 10. 1989, p. 1.

<sup>(2)</sup> OJ No L 276, 20. 10. 1980, p. 12.

<sup>(3)</sup> OJ No L 306, 11. 11. 1988, p. 28.

<sup>(4)</sup> OJ No L 31, 2. 2. 1990, p. 11.

<sup>(5)</sup> OJ No L 31, 2. 2. 1990, p. 16.

## COMMISSION DECISION

of 7 March 1990

approving the draft measures presented by Italy for implementation of Article 3b of Regulation (EEC) No 857/84 adopting general rules for the application of the levy referred to in Article 5c of Regulation (EEC) No 804/68 in the milk and milk products sector

(Only the Italian text is authentic)

(90/123/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 857/84 of 31 March 1984 adopting general rules for the application of the levy referred to in Article 5c of Regulation (EEC) No 804/68<sup>(1)</sup>, as last amended by Regulation (EEC) No 3880/89<sup>(2)</sup>, and in particular the second subparagraph of Article 3b (1) thereof,

Whereas the abovementioned provision stipulates that Member States are to notify to the Commission their draft national measures for the implementation of the said Article 3b and that these must first be approved by the Commission;

Whereas the draft measures notified by Italy on 8 February 1990 should be approved,

HAS ADOPTED THIS DECISION:

*Article 1*

The draft measures for implementation in Italy of Article 3b of Regulation (EEC) No 857/84, which provide for

assignment to newly installed producers of special reference quantities, where appropriate increased by a uniform percentage for producers newly installed in areas as defined in Article 3 (3), (4) and (5) of Council Directive 75/268/EEC<sup>(3)</sup>, as last amended by Regulation (EEC) No 797/85<sup>(4)</sup>, are hereby approved.

*Article 2*

This Decision is addressed to the Italian Republic.

Done at Brussels, 7 March 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 90, 1. 4. 1984, p. 13.  
<sup>(2)</sup> OJ No L 378, 27. 12. 1989, p. 3.

<sup>(3)</sup> OJ No L 128, 19. 5. 1975, p. 1.  
<sup>(4)</sup> OJ No L 93, 30. 3. 1985, p. 1.