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I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EEC) No 1533/90
of 7 June 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⁽¹⁾, as last amended by Regulation (EEC) No 1340/90⁽²⁾, and in particular Article 13 (5) thereof,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽³⁾, as last amended by Regulation (EEC) No 1636/87⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,
Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 754/90⁽⁵⁾ and subsequent amending Regulations;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in

the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85,

- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

Whereas these exchange rates being those recorded on 6 June 1990;

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

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 754/90 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 8 June 1990.

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

Done at Brussels, 7 June 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 134, 28. 5. 1990, p. 1.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 83, 30. 3. 1990, p. 4.

ANNEX

to the Commission Regulation of 7 June 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	39,80	130,35 ^(?) ^(?)
0712 90 19	39,80	130,35 ^(?) ^(?)
1001 10 10	49,77	189,26 ⁽¹⁾ ^(?)
1001 10 90	49,77	189,26 ⁽¹⁾ ^(?)
1001 90 91	40,78	148,77
1001 90 99	40,78	148,77
1002 00 00	65,46	135,24 ^(?)
1003 00 10	56,71	130,91
1003 00 90	56,71	130,91
1004 00 10	48,11	123,39
1004 00 90	48,11	123,39
1005 10 90	39,80	130,35 ^(?) ^(?)
1005 90 00	39,80	130,35 ^(?) ^(?)
1007 00 90	56,71	143,97 ^(*)
1008 10 00	56,71	37,14
1008 20 00	56,71	105,69 ^(*)
1008 30 00	56,71	1,83 ^(?)
1008 90 10	(?)	(?)
1008 90 90	56,71	1,83
1101 00 00	71,56	222,74
1102 10 00	106,11	203,80
1103 11 10	91,98	308,19
1103 11 90	75,71	239,46

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

⁽²⁾ In accordance with Regulation (EEC) No 715/90 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'.

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

⁽⁴⁾ Where millet and sorghum originating in the ACP or OCT is imported into the Community the levy is applied in accordance with Regulation (EEC) No 715/90.

⁽⁵⁾ Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.

⁽⁶⁾ The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 (OJ No L 142, 9. 6. 1977, p. 10) and Commission Regulation (EEC) No 2622/71 (OJ No L 271, 10. 12. 1971, p. 22).

⁽⁷⁾ The levy applicable to rye shall be charged on imports of the product falling within CN code 1008 90 10 (triticale).

COMMISSION REGULATION (EEC) No 1534/90

of 7 June 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 ⁽¹⁾, as last amended by Regulation (EEC) No 1340/90 ⁽²⁾, and in particular Article 15 (6) thereof,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy ⁽³⁾, as last amended by Regulation (EEC) No 1636/87 ⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EEC) No 1916/89 ⁽⁵⁾ and subsequent amending Regulations;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85,

— for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

Whereas these exchange rates being those recorded on 6 June 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 8 June 1990.

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

Done at Brussels, 7 June 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 134, 28. 5. 1990, p. 1.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 187, 1. 7. 1989, p. 4.

ANNEX

to the Commission Regulation of 7 June 1990 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CN code	<i>(ECU/tonne)</i>			
	Current 6	1st period 7	2nd period 8	3rd period 9
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	2,53	2,53	1,44
1001 90 99	0	2,53	2,53	1,44
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 10	0	0	0	0
1004 00 90	0	0	0	0
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	3,60	3,60	3,60
1008 90 90	0	3,60	3,60	3,60
1101 00 00	0	3,56	3,56	2,01

B. Malt

CN code	<i>(ECU/tonne)</i>				
	Current 6	1st period 7	2nd period 8	3rd period 9	4th period 10
1107 10 11	0	4,50	4,50	2,56	2,56
1107 10 19	0	3,36	3,36	1,92	1,92
1107 10 91	0	0	0	0	0
1107 10 99	0	0	0	0	0
1107 20 00	0	0	0	0	0

COMMISSION REGULATION (EEC) No 1535/90

of 7 June 1990

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 2902/89⁽²⁾, and in particular Article 16 (2) thereof,

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

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

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

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

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

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

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

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

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 4 and 5 June 1990 leads to the minimum levies being fixed as indicated in Annex I to this Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

Article 3

This Regulation shall enter into force on 8 June 1990.

⁽¹³⁾ OJ No L 331, 28. 11. 1978, p. 6.

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

⁽²⁾ OJ No L 280, 29. 9. 1989, p. 2.

⁽³⁾ OJ No L 169, 28. 6. 1976, p. 24.

⁽⁴⁾ OJ No L 358, 27. 12. 1988, p. 1.

⁽⁵⁾ OJ No L 169, 28. 6. 1976, p. 43.

⁽⁶⁾ OJ No L 358, 27. 12. 1988, p. 2.

⁽⁷⁾ OJ No L 169, 28. 6. 1976, p. 9.

⁽⁸⁾ OJ No L 48, 26. 2. 1986, p. 1.

⁽⁹⁾ OJ No L 142, 9. 6. 1977, p. 10.

⁽¹⁰⁾ OJ No L 358, 27. 12. 1988, p. 3.

⁽¹¹⁾ OJ No L 181, 21. 7. 1977, p. 4.

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

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

Done at Brussels, 7 June 1990.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX I

Minimum import levies on olive oil

(ECU/100 kg)

CN code	Non-member countries
1509 10 10	60,00 ⁽¹⁾
1509 10 90	60,00 ⁽¹⁾
1509 90 00	71,00 ⁽²⁾
1510 00 10	77,00 ⁽¹⁾
1510 00 90	122,00 ⁽²⁾

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

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

⁽²⁾ For imports of oil falling within this CN code :

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

⁽³⁾ For imports of oil falling within this CN code :

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

ANNEX II

Import levies on other olive oil sector products

(ECU/100 kg)

CN code	Non-member countries
0709 90 39	13,20
0711 20 90	13,20
1522 00 31	30,00
1522 00 39	48,00
2306 90 19	6,16

**COMMISSION REGULATION (EEC) No 1536/90
of 7 June 1990**

adjusting the agricultural conversion rates for the pigmeat sector in Spain

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

as to avoid the creation of new monetary compensatory amounts ;

Having regard to the Treaty establishing the European Economic Community,

Having regard to Commission Regulation (EEC) No 3578/88 of 17 November 1988 laying down detailed rules for the application of the system for the automatic dismantlement of negative monetary compensatory amounts⁽¹⁾, as last amended by Regulation (EEC) No 747/90⁽²⁾, and in particular Article 7 (1) thereof,

Whereas Article 6a of Council Regulation (EEC) No 1677/85 of 11 June 1985 on monetary compensatory amounts in agriculture⁽³⁾, as last amended by Regulation (EEC) No 1889/87⁽⁴⁾, lays down that the agricultural conversion rates of a Member State should be adjusted so

Whereas the movement of the market rate for the Spanish peseta during the reference period 29 May to 5 June 1990 should, given the adjustment of the agricultural conversion rate determined by Council Regulation (EEC) No 1678/85⁽⁵⁾, as last amended by Regulation (EEC) No 1179/90⁽⁶⁾, entail, in accordance with Article 2 of Commission Regulation (EEC) No 3153/85⁽⁷⁾, as last amended by Regulation (EEC) No 3672/89⁽⁸⁾, an increase in the monetary compensatory amounts applicable in the pigmeat sector in Spain effective from 11 June 1990 ; whereas in order to prevent this it is necessary to adjust the agricultural conversion rate so as to prevent the creation of these new monetary compensatory amounts having regard to the criteria in Article 7 of Regulation (EEC) No 3578/88,

HAS ADOPTED THIS REGULATION :

Article 1

In Annex V to Regulation (EEC) No 1678/85, the line relating to pigmeat is hereby replaced by the following :

Products	Agricultural conversion rates			
	ECU 1 = Pta	Applicable until	ECU 1 = Pta	Applicable from
Pigmeat	149,026	10 June 1990	147,157	11 June 1990

Article 2

This Regulation shall enter into force on 11 June 1990.

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

Done at Brussels, 7 June 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 312, 18. 11. 1988, p. 16.
⁽²⁾ OJ No L 82, 29. 3. 1990, p. 24.
⁽³⁾ OJ No L 164, 24. 6. 1985, p. 6.
⁽⁴⁾ OJ No L 182, 3. 7. 1987, p. 1.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 11.
⁽⁶⁾ OJ No L 119, 11. 5. 1990, p. 1.
⁽⁷⁾ OJ No L 310, 21. 11. 1985, p. 4.
⁽⁸⁾ OJ No L 358, 8. 12. 1989, p. 28.

COMMISSION REGULATION (EEC) No 1537/90

of 28 May 1990

imposing a provisional antidumping duty on imports of potassium permanganate originating in the USSR

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2423/88 of 11 July 1988 on protection against dumped or subsidized imports from countries not members of the European Community⁽¹⁾, and in particular Article 11 thereof,

After consultations within the Advisory Committee as provided for by the above Regulation,

Whereas :

A. PROCEDURE

(1) In May 1989 the Commission received a complaint lodged by the European Council of Chemical Manufacturers' Federations (ECCMF) on behalf of a Community producer of potassium permanganate which represents the totality of the Community output of the product in question. The complaint contained evidence of dumping and of material injury resulting therefrom, which was considered sufficient to justify the initiation of a proceeding. The Commission accordingly announced, by a notice published in the *Official Journal of the European Communities*⁽²⁾, the initiation of an anti-dumping proceeding concerning imports into the Community of potassium permanganate falling within CN Code ex 2841 60 00 (Taric code: 2841 60 00 * 10) and originating in the USSR and commenced an investigation.

(2) The Commission officially so advised the exporter and importers known to be concerned, the representatives of the exporting country and the complainant and gave the parties concerned the opportunity to answer the questionnaires addressed to them, to make known their views in writing and to request a hearing.

(3) The Community producer returned the questionnaire to the Commission duly completed. The exporter in the USSR argued that no potassium permanganate had been exported directly to the Community since 1987. Some importers stated in writing that they had not imported the product in

question, either directly or indirectly, from the USSR. One importer informed in writing that he had made imports, directly from Austria, of potassium permanganate originating in the USSR. The other importers did not reply at all to the Commission's questionnaire.

(4) The Community producer, the exporter and the representatives of the exporting country made their views known in writing. The Community producer and the representatives of the exporting country requested and were granted hearings. No submissions were made by processors or consumers of potassium permanganate in the Community.

(5) The Commission sought and verified all information it deemed to be necessary for the purposes of a preliminary determination and carried out investigations at the premises of the following companies :

- Community producer :
Industrial Quimica del Nalon SA, Oviedo, Spain,
- Producer in the country of reference :
Carus Chemical Company, Ottawa, Illinois, USA,
- Importer in the Community :
Grillo Chemikalien GmbH, Duisburg —
Hamborn, Federal Republic of Germany.

(6) The investigation of dumping covered the period from 1 July 1988 to 30 June 1989.

B. PRODUCT UNDER CONSIDERATION

(i) Description of the product

(7) The product which is the subject of the investigation is potassium permanganate and, at room temperature, appears as a crystalline solid of rhombic shape with a dark purple metallic sheen. It is a compound of manganese, potassium and oxygen whose manufacture requires two basic raw materials: pirolusite ore and caustic potash. By a two step manufacturing procedure the raw materials are converted by oxidation, first to potassium manganate and then to potassium permanganate.

(8) The product is mainly available in three specifications : Technical, Free-Flowing and Pharmaceutical. Technical and Free-Flowing specifications are interchangeable in all uses.

⁽¹⁾ OJ No L 209, 2. 8. 1988, p. 1.

⁽²⁾ OJ No C 192, 29. 7. 1989, p. 8.

(ii) Like product

- (9) The Commission found that potassium permanganate produced in the Community and that which is exported from the USSR are like products in all essential physical and technical characteristics. It also verified that there are no significant differences of this types between the product manufactured in the USSR and that produced in the United States, which was chosen as reference country (see recitals 11 to 14).

C. DUMPING**(i) Normal value**

- (10) In establishing the existence of dumped imports from the USSR, the Commission had to take account the fact that since the beginning of 1988 all imports of potassium permanganate originating in that country have not been made directly from the country of origin to the Community, but from Austria.

In such circumstances, in accordance with Article 2 (6) of Council Regulation (EEC) No 2423/88, the normal value shall be established on the basis of the comparable price actually paid or payable for the like product on the domestic market of either the country of export or the country of origin. Given that the product in question appears not to be produced in Austria and that it is merely transhipped through this country, the choice of the country of origin seems to be the most appropriate.

- (11) Since the USSR does not have a market economy, the Commission had to base its determinations on the normal value in a market-economy country. For this purpose the complainant had suggested the United States which is the only non-EEC market economy country with considerable production. No objection was made to this suggestion.
- (12) The Commission verified that in the United States there are no price controls and there is sufficient internal competition as a result of the presence of substantial imports from third countries. In addition, it was confirmed that prices charged by the manufacturer in the United States on its domestic market were in a reasonable proportion to production costs and included a reasonable profit margin.
- (13) Sales considered for calculation of normal value were made to independent customers, and the weighted average of the prices of these sales was calculated on a six-monthly basis because of a price increase in January 1989. This weighted average was found to be representative of prices on the United States domestic market.
- (14) The Commission therefore concluded that it would be appropriate and not unreasonable to determine

normal value on the basis of the comparable prices actually paid or payable in the ordinary course of trade for the like product on the United States market.

(ii) Export price

- (15) Export prices were determined on the basis of the prices actually paid or payable for the product sold for export to the Community. However, as imports into the Community declared to have been made during the investigation period only covered a minor proportion of total imports registered in official Community statistics for that period, export prices had to be also based on those official statistics duly adjusted which were considered as facts available in accordance with Article 7 (7) (b) of Council Regulation (EEC) No 2423/88.

(iii) Comparison

- (16) In comparing normal value with export prices the Commission took account, where circumstances permitted and where there was sufficient evidence, of differences affecting price comparability, in particular differences in selling expenses such as transport, insurance, credit, commissions and salesmen's salaries. All comparisons were effectively made at ex works level.
- (17) These comparisons show the existence of dumping in respect of imports into the Community of potassium permanganate originating in the USSR, the margin of dumping being equal to the amount by which the normal value as established exceeds the price for export to the Community. In view of the necessity of using official Community statistics for the determination of export prices the later had to be compared to normal value on a monthly average basis. The margins of dumping calculated as a percentage of monthly average export prices, cif at Community border, before customs duty, vary during the investigation period from 33,3 % to 77,7 %, and have a weighted average of 42,3 %.

D. INJURY

- (18) For the assessment of the injury caused by the dumped imports, it was considered appropriate to take into account not only imports of potassium permanganate originating in the USSR, but also dumped imports of this product originating in Czechoslovakia, which were subject to a review proceeding terminated by the Council imposing a definitive antidumping duty⁽¹⁾. In fact, imports from both countries, concerned the same product, were subject to a common investigation period and

⁽¹⁾ OJ No L 42, 16. 2. 1990, p. 1.

commercial policies of exporters in these countries were similar. On this basis, there are enough grounds for a cumulation of imports of potassium permanganate originating in the USSR and Czechoslovakia.

- (19) The evidence available to the Commission shows that imports into the Community of potassium permanganate originating in the USSR rose from only 20 tonnes in the period from July 1986 to June 1987, to 257 tonnes in the following twelve months and amounted to 218 tonnes during the investigation period (from July 1988 to June 1989). The Community market share held by these imports increased over the same periods from 0,6 % to 6,6 % and reached 8,1 % during the investigation period.

With regard to imports from the USSR and Czechoslovakia taken together, they increased from 213 tonnes in the period from July 1986 to June 1987, to 597 tonnes in the following twelve months and amounted to 395 tonnes during the investigation period. The development of these imports assessed in the light of the Community consumption of potassium permanganate over the same periods, leads to a combined market share held by imports from these two countries which rose from 6,9 % to 15,1 % and reached 14,6 % during the investigation period.

- (20) The prices of the imports from the USSR undercut the prices of the Community producer during the investigation period by an average of nearly 11 %. The low level of import prices forced the Community producer to sell the product in the Community market at prices which either did not cover the Community producer's costs of production, particularly in Germany in which the imports concerned have been concentrated since the beginning of 1988, or did not allow (in other Community countries) to make a reasonable profit. The prices of these imports not only denied the Community producer price increases which normally would have occurred, but obliged the Community producer to decrease its prices since the end of 1987 in an attempt to maintain its sales level and market share.

- (21) As far as the situation of the Community producer is concerned, account had to be taken of the following factors:

(a) The Community producer had been forced to have periodic production shutdowns as a result of the low price level of the imports from the USSR and Czechoslovakia. Consequently capacity utilization of the Community producer has decreased during the last three years, to a very low level of 33 %. In addition, stocks over that

period amounted on average to nearly 900 tons equivalent to more than seven month's sales.

- (b) Although sales by the Community producer of potassium permanganate in the Community market increased slightly from 829 tonnes in the period from July 1986 to June 1987, to 903 tonnes in the following twelve months, they amounted to nearly 515 tonnes during the investigation period. This trend of sales, compared with that of Community consumption, showed, over the same period i.e. July 1986 to June 1989, a decline in the market share held by the Community producer from 27,1 % to 19 %.
- (c) The combined effect of this price suppression and depression on the Community producer has been increased losses and a resultant continued precarious financial situation.
- (d) Despite the continuous production shutdowns suffered by the potassium permanganate division of the Community producer, employment for the people working in that division has, until now, been maintained through transferring these employees to other areas of the company during the production shutdowns. However, should the degenerating financial situation of the potassium permanganate operation not rapidly improve, it would put at risk the continuity of the employment.

- (22) In the light of the trends of the relevant economic factors referred to above, it appears that the situation of the Community producer has been adversely affected. This is especially demonstrated by a loss of profitability, sales and market share. In these circumstances, it is concluded that the Community industry is suffering material injury.

E. CAUSALITY

- (23) As far as the causal link between the dumped imports and the material injury is concerned, the Commission found that there is a clear parallelism and simultaneity between the increase in the volume of dumped imports from the USSR and Czechoslovakia and the loss of market share and profitability of the Community producer.

Since potassium permanganate is a price sensitive product, the low price level of imports concerned has an immediate effect on the Community producer as shown in recitals 20 and 21 above. The increase of the Community market share held by imports from the USSR and Czechoslovakia taken together also corresponds to the decrease in the market presence of the Community producer.

- (24) The Commission considered whether the injury has been caused by other factors such as changes in demand, a fall in exports by the Community producer to third countries or an increase in imports not subject to antidumping measures.

- (25) Consumption of potassium permanganate in the Community decreased, during the investigation period, by nearly 24 % when compared to the consumption in the previous 24 months. This trend in consumption could only explain in part the decrease in sales by the Community producer, but not the reduction of its market share. Thus, in that period, while imports from the USSR and Czechoslovakia taken together not only remained stable but gained a Community market share which increased from 6,9 % in the period from July 1987 to June 1988, to 14,6 % during the investigation period, sales by the Community producer in the Community market decreased by 40 %, thus distinctly fast than Community consumption and consequently its market share in the Community also decreased significantly.
- (26) Exports by the Community producer to third country markets, which were mainly concentrated in the United States, have remained stable in volume and value, since 1987, and, therefore, could not explain the Community producer's loss of profitability.
- (27) Regarding imports not subject to anti-dumping measures, since 1987, they have rapidly increased, reaching a market share of 45,6 % on the Community market during the investigation period. More than 80 % of this market share is held by imports from the United States, Taiwan and Hong Kong.

As regards imports from the United States they have been made at prices far higher than those for the product originating in the USSR and Czechoslovakia and there is no evidence of dumping.

Concerning imports from Taiwan and Hong Kong which taken together held during the investigation period a Community market share of nearly 18 %, they have been excluded from the present proceeding pending the outcome of the Commission investigation, already in progress, concerning the origin of these imports. There are indications, as potassium permanganate is apparently not produced in these countries, that these imports may originate in countries for which anti-dumping measures are in force.

Given the above market share, injury may also have been caused by exports made by Taiwan and Hong Kong. However, the imports from these two countries would only have contributed in part to the critical situation found and would not affect the considerable injurious impact of dumped imports originating in the USSR and Czechoslovakia, which taken in isolation have to be considered as causing material injury.

- (28) In view of the increase in the Community market share held by the dumped imports originating in the USSR and their adverse effects on the Community prices for such a price sensitive product, it has to be concluded that these imports taken in isolation have had a discernible injurious impact on the Community producer and thus contributed to the material injury caused by dumped imports from the USSR and Czechoslovakia.

F. COMMUNITY INTEREST

- (29) On the basis of the serious difficulties facing the Community producer concerned, failure to adopt measures to eliminate the injurious effects of the dumped imports originating in the USSR, would put at risk the industry's survival, with resulting adverse consequences for employment.

In addition, the multiple uses of potassium permanganate in environmental, agricultural and other, sometimes strategic fields, makes it advisable for the Community to protect the sole remaining Community producer against the threat to its existence from unfair imports. Moreover, the measures envisaged would have a negligible effect on prices for users in the Community in respect of final products in which potassium permanganate is incorporated.

Therefore, it is concluded that it is in the Community's interest that action should be taken to prevent injury being caused to the Community industry directly concerned during the proceeding, and this action should take the form of a provisional anti-dumping duty.

G. RATE OF THE DUTY

- (30) The Commission took into account the minimum ex-factory selling price necessary to cover the Community producer's cost of production and to provide an adequate profit which was determined on the basis of a reasonable return on the investments made by the Community producer, and was in proportion to profits made by the manufacturer of the product in the reference country. It also considered the cif at-Community-frontier price, for the imports concerned and determined the amount of duty necessary to eliminate the injury to be 46 %.

However, the elimination of the injury through an increase of import prices up to the level of such minimum Community price would imply exceeding the margin of dumping found during the investigation period. Consequently, the injury can only be removed up to a level not exceeding the dumping margin of 42,3 % (see section C, recital 17). Moreover, in order to prevent increased

dumping, as well as injury, through further decreases in export prices, it is considered that the appropriate form of the duty to be imposed should be that of a variable duty.

Therefore, the injury shall be removed at the level of the dumping margin found and the amount of the variable duty shall be based on a reference minimum price of ECU 2,15/kg. This minimum price is slightly lower than that applicable to imports from Czechoslovakia because of a different distribution in exports to the Community made by Czechoslovakia and the USSR during the two semesters covered by the investigation period (see recital 13).

- (31) A period should be fixed within which the parties concerned may make their views known and request a hearing.

HAS ADOPTED THIS REGULATION :

Article 1

1. A provisional antidumping duty is hereby imposed on imports of potassium permanganate falling within CN code ex 2841 60 00 (Taric code 2841 60 00 * 10) and originating in the USSR.
2. The amount of the duty shall be equal to the amount by which the price, per kilogram net, free-at-

Community-frontier, not cleared through customs, is less than ECU 2,15.

The said free-at-Community-frontier price, not cleared through customs, shall be net if the actual terms and conditions of sales provide that payment shall be made within 30 days of the date of dispatch ; it shall be lowered by 1 % for each month by which payment is actually deferred.

3. The provisions in force concerning customs duties shall apply.
4. The release for free circulation in the Community of the product referred to in paragraph 1 shall be subject to the provision of a security, equivalent to the amount of the provisional duty.

Article 2

Without prejudice to Article 7 (4) (b) and (c) of Regulation (EEC) No 2423/88, the parties concerned may make known their views in writing and apply to be heard by the Commission within one month of the entry into force of this Regulation.

Article 3

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

Subject to Articles 11, 12 and 14 of Regulation (EEC) No 2423/88, it shall apply for a period of four months, unless the council adopts definitive measures before the expiry of that period.

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

Done at Brussels, 28 May 1990.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 1538/90

of 6 June 1990

on the supply of various lots of skimmed-milk powder 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 ⁽¹⁾, as last amended by Regulation (EEC) No 1750/89 ⁽²⁾, and in particular Article 6 (1) (c) thereof,

Whereas Council Regulation (EEC) No 1420/87 of 21 May 1987 laying down implementing rules for Regulation (EEC) No 3972/86 on food-aid policy and food-aid management ⁽³⁾ lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas following the taking of a number of decisions on the allocation of food aid the Commission has allocated to certain countries and beneficiary organizations 1 426 tonnes of skimmed-milk powder;

Whereas it is necessary to provide for the carrying-out of this measure in accordance with the rules laid down by

Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid ⁽⁴⁾; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

Article 1

Milk products shall be mobilized in the Community, as Community food aid, for supply to the recipients listed in the Annexes in accordance with Regulation (EEC) No 2200/87 and under the conditions set out in the Annexes. Supplies shall be awarded by the tendering procedure.

Article 2

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

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

Done at Brussels, 6 June 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 172, 21. 6. 1989, p. 1.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

ANNEX I

LOTS A, B and C

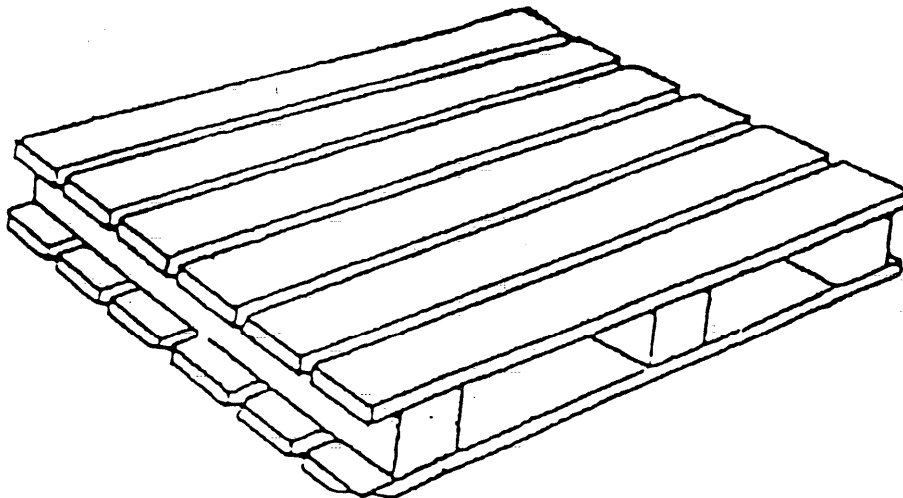
1. **Operation Nos** ⁽¹⁾: see Annex II — Commission Decision of 20. 12. 1989
2. **Programme**: 1989
3. **Recipient**: World Food Programme, Via Cristoforo Colombo 426, I-00145 Roma; telex 626675 I WFP
4. **Representative of the recipient** ⁽²⁾: see OJ No C 103, 16. 4. 1987
5. **Place or country of destination**: see Annex II
6. **Product to be mobilized**: vitaminized skimmed milk powder
7. **Characteristics and quality of the goods** ⁽²⁾ ⁽⁶⁾ ⁽⁷⁾: see OJ No C 216, 14. 8. 1987, p. 4 (I.1.B.1 to I.1.B.3)
8. **Total quantity**: 1 356 tonnes.
9. **Number of lots**: three (A: 390 tonnes; B: 552 tonnes; C: 414 tonnes)
10. **Packaging and marking** ⁽¹⁾: 25 kg;
see OJ No C 216, 14. 8. 1987, pp. 4 and 6 (I.1.B.4 and I.1.B.4.3)
Supplementary marking on packaging: — see Annex II and OJ No C 216, 14. 8. 1987, p. 6 (I.1.B.5)
11. **Method of mobilization of product**: Community market; part A2 ⁽⁶⁾
The manufacture of skimmed milk powder, and the incorporation of vitamins, must be carried out after the award of the tender
12. **Stage of supply**: free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 15-30. 7. 1990
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for the submission of tenders** ⁽⁴⁾: 12 noon on 25. 6. 1990
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon on 9. 7. 1990
 - (b) period for making the goods available at the port of shipment: from 1-15. 8. 1990;
 - (c) deadline for the supply: —
22. **Amount of tendering security**: ECU 20 per tonne
23. **Amount of delivery security**: 10 % of the tender in ecus
24. **Address for submission of tenders**: Bureau de l'aide alimentaire, Attention Mr N. Arend, Bâtiment Loi 120, bureau 7/58, 200 rue de la Loi, B-1049 Bruxelles; telex AGREC 22037 B or 25670 B
25. **Refund payable on application by the successful tenderer** ⁽⁵⁾: refund applicable on 11. 5. 1990, fixed by Commission Regulation (EEC) No 1220/90 (OJ No L 120, 10. 5. 1990, p. 31)

LOT D

1. **Operation No** (1): 201/90 — Commission Decision of 20. 4. 1990
2. **Programme**: 1989
3. **Recipient**: UNHCR, Case Postale 2500, CH-1211 Genève 2 Dépôt; tel. 739 84 80, telex 412404 UNHCR CH
4. **Representative of the recipient** (2): The Representative UNHCR Branch Office in Zimbabwe, PO Box 4565, 4 Deary Avenue, Belgravia, Harare, Zimbabwe; telex 26073 UNHCR ZW, tel. (00263) 4 / 79 32 74 / 79 32 75
5. **Place or country of destination**: Zimbabwe
6. **Product to be mobilized**: skimmed-milk powder
7. **Characteristics and quality of the goods** (3) (6) (7): see OJ No C 216, 14. 8. 1987, p. 3 (I.1.A.1 to I.1.A.2)
8. **Total quantity**: 70 tonnes
9. **Number of lots**: one
10. **Packaging and marking** (9) (10): 25 kg; see OJ No C 216, 14. 8. 1987, p. 3 (I.1.A.3)
Supplementary markings on packaging:
'ACTION No 201/90 / SKIMMED-MILK POWDER / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY / UNHCR PROGRAMME FOR REFUGEES IN ZIMBABWE'
and OJ No C 216, 14. 8. 1987, p. 3 (I.1.A.4)
11. **Method of mobilization**: Community market
The manufacture of the skimmed-milk powder must be carried out after the award of the tender
12. **Stage of supply**: free at destination — Harare
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: Ministry of Social Welfare, Transit Warehouse, Cheviot Road, Water Falls, Harare
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 1 — 10. 7. 1990
18. **Deadline for the supply**: 19. 8. 1990
19. **Procedure for determining the costs of supply**: invitation to tender
20. **In the case of a second invitation to tender, date of expiry of the period allowed for submission of tenders** (4): 12 noon on 25. 6. 1990
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon on 9. 7. 1990
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 14 — 24. 7. 1990
 - (c) deadline for the supply: 2. 9. 1990
22. **Amount of the tendering security**: ECU 20 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders**: Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, Bâtiment Loi 120, bureau 7/58, 200 rue de la Loi, B-1049 Bruxelles; telex AGREC 22037 B or 25670 B
25. **Refund payable on request by the successful tenderer** (5): refund applicable on 11. 5. 1990 fixed by Commission Regulation (EEC) No 1220/90 (OJ No L 120, 10. 5. 1990, p. 31)

Notes:

- (1) The operation number is to be quoted in all correspondence.
- (2) At the request of the beneficiary the successful tenderer shall deliver a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.
- (3) Commission delegate to be contacted by the successful tenderer : see list published in OJ No C 227, 7. 9. 1985, p. 4.
- (4) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of this Annex, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably :
 — either by porter at the office referred to in point 24 of this Annex,
 — or by telecopier on one of the following numbers in Brussels :
 — 235 01 32
 — 236 10 97
 — 235 01 30
 — 236 20 05
- (5) Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56), as last amended by Regulation (EEC) No 2226/89 (OJ No L 214, 24. 7. 1989, p. 10), is applicable as regards the export refund and, where appropriate, the monetary and accession compensatory amounts, the representative rate and the monetary coefficient. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 25 of this Annex.
- (6) The successful tenderer shall give the beneficiaries' representative a health certificate at the time of delivery.
- (7) The successful tenderer shall give the beneficiaries' representative a certificate of origin at the time of delivery.
- (8) Analysis certificate issued by the authorities of the country of origin stating that the product is suitable for human consumption ; consular invoice ; bill of lading and shipping documents to be endorsed by the consulate of Paraguay.
- (9) Shipment to take place in 20-foot containers ; conditions FCL/LCL shippers-count-load and stowage (cls).
- (10) Manufacturing and expiry dates must be printed on each individual sack.
 The expiry date appearing on the packages must be 12 months after the date of manufacture.
- (11) Palletization of skimmed-milk powder :
 25 kg bags to be supplied on a two-way double deck non-reversible pallet with protruding slats, as per design, of the following dimensions :
 1 m × 1,2 m (approximately one-third of the underside of the pallet to consist of wood) :
 — upper board 22 mm thick
 — bottom board 22 mm thick
 — blocks 95 × 95 mm
- 40 bags to be placed into the pallets, interlocked and shrink-wrapped with a plastic sheet of 150µv thickness, with three external nylon straps in each direction to secure the unit-load.



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

Designación de la partida Parti Bezeichnung der Partie Χαρακτηρισμός της παρτίδας Lot Désignation de la partie Designazione della partita Aanduiding van de partij Designação da parte	Cantidad total de la partida (en toneladas) Totalmængde (i tons) Gesamtmenge der Partie (in Tonnen) Συνολική ποσότητα της παρτίδας (σε τόνους) Total quantity (in tonnes) Quantité totale de la partie (en tonnes) Quantità totale della partita (in tonnellate) Totale hoeveelheid van de partij (in ton) Quantidade total (em toneladas)	Cantidades parciales (en toneladas) Delmængde (i tons) Teilmengen (in Tonnen) Μερικές ποσότητες (σε τόνους) Partial quantities (in tonnes) Quantités partielles (en tonnes) Quantitativi parziali (in tonnellate) Deelhoeveelheden (in ton) Quantidades parciais (em toneladas)	Beneficiario Modtager Empfänger Δικαιούχος Beneficiary Bénéficiaire Beneficiario Begunstigde Beneficiário	País destinatario Modtagerland Bestimmungsland Χώρα προορισμού Recipient country Pays destinataire Paese destinatario Bestemmingsland País destinatário	Acción nº Aktion nr. Maßnahmen Nr. Δράση αριθ. Operation No Action nº Azione n. Maatregel. nr. Acção nº	Inscripción en el embalaje Emballagens påtegning Aufschrift auf der Verpackung Ένδειξη επί της συσκευασίας Markings on the packaging Inscription sur l'emballage Iscrizione sull'imballaggio Aanduiding op de verpakking Inscrição na embalagem
A	390	A1 : 40	WFP	Yemen	222	Action No 222/90 / Yemen / 026940 / Vit. DSM / Action of the World Food Programme / Hodeidah
		A2 : 350		Paraguay	223	Acción nº 223/90 / Paraguay / 0237602 / Leche desnatada en polvo / Despachado por el Programa Mundial de Alimentos / Asunción
B	552	B1 : 412		Bolivia	225	Acción nº 225/90 / Bolivia / 0273501 / Leche desnatada en polvo / Despachado por el Programa Mundial de Alimentos / Arica en tránsito hacia Cochabamba / Bolivia
		B2 : 30			226	Acción nº 226/90 / Bolivia / 0273501 / Leche desnatada en polvo / Despachado por el Programa Mundial de Alimentos / Arica en tránsito hacia La Paz / Bolivia
		B3 : 50			227	Acción nº 227/90 / Bolivia / 0273501 / Leche desnatada en polvo / Despachado por el Programa Mundial de Alimentos / Arica en tránsito hacia Potosí / Bolivia
		B4 : 30			228	Acción nº 228/90 / Bolivia / 0273501 / Leche desnatada en polvo / Despachado por el Programa Mundial de Alimentos / Arica en tránsito hacia Oruro / Bolivia
		B5 : 30			230	Acción nº 230/90 / Bolivia / 027950 / Leche desnatada en polvo / Despachado por el Programa Mundial de Alimentos / Arica en tránsito hacia Cochabamba / Bolivia

Designación de la partida Parti Bezeichnung der Partie Χαρακτηρισμός της παρτίδας Lot Désignation de la partie Designazione della partita Aanduiding van de partij Designação da parte	Cantidad total de la partida (en toneladas) Totalmængde (i tons) Gesamtmenge der Partie (in Tonnen) Συνολική ποσότητα της παρτίδας (σε τόνους) Total quantity (in tonnes) Quantité totale de la partie (en tonnes) Quantità totale della partita (in tonnellate) Totale hoeveelheid van de partij (in ton) Quantidade total (em toneladas)	Cantidades parciales (en toneladas) Delmængde (i tons) Teilmengen (in Tonnen) Μερικές ποσότητες (σε τόνους) Partial quantities (in tonnes) Quantités partielles (en tonnes) Quantitativi parziali (in tonnellate) Deelhoeveelheden (in ton) Quantidades parciais (em toneladas)	Beneficiario Modtager Empfänger Δικαιούχος Beneficiary Bénéficiaire Beneficiario Begunstigde Beneficiário	País destinatario Modtagerland Bestimmungsland Χώρα προορισμού Recipient country Pays destinataire Paese destinatario Bestemmingsland País destinatário	Acción nº Aktion nr. Maßnahmen Nr. Δράση αριθ. Operation No Action nº Azione n. Maatregel nr. Acção nº	Inscripción en el embalaje Emballagens påtegning Aufschrift auf der Verpackung Ένδειξη επί της συσκευασίας Markings on the packaging Inscription sur l'emballage Iscrizione sull'imballaggio Aanduiding op de verpakking Inscrição na embalagem
C	414	C1 : 150		Ecuador	224	Acción nº 224/90 / Ecuador / 0309600 / Leche desnatada en polvo / Despachado por el Programa Mundial de Alimentos / Guayaquil
		C2 : 264			229	Acción nº 229/90 / Ecuador / 0277000 / Leche desnatada en polvo / Despachado por el Programa Mundial de Alimentos / Guayaquil

COMMISSION REGULATION (EEC) No 1539/90
of 7 June 1990
amending Regulation (EEC) No 1813/84 laying down detailed rules applying the
differential amounts for colza, rape and sunflower seed

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 2902/89⁽²⁾,

Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza, rape and sunflower seed⁽³⁾, as last amended by Regulation (EEC) No 2216/88⁽⁴⁾, and in particular Article 7 thereof,

Whereas Article 1 (1) (b) of Council Regulation (EEC) No 1594/83 of 14 June 1983 on the subsidy for oil seeds⁽⁵⁾, as last amended by Regulation (EEC) No 1321/90⁽⁶⁾, lays down that the subsidy referred to in Article 27 of Regulation No 136/66/EEC is also granted for sunflower seed processed in the Community for incorporation into animal feedingstuffs; whereas Commission Regulation (EEC) No 1813/84⁽⁷⁾, as last amended by Regulation (EEC) No 431/89⁽⁸⁾, should therefore be adjusted;

Whereas Commission Regulation (EEC) No 2823/87 of 18 September 1987 on the documents to be used for the purpose of implementing Community measures entailing verification of the use and/or destination of goods⁽⁹⁾ repeals Commission Regulation (EEC) No 223/77⁽¹⁰⁾ as regards the control copy T 5; whereas references in Regulation (EEC) No 1813/84 to Regulation (EEC) No 223/77 should therefore be replaced by references to Regulation (EEC) No 2823/87;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1813/84 is hereby amended as follows:

⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.
⁽²⁾ OJ No L 280, 29. 9. 1989, p. 2.
⁽³⁾ OJ No L 167, 25. 7. 1972, p. 9.
⁽⁴⁾ OJ No L 197, 26. 7. 1988, p. 10.
⁽⁵⁾ OJ No L 163, 22. 6. 1983, p. 44.
⁽⁶⁾ OJ No L 132, 23. 5. 1990, p. 15.
⁽⁷⁾ OJ No L 170, 29. 6. 1984, p. 41.
⁽⁸⁾ OJ No L 50, 22. 2. 1989, p. 7.
⁽⁹⁾ OJ No L 270, 23. 9. 1987, p. 1.
⁽¹⁰⁾ OJ No L 38, 9. 2. 1977, p. 20.

1. Article 9 is replaced by the following:

Article 9

For the purposes of the granting of the final subsidies or refunds, the authority which verified the destination of seed which was the subject of intra-Community trade shall send a recto verso copy or photocopy of the T 5 form referred to in Article 1 of Commission Regulation (EEC) No 2823/87^(*) to the agency responsible for levying or granting these amounts.

^(*) OJ No L 270, 23. 9. 1987, p. 1.

2. Article 10 is replaced by the following:

Article 10

1. Where seed harvested in the Community, other than seed:

- recognized by the law of the Member State of origin as being seed for sowing, or
- subject to denaturing according to Community rules,

is traded between Member States, there shall be drawn up in the Member State where the seed was harvested, after the seed has been weighed, a control copy T 5, issued and utilized in accordance with Regulation (EEC) No 2823/87 and this Article.

2. The following sections of the control copy shall be completed:

(a) box 103;

(b) box 104: by putting an X next to "other" and inserting one of the following:

- Destinado a ser transformado para la producción de aceite o para su incorporación a los alimentos para animales, o a ser puesto en condiciones de no poder beneficiarse de la ayuda a que se refiere el artículo 30 del Reglamento (CEE) nº 2681/83

- Bestemt til forarbejdning med henblik på fremstilling af olie eller med henblik på disses iblandning i foderstoffer, eller bestemt til at behandles således, at der ikke kan opnås støtte efter artikel 30 i forordning (EØF) nr. 2681/83

- Dazu bestimmt, entweder zur Gewinnung von Öl verarbeitet oder Futtermitteln beigemischt zu werden, oder in den Zustand versetzt zu werden, daß die Beihilfe im Sinne von Artikel 30 der Verordnung (EWG) Nr. 2681/83 nicht mehr beansprucht werden kann
- Προκειμένου να μεταποιηθεί για την παραγωγή ελαίου ή, για την ενσωμάτωσή τους σε ζωοτροφές, να τεθεί σε κατάσταση που δεν επιτρέπει να επωφελείται από την ενίσχυση κατά την έννοια του άρθρου 30 του κανονισμού (ΕΟΚ) αριθ. 2681/83
- Intended either to be processed for the production of oil or for incorporation into animal feedingstuffs; or to be rendered ineligible for subsidy within the meaning of Article 30 of Regulation (EEC) No 2681/83
- Destiné soit à être transformé en vue de la production d'huile ou en vue de leur incorporation dans les aliments pour animaux, soit à être mis en condition de ne pas pouvoir bénéficier de l'aide au sens de l'article 30 du règlement (CEE) n° 2681/83
- Destinato ad essere trasformato per la produzione di olio o per l'incorporazione negli alimenti per animali oppure destinato ad essere messo in condizione di non poter beneficiare dell'integrazione ai sensi dell'articolo 30 del regolamento (CEE) n° 2681/83
- Bestemd ofwel om met het oog op de olieproductie of met het oog op de bijmenging in diervoeder te worden verwerkt ofwel om in een zodanige staat te worden gebracht dat zij niet meer voor de steun in aanmerking komen in de zin van artikel 30 van Verordening (EEG) nr. 2681/83
- Destinado a ser transformado para produção de azeite ou, com vista à sua incorporação em

alimentos para animais, ou a ser colocado em condições de não poder beneficiar da ajuda nos termos do artigo 30º do Regulamento (CEE) nº 2681/83

(c) box 106: by inserting one of the following:

- Semillas cosechadas en ...
- Frø høstet i ...
- Ölsaaten geerntet in ...
- Σπόροι συγκομισθέντες εις ...
- Seed harvested in ...
- Graines récoltées en ...
- Semi raccolti in ...
- Zaden geoogst in ...
- Sementes produzidas em ...

(d) box 107: by referring to Regulation (EEC) No 1813/84.

In addition to an indication that the products received the destination stated on the front, box J on the back of the original of the T 5 control copy must also mention, under "Remarks", the net weight of the inspected product.'

3. In Article 11 (1) and the second sentence of Article 12, 'control copy referred to in Article 10 of Regulation (EEC) No 223/77' is replaced by 'control copy T 5 referred to in Article 1 of Regulation (EEC) No 2823/87'.
4. In Article 14 'section' is replaced by 'box'.

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, 7 June 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 1540/90
of 7 June 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 ⁽¹⁾, as last amended by Regulation (EEC) No 1069/89 ⁽²⁾, and in particular Article 16 (8) thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 1920/89 ⁽³⁾, as last amended by Regulation (EEC) No 1529/90 ⁽⁴⁾;

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 8 June 1990.

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

Done at Brussels, 7 June 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 114, 27. 4. 1989, p. 1.

⁽³⁾ OJ No L 187, 1. 7. 1989, p. 13.

⁽⁴⁾ OJ No L 144, 7. 6. 1990, p. 21.

ANNEX

to the Commission Regulation of 7 June 1990 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	31,98 ⁽¹⁾
1701 11 90	31,98 ⁽¹⁾
1701 12 10	31,98 ⁽¹⁾
1701 12 90	31,98 ⁽¹⁾
1701 91 00	35,04
1701 99 10	35,04
1701 99 90	35,04 ⁽²⁾

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

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

COMMISSION REGULATION (EEC) No 1541/90
of 7 June 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 ⁽¹⁾, as last amended by Regulation (EEC) No 2902/89 ⁽²⁾, and in particular Article 27 ⁽⁴⁾ thereof,

Having regard to Council Regulation (EEC) No 1678/85 of 11 June 1985 fixing the conversion rates to be applied in agriculture ⁽³⁾, as last amended by Regulation (EEC) No 1179/90 ⁽⁴⁾,

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

Having regard to the opinion of the Monetary Committee,

Whereas the amount of the subsidy referred to in Article 27 of Regulation No 136/66/EEC was fixed by Commission Regulation (EEC) No 1475/90 ⁽⁷⁾;

Whereas the abatement of the subsidy which arises, where appropriate, from the system of maximum guaranteed quantities for the 1990/91 marketing year, has not yet been fixed; whereas the amount of the subsidy for the 1990/91 marketing year has been calculated provisionally on the basis of the abatement for the 1989/90 marketing year;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1475/90 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 ⁽⁸⁾ 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 ⁽⁹⁾ 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 ⁽¹⁰⁾ 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, rape and sunflower will be confirmed or replaced as from 8 June 1990 to take into account the application of the system of maximum guaranteed quantities for colza and rape seed for the 1990/91 marketing year.

Article 2

This Regulation shall enter into force on 8 June 1990.

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

Done at Brussels, 7 June 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

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

⁽²⁾ OJ No L 280, 29. 9. 1989, p. 2.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁴⁾ OJ No L 119, 11. 5. 1990, p. 1.

⁽⁵⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁶⁾ OJ No L 197, 26. 7. 1988, p. 10.

⁽⁷⁾ OJ No L 140, 1. 6. 1990, p. 56.

⁽⁸⁾ OJ No L 266, 28. 9. 1983, p. 1.

⁽⁹⁾ OJ No L 53, 1. 3. 1986, p. 47.

⁽¹⁰⁾ 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 6	1st period 7 (1)	2nd period 8 (1)	3rd period 9 (1)	4th period 10 (1)	5th period 11 (1)
1. Gross aids (ECU):						
— Spain	1,170	1,750	1,750	1,750	1,750	1,750
— Portugal	0,000	0,000	0,000	0,000	0,000	0,000
— Other Member States	28,542	23,494	23,444	23,722	23,402	23,236
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	67,61	55,00	54,89	55,56	54,81	54,58
— Netherlands (Fl)	75,29	61,97	61,84	62,59	61,74	61,49
— BLEU (Bfrs/Lfrs)	1 378,21	1 134,45	1 132,04	1 145,46	1 130,01	1 122,00
— France (FF)	218,00	184,47	184,08	186,26	183,75	182,45
— Denmark (Dkr)	254,88	209,80	209,36	211,84	208,98	207,50
— Ireland (£ Irl)	24,264	20,531	20,488	20,731	20,451	20,298
— United Kingdom (£)	18,734	17,623	17,550	17,741	17,474	17,207
— Italy (Lit)	47 948	41 154	41 066	41 553	40 993	40 684
— Greece (Dr)	5 050,65	4 890,01	4 841,06	4 865,69	4 789,59	4 645,55
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	178,89	267,57	267,57	267,57	267,57	267,57
— in another Member State (Pta)	4 117,10	3 470,06	3 459,35	3 492,80	3 446,03	3 402,54
(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)	5 903,28	5 150,62	5 128,64	5 171,90	5 105,10	5 023,73

(1) Subject to the abatement resulting from the system of maximum guaranteed quantities for the 1990/91 marketing year.

ANNEX II

Aids to colza and rape seed 'double zero'

(amounts per 100 kg)

	Current 6	1st period 7 (1)	2nd period 8 (1)	3rd period 9 (1)	4th period 10 (1)	5th period 11 (1)
1. Gross aids (ECU):						
— Spain	3,670	4,250	4,250	4,250	4,250	4,250
— Portugal	2,500	2,500	2,500	2,500	2,500	2,500
— Other Member States	31,042	25,994	25,944	26,222	25,902	25,736
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	73,51	60,86	60,74	61,41	60,66	60,43
— Netherlands (Fl)	81,88	68,57	68,44	69,18	68,34	68,08
— BLEU (Bfrs/Lfrs)	1 498,92	1 255,17	1 252,76	1 266,18	1 250,73	1 242,71
— France (FF)	237,25	204,10	203,71	205,89	203,38	202,07
— Denmark (Dkr)	277,21	232,13	231,68	234,16	231,31	229,82
— Ireland (£ Irl)	26,405	22,716	22,672	22,915	22,636	22,483
— United Kingdom (£)	20,495	19,572	19,499	19,690	19,423	19,156
— Italy (Lit)	52 198	45 533	45 445	45 932	45 372	45 063
— Greece (Dr)	5 530,59	5 433,37	5 384,42	5 409,05	5 332,94	5 188,91
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	561,13	649,81	649,81	649,81	649,81	649,81
— in another Member State (Pta)	4 499,34	3 852,30	3 841,59	3 875,04	3 828,27	3 784,78
(c) Seed harvested in Portugal and processed:						
— in Portugal (Esc)	499,40	517,26	517,26	517,26	517,26	517,26
— in another Member State (Esc)	6 402,68	5 667,87	5 645,90	5 689,15	5 622,35	5 540,99

(1) Subject to the abatement resulting from the system of maximum guaranteed quantities for the 1990/91 marketing year.

ANNEX III

Aids to sunflower seed

(amounts per 100 kg)

	Current 6	1st period 7	2nd period 8 (1)	3rd period 9 (1)	4th period 10 (1)
1. Gross aids (ECU):					
— Spain	6,890	6,890	8,600	8,600	8,600
— Portugal	0,000	0,000	0,000	0,000	0,000
— Other Member States	37,072	36,789	30,611	30,942	31,156
2. Final aids:					
(a) Seed harvested and processed in (2):					
— Federal Republic of Germany (DM)	87,78	87,12	71,66	72,46	72,96
— Netherlands (Fl)	97,79	97,04	80,75	81,64	82,20
— BLEU (Bfrs/Lfrs)	1 790,09	1 776,43	1 478,11	1 494,09	1 504,43
— France (FF)	283,44	281,22	240,35	242,95	244,63
— Denmark (Dkr)	331,06	328,53	273,36	276,31	278,23
— Ireland (£ Irl)	31,546	31,299	26,751	27,040	27,227
— United Kingdom (£)	24,560	24,326	23,012	23,239	23,417
— Italy (Lit)	62 373	61 877	53 620	54 200	54 575
— Greece (Dr)	6 631,20	6 545,73	6 354,74	6 384,79	6 435,69
(b) Seed harvested in Spain and processed:					
— in Spain (Pta)	1 053,45	1 053,45	1 314,91	1 314,91	1 314,91
— in another Member State (Pta)	4 736,49	4 695,33	4 052,00	4 091,75	4 123,03
(c) Seed harvested in Portugal and processed:					
— in Portugal (Esc)	0,00	0,00	0,00	0,00	0,00
— in Spain (Esc)	8 217,83	8 157,97	7 222,75	7 275,94	7 321,61
— in another Member State (Esc)	8 038,21	7 979,66	7 064,89	7 116,91	7 161,59
3. Compensatory aids:					
— in Spain (Pta)	4 712,74	4 670,76	4 025,80	4 065,54	4 096,00
4. Special aid:					
— in Portugal (Esc)	8 038,21	7 979,66	7 064,89	7 116,91	7 161,59

(1) Subject to the abatement resulting from the system of maximum guaranteed quantities for the 1990/91 marketing year.

(2) 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 6	1st period 7	2nd period 8	3rd period 9	4th period 10	5th period 11
DM	2,054310	2,050320	2,046510	2,042870	2,042870	2,033550
Fl	2,312400	2,308140	2,304070	2,300000	2,300000	2,289370
Bfrs/Lfrs	42,256400	42,236600	42,212200	42,187100	42,187100	42,074600
FF	6,926700	6,923670	6,920320	6,918320	6,918320	6,910450
Dkr	7,824270	7,825450	7,825790	7,825780	7,825780	7,822040
£Irl	0,766916	0,767017	0,767634	0,768002	0,768002	0,771194
£	0,721426	0,724260	0,727034	0,729674	0,729674	0,736919
Lit	1 510,59	1 512,19	1 513,84	1 514,99	1 514,99	1 519,19
Dr	201,46300	204,12000	206,51700	209,18100	209,18100	215,38300
Esc	180,57800	181,27000	182,19300	183,09800	183,09800	185,84400
Pta	127,29500	127,71700	128,12700	128,53600	128,53600	129,68700

COMMISSION REGULATION (EEC) No 1542/90

of 7 June 1990

introducing a corrective amount on the import of apricots into the Community of Ten from Spain (except the Canary Islands)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 3709/89 of 4 December 1989 laying down general rules for implementing the Act of Accession of Spain and Portugal as regards the compensatory mechanism for imports of fruit and vegetables from Spain ⁽¹⁾, and in particular Article 4 (2) thereof,

Whereas Article 152 of the Act of Accession introduces from 1 January 1990 a compensatory mechanism for imports into the Community as constituted on 31 December 1985, hereinafter called 'the Community of Ten', of fruit and vegetables from Spain (except the Canary Islands) for which a reference price is fixed with regard to third countries;

Whereas Regulation (EEC) No 3709/89 lays down general rules for applying the said compensatory mechanism;

Whereas Commission Regulation (EEC) No 918/90 ⁽²⁾ fixed, for the 1990 marketing year, the Community offer price for apricots applicable with regard to Spain (except Canary Islands);Whereas the offer price fixed by the Commission is to be reduced in accordance with Article 2 of Commission Regulation (EEC) No 784/90 of 29 March 1990 fixing the reducing coefficient for agricultural prices in the 1990/91 marketing year as a result of the monetary realignment of 5 January 1990 and amending the prices and amounts fixed in ecus for that marketing year ⁽³⁾;Whereas Commission Regulation (EEC) No 3815/89 ⁽⁴⁾ lays down detailed rules for applying the compensatory

mechanism on imports of fruit and vegetables from Spain (except the Canary Islands);

Whereas, in the case of apricots, the offer price for the Spanish product as calculated in accordance with the provisions of Council Regulation (EEC) No 3709/89 has remained for two consecutive market days at a level at least ECU 0,6 below the Community offer price; whereas a corrective amount equal to the difference between the Community offer price and the Spanish offer price must therefore be introduced for these products from Spain (except the Canary Islands);

Whereas if the system is to operate normally the offer price of the Spanish product should be calculated on the following basis:

- in the case of currencies the spot market rates for which are maintained in relationship to each other 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 subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽⁵⁾, as last amended by Regulation (EEC) No 1636/87 ⁽⁶⁾,
- in the case of other currencies, an exchange rate based on the arithmetic mean of the spot market rate for 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

On import into the Community of Ten of apricots (CN code 0809 10 00) from Spain (except the Canary Islands) a corrective amount of ECU 47,26 per 100 kilograms net shall be levied.

Article 2

This Regulation shall enter into force on 9 June 1990.

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

Done at Brussels, 7 June 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 363, 13. 12. 1989, p. 3.⁽²⁾ OJ No L 94, 11. 4. 1990, p. 11.⁽³⁾ OJ No L 83, 30. 3. 1990, p. 102.⁽⁴⁾ OJ No L 371, 20. 12. 1989, p. 28.⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.⁽⁶⁾ OJ No L 153, 13. 6. 1987, p. 1.

COMMISSION REGULATION (EEC) No 1543/90
of 7 June 1990
amending Regulation (EEC) No 1433/90 introducing a countervailing charge on
tomatoes originating in Portugal

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

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

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1193/90⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 1433/90⁽³⁾, introduced a countervailing charge on tomatoes originating in Portugal;

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

Whereas, pursuant to Article 272 (1) of the Act of Accession of Spain and Portugal⁽⁴⁾, the arrangements applicable to trade between, on the one hand, a new Member State and, on the other, the Community as constituted at 31 December 1985 must be those which were applicable before accession;

Whereas Article 316 provides for a 8 % reduction in the countervailing charges applicable under Regulation (EEC) No 1035/72 during the fifth year after accession,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 1433/90, '7,79 ECU' is hereby replaced by 'ECU 2,46'.

Article 2

This Regulation shall enter into force on 8 June 1990.

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

Done at Brussels, 7 June 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 119, 11. 5. 1990, p. 43.

⁽³⁾ OJ No L 137, 30. 5. 1990, p. 29.

⁽⁴⁾ OJ No L 302, 15. 11. 1985, p. 23.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 10 May 1990

laying down the criteria for approval of breeders' organizations and associations which establish or maintain flock-books for pure-bred breeding sheep and goats

(90/254/EEC)

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

Having regard to Council Directive 89/361/EEC of 30 May 1989 concerning pure-bred breeding sheep and goats⁽¹⁾, and in particular the first indent of Article 4 thereof,

Whereas in all Member States flock-books are maintained or established by breeders' organizations, associations or official services; whereas it is therefore necessary to lay down the criteria for the approval of breeders' organizations and associations;

Whereas breeders' organizations or associations must apply for official approval to the competent authorities of the Member State in whose territory their headquarters are situated;

Whereas, where breeders' organizations or associations meet certain criteria and have defined targets, they must be officially approved by the authorities of the Member State to which they have applied;

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

HAS ADOPTED THIS DECISION:

Article 1

In order to be officially approved, breeders' organizations and associations which maintain or establish flock-books must submit an application to the authorities of the Member State in whose territory their headquarters are situated.

Article 2

1. The authorities of the Member State concerned must grant official approval to any breeders' organizations or associations which maintain or establish flock-books if the latter meet the conditions laid down in the Annex.

2. However, in a Member State in which in respect of a given breed one or more officially approved breeders' organizations or associations already exist, the authorities of the Member State concerned may refuse to recognize a new breeders' organization or association if it endangers the preservation of the breed or jeopardizes the zootechnical programme of the existing association or organization. In this case, the Member State shall inform the Commission of approvals granted and refusals to give recognition.

Article 3

The authorities of the Member State concerned shall withdraw official approval from any breeders' organization or association which maintains flock-books if the conditions laid down in the Annex are no longer fulfilled in a consistent manner by the breeders' organization or association concerned.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 10 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 153, 6. 6. 1989, p. 30.

ANNEX

In order to be officially approved, breeders' organizations and associations which maintain or establish a flock-book must:

1. have legal personality in accordance with the legislation in force in the Member State where the application is made;
 2. prove to the competent authorities:
 - (a) that they operate efficiently;
 - (b) that they can carry out the checks necessary for recording pedigrees;
 - (c) that they have a sufficiently large flock to carry out a breed improvement programme, or that they have a sufficiently large herd to preserve the breed where this is considered necessary;
 - (d) that they can make use of the livestock performance data necessary for carrying out their breed improvement or preservation programme;
 3. have a set of rules covering:
 - (a) the definition of the breed's (or breeds') characteristics;
 - (b) the system for identifying animals;
 - (c) the system for recording pedigrees;
 - (d) the definition of their breeding objectives;
 - (e) the systems for making use of livestock performance data, enabling the genetic value of the animals to be assessed;
 - (f) the division of the flock-book, if there are different conditions for entering animals or if there are different procedures for classifying the animals entered in the book;
 4. have articles of association, laying down, in particular, the principle of non-discrimination between members.
-

COMMISSION DECISION

of 10 May 1990

laying down the criteria governing entry in flock-books for pure-bred breeding sheep and goats

(90/255/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 89/361/EEC of 30 May 1989 concerning pure-bred breeding sheep and goats⁽¹⁾, and in particular the second indent of Article 4 thereof,

Whereas in all Member States flock-books are maintained or established by breeders' organizations, or associations or official services;

Whereas it is therefore necessary to lay down the criteria for the entering of pure-bred breeding sheep and goats in flock-books;

Whereas precise conditions relating to lineage and identification must be fulfilled prior to entry in the flock-books;

Whereas allowances should be made for the division of the flock-book into different classes so that certain types of animals will not be excluded;

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

HAS ADOPTED THIS DECISION:

Article 1

To qualify for entry in the main section of the book of its breed a pure-bred breeding sheep or goat must:

- be descended from parents and grandparents entered in a flock-book of that same breed,
- be identified after birth according to the rules of the book,
- have a pedigree established in accordance with the rules of the book.

Article 2

The main section of the flock-book may be divided into several classes according to the animals' characteristics. Only pure-bred breeding sheep and goats meeting the

criteria laid down in Article 1 may be entered in one of the classes.

Article 3

1. A breeders' organization or association keeping a flock-book may decide that a female which does not meet the criteria laid down in Article 1 may be entered in an annex to the flock-book. The female must meet the following requirements:

- be identified after birth in accordance with the flock-book rules,
- be judged to conform to the breed standard,
- have minimum characteristics as laid down by the flock-book rules.

2. A female whose mother and maternal grandmother are entered in the annex to the flock-book as provided for in paragraph 1 and whose father and two grandfathers are entered in the main section of the book in accordance with Article 1, is regarded as a pure-bred female and entered in the main section of the book, as provided for in Article 1.

3. The requirements mentioned in the second and third indents of paragraph 1 may be differentiated according to whether the female belongs to the breed but has no known origin or was obtained from a crossing programme approved by the breeders' organizations or associations.

Article 4

A breeder's organization or association keeping a flock-book may decide that a male which does not meet the criteria laid down in Article 1, may be entered in an annex to the flock book. The male must meet the following requirements:

- be identified after birth in accordance with the flock-book rules,
- be judged to conform to the breed standard,
- have minimum characteristics as laid down by the flock-book rules.
- fulfil the conditions laid down in the Annex hereto.

Article 5

Where a book contains several classes, a pure-bred breeding sheep or goat from another flock-book of the same breed and having specific characteristics distinguishing it

⁽¹⁾ OJ No L 153, 6. 6. 1989, p. 30.

from the population of the same breed in the flock-book of destination shall be entered in the section of the book whose characteristics it meets.

Done at Brussels, 10 May 1990.

Article 6

This Decision is addressed to the Member States.

For the Commission

Ray MAC SHARRY

Member of the Commission

*ANNEX***Conditions provided for in the fourth indent of Article 4**

The male must belong to a 'hardy' breed of sheep which is not normally intended for milk production and to one of the following breeds :

Alacarrena
Appenninica
Bergamasca
Biellese
Blackface
Campanica
Cheviot
Churra Algarvia
Churra de Terra Quente
Dalesbred
Dartmoor
Derbyshire Gritstone
Exmoor Horn
Eppynt Hill and Beulah Speckled Face
Galega Bragancana
Gallega
Gentile di Puglia
Gotland
Hardwick
Lonk
Merina
Merino Beira Baixa
Merino Branco
Montesina
North Country Cheviot
Ojalada
Resa Aragonesa
Ripollesa
Ronaldsay
Rough Fell
Segurena
Shetland
Soay
Sopravissana
St Kilda
Swaledale
Talaverana
Welsh Mountain

COMMISSION DECISION

of 10 May 1990

laying down methods for monitoring performance and assessing the genetic value of pure-bred breeding sheep and goats

(90/256/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 89/361/EEC of 30 May 1989 concerning pure-bred breeding sheep and goats⁽¹⁾, and in particular the third indent of Article 4 thereof,

Whereas the methods for monitoring the performance and assessing the genetic value of pure-bred breeding sheep and goats already applied in the Member States are broadly similar;

Whereas it is therefore necessary to align the detailed rules on these methods more closely so that the results are comparable;

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

HAS ADOPTED THIS DECISION:

Article 1

The performance monitoring methods and the methods for assessing the genetic value of pure-bred breeding sheep and goats shall be as laid down in the Annex hereto.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 10 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 153, 6. 6. 1989, p. 30.

ANNEX

The genetic merit of pure-bred breeding sheep and goats may be calculated using one or a combination of the following methods. All the data accruing from the test results must be accessible to the competent authority. The final results must be accessible.

I. Performance testing

1. *Performance testing on a station*

- (a) The name of the body or of the authority responsible for the station and the name of the authority responsible for the calculation and publication of the results are to be given.
- (b) The design of the test is to be stated.
- (c) The following items are to be clearly stated :
 - conditions for acceptance into the station and in particular maximum age or weight of young breeding animals at the start of the test and number of animals,
 - length of the test period in the station or final weight,
 - type of diet and system of feeding.
- (d) The traits recorded (for example live weight, feed conversion, estimator of the body composition, milk production, milk composition, quality of the wool production or any other relevant data) shall be stated.
- (e) The method used for estimating genetic merit must be scientifically acceptable according to established zootechnical principles. The genetic merit of tested breeding animal must be stated as a breeding value or contemporary comparison for each trait.

2. *Performance testing on a farm*

A performance test may be carried out on a farm providing that at the end of the test the genetic merit can be calculated following established zootechnical principles.

II. Milk recording and assessment of the genetic merit of females for milk traits

1. The name of the body or of the authority responsible for the testing and the name of the authority responsible for the calculation and publication of the results are to be given.
2. The design of the test is to be stated.
3. The traits recorded in conformity with the norms laid down by the International Committee for recording productivity of milk animals (for example milk production, milk composition or any other relevant data) shall be stated.
4. Milk records used in the determination of the genetic merit of females must :
 - relate to a period of time which conforms to the norm laid down by the International Committee for recording productivity of milk animals ;
 - be adjusted for any important environmental influences.
5. The method used for estimating genetic merit must be scientifically acceptable according to established zootechnical principles. The genetic merit of tested breeding animal must be stated as a breeding value or contemporary comparison for each trait.

III. Progeny and/or collaterals testing

1. The name of the body or of the authority responsible for the testing and the name of the authority responsible for the calculation and publication of the results are to be given.
2. The genetic merit of the breeding animal is to be calculated by assessing the qualities of a suitable number of progeny and, where appropriate, collaterals in relation to :
 - (a) meat production or breeding characteristics :
 - a detailed description of the test method must be given or quoted,
 - the progeny and/or the collaterals may not be selectively treated,
 - three types of progeny and/or collaterals tests are to be recognized :

- (i) central testing in progeny and/or collaterals testing station ;
 - (ii) planned progeny and/or collateral testing on a far. The progeny and/or the collaterals should be distributed amongst herds in such a way that a valid comparison between breeding animals is possible ;
 - (iii) data collected on identified progeny and/or collateral carcasses ;
- (b) dairy characteristics :
- the design of the test is to be stated,
 - the females may not be selectively treated,
 - the milk production and milk composition shall be included when calculating genetic merit.
3. The progeny and/or collaterals must be chosen in an unbiased manner. All relevant data must be used in assessing the genetic merit of the breeding animals. Influences other than genetic characteristics must be eliminated by appropriate procedures in the determination of the breeding value.
4. The traits recorded (for example live weight gain, feed conversion, carcass quality, milk production, milk composition, quality of wool production, reproduction characteristics, fertility, prolificity, viability of the progeny and/or collaterals or any other relevant data) must be stated.
5. The method used for estimating genetic merit must be scientifically acceptable according to established zootechnical principles.
-

COMMISSION DECISION

of 10 May 1990

laying down the criteria for the acceptance for breeding purposes of pure-bred breeding sheep and goats and the use of their semen, ova or embryos

(90/257/EEC)

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

Having regard to Council Directive 89/361/EEC of 30 May 1989 concerning pure-bred breeding sheep and goats⁽¹⁾, and in particular Article 4 thereof,

Whereas Directive 89/361/EEC is intended gradually to liberalize intra-Community trade in pure-bred breeding sheep and goats; whereas, in this connection, additional harmonization with regard to the acceptance for breeding purposes of such animals and their semen, ova and embryos is necessary;

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

Whereas it should be provided that semen, ova and embryos may be handled only by officially approved staff in order to ensure the guarantees necessary for attaining the desired end;

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

HAS ADOPTED THIS DECISION:

Article 1

Without prejudice to Article 2 all pure-bred breeding sheep and goats, whether male or female, which are registered in a flock-book shall be accepted for breeding.

Article 2

1. Male pure-bred breeding sheep and goats shall be accepted for the purposes of artificial insemination and

use of their semen if they have undergone tests for monitoring their performance and assessing their genetic value pursuant to Commission Decision 90/256/EEC⁽¹⁾.

2. Male pure-bred breeding sheep and goats shall be accepted for the purposes of official testing and use of their semen, within the quantitative limits required for monitoring their performance and assessing their genetic value pursuant to Decision 90/256/EEC.

3. Female pure-bred breeding sheep and goats shall be accepted for breeding and use of their ova and embryos.

Article 3

The semen, ova and embryos must be collected, treated and stored by an officially approved centre or officially approved personnel.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 10 May 1990.

For the Commission

Ray. MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 153, 6. 6. 1989, p. 30.

⁽²⁾ See page 35 of this Official Journal.

COMMISSION DECISION

of 10 May 1990

laying down the zootechnical certificates for pure-bred breeding sheep and goats, their semen, ova and embryos

(90/258/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 89/361/EEC of 30 May 1989 concerning pure-bred breeding of sheep and goats⁽¹⁾, and in particular Article 6 thereof,

Whereas Article 6 of Directive 89/361/EEC provides that the Commission is to determine, in accordance with the procedures laid down in Article 8, the zootechnical certificate that may be required by the Member States for the marketing of pure-bred breeding sheep and goats, their semen, ova and embryos;

Whereas it is necessary to determine the data to be included in the zootechnical certificate; whereas, for practical reasons, a specimen certificate and the condi-

- issuing body,
- name of flock-book,
- entry number in flock-book,
- date of issue,
- system of identification,
- identification,
- date of birth,
- breed,
- sex,
- name and address of breeder,
- name and address of owner,
- pedigree :

Father	Grandfather	Grandmother
Flock-book No	Flock-book No	Flock-book No
Mother	Grandfather	Grandmother
Flock-book No	Flock-book No	Flock-book No

2. The results of performance tests and the updated results, with origin, of the assessment of genetic value, on the animal itself and its parents and grandparents shall be mentioned in the certificate if they have been carried out in accordance with Commission Decision 90/256/EEC⁽²⁾.

Article 2

The particulars referred to in Article 1 may be indicated :

tions in which data may be entered in documents accompanying pure-bred breeding sheep and goats, their semen, ova and embryos should be laid down;

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

HAS ADOPTED THIS DECISION:

Article 1

1. The following particulars shall be provided in the zootechnical certificate for pure-bred breeding sheep and goats :

1. in a certificate corresponding to the specimen in Annex I;
2. in documents accompanying the pure-bred breeding sheep or goats, in which case the competent authority shall certify that the particulars specified in Article 1 are contained in the documents by the following formula :

'The undersigned certifies that these documents contain the particulars mentioned in Article 1 of Commission Decision 90/258/EEC.'

⁽¹⁾ OJ No L 153, 6. 6. 1989, p. 30.

⁽²⁾ See page 35 of this Official Journal.

Article 3

The following particulars shall be mentioned in the zootechnical certificate for semen of pure-bred breeding sheep and goats :

- all the data specified in Article 1 concerning the donor ram or billygoat and, in the case of dairy breeds, his blood group or the results of a test giving equivalent scientific guarantees,
- information allowing identification of the semen, the date of its collection and the names and addresses of the semen collection centre and of the consignee.

Article 4

The particulars referred to in Article 3 may be indicated :

1. in a certificate corresponding to the specimen in Annex II ;
2. in documents accompanying the semen of the pure-bred breeding sheep or goat, in which case the competent authority shall certify that the particulars specified in Article 3 are contained in the documents by the following formula :

'The undersigned certifies that these documents contain the particulars mentioned in Article 3 of Commission Decision 90/258/EEC.'

Article 5

1. The following particulars shall be mentioned in the zootechnical certificate for ova of pure-bred breeding sheep and goats :

- all the data specified in Article 1 concerning the donor ewe and nannygoat,
- information allowing identification of the ovum, the date of its collection and the names and addresses of the ovum collection centre and of the consignee.

2. Where there is more than one ovum in a straw, this must be clearly stated and all the ova must have the same parentage.

Article 6

The particulars referred to in Article 5 may be indicated :

1. in a certificate corresponding to the specimen in Annex III ;
2. in documents accompanying the ova of the pure-bred breeding sheep or goat, in which case the competent

authority shall certify that the particulars specified in Article 5 are contained in the document, by the following formula :

'The undersigned certifies that these documents contain the particulars mentioned in Article 5 of Commission Decision 90/258/EEC.'

Article 7

1. The following particulars shall be mentioned in the zootechnical certificate for embryos of pure-bred breeding sheep and goats :

- all the data specified in Article 1 concerning the donor ewe or nannygoat, and all the data specified in the first indent of Article 3 concerning the donor ram and billygoat,
- information allowing identification of the embryos, date of insemination or fertilization, date of collection and the names and addresses of the embryo collection centre and of the consignee.

2. Where there is more than one embryo in a straw, this must be clearly stated and all the embryos must have the same parentage.

Article 8

The particulars referred to in Article 7 may be indicated :

1. in a certificate corresponding to the specimen in Annex IV ;
2. in documents accompanying the embryos of the pure-bred breeding sheep or goat, in which case the competent authority shall certify that the particulars specified in Article 7 are contained in the documents by the following formula :

'The undersigned certifies that these documents contain the particulars mentioned in Article 7 of Commission Decision 90/258/EEC.'

Article 9

This Decision is addressed to the Member States.

Done at Brussels, 10 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX I

SPECIMEN ZOOTECHNICAL CERTIFICATE

for pure-bred breeding sheep and goats

1. Issuing body:

Name of Flock-book:

Entry No in Flock-book:

System of identification (for example tag, tattoo, earmark):
.....

Identification:

Name of animal (optional):

Date of birth: Breed: Sex:

Name and address of owner:

Name and address of breeder:

Pedigree:

Father	Grandfather	Grandmother
Flock-book No	Flock-book No	Flock-book No
Mother	Grandfather	Grandmother
Flock-book No	Flock-book No	Flock-book No

2. The results of performance tests and updated results, with origin, of the assessment of genetic value, on the animal itself and its parents and grandparents (!):

.....
.....
.....
.....
.....

Done at, on

.....
(signature)

.....
(Name in capital letters and title of signatory)

(!) Obtained in conformity with Decision 90/256/EEC.

ANNEX II

SPECIMEN ZOOTECHNICAL CERTIFICATE

for intra-Community trade in the semen of rams and billygoats of pure-bred breeding sheep and goats

A. Particulars of donor ram or billygoat:

1. Issuing body:

Name of Flock-book:

Entry No in Flock-book:

System of identification (for example tag, tattoo, earmark):
.....

Identification:

Blood group or equivalent test (1):

Name of animal (optional):

Date of birth: Breed:

Name and address of owner:

Name and address of breeder:

Pedigree:

Father	Grandfather	Grandmother
Flock-book No	Flock-book No	Flock-book No
Mother	Grandfather	Grandmother
Flock-book No	Flock-book No	Flock-book No

2. The results of performance test and updated results, with origin, of the assessment of genetic value, on the animal itself and its parents and grandparents (2)

.....

Done at, on

.....
 (signature)

.....
 (Name in capital letters and title of signatory)

(1) For dairy breeds.
 (2) Obtained in conformity with Decision 90/256/EEC.

B. *Particulars on semen* :

Semen identification system (colour, number) :

Identification :

I.

Number of doses	Date(s) of collection	Identification of donor ram/billygoat	Breed

II. Origin of semen :

Name and address of semen collection centre(s) :

.....
.....

Destination of semen :

Name and address of consignee :

.....
.....

Done at, on

.....
(signature)

.....
(Name in capital letters and title of signatory)

ANNEX III

SPECIMEN ZOOTECHNICAL CERTIFICATE

for ova of pure-bred breeding sheep and goats

A. Particulars on donor ewe or nannygoats :

1. Issuing body :

Name of Flock-book :

Entry No in Flock-book :

System of identification (for example tag, tattoo, earmark) :

Identification :

Name of animal (optional) :

Date of birth : Breed :

Name and address of owner :

Name and address of breeder :

Pedigree :

Father	Grandfather	Grandmother
Flock-book No	Flock-book No	Flock-book No
Mother	Grandfather	Grandmother
Flock-book No	Flock-book No	Flock-book No

2. The results of performance test and updated results, with origin, of the assessment of genetic value, on the animal itself and its parents and grandparents (!)

.....
.....
.....
.....
.....

Done at, on

.....
(signature)

.....
(Name in capital letters and title of signatory)

(!) Obtained in conformity with Decision 90/256/EEC.

B. Particulars on ova :

Ova identification system (colour, number) :

.....

Identification :

No of ova per straw :

I.

Number of ova	Date(s) of collection	Identification of ewe or nannygoat	Breed

II. Origin of ova :

Name and address of ova collection centre(s) :

.....

.....

Destination of ova :

Name and address of consignee :

.....

.....

Done at, on

.....

(signature)

.....

(Name in capital letters and title of signatory)

ANNEX IV

SPECIMEN OF ZOOTECHNICAL CERTIFICATE

For embryos of pure-bred breeding sheep and goats

A. Particulars on donor ram or billygoat

- 1. Issuing body:
- Name of Flock-book:
- Entry No in Flock-book:
- System of identification (for example tag, tattoo, earmark):
.....
- Identification:
- Bloodgroup or equivalent test⁽¹⁾:
- Name of animal (optional):
- Date of birth: Breed:
- Name and address of owner:
- Name and address of breeder:
- Pedigree: ..

Father	Grandfather	Grandmother
Flock-book No	Flock-book No	Flock-book No
Mother	Grandfather	Grandmother
Flock-book No	Flock-book No	Flock-book No

- 2. The results of performance tests and updated results, with origin, of the assessment of genetec value, on the animal itself and its parents and grandparents⁽²⁾
.....
.....
.....
.....
.....

B. Particulars on donor ewe or nannygoat

- I. Issuing book:
- Name of Flock-book:
- Entry No in Flock-book:
- System of identification (for example tag, tattoo, earmark):
.....
- Identification:
- Name of animal (optional):
- Date of birth: Breed:
- Name and address of breeder:
- Name and address of owner:
- Pedigree: ..

Father	Grandfather	Grandmother
Flock-book No	Flock-book No	Flock-book No
Mother	Grandfather	Grandmother
Flock-book No	Flock-book No	Flock-book No

⁽¹⁾ For dairy breeds.
⁽²⁾ Obtained in conformity with Decision 90/256/EEC.

II. The results of performance tests and updated results, with origin, of the assessment of genetic value, on the animal itself and its parents and grandparents (1) :

.....

Done aton

.....
 (signature)

.....
 (Name in capital letters and title of signatory)

C. Particulars on embryos

Embryo identification system (number, colour) :

.....

Identification :

Number of embryos per straw :

I.

Number of embryos	Date(s) of insemination of fertilization	Date of collection	Identification of donor ewe or nannygoat & ram or billygoat	Breed

II. Origin of embryos :

Address of embryo collection centre(s) :

.....

Destination of embryos :

Name and address of consignee :

.....

Done aton

.....
 (signature)

.....
 (Name in capital letters and title of signatory)

(1) Obtained in conformity with Decision 90/256/EEC.

COMMISSION DECISION

of 16 May 1990

on the quantities of sheepmeat and goatmeat that may be imported in 1990 into certain sensitive marketing zones from certain non-member countries

(90/259/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 ⁽¹⁾,

Having regard to Council Regulation (EEC) No 2641/80 of 14 October 1980 derogating from certain import rules laid down in Regulation (EEC) No 1837/80 on the common organization of the market in sheepmeat and goatmeat ⁽²⁾, as amended by Regulation (EEC) No 3939/87 ⁽³⁾, and in particular Article 1 (2) thereof,

Whereas certain non-member countries which have concluded voluntary restraint agreements with the European Economic Community have undertaken to limit their exports of sheepmeat and goatmeat to sensitive marketing zones to the traditional quantities or the quantities towards which the traditional trade flows have tended; whereas, under the provisions of the third indent of Article 1 (1) of Regulation (EEC) No 2641/80, the issue of import licences of the products in question is to be suspended when agreed import quantities into these zones are exceeded; whereas the quantities that may be imported into these zones for 1990 should therefore be specified and importers should be informed of the time which licences will no longer be granted;

Whereas quantities have already been agreed, by Exchange of Letter, with Austria ⁽⁴⁾, Iceland ⁽⁴⁾, Czechoslovakia ⁽⁴⁾, Yugoslavia ⁽⁴⁾, Romania ⁽⁵⁾, the German Democratic Republic ⁽⁶⁾ and New Zealand ⁽⁷⁾;

Whereas for Bulgaria, Hungary and Poland the quantities must be fixed each year in the framework of consultation;

Whereas Australia, Argentina and Uruguay have undertaken to limit exports to the French and Irish markets;

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

HAS ADOPTED THIS DECISION:

Article 1

The competent French authorities shall issue, up to the quantities listed in Annex I hereto, import licences for 1990 for sheepmeat and goatmeat falling within CN codes 0104 10 90, 0104 20 90 and 0204, imported from the non-member countries listed in Annex I into France.

Article 2

The competent Irish authorities shall issue, up to the quantities given in Annex II hereto, import licences for 1990 for sheepmeat and goatmeat falling within CN codes 0104 10 90, 0104 20 90 and 0204, imported from the non-member countries in Annex II into Ireland.

Article 3

The licences referred to in this Decision shall be issued only in France and Ireland, respectively.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 16 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 275, 18. 10. 1980, p. 2.

⁽³⁾ OJ No L 373, 31. 12. 1987, p. 1.

⁽⁴⁾ OJ No L 154, 9. 6. 1984, p. 36.

⁽⁵⁾ OJ No L 96, 3. 4. 1985, p. 30.

⁽⁶⁾ OJ No L 309, 31. 10. 1987, p. 107.

⁽⁷⁾ OJ No L 318, 31. 10. 1989, p. 13.

ANNEX I

Quantities referred to in Article 1

(tonnes)

Country	Carcase weight equivalent
Argentina	1 800
Australia	1 164
Austria	0
Bulgaria	360
Czechoslovakia	0
Hungary	975
Iceland	0
New Zealand	7 380
Poland	1 150
Romania	144
Uruguay	480
Yugoslavia	50
German Democratic Republic	0

ANNEX II

Quantities referred to in Article 2

(tonnes)

Country	Carcase weight equivalent
Argentina	120
Australia	120
Austria	0
Bulgaria	0
Czechoslovakia	0
Hungary	0
Iceland	0
New Zealand	540
Poland	0
Romania	0
Uruguay	120
Yugoslavia	0
German Democratic Republic	0