

# Official Journal

## of the European Communities

ISSN 0378-6978

L 148

Volume 33

12 June 1990

English edition

## Legislation

### Contents

#### *I Acts whose publication is obligatory*

Commission Regulation (EEC) No 1557/90 of 11 June 1990 fixing the import levies on cereals and on wheat or rye flour, groats and meal .....	1
Commission Regulation (EEC) No 1558/90 of 11 June 1990 fixing the premiums to be added to the import levies on cereals, flour and malt .....	3
Commission Regulation (EEC) No 1559/90 of 8 June 1990 opening an invitation to tender for the sale for export of baled tobacco held by the German intervention agency .....	5
Commission Regulation (EEC) No 1560/90 of 8 June 1990 opening an invitation to tender for the sale for export of baled tobacco held by the Greek intervention agency .....	7
<b>* Commission Regulation (EEC) No 1561/90 of 7 June 1990 amending Regulation (EEC) No 3540/85 laying down detailed rules for the application of the special measures for peas, field beans and sweet lupins .....</b>	<b>9</b>
<b>* Commission Regulation (EEC) No 1562/90 of 7 June 1990 on arrangements for imports into the Community of certain textile products (category 5), originating in Indonesia .....</b>	<b>19</b>
Commission Regulation (EEC) No 1563/90 of 8 June 1990 on the supply of various consignments of cereals as food aid .....	21
<b>* Commission Regulation (EEC) No 1564/90 of 11 June 1990 establishing the prices and amounts fixed in ecus by the Council in the pigmeat sector and reduced as a result of the monetary realignment of 5 January 1990 .....</b>	<b>30</b>
Commission Regulation (EEC) No 1565/90 of 11 June 1990 suspending advance fixing of the export refund for certain pigmeat products .....	31
Commission Regulation (EEC) No 1566/90 of 11 June 1990 abolishing a countervailing charge on tomatoes originating in Albania .....	32

**Contents (continued)**

**Commission Regulation (EEC) No 1567/90 of 11 June 1990 fixing the import levies  
on white sugar and raw sugar ..... 33**

**Commission Regulation (EEC) No 1568/90 of 11 June 1990 fixing the maximum  
buying-in price and the quantities of beef bought in for the 24th partial invitation to  
tender under Regulation (EEC) No 1627/89 ..... 35**

## I

*(Acts whose publication is obligatory)*

## COMMISSION REGULATION (EEC) No 1557/90

of 11 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<sup>(1)</sup>, as last amended by Regulation (EEC) No 1340/90<sup>(2)</sup>, and in particular Article 13 (5) thereof,

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

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 754/90<sup>(5)</sup> and subsequent amending Regulations;

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

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

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

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

Whereas these exchange rates being those recorded on 8 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 12 June 1990.

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

Done at Brussels, 11 June 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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

<sup>(2)</sup> OJ No L 134, 28. 5. 1990, p. 1.

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

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

<sup>(5)</sup> OJ No L 83, 30. 3. 1990, p. 4.

## ANNEX

to the Commission Regulation of 11 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	128,91 <sup>(2)</sup> <sup>(3)</sup>
0712 90 19	39,80	128,91 <sup>(2)</sup> <sup>(3)</sup>
1001 10 10	49,77	190,51 <sup>(1)</sup> <sup>(2)</sup>
1001 10 90	49,77	190,51 <sup>(1)</sup> <sup>(2)</sup>
1001 90 91	40,78	151,33
1001 90 99	40,78	151,33
1002 00 00	65,46	135,24 <sup>(6)</sup>
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	128,91 <sup>(2)</sup> <sup>(3)</sup>
1005 90 00	39,80	128,91 <sup>(2)</sup> <sup>(3)</sup>
1007 00 90	56,71	143,97 <sup>(4)</sup>
1008 10 00	56,71	37,14
1008 20 00	56,71	105,69 <sup>(4)</sup>
1008 30 00	56,71	0,00 <sup>(5)</sup>
1008 90 10	<sup>(7)</sup>	<sup>(7)</sup>
1008 90 90	56,71	0,00
1101 00 00	71,56	226,33
1102 10 00	106,11	203,80
1103 11 10	91,98	309,02
1103 11 90	75,71	242,86

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

<sup>(2)</sup> In accordance with Regulation (EEC) No 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'.

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

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

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

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

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

## COMMISSION REGULATION (EEC) No 1558/90

of 11 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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 1340/90 <sup>(2)</sup>, and in particular Article 15 (6) thereof,

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

Having regard to the opinion of the Monetary Committee,

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

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

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

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

Whereas these exchange rates being those recorded on 8 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 12 June 1990.

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

Done at Brussels, 11 June 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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

<sup>(2)</sup> OJ No L 134, 28. 5. 1990, p. 1.

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

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

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

## ANNEX

to the Commission Regulation of 11 June 1990 fixing the premiums to be added to the import levies on cereals, flour and malt

## A. Cereals and flour

CN code	(ECU/tonne)			
	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	1,08	1,08	0,47
1001 90 99	0	1,08	1,08	0,47
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 10	0	0	0	0
1004 00 90	0	0	0	0
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	1,51	1,51	0,65

## B. Malt

CN code	(ECU/tonne)				
	Current 6	1st period 7	2nd period 8	3rd period 9	4th period 10
1107 10 11	0	1,92	1,92	0,84	0,84
1107 10 19	0	1,44	1,44	0,63	0,63
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 1559/90

of 8 June 1990

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 727/70 of 21 April 1970 on the common organization of the market in raw tobacco <sup>(1)</sup>, as last amended by Regulation (EEC) No 1329/90 <sup>(2)</sup>, and in particular Article 7 (4) thereof,

Whereas Commission Regulation (EEC) No 3389/73 <sup>(3)</sup>, as last amended by Regulation (EEC) No 395/90 <sup>(4)</sup>, lays down the procedure and conditions for the sale of tobacco held by intervention agencies;

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

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

Two lots of baled raw tobacco from the 1987 harvest, held by the German intervention agency, with a total weight of 1 002 269 kilograms divided by varieties as shown in the Annex hereto, shall be sold for export.

*Article 2*

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

*Article 3*

The deadline for the submission of tenders at the headquarters of the Commission of the European Communities shall be 3 p.m., local time, on 25 July 1990.

*Article 4*

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

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

*Article 5*

1. The security specified in Article 5 of Regulation (EEC) No 3389/73 must be lodged with and by the Bundesanstalt für landwirtschaftliche Marktordnung (BALM), Adickesallee 40, D-6000 Frankfurt/M.

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

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

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

*Article 6*

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

<sup>(1)</sup> OJ No L 94, 28. 4. 1970, p. 1.

<sup>(2)</sup> OJ No L 132, 23. 5. 1990, p. 25.

<sup>(3)</sup> OJ No L 345, 15. 12. 1973, p. 47.

<sup>(4)</sup> OJ No L 42, 16. 2. 1990, p. 46.

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

Done at Brussels, 8 June 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

*ANNEX*

Lot No	Variety	Harvest	Weight (kilograms)
1	Tsebelia	1987	613 254
2	Tsebelia	1987	389 015
Total			1 002 269



## COMMISSION REGULATION (EEC) No 1560/90

of 8 June 1990

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 727/70 of 21 April 1970 on the common organization of the market in raw tobacco <sup>(1)</sup>, as last amended by Regulation (EEC) No 1329/90 <sup>(2)</sup>, and in particular Article 7 (4) thereof,

Whereas Commission Regulation (EEC) No 3389/73 <sup>(3)</sup>, as last amended by Regulation (EEC) No 395/90 <sup>(4)</sup>, lays down the procedure and conditions for the sale of tobacco held by intervention agencies;

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

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

Four lots of baled raw tobacco from the 1986 and 1987 harvests, held by the Greek intervention agency, with a total weight of 5 271 428 kilograms divided by varieties as shown in the Annex hereto, shall be sold for export.

*Article 2*

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

*Article 3*

The deadline for the submission of tenders at the headquarters of the Commission of the European Communities shall be at 3 p.m. local time, on 25 July 1990.

*Article 4*

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

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

*Article 5*

1. The security referred to in Article 5 of Regulation (EEC) No 3389/73 must be lodged with and made payable to the Ypiresia Diachirisis Agoron Georgikon Proionton (YDAGEP), Acharnon 241, GR-Athens 10 446.

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

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

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

*Article 6*

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

<sup>(1)</sup> OJ No L 94, 28. 4. 1970, p. 1.

<sup>(2)</sup> OJ No L 132, 23. 5. 1990, p. 25.

<sup>(3)</sup> OJ No L 345, 15. 12. 1973, p. 47.

<sup>(4)</sup> OJ No L 42, 16. 2. 1990, p. 46.

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

Done at Brussels, 8 June 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

### ANNEX

Lot No	Variety	Harvest	Weight (kilograms)
1	Mavra	1986	306 491
	Kaba Koulak classic and Elassona	1986	623 250
	Kaba Koulak non-classic	1986	155 308
	Katerini	1986	229 960
	Burley EL	1986	252 050
	Basmas	1986	238 844
			<u>1 805 903</u>
2	Mavra	1986	306 491
	Kaba Koulak classic and Elassona	1986	567 712
	Kaba Koulak non-classic	1986	163 129
	Katerini	1986	229 988
	Burley EL	1986	252 516
			<u>1 519 836</u>
3	Mavra	1986	306 491
	Kaba Koulak classic and Elassona	1986	567 740
	Kaba Koulak non-classic	1986	163 155
	Katerini	1986	229 988
	Burley EL	1986	252 617
			<u>1 519 991</u>
4	Mavra	1987	333 872
	Basmas	1987	91 826
			<u>425 698</u>
Total			5 271 428

## COMMISSION REGULATION (EEC) No 1561/90

of 7 June 1990

amending Regulation (EEC) No 3540/85 laying down detailed rules for the application of the special measures for peas, field beans and sweet lupins

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1431/82 of 18 May 1982 laying down special measures for peas, field beans and sweet lupins <sup>(1)</sup>, as last amended by Regulation (EEC) No 1104/88 <sup>(2)</sup>, and in particular Article 3 (7) thereof,

Whereas Council Regulation (EEC) No 1789/89 of 19 June 1989 amending Regulation (EEC) No 2036/82 adopting general rules concerning specific measures for peas, field beans and sweet lupins <sup>(3)</sup> provides for the strengthening and simplification of controls; whereas one effect of the amendments is to introduce arrangements for the approval of first buyers which would make possible the abolition of certain administrative documents such as the declaration of delivery and the certificate of purchase at the minimum price;

Whereas the immediate introduction of the approval arrangements and the corresponding abolition of the said documents would produce excessive changes in administrative procedures; whereas it is appropriate in the short term to maintain existing procedures until a new system fully respecting the Council guidelines is devised;

Whereas the payment of aid must be reserved for products of Community origin for which the minimum price has been paid to the producer; whereas this requirement is the principal characteristic of the system of aid for peas, field beans and sweet lupins; whereas important budgetary considerations are involved; whereas therefore a rigorous control of first buyers and end-users is necessary; whereas a minimum level of control between the first buyer and end-user should be specified; whereas the control arrangements operated by the Member States should encompass a minimum number of unannounced checks;

Whereas members of an approved organization should be permitted to market part of their produce under conditions to be laid down;

Whereas only eligible products should benefit from aid; whereas to this end tracer-marking by a suitable agent

should be permitted in order to identify products not eligible for aid; whereas provision should be made to avoid the imposition of penalties where there is a genuine case of inadvertent cross-contamination by a tracer agent of products otherwise eligible for the payment of the aid;

Whereas imported products should be subject to control to ensure that they do not enter the aid system; whereas the system of administrative control of imported products should be reinforced;

Whereas it is therefore necessary to amend Commission Regulation (EEC) No 3540/85 <sup>(4)</sup>, as last amended by Regulation (EEC) No 3870/88 <sup>(5)</sup>;

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

HAS ADOPTED THIS REGULATION:

## Article 1

Regulation (EEC) No 3540/85 is hereby amended as follows:

1. In the second subparagraph of Article 2 (2), the reference to 'Article 9 (a)' is replaced by 'the first indent of Article 9 (a)'.

2. Article 3 is amended as follows:

— paragraph 1 is replaced by the following:

'For each delivery of peas, field beans or sweet lupins received from producers, all first buyers shall lodge a delivery declaration with the competent agency appointed by the producer Member State.'

— In paragraph 4, 'Without prejudice to Article 6 (6)' is replaced by 'Where Article 6a (2) applied'.

3. The following Article 4a is inserted:

## Article 4a

The competent agency of the Member State shall notify the first buyer of the obligation to pay the

<sup>(1)</sup> OJ No L 162, 12. 6. 1982, p. 28.

<sup>(2)</sup> OJ No L 110, 29. 4. 1988, p. 16.

<sup>(3)</sup> OJ No L 176, 23. 6. 1989, p. 11.

<sup>(4)</sup> OJ No L 342, 19. 12. 1985, p. 1.

<sup>(5)</sup> OJ No L 345, 14. 12. 1988, p. 21.

producer in respect of the quantities concerned an amount equal to twice the difference between the minimum price and the price actually paid if it establishes that the first buyer concerned has not paid at least the minimum price.'

4. Article 5 is replaced by the following:

*'Article 5*

1. The competent agencies of the Member States shall check the accuracy of the documents, particularly stock records and financial accounts, on the spot at the premises of the first buyer.

They shall in particular check:

- the delivery declarations and in particular that the price paid to the producer is at least equal to the minimum price payable in accordance with Article 2;
- that the stocks stored in the warehouses correspond to the stocks entered in the accounts,
- in case of doubt, the contracts concluded between producers and first buyers,
- in the case of sweet lupins, that, in the Member States where Article 6a (2) is applied, the quantity of seed used corresponds to the quantity actually delivered, that the variety is eligible and that the bitter grain content complies with requirements.

2. The checks provided for in paragraph 1, which may extend upstream and downstream of the first buyer, must be carried out on at least 10 % of first buyers in each marketing year.

The above percentage shall apply separately to the checks relating to sweet lupins on the one hand and to all the other checks on the other.

3. At least 25 % of the checks on first buyers must be carried out without prior notification.

4. In cases of significant irregularities affecting 10 % or more of the first buyers checked, Member States shall communicate such information to the Commission without delay and inform it of the measures taken.

5. Under the system of mutual assistance referred to in Article 14 (3) of Regulation (EEC) No 2036/82, where a Member State is unable to carry out certain of the checks referred to in paragraph 1, in particular because a producer is not established in that Member State, it shall request the Member State in which the first buyer is established to carry out the checks in its place.

The request referred to in the previous subparagraph shall be drawn up on a document similar to the specimen given in Annex VII, in typescript, in one of

the official languages of the Community and in accordance with the instructions given therein.

A Member State receiving such a request shall, in good time, reply to the Member State which made it, giving the results of the checks requested. That reply shall be given on the back of the document sent by the Member State that made the request, and shall comply with the instructions given therein.

6. Member States shall communicate to the Commission the names and addresses of the bodies responsible for giving and receiving the request referred to in paragraph 5, and the Commission shall immediately inform the other Member States thereof.'

5. Article 6 is amended as follows:

— paragraph 1 is replaced by the following:

'At the request of the first buyer, and after having carried out the necessary checks, in particular verification of the delivery declarations and fulfilment of the minimum price requirements, the competent agency of the producer Member State shall issue a certificate of purchase at the minimum price.'

— paragraph 6 is deleted.

6. The following Article 6a is inserted:

*'Article 6a*

1. With regard to sweet lupins, in order to ensure that the maximum content of 5 % of bitter grains as laid down in Article 3 (6) of Regulation (EEC) No 2036/82 is not exceeded, the number of bitter grains in each batch shall, before the sweet lupins are used, be determined at the premises of the approved user by means of the test described in Annex IV.

2. However, notwithstanding paragraph 1, compliance with the maximum content requirement of 5 % of bitter grains is presumed in Member States in which first buyers purchase only lupins harvested in the Community and grown seed containing less than 3 % bitter grains approved for sale in the Member State concerned in accordance with Council Directive 66/401/EEC of 14 June 1966 on the marketing of fodder plant seed<sup>(1)</sup>.

For inspection purposes, the first buyer must keep at the disposal of the competent agency of the Member State the document or documents certifying the characteristics of the seed with regard to the requirements referred to in the first subparagraph, such documents being countersigned by the producer who has sold the sweet lupins.

<sup>(1)</sup> OJ No 125, 11. 7. 1966, p. 2298/66.'

7. In Article 7 (4) the third subparagraph is replaced by the following:

'The number shall be preceded by the following letters according to the country of issue of the document: BE for Belgium, DE for Germany, DK for Denmark, EL for Greece, ES for Spain, FR for France, IRE for Ireland, IT for Italy, LU for Luxembourg, NL for the Netherlands, PT for Portugal and UK for the United Kingdom.

8. Article 9 is replaced by the following:

*'Article 9*

1. For the purposes of Article 5 (2) of Regulation (EEC) No 2036/82, products shall be considered actually to have been used if, respectively in accordance with points (a) and (b) of the said provision, they:

(a) — have been incorporated together with one or more other products into animal feedingstuffs after being crushed or milled and, possibly, toasted or processed into flakes,

or

— have been processed with a view to the production of protein concentrates,

(b) — are available for sale after having been put up in new packages of 12,5 kilograms or less, provided that they contain no more 0,50 % of impurities and no more than 3 % of broken or damaged seed of the same species,

or

— are available for sale after having been mixed with a least three other species of seed and put up in new packages of 25 kilograms or less, provided that they contain no more than 0,50 % of inorganic matter and no more than 3 % of broken or damaged peas or field beans,

or

— have been processed by one or more of the following methods with a view to their use for human consumption:

— skinning and, possibly, separation of the cotyledons,

— skinning and milling with a view to the preparation of flour,

— soaking in water and packaging, with the liquid in hermetically sealed packages,

— toasting, precooking or cooking and, where appropriate, milling and drying.'

9. In Article 11 (2), the second subparagraph is replaced by the following: 'Undertakings which have recourse

to the uses referred to in the first indent of Article 9 (a) and the second indent of Article 9 (b) shall keep a permanent inventory of the raw materials other than peas, field beans and sweet lupins that they use.'

10. In Article 17 (6), 'Article 9 (b)' is replaced by 'the first and second indents of Article 9 (b)'.

11. Article 20 (1) (a) is replaced by the following:

'(a) include at least 30 producers of peas, field beans or sweet lupins having sufficient livestock to use the quantities produced and undertaking, save where otherwise provided in Article 23a, to use the products concerned only for feeding their own livestock or that of other members of the body;'

12. In Article 21, the first paragraph is replaced by the following: 'For the purposes of Article 7 of Regulation (EEC) No 2036/82, processing by an approved body shall mean operations involving:

— milling or similar processes constituting irreversible processing,

— marketing by one of the methods set out in Annex III taking place on the premises of the said body.'

13. Article 22 is amended as follows:

— the last indent of paragraph 3 is deleted,

— the following paragraph is added:

'4. With regard to sweet lupins, in order to ensure that the maximum content of 5 % of bitter grains is not exceeded, Article 6a shall apply *mutatis mutandis*, to the approved body.'

Where Article 6a (2) applies, the register referred to in paragraph 3 of this Article shall also include, for members planting lupins, copies of invoices for purchases of seed, stating the variety and quantity. Where the variety is not given on the invoice, it must be entered in the register.'

14. Article 23 (3) is replaced by the following:

'3. The competent agency of the Member States shall check that the quantity indicated in the processing declaration corresponds to that actually processed and, in the case of lupins, where Article 6a (2) applies, that the quantities of seed bought correspond to the quantities delivered, and that the variety is eligible.'

15. The following Article 23a is inserted:

*'Article 23a*

1. Notwithstanding Articles 20, 21, 22 and 23, and provided that the quantity referred to in Article 20 (1) (b) is processed, producers who are members of an approved body may market part of their produce unprocessed independently of the body.

2. Where this is the case:

- (a) the minimum quantity to be delivered by each producer concerned for use by the approved body shall be agreed in writing between the producer and the body before the beginning of each marketing year;
- (b) the remaining quantities produced may be marketed by each producer provided that the relevant provisions of this Regulation, in particular as regards the minimum price to be paid and the sale to first buyers, are complied with.'

16. Article 28 is hereby amended as follows:

— paragraph 1 is replaced by the following:

'1. The aid to be granted in accordance with Article 6 of Regulation (EEC) No 2036/82 shall be paid only for peas, field beans and sweet lupins which are of sound, genuine and merchantable quality.

The aid shall be paid in respect of the checked weight of the product as adjusted, by the method laid down in Annex I.

Except where otherwise provided in the second indent of Article 21, aid shall not be granted in respect of batches of products which contain any traces of products which have been treated for marking in accordance with one of the methods set out in Annex III.

However, this provision shall not apply where it is shown by the beneficiary during an exhaustive check by the competent agency that the presence of minimal traces is due to *force majeure*.'

— the last indent of the first subparagraph of paragraph 2 is replaced by the following:

'— in the case of use as referred to in the third sub-indent of the third indent of Article 9 (b), the product has been put up in packages bearing labelling stating the type of processing which it has undergone.'

17. The following Article 28a is inserted:

*'Article 28a*

Member States shall, particularly in cases of doubt, carry out sample checks to ensure that the quantities of peas, field beans and sweet lupins in respect of

which the approved users have applied for aid were actually produced in the Community.'

18. In Article 30, paragraph 2 is replaced by the following:

'Paragraph 1 shall not apply to the products referred to in the first and second indents and the first sub-indent of the third indent of Article 9 (b) if they have not been the subject of a certificate of purchase at the minimum price or if the said certificate has already been submitted to the competent agency in accordance with Article 28 (2).'

19. Article 31 is replaced by the following:

*'Article 31*

1. The Member States shall set up a customs control system, or an administrative control system offering equivalent guarantees, which shall be applied from the time when products as referred to in Article 1 of Regulation (EEC) No 1431/82 are put into free circulation in the Community until those products:

— have been actually used without having benefited from aid,

or

— have been exported outside the customs territory of the Community.

2. The condition for lifting the control system referred to in paragraph 1 shall be production of proof, in respect of at least 98 % of the quantity imported, that:

— the products have been received by an undertaking committing itself to actually using them, either in accordance with the provisions of Article 9 without benefiting from the aid, or otherwise in such a way that they are put into a condition precluding them from benefiting from the aid. In such case, products entering the undertaking may not leave it unprocessed, except in cases of *force majeure* and after the Member State has been duly notified,

or

— the products have been exported outside the customs territory of the Community.

Proof of compliance with the condition shall be furnished within 15 months from the month following that in which the controls were applied to the products.

3. The Member States shall set up a system of checks on users of imported peas, field beans and sweet lupins guaranteeing that these products do not benefit from the aid. This system of checks shall cover all operations to which the products in question are subjected, from the moment they are received in the undertaking until they are used.

This system shall also guarantee that products do not leave the undertaking unprocessed except in cases of *force majeure*. In the latter case, the competent agency of the Member State shall check the removal of the products on the spot.

4. Products which have been used in one of the ways listed in Article 9 shall not be subject to the system referred to in paragraphs 1 and 2.

20. Article 31a is replaced by the following:

*Article 31a*

1. In the case of intra-Community trade in the products subject to control pursuant to Article 31 the proof that the products have been received or exported outside the customs territory of the Community shall be furnished by the production of the T 5 control copy issued and used in accordance with Commission Regulation (EEC) No 2823/87<sup>(1)</sup> and this Article.

Section 104 shall be completed by putting a cross against either the preprinted words 'Other (specify)' and adding one of the following:

- Destinado a ser recibido por una empresa para su utilización ya sea conforme al artículo 9 del Reglamento (CEE) nr. 3540/85, ya sea de otro modo sin beneficiarse de la ayuda, o a ser exportado hacia terceros países
- Bestemt til ankomst til en virksomhed med henblik på anvendelse enten i overensstemmelse med artikel 9 i forordning (EØF) nr. 3540/85 eller eventuelt på anden måde, uden at der udbetales støtte, eller bestemt til udførsel til tredjelande
- Zum Eingang bei einem Unternehmen und zur Verwendung entweder gemäß Artikel 9 der Verordnung (EWG) Nr. 3540/85 oder gegebenenfalls auf andere Weise und ohne Gewährung der Beihilfe oder zur Ausfuhr nach Drittländern bestimmt
- Προορίζεται για παραλαβή από επιχείρηση προς χρησιμοποίηση, είτε σύμφωνα με το άρθρο 9 του κανονισμού (ΕΟΚ) αριθ. 3540/85 είτε, κατά περίπτωση με άλλον τρόπο, χωρίς να τυγχάνει ενισχύσεως, ή για εξαγωγή προς τρίτες χώρες
- To be received by an undertaking for actual use using one of the processes referred to in Article 9 of Regulation (EEC) No 3540/85 or otherwise, as the case may be, without benefiting from aid, or to be exported to third countries
- Destiné à être réceptionné par une entreprise pour utilisation soit conformément à l'article 9 du règlement (CEE) n° 3540/85, soit le cas échéant

autrement, sans bénéficier de l'aide, ou à être exporté vers les pays tiers.

- Destinato ad essere ricevuto da un'impresa per un'utilizzazione conforme all'articolo 9 del regolamento (CEE) n. 3540/85 o, eventualmente, per altra utilizzazione, senza il beneficio dell'aiuto, oppure destinato all'esportazione verso paesi terzi
- Bestemd om door een onderneming in ontvangst te worden genomen voor gebruik overeenkomstig artikel 9 van Verordening (EEG) nr. 3540/85 dan wel eventueel voor een ander gebruik, zonder toekenning van de steun, of om naar derde landen te worden uitgevoerd
- Destinado a ser recebido por uma empresa para utilização, quer em conformidade com o artigo 9º do Regulamento (CEE) n° 3540/85 quer, se for caso disso, de outro modo, sem beneficiar da ajuda ou a ser exportado para países terceiros.

Section 106 shall be completed by one of the following:

- Productos importados
- Indførte produkter
- Eingeführte Erzeugnisse
- Εισαγόμενα προϊόντα
- Imported products
- Produits importés
- Prodotti importati
- Ingevoerde produkten
- Produtos importados.

Section 107 shall be completed by one of the following:

- Reglamento (CEE) n° 3540/85, artículo 31 *bis*
- Forordning (EØF) Nr. 3540/85, artikel 31 A
- Verordnung (EWG) Nr. 3540/85, Artikel 31a
- Κανονισμός (ΕΟΚ) αριθ. 3540/85, άρθρο 31α
- Regulation (EEC) No 3540/85, Article 31a
- Règlement (CEE) n° 3540/85 article 31 *bis*
- Regolamento (CEE) n. 3540/85, articolo 31 *bis*
- Verordening (EEG) nr. 3540/85, artikel 31 *bis*
- Regulamento (CEE) n° 3540/85, artigo 31ºA.

2. The primary requirement referred to in Article 20 of Regulation (EEC) No 2220/85 shall be the production of the original of the T 5 control copy in question, completed in accordance with paragraph 1 for a quantity which is equal to at least 98 % of the quantity indicated in section 103 of the control copy.

Proof of compliance with the primary requirement shall be furnished within 15 months at the latest from the month following that in which the security was lodged.

<sup>(1)</sup> OJ No L 270, 23. 9. 1987, p. 1.



21. The following Article is inserted:

*Article 31b*

1. Whereas peas, field beans or sweet lupins eligible for aid are the subject of trade between Member States, a T 5 control copy shall be drawn up in the Member States where the products have been harvested and used in accordance with Regulation (EEC) No 2823/87 and this Article.

Section 104 shall be completed by putting a cross against the preprinted words 'Other (specify)' and adding one of the following:

- Destinado a ser objeto de una declaración de recepción para ser utilizado con arreglo al apartado 3 del artículo 16 del Reglamento (CEE) nº 3540/85 o a ser exportado hacia terceros países
- Bestemt til angivelse i en erklæring om ankomst med henblik på anvendelse efter artikel 16, stk. 3, i forordning (EØF) nr. 3540/85 eller bestemt til udførsel til tredjelande
- Zur Verwendung gemäß Artikel 16 Absatz 3 der Verordnung (EWG) Nr. 3540/85 in eine Eingangserklärung einzutragen oder zur Ausfuhr nach Drittländern
- Προοριζόμενο να αποτελέσει αντικείμενο δήλωσης αποδοχής για να χρησιμοποιηθεί κατά την έννοια του άρθρου 16 παράγραφος 3 του κανονισμού (ΕΟΚ) αριθ. 3540/85 ή για να εξαχθεί προς τρίτες χώρες
- To be the subject of a declaration of products received to be used as defined in Article 16 (3) of Regulation (EEC) No 3540/85 or to be exported to third countries
- Destiné à faire l'objet d'une déclaration de réception pour être utilisé au sens de l'article 16 paragraphe 3 du règlement (CEE) nº 3540/85 ou à être exporté vers les pays tiers
- Destinato ad essere oggetto di una dichiarazione di ricevimento ai fini di un'utilizzazione a norma dell'articolo 16, paragrafo 3 del Regolamento (CEE) n. 3540/85, oppure destinato all'esportazione verso paesi terzi
- Bestemd om, met het oog op het gebruik ervan, te worden vermeld in een opgave van de binnengekomen hoeveelheden in de zin van artikel 16, lid 3, van Verordening (EEG) nr. 3540/85, of te worden uitgevoerd naar derde landen
- Destinado a ser objecto de uma declaração de recepção, para ser utilizado na aceção do nº 3 do artigo 16º do Regulamento (CEE) nº 3540/85, ou a ser exportado para países terceiros.

Section 106 shall be completed by one of the following:

- Cosechado en ... (Nombre del Estado miembro)
- Høstet i ... (Navnet på medlemsstaten)
- Geerntet in ... (Name des Mitgliedstaats)
- Συγκομισθέντα ... (Όνομα του κράτους μέλους)
- Harvested in ... (Name of the Member State)
- Récolté en ... (nom de l'État membre)
- Raccolto in ... (Nome dello Stato membro)
- Geoogst in ... (Naam van de Lid-Staat)
- Colhido em ... (Nome do Estado-Membro)

Section 107 shall be completed by one of the following:

- Reglamento (CEE) nº 3540/85, Artículo 31<sup>ter</sup>
- Forordning (EØF) nr. 3540/85, artikel 31b
- Verordnung (EWG) Nr. 3540/85, Artikel 31b
- Κανονισμός (ΕΟΚ) αριθ. 3540/85, άρθρο 31β
- Regulation (EEC) No 3540/85, Article 31b
- Règlement (CEE) nº 3540/85, article 31<sup>ter</sup>
- Regolamento (CEE) n. 3540/85, articolo 31<sup>ter</sup>
- Verordening (EEG) nr. 3540/85, artikel 31<sup>ter</sup>
- Regulamento (CEE) nº 3540/85, artigo 31º B.

Section 'J' on the back of the T 5 control copy, in addition to an indication that the product has been received at the destination stated on the front, must also include, under 'Remarks', details of the declaration of receipt of products received referred to in Article 16 (3) relating to the products.

2. Authorities which have checked the destination of products traded within the Community shall, if necessary for the purposes of granting the final aid, send a single-page copy or photocopy of the T 5 control copy to the agency responsible for granting the aid.

3. The primary requirement referred to in Article 20 of Regulation (EEC) No 2220/85 shall be the furnishing of evidence that the obligation to assign to the products in question one of the destinations referred to in paragraph 1 has been fulfilled. This evidence may be given only by producing the original of the control T 5 copy in question, completed in accordance with paragraph 1, for a quantity which is equal to at least 98 % of the quantity indicated in section 103 of the control copy.

Where the primary requirement is met for a quantity which exceeds by more than 2 % the quantity indicated in section 103 of the control copy, the additional quantity shall be treated as being imported from third countries.

Proof of compliance with the primary requirement shall be furnished within 15 months at the latest from the month following that in which the security was lodged.



22. Article 32 is replaced by the following:

*Article 32*

Issue of the T 5 control copy referred to in Articles 31a and 31b, with the exception of that for sweet lupins referred to in Article 31a, shall be subject to the provision of a security of ECU 4 per 100 kilograms net to guarantee compliance with the obligation to assign to the products in question one of the destinations referred to in paragraph 1 of those Articles.'

23. Annex VII is replaced by the Annex to this Regulation.

*Article 2*

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

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

Done at Brussels, 7 June 1990.

It shall apply from 1 July 1990.

However:

- the provisions in points 11 and 15 of Article 1 regarding the approved bodies shall apply from 1 October 1989 in Member States which are in a position to ensure compliance, for the 1989/90 marketing year, with the conditions referred to in particular in Articles 20 (1) (b) and 23a (2) of Regulation (EEC) No 3540/85,
- the certificates of purchase at the minimum price referred to in Article 6 of Regulation (EEC) No 3540/85 issued after the entry into force of this Regulation shall be valid only until 30 June 1991, notwithstanding the third subparagraph of Article 6 (2) above.

The quantities of peas, field beans and sweet lupins indicated in certificates issued before the date of entry into force of this Regulation and valid beyond 30 June 1991 must be subject of the aid application referred to in Article 5 (1) of Regulation (EEC) No 2036/82, to be submitted in accordance with the detailed rules laid down in Article 28 (2) of Regulation (EEC) No 3540/85, for identification effected before 1 July 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*



ANNEX  
ANNEX VII

EUROPEAN COMMUNITY

<b>REQUEST FOR CHECKING</b> In respect of producers of peas, field beans or sweet lupins (Article 5 (5) of Regulation (EEC) No 3540/85)	
1 From <sup>(1)</sup> :	2 To <sup>(2)</sup> :
3 Concerning the following producer(s) :  1. .... <sup>(3)</sup> ..... 2. .... <sup>(3)</sup> ..... ..... <sup>(3)</sup> .....	
4 By virtue of Article 5 (5) of Regulation (EEC) No 3540/85, we hereby request that you carry out the following checks in respect of the producer(s) mentioned above and the period from ..... to ..... <sup>(4)</sup> :  <input type="checkbox"/> Total area under peas, field beans or sweet lupins which has been harvested  <input type="checkbox"/> Production (expressed as weight of the unprocessed product) delivered to the first buyer <sup>(5)</sup>  <input type="checkbox"/> Moisture content and impurities content of the products delivered  <input type="checkbox"/> Price received per kg of product of the standard quality  <input type="checkbox"/> Other :	
5 Done at :	<sup>(1)</sup> Name and address of the competent authority of the Member State in which the first buyer is established. <sup>(2)</sup> Name and address of the competent authority of the Member State in which the producer is established. <sup>(3)</sup> Name and address of the producer(s) concerned. <sup>(4)</sup> Tick the appropriate box and, if necessary, explain the request. <sup>(5)</sup> Name and address of the first buyer.

RESULT OF THE CHECKS REQUESTED					
1 Checks that we have carried out (!) :					
<div><input type="checkbox"/> Enable us to confirm the following :</div>					
Producer	Total area under field beans or sweet lupins	Quantity delivered to the first buyer mentioned overleaf (tonnes) ...	Moisture content	Impurities content	Price received
No 1					
No 2					
....					
<div><input type="checkbox"/> Give rise to the following comments :</div>					
2 Enclosures :			3 Done at :		
			on :		
			signed :		

(!) Tick the appropriate box.

## COMMISSION REGULATION (EEC) No 1562/90

of 7 June 1990

on arrangements for imports into the Community of certain textile products  
(category 5), originating in Indonesia

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 4136/86 of 22 December 1986 on common rules for imports of certain textile products originating in third countries<sup>(1)</sup>, as last amended by Regulation (EEC) No 915/90<sup>(2)</sup>, and in particular Article 11 thereof,

Whereas Article 11 of Regulation (EEC) No 4136/86 lays down the conditions under which quantitative limits may be established; whereas imports into the Community of certain textile products (category 5) specified in the Annex hereto and originating in Indonesia exceeded the level referred to in paragraph 2 of the said Article 11;

Whereas, in accordance with paragraph 5 of the said Article 11 of Regulation (EEC) No 4136/86, on 20 March 1990, Indonesia was notified of a request for consultations; whereas, pending a mutually satisfactory solution, importations into the Community of category 5 products have been submitted to provisional limits for the period 20 March to 19 June 1990 by Commission Regulation (EEC) No 915/90;

Whereas, as a result of consultations held on 21 to 23 May 1990, it was agreed to submit the textile products of category 5 to Community quantitative limits for the period 20 March to 31 December 1990 and for the year 1991;

Whereas paragraph 13 of the said Article 11 of Regulation (EEC) No 4136/86 ensures that the quantitative limits are observed by means of a double-checking system in accordance with Annex VI to the said Regulation;

Whereas the products in question exported from Indonesia to the Community between 20 March and 31 December 1990 must be set off against the Community quantitative limits for the period 20 March to 31 December 1990;

Whereas these quantitative limits should not prevent the importation of products covered by them but shipped from Indonesia to the Community before the date of entry into force of Regulation (EEC) No 915/90;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

Without prejudice to the provisions of Article 2 imports into the Community of the category of products originating in Indonesia and specified in the Annex hereto shall be subject to the quantitative limits set out in that Annex.

*Article 2*

1. Products referred to in Article 1 shipped from Indonesia to the Community before the date of entry into force of Regulation (EEC) No 915/90, and not yet released for free circulation, shall be so released subject to the presentation of a bill of lading or other transport document proving that shipment actually took place during that period.

2. Imports of products shipped from Indonesia to the Community after the entry into force of Regulation (EEC) No 915/90 shall continue to be subject to the double-checking system described in Annex VI to Regulation (EEC) No 4136/86.

3. All quantities of products shipped from Indonesia to the Community on or after 20 March 1990 and released for free circulation shall be deducted from the quantitative limit laid down in the Annex to this Regulation for the period 20 March to 31 December 1990. This provisional limit shall not, however, prevent the importation of products covered by them but shipped from Indonesia before the date of entry into force of Regulation (EEC) No 915/90.

*Article 3*

Regulation (EEC) No 915/90 is hereby repealed.

*Article 4*This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Communities*.

It shall apply until 31 December 1991.

<sup>(1)</sup> OJ No L 387, 31. 12. 1986, p. 1.<sup>(2)</sup> OJ No L 94, 11. 4. 1990, p. 5.

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

Done at Brussels, 7 June 1990.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

# ANNEX

Category	CN code	Description	Third country	Units	Member States	Quantitative limits from 20 March to 31 December 1990
5	6101 10 90 6101 20 90 6101 30 90  6102 10 90 6102 20 90 6102 30 90  6110 10 10 6110 10 31 6110 10 39 6110 10 91 6110 10 99 6110 20 91 6110 20 99 6110 30 91 6110 30 99	Jerseys, pullovers, slip-overs, waistcoats, twinsets, cardigans, bed-jackets and jumpers (other than jackets and blazers), anoraks, windcheaters, waister jackets and the like, knitted or crocheted	Indonesia	1 000 pieces	D F I BNL UK IRL DK GR ES PT  EEC	3 370 1 708 378 4 880 3 218 13 614 26 157 26  14 390
			Indonesia	1 000 pieces		Quantitative limits from 1 January to 31 December 1991  19 398

In addition to the quantitative limit established for the period 20 March to 31 December 1990 an exceptional quantity of 1 500 000 pieces may be imported into the Community. The breakdown of this quantity between Member States is as follows:

Category	CN code	Description	Third country	Units	Member States	Quantitative limits from 20 March to 31 December 1990
5	6101 10 90 6101 20 90 6101 30 90  6102 10 90 6102 20 90 6102 30 90  6110 10 10 6110 10 31 6110 10 39 6110 10 91 6110 10 99 6110 20 91 6110 20 99 6110 30 91 6110 30 99	Jerseys, pullovers, slip-overs, waistcoats, twinsets, cardigans, bed-jackets and jumpers (other than jackets and blazers), anoraks, windcheaters, waister jackets and the like, knitted or crocheted	Indonesia	1 000 pieces	D F I BNL UK IRL DK GR ES PT  EEC	353 179 40 512 338 — 65 — 13 —  1 500

## COMMISSION REGULATION (EEC) No 1563/90

of 8 June 1990

## on the supply of various consignments of cereals as food aid

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

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management <sup>(1)</sup>, as last amended by Regulation (EEC) No 1750/89 <sup>(2)</sup>, 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 <sup>(3)</sup> 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 18 440 tonnes of cereals;

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 <sup>(4)</sup>; 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*

Cereals 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, 8 June 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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

<sup>(2)</sup> OJ No L 172, 21. 6. 1989, p. 1.

<sup>(3)</sup> OJ No L 136, 26. 5. 1987, p. 1.

<sup>(4)</sup> OJ No L 204, 25. 7. 1987, p. 1.

*ANNEX I*

## Lots A and B

1. **Operation Nos<sup>(1)</sup>**: 146/90 (Lot A) and 922/89 (Lot B)
2. **Programme**: 1989
3. **Recipient<sup>(12)</sup>**: League of Red Cross and Red Crescent Societies, Logistic Service, PO Box 372, CH-1211 Geneva 19; (telex 22555 LRCS CH, tel. 734 55 80, telefax 733-0395)
4. **Representative of the recipient**:
  - Lot A<sup>(10)</sup>: Red Crescent Society of the Yemen Arab Republic, Head Office, Building No 10, Street 26 September, SANA'A, Yemen Arab Republic
  - Lot B<sup>(2)</sup>: Croissant Rouge Marocain, Palais Mokri, Takaddoum BP 189, Rabat; tel: 508 98/514 95, telex Athilal 319 40 M Rabat
5. **Place or country of destination**:
  - Lot A: Arab Republic of Yemen
  - Lot B: Morocco
6. **Product to be mobilized**: milled rice (product code 1006 30 94 900 or 1006 30 96 900)
7. **Characteristics and quality of the goods<sup>(3)</sup><sup>(13)</sup>**: see list published in OJ No C 216, 14. 8. 1987, p. 3 (under II.A.10)
8. **Total quantity**: 400 tonnes (960 tonnes of cereals)
9. **Number of lots**: two (Lot A: 200 tonnes; Lot B: 200 tonnes)
10. **Packaging and marking<sup>(4)</sup><sup>(14)</sup>**: see list published in OJ No C 216, 14. 8. 1987, p. 3 (under II.B.1 (c))  
Marking on the bags in letters at least 5 cm high: see Annex II
11. **Method of mobilization of product**: Community market
12. **Stage of supply**: Lot A: free at port of landing — landed. Lot B: free at destination
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Lot A: Hodeida; Lot B: Casablanca
16. **Address of the warehouse and, if appropriate, port of landing**: Lot B: Entrepôt du Croissant Rouge, Skhirat
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 10 to 25. 7. 1990
18. **Deadline for the supply**: 15. 8. 1990
19. **Procedure for determining the costs of supply**: invitation to tender
20. **In the case of an invitation to tender, date of expiry of the period allowed for the submission of tenders**: 12 noon on 26.6. 1990.
21. **In the case of a second invitation to tender**:
  - (a) deadline for the submission of tenders: 12 noon on 10. 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: 25. 7 to 10. 8. 1990
  - (c) deadline for the supply: 31. 8. 1990
22. **Amount of tendering security**: ECU 5 per tonne
23. **Amount of delivery security**: 10 % of the tender in ecus
24. **Address for submission of tenders<sup>(5)</sup>**:
  - Bureau de l'aide alimentaire,
  - Attention Mr N. Arend,
  - Bâtiment Loi 120, bureau 7/58,
  - 200 rue de la Loi,
  - B-1049 Brussels
  - (telex: AGREC 22037 B or 25670 B)
25. **Refund payable on application by the successful tenderer<sup>(6)</sup>**: Refund applicable on 20. 6. 1990, fixed by Commission Regulation (EEC) No 1466/90 (OJ No L 140, 1. 6. 1990, p. 37)



## LOT C

1. **Operation No<sup>(1)</sup>**: 184/90
2. **Programme**: 1989
3. **Recipient**: M. M. Gaudé, UNHCR, Case Postale 2500, CH-1211 Genève 2 Dépôt; tel. 739 84 80, telex 412404 HCR CH
4. **Representative of the recipient<sup>(2)</sup><sup>(12)</sup>**: Mme le délégué du HCR en Angola, CP 1342, Rua Major Kanhangulo, 197, Luanda (telex 3047 UNHCR AN, telefax 233 70 34, tel. 2442/37 25 35/42)
5. **Place or country of destination**: Angola
6. **Product to be mobilized**: milled rice (product code 1006 30 94 900 or 1006 30 96 900)
7. **Characteristics and quality of the goods<sup>(3)</sup>**: see list published in OJ No C 216, 14. 8. 1987, p. 3 (under II.A.10)
8. **Total quantity**: 200 tonnes (480 tonnes of cereals)
9. **Number of lots**: one
10. **Packaging and marking<sup>(4)</sup>**: see list published in OJ No C 216, 14. 8. 1987, p. 3 (under II.B.1 (c))  
Marking on the bags in letters at least 5 cm high:  
'ACTION N° 184/90 / RIZ / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE / PROGRAMME DU HCR POUR LES RAPATRIÉS EN ANGOLA'
11. **Method of mobilization**: the Community market
12. **Stage of supply**: free at port of landing — landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Luanda
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 15 to 31. 7. 1990
18. **Deadline for the supply**: 31. 8. 1990
19. **Procedure for determining the costs of supply**: invitation to tender
20. **In the case of an invitation to tender, date of expiry of the period allowed for submission of tenders**: 26. 6. 1990 at 12 noon
21. **In the case of a second invitation to tender**:
  - (a) deadline for the submission of tenders: 10. 7. 1990 at 12 noon
  - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 1 to 15. 8. 1990
  - (c) deadline for the supply: 15. 9. 1990
22. **Amount of the tendering security**: ECU 5 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders<sup>(5)</sup>**:  
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 Brussels;  
telex AGREC 22037 B or 25670 B
25. **Refund payable on request by the successful tenderer<sup>(6)</sup>**: refund applicable on 20. 6. 1990 fixed by Commission Regulation (EEC) No 1466/90 (OJ No L 140, 1. 6. 1990, p. 37)

## LOT D

1. **Operation No <sup>(1)</sup>:** 207/90
2. **Programme:** 1989
3. **Recipient <sup>(12)</sup>:** Comores
4. **Representative of the recipient <sup>(10)</sup>:**  
M. Said Ahmed Said Ali, Ministre des Finances, BP 324, Moroni (tel. 217 67 — Moroni)
5. **Place or country of destination:** Comores
6. **Product to be mobilized:** milled rice (product code 1006 30 94 900 or 1006 30 96 900)
7. **Characteristics and quality of the goods <sup>(3)</sup>:** see list published in OJ No C 216, 14. 8. 1987, p. 3 (under IIA.10)
8. **Total quantity:** 833 tonnes (2 000 tonnes of cereals)
9. **Number of lots:** one (two parts, D1: 500 tonnes; D2: 333 tonnes)
10. **Packaging and marking <sup>(4)</sup>:** see list published in OJ No C 216, 14. 8. 1987, p. 3 (under II.B.1 (a))  
Marking on the bags in letters at least 5 cm high:  
'ACTION N° 207/90 / RIZ / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE À LA REPUBLIQUE FÉDÉRALE ISLAMIQUE DES COMORES'
11. **Method of mobilization of product:** Community market
12. **Stage of supply:** free at port of landing — landed
13. **Port of shipment:** —
14. **Port of landing specified by the recipient:** —
15. **Port of landing:** D1: Moroni (Grande Comore); D2: Mutsamudu (Anjouan)
16. **Address of the warehouse and, if appropriate, port of landing:** —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage:** 15 to 31. 7. 1990
18. **Deadline for the supply:** 31. 8. 1990
19. **Procedure for determining the costs of supply:** invitation to tender
20. **In the case of an invitation to tender, date of expiry of the period allowed for the submission of tenders:** 12 noon on 26. 6. 1990
21. **In the case of a second invitation to tender:**
  - (a) deadline for the submission of tenders: 12 noon on 10. 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: 1 to 15. 8. 1990
  - (c) deadline for the supply: 15. 9. 1990
22. **Amount of tendering security:** ECU 5 per tonne
23. **Amount of delivery security:** 10 % of the tender in ecus
24. **Address for submission of tenders <sup>(5)</sup>:**  
Bureau de l'aide alimentaire,  
Attention Mr N. Arend,  
Bâtiment Loi 120, bureau 7/58,  
200 rue de la Loi,  
B-1049 Brussels  
(telex: AGREC 22037 B or 25670 B)
25. **Refund payable on application by the successful tenderer <sup>(6)</sup>:** Refund applicable on 20. 6. 1990, fixed by Commission Regulation (EEC) No 1466/90 (OJ No L 140, 1. 6. 1990, p. 37)

## LOT E

1. **Operation No<sup>(1)</sup>**: 221/90
2. **Programme**: 1989
3. **Recipient**: Cooperative Republic of Guyana
4. **Representative of the recipient<sup>(2)</sup>**: Embassy of Guyana, avenue des arts 21/22, B-1040 Bruxelles; tel. 02/230 60 65; telex B 26180 Guyic
5. **Place or country of destination**: Guyana (Ministry of Finance, Main & Urquhart Streets, Georgetown, Guyana)
6. **Product to be mobilized**: common wheat flour
7. **Characteristics and quality of the goods<sup>(3)</sup>**: see list published in OJ No C 216, 14. 8. 1987, p. 3 (under II.A.6)
8. **Total quantity**: 730 tonnes (1 000 tonnes of cereals)
9. **Number of lots**: one
10. **Packaging and marking<sup>(4)</sup> (7)**: see list published in OJ No C 216, 14. 8. 1987, p. 3 (under II.B.2 (a))  
Marking on the bags, in letters at least 5 cm high:  
'ACTION No 221/90 / COMMON WHEAT FLOUR / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY TO GUYANA'
11. **Method of mobilization**: the Community market
12. **Stage of supply**: free at destination
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Georgetown
16. **Address of the warehouse and, if appropriate, port of landing**: Ministry of Education Storage Bond, East La Penitence, Greater Georgetown
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 15 to 31. 7. 1990
18. **Deadline for the supply**: 31. 8. 1990
19. **Procedure for determining the costs of supply**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 26. 6. 1990 at 12 noon
21. **In the case of a second invitation to tender**:
  - (a) deadline for the submission of tenders: 12 noon on 10. 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: 1 to 15. 8. 1990
  - (c) deadline for the supply: 15. 9. 1990
22. **Amount of the tendering security**: ECU 5 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders<sup>(5)</sup>**: 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<sup>(6)</sup>**:  
Refund applicable on 20. 6. 1990 fixed by Commission Regulation (EEC) No 1466/90 (OJ No L 140, 1. 6. 1990, p. 37)

## LOT F

1. **Operation Nos<sup>(1)</sup>**: 232 to 235/90
2. **Programme**: 1989
3. **Recipient**: Euronaid, Rhijngeesterstraatweg 40, PO Box 77, NL-2340 AB Oegstgeest
4. **Representative of the recipient<sup>(2)</sup>**: see OJ No C 103, 16. 4. 1987
5. **Place or country of destination**: Ethiopia
6. **Product to be mobilized**: common wheat
7. **Characteristics and quality of the goods<sup>(3)</sup>**: see list published in OJ No C 216, 14. 8. 1987, p. 3 (under II.A.1)
8. **Total quantity**: 14 000 tonnes
9. **Number of lots**: one
10. **Packaging and marking<sup>(4)</sup> <sup>(8)</sup> <sup>(11)</sup>**: see list published in OJ No C 216, 14. 8. 1987, p. 3 (under II.B.1.c)  
Marking on the bags in letters at least 5 cm high: see Annex II
11. **Method of mobilization**: on the Community market
12. **Stage of supply<sup>(9)</sup>**: free at port of shipment — fob stowed
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. 7 to 20. 8. 1990
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 26. 6. 1990, at 12 noon
21. **In the case of a second invitation to tender**:
  - (a) deadline for the submission of tenders: 10. 7. 1990, at 12 noon
  - (b) period for making the goods available at the port of shipment: 1 to 25. 8. 1990
  - (c) deadline for the supply: —
22. **Amount of the tendering security**: ECU 5 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders<sup>(5)</sup>**: 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<sup>(6)</sup>**: refund applicable on 20. 6. 1990, fixed by Commission Regulation (EEC) No 1466/90 (OJ No L 140, 1. 6. 1990, p. 37)

*Notes:*

- (<sup>1</sup>) The operation number is to be quoted in all correspondence.
- (<sup>2</sup>) Commission delegate to be contacted by the successful tenderer:  
— see list published in *Official Journal of the European Communities* No C 227 of 7 September 1985, page 4.
- (<sup>3</sup>) The successful tenderer shall deliver to the beneficiaries 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.
- The radioactivity certificate shall give the caesium -134 and -137 levels.
- The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following documents (Lots A, B, C and F):
- certificate of origin,  
— phytosanitary certificate.
- (<sup>4</sup>) Since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.
- (<sup>5</sup>) 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.
- (<sup>6</sup>) Commission 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 refunds 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 the Annexes.
- (<sup>7</sup>) Shipment to take place in 20-foot containers. The containers must be able to be kept for at least 15 days.
- (<sup>8</sup>) The supplier should send a duplicate of the original invoice to: M. De Keyzer and Schütz BV, Postbus 1438, Blaak 16, NL-3000 BK Rotterdam.
- (<sup>9</sup>) By way of derogation from Articles 7 (3) (f) and 13 (2) of Regulation (EEC) No 2200/87, the price tendered must include the loading and stowage costs. The loading and stowage operations will be the responsibility of the successful tenderer.
- (<sup>10</sup>) Commission delegate to be contacted by the successful tenderer:
- Lot A: Mr. C. Falkowski, PO Box 926794, Amman, Jordan; telex (0493) 22260 DELEURJO.  
— Lot D: Conseiller Résident M. Wilkinson, Antenne des Comores, BP 559 Moroni; telex 212 DELCEC KO, tel: 73 19 81.
- (<sup>11</sup>) Radiation certificate must be issued by official authorities and be legalized for following countries: Sudan.
- (<sup>12</sup>) Once the successful tenderer has been informed of the award of the contract, he shall immediately contact the beneficiary with a view to determining what documents are required for the consignment and their distribution.
- (<sup>13</sup>) The successful tenderer shall give the beneficiaries' representative, at the time of delivery, a certificate of fumigation.
- (<sup>14</sup>) Lot A: to be delivered on standard pallets, wrapped in plastic shrink cover.  
Lot B: Shipment to take place in 20-foot containers.

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 (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 (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	200		Licross	Yemen Arab Republic	146/90	Action No 146/90 / (1) / Rice / Gift of the European Economic Community / Action of the League of Red Cross and Red Crescent Societies (Licross) / For free distribution / Sana'a
B	200		Licross	Maroc	922/89	Action nº 922/89 / (1) / Riz / Don de la Communauté économique européenne / Action de la Ligue des Sociétés de la Croix-Rouge et du Croissant rouge (Licross) / Pour distribution gratuite / Casablanca

(1) Una media luna roja con las puntas orientadas hacia la derecha.

(1) En rød halvmåne, hvis spidser vender mod højre.

(1) Ein roter Halbmond, dessen Enden nach rechts gerichtet sind.

(1) Κόκκινο μισοφέγγαρο με τις γωνίες προς τα δεξιά.

(1) A red crescent with the points towards the right.

(1) Un croissant rouge pointes orientées vers la droite.

(1) Una mezzaluna rossa con le punte orientate verso la destra.

(1) Een rode halve maan waarvan de punten naar rechts gericht zijn.

(1) Um crescente vermelho com as pontas orientadas para a direita.

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

Designación del lote Parti Bezeichnung der Partie Χαρακτηρισμός της παρτίδας Lot Désignation du lot Designazione della partita Aanduiding van de partij Designação do lote	Cantidad total del lote (en toneladas) Totalmængde (tons) Gesamtmenge der Partie (in Tonnen) Συνολική ποσότητα της παρτίδας (σε τόνους) Total quantity (in tonnes) Quantité totale du lot (en tonnes) Quantità totale della partita (in tonnellate) Totale hoeveelheid van de partij (in ton) Quantidade total (em toneladas)	Cantidades parciales (en toneladas) Delmængde (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	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
F	14 000	3 500	Oxfam B	Sudan	Action No 232/90 / Sudan / 90847 / Port Sudan
		3 500	Oxfam UK	Sudan	Action No 233/90 / Sudan / 90917 / Port Sudan
		3 500	DIA	Sudan	Action No 234/90 / Sudan / 91133 / Port Sudan
		3 500	DIA	Sudan	Action No 235/90 / Sudan / 91134 / Port Sudan

## COMMISSION REGULATION (EEC) No 1564/90

of 11 June 1990

establishing the prices and amounts fixed in ecus by the Council in the pigmeat sector and reduced as a result of the monetary realignment of 5 January 1990

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

Having regard to Council Regulation (EEC) No 1677/85 of 11 June 1985 on monetary compensatory amounts in agriculture <sup>(1)</sup>, as last amended by Regulation (EEC) No 1889/87 <sup>(2)</sup>, and in particular Article 6 (3) thereof,

Whereas Commission Regulation (EEC) No 784/90 of 29 March 1990 fixing the reducing coefficient for the 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 <sup>(3)</sup> establishes the list of prices and amounts in the pigmeat sector to which the coefficient 1,001712 is applied from 1 July 1990 under the arrangements for the automatic dismantlement of negative monetary gaps; whereas Article 3 of Regulation (EEC) No 784/90 provides that the resulting reduction should be specified in particular for the prices and amounts fixed in ecus by the Council for the 1990/91 marketing year and the value of those reduced prices and amounts should be fixed;

Whereas the basic price and the standard quality for slaughtered pigs for the 1990/91 marketing year were fixed by Council Regulation (EEC) No 1324/90 <sup>(4)</sup>;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The basic price fixed in ecus by the Council for the 1990/91 marketing year in the pigmeat sector and reduced pursuant to Article 2 of Regulation (EEC) No 784/90 shall be ECU 1 897 per tonne.

*Article 2*

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

It shall apply from 1 July 1990.

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

Done at Brussels, 11 June 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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

<sup>(2)</sup> OJ No L 182, 3. 7. 1987, p. 1.

<sup>(3)</sup> OJ No L 83, 30. 3. 1990, p. 102.

<sup>(4)</sup> OJ No L 132, 23. 5. 1990, p. 18.



## COMMISSION REGULATION (EEC) No 1565/90

of 11 June 1990

suspending advance fixing of the export refund for certain pigmeat products

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

Having regard to Regulation (EEC) No 2759/75 of the Council of 29 October 1975 on the common organization of the market in pigmeat<sup>(1)</sup>, as last amended by Regulation (EEC) No 1249/89<sup>(2)</sup>,

Having regard to Regulation (EEC) No 2768/75 of the Council of 29 October 1975 laying down general rules for granting export refunds on pigmeat and criteria for fixing the amount of such refunds<sup>(3)</sup>, and in particular the first subparagraph of Article 5 (4) thereof,

Whereas the refunds for pigmeat products were fixed by Commission Regulation (EEC) No 1077/90<sup>(4)</sup>;

Whereas the circumstances currently applying in the German Democratic Republic and their effects on the market in that State make it necessary to adjust refunds; whereas such a measure has already been adopted for beef and veal and poultrymeat; whereas as a consequence, in

order to preclude applications for advance fixing of refunds for speculative ends, such advance fixing must be suspended forthwith until the application of that adjustment and no action must be taken in respect of applications pending;

Whereas the measures contained in this Regulation are in agreement with the opinion of the Management Committee for pigmeat,

HAS ADOPTED THIS REGULATION:

*Article 1*

Advance fixing of refunds in respect of products which are listed in the Annex to Regulation (EEC) No 1077/90 is hereby suspended from 12 to 18 June 1990.

*Article 2*

This Regulation shall enter into force on 12 June 1990.

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

Done at Brussels, 11 June 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 282, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 129, 11. 5. 1989, p. 12.

<sup>(3)</sup> OJ No L 282, 1. 11. 1975, p. 39.

<sup>(4)</sup> OJ No L 108, 28. 4. 1990, p. 72.

## COMMISSION REGULATION (EEC) No 1566/90

of 11 June 1990

abolishing a countervailing charge on tomatoes originating in Albania

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

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

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

Whereas Commission Regulation (EEC) No 1398/90 <sup>(3)</sup>  
introduced a countervailing charge on tomatoes origina-  
ting in Albania;

Whereas for tomatoes originating in Albania there were  
no prices for six consecutive working days; whereas the

conditions specified in Article 26 (1) of Regulation (EEC)  
No 1035/72 are therefore fulfilled and the countervailing  
charge on imports of tomatoes originating in Albania can  
be abolished,

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EEC) No 1398/90 is hereby repealed.

*Article 2*

This Regulation shall enter into force on 12 June 1990.

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

Done at Brussels, 11 June 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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

<sup>(2)</sup> OJ No L 119, 11. 5. 1990, p. 43.

<sup>(3)</sup> OJ No L 133, 24. 5. 1990, p. 67.

**COMMISSION REGULATION (EEC) No 1567/90****of 11 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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 1069/89 <sup>(2)</sup>, and in particular Article 16 (8) thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 1920/89 <sup>(3)</sup>, as last amended by Regulation (EEC) No 1556/90 <sup>(4)</sup>;

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 12 June 1990.

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

Done at Brussels, 11 June 1990.

*For the Commission*

Ray MAC SHARRY

*, Member of the Commission*

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

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

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

<sup>(4)</sup> OJ No L 146, 9. 6. 1990, p. 25.

*ANNEX*

**to the Commission Regulation of 11 June 1990 fixing the import levies on white sugar and raw sugar**

*(ECU/100 kg)*

CN code	Levy
1701 11 10	32,22 <sup>(1)</sup>
1701 11 90	32,22 <sup>(1)</sup>
1701 12 10	32,22 <sup>(1)</sup>
1701 12 90	32,22 <sup>(1)</sup>
1701 91 00	34,79
1701 99 10	34,79
1701 99 90	34,79 <sup>(2)</sup>

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

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

## COMMISSION REGULATION (EEC) No 1568/90

of 11 June 1990

fixing the maximum buying-in price and the quantities of beef bought in for the  
24th partial invitation to tender under Regulation (EEC) No 1627/89

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

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal <sup>(1)</sup>, as last amended by Regulation (EEC) No 571/89 <sup>(2)</sup>, and in particular Article 6 (7) thereof,

Whereas, pursuant to Commission Regulation (EEC) No 859/89 of 29 March 1989 laying down detailed rules for the application of intervention measures in the beef and veal sector <sup>(3)</sup>, as amended by Regulation (EEC) No 1282/90 <sup>(4)</sup>, an invitation to tender was opened by Commission Regulation (EEC) No 1627/89 of 9 June 1989 on the buying-in of beef by invitation to tender <sup>(5)</sup>, as last amended by Regulation (EEC) No 1513/90 <sup>(6)</sup>;

Whereas, in accordance with Article 11 (1) of Regulation (EEC) No 859/89, a maximum buying-in price is to be fixed for quality R3, where appropriate, for each partial invitation to tender in the light of the tenders received; whereas, in accordance with Article 12 of that Regulation, only tenders lower than or equal to the maximum price are to be accepted;

Whereas, after the tenders submitted for the 24th partial invitation to tender have been examined and taking account, pursuant to Article 6 (1) of Regulation (EEC) No 805/68, of the requirements for reasonable support of the market and the seasonal trend in slaughterings, the maximum buying-in price and the quantities which may be accepted into intervention should be fixed;

Whereas the quantities offered at present exceed the quantities which may be bought in; whereas a reducing coefficient or, where appropriate depending on the differences in prices and the quantities tendered for, several reducing coefficients should accordingly be applied to the quantities which may be bought in in accordance with Article 11 (3) of Regulation (EEC) No 859/89;

Whereas, moreover, since the conditions laid down in the first indent of Article 6 (5) of Regulation (EEC) No 805/68 are met in respect of certain Member States or regions of Member States and certain quality groups, all the tenders relating thereto which do not exceed 80 % of the intervention price should be accepted; whereas the quantities awarded make it appropriate in this case to exercise the option provided for in Article 13 (2) of Regulation (EEC) No 859/89 of extending the deadline for the delivery of products to intervention by one week;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

For the 24th partial invitation to tender opened by Regulation (EEC) No 1627/89:

(a) for category A:

- the maximum buying-in price is hereby fixed at ECU 273 per 100 kilograms of carcasses or half-carcasses of quality R3,
- the maximum quantity of carcasses or half-carcasses accepted is hereby fixed at 13 669 tonnes; the quantities offered at a price of over ECU 271,5 per 100 kilograms are hereby reduced by 40 % pursuant to Article 11 (3) of Regulation (EEC) No 859/89;

(b) for category C:

- (i) in the Member States or regions of Member States which meet the conditions laid down in Article 6 (2) of Regulation (EEC) No 805/68:
  - the maximum buying-in price is hereby fixed at ECU 273 per 100 kilograms of carcasses or half-carcasses of quality R3,
  - the maximum quantity accepted is hereby fixed at 7 tonnes; the quantities offered are hereby reduced by 40 % pursuant to Article 11 (3) of Regulation (EEC) No 859/89;
- (ii) in the Member States or regions of Member States which meet the conditions laid down in the first indent of Article 6 (5) of Regulation (EEC) No 805/68:
  - the maximum buying-in price is hereby fixed at ECU 274,4 per 100 kilograms of carcasses or half-carcasses of quality R3,
  - the maximum quantity accepted is hereby fixed at 11 291 tonnes.

*Article 2*

Notwithstanding the first sentence of Article 13 (2) of Regulation (EEC) No 859/89, the deadline for delivery to intervention is hereby extended by one week.

*Article 3*

This Regulation shall enter into force on 12 June 1990.

<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 24.

<sup>(2)</sup> OJ No L 61, 4. 3. 1989, p. 43.

<sup>(3)</sup> OJ No L 91, 4. 4. 1989, p. 5.

<sup>(4)</sup> OJ No L 126, 16. 5. 1990, p. 31.

<sup>(5)</sup> OJ No L 159, 10. 6. 1989, p. 36.

<sup>(6)</sup> OJ No L 141, 2. 6. 1990, p. 51.

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

Done at Brussels, 11 June 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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