

English edition

Legislation

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2992/90
of 17 October 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 2205/90⁽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 1801/90⁽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 the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

Whereas these exchange rates being those recorded on 16 October 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 1801/90 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 18 October 1990.

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

Done at Brussels, 17 October 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 201, 31. 7. 1990, p. 9.

⁽⁵⁾ OJ No L 167, 30. 6. 1990, p. 8.

ANNEX

to the Commission Regulation of 17 October 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	26,98	140,10 ⁽²⁾ ⁽³⁾
0712 90 19	26,98	140,10 ⁽²⁾ ⁽³⁾
1001 10 10	21,43	191,12 ⁽¹⁾ ⁽³⁾
1001 10 90	21,43	191,12 ⁽¹⁾ ⁽³⁾
1001 90 91	27,45	166,28
1001 90 99	27,45	166,28
1002 00 00	53,04	148,70 ⁽⁴⁾
1003 00 10	44,41	151,63
1003 00 90	44,41	151,63
1004 00 10	36,05	136,76
1004 00 90	36,05	136,76
1005 10 90	26,98	140,10 ⁽²⁾ ⁽³⁾
1005 90 00	26,98	140,10 ⁽²⁾ ⁽³⁾
1007 00 90	44,41	143,37 ⁽⁴⁾
1008 10 00	44,41	56,14
1008 20 00	44,41	115,03 ⁽⁴⁾
1008 30 00	44,41	52,53 ⁽⁵⁾
1008 90 10	(7)	(7)
1008 90 90	44,41	52,53
1101 00 00	51,94	246,30
1102 10 00	86,90	222,64
1103 11 10	46,41	309,43
1103 11 90	55,55	265,46

- (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 2993/90

of 17 October 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 2205/90⁽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 1802/90⁽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 the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

Whereas these exchange rates being those recorded on 16 October 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 18 October 1990.

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

Done at Brussels, 17 October 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 201, 31. 7. 1990, p. 9.

⁽⁵⁾ OJ No L 167, 30. 6. 1990, p. 11.

ANNEX

to the Commission Regulation of 17 October 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 10	1st period 11	2nd period 12	3rd period 1
0709 90 60	0	0,32	0,32	0
0712 90 19	0	0,32	0,32	0
1001 10 10	0	1,29	1,29	1,29
1001 10 90	0	1,29	1,29	1,29
1001 90 91	0	0	0	0
1001 90 99	0	0	0	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 10	0	1,61	1,61	1,61
1004 00 90	0	1,61	1,61	1,61
1005 10 90	0	0,32	0,32	0
1005 90 00	0	0,32	0,32	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	0

B. Malt

CN code	<i>(ECU/tonne)</i>				
	Current 10	1st period 11	2nd period 12	3rd period 1	4th period 2
1107 10 11	0	0	0	0	0
1107 10 19	0	0	0	0	0
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 2994/90

of 17 October 1990

amending Regulation (EEC) No 1207/90 as regards certain coefficients to be applied for milk products

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 ⁽¹⁾, as last amended by Regulation (EEC) No 2205/90 ⁽²⁾, and in particular Article 12 thereof,

Whereas Commission Regulation (EEC) No 1207/90 ⁽³⁾, as last amended by Regulation (EEC) No 2931/90 ⁽⁴⁾, fixes the monetary compensatory amounts applicable in the agricultural sector and certain coefficients and rates required for their application;

Whereas Commission Regulation (EEC) No 2870/90 ⁽⁵⁾ provides for an increase, with effect from 5 October 1990, of the aid granted for skimmed-milk powder as laid down in Commission Regulation (EEC) No 1634/85 ⁽⁶⁾, as last amended by Regulation (EEC) No 2870/90 ⁽⁷⁾; whereas the refunds for products falling within CN code 2309 should therefore be adjusted from the above date; whereas the coefficients applied to these products should be adapted accordingly;

Whereas the measures provided for in this Regulation are in accordance with the opinions of the Management

Committee for Milk and Milk Products and the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1207/90 is hereby amended as follows:

1. In Part 1 of Annex I, the amount opposite CN code 2309 is replaced by that set out in Annex I hereto,
2. In Part 5 of Annex I, the amounts opposite CN codes 0402 10 19, 0402 21 17, 0403 90 11, 0403 90 13 and 2309 are replaced by those set out in Annex I hereto,
3. In the Appendix to Annex I (additional codes), Tables 04-3, 04-5 and 04-6 are replaced by the tables in Annex II hereto.

Article 2

This Regulation shall enter into force on 22 October 1990.

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

Done at Brussels, 17 October 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 6.

⁽²⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽³⁾ OJ No L 122, 14. 5. 1990, p. 1.

⁽⁴⁾ OJ No L 280, 11. 10. 1990, p. 1.

⁽⁵⁾ OJ No L 275, 5. 10. 1990, p. 19.

⁽⁶⁾ OJ No L 158, 18. 6. 1985, p. 7.

⁽⁷⁾ OJ No L 275, 5. 10. 1990, p. 19.

ANNEX I

PART I

SECTOR CEREALS

Monetary compensatory amounts

CN code	Table	Additional code	Notes	Positive			Negative										
				Germany	Netherlands	Spain	United Kingdom	Belgium/Luxembourg	Denmark	Italy	France	Greece	Ireland	Portugal			
				DM	Fl	Pta	£	Bfrs/Lfrs	Dkr	Lit	FF	Dr	£ Irl	Esc			
							— 1 000 kg —										
2309 10 11	02	7624	(³)			—	—										
	02	7625	(³)			57,70	—							60,4			
2309 10 13	08	7541	(³) (³)			—	—							—			
	08	7542	(³) (³)			697,02	2,561							5 492,3			
	08	7543	(³) (³)			1 394,04	5,121							10 984,6			
	08	7547	(³) (³)			—	—							—			
	08	7548	(³) (³)			1 217,13	4,471							9 590,6			
	08	7549	(³) (³)			2 434,25	8,942							19 181,2			
	08	7550	(³) (³)			57,70	—							60,4			
	08	7551	(³) (³)			754,72	2,561							5 552,7			
	08	7552	(³) (³)			1 451,74	5,121							11 045,0			
	08	7629	(³) (³)			57,70	—							60,4			
	08	7630	(³) (³)			1 274,83	4,471							9 651,0			
	08	7631	(³) (³)			2 491,95	8,942							19 241,6			
2309 10 31	03	7624	(³)			—	—							—			
	03	7691	(³)			182,73	—							191,2			
2309 10 33	09	7541	(³) (³)			—	—							—			
	09	7542	(³) (³)			697,02	2,561							5 492,3			
	09	7543	(³) (³)			1 394,04	5,121							10 984,6			
	09	7547	(³) (³)			—	—							—			
	09	7548	(³) (³)			1 217,13	4,471							9 590,6			
	09	7549	(³) (³)			2 434,25	8,942							19 181,2			
	09	7645	(³) (³)			182,73	—							191,2			
	09	7646	(³) (³)			879,75	2,561							5 683,5			
	09	7647	(³) (³)			1 576,77	5,121							11 175,8			
	09	7651	(³) (³)			182,73	—							191,2			
	09	7652	(³) (³)			1 399,86	4,471							9 781,8			
	09	7653	(³) (³)			2 616,98	8,942							19 372,4			
2309 10 51	04	7624	(³)			—	—							—			
	04	7692	(³)			360,65	—							377,3			
2309 10 53	10	7541	(³) (³)			—	—							—			
	10	7542	(³) (³)			697,02	2,561							5 492,3			
	10	7543	(³) (³)			1 394,04	5,121							10 984,6			
	10	7547	(³) (³)			—	—							—			
	10	7548	(³) (³)			1 217,13	4,471							9 590,6			
	10	7549	(³) (³)			2 434,25	8,942							19 181,2			
	10	7654	(³) (³)			360,65	—							377,3			
	10	7655	(³) (³)			1 057,67	2,561							5 869,6			
	10	7656	(³) (³)			1 754,69	5,121							11 361,9			
	10	7660	(³) (³)			360,65	—							377,3			
	10	7661	(³) (³)			1 577,78	4,471							9 967,9			
	10	7662	(³) (³)			2 794,90	8,942							19 558,5			

CN code	Table	Additional code	Notes	Positive			Negative											
				Germany	Netherlands	Spain	United Kingdom	Belgium/Luxembourg	Denmark	Italy	France	Greece	Ireland	Portugal				
				DM	Fl	Pta	£	Bfrs/Lfrs	Dkr	Lit	FF	Dr	£ Irl	Esc				
				— 1 000 kg —														
2309 90 31	05	7624	(³)															
	05	7693	(³)			57,70	—							60,4				
2309 90 33	11	7541	(³) (³)			—	—							—				
	11	7542	(³) (³)			697,02	2,561							5 492,3				
	11	7543	(³) (³)			1 394,04	5,121							10 984,6				
	11	7547	(³) (³)			—	—							—				
	11	7548	(³) (³)			1 217,13	4,471							9 590,6				
	11	7549	(³) (³)			2 434,25	8,942							19 181,2				
	11	7663	(³) (³)			57,70	—							60,4				
	11	7664	(³) (³)			754,72	2,561							5 552,7				
	11	7665	(³) (³)			1 451,74	5,121							11 045,0				
	11	7669	(³) (³)			57,70	—							60,4				
	11	7670	(³) (³)			1 274,83	4,471							9 651,0				
	11	7671	(³) (³)			2 491,95	8,942							19 241,6				
2309 90 41	06	7624	(³)			—	—							—				
	06	7694	(³)			182,73	—							191,2				
2309 90 43	12	7541	(³) (³)			—	—							—				
	12	7542	(³) (³)			697,02	2,561							5 492,3				
	12	7543	(³) (³)			1 394,04	5,121							10 984,6				
	12	7547	(³) (³)			—	—							—				
	12	7548	(³) (³)			1 217,13	4,471							9 590,6				
	12	7549	(³) (³)			2 434,25	8,942							19 181,2				
	12	7672	(³) (³)			182,73	—							191,2				
	12	7673	(³) (³)			879,75	2,561							5 683,5				
	12	7674	(³) (³)			1 576,77	5,121							11 175,8				
	12	7678	(³) (³)			182,73	—							191,2				
	12	7679	(³) (³)			1 399,86	4,471							9 781,8				
	12	7680	(³) (³)			2 616,98	8,942							19 372,4				
2309 90 51	07	7624	(³)			—	—							—				
	07	7695	(³)			360,65	—							377,3				
2309 90 53	13	7541	(³) (³)			—	—							—				
	13	7542	(³) (³)			697,02	2,561							5 492,3				
	13	7543	(³) (³)			1 394,04	5,121							10 984,6				
	13	7547	(³) (³)			—	—							—				
	13	7548	(³) (³)			1 217,13	4,471							9 590,6				
	13	7549	(³) (³)			2 434,25	8,942							19 181,2				
	13	7681	(³) (³)			360,65	—							377,3				
	13	7682	(³) (³)			1 057,67	2,561							5 869,6				
	13	7683	(³) (³)			1 754,69	5,121							11 361,9				
	13	7687	(³) (³)			360,65	—							377,3				
	13	7688	(³) (³)			1 577,78	4,471							9 967,9				
	13	7689	(³) (³)			2 794,90	8,942							19 558,5				

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- (1) When completing the customs formalities, the applicant must state in the declaration provided for this purpose the content by weight of starch, expressed as dry matter, per 1 000 kg of the product.
- (2) When completing customs formalities, the party concerned shall state in the declaration provided for this purpose, in particular, the actual content by weight per tonne of finished product of :
- milk powder or granules (other than whey),
 - whey powder or granules,
 - added casein and/or caseinate.
- (3) When completing :
- customs export formalities carried out in a Member State the currency of which has appreciated,
 - customs import formalities carried out in a Member State the currency of which has depreciated,
 - customs export formalities carried out in a Member State making use of the option provided in Article 10 of Regulation (EEC) No 1677/85,
- the applicant must state in the declaration provided for this purpose the complete composition of the product and the exact content by weight of non-milk constituents broken down by the combined nomenclature code.
-

PART 5

SECTOR MILK AND MILK PRODUCTS

Monetary compensatory amounts

CN code	Table	Additional code	Notes	Positive			Negative							
				Germany	Netherlands	Spain	United Kingdom	Belgium/Luxembourg	Denmark	Italy	France	Greece	Ireland	Portugal
				DM	Fl	Pta	£	Bfrs/Lfrs	Dkr	Lit	FF	Dr	£ Irl	Esc
							— 100 kg —							
0402 10 19	03	7059				—	1,328							2 848,4
	03	7074				361,14	—							—
	03	7079				743,09	2,236							4 795,3
0402 21 17	06	7098				—	1,328							2 848,4
	06	7099				361,14	—							—
	06	7114				a+c	a+c							a+c
0403 90 11	05	7093				—	1,328							2 848,4
	05	7094				361,14	—							—
	05	7097				743,09	2,236							4 795,3
0403 90 13	06	7098				—	1,328							2 848,4
	06	7099				361,14	—							—
	06	7114				a+c	a+c							a+c
2309 10 15	14	7553				69,70	0,256							549,2
	14	7554				139,40	0,512							1 098,5
	14	7555				209,11	0,768							1 647,7
	14	7556				261,38	0,960							2 059,6
	14	7557				292,75	1,075							2 306,8
	14	7558				313,66	1,152							2 471,5
	14	7579				121,71	0,447							959,1
	14	7580				243,43	0,894							1 918,1
	14	7581				365,14	1,341							2 877,2
	14	7582				456,42	1,677							3 596,5
	14	7583				511,19	1,878							4 028,0
	14	7584				547,71	2,012							4 315,8
	14	7885				—	—							—
2309 10 19	14	7553				69,70	0,256							549,2
	14	7554				139,40	0,512							1 098,5
	14	7555				209,11	0,768							1 647,7
	14	7556				261,38	0,960							2 059,6
	14	7557				292,75	1,075							2 306,8
	14	7558				313,66	1,152							2 471,5
	14	7579				121,71	0,447							959,1
	14	7580				243,43	0,894							1 918,1
	14	7581				365,14	1,341							2 877,2
	14	7582				456,42	1,677							3 596,5
	14	7583				511,19	1,878							4 028,0
	14	7584				547,71	2,012							4 315,8
	14	7885				—	—							—

CN code	Table	Additional code	Notes	Positive			Negative							
				Germany	Netherlands	Spain	United Kingdom	Belgium/Luxembourg	Denmark	Italy	France	Greece	Ireland	Portugal
				DM	Fl	Pta	£	Bfrs/Lfrs	Dkr	Lit	FF	Dr	£ Irl	Esc
2309 10 39	14	7553				69,70	0,256	— 100 kg —						
	14	7554				139,40	0,512						1 098,5	
	14	7555				209,11	0,768						1 647,7	
	14	7556				261,38	0,960						2 059,6	
	14	7557				292,75	1,075						2 306,8	
	14	7558				313,66	1,152						2 471,5	
	14	7579				121,71	0,447						959,1	
	14	7580				243,43	0,894						1 918,1	
	14	7581				365,14	1,341						2 877,2	
	14	7582				456,42	1,677						3 596,5	
	14	7583				511,19	1,878						4 028,0	
	14	7584				547,71	2,012						4 315,8	
	2309 10 59	14	7885				—	—						—
14		7553				69,70	0,256						549,2	
14		7554				139,40	0,512						1 098,5	
14		7555				209,11	0,768						1 647,7	
14		7556				261,38	0,960						2 059,6	
14		7557				292,75	1,075						2 306,8	
14		7558				313,66	1,152						2 471,5	
14		7579				121,71	0,447						959,1	
14		7580				243,43	0,894						1 918,1	
14		7581				365,14	1,341						2 877,2	
14		7582				456,42	1,677						3 596,5	
14		7583				511,19	1,878						4 028,0	
14		7584				547,71	2,012						4 315,8	
2309 10 70	14	7885				—	—						—	
	14	7553				69,70	0,256						549,2	
	14	7554				139,40	0,512						1 098,5	
	14	7555				209,11	0,768						1 647,7	
	14	7556				261,38	0,960						2 059,6	
	14	7557				292,75	1,075						2 306,8	
	14	7558				313,66	1,152						2 471,5	
	14	7579				121,71	0,447						959,1	
	14	7580				243,43	0,894						1 918,1	
	14	7581				365,14	1,341						2 877,2	
	14	7582				456,42	1,677						3 596,5	
	14	7583				511,19	1,878						4 028,0	
	14	7584				547,71	2,012						4 315,8	
14	7885				—	—						—		

CN code	Table	Additional code	Notes	Positive			Negative								
				Germany	Netherlands	Spain	United Kingdom	Belgium/Luxembourg	Denmark	Italy	France	Greece	Ireland	Portugal	
				DM	Fl	Pta	£	Bfrs/Lfrs	Dkr	Lit	FF	Dr	£ Irl	Esc	
2309 90 35	14	7553				69,70	0,256	— 100 kg —							
	14	7554				139,40	0,512						549,2		
	14	7555				209,11	0,768						1 098,5		
	14	7556				261,38	0,960						1 647,7		
	14	7557				292,75	1,075						2 059,6		
	14	7558				313,66	1,152						2 306,8		
	14	7579				121,71	0,447						2 471,5		
	14	7580				243,43	0,894						959,1		
	14	7581				365,14	1,341						1 918,1		
	14	7582				456,42	1,677						2 877,2		
	14	7583				511,19	1,878						3 596,5		
	14	7584				547,71	2,012						4 028,0		
	2309 90 39	14	7885				—	—						4 315,8	
14		7553				69,70	0,256						—		
14		7554				139,40	0,512						549,2		
14		7555				209,11	0,768						1 098,5		
14		7556				261,38	0,960						1 647,7		
14		7557				292,75	1,075						2 059,6		
14		7558				313,66	1,152						2 306,8		
14		7579				121,71	0,447						2 471,5		
14		7580				243,43	0,894						959,1		
14		7581				365,14	1,341						1 918,1		
14		7582				456,42	1,677						2 877,2		
14		7583				511,19	1,878						3 596,5		
14		7584				547,71	2,012						4 028,0		
2309 90 49	14	7885				—	—						4 315,8		
	14	7553				69,70	0,256						—		
	14	7554				139,40	0,512						549,2		
	14	7555				209,11	0,768						1 098,5		
	14	7556				261,38	0,960						1 647,7		
	14	7557				292,75	1,075						2 059,6		
	14	7558				313,66	1,152						2 306,8		
	14	7579				121,71	0,447						2 471,5		
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	14	7581				365,14	1,341						1 918,1		
	14	7582				456,42	1,677						2 877,2		
	14	7583				511,19	1,878						3 596,5		
	14	7584				547,71	2,012						4 028,0		
14	7885				—	—						4 315,8			

CN code	Table	Additional code	Notes	Positive			Negative							
				Germany	Netherlands	Spain	United Kingdom	Belgium/Luxembourg	Denmark	Italy	France	Greece	Ireland	Portugal
				DM	Fl	Pta	£	Bfrs/Lfrs	Dkr	Lit	FF	Dr	£ Irl	Esc
2309 90 59	14	7553				69,70	0,256	— 100 kg —						
	14	7554			139,40	0,512						1 098,5		
	14	7555			209,11	0,768						1 647,7		
	14	7556			261,38	0,960						2 059,6		
	14	7557			292,75	1,075						2 306,8		
	14	7558			313,66	1,152						2 471,5		
	14	7579			121,71	0,447						959,1		
	14	7580			243,43	0,894						1 918,1		
	14	7581			365,14	1,341						2 877,2		
	14	7582			456,42	1,677						3 596,5		
	14	7583			511,19	1,878						4 028,0		
	14	7584			547,71	2,012						4 315,8		
	14	7885			—	—						—		
	2309 90 70	14	7553			69,70	0,256						549,2	
14		7554			139,40	0,512						1 098,5		
14		7555			209,11	0,768						1 647,7		
14		7556			261,38	0,960						2 059,6		
14		7557			292,75	1,075						2 306,8		
14		7558			313,66	1,152						2 471,5		
14		7579			121,71	0,447						959,1		
14		7580			243,43	0,894						1 918,1		
14		7581			365,14	1,341						2 877,2		
14		7582			456,42	1,677						3 596,5		
14		7583			511,19	1,878						4 028,0		
14		7584			547,71	2,012						4 315,8		
14		7885			—	—						—		

Annex

For certain milk products, falling within CN codes 0401, 0402, 0403 and 0404, the applicant, when completing customs formalities, shall state on the declaration provided for this purpose: the weight of fat, the weight of non-fatty lactic dry matter and the weight of added sucrose, contained in 100 kg of product, as well as whether or not whey and/or lactose and/or casein and/or caseinates have been added, and where this is the case, the actual content by weight of these products and the lactose content of the added whey.

ANNEX II

TABLE 04-3

CN code	Description	Additional code
0402 10 19	– Skimmed-milk powder consigned to a Member State from another Member State in accordance with Regulation (EEC) No 1624/76 :	
	– – In the Member State of dispatch or destination other than Spain (coefficient 0,594)	7059
	– – In Spain (coefficient 0,486)	7074
	– Other, excluding added whey and/or lactose and/or casein and/or caseinates	7079

TABLE 04-5

CN code	Description	Additional code
0403 90 11	– Butter-milk powder consigned to a Member State from another Member State in accordance with Regulation (EEC) No 1624/76 :	
	– – In the Member State of dispatch or destination other than Spain (coefficient 0,594)	7093
	– – In Spain (coefficient 0,486)	7094
	– Other, excluding added whey and/or lactose and/or casein and/or caseinates	7097

TABLE 04-6

CN code	Description	Additional code
0402 21 17 0403 90 13	– Milk or butter-milk powder of a fat content, by weight, exceeding 1,5 % but not exceeding 11 %, consigned to a Member State from another Member State in accordance with Regulation (EEC) No 1624/76 :	
	– – In the Member State of dispatch or destination other than Spain (coefficient 0,594)	7098
	– – In Spain (coefficient 0,486)	7099
	– Other :	
	– – The monetary compensatory amount applicable is the sum of :	
	– – – The amount indicated for each % milk fat multiplied by the percentage milk fat content (see (a))	
	– – – The amount indicated for each % non-fatty lactic dry matter multiplied by the percentage of the non-fatty lactic dry matter content other than added whey and/or lactose and/or casein and/or caseinate (see (c))	
	per 100 kg net weight of the product	7114

COMMISSION REGULATION (EEC) No 2995/90

of 17 October 1990

fixing for Great Britain the level of the variable slaughter premium for sheep
and the amounts to be charged on products leaving region 1

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 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat⁽¹⁾,

Having regard to Commission Regulation (EEC) No 1633/84 of 8 June 1984 laying down detailed rules for applying the variable slaughter premium for sheep and repealing Regulation (EEC) No 2661/80⁽²⁾, as last amended by Regulation (EEC) No 1075/89⁽³⁾, and in particular Articles 3 (1) and 4 (1) thereof,

Whereas the United Kingdom is the only country which grants the variable slaughter premium, in region 5, within the meaning of Article 22 (2) of Regulation (EEC) No 3013/89 whereas it is necessary therefore for the Commission to fix, for the week beginning 24 September 1990, the level of the premium and the amount to be charged on products leaving that region;

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

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

Whereas in the Annex to Commission Regulation (EEC) No 3618/89 of 1 December 1989 on the application of the guarantee limitation arrangements for sheepmeat and goatmeat⁽⁴⁾ the weekly amounts of the guide level are set out pursuant to Article 25 of Regulation (EEC) No 3013/89;

Whereas, pursuant to the provisions of Article 24 (2) and (3) of Regulation (EEC) No 3013/89, for the week beginning 24 September 1990, the variable slaughter premium

for sheep certified as eligible in the United Kingdom is to be in accordance with the amounts fixed in the Annexes hereto; whereas, for that week, in the light of the Judgment of the Court of Justice of 9 February 1988 in Case 61/86, the provisions of Article 9 (5) of Regulation (EEC) No 3013/89 and of Article 4 of Regulation (EEC) No 1633/84 lead to the amounts to be charged on products, leaving region 12, being fixed in accordance with those Annexes;

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

HAS ADOPTED THIS REGULATION:

Article 1

For sheep or sheepmeat certified as eligible in the United Kingdom in region 1, within the meaning of Article 22 (2) of Regulation (EEC) No 3013/89, for the variable slaughter premium during the week beginning 24 September 1990, the level of the premium is fixed at ECU 80,197 per 100 kilograms of estimated or actual dressed carcase weight within the limits laid down by Article 1 (1) (b) of Regulation (EEC) No 1633/84.

Article 2

For products referred to in Article 1 (a) and (c) of Regulation (EEC) No 3013/89 which left the territory of region 1 during the week beginning 24 September 1990, the amounts to be charged shall be equivalent to those fixed in the Annexes hereto.

Article 3

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

It shall apply with effect from 24 September 1990.

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 154, 9. 6. 1984, p. 27.

⁽³⁾ OJ No L 114, 27. 4. 1989, p. 13.

⁽⁴⁾ OJ No L 351, 2. 12. 1989, p. 18.

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

Done at Brussels, 17 October 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 17 October 1990 fixing for Great Britain the level of the variable slaughter premium for sheep and the amounts to be charged on products leaving region 1

(ECU/100 kg)

CN code	Amounts	
	A. Products qualifying for the premium specified in Article 24 of Regulation (EEC) No 3013/89	B. Products specified in Article 4 (4) of Regulation (EEC) No 1633/84 ⁽¹⁾
	Live weight	Live weight
0104 10 90	37,693	0
0104 20 90		0
	Net weight	Net weight
0204 10 00	80,197	0
0204 21 00	80,197	0
0204 50 11		0
0204 22 10	56,138	
0204 22 30	88,217	
0204 22 50	104,256	
0204 22 90	104,256	
0204 23 00	145,959	
0204 30 00	60,148	
0204 41 00	60,148	
0204 42 10	42,104	
0204 42 30	66,163	
0204 42 50	78,192	
0204 42 90	78,192	
0204 43 00	109,469	
0204 50 13		0
0204 50 15		0
0204 50 19		0
0204 50 31		0
0204 50 39		0
0204 50 51		0
0204 50 53		0
0204 50 55		0
0204 50 59		0
0204 50 71		0
0204 50 79		0
0210 90 11	104,256	
0210 90 19	145,959	
1602 90 71 :		
— unboned (bone-in)	104,256	
— boned or boneless	145,959	

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

COMMISSION REGULATION (EEC) No 2996/90

of 17 October 1990

amending Regulation (EEC) No 2377/80 on special detailed rules for the application of the system of import and export licences in the beef and veal sector

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

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 571/89 ⁽²⁾, and in particular Article 15 (2) thereof,

Whereas Commission Regulation (EEC) No 2377/80 of 4 September 1980 on special detailed rules for the application of the system of import and export licences in the beef and veal sector ⁽³⁾, as last amended by Regulation (EEC) No 2690/90 ⁽⁴⁾, lays down detailed rules for the import quota of certain high-quality beef from the United States of America and Canada;

Whereas, in view of the monthly allocation of quantities, licence applications should relate to a quantity less than or equal to the quantity available for the month in which the applications are lodged;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2377/80 is amended as follows:

- (a) In Article 12 (1), 'Regulation (EEC) No 263/81' is replaced by 'Regulation (EEC) No 3948/89';
- (b) In Article 12 (1) (a), 'quarter' is replaced by 'month'.

Article 2

This Regulation shall enter into force on 1 November 1990.

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

Done at Brussels, 17 October 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 61, 4. 3. 1989, p. 43.

⁽³⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁴⁾ OJ No L 256, 20. 9. 1990, p. 19.

COMMISSION REGULATION (EEC) No 2997/90
of 17 October 1990

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

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

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

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

Whereas the rates of the refunds applicable from 1 October 1990 to the products listed in the Annex, exported in the form of goods not covered by Annex II to the Treaty, were fixed by Commission Regulation (EEC) No 2820/90 ⁽³⁾;

Whereas it follows from applying the rules and criteria contained in Regulation (EEC) No 2820/90 to the infor-

mation at present available to the Commission that the export refunds at present applicable should be altered as shown in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The rates of refund fixed by Regulation (EEC) No 2820/90 are hereby altered as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 18 October 1990.

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

Done at Brussels, 17 October 1990.

For the Commission

Martin BANGEMANN

Vice-President

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 114, 27. 4. 1989, p. 1.

⁽³⁾ OJ No L 268, 29. 9. 1990, p. 54.

ANNEX

to the Commission Regulation of 17 October 1990 altering the rates of the refunds applicable to certain products in the sugar sector exported in the form of goods not covered by Annex II to the Treaty

Rate of refund in ECU/100 kg:

White sugar:	38,55	
Raw sugar:	35,27	
Syrups of beet sugar or cane sugar containing, in the dry state, 85 % or more by weight of sucrose (including invert sugar expressed as sucrose):	$38,55 \times \frac{S^{(1)}}{100}$	or
If those syrups are obtained by dissolving white or raw sugar in the solid state, whether or not the dissolving is followed by inversion:		The rate fixed above for 100 kg of white or raw sugar used for the dissolution
Molasses:	—	
Isoglucose ⁽²⁾ :	38,55 ⁽³⁾	

⁽¹⁾ 'S' represents per 100 kilograms of syrup

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

— the extractable sugar content of the syrup in question, where the latter is not less than 85 %, but less than 98 % pure.

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

⁽³⁾ Amount of refund per 100 kilograms of dry matter.

COMMISSION REGULATION (EEC) No 2998/90

of 17 October 1990

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1785/81 of 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 19 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 19 of Regulation (EEC) No 1785/81 provides that the difference between quotations or prices on the world market for the products listed in Article 1 (1) (d) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Article 8 of Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar⁽³⁾, as last amended by Regulation (EEC) No 1489/76⁽⁴⁾, provides that the export refund on 100 kilograms of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 is equal to the basic amount multiplied by the sucrose content, including, where appropriate, other sugars expressed as sucrose; whereas the sucrose content of the product in question is determined in accordance with Article 13 of Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar⁽⁵⁾, as last amended by Regulation (EEC) No 1714/88⁽⁶⁾;

Whereas Article 7 of Regulation (EEC) No 766/68 provides that the basic amount of the refund on sorbose exported in the natural state must be equal to the basic amount of the refund less one-hundredth of the produc-

tion refund applicable, pursuant to Council Regulation (EEC) No 1400/78 of 20 June 1978 laying down general rules for the production refund on sugar used in the chemical industry⁽⁷⁾, to the products listed in the Annex to the last mentioned Regulation;

Whereas the basic amount of the refund on the other products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 exported in the natural state must be equal to one-hundredth of an amount which takes account, on the one hand, of the difference between the intervention price for white sugar for the Community areas without deficit for the month for which the basic amount is fixed and quotations or prices for white sugar on the world market and, on the other, of the need to establish a balance between the use of Community basic products in the manufacture of processed goods for export to third countries and the use of third country products brought in under inward processing arrangements;

Whereas the application of the basic amount may be limited to some of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81;

Whereas Article 19 of Regulation (EEC) No 1785/81 makes provision for setting refunds for export in the natural state of products referred to in Article 1 (1) (f) and (g) of that Regulation; whereas the refund must be fixed per 100 kilograms of dry matter, taking account of the export refund for products falling within CN code 1702 30 91 and for products referred to in Article 1 (1) (d) of Regulation (EEC) No 1785/81 and of the economic aspects of the intended exports; whereas the refund is to be granted only for products complying with the conditions in Article 3 of Commission Regulation (EEC) No 1469/77 of 30 June 1977 laying down rules for applying the levy and the refund in respect of isoglucose and amending Regulation (EEC) No 192/75⁽⁸⁾, as amended by Regulation (EEC) No 1714/88;

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

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 114, 27. 4. 1989, p. 1.

⁽³⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁴⁾ OJ No L 167, 26. 6. 1976, p. 13.

⁽⁵⁾ OJ No L 50, 4. 3. 1970, p. 1.

⁽⁶⁾ OJ No L 152, 18. 6. 1988, p. 23.

⁽⁷⁾ OJ No L 170, 27. 6. 1978, p. 9.

⁽⁸⁾ OJ No L 162, 1. 7. 1977, p. 9.

- 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 subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽¹⁾, as last amended by Regulation (EEC) No 2205/90 ⁽²⁾,
- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent ;

Whereas the refunds referred to above must be fixed every month ; whereas they may be altered in the intervening period ;

Whereas application of these quotas results in fixing refunds for the products in question at the levels given in the Annex to this Regulation ;

Whereas, pursuant to Article 275 of the Act of Accession, refunds may be granted in the case of exports to Portugal ; whereas, in the light of the situation and the level of

prices no refund should be fixed in the case of exports to Portugal ;

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

HAS ADOPTED THIS REGULATION :

Article 1

The refunds to be granted on the products listed in Article 1 (1) (d), (f) and (g) of Regulation (EEC) No 1785/81, exported in the natural state, as fixed in the Annex to Regulation (EEC) No 2809/90 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 18 October 1990.

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

Done at Brussels, 17 October 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽²⁾ OJ No L 201, 31. 7. 1990, p. 9.

ANNEX

to the Commission Regulation of 17 October 1990 altering the export refunds on syrups
and certain other sugar products exported in the natural state

(ECU)

Product code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question (1)	Amount of refund per 100 kg of dry matter (2)
1702 40 10 100		38,55
1702 60 10 000		38,55
1702 60 90 000	0,3855	
1702 90 30 000		38,55
1702 90 60 000	0,3855	
1702 90 71 000	0,3855	
1702 90 90 900	0,3855	
2106 90 30 000		38,55
2106 90 59 000	0,3855	

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

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

NB: The product codes and the footnotes are defined in amended Commission Regulation (EEC)
No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1).

COMMISSION REGULATION (EEC) No 2999/90
of 17 October 1990
introducing a countervailing charge on apples originating in South Africa

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 2904/90⁽³⁾ introduced a countervailing charge on apples originating in South Africa;

Whereas for apples originating in South Africa 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 apples originating in South Africa can be abolished,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2904/90 is hereby repealed.

Article 2

This Regulation shall enter into force on 18 October 1990.

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

Done at Brussels, 17 October 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 277, 9. 10. 1990, p. 30.

COMMISSION REGULATION (EEC) No 3000/90**of 17 October 1990****adopting interim protective measures in regard to applications for STM licences
for milk and milk products lodged between 8 and 12 October 1990**

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, and in particular Article 85 (1) thereof,

Whereas Commission Regulation (EEC) No 608/86 of 28 February 1986 laying down detailed rules for applying the supplementary trade mechanism to milk products imported into Spain from the Community of Ten ⁽¹⁾, as last amended by Regulation (EEC) No 1637/90 ⁽²⁾, fixes the indicative ceilings for milk sector products for 1990 and splits these up into monthly ceilings;

Whereas applications for STM licences for cheese of category 3 lodged between 8 and 12 October 1990 relate to quantities higher than the ceiling set for the fourth quarter;

Whereas Article 85 (1) of the Act of Accession states that the Commission may take interim protective measures necessary by an emergency procedure where the situation indicates that the initiative ceiling will be attained or exceeded; whereas to this end it is necessary, as an interim protective measure, in view of the number of

requests, for the products concerned, to issue licences up to a percentage of the quantities applied for category 3 and to suspend all further issuing of licences for the products in question,

HAS ADOPTED THIS REGULATION:

Article 1

1. Applications for STM licences as referred to in Regulation (EEC) No 606/86 lodged between 8 and 12 October 1990 and notified to the Commission for milk products falling within:

— category 3 of CN code ex 0406 are hereby accepted up to an amount of 24,27 %.

2. The issuing of STM licences is hereby provisionally suspended for products falling within category 3 above the percentage referred to in paragraph 1.

Article 2

This Regulation shall enter into force on 18 October 1990.

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

Done at Brussels, 17 October 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 58, 1. 3. 1986, p. 28.

⁽²⁾ OJ No L 153, 19. 6. 1990, p. 24.

COMMISSION REGULATION (EEC) No 3001/90**of 17 October 1990****fixing the maximum export refund for white sugar for the 25th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EEC) No 983/90**

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 the first subparagraph of Article 19 (4) (b) thereof,

Whereas Commission Regulation (EEC) No 983/90 of 19 April 1990 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar⁽³⁾ requires partial invitations to tender to be issued for the export of this sugar;

Whereas, pursuant to Article 9 (1) of Regulation (EEC) No 983/90, a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question;

Whereas, following an examination of the tenders submitted in response to the 25th partial invitation to tender, the provisions set out in Article 1 should be adopted;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 25th partial invitation to tender for white sugar issued pursuant to Regulation (EEC) No 983/90 the maximum amount of the export refund is fixed at ECU 41,210 per 100 kilograms.

Article 2

This Regulation shall enter into force on 18 October 1990.

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

Done at Brussels, 17 October 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 100, 20. 4. 1990, p. 9.

COMMISSION REGULATION (EEC) No 3002/90
of 17 October 1990
altering the export refunds on white sugar and raw sugar exported in the natural state

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

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

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

Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EEC) No 2916/90 ⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2916/90 to the information known to the Commission that the export refunds

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, as fixed in the Annex to Regulation (EEC) No 2916/90 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 18 October 1990.

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

Done at Brussels, 17 October 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 279, 11. 10. 1990, p. 8.

ANNEX

to the Commission Regulation of 17 October 1990 altering the export refunds on white sugar and raw sugar exported in the natural state

(ECU)

Product code	Amount of refund	
	per 100 kg	per percentage point of sucrose content and per 100 kg net of the product in question
1701 11 90 100	35,46 ⁽¹⁾	
1701 11 90 910	35,27 ⁽¹⁾	
1701 11 90 950	⁽²⁾	
1701 12 90 100	35,46 ⁽¹⁾	
1701 12 90 910	35,27 ⁽¹⁾	
1701 12 90 950	⁽²⁾	
1701 91 00 000		0,3855
1701 99 10 100	38,55	
1701 99 10 910	38,55	
1701 99 10 950	38,55	
1701 99 90 100		0,3855

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

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

COMMISSION REGULATION (EEC) No 3003/90
of 17 October 1990
fixing the import levy on molasses

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 market in sugar ⁽¹⁾, as last amended by Regulation (EEC) No 1069/89 ⁽²⁾, and in particular Article 16 (8) thereof,

Whereas the import levy on molasses was fixed by Commission Regulation (EEC) No 2581/90 ⁽³⁾, as amended by Regulation (EEC) No 2925/90 ⁽⁴⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 2581/90 to the information at present available to the Commission

that the levy at present in force should be altered pursuant to Article 1 of this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levy referred to in Article 16 (1) of Regulation (EEC) No 1785/81 shall be, in respect of molasses falling within CN codes 1703 10 00 and 1703 90 00, ECU 0,74 per 100 kilograms.

Article 2

This Regulation shall enter into force on 18 October 1990.

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

Done at Brussels, 17 October 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 243, 6. 9. 1990, p. 34.

⁽⁴⁾ OJ No L 279, 11. 10. 1990, p. 32.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 25 September 1990

recognizing that the staff medical check-up scheme submitted by Denmark offers equivalent guarantees

(90/514/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 64/433/EEC of 26 June 1964 on health problems affecting intra-Community trade in fresh meat⁽¹⁾, as last amended by Directive 89/662/EEC⁽²⁾, and in particular point 24 of Chapter IV of Annex I thereto,

Having regard to Council Directive 71/118/EEC of 15 February 1971 on health problems affecting trade in fresh poultrymeat⁽³⁾, as last amended by Directive 89/662/EEC, and in particular point 12 of Chapter III of Annex I thereto,

Having regard to Council Directive 77/99/EEC of 21 December 1976 on health problems affecting intra-Community trade in meat products⁽⁴⁾, as last amended by Directive 89/662/EEC, and in particular point 20 of Chapter II of Annex A thereto,

Whereas point 24 of Chapter IV of Annex I to Directive 64/433/EEC, point 12 of Chapter III of Annex I to Directive 71/118/EEC and point 20 of Chapter II of Annex A to Directive 77/99/EEC provide that in accordance with the procedures laid down in Articles 16, 12a and 18 of the abovementioned Directives respectively, the Commission is to recognize staff medical check-up schemes as offering equivalent guarantees to those based on the annual renewal of the medical certificate;

Whereas, by letters of 29 March and 19 June 1990, the Danish authorities have informed the Commission of an alternative staff medical check-up scheme;

Whereas this alternative scheme can be considered as offering equivalent guarantees to those based on the annual renewal of the medical certificate;

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

HAS ADOPTED THIS DECISION:

Article 1

The medical check-up scheme for staff handling fresh meat, fresh poultry-meat and meat products submitted by Denmark and set out in the Annex is hereby recognized as offering equivalent guarantees to those based on the annual renewal of the medical certificate.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 25 September 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No 121, 29. 7. 1964, p. 2012/64.

⁽²⁾ OJ No L 395, 30. 12. 1989, p. 13.

⁽³⁾ OJ No L 55, 8. 3. 1971, p. 23.

⁽⁴⁾ OJ No L 26, 31. 1. 1977, p. 85.

ANNEX

ALTERNATIVE STAFF MEDICAL CHECK-UP SCHEME FOR PERSONS EMPLOYED TO WORK WITH OR HANDLE FRESH MEAT, POULTRYMEAT AND MEAT PRODUCTS PRESENTED BY THE AUTHORITIES OF DENMARK**A. Medical examination before taking up employment**

- The health of each person who is to be employed to handle meat, poultrymeat or meat products must be examined. The said examination is a pre-condition of such employment.
- The health check, on the basis of which the risk of contamination through the person concerned is assessed, must include an inquiry into the medical history carried out by means of a questionnaire (see under E), which must be assessed by a doctor, and a general medical examination carried out by a medical doctor.

Such medical examination may, if the doctor concerned considers it necessary, include a number of tests.

B. (Annual) routine examination

- Whenever the medical authorities service concerned (attached to an undertaking) or the family doctor of the employee concerned considers it necessary in particular when suspicion exists in relation to the diseases listed in the questionnaires under E and F, but at least once a year, the health of the staff referred to in A must be assessed by means of a questionnaire (see under F).
- The questionnaire, when completed by the personnel, is to be submitted to the medical authorities concerned. The doctor in charge has to sign this declaration, thus prolonging the medical certificate for one year. If the medical doctor, on basis of the questionnaire or on basis of any other information considers that there is a need for further medical assessment, a possible prolongation of the medical certificate can only be made after the results of such an assessment have been made available.

Such an assessment may, if the doctor concerned considers it necessary, include a number of tests.

- Where there is justification on epidemiological or clinical grounds, the medical service (attached to an undertaking) or the family doctor of the employee concerned ensures that persons who are a possible source of contamination are prohibited from working or handling fresh meat, poultrymeat or meat products.

C. Guidance in matters of hygiene

Anyone working with or handling fresh meat, poultrymeat or meat products must have undergone appropriate training, particularly as regards his/her responsibility in matters of food and personal hygiene.

D. Further comments

Although a health certificate drawn up before taking up employment offers no absolute guarantee that the person concerned will not be a source of contamination, it is important when first employed to draw the attention to essential public health aspects such as the responsibility in matters of hygiene generally and the obligation to report any contagious disease during the term of employment.

In this context, it is essential that the person concerned is sufficiently well informed of his role as a transmitter of disease.

The routine medical examination (normally taking place every year) of staff engaged in handling meat, poultrymeat and meat products has been carried out for many years in a number of countries, with the aim of reducing the risk of pathogenic micro-organisms being transmitted to the consumer through the meat, poultrymeat or meat products by the person concerned.

At various international meetings the question has been raised of whether such routine examinations, particularly of faeces, must necessarily form part of the measures to protect the consumer against contagious diseases that may be transmitted via badly handled meat, poultry meat or meat products. The value of the routine examination of faeces for pathogenic intestinal bacteria, in particular, has repeatedly been called into question.

It emerges from the study of the reports of the abovementioned meetings that routine examinations, particularly of faeces samples, do not in any significant way contribute towards preventing contagious diseases from being transmitted to the consumer via meat, poultry meat or meat products; in other words, the examination at regular intervals of faeces and urine of staff for *Salmonella* and *Shigellae* is no longer considered to be relevant. There should only be examination where it is justified on epidemiological or clinical grounds.

E. Health certificate for persons taking up employment in the food industry

(This certificate is to be filled out in the presence of a doctor)

Name and first name :

Date and place of birth :

Address :

Firm's doctor or family doctor :

Have you suffered or are you suffering from :	Yes	No
(a) Typhoid fever	<input type="checkbox"/>	<input type="checkbox"/>
(b) Paratyphus	<input type="checkbox"/>	<input type="checkbox"/>
(c) Tuberculosis	<input type="checkbox"/>	<input type="checkbox"/>
(d) A contagious or infectious skin disease If so, which :	<input type="checkbox"/>	<input type="checkbox"/>
(e) Any other contagious disease If so, which :	<input type="checkbox"/>	<input type="checkbox"/>

I, the undersigned, certify that I have given the above information to the best of my knowledge.

Place :

Date :

.....
(Signature)

The undersigned declares that during his term of employment he will immediately report to the management and the medical service of the undertaking or to his family doctor any contagious disease from which he is or thinks he is suffering.

Place :

Date :

.....
(Signature)

The undersigned,,
Doctor

declares having examined Mrs/Miss/Mr

today and is of the opinion, on the basis of the above information and the results of the tests carried-out at his request, that there is no impediment to his/her employment.

Place :

Date :

.....
(Signature)

F. Health attestation for persons employed in the food industry

(This attestation is to be forwarded (duly completed) to the Medical Service of the undertaking or to a family doctor, attached to the employee concerned)

Name and first name :

Date and place of birth :

Address :

Firm's doctor or family doctor :

Have you suffered or are you suffering from : Yes No

(a) Typhoid fever [] []

(b) Paratyphus [] []

(c) Tuberculosis [] []

(d) A contagious or infectious skin disease If so, which : [] []

(e) Any other contagious disease If so, which : [] []

The undersigned declares having given the above information to the best of his knowledge.

Place :

Date :

..... (Signature)

The undersigned Doctor

declares, based on :

(*) the above information and

(*) the results of the tests carried out at his request that there is no impediment to the prolongation of the employment of

Mrs/Miss/Mr

Place :

Date :

..... (Signature)

(*) Delete if not appropriate.

COMMISSION DECISION

of 26 September 1990

laying down the reference methods for detecting residues of heavy metals and arsenic

(90/515/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 64/433/EEC of 26 June 1964 on health problems affecting intra-Community trade in fresh meat ⁽¹⁾, as last amended by Directive 89/662/EEC ⁽²⁾, and in particular Article 4 (1) (b) thereof,

Having regard to the opinion of the Scientific Veterinary Committee,

Whereas, pursuant to Article 4 (1) (b) of Directive 64/433/EEC, reference methods should be laid down for assessing the results of the examination for residues;

Whereas Article 1 of Commission Decision 89/610/EEC of 14 November 1989 laying down the reference methods and the list of national reference laboratories for detecting residues ⁽³⁾ excludes coverage of heavy metals and arsenic;Whereas, pursuant to the second subparagraph of Article 8 (3) of Council Directive 86/469/EEC of 16 December 1986 concerning the examination of animals and fresh meat for the presence of residues ⁽⁴⁾, all positive findings must, if challenged, be confirmed using the reference methods established pursuant to Article 4 (1) (b) of Directive 64/433/EEC;

Whereas the determination of reference methods includes the definition of the analytical reference procedures to be followed and the criteria to be applied when carrying out the analyses;

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

HAS ADOPTED THIS DECISION:

Article 1

The analytical reference procedures to be applied for confirmation of the presence of residues shall be the following:

1. for arsenic:

- atomic absorption spectrometry (AAS) (graphite furnace or hydride generation technique),

— colorimetry (after complexation).

2. for cadmium and lead:

- atomic absorption spectrometry (AAS) (graphite furnace or flame)
- anodic stripping voltammetry by derivative pulse polarography (DPASV).

3. for mercury: cold vapour phase atomic absorption spectrometry (AAS).

Article 2

The analytical reference procedure of choice must be based preferably on atomic absorption spectrometry (AAS) and must have a limit of detection which is equal to or lower than that of the procedure used for routine analyses.

Article 3

The criteria applicable to the analytical reference procedure are set out in the Annex.

Article 4

This Decision shall be reexamined before 1 January 1996 in order to take account of developments in scientific and technical knowledge.

Article 5

This Decision is addressed to the Member States.

Done at Brussels, 26 September 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No 121, 29. 7. 1964, p. 2012/64.⁽²⁾ OJ No L 395, 30. 12. 1989, p. 13.⁽³⁾ OJ No L 351, 2. 12. 1989, p. 39.⁽⁴⁾ OJ No L 275, 26. 9. 1986, p. 36.

ANNEX

1. DEFINITIONS AND GENERAL CRITERIA

1.1. Parameters

The parameters provided for in the Annex to Council Directive 85/591/EEC⁽¹⁾ as defined in this report shall apply to reference methods of analysis for residues of heavy metals and arsenic.

1.2. Definitions

1.2.1. Analyte: a component of a test sample the content of which has to be measured. The term 'analyte' includes derivatives formed from the analyte during the analysis wherever this is necessary.

1.2.2. Standard material: a well defined substance of recognized analytical purity to be used to prepare calibrant solutions and calibration curves.

1.2.3. Certified reference material: a sample of substance or a single manufactured object of which one, or several, properties are determined with sufficient accuracy, so that it can be used to calibrate an apparatus or to verify a method of measurement. The certification must be based on technically valid procedures. If no certified reference material is available, relevant parameters may be evaluated by analysing fortified sample material. For the purpose of this document reference materials are used to verify the accuracy of the analysis.

Note:

CRMs suitable for the verification of methods for heavy metals and arsenic in muscle, liver and kidney are available from the Community Bureau of Reference, Commission of the European Communities, Brussels.

1.2.4. Selectivity: the ability of a method to distinguish between the analyte to be measured and other substances. This characteristic is predominantly a function of the measuring principle used, but can vary according to class of compound or matrix. A specific method is one exhibiting the ultimate in selectivity.

1.2.5. Accuracy: in this document this refers to accuracy of the mean. The definition which shall be used is laid down in ISO 3534-1977 under 2.83 (accuracy of the mean: the closeness of agreement between the true value and the mean result which would be obtained by applying the experimental procedure a very large number of times).

The principal limitations on the accuracy of a determination are both random error and systematic error, though where the result is derived from a very large number of determinations, the random errors tend to cancel out and the accuracy of the mean approaches the systematic error.

For desk review of a method therefore, the number of repeated determinations must be specified.

The measure of accuracy is the difference between the mean value obtained analyzing a certified reference material and its certified value expressed as a percentage of the certified value.

1.2.6. Precision: repeatability intra-laboratory (within laboratory) and reproducibility inter-laboratory (within and between laboratories) variabilities.

The general statistical term 'precision' shall be used as defined in ISO 3534-1977 2.84 (precision: the closeness of agreement between the results obtained by applying the experimental procedure several times under prescribed conditions).

According to the Annex to Directive 85/591/EEC the precision values for methods of analysis which are to be considered for adoption under the provisions of that Directive shall be obtained from a collaborative trial which has preferably been conducted in accordance with ISO 5725-1986. For this purpose, the terms repeatability and reproducibility are defined in ISO 5725-1986. For conducting such trials sample materials having analyte contents ranging around the tolerance level to be enforced shall be used.

⁽¹⁾ OJ No L 372, 31. 12. 1985, p. 50.

Until such time as the reproducibility of a method has been established by a collaborative trial, then for the purpose of preselection of candidate methods by desk review, it is necessary that data on repeatability, recovery and results obtained for certified reference materials are available. For this purpose the term repeatability is used here as defined in ISO 3534-1977 under 2.85a) (repeatability: the closeness of agreement between successive results obtained with the same method on identical test material, under the same conditions (same operator, same apparatus, same laboratory and short intervals of time)).

The measure of repeatability to be used is the coefficient of variation as defined in ISO 3534-1977, 2.35 (coefficient of variation: the ratio of the standard deviation to the absolute value of the arithmetic mean).

- 1.2.7. Limit of detection: the smallest measured content from which it is possible to deduce the presence of the analyte with reasonable statistical certainty. The detection limit has to be reported in the contents domain, i.e. expressed as $\mu\text{g}/\text{kg}$ or mg/kg (analyte/product), together with the amount of test portion (in grams) typically used in the analysis. The limit of detection is numerically equal to three times the standard deviation of the means of blank determinations ($n \geq 20$). A blank determination is defined as the complete analytical procedure, with omission of the test portion, or taking instead of it an equivalent amount of distilled water.
- 1.2.8. Sensitivity: a measure of the ability of a method to discriminate between small differences in analyte content. In this document, sensitivity is defined as the slope (response/concentration) of the calibration curve at the level of interest.
- 1.2.9. Practicability: a non-standard characteristic of an analytical procedure. It is dependent on the scope of the method and is determined by requirements such as sample throughput and costs. For reference methods, most aspects of practicability are of minor significance compared with the other criteria defined in this document. It is usually sufficient that the required reagents and equipment are commercially available.
- 1.2.10. Applicability: a list of the commodities to which the candidate method can be applied as presented or with minor modifications.
- 1.2.11. *Other criteria selected in connection with the determination of heavy metals and arsenic.*
- 1.2.11.1. Quantification
- 1.2.11.1.1. Limit of quantification: the lowest content of the analyte which can be measured with reasonable statistical certainty. If both accuracy and precision are constant over a concentration range around the limit of detection, then the limit of quantification is numerically equal to six times the standard deviation of the means of blank determination ($n \geq 20$, see 1.2.7).
- 1.2.11.1.2. Accuracy: in the case of repeated analysis of a certified reference material, the deviation of the mean from the certified value, expressed as a percentage of the certified value, shall not lie outside the limits $\pm 10\%$.
- 1.2.11.3. Precision, expressed as repeatability: in the case of repeated analysis of a sample, the coefficient of variation (CV) (1.2.6.) of the mean shall not exceed the following values:

	<i>CV</i>
— mean over 10 and up to 100 $\mu\text{g}/\text{kg}$:	0,20
— mean over 100 $\mu\text{g}/\text{kg}$ and up to 1000 $\mu\text{g}/\text{kg}$:	0,15
— mean over 1000 $\mu\text{g}/\text{kg}$:	0,10

1.2.11.1.4. Calibration curves

If the method depends on a calibration curve then the following information must be given:

- for a linear calibration curve the ranges within which a linear relationship exists between the contents of the analyte in the standard solutions and the magnitude of the signals produced by the measuring instrument (linear range of the calibration curve),
- if the quantification is based upon a non-linear calibration curve, the mathematical formula which describes the calibration curve,
- acceptable ranges within which the magnitude of the signal produced by the measuring instruments for a standard solution in the working range of the calibration curve may vary from day to day,
- a copy of a representative calibration curve with all the data points, and indications of the ranges where the curve can be used (working range).

1.2.11.2. Susceptibility to interference

For all experimental conditions which could in practice be subject to fluctuation (e.g. stability of reagents, composition of the sample, pH, temperature) any variations which could affect the analytical result should be indicated. The method description shall include means of overcoming any foreseeable interference. When ever possible, a means of confirming the contents shall be described. It is of prime importance that interference which might arise from matrix components should be investigated. Therefore, at least the largest amount of sample which has no interfering effect on the quantification of the analyte (after proper decomposition and 'clean-up') shall be indicated.

In atomic absorption spectrometry, especially, with the graphite furnace technique, erroneous (too high) values can be obtained due to inadequate background correction. Reference methods therefore must contain detailed information about the effectiveness of the background correction system employed. In general, background correction based upon the Zeeman principle is currently considered the most reliable, but also deuterium lamp and Smith-Hieftje correctors may fulfil the needs.

1.2.11.3. Relationship between maximum permitted levels and analytical limits

For elements with an established maximum permitted level, the limit of quantification shall not exceed that level minus three times the repeatability standard deviation which the method produces for a sample at the maximum permitted level.

Typical residue levels in various sample materials are listed in the *EEC Handbook of experimental data for reference methods* (to be published).

2. CRITERIA FOR THE QUANTIFICATION OF RESIDUES OF HEAVY METALS AND ARSENIC

2.1. General requirement

Laboratories carrying out analyses for the quantitative determination of heavy metals and arsenic, shall ensure that the criteria for the interpretation of results are fulfilled in accordance with the requirements of this section. The criteria are designed for the identification and quantification of the analyte and aim to prevent false positive results. For a positive conclusion, the analytical results have to fulfil the criteria laid down for the particular analytical procedure.

2.2. Interpretation of results : definition of a positive and a negative result

2.2.1. Positive result : if, according to the analytical procedure, the measured content of the analyte in the sample is equal to or higher than the established maximum permitted level plus n times the standard deviation corresponding to the maximum coefficient of variation allowed for the method as stated in section 1.2.11.1.3 for the level concerned, the sample has a content exceeding the maximum permitted level. The result of the analysis is 'positive'.

2.2.2. Negative result : if, according to the analytical procedure, the measured content of the analyte in the sample is lower than the established maximum permitted level plus n times the standard deviation corresponding to the maximum coefficient of variation allowed concerned, the sample is considered to have a content below the maximum permitted level. The result of the analysis is 'negative'.

Note 1 : A negative result does not prove that the true content of the analyte is below the maximum permitted level.

Note 2 : The value of n should be defined according to the risk, acceptable by the authorities for false positive or false negative results.

2.3. General considerations for the whole analytical procedure

2.3.1. Preparation of the sample

The sample should be obtained and handled in such a way that the composition does not change due to for example desiccation, evaporation, deterioration or contamination.

2.3.2. Susceptibility to interference

Information as detailed under 1.2.11.2. (Susceptibility to interference) should be submitted.

2.3.3. General criteria for the whole analytical procedure

2.3.3.1. The selectivity (1.2.4) of the method shall be indicated together with the numerical values of the limit of detection (1.2.7.) and the limit of quantification (1.2.11.1.1) of the procedure for the analyte and matrix under investigation.

Note : This information can be obtained from experimental data and taking account of theoretical considerations.

2.3.3.2. The positive or negative result of the analysis will hold only within the restrictions of selectivity and limit of quantification of the procedure for the analyte and matrix under investigation.

2.3.3.3. Analytical quality control

Reference samples containing reliably known amounts of analyte must be carried through the entire procedure simultaneously with each series of test samples analysed. When appropriate certified reference materials or reference samples are not available, the method must be validated by doing recovery experiments in parallel with each series of test samples analysed. (See also sections 1.2.11.1.2 and 1.2.11.1.3, for accuracy and precision requirements).

2.4. Criteria for decomposition of samples

Depending upon the measuring system to be used a more or less thorough digestion of the organic matter in the sample may be necessary. Decomposition by dry ashing, wet digestion in an open system and bomb digestion can be considered.

Cleaning of glassware and of other equipment used needs special attention when elements have to be determined at trace levels; each method must give an outline of the cleaning procedure.

Decomposition procedures often include potentially hazardous manipulations, therefore every method must contain a safety paragraph.

2.4.1. *Reagents*

Mineral acids, hydrogen peroxide and ashing aids, e.g. magnesium nitrate, should be of a high purity, in general better than analytical grade. Several manufacturers produce chemicals especially suitable for trace determinations of heavy metals. Every new batch of a reagent should be tested in a blank experiment for its actual content of the element to be measured, and the results compared with those of a previous batch.

2.4.2. *Testing for losses of analyte*

Possible losses of analytes due to the presence or formation of volatile compounds or insoluble precipitates must be checked. Preferably this is done by analyzing a certified reference material, whose matrix matches the sample to be analyzed as closely as possible, and in addition by recovery experiments with the actual sample material. If no appropriate certified reference material is available, recovery experiments at various levels must be done.

2.4.3. *Dry ashing techniques (not applicable to mercury determinations)*

Stringent control of the temperature is important in dry ashing to avoid losses of analyte by volatilization. A muffle furnace with a programmable temperature controller is essential to obtain repeatable ashing conditions.

In the first stage of the ashing, until ca. 350 °C, the temperature rise must be slow, about 50 °C per hour, in order to prevent burning of the organic material in the sample, which results locally in much higher temperatures (up to 800 °C to 900 °C) and thus to loss of analytes.

If no ashing aids are used, the maximum ashing temperature must be no higher than 450 °C to 500 °C.

If ashing aids, e.g. sulphuric acid, magnesium nitrate, magnesium oxide are added to the sample, higher ashing temperatures can be used without losses of the elements of interest. However, use of ashing aids may cause dissolution problems of the ash.

When necessary, ashing should be repeated for a short time, after addition of some nitric acid to the ash, until no more residual carbon (black particles) is visible in the ash.

To minimize the chance of contamination, the lining of the furnace may not contain high levels of the elements to be determined.

2.4.4. *Atmospheric pressure with mineral acids*

In atmospheric pressure digestion methods relatively large amounts of reagents are used which means that their contamination levels must be as low as possible (see 2.4.1). During digestion oxidizing conditions must be maintained to avoid charring; if charring occurs, immediately a few ml of oxidizing acid (nitric acid, perchloric acid) should be added. A severely charred sample is very difficult to digest any further; also charring may lead to loss of analytes (arsenic, mercury) by volatilisation. If the final digest, after dilution, is to be directly analyzed by flame-AAS or graphite furnace AAS, the presence of residues of low-molecular weight organic molecules might not interfere in the measurement. In these cases digestion with mixtures of sulphuric acid/nitric acid may be sufficient. Digests which have to be analyzed by DPASV or from which the analyte is to be extracted with organic complexation agents, must be free from any residual organic material. In these cases final digestion with perchloric acid and/or hydrogen peroxide is appropriate.

2.4.5. *Pressure digestion*

Only appropriate designed pressure vessels and ovens must be used for these techniques. Microwave devices especially should be of the type specifically designed for laboratory use. This message must be clearly stated in any reference method protocol that advocates or permits the use of these techniques.

The main restriction of this technique is the small amount of test portion that can be digested in the most common types of commercially available bombs.

Usually the digests obtained can be analyzed after dilution directly by flame-AAS or graphite furnace AAS. Supplementary digestion with perchloric acid and/or hydrogen peroxide will be necessary when the digest has to be analyzed by DPASV or has to be extracted with organic complexing agents.

2.5 **Criteria for atomic absorption spectrometry (AAS)**

In general, instrument settings of the spectrometer should be chosen according to the recommendations of the manufacturer. The performance of the complete equipment must be checked before and after each series of sample measurements by analyzing standard solutions and preparing a calibration graph from the results. Whenever possible results must be checked by repeating the measurements at an alternative absorption line. If quantification is done by the method of standard additions, care should be taken not to exceed the linear range of the calibration curve.

2.5.1. *Flame-AAS*

Calibration standard must be prepared in a solution matrix that matches as closely as possible that of sample measurement solutions (e.g. in terms of acid concentration) to ensure comparable instrument response.

If a separation procedure, such as an extraction, is used, to separate analyte from interferents or for concentration, the efficiency of each step must be checked for every new type of sample matrix.

While background absorption tends to be much less of a problem with flame as opposed to graphite furnace AAS nonetheless a check must always be made whether or not background correction is required.

2.5.2. *Graphite furnace AAS*

Matrix modification in combination with the use of L'vov platform atomization may allow quantification by means of a calibration curve based upon measuring of aqueous standard solutions. To avoid high blank values, the reagents used as matrix modifier must be of the highest purity available.

Lack of effective and reliable background correction is the main source of error in graphite furnace AAS. Therefore the effectiveness of the background correction aspect of the measurement must be checked very carefully. Results must, where ever appropriate, be checked by diluting the measuring solution two or threefold and measuring again.

2.5.3. *Cold vapour atomic absorption spectrometry for mercury*

Due to losses by volatilization, dry ashing cannot be used as a decomposition technique for mercury determinations. Volatile organic substances in the measuring solution can lead to false positive results. This possibility must be ruled out by analyzing two aliquots of each sample solution, with and without a tube filled with palladium chloride on glass wool connected in the gas stream between the solution and the absorption cell of the detector. With the palladium chloride tube connected no peak should appear. If the measurement is based upon absorption of elemental mercury on gold wool, followed by thermal desorption, the check with palladium chloride can be deleted.

2.5.4. *Hydride generation atomic absorption spectrometry for arsenic (As)*

Organic compounds containing arsenic can be very stable and require a very thorough oxidative decomposition procedure to ensure that correct results for total As are obtained. Wet digestion must include and bomb digestion must be followed by a final digestion step with perchloric acid, hydrogen peroxide or other strong oxidizing reagents like potassium permanganate. Dry ashing with a mixture of magnesium nitrate/magnesium oxide as ashing aids also is suitable for arsenic determinations.

One needs to be aware that in this technique the heights and areas of the absorption peaks can be strongly influenced by matrix constituents in the measuring solution and quantification by the method of standard additions is usually required. The yield and speed of formation of AsH_3 in hydrochloric acid solution with NaBH_4 depends as the oxidation state of As, As^{III} in general reacting preparation procedures must be designed to render all As present to As^{III} or As^{V} and the measurement must be calibrated with As^{III} or As^{V} solutions as appropriate.

2.6. Criteria for differential pulse anodic stripping voltammetry (DPASV)

Complete destruction of organic matter in samples prior to DPASV determinations is of utmost importance. In this respect dry ashing is quite appropriate. In the voltammograms peaks originating from cadmium and lead should be completely separated. No broad signals, due to the presence of organic materials, should be seen in the voltammogram. Peak heights in DPASV may be influenced by inorganic matrix constituents. Therefore quantification has to be done by the method of standard additions. A specimen of a typical voltammogram of a sample solution should be supplied with the method.

2.7. Criteria for calorimetric methods (for arsenic)

As for the hydride generation technique, complete destruction of all organic materials, including organo-arsenic compounds, is of utmost importance here (see 2.5.4).

COMMISSION DECISION

of 8 October 1990

amending Decision 89/3/EEC in regard to health protection measures in connection with imports of certain fresh meat from the State of Minas Gerais, Brazil

(90/516/EEC)

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

Having regard to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine animals and swine and fresh meat or meat products from third countries⁽¹⁾, as last amended by Directive 90/423/EEC⁽²⁾, and in particular Article 16 thereof,

Whereas the requirements as regards animal health conditions and veterinary certification for imports of fresh meat from Brazil are laid down in Commission Decision 86/195/EEC⁽³⁾, as amended by Decision 87/455/EEC⁽⁴⁾, with particular reference to the situation of foot-and-mouth disease obtaining in Brazil at that time;

Whereas this situation led to the adoption by Decision 89/3/EEC⁽⁵⁾ of health protection measures in connection with imports of certain fresh meat from Brazil which will apply from 1 March 1989;

Whereas the last on-the-spot check by Community inspectors showed that the situation in the State of Minas Gerais had improved;

Whereas Decision 89/3/EEC should therefore be amended so that Member States can again authorize

importation of fresh meat of bovine animals from the State of Minas Gerais; Whereas the measures provided for

in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

The reference to the State of Minas Gerais in Article 1 of Decision 89/3/EEC is deleted.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 8 October 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽²⁾ OJ No L 224, 18. 8. 1990, p. 13.

⁽³⁾ OJ No L 142, 28. 5. 1986, p. 51.

⁽⁴⁾ OJ No L 244, 28. 8. 1987, p. 38.

⁽⁵⁾ OJ No L 5, 7. 1. 1989, p. 32.

CORRIGENDA

Corrigendum to Commission Regulation (EEC) No 2929/90 of 10 October 1990 adapting the conversion rates to be applied in agriculture fixed by Council Regulation (EEC) No 1678/85

(Official Journal of the European Communities No L 279 of 11 October 1990)

- Page 42, table, line 'sheepmeat, fisheries products (DM)':

Column 'October 1990':

for: '0',
read: '- 0,155';

Column '1990/1991':

for: '- 0,155',
read: '0'.

- Page 43, table, line 'Pigmeat (Lit)', column '1991/1992':

for: '0',
read: '- 0,558'.

- Page 52, Annex IV, line 'Grain legumes', fourth column:

for: '222,905';
read: '204,710'.

- Page 54, Annex IV A, line 'Grain legumes', fourth column:

for: '222,905',
read: '204,710'.

- Page 74, Annex XI, line 'Pigmeat', reads as follows:

'Pigmeat (')		0,800625		10. 10. 1990		0,794820		11. 10. 1990'.
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Corrigendum to Commission Regulation (EEC) No 2932/90 of 10 October 1990 fixing the market conversion rates to be applied for certain amounts in the context of the common agricultural policy and, in particular, for the calculation of the monetary compensatory amounts

(Official Journal of the European Communities No L 280 of 11 October 1990)

On page 43 the Annex reads as follows:

ANNEX

Market conversion rates to be applied for certain amounts in the context of the common agricultural policy and, in particular, for the calculation of the monetary compensatory amounts

	100 Lit	1 £	1 £ Irl	1 ECU
Bfrs/Lfrs	2,75661	62,0212	55,2545	48,5563
Dkr	0,509801	11,4701	10,2186	8,97989
DM	0,133650	3,00701	2,67893	2,35418
FF	0,448246	10,0851	8,98480	7,89563
Fl	0,150590	3,38813	3,01847	2,65256
£ Irl	0,0498894	1,12247	—	0,878776
£	0,0444460	—	0,890896	0,782898
Lit	—	2 249,91	2 004,44	1 761,45
Dr	13,4122	301,763	268,840	236,250
Esc	11,8468	266,543	237,462	208,676
Pta	8,44571	190,021	169,289	148,767