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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 3677/90

of 13 December 1990

laying down measures to be taken to discourage the diversion of certain substances to the illicit manufacture of narcotic drugs and psychotropic substances

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas on 19 December 1988 a Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances was adopted in Vienna, hereinafter referred to as the 'United Nations Convention'; whereas the United Nations Convention is part of the world-wide efforts to combat drugs; whereas the Community participated in the negotiation of that Convention, showing its political will to act within the limits of its competences;

Whereas the United Nations Convention contains an Article 12 concerning trade in precursors, i.e. substances frequently used in the illicit manufacture of narcotic drugs and psychotropic substances; whereas the implementation of this Article represents a contribution by industrialized countries to the effort requested from drug-producing countries, which are generally much poorer than the former; whereas the provisions on trade in such precursors affect the Community rules in customs matters; whereas, on this basis, the United Nations Convention was signed on behalf of the Community on 8 June 1989; whereas, on this basis, the Council decided on 22 October 1990 to conclude the United Nations Convention; whereas it is thus appropriate, in order to concretize this political will, to lay down Community rules on trade between the Community and third countries;

Whereas the provisions of Article 12 of the United Nations Convention are based on a system monitoring trade in the substances in question; whereas most of the trade in these substances is fully legitimate; whereas documentation and possible labelling as regards consignments of these substances have to be sufficiently clear; whereas it is furthermore important, whilst providing competent authorities with the necessary means of action,

to develop, in compliance with the spirit of the United Nations Convention, mechanisms which are based on close cooperation with the economic operators concerned as well as on the development of intelligence gathering;

Whereas a system of pre-notification of consignments of certain substances providing, under certain conditions, for the operations in question to be forbidden, appears most appropriate to the situation; whereas several countries have already obtained very positive results favouring this approach;

Whereas the competent authorities of Member States should have comparable means of action; whereas it is indispensable, therefore, to establish common objectives in the matter at Community level; whereas this aspect is essential with the completion of the internal market in prospect and in order to ensure the homogeneous application of the rules established; whereas it is also important, in this context, that each Member State provide for sufficiently dissuasive penalties;

Whereas machinery for administrative cooperation should be provided for both within the Community and with third countries which are also Parties to the Convention; whereas it is advisable in this respect, as far as the competent authorities in the Community are concerned, to take as a basis Council Regulation (EEC) No 1468/81 of 19 May 1981 on mutual assistance between the administrative authorities of the Member States and cooperation between the latter and the Commission to ensure the correct application of the law on customs or agricultural matters⁽¹⁾, as amended by Regulation (EEC) No 945/87⁽²⁾; whereas particular attention has to be paid to the confidentiality of information received or exchanged;

Whereas, in the spirit of the United Nations Convention, the Community should contribute to efforts to combat drug trafficking by producer countries; whereas, in this connection, special machinery should be introduced for

⁽¹⁾ OJ No L 144, 2. 6. 1981, p. 1.

⁽²⁾ OJ No L 90, 2. 4. 1987, p. 3.

monitoring the products listed in Table II of the Annex where they are the subject of trade with those countries, despite the fact that in general these products give rise to much lawful trade; whereas the cooperation of the countries concerned should be sought to ensure better monitoring of such trade;

Whereas, in order to examine possible problems concerning the application of this Regulation and to enhance its implementation and the development of administrative cooperation in the matter, it is desirable to provide that the Commission should organize specific meetings,

HAS ADOPTED THIS REGULATION:

TITLE I

GENERAL

Article 1

1. This Regulation lays down the measures to be taken to monitor trade between the Community and third countries in substances frequently used for the illicit manufacture of narcotic drugs and psychotropic substances for the purpose of preventing the diversion of such substances.

2. For the purposes of this Regulation:

- (a) 'scheduled substance' means any substance listed in the Annex, including mixtures containing such substances. This excludes pharmaceutical preparations or other preparations containing scheduled substances that are compounded in such a way that such substances cannot be easily used or recovered by readily applicable means;
- (b) 'import' means any physical introduction of scheduled substances into the customs territory of the Community;
- (c) 'export' means any physical departure of scheduled substances from the customs territory of the Community which requires a customs export declaration;
- (d) 'transit' means any transport of scheduled substances between third countries through the customs territory of the Community and any transshipment in that territory;
- (e) 'operator' means any natural or legal person engaged in the manufacture, production, trade or distribution of scheduled substances in the Community or involved in other related activities such as import, export, transit, broking and processing of scheduled substances. This definition includes, in particular, persons pursuing the activity of making customs declarations on a self-employed basis, either as their

principal occupation or as a secondary activity related to another occupation;

- (f) 'International Narcotics Control Board' means the Board established by the Single Convention on Narcotic Drugs, 1961, as amended by the 1972 Protocol.

TITLE II

MONITORING OF TRADE

Article 2

Documentation, records and labelling

The import, export and transit of scheduled substances are subject to the following requirements:

1. All import, export and transit operations shall be properly documented. In particular, commercial documents such as invoices, cargo manifests, customs, transport and other shipping documents shall contain sufficient information positively to identify:
 - the name of the scheduled substance as given in the Annex,
 - the quantity and weight of the scheduled substance and, where it consists of a mixture, the quantity and weight of any substance or substances listed in the Annex,
 - the name and address of the exporter, the importer, the distributor and, if known the ultimate consignee.
2. Where operators affix labels indicating the type of product or its trade name to scheduled substances in import, export or transit operations, such labels must show the names of the substances as given in the Annex.
3. Operators involved in import, export and transit of scheduled substances shall keep detailed records of those activities.
4. The documents and records referred to in points 1 and 3 shall be kept for a period of not less than two years from the end of the calendar year in which the operation referred to in point 1 took place, and must be readily available for inspection by the competent authorities upon request.

Article 3

Notification

The Member States shall take the necessary measures to establish close cooperation between the competent authorities and operators, so that operators notify the competent authorities immediately of any circumstances, such as unusual orders and transactions involving scheduled substances, which suggest that such substances intended for import or export may be diverted for the illicit manufacture of narcotic drugs or psychotropic substances.

Article 4

Pre-export notification

Substances listed in Table I of the Annex

1. Full particulars relating to exports of scheduled substances listed in Table I of the Annex must be supplied in advance to the competent authorities of the Member State in which the customs export formalities are to be completed. In addition to the obligations which arise for them under Article 3, the operators concerned must ensure that those authorities have actually received the particulars in question at least 15 working days before any customs export declaration is lodged.

The competent authorities shall immediately confirm receipt of the particulars referred to in the preceding subparagraph.

2. The particulars referred to in paragraph 1 must contain the following information :

- the name and address of the exporter, the importer in the third country and any other operator involved in the export operation or shipment, and also of the ultimate consignee if at all known to the operator concerned,
- the name of the scheduled substances as given in Table I in the Annex,
- the quantity and weight of the scheduled substance and, where it consists of a mixture, the quantity and weight of any substance or substances listed in the Annex,
- details of the shipment such as expected date of dispatch, name of the customs office where the customs export formalities will be carried out, transport arrangements and, where known, itinerary, expected point of exit from Community customs territory and, possibly, point of entry into the importing country.

3. Without prejudice to any possible implementation of technical repressive measures, if there are reasonable grounds for suspecting that scheduled substances listed in Table I of the Annex are intended for the illicit manufacture of narcotic drugs or psychotropic substances, the export of such substances shall be forbidden, by written order from the competent authorities, confirmation of receipt of which must be duly provided.

4. A decision must be taken on the particulars supplied by the operators within the period of 15 working days laid down in paragraph 1, where appropriate by issuing an export permit.

Export shall be authorized :

- where, within the said period, there has not been any decision to extend it, any request for further information or any order pursuant to paragraph 3, or
- on presentation of a formal export permit, where the competent authority makes provision for the issue of such a document.

In all cases, the confirmation of receipt referred to in paragraph 1 or the export permit, where the competent

authority makes provision for the issue of such a permit, must be produced for inspection by the customs authorities when the customs export declaration is lodged.

5. With regard to requests for pre-export notification addressed to the Community by a third country pursuant to Article 12 (10) of the United Nations Convention :

- (a) the Commission shall immediately communicate to the competent authorities of the Member States any such request received ;
- (b) the competent authorities of the Member State concerned shall, prior to any export of scheduled substances to the requesting country, supply the information specified in paragraph 2 to the competent authorities of that country. A copy of this reply shall be communicated to the Commission for circulation to the other Member States ;
- (c) the authority furnishing such information may require that the authority in the third country receiving the information ensures the confidentiality of any trade, industrial, commercial or professional secret or any trade process referred to therein.

Article 5

Specific export machinery

Substances listed in Table II of the Annex

For the purposes of supplementing the arrangements for monitoring international trade in scheduled substances between the Community and third countries, Article 4 shall apply *mutatis mutandis* to exports of scheduled substances listed in Table II of the Annex wherever they appear to be intended, directly or indirectly, for any country which has informed the Commission, that it wishes to be notified in advance of any shipment to it of the said products because they might be used for the illicit manufacture of narcotic drugs or psychotropic substances in its territory.

TITLE III

CONTROL MEASURES

Article 6

Legal powers of competent authorities

1. In order to ensure the correct application of Articles 2, 4 and 5, each Member State shall adopt within the framework of its domestic law the measures necessary to enable the competent authorities :

- (a) to obtain information on any orders for or operations involving scheduled substances ;
- (b) to enter operators' business premises in order to obtain evidence of irregularities.

2. Without prejudice to the measures laid down in Article 4 (3), Article 5 and paragraph 1 of this Article the customs authorities or other competent authorities of each Member State may prohibit the introduction of scheduled substances into Community territory or their departure from it, if there are reasonable grounds for suspecting that the substances are intended for the illicit manufacture of narcotic drugs or psychotropic substances.

TITLE IV

ADMINISTRATIVE COOPERATION

Article 7

For the purposes of applying this Regulation and without prejudice to Article 10, the provisions of Regulation (EEC) No 1468/81 and in particular those on confidentiality shall apply *mutatis mutandis*. Each Member State shall communicate to the other Member States and to the Commission the name of the competent authorities appointed to act as correspondents in accordance with Article 2 (2) of Regulation (EEC) No 1468/81.

TITLE V

FINAL PROVISIONS

Article 8

Each Member State shall determine the penalties to be applied for infringement of the provisions of this Regulation. The penalties shall be sufficient to promote compliance with those provisions.

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

Done at Brussels, 13 December 1990.

Article 9

1. To permit any necessary adjustments to the arrangements for monitoring trade in scheduled substances between the Community and third countries, the competent authorities in each Member State shall each year communicate to the Commission all relevant information on the implementation of the monitoring measures laid down in this Regulation, in particular as regards substances used for the illicit manufacture of narcotic drugs or psychotropic substances and methods of diversion and illicit manufacture.

2. On the basis of the communications made pursuant to paragraph 1, the Commission shall, pursuant to Article 12 (12) of the United Nations Convention and in consultation with the Member States, draw up an annual report to be submitted to the International Narcotics Control Board.

Article 10

The Commission shall organize meetings with the representatives of the Member States in order to examine any questions concerning the application of this Regulation raised either on its own initiative or at the request of a Member State.

Article 11

Each Member State shall inform the Commission of the measures it takes pursuant to this Regulation.

The Commission shall communicate this information to the other Member States.

Article 12

This Regulation shall enter into force on 1 January 1991.

It shall apply from 1 July 1991.

For the Council

The President

P. ROMITA

ANNEX

TABLE I

- Ephedrine,
- Ergometrine,
- Ergotamine,
- Lysergic acid,
- 1-phenyl-2-propanone,
- Pseudoephedrine.

The salts of the substances listed in this table whenever the existence of such salts is possible.

TABLE II

- Acetic anhydride,
- Acetone,
- Anthranilic acid,
- Ethyl ether,
- Phenylacetic acid,
- Piperidine.

The salts of the substances listed in this table whenever the existence of such salts is possible.

COMMISSION REGULATION (EEC) No 3678/90

of 19 December 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 18 December 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 20 December 1990.

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

Done at Brussels, 19 December 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 19 December 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	29,58	140,55 ⁽²⁾ ⁽³⁾
0712 90 19	29,58	140,55 ⁽²⁾ ⁽³⁾
1001 10 10	24,85	198,75 ⁽¹⁾ ⁽³⁾
1001 10 90	24,85	198,75 ⁽¹⁾ ⁽³⁾
1001 90 91	29,99	167,45
1001 90 99	29,99	167,45
1002 00 00	55,10	156,16 ⁽⁶⁾
1003 00 10	46,40	148,98
1003 00 90	46,40	148,98
1004 00 10	38,04	145,90
1004 00 90	38,04	145,90
1005 10 90	29,58	140,55 ⁽²⁾ ⁽³⁾
1005 90 00	29,58	140,55 ⁽²⁾ ⁽³⁾
1007 00 90	46,40	146,39 ⁽⁴⁾
1008 10 00	46,40	62,80
1008 20 00	46,40	127,60 ⁽⁴⁾
1008 30 00	46,40	73,68 ⁽⁵⁾
1008 90 10	⁽⁷⁾	⁽⁷⁾
1008 90 90	46,40	73,68
1101 00 00	55,84	248,31
1102 10 00	90,99	232,46
1103 11 10	51,84	320,95
1103 11 90	59,40	267,26

⁽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 3679/90
of 19 December 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 18 December 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 20 December 1990.

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

Done at Brussels, 19 December 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 19 December 1990 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(ECU/tonne)

CN code	Current	1st period	2nd period	3rd period
	12	1	2	3
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	22,36	22,36	22,36
1001 90 99	0	22,36	22,36	22,36
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	31,30	31,30	31,30

B. Malt

(ECU/tonne)

CN code	Current	1st period	2nd period	3rd period	4th period
	12	1	2	3	4
1107 10 11	0	39,80	39,80	39,80	39,80
1107 10 19	0	29,74	29,74	29,74	29,74
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 3680/90
of 18 December 1990
establishing unit values for the determination of the customs value of certain
perishable goods

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

Having regard to Commission Regulation (EEC) No 1577/81 of 12 June 1981 establishing a system of simplified procedures for the determination of the customs value of certain perishable goods ⁽¹⁾, as last amended by Regulation (EEC) No 3462/89 ⁽²⁾, and in particular Article 1 thereof,

Whereas Article 1 of Regulation (EEC) No 1577/81 provides that the Commission shall periodically establish unit values for the products referred to in the classification in the Annex;

Whereas the result of applying the rules and criteria laid down in that same Regulation to the elements communicated to the Commission in accordance with Article 1 (2)

of that Regulation is that the unit values set out in the Annex to this Regulation should be established in regard to the products in question,

HAS ADOPTED THIS REGULATION:

Article 1

The unit values provided for in Article 1 (1) of Regulation (EEC) No 1577/81 are hereby established as set out in the table in the Annex hereto.

Article 2

This Regulation shall enter into force on 21 December 1990.

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

Done at Brussels, 18 December 1990.

For the Commission
Christiane SCRIVENER
Member of the Commission

⁽¹⁾ OJ No L 154, 13. 6. 1981, p. 26.

⁽²⁾ OJ No L 334, 18. 11. 1989, p. 21.

ANNEX

Code	CN code	Taric-sub-heading	Description	Amount of unit values per 100 kg net									
				ECU	Bfrs/Lfrs	Dkr	DM	FF	Dr ₁	£ Irl	Lit	Fl	£
1.10	07019051 07019059		New potatoes	31,50	1 335	247,29	65,01	218,27	6 355	24,24	47 697	73,19	22,32
1.20	07020010 07020090		Tomatoes	109,84	4 649	864,04	224,33	762,59	23 342	84,32	169 225	253,08	77,89
1.30	07031019		Onions (other than sets)	15,40	651	121,14	31,45	106,91	3 272	11,82	23 725	35,48	10,92
1.40	07032000		Garlic	220,14	9 318	1 731,72	449,62	1 528,38	46 783	168,99	339 163	507,22	156,12
1.50	07039000	* 10	Leeks	34,26	1 450	269,52	69,98	237,88	7 281	26,30	52 787	78,94	24,29
1.60	07041010 07041090	* 00 * 00	Cauliflowers	35,35	1 508	278,81	71,89	244,80	6 721	27,24	53 623	81,08	25,69
1.70	07042000		Brussels sprouts	207,82	8 812	1 631,21	428,86	1 439,77	41 921	159,93	314 617	482,80	147,23
1.80	07049010		White cabbages and red cabbages	47,77	2 022	375,83	97,58	331,70	10 153	36,67	73 607	110,08	33,88
1.90	07049090	* 10	Sprouting broccoli or calabrese (<i>Brassica oleracea var. italica</i>)	108,85	4 607	856,24	222,31	755,70	23 131	83,55	167 697	250,79	77,19
1.100	07049090	* 92 * 98	Chinese cabbage	40,09	1 697	315,39	81,88	278,36	8 520	30,77	61 771	92,38	28,43
1.110	07051110 07051190		Cabbage lettuce (head lettuce)	65,07	2 754	511,90	132,91	451,79	13 829	49,95	100 258	149,93	46,15
1.120	07052900	* 10	Endives	42,02	1 778	328,71	85,98	288,98	8 292	32,08	63 198	96,79	30,93
1.130	07061000	* 21 * 22 * 23 * 25	Carrots	26,60	1 128	208,84	54,90	184,33	5 367	20,47	40 280	61,81	18,85
1.140	07069090	* 11 * 19	Radishes	104,67	4 430	823,36	213,77	726,68	22 243	80,35	161 258	241,16	74,23
1.150	07070011 07070019		Cucumbers	52,46	2 220	412,70	107,15	364,24	11 149	40,27	80 829	120,88	37,20
1.160	07081010 07081090		Peas (<i>Pisum sativum</i>)	232,95	9 860	1 832,48	475,78	1 617,31	49 505	178,82	358 896	536,74	165,20
1.170	07082010 07082090		Beans (<i>Vigna spp., Phaseolus spp.</i>)	143,41	6 070	1 128,11	292,90	995,65	30 476	110,08	220 944	330,42	101,70
1.180	07089000	* 11 * 12 * 29	Broad beans	34,64	1 464	269,51	70,99	238,22	6 965	26,45	52 014	79,82	25,64
1.190	07091000		Globe artichokes	124,90	5 287	982,53	255,10	867,16	26 543	95,88	192 431	287,78	88,58
1.200			Asparagus :										
1.200.1	07092000	* 11 * 12 * 13 * 14 * 15 * 16	— green	288,34	12 205	2 268,18	588,90	2 001,85	61 275	221,34	444 229	664,35	204,49
1.200.2	07092000	* 91 * 92 * 93 * 94 * 95 * 96	— other	330,80	14 002	2 602,15	675,62	2 296,61	70 298	253,93	509 639	762,18	234,60
1.210	07093000		Aubergines (egg-plants)	86,86	3 676	683,26	177,40	603,03	18 458	66,67	133 819	200,13	61,60
1.220	07094000	* 13 * 14 * 15	Ribbed celery (<i>Apium graveolens, var. dulce</i>)	51,86	2 195	408,00	105,93	360,09	11 022	39,81	79 909	119,50	36,78
1.230	07095130		Chantarelles	547,80	23 223	4 305,96	1 127,97	3 777,47	112 445	420,46	845 160	1 271,93	383,30
1.240	07096010		Sweet peppers	160,15	6 779	12 59,82	327,09	1 111,89	34 034	122,94	246 740	369,00	113,58

Code	CN code	Taric-sub-heading	Description	Amount of unit values per 100 kg net									
				ECU	Bfrs/Lfrs	Dkr	DM	FF	Dr	£ Irl	Lit	Fl	£
1.250	0709 90 50		Fennel	48,08	2035	378,20	98,19	333,79	10 217	36,90	74 073	110,77	34,09
1.260	0709 90 70		Courgettes	70,94	3003	558,07	144,89	492,54	15 076	54,46	109 300	163,46	50,31
1.270	0714 20 10	*00	Sweet potatoes, whole, fresh (intended for human consumption)	72,78	3080	573,11	149,64	502,35	15 180	55,82	112 490	168,76	50,99
2.10	0802 40 00	*10	Chestnuts (<i>Castanea spp.</i>), fresh	123,19	5214	969,08	251,61	855,29	26 180	94,57	189 797	283,84	87,36
2.20	0803 00 10	*90	Bananas (other than plantains), fresh	29,58	1 252	232,72	60,42	205,39	6 287	22,71	45 579	68,16	20,98
2.30	0804 30 00	*90	Pineapples, fresh	57,50	2 433	452,32	117,43	399,20	12 219	44,14	88 588	132,48	40,77
2.40	0804 40 10 0804 40 90	*10 *10	Avocados, fresh	102,80	4 351	808,64	209,95	713,69	21 845	78,91	158 374	236,85	72,90
2.50	0804 50 00	*21 *91	Guavas and mangoes, fresh	184,51	7 810	1 451,43	376,84	1 281,00	39 211	141,64	284 267	425,13	130,85
2.60			Sweet oranges, fresh :										
2.60.1	0805 10 11 0805 10 21 0805 10 31 0805 10 41		— Sanguines and semi-sanguines	58,86	2 487	457,87	120,61	404,72	11 833	44,93	88 366	135,61	43,56
2.60.2	0805 10 15 0805 10 25 0805 10 35 0805 10 45		— Navels, Navelines, Navelates, Salustianas, Vernas, Valencia lates, Maltese, Shamoutis, Ovalis, Trovita and Hamlins	34,30	1 451	269,83	70,05	238,14	7 289	26,33	52 847	79,03	24,32
2.60.3	0805 10 19 0805 10 29 0805 10 39 0805 10 49		— Others	27,50	1 164	216,38	56,18	190,97	5 845	21,11	42 379	63,37	19,50
2.70			Mandarins (including tangerines and satsumas), fresh ; clementines, wilkings and similar citrus hybrids, fresh :										
2.70.1	0805 20 10	*11 *21	— Clementines	54,00	2 285	424,78	110,29	374,90	11 475	41,45	83 195	124,42	38,29
2.70.2	0805 20 30	*11 *21	— Monreales and Satsumas	44,60	1 888	350,88	91,10	309,68	9 479	34,24	68 721	102,77	31,63
2.70.3	0805 20 50	*12 *13 *22 *23	— Mandarins and Wilkings	56,70	2 403	446,74	116,93	391,69	11 583	43,56	87 232	131,77	39,52
2.70.4	0805 20 70 0805 20 90	*11 *21 *11 *12 *13 *14 *31 *32 *33 *34	— Tangerines and others	101,67	4 306	799,40	208,47	703,68	21 451	78,16	156 564	235,18	71,56
2.80	0805 30 10	*11 *12	Lemons (<i>Citrus limon</i> , <i>Citrus limonum</i>), fresh	49,96	2 114	393,00	102,03	346,85	10 617	38,35	76 970	115,11	35,43
2.85	0805 30 90	*11 *19	Limes (<i>Citrus aurantiifolia</i>), fresh	128,43	5 436	1 010,28	262,30	891,65	27 293	98,59	197 867	295,91	91,08

Code	CN code	Taric-sub-heading	Description	Amount of unit values per 100 kg net																
				ECU	Bfrs/Lfrs	Dkr	DM	FF	Dr	£ Irl	Lit	Fl	£							
2.90			Grapefruit, fresh :																	
2.90.1	08054000	*11 *12	— white	36,62	1 550	288,09	74,80	254,26	7 783	28,11	56 424	84,38	25,97							
2.90.2	08054000	*21 *22	— pink	56,90	2 408	447,58	116,21	395,03	12 091	43,67	87 661	131,09	40,35							
2.100	08061011 08061015 08061019		Table grapes	127,21	5 384	1 000,69	259,81	883,18	27 034	97,65	195 987	293,10	90,21							
2.110	08071010		Water-melons	27,15	1 151	213,48	55,92	187,27	5 574	20,84	41 901	63,05	19,00							
2.120			Melons (other than water-melons)																	
2.120.1	08071090	*12 *13 *14 *15 *21	— Amarillo, Cuper, Honey Dew, Onteniente, Piel de Sapo, Rochet, Tendral	87,69	3 711	689,80	179,10	608,80	18 635	67,31	135 100	202,04	62,19							
2.120.2	08071090	*16 *17 *18 *19 *29	— Other	143,34	6 067	1 127,58	292,76	995,18	30 462	110,03	220 841	330,27	101,65							
2.130	08081091 08081093 08081099		Apples	50,47	2 136	397,05	103,08	350,42	10 726	38,74	77 763	116,29	35,79							
2.140	08082031 08082033 08082035 08082039	*91 *98 *90 *90 *90	Pears (other than the Nashi variety (<i>Pyrus Pyrifolia</i>))	62,95	2 664	495,18	128,56	437,03	13 377	48,32	96 982	145,04	44,64							
2.150	08091000		Apricots	161,72	6 845	1 272,18	330,30	1 122,80	34 368	124,14	249 159	372,62	114,69							
2.160	08092010 08092090		Cherries	134,92	5 747	1 065,30	279,18	936,97	27 443	104,05	204 795	314,58	93,57							
2.170	08093000	*91 *92 *93 *97	Peaches	270,65	11 456	2 128,98	552,76	1 879,00	57 515	207,76	416 968	623,58	191,94							
2.180	08093000	*11 *12 *13 *17	Nectarines	257,80	10 912	2 027,90	526,52	1 789,78	54 784	197,89	397 170	593,98	182,82							
2.190	08094011 08094019		Plums	230,64	9 762	1 814,32	471,06	1 601,28	49 014	177,05	355 340	531,42	163,57							
2.200	08101010 08101090		Strawberries	310,33	13 135	2 441,11	633,80	2 154,48	65 947	238,22	478 099	715,01	220,08							
2.205	08102010		Raspberries	574,44	24 307	4 493,31	1 175,29	3 950,18	113 358	438,60	863 888	1 323,12	422,80							
2.210	08104030		Fruit of the species <i>Vaccinium myrtillus</i>	169,71	7 226	1 336,26	350,92	1 176,54	34 401	130,84	256 973	395,56	118,61							
2.220	08109010		Kiwi fruit (<i>Actinidia chinensis</i> Planch.)	96,90	4 101	762,26	197,91	672,75	20 592	74,38	149 291	223,26	68,72							
2.230	08109080	*31 *32	Pomegranates	62,55	2 647	492,05	127,75	434,28	13 293	48,01	96 370	144,12	44,36							
2.240	08109080	*41 *42	Khakis	108,75	4 603	855,50	222,12	755,04	23 111	83,48	167 552	250,58	77,12							
2.250	08109030	*10	Lychees	380,90	16 123	2 996,29	777,95	2 644,46	80 946	292,40	586 832	877,62	270,13							

* - The ninth digit is reserved for the Member States (statistical purposes).

COMMISSION DECISION No 3681/90/ECSC

of 18 December 1990

fixing the rate of the levies for the 1991 financial year and amending Decision No 3-52 on the amount of and methods for applying the levies provided for in Articles 49 and 50 of the ECSC Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Articles 49 and 50 thereof,

Whereas, in view of the variations in average values recorded during the reference period, Decision No 3-52 of 23 December 1952 on the amount of and methods for applying the levies provided for in Articles 49 and 50 of the ECSC Treaty⁽¹⁾ should be amended;

Whereas the requirements of the European Coal and Steel Community are estimated in the operating budget for the 1991 financial year at ECU 482 million; whereas that budget, which was adopted by the Commission of the European Communities on 13 December 1990 in the form shown in the Annex to this Decision, indicates the amount of income to be provided from levies in the course of the financial year 1991, namely ECU 184 million;

Whereas the estimated yield of the levies at a rate of 0,01 % is ECU 6,34 million,

HAS ADOPTED THIS DECISION:

Article 1

The rate of the levies on output from 1 January 1991 shall be 0,29 % of the figures used as the basis of assessment for such levies.

Article 2

Article 2 of Decision No 3-52, as last amended by Article 2 of Decision No 3978/89/ECSC⁽²⁾, is hereby amended to read as follows:

Article 2

The average value in ecus of the products on which the levies are assessed shall, from 1 January 1991, be as follows:

	(ECU)
Product	Average value
Brown coal briquettes and semi-coke derived from brown coal	57,97
Hard coal of all categories	81,19
Pig iron other than that used for making ingots	203,60
Steel in ingots	282,01
Finished products and end products of iron and steel as described in Annex I to the Treaty	470,01'

Article 3

Article 4 of Decision No 3-52, as last amended by Article 3 of Decision No 3978/89/ECSC, is hereby amended to read as follows:

Article 4

The scale provided for in Article 2(4) of Decision No 2-52 shall accordingly be as follows, the figures being given in ecus:

⁽¹⁾ OJ of the ECSC No 1, 30. 12. 1952, p. 4.

⁽²⁾ OJ No L 380, 29. 12. 1989, p. 14.

Product	Assessment January 1991 and subsequent months, and collection March 1991 and subsequent months
Brown coal briquettes and semi-coke derived from brown coal ⁽¹⁾	0,16811
Hard coal of all categories ⁽²⁾	0,23545
Pig iron other than that used for making ingots	0,44211
Steel in ingots	0,72012
Finished products and end products of iron and steel as described in Annex I to the Treaty	0,33093

⁽¹⁾ For purposes of the deductions provided for in Article 3 the levy fixed above shall be applied to the net tonnage of brown coal and semi-coke derived from brown coal, less 3 %.

⁽²⁾ For purposes of the deductions provided for in Article 3 the levy fixed above shall be applied to the net tonnage of hard coal as defined in Article 1 of Decision No 2-52, less 14 %.

The amount of the levies per tonne to be paid in the currencies of the Member States of the Community shall be determined in accordance with Article 3 of Decision No 3289/75/ECSC, as amended by Decision No 3334/80/ECSC.

Article 4

This Decision shall enter into force on 1 January 1991.

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

Done at Brussels, 18 December 1990.

For the Commission
Peter SCHMIDHUBER
Member of the Commission

ANNEX

ECSC OPERATING BUDGET FOR 1991

(ECU million)

Requirements	Estimates	Resources	Estimates
Operations to be financed from current resources (non-repayable)		Resources for the financial year	
1. Administrative expenditure	5	1. Current resources :	
2. Aid for redeployment (Article 56)	145	1.1. Yield from at 0,29 % levy	184
3. Aid for research (Article 55)	135	1.2. Net balance from previous year	180
3.1. Steel	62 (¹)	1.3. Fines and surcharges for late payment	2
3.2. Coal	55 (¹)	1.4. Miscellaneous	p.m.
3.3. Social	18 (¹)	2. Cancellation of commitments unlikely to be implemented	30
4. Interest subsidies	127	3. Unused resources carried over from 1990	86
4.1. Investment (Article 54)	29 (¹)	4. Exceptional revenue for social measures connected with restructuring ECSC industries	p.m.
4.2. Conversion (Article 56)	98	5. Contingency reserve	p.m.
5. Social measures connected with restructuring of the steel industry (Article 56)	20		
6. Social measures connected with restructuring of the coal industry (Article 56)	50		
	482		482
Operations financed by loans from non-borrowed funds		Origin of non-borrowed funds	
7. Workers' housing	16	6. Special reserve and former ECSC Pension Fund	16

(¹) Aid for projects with a specific impact on the environment :

Heading	3.1 :	11
	3.2 :	16
	3.3 :	7
	4.1 :	17
Total :		51

COMMISSION REGULATION (EEC) No 3682/90
of 18 December 1990
concerning the stopping of fishing for mackerel by vessels flying the flag of
France

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2241/87 of 23 July 1987 establishing certain control measures for fishing activities ⁽¹⁾, as last amended by Regulation (EEC) No 3483/88 ⁽²⁾, and in particular Article 11 (3) thereof,

Whereas Council Regulation (EEC) No 4047/89 of 19 December 1989 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1990 and certain conditions under which they may be fished ⁽³⁾, as last amended by Regulation (EEC) No 1887/90 ⁽⁴⁾, provides for mackerel quotas for 1990;

Whereas, in order to ensure compliance with the provisions relating to the quantitative limitations on catches of stocks subject to quotas, it is necessary for the Commission to fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated;

Whereas, according to the information communicated to the Commission, catches of mackerel in the waters of

ICES divisions II a (EC zone), III a; III b, c, d (EC zone) and IV by vessels flying the flag of France or registered in France have reached the quota allocated for 1990,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of mackerel in the waters of ICES divisions II a (EC zone), III a; III b, c, d (EC zone) and IV by vessels flying the flag of France or registered in France are deemed to have exhausted the quota allocated to France for 1990.

Fishing for mackerel in the waters of ICES divisions II a (EC zone), III a; III b, c, d (EC zone) and IV by vessels flying the flag of France or registered in France is prohibited, as well as the retention on board, the transhipment and the landing of such stock captured by the abovementioned vessels after the date of entry into force of this Regulation.

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, 18 December 1990.

For the Commission

Manuel MARÍN

Vice-President

⁽¹⁾ OJ No L 207, 29. 7. 1987, p. 1.

⁽²⁾ OJ No L 306, 11. 11. 1988, p. 2.

⁽³⁾ OJ No L 389, 30. 12. 1989, p. 1.

⁽⁴⁾ OJ No L 172, 5. 7. 1990, p. 1.

COMMISSION REGULATION (EEC) No 3683/90
of 19 December 1990
amending Regulation (EEC) No 743/89 laying down detailed rules for the
application of a direct aid scheme for small producers of cereals

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

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 4 (5) thereof,

Whereas Commission Regulation (EEC) No 743/89 ⁽³⁾, as last amended by Regulation (EEC) No 3801/89 ⁽⁴⁾, provides that aid to small producers must be paid at the latest on 31 December following the end of the marketing year in respect of which the aid is granted; whereas certain difficulties of an administrative nature are preventing, in certain cases, the said time limit from being met; whereas, in order to overcome those difficulties, the time limit for payment of the aid to small producers for the 1989/90 marketing year should be extended by two months;

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

HAS ADOPTED THIS REGULATION:

Article 1

The last subparagraph of Article 3 of Regulation (EEC) No 743/89 is hereby replaced by the following:

'However, the aid granted in respect of the 1989/90 marketing year may be paid to the recipients up to 28 February 1991.'

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, 19 December 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 80, 23. 3. 1989, p. 38.

⁽⁴⁾ OJ No L 370, 19. 12. 1989, p. 9.

COMMISSION REGULATION (EEC) No 3684/90
of 19 December 1990

amending Regulation (EEC) No 623/86 determining the accession compensatory amounts applicable from 1 March 1986 to trade in goods covered by Regulations (EEC) No 3033/80 and (EEC) No 3035/80

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 3033/80 of 11 November 1980 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products ⁽¹⁾, as last amended by Regulation (EEC) No 1436/90 ⁽²⁾,

Having regard to Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds ⁽³⁾, as last amended by Regulation (EEC) No 3381/90 ⁽⁴⁾,

Whereas the accession compensatory amounts introduced by Articles 53 and 213 of the Act of Accession were fixed by Commission Regulation (EEC) No 623/86 ⁽⁵⁾, as last amended by Regulation (EEC) No 2376/90 ⁽⁶⁾;

Whereas the transitional measures for Portugal in Article 213 of the Act of Accession provide for the application, to goods covered by Regulation (EEC) No 3033/80, of accession compensatory amounts based on the compensatory amounts referred to in Article 240 of that Act, if and when such amounts are applied to agricultural products, traded as such;

Whereas the second stage of Portugal's accession begins on 1 January 1991; whereas, from that date, accession

compensatory amounts shall be applicable for milk and milk products and cereals;

Whereas the rules and criteria laid down for altering the accession compensatory amounts applicable to trade in goods covered by Regulations (EEC) No 3033/80 and (EEC) No 3035/80 should therefore be adapted; whereas Regulation (EEC) No 623/86 should be amended accordingly;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the relevant management committees,

HAS ADOPTED THIS REGULATION:

Article 1

Article 6a of Regulation (EEC) No 623/86 is hereby amended as follows:

1. Paragraph 1:

— Point (b) is replaced by the following:

'for trade with Portugal, if there are changes in the accession compensatory amounts referred to in Article 240 of the Act of Accession applicable to trade in certain basic agricultural products deemed to have been used in the manufacture of goods covered by Regulations (EEC) No 3033/80 and (EEC) No 3035/80',

— Point (c) is deleted;

2. Paragraphs 2 and 3 are deleted.

Article 2

This Regulation shall enter into force on 1 January 1991.

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

Done at Brussels, 19 December 1990.

For the Commission

Martin BANGEMANN

Vice-President

⁽¹⁾ OJ No L 323, 29. 11. 1980, p. 1.

⁽²⁾ OJ No L 138, 31. 5. 1990, p. 9.

⁽³⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁴⁾ OJ No L 327, 27. 11. 1990, p. 4.

⁽⁵⁾ OJ No L 59, 1. 3. 1986, p. 1.

⁽⁶⁾ OJ No L 221, 16. 8. 1990, p. 1.

COMMISSION REGULATION (EEC) No 3685/90
of 19 December 1990

laying down certain additional detailed rules for the application of the supplementary trade mechanism (STM) to fruit and vegetable trade between Spain and the Community as constituted on 31 December 1985 as regards tomatoes, lettuce, broad-leaf endives, carrots, artichokes, table grapes and melons

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION :

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 3210/89 of 23 October 1989 laying down general rules for applying the supplementary trade mechanism to fresh fruit and vegetables ⁽¹⁾, and in particular Article 9 thereof,

Whereas Commission Regulation (EEC) No 816/89 ⁽²⁾ establishes the list of products subject to the supplementary trade mechanism in the fresh fruit and vegetables sector from 1 January 1990; whereas tomatoes, lettuce, broad-leaf endives, artichokes, table grapes and melons are included on the list;

Whereas Commission Regulation (EEC) No 3944/89 ⁽³⁾, as last amended by Regulation (EEC) No 245/90 ⁽⁴⁾, lays down detailed rules for applying the supplementary trade mechanism, hereinafter called the 'STM', to fresh fruit and vegetables;

Whereas Commission Regulation (EEC) No 3487/90 ⁽⁵⁾ lays down that the periods referred to in Article 2 of Regulation (EEC) No 3210/89 shall be up to 31 December 1990 for the above products; whereas, in view of expected exports from Spain to the rest of the Community, with the exception of Portugal, and of the Community market situation, the above periods should be fixed up to beginning February 1991 for the products in question, in accordance with the Annex; whereas, in consideration of the same factors, a reasonable period should be determined and an indicative ceiling be set for broad-leaved endives;

Whereas it should be recalled that the provisions of Regulation (EEC) No 3944/89 on statistical monitoring and various communications from the Member States apply to guarantee the functioning of the STM;

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

Article 1

1. For tomatoes falling within CN code 0702 00 10, cabbage lettuce falling within CN code 0705 11 90, lettuce other than cabbage lettuce falling within CN code 0705 19 00, artichokes falling within CN code 0709 10 00, table grapes falling within CN codes 0806 10 11 and 0806 10 15 and melons falling within CN code 0807 10 90 the periods provided for in Article 2 of Regulation (EEC) No 3210/89 shall be as set out in the Annex.

2. For broad-leaf endives falling within CN code ex 0705 29 00 :

- the indicative ceilings referred to in Article 83 (1) of the Act of Accession,
- and
- the periods referred to in Article 2 of Regulation (EEC) No 3210/89

shall be as fixed in the Annex hereto.

Article 2

1. For consignments from Spain to the rest of the Community market with the exception of Portugal of the products listed in Article 1, the provisions of Regulation (EEC) No 3944/89, with the exception of Articles 5 and 7 thereof, shall apply.

The notification referred to in Article 2 (2) of the said Regulation shall be made each Tuesday at the latest for the quantities consigned during the preceding week.

2. The communications referred to in the first paragraph of Article 9 of Regulation (EEC) No 3944/89 for products subject to a period II or III shall be sent to the Commission by Tuesday of each week at the latest for the preceding week.

During the application of a period I, those communications shall be made once a month by the fifth of each month at the latest for information referring to the previous month; where appropriate, this communication shall bear the word 'nil'.

Article 3

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

It shall apply from 1 January 1991.

⁽¹⁾ OJ No L 312, 27. 10. 1989, p. 6.

⁽²⁾ OJ No L 86, 31. 3. 1989, p. 35.

⁽³⁾ OJ No L 379, 28. 12. 1989, p. 20.

⁽⁴⁾ OJ No L 27, 31. 1. 1990, p. 14.

⁽⁵⁾ OJ No L 336, 1. 12. 1990, p. 86.

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

Done at Brussels, 19 December 1990.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX

Determination of the periods provided for in Article 2 of Regulation (EEC) No 3210/89 and the ceilings provided for in Article 83 of the Act of Accession

Period from 1 January to 3 February 1991

Description	CN code	Period
Tomatoes	0702 00 10	I
Cabbage lettuce	0705 11 90	I
Lettuce other than cabbage lettuce	0705 19 00	I
Artichokes	0709 10 00	I
Table grapes	0806 10 11 and 0806 10 15	I
Melons	0807 10 90	I

Description	CN code	Indicative ceilings (tonnes)	Periods	
Broad-leaf endives	ex 0705 29 00	1. 1 — 13. 1. 1991 :	2 500	II
		14. 1 — 27. 1. 1991 :	2 500	II
		28. 1 — 3. 2. 1991 :	—	I

**COMMISSION REGULATION (EEC) No 3686/90
of 19 December 1990**

**amending Commission Regulation No (EEC) 1207/90 concerning the application
of monetary compensatory amounts to certain goods covered by Regulation
(EEC) No 3033/80**

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 the monetary compensatory amounts introduced by Regulation (EEC) No 1677/85 were fixed by Commission Regulation (EEC) No 1207/90 ⁽³⁾, last amended by Commission Regulation (EEC) No 3626/90 ⁽⁴⁾;

Whereas Council Regulation (EEC) No 3380/90 of 20 November 1990 amending Regulation (EEC) No 3034/80 fixing the quantities of basic products considered to have been used in the manufacture of goods covered by Regulation (EEC) No 3033/80, and fixing the rates of certain variable components ⁽⁵⁾, provides for a new subdivision for certain sorts of chocolate;

Whereas monetary compensatory amounts apply to this subdivision;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the relevant management committees,

HAS ADOPTED THIS REGULATION:

Article 1

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

1. In Part 8 of Annex I, CN code 1806 32 90 is amended as follows:

CN code	Table	Additional code	Notes	Positive	Negative		As from
				Spain	United Kingdom	Greece Dr	
1806 32 90	18-5	*					
	18-5	7832		—	—	1 073,8	1. 11. 1990
				—	—	1 249,4	19. 11. 1990 ⁶

2. The following table is added to the Appendix to Annex I (additional codes):

Table 18-5

CN code	Description	Additional code
1806 32 90	— Containing by weight of milkfat 3 % or more, but less than 6 % — Other: — — Use additional code indicator No 7: — — — See Table 18-4 ⁷	7832

⁽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 354, 17. 12. 1990, p. 1.

⁽⁵⁾ OJ No L 327, 27. 11. 1990, p. 2.

Article 2

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

At the request of the interested party, it shall apply as from 1 November 1990. The amounts to be applied to goods falling within CN code 1806 32 90, and additional code 7832 shall be those shown in Article 1 of this Regulation.

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

Done at Brussels, 19 December 1990.

For the Commission

Martin BANGEMANN

Vice-President

COMMISSION REGULATION (EEC) No 3687/90
of 19 December 1990

derogating, for the 1990/91 marketing year, from certain time limits laid down in Regulation (EEC) No 2911/90 laying down detailed rules of application for aid for the production of dried grapes

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

Having regard to Council Regulation (EEC) No 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables ⁽¹⁾, as last amended by Regulation (EEC) No 2201/90 ⁽²⁾, and in particular Article 6 (6) thereof,

Whereas Commission Regulation (EEC) No 2911/90 laying down detailed rules of application for aid for the production of certain varieties of grapes for drying ⁽³⁾ lays down certain final dates for the submission of aid applications and communications to be made to the Commission; whereas, in view of the fact that the scheme for these products was amended from the 1990/91 marketing year, the dates provided for should be prolonged in order to facilitate the application of the new system by the national administrations involved;

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

Committee for Products Processed from Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1990/91 marketing year, and by way of derogation from Articles 3 (1) and 9 (a) of Regulation (EEC) No 2911/90, the final date for the submission of applications is hereby fixed at 31 December 1990 and the Commission shall be notified by 30 January 1991 at the latest.

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, 19 December 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ OJ No L 201, 31. 7. 1990, p. 1.

⁽³⁾ OJ No L 278, 10. 10. 1990, p. 35.

COMMISSION REGULATION (EEC) No 3688/90
of 19 December 1990
on applications for production aid for dried grapes

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

Having regard to Council Regulation (EEC) No 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables ⁽¹⁾, as last amended by Regulation (EEC) No 2201/90 ⁽²⁾, and in particular Article 6a (5) thereof,

Whereas in order to ensure the efficiency of the scheme of production aid for dried grapes provided for in Article 6a of Regulation (EEC) No 426/86, and in order to take account of the special difficulties encountered in this sector, provision should be made to allow processors to submit each month an aid application for the quantities processed during the preceding month, and thus to derogate from Commission Regulation (EEC) No 1599/84 ⁽³⁾, as last amended by Regulation (EEC) No 396/90 ⁽⁴⁾;

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

Committee for Products Processed from Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

For the application of the aid scheme referred to in Article 6a of Council Regulation (EEC) No 426/86, and by way of derogation from Article 11 (2) of Regulation (EEC) No 1599/84, dried grape processors may submit each month an aid application for the quantities processed during the preceding month. Applications shall be submitted during the last week of the calendar month.

Article 2

This Regulation shall enter into force on 1 January 1991.

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

Done at Brussels, 19 December 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ OJ No L 201, 31. 7. 1990, p. 1.

⁽³⁾ OJ No L 152, 8. 6. 1984, p. 16.

⁽⁴⁾ OJ No L 42, 16. 2. 1990, p. 47.

COMMISSION REGULATION (EEC) No 3689/90

of 19 December 1990

amending Regulation (EEC) No 598/86 on the application of the supplementary trade mechanism to imports into Spain of common wheat of breadmaking quality from the Community as constituted at 31 December 1985

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 569/86 of 25 February 1986 laying down general rules for the application of the supplementary mechanism applicable to trade ⁽¹⁾, as last amended by Regulation (EEC) No 3296/88 ⁽²⁾, and in particular Article 7 (1) thereof,

Whereas Article 81 (1) of the Act of Accession makes Spanish imports of breadmaking common wheat subject to the abovementioned mechanism;

Whereas from 1 January 1990 only an indicative import ceiling is fixed; whereas the indicative ceiling for imports into Spain of breadmaking common wheat must gradually increase; whereas that effect may be attained by fixing the indicative ceiling for 1991 at the level applicable for 1990, plus 15%; whereas Regulation (EEC) No 598/86 ⁽³⁾, as last amended by Regulation (EEC) No 108/90 ⁽⁴⁾, should therefore be amended accordingly;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 4 of Regulation (EEC) No 598/86 is hereby replaced by the following:

Article 4

The indicative import ceiling for breadmaking common wheat for 1991 shall be 352 000 tonnes.'

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 January 1991.

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

Done at Brussels, 19 December 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 55, 1. 3. 1986, p. 106.

⁽²⁾ OJ No L 293, 27. 10. 1988, p. 7.

⁽³⁾ OJ No L 58, 1. 3. 1986, p. 16.

⁽⁴⁾ OJ No L 13, 17. 1. 1990, p. 14.

COMMISSION REGULATION (EEC) No 3690/90
of 19 December 1990

laying down detailed rules for the application of the supplementary trade mechanism to trade in the beef and veal sector between the Community as constituted on 31 December 1985 and Spain

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 83 (1) thereof,

Having regard to Council Regulation (EEC) No 569/86 of 25 February 1986 laying down general rules for application of the supplementary trade mechanism ⁽¹⁾, as last amended by Regulation (EEC) No 3296/88 ⁽²⁾, and in particular Article 7 (1) thereof,

Whereas Regulation (EEC) No 4026/89 ⁽³⁾ set for 1990 the indicative ceilings mentioned in Article 83 of the Act of Accession ;

Whereas these ceilings are set for live animals and for fresh and chilled meat on the basis of estimated Spanish production and consumption of the products in question and of a forward timetable for trade with the rest of the Community ;

Whereas the figures available on development of the Spanish market indicate that a very large increase in these ceilings is possible for 1991 ; whereas this is desirable in order to advance the process of integration of the Spanish market with the Community market ;

Whereas in order to regulate trade more satisfactorily by taking account of the varying level of sensitivity of the

Spanish market at different times of the year, and in particular lower demand in the second and third quarters, the annual quantities should be split up ;

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 4026/89 is hereby amended as follows :

1. 'for 1990' is deleted from the title.
2. 'in 1990' is deleted from Article 1.
3. In Article 6 '90 head' for live animals is replaced by '150 head'.
4. Article 7 is deleted.
5. The Annex is replaced by the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 January 1991.

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

Done at Brussels, 19 December 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 55, 1. 3. 1986, p. 106.

⁽²⁾ OJ No L 293, 27. 10. 1988, p. 7.

⁽³⁾ OJ No L 382, 30. 12. 1989, p. 62.

ANNEX

Group	CN code	Description	Indicative ceiling 1991
1	0102 90	Live animals of the bovine species other than pure-bred breeding animals and animals for bullfights	120 000 head 1st quarter : 42 000 2nd quarter : 24 000 3rd quarter : 24 000 4th quarter : 30 000
2	0201 10 0201 20	— Meat of animals of the bovine species, fresh or chilled, bone in	24 000 tonnes 1st quarter : 4 800 2nd quarter : 4 800
3	0201 30	— Meat of animals of the bovine species, fresh or chilled, boneless (tonnes equivalent carcase weight)	3rd quarter : 7 200 4th quarter : 7 200

COMMISSION REGULATION (EEC) No 3691/90
of 19 December 1990
amending Regulation No 470/67/EEC as regards the criteria to be used for the
taking over of paddy rice by intervention agencies

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 1806/89 ⁽²⁾, and in particular Article 5 (5) thereof,

Whereas Commission Regulation No 470/67/EEC of 21 August 1967 on the taking over of paddy rice by intervention agencies, and fixing the corrective amounts, price increases and reductions applied by them ⁽³⁾, as last amended by Regulation (EEC) No 3499/88 ⁽⁴⁾, sets lower limits for processing yields; whereas section B in Annex II thereto indicates basic yields after processing; whereas new varieties have appeared on the Community market and others already listed in the said Annex have changed their name;

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

HAS ADOPTED THIS REGULATION:

Article 1

Annex II to Regulation No 470/67/EEC is hereby replaced by the Annex to this Regulation.

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, 19 December 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 166, 26. 5. 1976, p. 1.

⁽²⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽³⁾ OJ No 204, 24. 8. 1967, p. 8.

⁽⁴⁾ OJ No L 306, 11. 11. 1988, p. 34.

ANNEX

ANNEX II

A. Price increases and reductions relating to yield after processing

Yield from paddy rice in the form of whole grains of milled rice	Price increase and reduction per unit of yield
Above the basic yield	Price increase of 0,80 %
Below the basic yield	Price reduction of 0,80 %
Total yield from paddy rice in the form of milled rice	Price increase and reduction per unit of yield
Above the basic yield	Price increase of 0,60 %
Below the basic yield	Price reduction of 0,60 %

B. Basic yield after processing

Quality designation	Yield in whole grains (%)	Total yield (%)
Selenio	64	71
Argo, Balilla, Balilla GG, Balilla Sollana, Bomba, Bombon, Colina, Elio, Frances, Lido, Liso, Matusaka, Monticelli, Pegonil, Strella, Thainato, Thaiparla, Ticinese, Veta	63	71
Koral	62	71
Loto, Riva	61	70
Alfa, Ariete, Bahia, Carola, Cigalon, Corallo, Cripto, Cristal, Girona, Graldo, Indio, Italico, Jucar, Lemont, Miara, Molo, Navile, Niva, Padano, Panda, Prometeo, Rio, Rosa Marchetti, Senia, Sequial, Star, Stirpe, Vela, Vitro	60	70
Anseatico, Arlesienne, Baldo, Belgioioso, Betis, Euribe, Italpatna, Marathon, Pierina Marchetti, Redi, Ribe, Ribello, Ringo, Rizzotto, Rocca, Roma, Romanico, Romeo, Smeraldo, Tebre, Volano, Veneria	59	70
Europa, Ispaniki A, Rita, S. Andrea, Silla, Thabonnet, L 202	58	70
Arborio, Arlatan, Blue Belle, Blue Belle "E", Blue Bonnet, Calendal, Razza 82, Rea, Roxani, Onda	56	70
Cesariot, Maratelli, Precoce Rossi	56	68
Carnaroli, Vialone Nano	55	70
Delta	55	68
Axios, Bonnet Bell, Evropi, Strymonas	54	69
Irat 348, Mana	45	65
Pygmalion	43	65
Undenominated varieties	63	71'

COMMISSION REGULATION (EEC) No 3692/90
of 19 December 1990

fixing, for 1991, the quota for imports into Spain of pigmeat products from third countries and certain detailed rules for the application thereof

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 491/86 of 25 February 1986 laying down detailed rules concerning quantitative restrictions on imports into Spain of certain agricultural products from third countries⁽¹⁾, as last amended by Regulation (EEC) No 3296/88⁽²⁾, and in particular Article 3 thereof,

Whereas the quota for 1990 for imports into Spain of pigmeat products from third countries is set out in the Annex to Commission Regulation (EEC) No 3595/89⁽³⁾; whereas Article 3 of the said Regulation also lays down a minimum rate of progressive increases of the quota of 10 %; whereas this increase still reflects market needs; whereas the quota for 1991 should be fixed;

Whereas, to ensure proper management of the quota, applications for import authorizations should be subject to the lodging of a security to cover, as a primary requirement within the meaning of Article 20 of Commission Regulation (EEC) No 2220/85⁽⁴⁾, as last amended by Regulation (EEC) No 3745/89⁽⁵⁾, the effective importation of the goods; whereas provision should also be made for the quotas to be staggered over the year;

Whereas provision should be made for Spain to communicate information to the Commission on the application of the quota;

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 quota for 1991 that Spain may apply, pursuant to Article 77 of the Act of Accession, to imports of pigmeat

products from third countries shall be as shown in the Annex hereto.

Article 2

1. The Spanish authorities shall issue import authorizations so as to ensure a fair allocation of the available quantity between the applicants.

The quota shall be staggered over the year as follows:

- 50 % during the period 1 January to 30 June 1991,
- 50 % during the period 1 July to 31 December 1991.

2. Applications for import authorizations shall be subject to the lodging of a security. The primary requirement within the meaning of Article 20 of Regulation (EEC) No 2220/85 covered by the security shall consist in the effective importation of the goods.

Article 3

The minimum rate of progressive increase of the quotas shall be 10 % at the beginning of each year.

The increase shall be added to each quota and the subsequent increase shall be calculated on the basis of the total figure obtained.

Article 4

The Spanish authorities shall communicate to the Commission the measures which they adopt for the application of Article 2.

They shall transmit, not later than the 15th of each month, the following information on import authorizations issued in the preceding month:

- the quantities covered by the import authorizations issued, by country of provenance,
- the quantities imported, by country of provenance.

Article 5

This Regulation shall enter into force on 1 January 1991.

⁽¹⁾ OJ No L 54, 1. 3. 1986, p. 25.

⁽²⁾ OJ No L 293, 27. 10. 1988, p. 7.

⁽³⁾ OJ No L 350, 1. 12. 1989, p. 62.

⁽⁴⁾ OJ No L 205, 3. 8. 1985, p. 5.

⁽⁵⁾ OJ No L 364, 14. 12. 1989, p. 54.

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

Done at Brussels, 19 December 1990.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX

		<i>(tonnes)</i>
CN code	Description	Quota for 1991
ex 0103	Live swine, of domestic species, other than pure-bred breeding animals	} 1 610
ex 0203	Meat of domestic swine, fresh, chilled, or frozen	
ex 0206	Edible offal of domestic swine, other than for the manufacture of pharmaceutical products, fresh, chilled or frozen	
ex 0209	Pig fat free of lean meat (not rendered), fresh, chilled, frozen, salted, in brine, dried or smoked	
ex 0210	Meat and edible meat offal of domestic swine, salted, in brine, dried or smoked	
1501 00 11	Lard and other pig fat, rendered, whether or not pressed or solvent extracted	
1501 00 19		
1601	Sausages and similar products, of meat, meat offal or blood; food preparations based on these products	
1602 10	Homogenized preparations of meat, meat offal or blood	
1602 20 90	Preparations or preserves of liver of any animal, other than goose or duck	
1602 41 10	Other preparations and preserves containing meat or offal of domestic swine	
1602 42 10		
1602 49 11		
to		
1602 49 50		
1602 90 10	Preparations of blood of any animal	
1602 90 51	Other preparations or preserves containing meat or meat offal of domestic swine	
1902 20 30	Stuffed pasta, whether or not cooked or otherwise prepared, containing more than 20 % by weight of sausages and the like, of meat and meat offal of any kind, including fats of any kind or origin	

COMMISSION REGULATION (EEC) No 3693/90
of 19 December 1990

amending Regulation (EEC) No 643/86 laying down detailed rules for the application of the supplementary trade mechanism to the live plants and floriculture products listed in Annex XXII to the Act of Accession and imported into Portugal concerning the target ceilings for the year 1991

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 251 (1) and (2) thereof,

Having regard to Council Regulation (EEC) No 569/86 of 25 February 1986 laying down general rules for the application of the supplementary mechanism applicable to trade⁽¹⁾, as last amended by Regulation (EEC) No 3296/88⁽²⁾, and in particular Article 7 (1) thereof,

Having regard to Council Regulation (EEC) No 3792/85 of 20 December 1985 laying down the arrangements applying to trade in agricultural products between Spain and Portugal⁽³⁾, as last amended by Regulation (EEC) No 3296/88, and in particular Article 5 (1) thereof,

Whereas Commission Regulation (EEC) No 574/86⁽⁴⁾, as last amended by Regulation (EEC) No 3296/88, lays down detailed rules for the application of the supplementary trade mechanism;

Whereas Commission Regulation (EEC) No 643/86 of 28 February 1986 laying down detailed rules for the application of the supplementary trade mechanism to the live plants and floriculture products listed in Annex XXII to the Act of Accession and imported into Portugal⁽⁵⁾, as last amended by Regulation (EEC) No 3372/90⁽⁶⁾, fixes in particular the target ceilings provided for in Article 251 (1) of the Act of Accession for certain floricultural products falling within CN codes 0602, 0603 and 0604 for the period 1 March to 31 December 1986;

Whereas, in accordance with Article 251 (2) of the Act of Accession, the target ceilings must reflect a certain progress in relation to traditional trade flows so as to ensure a harmonious and gradual opening-up of the market; whereas, to that end, the target ceilings for ornamental plants, roses, carnations and *Asparagus plumosus* and those for rose bushes should be increased for 1991;

Whereas, in view of experience gained during the five years of application of those arrangements, provision should be made, in order to ensure stability on the Portuguese market, for a seasonal break-down of the ceilings for certain of those products and for their adjustment to seasonal variations in Portuguese production;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 643/86 is hereby amended as follows:

1. Article 1 (1) is replaced by the following:

'1. The target ceilings provided for in Article 251 (1) of the Act of Accession for the period 1 January to 31 December 1991 shall be as set out in the Annex hereto.'

2. The Annex is replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on 1 January 1991.

⁽¹⁾ OJ No L 55, 1. 3. 1986, p. 106.

⁽²⁾ OJ No L 293, 27. 10. 1988, p. 7.

⁽³⁾ OJ No L 367, 31. 12. 1985, p. 7.

⁽⁴⁾ OJ No L 57, 1. 3. 1986, p. 1.

⁽⁵⁾ OJ No L 60, 1. 3. 1986, p. 39.

⁽⁶⁾ OJ No L 326, 24. 11. 1990, p. 41.

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

Done at Brussels, 19 December 1990.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX

Target ceilings for the period 1 January to 31 December 1991 as provided for in the third subparagraph of Article 251 of the Act of Accession

CN code	Description	Target ceiling	
		units	tonnes
	Other live plants (including their roots), cuttings and slips; mushroom spawn :		
	<i>Target ceiling :</i>		
0602 40 90	— Roses, grafted	743 000	} 1 600
	— Indoor plants :		
0602 99 91	— Other :		
	— Flowering plants with buds or flowers, excluding cacti		
0602 99 99	— Other		
	<i>Of which :</i>		
	— From 1 January to 30 June		700
	— From 1 July to 31 December		900
	Cut flowers and flower buds of a kind suitable for bouquets or for ornamental purposes, fresh, dried, dyed, bleached, impregnated or otherwise prepared		
	<i>Target ceiling :</i>		
0603 10 11 and 0603 10 51	Roses, fresh	825 000	
0603 10 13 and 0603 10 53	Carnations, fresh	8 570 000	
	<i>Of which : from 1 June to 31 October :</i>		
0603 10 11	Roses	270 000	
0603 10 53	Carnations	2 800 000	
	Foliage, branches and other parts of plants, without flower or flower buds, and grasses, mosses and lichens, being goods of a kind suitable for bouquets or for ornamental purposes, fresh, dried, dyed, bleached, impregnated or otherwise prepared		
ex 0604 91 90	<i>Asparagus plumosus</i>		2,6

COMMISSION REGULATION (EEC) No 3694/90
of 19 December 1990
amending Regulation (EEC) No 2565/90 adopting for 1991 the measures to
improve the quality of olive oil production

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

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 3499/90⁽²⁾, and in particular Article 5(5) thereof,

Whereas Commission Regulation (EEC) No 2565/90⁽³⁾ adopted for 1991 measures aimed at improving the quality of olive oil production; whereas these include preventive action against the olive fly (*Dacus oleae*) and, where appropriate, other harmful organisms; whereas the duration of this action is such that the costs involved will exceed the resources available from the 1988/89 marketing year;

Whereas under Article 3 of Council Regulation (EEC) No 1227/89 of 3 May 1989 fixing the production target price, the production aid and the intervention price for olive oil for the 1989/90 marketing year⁽⁴⁾, 2 % of the production aid allotted to olive oil producers in each producing Member State is assigned to financing of measures to improve olive oil quality in these countries; whereas these resources should be assigned to the programmes to be implemented during 1991;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 2 of Regulation (EEC) No 2565/90 is hereby replaced by the following:

Article 2

Expenditure on action as specified in this Regulation shall be financed from the resources provided by the deduction made from the production aid pursuant to Article 3(1) of Regulation (EEC) No 2211/88 and to Article 3 of Regulation (EEC) No 1227/89. Allocation of these resources for financing the action in question shall be based on the amount withheld in each Member State.'

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, 19 December 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

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

⁽²⁾ OJ No L 338, 5. 12. 1990, p. 1.

⁽³⁾ OJ No L 243, 6. 9. 1990, p. 5.

⁽⁴⁾ OJ No L 128, 11. 5. 1989, p. 18.

COMMISSION REGULATION (EEC) No 3695/90

of 19 December 1990

fixing the target ceiling for imports of olive oil into Portugal for the period
26 November to 31 December 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 251 thereof,

Having regard to Council Regulation (EEC) No 569/86 of 25 February 1986 laying down general rules for the application of the supplementary mechanism applicable to trade⁽¹⁾, as last amended by Regulation (EEC) No 3296/88⁽²⁾, and in particular Article 7 (1) thereof,

Whereas Article 249 of the Act of Accession provides that the supplementary trade mechanism (STM) is to apply to olive oil; whereas Article 251 of that Act provides that a forward estimate is to be drawn up, as a general rule at the start of each marketing year, of production and consumption of olive oil in Portugal; whereas the target ceiling fixed is based on the estimate thus drawn up;

Whereas Council Regulation (EEC) No 3501/90⁽³⁾ removed olive oil from the list of products subject to the STM in Portugal; whereas the target ceiling for imports during December 1990 should therefore be fixed;

Whereas, with a view to ensuring minimum supply to the greatest number of operators to satisfy their immediate requirements, it should be provided that each operator may submit tenders in respect of a minimum quantity only; whereas, with a view to preventing this provision from being circumvented in any way and consequently to preventing a small number of operators from monopolizing the quantities put up for sale, it should be provided that only recognized operators may be allocated quantities to be exported;

Whereas Commission Regulation (EEC) No 574/86⁽⁴⁾, as last amended by Regulation (EEC) No 3296/88, lays down the detailed rules for the application of the supplementary mechanism applicable to trade for all agricultural sectors; whereas certain detailed rules applying specifically to the oils and fats sector were laid down by Regulation (EEC) No 1634/86⁽⁵⁾, as last amended by Regulation (EEC) No 2439/89⁽⁶⁾; whereas, in view of the current situation on the market for olive oil in Portugal, certain special

detailed rules for the application of that mechanism should be laid down for the period 26 November to 31 December 1990, the better to organize imports into that country;

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

HAS ADOPTED THIS REGULATION:

Article 1

The target ceiling for imports into Portugal of olive oil falling within CN codes 1509 and 1510 00 from the other Member States is hereby fixed at 3 000 tonnes for the period 26 November to 31 December 1990.

If applications for STM licences relate to quantities exceeding that indicated above, the Commission shall authorize the Member States concerned to issue licences in proportion to the quantity available.

Article 2

Applications for STM licences shall be admissible only if they are submitted by a natural or legal person conducting an activity in the olive oil sector and entered by virtue of such activity at 31 October 1990 in a public registry of a Member State.

In addition, tenderers may submit applications in respect of a maximum of 500 tonnes only.

Licences shall not be valid after 31 December 1990.

Notwithstanding Article 2 (2) of Regulation (EEC) No 574/86, rights arising from an STM licence shall not be transferable during the term of validity of that licence.

Article 3

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

⁽¹⁾ OJ No L 55, 1. 3. 1986, p. 106.

⁽²⁾ OJ No L 293, 27. 10. 1988, p. 7.

⁽³⁾ OJ No L 338, 5. 12. 1990, p. 7.

⁽⁴⁾ OJ No L 57, 1. 3. 1986, p. 1.

⁽⁵⁾ OJ No L 144, 29. 5. 1986, p. 20.

⁽⁶⁾ OJ No L 231, 9. 8. 1989, p. 5.

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

Done at Brussels, 19 December 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 3696/90

of 19 December 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 3517/90 ⁽³⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 3517/90 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;

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 subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽⁴⁾, as last amended by Regulation (EEC) No 2205/90 ⁽⁵⁾,

— 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 18 December 1990,

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 1,03 per 100 kilograms.

Article 2

This Regulation shall enter into force on 20 December 1990.

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

Done at Brussels, 19 December 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 340, 6. 12. 1990, p. 15.

⁽⁴⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁵⁾ OJ No L 201, 31. 7. 1990, p. 9.

COMMISSION REGULATION (EEC) No 3697/90

of 19 December 1990

fixing the export refunds on white sugar and raw sugar exported in its unaltered 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 point (a) of the first subparagraph of 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) (a) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas 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 when refunds on white and raw sugar, undenatured and exported in its unaltered state are being fixed account must be taken of the situation on the Community and world markets in sugar and in particular of the price and cost factors set out in Article 3 of that Regulation; whereas the same Article provides that the economic aspect of the proposed exports should also be taken into account;

Whereas the refund on raw sugar must be fixed in respect of the standard quality; whereas the latter is defined in Article 1 of Council Regulation (EEC) No 431/68 of 9 April 1968 determining the standard quality for raw sugar and fixing the Community frontier crossing point for calculating cif prices for sugar ⁽⁵⁾; whereas, furthermore, this refund should be fixed in accordance with Article 5 (2) of Regulation (EEC) No 766/68; whereas candy sugar is defined in Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar ⁽⁶⁾, as last amended by Regulation (EEC) No 1714/88 ⁽⁷⁾; whereas the refund thus calculated for sugar containing added flavouring or colouring matter

must apply to their sucrose content and, accordingly, be fixed per 1 % of the said content;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for sugar according to destination;

Whereas, in special cases, the amount of the refund may be fixed by other legal instruments;

Whereas, if the refund system is to operate normally, refunds 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 subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽⁸⁾, as last amended by Regulation (EEC) No 2205/90 ⁽⁹⁾,
- 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 refund must be fixed every two weeks; whereas it may be altered in the intervening period;

Whereas it follows from applying the rules set out above to the present situation on the market in sugar and in particular to quotations or prices for sugar within the Community and on the world market that the refund should be as set out in the Annex hereto;

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

Article 2

This Regulation shall enter into force on 20 December 1990.

⁽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 89, 10. 4. 1968, p. 3.

⁽⁶⁾ OJ No L 50, 4. 3. 1970, p. 1.

⁽⁷⁾ OJ No L 152, 18. 6. 1988, p. 23.

⁽⁸⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁹⁾ OJ No L 201, 31. 7. 1990, p. 9.

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

Done at Brussels, 19 December 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 19 December 1990 fixing the export refunds on white sugar and raw sugar exported in its unaltered 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	34,77 ⁽¹⁾	
1701 11 90 910	34,76 ⁽¹⁾	
1701 11 90 950	⁽²⁾	
1701 12 90 100	34,77 ⁽¹⁾	
1701 12 90 910	34,76 ⁽¹⁾	
1701 12 90 950	⁽²⁾	
1701 91 00 000		0,3780
1701 99 10 100	37,80	
1701 99 10 910	38,12	
1701 99 10 950	38,12	
1701 99 90 100		0,3780

⁽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 3698/90
of 19 December 1990

fixing the maximum export refund for white sugar for the 34th 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 34th 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 34th 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 40,681 per 100 kilograms.

Article 2

This Regulation shall enter into force on 20 December 1990.

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

Done at Brussels, 19 December 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 3699/90

of 19 December 1990

fixing the export refunds on olive oil

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 3499/90⁽²⁾,

Having regard to Council Regulation (EEC) No 1650/86 of 26 May 1986 on export refunds and levies on olive oil⁽³⁾, and in particular the first sentence of Article 3 (1) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 20 of Regulation No 136/66/EEC provides that, where prices within the Community are higher than world market prices, the difference between these prices may be covered by a refund when olive oil is exported to third countries;

Whereas the detailed rules for fixing and granting export refunds on olive oil are contained in Regulation (EEC) No 1650/86 and Commission Regulation (EEC) No 616/72⁽⁴⁾, as last amended by Regulation (EEC) No 2962/77⁽⁵⁾;

Whereas the first indent of Article 2 of Regulation (EEC) No 1650/86 provides that the refund must be the same for the whole Community;

Whereas, in accordance with Article 4 of Regulation (EEC) No 1650/86, the refund for olive oil must be fixed in the light of the existing situation and outlook in relation to olive oil prices and availability on the Community market and olive oil prices on the world market;

Whereas, however, where the world market situation is such that the most favourable olive oil prices cannot be determined, account may be taken of the price of the main competing vegetable oils on the world market and

the difference recorded between that price and the price of olive oil during a representative period;

Whereas the amount of the refund may not exceed the difference between the price of olive oil in the Community and that on the world market, adjusted, where appropriate, to take account of export costs for the products on the world market;

Whereas, in accordance with Article 5 of Regulation (EEC) No 1650/86, it may be decided that the refund shall be fixed by tender;

Whereas the tendering procedure should cover the amount of the refund and may be limited to certain countries of destination, quantities, qualities and presentations;

Whereas the second indent of Article 2 of Regulation (EEC) No 1650/86 provides that the refund on olive oil may be varied according to destination where the world market situation or the specific requirements of certain markets make this necessary;

Whereas Article 3 (1) of Regulation (EEC) No 1650/86 provides that the refund must be fixed at least once every month; whereas it may, if necessary, be altered in the intervening period;

Whereas it follows from applying these detailed rules to the present situation on the market in olive oil and in particular to olive oil prices within the Community and on the markets of third countries that the refund should be as set out in the Annex hereto;

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

— in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁶⁾, as last amended by Regulation (EEC) No 2205/90⁽⁷⁾,

— 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

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

⁽²⁾ OJ No L 238, 5. 12. 1990, p. 23.

⁽³⁾ OJ No L 145, 30. 5. 1986, p. 8.

⁽⁴⁾ OJ No L 78, 31. 3. 1972, p. 1.

⁽⁵⁾ OJ No L 348, 30. 12. 1977, p. 53.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 201, 31. 7. 1990, p. 9.

a period to be determined, multiplied by the coefficient referred to in the preceding indent;

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 Management Committee for Oils and Fats has not delivered an opinion within the time limit set by its Chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (2) (c) of Regulation No 136/66/EEC shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 20 December 1990.

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

Done at Brussels, 19 December 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 19 December 1990 fixing the export refunds on olive oil

<i>(ECU/100 kg)</i>	
Product code	Amount of refund (1)
1509 10 90 100	53,50
1509 10 90 900	84,50
1509 90 00 100	62,00
1509 90 00 900	93,00
1510 00 90 100	7,00
1510 00 90 900	31,90

(1) For destinations mentioned in Article 34 of amended Commission Regulation (EEC) No 3665/87 (OJ No L 351, 14. 12. 1987, p. 1), as well as for exports to third countries.

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 3700/90
of 19 December 1990

fixing the maximum export refunds on olive oil for the third partial invitation to tender under the standing invitation to tender issued by Regulation (EEC) No 3192/90

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 3499/90⁽²⁾,

Having regard to Council Regulation (EEC) No 1650/86 of 26 May 1986 on the refunds and levies applicable to exports of olive oil⁽³⁾, and in particular Article 7 thereof,

Whereas Commission Regulation (EEC) No 3192/90⁽⁴⁾, issued a standing invitation to tender with a view to determining the export refunds on olive oil;

Whereas Article 6 of Regulation (EEC) No 3192/90 provides that maximum amounts are to be fixed for the export refunds in the light in particular of the current situation and foreseeable developments on the Community and world olive-oil markets and on the basis of the tenders received; whereas contracts are awarded to any tenderer who submits a tender at the level of the maximum refund or at a lower level;

Whereas, for the purposes of applying the above-mentioned provisions, the maximum export refunds should be set at the levels specified in the Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refunds for olive oil for the third partial invitation to tender under the standing invitation to tender issued by Regulation (EEC) No 3192/90 are hereby fixed in the Annex, on the basis of the tenders submitted by 9 December 1990.

Article 2

This Regulation shall enter into force on 20 December 1990.

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

Done at Brussels, 19 December 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

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

⁽²⁾ OJ No L 238, 5. 12. 1990, p. 1.

⁽³⁾ OJ No L 145, 30. 5. 1986, p. 8.

⁽⁴⁾ OJ No L 304, 1. 11. 1990, p. 96.

ANNEX

to the Commission Regulation of 19 December 1990 fixing the maximum export refunds on olive oil for the third partial invitation to tender under the standing invitation to tender issued by Regulation (EEC) No 3192/90

(ECU/100 kg)

Product code	Amount of refund
1509 10 90 100	—
1509 10 90 900	—
1509 90 00 100	72,65
1509 90 00 900	108,05
1510 00 90 100	17,00
1510 00 90 900	—

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

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 19 December 1990

renewing Decision 85/594/EEC authorizing the Hellenic Republic to take certain protective measures under Article 108 (3) of the EEC Treaty

(Only the Greek text is authentic)

(90/663/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 108 (3) thereof,

Whereas, by Decision 85/594/EEC⁽¹⁾, the Commission on a temporary basis authorized the Hellenic Republic to take certain protective measures in support of a programme of economic stabilization implemented by the Greek Government from the end of 1985 in order to deal with serious balance of payments difficulties and to restore an acceptable situation;

Whereas since then, and in line with the improvement in the external equilibrium of Greece, several of these protective measures have been revoked or amended in accordance with the provisions of Decision 85/594/EEC; whereas this Decision was amended by Commission Decisions 86/614/EEC⁽²⁾, 87/152/EEC⁽³⁾, 88/438/EEC⁽⁴⁾, 88/600/EEC⁽⁵⁾, 89/644/EEC⁽⁶⁾ and lastly renewed and amended by Decision 90/348/EEC⁽⁷⁾;

Whereas the Hellenic Republic has claimed that although the deterioration of the economic situation has been contained balance of payments problems persist; whereas it has adopted a stabilization and economic recovery

programme aiming at the reduction of macroeconomic imbalances; whereas it has requested an extension of certain protective measures in respect of the movement of capital and transfers relating to tourist expenditure of Greek residents abroad, in accordance with the provisions of Article 9 (5) of Decision 85/594/EEC; whereas, nevertheless, the Greek authorities have relaxed the restrictions originally authorized in this area; whereas they intend to remove the remaining protective measures as soon as the situation in the balance of payments improves;

Whereas it emerges from the examination of the overall economic situation of Greece undertaken by the Commission that the external position of Greece deteriorated in 1990; whereas this deterioration is expected to be more pronounced during the first months of 1991; whereas the authorities are implementing a stabilization and economic recovery programme in order to reduce the internal and external imbalances; whereas until the situation in the balance of payments is redressed the retention of certain protective measures in this area is justified;

Whereas there are grounds, in particular on account of the expected pressure on balance of payments, for renewing without modifications the authorization to apply these protective measures; whereas, however, the evolution of the economic situation in Greece should be monitored attentively so that the measures authorized may possibly be amended or repealed if the conditions justifying them were no longer to obtain;

Whereas, for the sake of transparency it is appropriate to present in a single text the complete enacting terms of Decision 85/594/EEC as last amended by this Decision,

⁽¹⁾ OJ No L 373, 31. 12. 1985, p. 9.

⁽²⁾ OJ No L 357, 18. 12. 1986, p. 28.

⁽³⁾ OJ No L 63, 6. 3. 1987, p. 38.

⁽⁴⁾ OJ No L 218, 9. 8. 1988, p. 19.

⁽⁵⁾ OJ No L 325, 29. 11. 1988, p. 58.

⁽⁶⁾ OJ No L 372, 21. 12. 1989, p. 39.

⁽⁷⁾ OJ No L 170, 3. 7. 1990, p. 51.

HAS ADOPTED THIS DECISION:

Article 1

The enacting terms of Decision 85/594/EEC shall be replaced by the following text:

Article 1

1. Greece is hereby authorized, temporarily and within the limits and conditions laid down in the Annex to this Decision, to prohibit or to make subject to prior authorization the conclusion or execution of transactions and transfers relating to capital movements liberalized in accordance with the provisions of the Council Directive in force for the implementation of Article 67 of the Treaty⁽¹⁾.

2. Greece is hereby temporarily authorized to limit transfers relating to the tourist expenditure of Greek residents to ECU 1 200 per person and per journey. In addition to this basic allowance, residents shall, however, be allowed to use payment or credit cards abroad for the purposes of holiday expenses to the amount of ECU 300 per person per year.

3. Without prejudice to the provisions of Article 2, the authorizations contained in this Article shall be valid until 30 June 1991.

Article 2

1. The Commission shall attentively monitor the evolution of the economic situation in Greece. The Commission reserves the right to amend or repeal all or part of this Decision, after consulting the Member State concerned, particularly if it finds that the circumstances which led to its adoption have changed or that its effects are more restrictive than they need be in order to achieve their objectives.

2. If, before the date of expiry of the derogations permitted up to 30 June 1991 under Article 1, Greece claims that balance of payments difficulties persist, or that there is a serious likelihood of their recurring, the Commission shall examine the overall economic situation in order to determine whether an extension of all or part of the protective measures in force is appropriate.

Article 3

This Decision is addressed to the Hellenic Republic.

⁽¹⁾ Council Directive 88/361/EEC (OJ No 178, 8. 7. 1988, p. 5).

ANNEX

Operation	Type of restriction authorized by way of derogation from Community obligations
Investment in real estate	Investments in real estate abroad made by residents may be subject to prior authorization. This shall be granted to residents emigrating under the heading of the free movement of employed and self-employed persons in respect of investments related to their installation or establishment.
Operations in securities	The acquisition by residents of foreign securities, or of domestic securities issued on a foreign market, may be prohibited or made subject to prior authorization. However: <ul style="list-style-type: none"> — residents shall be authorized to acquire securities issued by the Communities and by the European Investment Bank up to the limit of a global annual amount of ECU 75 million; — resident collective investment undertakings shall be authorized to invest in foreign securities up to 25 % of their net assets, in the case of unit trust funds and 25 % of their paid-up capital in the case of investment companies.

Article 2

This Decision is addressed to the Hellenic Republic.

Done at Brussels, 19 December 1990.

For the Commission
Henning CHRISTOPHERSEN
Vice-President