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## Legislation

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## I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 144/91

of 22 January 1991

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 Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals<sup>(1)</sup>, as last amended by Regulation (EEC) No 3577/90<sup>(2)</sup>, and in particular Article 13 (5) thereof,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy<sup>(3)</sup>, as last amended by Regulation (EEC) No 2205/90<sup>(4)</sup>, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 3844/90<sup>(5)</sup> and subsequent amending Regulations;

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

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

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

— for 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 21 January 1991;

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 3844/90 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 23 January 1991.

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

Done at Brussels, 22 January 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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

<sup>(2)</sup> OJ No L 353, 17. 12. 1990, p. 23.

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

<sup>(4)</sup> OJ No L 201, 31. 7. 1990, p. 9.

<sup>(5)</sup> OJ No L 367, 29. 12. 1990, p. 13.

## ANNEX

to the Commission Regulation of 22 January 1991 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CN code	Levies	
	Third country	
0709 90 60	140,65	( <sup>2</sup> ) ( <sup>3</sup> )
0712 90 19	140,65	( <sup>2</sup> ) ( <sup>3</sup> )
1001 10 10	199,32	( <sup>1</sup> ) ( <sup>2</sup> )
1001 10 90	199,32	( <sup>1</sup> ) ( <sup>2</sup> )
1001 90 91	191,65	
1001 90 99	191,65	
1002 00 00	156,55	( <sup>4</sup> )
1003 00 10	152,03	
1003 00 90	152,03	
1004 00 10	146,25	
1004 00 90	146,25	
1005 10 90	140,65	( <sup>2</sup> ) ( <sup>3</sup> )
1005 90 00	140,65	( <sup>2</sup> ) ( <sup>3</sup> )
1007 00 90	149,79	( <sup>4</sup> )
1008 10 00	64,75	
1008 20 00	125,16	( <sup>4</sup> )
1008 30 00	73,99	( <sup>5</sup> )
1008 90 10	( <sup>7</sup> )	
1008 90 90	73,99	
1101 00 00	282,33	( <sup>8</sup> )
1102 10 00	234,03	( <sup>8</sup> )
1103 11 10	322,33	( <sup>8</sup> )
1103 11 90	303,82	( <sup>8</sup> )

- (<sup>1</sup>) Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.
- (<sup>2</sup>) In accordance with Regulation (EEC) No 715/90 the levies are not applied to products imported directly into the French overseas departments, originating in the African, Caribbean and Pacific States or in the 'overseas countries and territories'.
- (<sup>3</sup>) Where maize originating in the ACP or OCT is imported into the Community the levy is reduced by ECU 1,81/tonne.
- (<sup>4</sup>) Where millet and sorghum originating in the ACP or OCT is imported into the Community the levy is applied in accordance with Regulation (EEC) No 715/90.
- (<sup>5</sup>) Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.
- (<sup>6</sup>) The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 (OJ No L 142, 9. 6. 1977, p. 10) and Commission Regulation (EEC) No 2622/71 (OJ No L 271, 10. 12. 1971, p. 22).
- (<sup>7</sup>) The levy applicable to rye shall be charged on imports of the product falling within CN code 1008 90 10 (triticale).
- (<sup>8</sup>) On importation into Portugal the levy is increased by the amount specified in Article 2 (2) of Regulation (EEC) No 3808/90.

## COMMISSION REGULATION (EEC) No 145/91

of 22 January 1991

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 Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals<sup>(1)</sup>, as last amended by Regulation (EEC) No 3577/90<sup>(2)</sup>, and in particular Article 15 (6) thereof,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy<sup>(3)</sup>, as last amended by Regulation (EEC) No 2205/90<sup>(4)</sup>, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EEC) No 3845/90<sup>(5)</sup> and subsequent amending Regulations;

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

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

- for 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 21 January 1991;

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*

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 23 January 1991.

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

Done at Brussels, 22 January 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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

<sup>(2)</sup> OJ No L 353, 17. 12. 1990, p. 23.

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

<sup>(4)</sup> OJ No L 201, 31. 7. 1990, p. 9.

<sup>(5)</sup> OJ No L 367, 29. 12. 1990, p. 10.

## ANNEX

to the Commission Regulation of 22 January 1991 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
	1	2	3	4
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 10	0	0	0	0
1001 10 90	0	0	0	0
1001 90 91	0	0	0	0
1001 90 99	0	0	0	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	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	3,27	3,20	3,19
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	0

## B. Malt

*(ECU/tonne)*

CN code	Current	1st period	2nd period	3rd period	4th period
	1	2	3	4	5
1107 10 11	0	0	0	0	0
1107 10 19	0	0	0	0	0
1107 10 91	0	0	0	0	0
1107 10 99	0	0	0	0	0
1107 20 00	0	0	0	0	0

**COMMISSION REGULATION (EEC) No 146/91**

of 22 January 1991

**establishing a list of products excluded from the application of Council Regulation (EEC) No 737/90 on the conditions governing imports of agricultural products originating in third countries following the accident at the Chernobyl nuclear power stations**

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

Having regard to Council Regulation (EEC) No 737/90 of 22 March 1990 on the conditions governing imports of agricultural products originating in third countries following the accident at the Chernobyl nuclear power station<sup>(1)</sup>, and in particular Articles 6 and 7 thereof,

Whereas, in accordance with Regulation (EEC) No 737/90, the Commission shall adopt a list of products excluded from its application;

Whereas many agricultural products imported from third countries are either free of radioactive contamination from the Chernobyl accident or so slightly contaminated as to present no danger to health;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the *ad hoc* committee instituted by Regulation (EEC) No 737/90,

HAS ADOPTED THIS REGULATION:

*Article 1*

The list of products excluded from the application of Regulation (EEC) No 737/90 is set out in the Annex.

*Article 2*

This Regulation shall enter into force on the third 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, 22 January 1991.

*For the Commission*

Carlo RIPA DI MEANA

*Member of the Commission*

<sup>(1)</sup> OJ No L 82, 29. 3. 1990, p. 1.

## ANNEX

LIST OF PRODUCTS EXCLUDED FROM THE APPLICATION OF COUNCIL REGULATION  
(EEC) No 737/90 OF 22 MARCH 1990

CN code	Description
0101 11 00	(live horses): pure-bred breeding animals
0102 10 00	(live bovine animals): pure-bred breeding animals
0103 10 00	(live swine): pure-bred breeding animals
0104 10 10	(live sheep): pure-bred breeding animals
0104 20 10	(live goats): pure-bred breeding animals
03	Fish and crustaceans, molluscs and other aquatic invertebrates except fresh water species : 0301 91 00, 0301 92 00, 0301 93 00, 0301 99 11, 0301 99 19, 0302 11 00, 0302 12 00, 0302 19 00, 0302 66 00, 0302 69 11, 0302 69 19, 0303 10 00, 0303 21 00, 0303 22 00, 0303 29 00, 0303 76 00, 0303 79 11, 0303 79 19, 0304 10 11, 0304 10 13, 0304 10 19, 0304 20 11, 0304 20 13, 0304 20 19, 0304 90 10, 0305 30 30, 0305 41 00, 0305 49 40, 0305 49 50, 0305 69 50, 0306 19 10, 0306 29 10, 0307 60 00
05	Products of animal origin, not elsewhere specified or included
0703 20 00	(Onions, shallots, garlic, leeks and other alliaceous vegetables, fresh or chilled): Garlic
0709 52 00	(Other vegetables, fresh or chilled): Truffles
0709 60 95	(-)-: (Fruits of the genus <i>Capsicum</i> or of the genus <i>Pimenta</i> ): for the industrial manufacture of essential oils or resinoids
0709 90 31	(-)-: (olives): for uses other than the production of oil
0709 90 39	(-)-: (-): other
0709 90 40	(-)-: Capers
0710 80 10	(Vegetables (uncooked or cooked by steaming or boiling in water), frozen) Olives
0711 20	(Vegetables provisionally preserved...): Olives
0711 30 00	(-)-: Capers
0713 10 11	(Dried leguminous vegetables, shelled, whether or not skinned or split): (Peas ( <i>Pisum sativum</i> )): For sowing: Forage peas ( <i>Pisum arvense</i> L.)
0713 10 19	(-)-: (-): For sowing: other
0714	Manioc, arrowroot, salep, Jerusalem artichokes, sweet potatoes and similar roots and tubers with high starch or inulin content, fresh or dried, whether or not sliced or in the form of pellets; sago pith
0801 10	Coconuts
0802 50 00	(-)-: Pistachios
0802 90 10	(-)-: Pecans
0802 90 30	(-)-: Areca (or betel) and cola
0803 00	Bananas, including plantains, fresh or dried
0804 30 00	(Dates, figs, pineapples, avocados, guavas, mangoes and mangosteens, fresh or dried): Pineapples
0804 40	(-)-: Avocados
0804 50 00	(-)-: Guavas, mangoes and mangosteens
0805	Citrus fruit, fresh or dried
0810 90 30	(Other fruit, fresh): Tamarinds, cashew-apples, lychees, jackfruit, sapodillo plums
0812 90 30	(Fruit and nuts, provisionally preserved...): Papaws (papayas)



CN code	Description
0813 40 50	(Fruit, dried, other than that of heading Nos 0801 to 0806 ; mixtures of nuts or dried fruits of this chapter) : Papaws (papayas)
0813 40 60	(— —) : Tamarinds
0901	Coffee, whether or not roasted or decaffeinated ; coffee husks and skins ; coffee substitutes containing coffee in any proportion
0903 00 00	Maté
0904	Pepper of the genus <i>Piper</i> ; dried or crushed or ground fruits of the genus <i>Capsicum</i> or of the genus <i>Pimenta</i>
0905 00 00	Vanilla
0906	Cinnamon and cinnamon-tree flowers
0907 00 00	Cloves (whole fruit, cloves and stems)
0908	Nutmeg, mace and cardamoms
1106 20	Flour and meal of sago, roots or tubers of heading No 0714
1108 14 00	(Starches ; inulin) : Manioc (cassava) starch
1202 10 90	(Ground-nuts, not roasted or otherwise cooked, whether or not shelled or broken) : (in shell) : other
1202 20 00	(— —) : shelled, whether or not broken
1203 00 00	Copra
1207	Other oil seeds and oleaginous fruits, whether or not broken
1209	Seeds, fruit and spores, of a kind used for sowing
1210	Hop cones, fresh or dried, whether or not ground, powdered or in the form of pellets ; lupulin
1211	Plants and parts of plants (including seeds and fruits), a kind used primarily in perfumery, in pharmacy or for insecticidal, fungicidal or similar purposes, fresh or dried, whether or not cut, crushed or powdered
1212 20 00	(Locust beans, seaweeds and other algae, ...) : Seaweeds and other algae
1212 92 00	(Locust beans, seaweeds and other algae, sugar beet and sugar cane, ...) : Sugar cane
1214	Swedes, mangolds, fodder roots, hay, lucerne (alfalfa), clover, sainfoin, forage kale, lupines, vetches and similar forage products, whether or not in the form of pellets
13	Lac ; gums, resins and other vegetable saps and extracts except intermixtures of vegetable extracts, for the manufacture of beverages or of food preparations : 1302 19 30
14	Vegetable plaiting materials ; vegetable products not elsewhere specified or included
15	Animal or vegetable fats and oils and their cleavage products ; prepared edible fats ; animal or vegetable waxes
1604	Prepared or preserved fish ; caviar and caviar substitutes prepared from fish eggs except fresh water species : 1604 11 00, 1604 19, 1604 20 10, 1604 20 30, 1604 20 90
1605	Crustaceans, molluscs and other aquatic invertebrates, prepared or preserved except fresh water species : 1605 40 00, 1605 90
1701 11	(Cane or beet sugar and chemically pure sucrose, in solid form) : (Raw sugar not containing added flavouring or colouring matter) : Cane sugar
1701 12	(Cane or beet sugar and chemically pure sucrose, in solid form) : Beet sugar
1702	Other sugars, including chemically pure lactose, maltose, glucose and fructose, in solid form ; sugar syrupy not containing added flavouring or colouring matter ; artificial honey, whether or not mixed with natural honey ; caramel
1703 10 00	(Molasses resulting from the extraction or refining of sugar) : Cane molasses
1704 10	(Sugar confectionery (including white chocolate), not containing cocoa) : chewing gum, whether or not sugar-coated

CN code	Description
1801 00 00	Cocoa beans, whole or broken, raw or roasted
1802 00 00	Cocoa shells, husks, skins and other cocoa waste
1803	Cocoa paste, whether or not defatted
1804 00 00	Cocoa butter, fat and oil
1805 00 00	Cocoa powder, not containing added sugar or other sweetening matter
2001 90 10	(Vegetables, fruit, nuts and other edible parts of plants, prepared or preserved by vinegar or acetic acid): Mango chutney
2001 90 20	(—): Fruit of the genus <i>Capsicum</i> other than sweet peppers or pimentos
2001 90 40	(—): Yams, sweet potatoes and similar edible parts of plants containing 5 % or more by weight or starch
2001 90 60	(—): Palm hearts
2003 20 00	(Mushrooms and truffles, prepared or preserved otherwise than by vinegar or acetic acid): Truffles
2005 70 00	(Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, not frozen): Olives
2006 00 10	(Fruit, nuts, fruit-peel and other parts of plants, preserved by sugar (drained, glacé or crystallized): Ginger
2007 91	(Jams, fruit jellies, marmalades, fruit or nut purée and fruit or nut pastes, being cooked preparations, whether or not containing added sugar or other sweetening matter): Citrus fruit
2008 11	(Fruit, nuts and other edible parts of plants, otherwise prepared or preserved, whether or not containing added sugar or other sweetening matter or spirit, not elsewhere specified or included): Ground nuts
2008 20	(—): Pineapples
2008 30	(—): Citrus fruit
2008 91 00	(—): Palm hearts
2009 11	(Fruit juices (including grape must) and vegetable juices, unfermented and not containing added spirit, whether or not containing added sugar or other sweetening matter): (orange juice): Frozen
2009 19	(—): (—): Other
2009 20	(—): Grapefruit juice
2009 30	(—): Juice of any other single citrus fruit
2009 40	(—): Pineapple juice
2009 90 41 to 2009 90 99	(—): (Mixtures of juices): Mixture of citrus fruit juices and pineapple juice
2101 10	(Extracts, essences and concentrates, of coffee, tea or maté and preparations with a basis of these products or with a basis of coffee, tea or maté; roasted chicory and other roasted coffee substitutes, and extracts, essences and concentrates thereof). Extracts, essences and concentrates, of coffee, and preparations with a basis of these extracts, essences or concentrates or with a basis of coffee
2102	Yeasts (active or inactive); other single-cell micro-organisms, dead (but not including vaccines of heading No 3002); prepared baking powders
2103 30	(Sauces and preparations therefor; mixed condiments and mixed seasonings; mustard flour and meal and prepared mustard): Mustard flour and meal and prepared mustard
2103 90 10	(—): Mango chutney, liquid
22	Beverages, spirits and vinegar except beer made from malt: 2203 00
23	Residues and waste from the food industries; prepared animal fodder
24	Tobacco and manufactured tobacco substitutes

## COMMISSION REGULATION (EEC) No 147/91

of 22 January 1991

## defining and fixing the tolerances for quantity losses of agricultural products in public intervention storage

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3492/90 of 27 November 1990 laying down the factors to be taken into consideration in the annual accounts financing of intervention measures in the form of public storage by the European Agricultural Guidance and Guarantee Fund, Guarantee Section (1) and particularly Article 4 thereof,

Whereas the definition of the tolerance provided for in Article 4 of Regulation (EEC) No 3492/90 for the preservation of agricultural products in public intervention storage and the calculation method to be used for determining the financial consequences of storage must be specified;

Whereas this tolerance refers to ordinary quantity losses resulting from the normal storage or processing of agricultural products in intervention with due respect to the requirements for proper preservation of the product;

Whereas this tolerance must be fixed for each product concerned, using a simple method and taking account of the unidentifiable quantity losses which have occurred during storage in recent years; whereas the limit should therefore be fixed as a percentage of the total quantity in storage;

Whereas in the case of certain products subjected to processing between buying-in and storage, specific tolerances must be fixed for losses during processing;

Whereas there have been no storage operations of pigmeat for a long time, and this limit shall only be fixed afterwards should storage operations recommence;

Whereas the time when the financial effects of the application of tolerances are to be taken into account by the EAGGF Guarantee Section should be specified;

Whereas for certain agricultural products the method of calculating the percentage loss normally allowed during storage has been fundamentally modified; whereas it is necessary to review these percentages in the light of experience.

Whereas the tolerances have been fixed in Regulations by sector; whereas for the sake of legal simplicity they should be laid down in one Regulation;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

1. A tolerance limit for quantity losses resulting from normal storage operations carried out in accordance with the accepted rules is hereby fixed for each agricultural product which is the subject of a public storage measure.

2. The tolerance shall be fixed as a percentage of the actual weight, without packing, of the quantities entering storage and taken over during the financial year in question, plus the quantities in storage at the beginning of that year. It shall be calculated, for each product, on the basis of all the quantities stored by an intervention agency.

The actual weight at buying-in and removal are calculated by subtracting the standard packing weight, as laid down in the conditions of buying-in, from the recorded weight or, by absence, the average packing weight used by the agency.

3. The tolerance shall not cover losses in terms of number of packages or number of registered pieces.

*Article 2*

1. The percentages for normal allowable losses during storage are hereby fixed as follows:

— cereals	0,2 %
— paddy rice-maize-sorghum	0,4 %
— sugar	0,1 %
— olive oil	0,6 %
— rapeseed	0,2 %
— sunflower seed	0,8 %
— alcohol	0,6 %
— leaf tobacco	0,0 %
— baled or transformed tobacco	1,0 %
— skimmed milk powder	0,0 %
— butter	0,0 %

(1) OJ No L 337, 4. 12. 1990, p. 3.

— cheese : Grana Padano	4,5 %
Parmigiano Reggiano	6,5 %
— beef	0,6 %
— pigmeat	to be defined later.

*Article 4*

The percentages laid down in Article 2 shall be reviewed, at the latest after three years, on the basis of checks carried out following the application of the new methods of calculation.

2. The percentages for allowable losses during processing are hereby fixed as follows :

— de-boning of beef	32 %
— processing of leaf tobacco	19 %.

These percentages shall apply to all quantities processed during the financial year.

*Article 5*

Commission Regulations (EEC) No 742/70, (EEC) No 743/70, (EEC) No 771/71, (EEC) No 899/70, (EEC) No 2705/71, (EEC) No 236/72, (EEC) No 2577/72, (EEC) No 638/74, (EEC) No 230/79 and (EEC) No 394/89<sup>(1)</sup> are hereby repealed.

*Article 6*

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

It shall apply with effect from 1 October 1990.

*Article 3*

Losses exceeding the tolerance shall be booked at the end of the EAGGF Guarantee Section financial year.

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

Done at Brussels, 22 January 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 90, 24. 4. 1970, p. 28.  
 OJ No L 90, 24. 4. 1970, p. 29.  
 OJ No L 85, 15. 4. 1971, p. 17.  
 OJ No L 108, 20. 5. 1970, p. 12.  
 OJ No L 280, 21. 12. 1971, p. 8.  
 OJ No L 29, 2. 2. 1972, p. 18.  
 OJ No L 275, 8. 12. 1972, p. 24.  
 OJ No L 77, 22. 3. 1974, p. 30.  
 OJ No L 32, 8. 2. 1979, p. 23.  
 OJ No L 45, 17. 2. 1989, p. 12.

## COMMISSION REGULATION (EEC) No 148/91

of 22 January 1991

on the sale by the procedure laid down in Regulation (EEC) No 2539/84 of boneless beef held by certain intervention agencies and intended for export, amending Regulation (EEC) No 569/88 and repealing Regulation (EEC) No 3711/90

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal <sup>(1)</sup>, as last amended by Regulation (EEC) No 3577/90 <sup>(2)</sup>, and in particular Article 7 (3) thereof,

Whereas Commission Regulation (EEC) No 2539/84 of 5 September 1984 laying down detailed rules for certain sales of frozen beef held by the intervention agencies <sup>(3)</sup>, as amended by Regulation (EEC) No 1809/87 <sup>(4)</sup>, has provided for the possibility of applying a two-stage procedure when selling beef from intervention stocks;

Whereas Commission Regulation (EEC) No 2824/85 of 9 October 1985 laying down detailed rules for the sale of frozen boned beef from intervention stocks for export, either in the same state or after cutting and/or repackaging <sup>(5)</sup> has provided for repackaging under certain conditions;

Whereas certain intervention agencies hold large stocks of boneless intervention meat; whereas an extension of the period of storage for the meat bought in should be avoided on account of the ensuing high costs; whereas as there are outlets in certain third countries for the products concerned, part of that meat should be put up for sale in accordance with Regulations (EEC) No 2539/84 and (EEC) No 2824/85;

Whereas it is necessary to lay down a time limit for export of the said meat; whereas this time limit should be fixed by taking into account Article 5 (b) of Commission Regulation (EEC) No 2377/80 of 4 September 1980 on special detailed rules for the application of the system of import and export licences in the beef and veal sector <sup>(6)</sup>, as last amended by Regulation (EEC) No 2996/90 <sup>(7)</sup>;

Whereas in order to ensure that beef sold is exported, lodging of security, as specified in Article 5 (a) of Regulation (EEC) No 2539/84, should be required;

Whereas it is appropriate to specify that, in view of the prices which have been fixed in the context of this sale in order to permit the disposal of certain cuts, exports of such cuts should not be eligible for the refunds periodically fixed in the beef and veal sector;

Whereas products held by intervention agencies and intended for export are subject to the provisions of Commission Regulation (EEC) No 569/88 <sup>(8)</sup>, as last amended by Regulation (EEC) No 3712/90 <sup>(9)</sup>; whereas the Annex to the said Regulation should be modified;

Whereas Commission Regulation (EEC) No 3711/90 <sup>(10)</sup> should be repealed;

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*

1. A sale shall be organized of approximately:
  - 5 000 tonnes of boneless beef held by the Irish intervention agency and bought in before 1 December 1990,
  - 3 000 tonnes of boneless beef held by the intervention agency of the United Kingdom and bought in before 1 October 1990,
  - 2 000 tonnes of boneless beef held by the Italian intervention agency and bought in before 1 December 1990.
2. This meat shall be for export.
3. Subject to the provisions of this Regulation, the sale shall take place in accordance with the provisions of Regulation (EEC) No 2539/84 and (EEC) No 2824/85.

The provisions of Commission Regulation (EEC) No 985/81 <sup>(11)</sup> shall not apply to this sale.

<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 24.  
<sup>(2)</sup> OJ No L 353, 17. 12. 1990, p. 23.  
<sup>(3)</sup> OJ No L 238, 6. 9. 1984, p. 13.  
<sup>(4)</sup> OJ No L 170, 30. 6. 1987, p. 23.  
<sup>(5)</sup> OJ No L 268, 10. 10. 1985, p. 14.  
<sup>(6)</sup> OJ No L 241, 13. 9. 1980, p. 5.  
<sup>(7)</sup> OJ No L 286, 18. 10. 1990, p. 17.

<sup>(8)</sup> OJ No L 55, 1. 3. 1988, p. 1.  
<sup>(9)</sup> OJ No L 358, 21. 12. 1990, p. 23.  
<sup>(10)</sup> OJ No L 358, 21. 12. 1990, p. 19.  
<sup>(11)</sup> OJ No L 99, 10. 4. 1981, p. 38.

4. The qualities and the minimum prices referred to in Article 3 (1) of Regulation (EEC) No 2539/84 are given in Annex I hereto.

5. Only those tenders shall be taken into consideration which reach the intervention agencies concerned not later than 12 noon on 29 January 1991.

6. Particulars of the qualities and the places where the products are stored may be obtained by interested parties at the addresses given in Annex II.

#### *Article 2*

The products referred to in Article 1 must be exported within five months from the date of conclusion of the contract of sale.

#### *Article 3*

1. The security provided for in Article 5 (1) of Regulation (EEC) No 2539/84 shall be ECU 30 per 100 kilograms.

2. The security provided for in Article 5 (2) (a) of Regulation (EEC) No 2539/84 shall be ECU 450 per 100 kilograms of boneless beef.

#### *Article 4*

In respect of meat referred to under (b) in Annex I and sold under this Regulation no export refund shall be granted.

#### *Article 5*

In part I of the Annex to Regulation (EEC) No 569/88, 'Products to be exported in the same state as that in which they were when removed from intervention stock', the following item and footnote are added:

'76. Commission Regulation No 148/91 of 22 January 1991 on the sale by the procedure laid down in Regulation (EEC) No 2539/84 of boneless beef held by certain intervention agencies and intended for export<sup>(76)</sup>.

<sup>(76)</sup> OJ No L 17, 23. 1. 1991, p. 11.'

#### *Article 6*

Regulation (EEC) No 3711/90 is hereby repealed.

#### *Article 7*

This Regulation shall enter into force on 29 January 1991.

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

Done at Brussels, 22 January 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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

Precio mínimo expresado en ecus por tonelada<sup>(1)</sup> — Mindestpreiser i ECU/ton<sup>(1)</sup> — Mindestpreise, ausgedrückt in ECU/Tonne<sup>(1)</sup> — Ελάχιστες τιμές πωλήσεως εκφραζόμενες σε Ecu ανά τόνο<sup>(1)</sup> — Minimum prices expressed in ECU per tonne<sup>(1)</sup> — Prix minimaux exprimés en écus par tonne<sup>(1)</sup> — Prezzi minimi espressi in ecu per tonnellata<sup>(1)</sup> — Minimumprijzen uitgedrukt in ecu per ton<sup>(1)</sup> — Preço mínimo expresso em ecus por tonelada<sup>(1)</sup>

## 1. IRELAND

a) Fillets	7 000
Striploins	3 300
Insides	2 600
Outsides	2 600
Knuckles	2 600
Rumps	2 600
Cube-rolls	4 400
b) Briskets	600
Forequarters	1 100
Shins/shanks	1 100
Plates/Flanks	500

## 2. UNITED KINGDOM

a) Fillets	7 000
Striploins	3 300
Topsides	2 600
Silversides	2 600
Thick flanks	2 600
Rumps	2 600
b) Shins and shanks	1 100
Clod and sticking	1 100
Ponies	1 100
Thin flanks	500
Forequarter flanks	500
Briskets	600
Foreribs	1 100

## 3. ITALIA

a) Filetto	7 000
Roastbeef	3 300
Scamone	2 600
Fesa esterna	2 600
Fesa interna	2 600
Noce	2 600
Girello	2 600
b) Garretto/pesce	700
Collo/sottospalla	1 000
Spalle/garretto	700
Pancia	500
Petto	700
Sottospalla	1 000
Collo	1 000

<sup>(1)</sup> Estos precios se entenderán netos con arreglo a lo dispuesto en el apartado 1 del artículo 17 del Reglamento (CEE) n° 2173/79.

<sup>(1)</sup> Disse priser gælder netto i overensstemmelse med bestemmelserne i artikel 17, stk. 1, i forordning (EØF) nr. 2173/79.

<sup>(1)</sup> Diese Preise gelten netto gemäß den Vorschriften von Artikel 17 Absatz 1 der Verordnung (EWG) Nr. 2173/79.

<sup>(1)</sup> Οι τιμές αυτές εφαρμόζονται επί του καθαρού βάρους σύμφωνα με τις διατάξεις του άρθρου 17 παράγραφος 1 του κανονισμού (ΕΟΚ) αριθ. 2173/79.

<sup>(1)</sup> These prices shall apply to net weight in accordance with the provisions of Article 17 (1) of Regulation (EEC) No 2173/79.

<sup>(1)</sup> Ces prix s'entendent poids net conformément aux dispositions de l'article 17 paragraphe 1 du règlement (CEE) n° 2173/79.

<sup>(1)</sup> Il prezzo si intende peso netto in conformità del disposto dell'articolo 17, paragrafo 1 del regolamento (CEE) n. 2173/79.

<sup>(1)</sup> Deze prijzen gelden netto, overeenkomstig de bepalingen van artikel 17, lid 1, van Verordening (EEG) nr. 2173/79.

<sup>(1)</sup> Estes preços aplicam-se a peso líquido, conforme o disposto no n.º 1 do artigo 17.º do Regulamento (CEE) n.º 2173/79.

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

**Direcciones de los organismos de intervención — Interventionsorganernes adresser —  
Anschriften der Interventionsstellen — Διευθύνσεις των οργανισμών παρεμβάσεως — Addresses  
of the intervention agencies — Adresses des organismes d'intervention — Indirizzi degli  
organismi d'intervento — Adressen van de interventiebureaus — Endereços dos organismos de  
intervenção**

**IRELAND:** Department of Agriculture and Food  
Agriculture House  
Kildare Street  
Dublin 2  
Tel. (01) 78 90 11, ext. 22 78  
Telex 4280 and 5118

**UNITED KINGDOM:** Intervention Board for Agricultural Produce  
Fountain House  
2 Queens Walk  
Reading RG1 7QW  
Berkshire  
Tel. (0734) 58 36 26  
Telex 848 302

**ITALIA:** Azienda di Stato per gli interventi  
nel mercato agricolo (AIMA)  
via Palestro 81, Roma  
Tel. 495 72 83 — 495 92 61  
Telex 613003

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**COMMISSION REGULATION (EEC) No 149/91**  
**of 22 January 1991**  
**fixing the import levies on white sugar and raw sugar**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector<sup>(1)</sup>, as last amended by Regulation (EEC) No 3577/90<sup>(2)</sup>, and in particular Article 16 (8) thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 3608/90<sup>(3)</sup>, as last amended by Regulation (EEC) No 143/91<sup>(4)</sup>;

Whereas it follows from applying the detailed rules contained in Commission Regulation (EEC) No 3608/90 to the information known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto;

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<sup>(5)</sup>, as last amended by Regulation (EEC) No 2205/90<sup>(6)</sup>,

- 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 21 January 1991,

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 23 January 1991.

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

Done at Brussels, 22 January 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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

<sup>(2)</sup> OJ No L 353, 17. 12. 1990, p. 23.

<sup>(3)</sup> OJ No L 350, 14. 12. 1990, p. 68.

<sup>(4)</sup> OJ No L 16, 22. 1. 1991, p. 23.

<sup>(5)</sup> OJ No L 164, 24. 6. 1985, p. 1.

<sup>(6)</sup> OJ No L 201, 31. 7. 1990, p. 9.

## ANNEX

to the Commission Regulation of 22 January 1991 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	41,05 <sup>(1)</sup>
1701 11 90	41,05 <sup>(1)</sup>
1701 12 10	41,05 <sup>(1)</sup>
1701 12 90	41,05 <sup>(1)</sup>
1701 91 00	45,66
1701 99 10	45,66
1701 99 90	45,66 <sup>(2)</sup>

<sup>(1)</sup> The levy applicable is calculated in accordance with the provisions of Article 2 or 3 of Commission Regulation (EEC) No 837/68 (OJ No L 151, 30. 6. 1968, p. 42).

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

## II

*(Acts whose publication is not obligatory)*

## COUNCIL

## COUNCIL DECISION

of 21 December 1990

on the conclusion of the Exchange of Letters complementing the Agreement between the European Economic Community and the United States of America under GATT Article XXIV.6

(91/30/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS DECIDED AS FOLLOWS:

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 the Agreement between the European Economic Community and the United States of America for the conclusion of negotiations under GATT Article XXIV.6<sup>(1)</sup> calls for a review; whereas the review has not been concluded before certain provisions limited in time expire;

Whereas consultations took place with the United States in an attempt to find a solution to the trade dispute existing between the Community and the United States;

Whereas the said consultations have resulted in an Exchange of Letters, which it is in the Community's interest to approve,

*Article 1*

1. The Exchange of Letters complementing the Agreement between the European Economic Community and the United States of America for the conclusion of negotiations under GATT Article XXIV.6 is hereby approved on behalf of the Community.

2. The text of that Exchange of Letters is attached to this Decision.

*Article 2*

The President of the Council is hereby authorized to designate the person empowered to sign the Exchange of Letters, referred to in Article 1, in order to bind the Community.

Done at Brussels, 21 December 1990.

*For the Council*

*The President*

A. RUBERTI

<sup>(1)</sup> OJ No L 98, 10. 4. 1987, p. 1.

**AGREEMENT**

**in the form of an Exchange of Letters between the European Economic Community and the United States of America complementing the Agreement between those Parties for the conclusion of Negotiations under GATT Article XXIV.6**

*A. Letter from the Community*

Madam,

I have the honour to refer to recent consultations between representatives of the European Community and the United States pertaining to the 1986 accession of Portugal and Spain into the European Community and to the 'Agreement for the Conclusion of Negotiations between the United States and the European Community under GATT Article XXIV.6', dated 30 January 1987, together with its Annexes.

In connection therewith, I wish to confirm the agreement reached between the European Community and the United States to extend until 31 December 1991 all of those rights and obligations in the Agreement which would otherwise expire on 31 December 1990. This extension shall be without prejudice to the continuation in force of those rights and obligations in the Agreement which do not expire on 31 December 1990.

In particular, the European Community and the United States have agreed, *inter alia*, that : (1) the reduction of duty rates on an autonomous basis of the products listed, and in the manner described, in Annex I of the Agreement shall be maintained through 31 December 1991, (2) the commitment in paragraph II.C of the Agreement to ensure a minimum annual level of imports of corn sorghum into Spain through 31 December 1990, in accordance with the modalities set forth in Annex II of the Agreement, shall be extended through 31 December 1991, and (3) this extension of the agreement is without prejudice to the legal interpretations of Article XXIV of either party and both parties reserve full GATT rights including those which would otherwise be time-limited.

The European Community and the United States further agree to resume the review referred to in paragraph III of the Agreement not later than during June 1991 in order to achieve a final and mutually satisfactory understanding prior to 30 September 1991.

I have the further honour to propose that if this understanding is shared by your Government, this letter and your affirmative letter in reply shall constitute an agreement between the European Community and the Government of the United States which shall enter into force on the date of your reply.

Please accept, Madam, the assurance of my highest consideration.

*On behalf of  
the Council of the European Communities*

*B. Letter from the United States of America*

Sir,

I have the honour to acknowledge receipt of your letter dated 21 December 1990, which states :

'I have the honour to refer to recent consultations between representatives of the European Community and the United States pertaining to the 1986 accession of Portugal and Spain into the European Community and to the "Agreement for the Conclusion of Negotiations between the United States and the European Community under GATT Article XXIV.6", dated 30 January 1987, together with its Annexes.

In connection therewith, I wish to confirm the agreement reached between the European Community and the United States to extend until 31 December 1991 all of those rights and obligations in the Agreement which would otherwise expire on 31 December 1990. This extension shall be without prejudice to the continuation in force of those rights and obligations in the Agreement which do not expire on 31 December 1990.

In particular, the European Community and the United States have agreed, *inter alia*, that : (1) the reduction of duty rates on an autonomous basis of the products listed, and in the manner described, in Annex I of the Agreement shall be maintained through 31 December 1991, (2) the commitment in paragraph II.C of the Agreement to ensure a minimum annual level of imports of corn sorghum into Spain through 31 December 1990, in accordance with the modalities set forth in Annex II of the Agreement, shall be extended through 31 December 1991, and (3) this extension of the agreement is without prejudice to the legal interpretations of Article XXIV of either party and both parties reserve full GATT rights including those which would otherwise be time-limited.

The European Community and the United States further agree to resume the review referred to in paragraph III of the Agreement not later than during June 1991 in order to achieve a final and mutually satisfactory understanding prior to 30 September 1991.

I have the further honour to propose that if this understanding is shared by your Government, this letter and your affirmative letter in reply shall constitute an agreement between the European Community and the Government of the United States which shall enter into force on the date of your reply.'

I have the further honour to confirm that the foregoing understanding is shared by my Government and that your letter and this letter in reply constitute an agreement between the European Community and the Government of the United States which shall enter into force on this date.

Please accept, Sir, the assurance of my highest consideration.

*For*  
*the Government of the United States of America*

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# COMMISSION

## COMMISSION DIRECTIVE

of 19 December 1990

adapting the technical definition of 'multilateral development banks' in Council Directive 89/647/EEC of 18 December 1989 on a solvency ratio for credit institutions

(91/31/EEC)

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

Having regard to Council Directive 89/647/EEC of 18 December 1989 on a solvency ratio for credit institutions<sup>(1)</sup>, and in particular Article 9 thereof,

Whereas the Commission has submitted a proposal for a Council Decision on the conclusion of the Agreement establishing an European Bank for Reconstruction and Development<sup>(2)</sup>;

Whereas the seventh indent of Article 2 (1) of Directive 89/647/EEC defines the 'multilateral development banks' in an enumerate manner including the International Bank for Reconstruction and Development, the international Finance Corporation, the Inter-American Development Bank, the Asian Development Bank, the African Development Bank, the Council of Europe Resettlement Fund, the Nordic Investment Bank and the Caribbean Development Bank;

Whereas the definition of multilateral development banks can be subject to technical adaptations as provided for in Article 9 (1) and in accordance with the procedure laid down in Article 9 (2) of Directive 89/647/EEC;

Whereas the European Bank for Reconstruction and Development embodies the same main characteristics as the abovementioned multilateral development banks; whereas this new multilateral financial institution is European in its basic character and broadly international in its membership; whereas it constitutes a new and unique structure of cooperation in Europe in order to promote the economic progress of Central and Eastern European countries to help their economies become more internationally competitive and assist them in their reconstruction and development, and thus to reduce, where appropriate, any risk related to the financing of their economies; whereas for these reasons the European Bank for

Reconstruction and Development should be included in the definition of 'multilateral development banks' in Council Directive 89/647/EEC;

Whereas the provisions of this Directive are in accordance with the opinion of the Banking Advisory Committee acting as the committee which is to assist the Commission in accordance with the procedure laid down in Article 9 (2) of Directive 89/647/EEC,

HAS ADOPTED THIS REGULATION:

### *Article 1*

The definition of 'multilateral development banks' in the seventh indent of Article 2 (1) of Directive 89/647/EEC shall include the European Bank for Reconstruction and Development.

### *Article 2*

1. Under the condition that the Council Decision on the conclusion of the Agreement establishing an European Bank for Reconstruction and Development has been adopted, Member States in implementing Directive 89/647/EEC shall adopt the measures necessary for them to comply with the provision of this Directive by 31 March 1991 at the latest.

2. The Member States shall communicate to the Commission the texts of the main laws, regulations and administrative provisions which they adopt in the field covered by this Directive.

### *Article 3*

This Directive is addressed to the Member States.

Done at Brussels, 19 December 1990.

*For the Commission*

Leon BRITAN

*Vice-President*

<sup>(1)</sup> OJ No L 386, 30. 12. 1989, p. 14.

<sup>(2)</sup> OJ No C 241, 26. 9. 1990, p. 1.

## COMMISSION DECISION

of 20 December 1990

on the maximum rates of assistance from the European Social Fund towards expenditure on recruitment, setting up of self-employed and employment premiums

(91/32/EEC)

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

Having regard to Council Regulation (EEC) No 2052/88 of 24 June 1988 on the tasks of the Structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments<sup>(1)</sup>,

Having regard to Council Regulation (EEC) No 4253/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards coordination of the activities of the different Structural Funds between themselves and with the operations of the European Investment Bank and the other existing financial instruments<sup>(2)</sup>,

Having regard to Council Regulation (EEC) No 4255/88 of 19 December 1988<sup>(3)</sup> laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Social Fund and in particular Article 1 (1) and (6) and Article 3 thereof,

Whereas it is for the Commission to determine the maximum rates of assistance towards expenditure on recruitment, setting up and employment premiums applicable for the 1991 financial year, as set out in Article 3 (2) of Regulation (EEC) No 4255/88,

HAS ADOPTED THIS DECISION:

*Article 1*

The maximum rates of assistance for expenditure on recruitment, setting up of self-employed and employment premiums in the 1991 financial year, as referred to in Article 3 (1) (c) of Regulation (EEC) No 4255/88, on the

basis of which assistance from the European Social Fund is calculated, are hereby fixed per person and per week as follows:

— Belgium	Bfrs	3 696
— Denmark	Dkr	1 113
— Federal Republic of Germany	DM	253
— Greece	Dr	10 794
— Spain	Pta	9 638
— France	FF	539
— Ireland	£ Irl	70
— Italy	Lit	124 698
— Luxembourg	Lfrs	4 841
— Netherlands	FL	234
— Portugal	Esc	4 908
— United Kingdom	£	73

*Article 2*

The amounts provided for in Article 1 shall cover full-time operations. As regards part-time operations, the amounts shall be calculated in proportion to the number of hours worked on the basis of 40 hours per week.

*Article 3*

This Decision is addressed to the Member States.

Done at Brussels, 20 December 1990.

*For the Commission*

Vasso PAPANDREOU

*Member of the Commission*

<sup>(1)</sup> OJ No L 185, 15. 7. 1988, p. 9.

<sup>(2)</sup> OJ No L 374, 31. 12. 1988, p. 1.

<sup>(3)</sup> OJ No L 374, 31. 12. 1988, p. 21.

## COMMISSION DECISION

of 18 January 1991

terminating the anti-dumping proceeding concerning imports of certain cotton terry-towelling articles (bathrobes, toilet and kitchen linen) originating in Turkey

(91/33/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2423/88 of 11 July 1988 on protection against dumped or subsidized imports from countries not members of the European Economic Community<sup>(1)</sup> and in particular Article 9 thereof,

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

Whereas :

- (1) In December 1989 the Commission received a complaint against Turkish exporters lodged by Eurocoton, the Committee of the Cotton and Allied Textile Industries of the EEC on behalf of terry-towelling producers whose collective output was alleged to constitute substantially all the Community production of the products in question. The complaint contained evidence of dumping and material injury resulting therefrom, which was considered sufficient to justify the initiation of a proceeding. The Commission accordingly announced, by a notice published in the *Official Journal of the European Communities*<sup>(2)</sup> the initiation of an anti-dumping proceeding concerning imports into the Community of knitted or crocheted terry-towelling bathrobes of cotton falling within CN codes ex 6107 91 00 and ex 6108 91 00, woven terry-towelling bathrobes of cotton falling within CN codes ex 6207 91 00 and ex 6208 91 00 and cotton toilet and kitchen linen of terry-towelling or similar terry fabrics falling within CN code 6302 60 00.
- (2) The Commission officially notified the exporters and importers known to be concerned, the representatives of the exporting country and the Community producers, and gave the parties directly

concerned the opportunity to make their views known in writing and to request a hearing.

- (3) The Commission commenced the investigation including transmission of questionnaires to the parties involved seeking the information necessary for the assessment of dumping and injury. A high proportion of the Community producers failed to reply to the questionnaires despite the fact that the original deadline for reply was extended by the Commission.
- (4) In calculating the proportion of the Community industry which replied to the questionnaires, the Commission found that their combined production did not constitute a major proportion of the total Community production as set out in the complaint.
- (5) In view of the circumstances set out above, the Commission does not have the information available to it to establish whether injury is being suffered by the producers accounting for a major proportion of the total Community production of the products concerned, as required by Article 4 (5) of Regulation (EEC) No 2423/88. It therefore considers that the proceeding should be terminated forthwith,

HAS DECIDED AS FOLLOWS :

*Sole Article*

The anti-dumping proceeding concerning imports of certain cotton terry-towelling articles (bathrobes, toilet and kitchen linen) originating in Turkey is hereby terminated.

Done at Brussels, 18 January 1991.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

(<sup>1</sup>) OJ No L 209, 2. 8. 1988, p. 1.

(<sup>2</sup>) OJ No C 32, 10. 2. 1990, p. 8.



**CORRIGENDA**

**Corrigendum to Commission Regulation (EEC) No 64/91 of 10 January 1991 on the issue of import licences for high-quality fresh, chilled or frozen beef and veal**

*(Official Journal of the European Communities No L 8 of 11 January 1991)*

On page 8 in Article 1 (2):

*for:* '10 000 tonnes',

*read:* '1 666 tonnes'.

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