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## Legislation

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## I

*(Acts whose publication is obligatory)*

**COMMISSION REGULATION (EEC) No 1554/89****of 5 June 1989****fixing the import levies on cereals and on wheat or rye flour, groats and meal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals<sup>(1)</sup>, as last amended by Regulation (EEC) No 1213/89<sup>(2)</sup>, and in particular Article 13 (5) thereof,

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

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 2401/88<sup>(5)</sup> and subsequent amending Regulations;

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

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

rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85,

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

Whereas these exchange rates being those recorded on 2 June 1989;

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 2401/88 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 6 June 1989.

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

<sup>(2)</sup> OJ No L 128, 11. 5. 1989, p. 1.

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

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

<sup>(5)</sup> OJ No L 205, 30. 7. 1988, p. 96.

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

Done at Brussels, 5 June 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

# ANNEX

to the Commission Regulation of 5 June 1989 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	25,25	126,27
0712 90 19	25,25	126,27
1001 10 10	59,60	191,31 <sup>(1)</sup> <sup>(2)</sup>
1001 10 90	59,60	191,31 <sup>(1)</sup> <sup>(2)</sup>
1001 90 91	35,73	120,52
1001 90 99	35,73	120,52
1002 00 00	63,32	114,71 <sup>(6)</sup>
1003 00 10	53,90	121,37
1003 00 90	53,90	121,37
1004 00 10	44,96	91,23
1004 00 90	44,96	91,23
1005 10 90	25,25	126,27 <sup>(2)</sup> <sup>(3)</sup>
1005 90 00	25,25	126,27 <sup>(2)</sup> <sup>(3)</sup>
1007 00 90	48,56	133,92 <sup>(4)</sup>
1008 10 00	53,90	15,53
1008 20 00	53,90	9,45 <sup>(4)</sup>
1008 30 00	53,90	0,00 <sup>(5)</sup>
1008 90 10	<sup>(7)</sup>	<sup>(7)</sup>
1008 90 90	53,90	0,00
1101 00 00	64,72	183,43
1102 10 00	103,35	175,29
1103 11 10	106,02	310,17
1103 11 90	68,09	196,29

<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 486/85 the levies are not applied to imports into the French overseas departments of products 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 reduced by 50 %.

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

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

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

## COMMISSION REGULATION (EEC) No 1555/89

of 5 June 1989

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 Regulation (EEC) No 2727/75 of the Council of 29 October 1975 on the common organization of the market in cereals<sup>(1)</sup>, as last amended by Regulation (EEC) No 1213/89<sup>(2)</sup>, and in particular Article 15 (6) thereof,

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

Having regard to the opinion of the Monetary Committee,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EEC) No 2402/88<sup>(5)</sup> and subsequent amending Regulations;

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

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

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

Whereas these exchange rates being those recorded on 2 June 1989;

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 6 June 1989.

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

Done at Brussels, 5 June 1989.

*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 128, 11. 5. 1989, p. 1.

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

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

<sup>(5)</sup> OJ No L 205, 30. 7. 1988, p. 99.

## ANNEX

to the Commission Regulation of 5 June 1989 fixing the premiums to be added to the import levies on cereals, flour and malt

## A. Cereals and flour

CN code	(ECU/tonne)			
	Current 6	1st period 7	2nd period 8	3rd period 9
0709 90 60	0	0	0	2,13
0712 90 19	0	0	0	2,13
1001 10 10	0	0,85	0,85	0,85
1001 10 90	0	0,85	0,85	0,85
1001 90 91	0	6,06	6,06	0,55
1001 90 99	0	6,06	6,06	0,55
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	2,13
1005 90 00	0	0	0	2,13
1007 00 90	0	0	0	0,60
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	8,48	8,48	0,77

## B. Malt

CN code	(ECU/tonne)				
	Current 6	1st period 7	2nd period 8	3rd period 9	4th period 10
1107 10 11	0	10,79	10,79	0,98	0,98
1107 10 19	0	8,06	8,06	0,73	0,73
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 1556/89**  
**of 5 June 1989**  
**on the supply of various consignments of cereals as food aid**

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

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management <sup>(1)</sup>, as last amended by Regulation (EEC) No 1870/88 <sup>(2)</sup>, and in particular Article 6 (1)(c) thereof,

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

Whereas following the taking of a number of decisions on the allocation of food aid the Commission has allocated to certain countries and beneficiary organizations 36 816 tonnes of cereals;

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

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

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

Done at Brussels, 5 June 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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

<sup>(2)</sup> OJ No L 168, 1. 7. 1988, p. 7.

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

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

## ANNEX I

1. **Operation Nos** (1): 58/89 and 93/89
2. **Programme**: 1989
3. **Recipient**: Republic of Cape Verde
4. **Representative of the recipient** (2): Empresa Pública de Abastecimento (EMPA):
  - Praia, CP 104; tel. 249 305, telex 54 EMPA CV,
  - Mindelo, CP 148; tel. 2369-2781, telegram EMPA, S. Vicente
5. **Place or country of destination**: Republic of Cape Verde
6. **Product to be mobilized**: milled rice (product code 1006 30 94 100 or 1006 30 96 100)
7. **Characteristics and quality of the goods** (3): see list published in OJ No C 216, 14. 8. 1987, p. 3 (under IIA.10)
8. **Total quantity**: 3 750 tonnes (9 000 tonnes of cereals)
9. **Number of lots**: two (A: 2 500 tonnes, Praia; B: 1 250 tonnes, Mindelo)
10. **Packaging and marking** (4): see list published in OJ No C 216, 14. 8. 1987, p. 3 (under IIB.1 (c))
  - Marking on the bags in letters at least 5 cm high:
  - A: 'ACÇÃO Nº 58/89 / ARROZ / DONATIVO DA COMUNIDADE ECONÓMICA EUROPEIA A REPÚBLICA DE CABO VERDE'
  - B: 'ACÇÃO Nº 93/89 / ARROZ / DONATIVO DA COMUNIDADE ECONÓMICA EUROPEIA A REPÚBLICA DE CABO VERDE'
11. **Method of mobilization**: the Community market
12. **Stage of supply**: free at port of landing — landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: A: Praia; B: Mindelo
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 4. 7. 1989 to 15. 7. 1989
18. **Deadline for the supply**: 22. 7. 1989
19. **Procedure for determining the costs of supply**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 20. 6. 1989 at 12 noon
21. **In the case of a second invitation to tender**:
  - (a) deadline for the submission of tenders: 27. 6. 1989 at 12 noon
  - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 4. 7. 1989 to 15. 7. 1989
  - (c) deadline for the supply: 22. 7. 1989
22. **Amount of the tendering security**: ECU 5 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders** (5): Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, bâtiment Loi 120, bureau 7/58, 200 rue de la Loi, B-1049 Bruxelles; telex AGREC 22037 B
25. **Refund payable on request by the successful tenderer** (6): refund applicable on 1. 6. 1989



*ANNEX II*

1. **Operation No** (1): 78/89
2. **Programme**: 1989
3. **Recipient** (2): Euronaid, Rhijngesteerstraatweg 40, Postbus 77, NL-2340 AB Oegstgeest
4. **Representative of the recipient** (3): see OJ No C 103, 16. 4. 1987
5. **Place or country of destination**: Vietnam
6. **Product to be mobilized**: milled rice (product code 1006 30 94 100 or 1006 30 96 100)
7. **Characteristics and quality of the goods** (3) (4): see list published in OJ No C 216, 14. 8. 1987, p. 3 (under II.A.10)
8. **Total quantity**: 5 340 tonnes (12 816 tonnes of cereals)
9. **Number of lots**: one
10. **Packaging and marking** (5): see list published in OJ No C 216, 14. 8. 1987, p. 3 (under II.B.1 (c))  
Marking on the bags in letters at least 5 cm high:  
'ACTION No 78/89 / RICE / VIETNAM / OXFAM B / 90821 / VINH VIA HAIPHONG / GIFT OF  
THE EUROPEAN ECONOMIC COMMUNITY / FOR FREE DISTRIBUTION'
11. **Method of mobilization**: the Community market
12. **Stage of supply** (7): free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 15. 7. 1989 to 31. 7. 1989
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders**: 20. 6. 1989 at 12 noon
21. **In the case of a second invitation to tender**:
  - (a) deadline for the submission of tenders: 4. 7. 1989 at 12 noon
  - (b) period for making the goods available at the port of shipment: 15. 7. 1989 to 31. 7. 1989
  - (c) deadline for the supply: —
22. **Amount of the tendering security**: ECU 5 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders** (9): Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, bâtiment Loi 120, bureau 7/58, 200 rue de la Loi, B-1049 Bruxelles; telex AGREC 22037 B
25. **Refund payable on request by the successful tenderer** (6): refund applicable on 1. 6. 1989

## ANNEX III

1. **Operation No** <sup>(1)</sup>: 57/89, 59/89, and 60/89
2. **Programme**: 1989
3. **Recipient**: Tanzania
4. **Representative of the recipient** <sup>(2)</sup>: Mr J. Mwowo, Embassy of Tanzania, 363, avenue Louise, B-1050 Brussels; (tel. 640 65 00, telex 63616)
5. **Place or country of destination**: Tanzania
6. **Product to be mobilized**: milled rice (product code 1006 30 94 100 or 1006 30 96 100)
7. **Characteristics and quality of the goods** <sup>(3)</sup>: see list published in OJ No C 216, 14. 8. 1987, p. 3 (under IIA.10)
8. **Total quantity**: 6 250 tonnes (15 000 tonnes of cereals)
9. **Number of lots**: three (A: 2 250 tonnes; B: 2 000 tonnes; C: 2 000 tonnes)
10. **Packaging and marking** <sup>(4)</sup>: see list published in OJ No C 216, 14. 8. 1987, p. 3 (under II.B.1 a)  
Marking on the bags in letters at least 5 cm high:  
A: 'ACÇÃO No 57/89 / RICE / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY / DAR ES SALAAM'  
B: 'ACTION No 59/89 / RICE / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY / DAR ES SALAAM'  
C: 'ACTION No 60/89 / RICE / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY / DAR ES SALAAM'
11. **Method of mobilization**: the Community market
12. **Stage of supply**: free at port of landing — landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Dar es Salaam
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 5. 7. 1989 to 20. 7. 1989
18. **Deadline for the supply**: 15. 8. 1989
19. **Procedure for determining the costs of supply**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 20. 6. 1989 at 12 noon
21. **In the case of a second invitation to tender**:
  - (a) deadline for the submission of tenders: 4. 7. 1989 at 12 noon
  - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 15. 7. 1989 to 31. 7. 1989
  - (c) deadline for the supply: 31. 8. 1989
22. **Amount of the tendering security**: ECU per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders** <sup>(5)</sup>: Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, bâtiment Loi 120, bureau 7/58, 200 rue de la Loi, B-1049 Bruxelles; telex AGREC 22037 B
25. **Refund payable on request by the successful tenderer** <sup>(6)</sup>:  
Refund applicable on 1. 6. 1989.

*Notes :*

- (<sup>1</sup>) The operation number is to be quoted in all correspondence.
- (<sup>2</sup>) Commission delegate to be contacted by the successful tenderer :  
see list published in *Official Journal of the European Communities* No C 227 of 7 September 1985, page 4.
- (<sup>3</sup>) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.  
The radioactivity certificate must indicate the caesium-134 and -137 levels.
- (<sup>4</sup>) Since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.
- (<sup>5</sup>) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of this Annex, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably :  
— either by porter at the office referred to in point 24 of this Annex,  
— or by telecopier on one of the following numbers in Brussels :  
235 01 32  
236 10 97  
235 01 30  
236 20 05
- (<sup>6</sup>) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56) is applicable as regards the export refund and, where appropriate, the monetary and accession compensatory amounts, the representative rate and the monetary coefficient. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 25 of this Annex.
- (<sup>7</sup>) By way of derogation from Articles 7 (3) (f) and 13 (2) of Regulation (EEC) No 2200/87, the price tendered must include the loading and stowage costs. The loading and stowage operations will be the responsibility of the successful tenderer.
- (<sup>8</sup>) The successful tenderer shall contact the recipient as soon as possible to establish which consignment documents are required and how they are to be distributed.
- (<sup>9</sup>) The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following documents :  
— phytosanitary certificate,  
— certificate of origin.

The supplier should send a duplicate of the original invoice to : M. De Keyzer and Schütz BV, Postbus 1438, Blaak 16, NL-3000 BK Rotterdam.

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## COMMISSION REGULATION (EEC) No 1557/89

of 5 June 1989

opening a standing invitation to tender for the export of 100 000 tonnes of feed  
rye held by the German intervention agency

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European  
Economic Community,

Having regard to Council Regulation (EEC) No 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 1213/89 <sup>(2)</sup>, and in particular Article 7 (5) thereof,

Whereas Article 3 of Council Regulation (EEC) No  
1581/86 of 23 May 1986 laying down general rules for  
intervention on the market in cereals <sup>(3)</sup>, as amended by  
Regulation (EEC) No 195/89 <sup>(4)</sup>, provides that cereals held  
by the intervention agencies shall be disposed of by invita-  
tion to tender;

Whereas Commission Regulation (EEC) No 1836/82 <sup>(5)</sup>,  
as last amended by Regulation (EEC) No 2418/87 <sup>(6)</sup>, lays  
down the procedure and conditions for the disposal of  
cereals held by intervention agencies;

Whereas on 1 June 1989 Germany notified the Commis-  
sion that it wished to put up for sale for export to third  
countries 100 000 tonnes of feed rye held by its interven-  
tion agency; whereas it is possible to accede to that  
request;

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 German intervention agency may, on the conditions  
laid down in Regulation (EEC) No 1836/82, open a stand-

ing invitation to tender for the export of 100 000 tonnes  
of feed rye held by it.

*Article 2*

1. The invitation to tender shall cover a maximum of  
100 000 tonnes of feed rye to be exported to all third  
countries.
2. The regions in which the 100 000 tonnes of feed rye  
are stored are listed in Annex I hereto.

*Article 3*

The export licences shall be valid from their date of issue,  
within the meaning of Article 9 of Regulation (EEC) No  
1836/82, until the end of the third month following.

Tenders submitted in response to this invitation to tender  
may not be accompanied by applications for export certi-  
ficates under Article 44 of Commission Regulation (EEC)  
No 3719/88 <sup>(7)</sup>.

*Article 4*

1. By way of derogation from Article 7 (1) of Regula-  
tion (EEC) No 1836/82, the time limit for submission of  
tenders under the first partial invitation for tender shall  
expire on 14 June 1989 at 1 p.m. (Brussels time).
2. The time limit for submission of tenders under the  
last partial invitation to tender shall expire on 20  
December 1989 at 1 p.m. (Brussels time).
3. The tenders shall be lodged with the German inter-  
vention agency.

*Article 5*

The German intervention agency shall notify the  
Commission of the tenders received not later than two  
hours after expiry of the time limit for the submission  
thereof. Notification shall be given as specified in the  
table in Annex II hereto.

*Article 6*

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

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

<sup>(2)</sup> OJ No L 128, 11. 5. 1989, p. 1.

<sup>(3)</sup> OJ No L 139, 24. 5. 1986, p. 36.

<sup>(4)</sup> OJ No L 25, 28. 1. 1989, p. 22.

<sup>(5)</sup> OJ No L 202, 9. 7. 1982, p. 23.

<sup>(6)</sup> OJ No L 223, 11. 8. 1987, p. 5.

<sup>(7)</sup> OJ No L 331, 2. 12. 1988, p. 1.

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

Done at Brussels, 5 June 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

#### ANNEX I

Place of storage	Quantity ... (tonnes)
Schleswig-Holstein / Hamburg	24 319
Niedersachsen / Bremen	51 318
Nordrhein-Westfalen	10 557
Rheinland-Pfalz	6 422
Bayern	7 459

#### ANNEX II

**Standing invitation to tender for the export of 100 000 tonnes of feed rye held by the German intervention agency**

(Regulation (EEC) No 1557/89)

1	2	3	4	5	6	7
Tender No	Consignment No	Quantity (tonnes)	Offer price (ECU/tonne) <sup>(1)</sup>	Price increases (+) or reductions (—) (ECU/tonne) p.m.	Commercial costs (ECU/tonne)	Destination
1						
2						
3						
etc.						

<sup>(1)</sup> This price includes the increases or reductions relating to the lot to which the tender refers.

## COMMISSION REGULATION (EEC) No 1558/89

of 5 June 1989

opening a standing invitation to tender for the export of 200 000 tonnes of bread-making rye held by the German intervention agency

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

*Article 2*

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 1213/89 <sup>(2)</sup>, and in particular Article 7 (5) thereof,

Whereas Article 3 of Council Regulation (EEC) No 1581/86 of 23 May 1986 laying down general rules for intervention on the market in cereals <sup>(3)</sup>, as amended by Regulation (EEC) No 195/89 <sup>(4)</sup>, provides that cereals held by the intervention agencies shall be disposed of by invitation to tender;

Whereas Commission Regulation (EEC) No 1836/82 <sup>(5)</sup>, as last amended by Regulation (EEC) No 2418/87 <sup>(6)</sup>, lays down the procedure and conditions for the disposal of cereals held by intervention agencies;

Whereas on 1 June 1989 Germany notified the Commission that it wished to put up for sale for export to third countries 200 000 tonnes of bread-making rye held by its intervention agency; whereas it is possible to accede to that request;

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 German intervention agency may, on the conditions laid down in Regulation (EEC) No 1836/82, open a standing invitation to tender for the export of 200 000 tonnes of bread-making rye held by it.

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

<sup>(2)</sup> OJ No L 128, 11. 5. 1989, p. 1.

<sup>(3)</sup> OJ No L 139, 24. 5. 1986, p. 36.

<sup>(4)</sup> OJ No L 25, 28. 1. 1989, p. 22.

<sup>(5)</sup> OJ No L 202, 9. 7. 1982, p. 23.

<sup>(6)</sup> OJ No L 223, 11. 8. 1987, p. 5.

1. The invitation to tender shall cover a maximum of 200 000 tonnes of bread-making rye to be exported to all third countries.

2. The regions in which the 200 000 tonnes of bread-making rye are stored are listed in Annex I hereto.

*Article 3*

The export licences shall be valid from their date of issue, within the meaning of Article 9 of Regulation (EEC) No 1836/82, until the end of the third month following.

Tenders submitted in response to this invitation to tender may not be accompanied by applications for export certificates under Article 44 of Commission Regulation (EEC) No 3719/88 <sup>(7)</sup>.

*Article 4*

1. By way of derogation from Article 7 (1) of Regulation (EEC) No 1836/82, the time limit for submission of tenders under the first partial invitation to tender shall expire on 14 June 1989 at 1 p.m. (Brussels time).

2. The time limit for submission of tenders under the last partial invitation to tender shall expire on 20 December 1989 at 1 p.m. (Brussels time).

3. The tenders shall be lodged with the German intervention agency.

*Article 5*

The German intervention agency shall notify the Commission of the tenders received not later than two hours after expiry of the time limit for the submission thereof. Notification shall be given as specified in the table in Annex II hereto.

*Article 6*

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

<sup>(7)</sup> OJ No L 331, 2. 12. 1988, p. 1.

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

Done at Brussels, 5 June 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

#### ANNEX I

Place of storage	Quantity (tonnes)
Schleswig-Holstein/Hamburg	118 485
Niedersachsen/Bremen	69 781
Nordrhein-Westfalen	10 713
Rheinland-Pfalz	1 146

#### ANNEX II

**Standing invitation to tender for the export of 200 000 tonnes of bread-making rye held by the German intervention agency**

(Regulation (EEC) No 1558/89)

1	2	3	4	5	6	7
Tender No	Consignment No	Quantity (tonnes)	Offer price (ECU/tonne) (1)	Price increases (+) or reductions (—) (ECU/tonne) (p.m.)	Commercial costs (ECU/tonne)	Destination
1						
2						
3						
etc.						

(1) This price includes the increases or reductions relating to the lot to which the tender refers.

## COMMISSION REGULATION (EEC) No 1559/89

of 5 June 1989

opening a standing invitation to tender for the export of 100 000 tonnes of feed rye held by the Danish intervention agency

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 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 1213/89<sup>(2)</sup>, and in particular Article 7 (5) thereof,

Whereas Article 3 of Council Regulation (EEC) No 1581/86 of 23 May 1986 laying down general rules for intervention on the market in cereals<sup>(3)</sup>, as amended by Regulation (EEC) No 195/89<sup>(4)</sup>, provides that cereals held by the intervention agencies shall be disposed of by invitation to tender;

Whereas Commission Regulation (EEC) No 1836/82<sup>(5)</sup>, as last amended by Regulation (EEC) No 2418/87<sup>(6)</sup>, lays down the procedure and conditions for the disposal of cereals held by intervention agencies;

Whereas on 1 June 1989 Denmark notified the Commission that it wished to put up for sale for export to third countries 100 000 tonnes of feed rye held by its intervention agency; whereas it is possible to accede to that request;

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 Danish intervention agency may, on the conditions laid down in Regulation (EEC) No 1836/82, open a stand-

ing invitation to tender for the export of 100 000 tonnes of feed rye held by it.

*Article 2*

1. The invitation to tender shall cover a maximum of 100 000 tonnes of feed rye to be exported to all third countries.
2. The regions in which the 100 000 tonnes of feed rye are stored are listed in Annex I hereto.

*Article 3*

The export licences shall be valid from their date of issue, within the meaning of Article 9 of Regulation (EEC) No 1836/82, until the end of the third month following.

Tenders submitted in response to this invitation to tender may not be accompanied by applications for export certificates under Article 44 of Commission Regulation (EEC) No 3719/89<sup>(7)</sup>.

*Article 4*

1. By way of derogation from Article 7 (1) of Regulation (EEC) No 1836/82, the time limit for submission of tenders under the first partial invitation to tender shall expire on 14 June 1989 at 1 p.m. (Brussels time).
2. The time limit for submission of tenders under the last partial invitation to tender shall expire on 20 December 1989 at 1 p.m. (Brussels time).
3. The tenders shall be lodged with the Danish intervention agency.

*Article 5*

The Danish intervention agency shall notify the Commission of the tenders received not later than two hours after expiry of the time limit for the submission thereof. Notification shall be given as specified in the table in Annex II hereto.

*Article 6*

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

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

<sup>(2)</sup> OJ No L 128, 11. 5. 1989, p. 1.

<sup>(3)</sup> OJ No L 139, 24. 5. 1986, p. 36.

<sup>(4)</sup> OJ No L 25, 28. 1. 1989, p. 22.

<sup>(5)</sup> OJ No L 202, 9. 7. 1982, p. 23.

<sup>(6)</sup> OJ No L 223, 11. 8. 1987, p. 5.

<sup>(7)</sup> OJ No L 331, 2. 12. 1988, p. 1.



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

Done at Brussels, 5 June 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

# *ANNEX I*

<i>(tonnes)</i>	
Place of storage	Quantity
Jylland	100 000

# *ANNEX II*

**Standing invitation to tender for the export of 100 000 tonnes of feed rye held by the Danish intervention agency**

(Regulation (EEC) No 1559/89)

1	2	3	4	5	6	7
Tender No	Consignment No	Quantity (tonnes)	Offer price (ECU/tonne) <sup>(1)</sup>	Price increases (+) or reductions (−) (ECU/tonne) p.m.	Commercial costs (ECU/tonne)	Destination
1			...			
2			...		...	
3			...		...	
etc.			...		...	

<sup>(1)</sup> This price includes the increases or reductions relating to the lot to which the tender refers.

## COMMISSION REGULATION (EEC) No 1560/89

of 5 June 1989

amending Regulation (EEC) No 3143/85 on the sale at reduced prices of intervention butter intended for direct consumption in the form of concentrated butter

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

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products<sup>(1)</sup>, as last amended by Regulation (EEC) No 763/89<sup>(2)</sup>, and in particular Article 6 (7) thereof,

Whereas Commission Regulation (EEC) No 3143/85<sup>(3)</sup>, as last amended by Regulation (EEC) No 231/89<sup>(4)</sup>, introduces a scheme for the sale at reduced prices of intervention butter intended for direct consumption in the form of concentrated butter;

Whereas the intervention price for butter was reduced from 1 April 1989 by Council Regulation (EEC) No 767/89<sup>(5)</sup> and from 1 May 1989 by Council Regulation (EEC) No 1112/89<sup>(6)</sup>; whereas the price reductions applied to butter sold by intervention agencies under the scheme should be adjusted accordingly;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

Article 2 (1) of Regulation (EEC) No 3143/85 is hereby amended as follows:

- 'ECU 225' is replaced by 'ECU 213',
- 'ECU 223' is replaced by 'ECU 211'.

*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, 5 June 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 13.

<sup>(2)</sup> OJ No L 84, 29. 3. 1989, p. 1.

<sup>(3)</sup> OJ No L 298, 12. 11. 1985, p. 9.

<sup>(4)</sup> OJ No L 29, 31. 1. 1989, p. 27.

<sup>(5)</sup> OJ No L 84, 29. 3. 1989, p. 7.

<sup>(6)</sup> OJ No L 118, 29. 4. 1989, p. 3.

## COMMISSION REGULATION (EEC) No 1561/89

of 5 June 1989

amending Regulation (EEC) No 1609/88 as regards the latest time of entry into storage for butter sold under Regulation (EEC) No 3143/85

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products<sup>(1)</sup>, as last amended by Regulation (EEC) No 763/89<sup>(2)</sup>, and in particular Article 6 (7) thereof,

Whereas, pursuant to Article 1 of Commission Regulation (EEC) No 3143/85 of 11 November 1985 on the sale at reduced prices of intervention butter intended for direct consumption in the form of concentrated butter<sup>(3)</sup>, as last amended by Regulation (EEC) No 1560/89<sup>(4)</sup>, butter put up for sale must have entered storage before a date to be determined; whereas, in view of the level of butter stocks, the dates in the first paragraph of Article 1 of Commission Regulation (EEC) No 1609/88<sup>(5)</sup>, as last amended by Regulation (EEC) No 740/89<sup>(6)</sup>, which fixes the latest time of entry into storage of butter sold under Regulation (EEC) No 3143/85, should be amended;

Whereas those dates must be fixed depending on stocks available and the programme of sales;

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

*Article 1*

The first paragraph of Article 1 of Regulation (EEC) No 1609/88 is hereby replaced by the following:

'The butter referred to in Article 1 (1) of Regulation (EEC) No 3143/85 must have been taken into storage before 1 April 1987 or between 1 August and 31 December 1987. However, in the case of Belgium, Germany and the Netherlands, the butter must have been taken into storage before 1 May 1987 or between 1 August and 31 December 1987.'

*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, 5 June 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 13.

<sup>(2)</sup> OJ No L 84, 29. 3. 1989, p. 1.

<sup>(3)</sup> OJ No L 298, 12. 11. 1985, p. 9.

<sup>(4)</sup> See page 16 of this Official Journal.

<sup>(5)</sup> OJ No L 143, 10. 6. 1988, p. 23.

<sup>(6)</sup> OJ No L 80, 23. 3. 1989, p. 33.

## COMMISSION REGULATION (EEC) No 1562/89

of 5 June 1989

introducing a countervailing charge on fresh lemons originating in Spain  
(except the Canary Islands)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Regulation (EEC) No 1035/72 of the Council of 18 May 1972 on the common organization of the market in fruit and vegetables<sup>(1)</sup>, as last amended by Regulation (EEC) No 1119/89<sup>(2)</sup>, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Article 25 (1) of Regulation (EEC) No 1035/72 provides that, if the entry price of a product imported from a third country remains at least 0,6 ECU below the reference price for two consecutive market days, a countervailing charge must be introduced in respect of the exporting country concerned, save in exceptional circumstances; whereas this charge is equal to the difference between the reference price and the arithmetic mean of the last two entry prices available for that exporting country;

Whereas Commission Regulation (EEC) No 1373/89 of 19 May 1989 fixing for the 1989/90 marketing year the reference prices for fresh lemons<sup>(3)</sup> fixed the reference price for products of class I for the month of June 1989 at ECU 54,59 per 100 kilograms net;

Whereas the entry price for a given exporting country is equal to the lowest representative prices recorded for at least 30 % of the quantities from the exporting country concerned which are marketed on all representative markets for which prices are available less the duties and the charges indicated in Article 24 (3) of Regulation (EEC) No 1035/72; whereas the meaning of representative price is defined in Article 24 (2) of Regulation (EEC) No 1035/72;

Whereas, in accordance with Article 3 (1) of Commission Regulation (EEC) No 2118/74<sup>(4)</sup>, as last amended by

Regulation (EEC) No 3811/85<sup>(5)</sup>, the prices to be taken into consideration must be recorded on the representative markets or, in certain circumstances, on other markets;

Whereas, for fresh lemons originating in Spain (except the Canary Islands) the entry price calculated in this way has remained at least 0,6 ECU below the reference price for two consecutive market days; whereas a countervailing charge should therefore be introduced for these fresh lemons;

Whereas, if the system is to operate normally, the entry price 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<sup>(6)</sup>, as last amended by Regulation (EEC) No 1636/87<sup>(7)</sup>;
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient,

Whereas, pursuant to Article 136 (2) of the Act of Accession, the arrangements applicable to trade between, on the one hand, a new Member State and, on the other, the Community as constituted at 31 December 1985, must be those which were applicable before accession;

Whereas Article 140 (1) provides for a 8 % reduction in the countervailing charges applicable under Regulation (EEC) No 1035/72 during the fourth year after accession,

HAS ADOPTED THIS REGULATION:

*Article 1*

A countervailing charge of ECU 2,05 per 100 kilograms net is applied to fresh lemons (CN code 0805 30 10) originating in Spain (except the Canary Islands).

*Article 2*

This Regulation shall enter into force on 7 June 1989.

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

<sup>(2)</sup> OJ No L 118, 29. 4. 1989, p. 12.

<sup>(3)</sup> OJ No L 137, 20. 5. 1989, p. 24.

<sup>(4)</sup> OJ No L 220, 10. 8. 1974, p. 20.

<sup>(5)</sup> OJ No L 368, 31. 12. 1985, p. 1.

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

<sup>(7)</sup> OJ No L 153, 13. 6. 1987, p. 1.

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

Done at Brussels, 5 June 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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## COMMISSION REGULATION (EEC) No 1563/89

of 5 June 1989

introducing a countervailing charge on apricots originating in Tunisia

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables<sup>(1)</sup>, as last amended by Regulation (EEC) No 1119/89<sup>(2)</sup>, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Article 25 (1) of Regulation (EEC) No 1035/72 provides that, if the entry price of a product imported from a third country remains at least ECU 0,6 below the reference price for two consecutive market days, a countervailing charge must be introduced in respect of the exporting country concerned, save in exceptional circumstances; whereas this charge is equal to the difference between the reference price and the arithmetic mean of the last two entry prices available for that exporting country;

Whereas Commission Regulation (EEC) No 918/89 of 10 April 1989 fixing for the 1988 marketing year the reference prices for apricots<sup>(3)</sup> fixed the reference price for products of class I at ECU 106,26 per 100 kilograms net for the period from 1 to 10 June 1989;

Whereas the entry price for a given exporting country is equal to the lowest representative prices recorded for at least 30 % of the quantities from the exporting country concerned which are marketed on all representative markets for which prices are available less the duties and the charges indicated in Article 24 (3) of Regulation (EEC) No 1035/72; whereas the meaning of representative price is defined in Article 24 (2) of Regulation (EEC) No 1035/72;

Whereas, in accordance with Article 3 (1) of Commission Regulation (EEC) No 2118/74<sup>(4)</sup>, as last amended by

Regulation (EEC) No 3811/85<sup>(5)</sup>, the prices to be taken into consideration must be recorded on the representative markets or, in certain circumstances, on other markets;

Whereas, for apricots originating in Tunisia the entry price calculated in this way has remained at least ECU 0,6 below the reference price for two consecutive market days; whereas a countervailing charge should therefore be introduced for these apricots;

Whereas, if the system is to operate normally, the entry price 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<sup>(6)</sup>, as last amended by Regulation No 1636/87<sup>(7)</sup>,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient,

HAS ADOPTED THIS REGULATION:

*Article 1*

A countervailing charge of ECU 43,53 per 100 kilograms net is applied to apricots (CN code 0809 10 00) originating in Tunisia.

*Article 2*

This Regulation shall enter into force on 7 June 1989.

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

<sup>(2)</sup> OJ No L 118, 29. 4. 1989, p. 12.

<sup>(3)</sup> OJ No L 97, 11. 4. 1989, p. 15.

<sup>(4)</sup> OJ No L 220, 10. 8. 1974, p. 20.

<sup>(5)</sup> OJ No L 368, 31. 12. 1985, p. 1.

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

<sup>(7)</sup> OJ No L 153, 13. 6. 1987, p. 1.

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

Done at Brussels, 5 June 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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## COMMISSION REGULATION (EEC) No 1564/89

of 5 June 1989

introducing a countervailing charge on apricots originating in Spain (except the Canary Islands)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables<sup>(1)</sup>, as last amended by Regulation (EEC) No 1119/89<sup>(2)</sup>, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Article 25 (1) of Regulation (EEC) No 1035/72 provides that, if the entry price of a product imported from a third country remains at least 0,6 ECU below the reference price for two consecutive market days, a countervailing charge must be introduced in respect of the exporting country concerned, save in exceptional circumstances; whereas this charge is equal to the difference between the reference price and the arithmetic mean of the last two entry prices available for that exporting country;

Whereas Commission Regulation (EEC) No 918/89 of 10 April 1989 fixing for the 1989 marketing year the reference prices for apricots<sup>(3)</sup> fixed the reference price for products of class I for the period from 1 to 10 June 1989 at ECU 106,26 per 100 kilograms net;

Whereas the entry price for a given exporting country is equal to the lowest representative prices recorded for at least 30 % of the quantities from the exporting country concerned which are marketed on all representative markets for which prices are available less the duties and the charges indicated in Article 24 (3) of Regulation (EEC) No 1035/72; whereas the meaning of representative price is defined in Article 24 (2) of Regulation (EEC) No 1035/72;

Whereas, in accordance with Article 3 (1) of Regulation (EEC) No 2118/74 of the Commission<sup>(4)</sup>, as last amended by Regulation (EEC) No 3811/85<sup>(5)</sup>, the prices to be

taken into consideration must be recorded on the representative markets or, in certain circumstances, on other markets;

Whereas, for apricots originating in Spain (except the Canary Islands) the entry price calculated in this way has remained at least ECU 0,6 below the reference price for two consecutive market days; whereas a countervailing charge should therefore be introduced for these apricots;

Whereas, if the system is to operate normally, the entry price 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<sup>(6)</sup>, as last amended by Regulation (EEC) No 1636/87<sup>(7)</sup>,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient,

Whereas, pursuant to Article 136 (2) of the Act of Accession, the arrangements applicable to trade between, on the one hand, a new Member State and, on the other, the Community as constituted at 31 December 1985, must be those which were applicable before accession;

Whereas Article 140 (1) provides for an 8 % reduction in the countervailing charges applicable under Regulation (EEC) No 1035/72 during the fourth year after accession,

HAS ADOPTED THIS REGULATION:

*Article 1*

A countervailing charge of ECU 42,27 per 100 kilograms net is applied to apricots (CN code 0809 10 00) originating in Spain (except the Canary Islands).

*Article 2*

This Regulation shall enter into force on 7 June 1989.

<sup>(1)</sup> OJ No L 118, 20. 5. 1972, p. 1.<sup>(2)</sup> OJ No L 118, 29. 4. 1989, p. 12.<sup>(3)</sup> OJ No L 97, 11. 4. 1989, p. 15.<sup>(4)</sup> OJ No L 220, 10. 8. 1974, p. 20.<sup>(5)</sup> OJ No L 368, 31. 12. 1985, p. 1.<sup>(6)</sup> OJ No L 164, 24. 6. 1985, p. 1.<sup>(7)</sup> OJ No L 153, 13. 6. 1987, p. 1.



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

Done at Brussels, 5 June 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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**COMMISSION REGULATION (EEC) No 1565/89**  
**of 5 June 1989**  
**fixing the import levies on white sugar and raw sugar**

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

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector <sup>(1)</sup>, as last amended by Regulation (EEC) No 1069/89 <sup>(2)</sup>, and in particular Article 16 (8) thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 1466/89 <sup>(3)</sup>, as last amended by Regulation (EEC) No 1551/89 <sup>(4)</sup>;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2336/88 to the infor-

mation known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 6 June 1989.

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

Done at Brussels, 5 June 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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

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

<sup>(3)</sup> OJ No L 203, 28. 7. 1988, p. 22.

<sup>(4)</sup> OJ No L 151, 3. 6. 1989, p. 34.

*ANNEX*

to the Commission Regulation of 5 June 1989 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	32,47 <sup>(1)</sup>
1701 11 90	32,47 <sup>(1)</sup>
1701 12 10	32,47 <sup>(1)</sup>
1701 12 90	32,47 <sup>(1)</sup>
1701 91 00	36,26
1701 99 10	36,26
1701 99 90	36,26 <sup>(2)</sup>

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

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

## COMMISSION REGULATION (EEC) No 1566/89

of 5 June 1989

altering the import levies on products processed from cereals and rice

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 Regulation (EEC) No 2727/75 of the Council of 29 October 1975 on the common organization of the market in cereals<sup>(1)</sup>, as last amended by Regulation (EEC) No 1213/89<sup>(2)</sup>, and in particular Article 14 (4) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice<sup>(3)</sup>, as last amended by Regulation (EEC) No 1219/89<sup>(4)</sup>, and in particular Article 12 (4) thereof,

Having regard to Council Regulation 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>(5)</sup>, as last amended by Regulation (EEC) No 1636/87<sup>(6)</sup>, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on products processed from cereals and rice were fixed by Commission Regulation (EEC) No 1454/89<sup>(7)</sup>;

Whereas Council Regulation (EEC) No 1906/87<sup>(8)</sup> amended Council Regulation (EEC) No 2744/75<sup>(9)</sup> as regards products falling within CN codes 2302 10, 2302 20, 2302 30 and 2302 40;

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

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.  
<sup>(2)</sup> OJ No L 128, 11. 5. 1989, p. 1.  
<sup>(3)</sup> OJ No L 166, 25. 6. 1976, p. 1.  
<sup>(4)</sup> OJ No L 128, 11. 5. 1989, p. 9.  
<sup>(5)</sup> OJ No L 164, 24. 6. 1985, p. 1.  
<sup>(6)</sup> OJ No L 153, 13. 6. 1987, p. 1.  
<sup>(7)</sup> OJ No L 144, 27. 5. 1989, p. 13.  
<sup>(8)</sup> OJ No L 182, 3. 7. 1987, p. 49.  
<sup>(9)</sup> OJ No L 281, 1. 11. 1975, p. 65.

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

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

Whereas these exchange rates being those recorded on 2 June 1989;

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

Whereas the levy on the basic product as last fixed differs from the average levy by more than ECU 3,02 per tonne of basic product; whereas, pursuant to Article 1 of Regulation (EEC) No 1579/74 of the Commission<sup>(10)</sup>, as last amended by Regulation (EEC) No 1740/78<sup>(11)</sup>, the levies at present in force must therefore 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 processed from cereals and rice covered by Regulation (EEC) No 2744/75 as fixed in the Annex to Regulation (EEC) No 1454/89 are hereby altered to the amounts set out in the Annex.

*Article 2*

This Regulation shall enter into force on 6 June 1989.

<sup>(10)</sup> OJ No L 168, 25. 6. 1974, p. 7.

<sup>(11)</sup> OJ No L 202, 26. 7. 1978, p. 8.

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

Done at Brussels, 5 June 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

# ANNEX

to the Commission Regulation of 5 June 1989 altering the import levies on products processed from cereals and rice

(ECU/tonne)

CN code	Import levies		
	Portugal	Third countries (other than ACP or OCT)	ACP or OCT
1103 21 00	70,35	222,27	216,23
1104 19 10	70,35	222,27	216,23
1104 29 10*10 (*)	50,54	162,79	159,77
1104 29 30*10 (*)	60,19	195,23	192,21
1104 29 91	39,46	125,55	122,53
1104 30 10	32,84	96,14	90,10
1107 10 11	74,48	224,71	213,83
1107 10 19	58,40	170,65	159,77
1108 11 00	99,16	269,44	248,89
1109 00 00	324,26	633,86	452,52

(\*) TARIC code : wheat.

## II

*(Acts whose publication is not obligatory)*

## COUNCIL

## COUNCIL DIRECTIVE

of 29 May 1989

**amending Directive 77/93/EEC on protective measures against the introduction into the Member States of organisms harmful to plants or plant products**

(89/359/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission <sup>(1)</sup>,

Having regard to the opinion of the European Parliament <sup>(2)</sup>,

Whereas by Directive 77/93/EEC <sup>(3)</sup>, as last amended by Directive 88/572/EEC <sup>(4)</sup>, the Council laid down protective measures against the introduction into the Member States of organisms harmful to plants or plant products; whereas the protection of plants against such organisms is absolutely necessary to increase agricultural productivity, which is one of the objectives of the common agricultural policy;

Whereas seeds are not included amongst the plants, plant products and other objects, listed in Annex V to Directive 77/93/EEC, which must be subjected to a plant health inspection in the country of origin or the consignor country before being permitted to enter any of the Member States;

Whereas, however, in the case of seeds, the measures to ensure compliance with the requirement that they be officially examined in order to make sure that they comply with the relevant special requirements listed in Annex IV, part A to the said Directive are to be determined at Community level;

Whereas, since the adoption of Directive 77/93/EEC, special requirements relating to the importation of certain seeds into certain Member States have been included in

the said Directive by amendment to Annex IV, Part B; whereas Member States are required by Article 6 (2) to lay down inspection measures in order to ensure compliance with the requirements set out in the Annexes to the said Directive; whereas the measures to ensure compliance with the requirements relating to the introduction of seeds into the Member States set out in Part B as well as those set out in Part A of Annex IV should be determined at Community level;

Whereas the period specified for the determination of the necessary measures at Community level has not been sufficient and should therefore be extended,

HAS ADOPTED THIS DIRECTIVE:

*Article 1*

In Article 7 (3) of Directive 77/93/EEC:

- 'Article 6 (3)' is replaced by 'Article 6 (2), in so far as seeds referred to in Annex IV, Part B are concerned and Article 6 (3)', and
- '31 December 1986' is replaced by '31 December 1991'.

*Article 2*

This Directive is addressed to the Member States.

Done at Brussels, 29 May 1989.

*For the Council*

*The President*

C. ROMERO HERRERA

<sup>(1)</sup> OJ No C 254, 30. 9. 1988, p. 4.

<sup>(2)</sup> OJ No C 326, 19. 12. 1988, p. 288.

<sup>(3)</sup> OJ No L 26, 31. 1. 1977, p. 20.

<sup>(4)</sup> OJ No L 313, 19. 11. 1988, p. 39.

## COUNCIL DIRECTIVE

of 30 May 1989

amending Directive 64/432/EEC as regards administrative areas and a cessation of serological testing for brucellosis in certain types of swine

(89/360/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community and, in particular, Article 43 thereof,

Having regard to the proposal from the Commission,

Having regard to opinion of the European Parliament <sup>(1)</sup>,

Whereas Council Directive 64/432/EEC of 26 June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine <sup>(2)</sup>, as last amended by Directive 88/406/EEC <sup>(3)</sup>, described part of a Member State's territory defined as a region;

Whereas, as a result of a change in administrative units, the Netherlands should be allowed to apply this unit within the context of intra-Community trade;

Whereas, owing to a diminution of disease combined with changing production patterns the requirement to blood-test certain types of swine entering intra-Community trade should be abandoned,

HAS ADOPTED THIS DIRECTIVE:

*Article 1*

Directive 64/432/EEC is hereby amended as follows:

1. In Article 2 (o), seventh indent, the term 'provincie' is replaced by the 'RVV-Kring'.

2. In Article 3 (4), the terms 'If the swine concerned weigh more than 25 kilograms' is replaced by 'If the swine concerned are breeding pigs aged more than four months'.

3. In Annex F, Model III, footnote 6 shall be replaced by the following: 'Tests for sero-agglutination and a complement fixation reaction shall only be applied to breeding pigs aged more than four months'.

*Article 2*

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive not later than 1 October 1989. They shall forthwith inform the Commission thereof.

*Article 3*

This Directive is addressed to the Member States.

Done at Brussels, 30 May 1989.

*For the Council*

*The President*

C. ROMERO HERRERA

<sup>(1)</sup> OJ No C 96, 17. 4. 1989.

<sup>(2)</sup> OJ No 121, 29. 7. 1964, p. 1977/64.

<sup>(3)</sup> OJ No L 194, 22. 7. 1988, p. 1.

**COUNCIL DIRECTIVE**  
**of 30 May 1989**  
**concerning pure-bred breeding sheep and goats**

(89/361/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission <sup>(1)</sup>,

Having regard to the opinion of the European Parliament <sup>(2)</sup>,

Having regard to the opinion of the Economic and Social Committee <sup>(3)</sup>,

Whereas the breeding and rearing of sheep and goats occupies an important place in Community agriculture; whereas these activities can constitute a source of income for part of the farming population;

Whereas sheep and goat breeding should be encouraged and whereas satisfactory results in that respect depend largely on the use of pure-bred animals;

Whereas disparities exist as regards entry in flock books; whereas those disparities constitute a barrier to trade within the Community; whereas complete liberalization of trade calls for subsequent harmonization particularly regarding entry in flock books;

Whereas, in order to remove those disparities and thereby contribute to increasing agricultural productivity in the sector, intra-Community trade should be liberalized;

Whereas Member States should be authorized to require that certificates drawn up in accordance with Community procedures be presented;

Whereas provisions should be introduced preventing pure-bred breeding sheep and goats from being imported from third countries on terms which are less stringent than those applicable within the Community;

Whereas implementing measures should be adopted regarding certain technical aspects; whereas, for the purposes of the planned measures, provisions should be made for close cooperation between the Member States and the Commission within the Standing Committee on Zootechnics,

HAS ADOPTED THIS DIRECTIVE:

*Article 1*

1. This Directive covers zootechnical problems which may arise in intra-Community trade in pure-bred

breeding sheep and goats and the semen, ova and embryos thereof.

2. Pending the entry into force of the relevant Community provisions, national animal health rules shall, provided they comply with the general provisions of the EEC Treaty, apply in respect of intra-Community trade.

*Article 2*

For the purposes of this Directive, the following definitions shall apply:

(a) *'pure-bred breeding sheep and goat'*: any sheep or goat the parents and grandparents of which are entered or registered in a flock book of the same breed and which is itself entered or registered and eligible for entry therein;

(b) *'flock book'*: any book, register, file or data medium:

- which is maintained by a breeders' organization or association officially approved by the Member State in which that breeders' organization or association is established, or by an official agency of the Member State in question, and
- in which pure-bred breeding sheep or goats of a given breed are entered or registered with mention of their ancestors.

*Article 3*

1. Member States may not prohibit, restrict or impede on zootechnical grounds:

- intra-Community trade in pure-bred breeding sheep and goats and the semen, ova and embryos thereof,
- the official approval of breeders' organizations or associations which maintain or establish flock books in accordance with Article 4.

2. However, Member States may continue to apply their national provisions which comply with the general rules of the EEC Treaty pending the entry into force of the Community decisions referred to in Articles 4 and 6.

*Article 4*

The Commission shall, in accordance with the procedure laid down in Article 8, determine before 1 January 1991:

- the criteria for the approval of breeders' organizations and associations which maintain or establish flock books,

<sup>(1)</sup> OJ No C 348, 23. 12. 1987, p. 6.

<sup>(2)</sup> OJ No C 94, 11. 4. 1988, p. 182.

<sup>(3)</sup> OJ No C 80, 28. 3. 1988, p. 35.



- the criteria for entry or registration in flock books,
- methods for monitoring performance and assessing the genetic value of pure-bred breeding sheep and goats,
- the criteria for the approval of a breeding animal for the purpose of using its semen, ova or embryos.

#### *Article 5*

Member States shall notify the Commission and the other Member States of the breeders' organizations and associations which are approved for the purpose of maintaining or establishing flock books and which meet the criteria determined in accordance with the first indent of Article 4.

#### *Article 6*

Member States may require pure-bred breeding sheep and goats and the semen, ova and embryos of such animals to be accompanied at the time of their marketing by a zootechnical certificate drawn up in accordance with the specimen established by the Commission under the procedure set out in Article 8.

#### *Article 7*

Pending the implementation of Community rules on the subject, the zootechnical conditions applicable to imports

of pure-bred breeding sheep and goats and the semen, ova and embryos thereof from third countries must not be more favourable than those governing intra-Community trade.

#### *Article 8*

Where the procedure laid down in this Article is to be used, the Standing Committee on Zootechnics set up by Decision 77/505/EEC<sup>(1)</sup>, shall act in accordance with the rules set out in Article 11 of Directive 88/661/EEC<sup>(2)</sup>.

#### *Article 9*

The Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 1 January 1991 at the latest. They shall forthwith inform the Commission thereof.

#### *Article 10*

This Directive is addressed to the Member States.

Done at Brussels, 30 May 1989.

*For the Council*

*The President*

C. ROMERO HERRERA

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<sup>(1)</sup> OJ No L 206, 12. 8. 1977, p. 11.

<sup>(2)</sup> OJ No L 382, 31. 12. 1988, p. 36.

**CORRIGENDA**

**Corrigendum to Commission Regulation (EEC) No 1511/89 of 31 May 1989 fixing the amount of aid for peas, field beans and sweet lupins**

*(Official Journal of the European Communities No L 148 of 1 June 1989)*

On pages 38, 39, 40 and 41, in Annexes I, II, III, V and VII, in the table headings:

*for:* 'Current 6 (1)',

*read:* 'Current 6'.

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