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(Acts whose publication is obligatory)

**COMMISSION REGULATION (EEC) No 2900/89
of 28 September 1989**

**amending Regulation (EEC) No 1876/89 fixing the monetary compensatory amounts in
the agricultural sector and certain coefficients and rates required for their application**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

Having regard to Commission Regulation (EEC) No
3153/85 of 11 November 1985 laying down detailed
rules for the calculation of monetary compensatory
amounts ⁽³⁾, as last amended by Regulation (EEC) No
2301/89 ⁽⁴⁾, and in particular Article 6 (3) thereof,

Having regard to Council Regulation (EEC) No
1678/85 of 11 June 1985 fixing the conversion rates to
be applied in agriculture ⁽⁵⁾, as last amended by Regu-
lation (EEC) No 2908/89 ⁽⁶⁾,

Whereas the monetary compensatory amounts
introduced by Regulation (EEC) No 1677/85 were fixed
by Commission Regulation (EEC) No 1876/89 ⁽⁷⁾, as
last amended by Regulation (EEC) No 2912/89 ⁽⁸⁾;

Whereas Regulation (EEC) No 3153/85 lays down the
rules for calculating monetary compensatory amounts;
whereas the spot market rates recorded as provided for
in Regulation (EEC) No 3153/85 in the period 20 to 26
September 1989 for the Greek drachma tended to
indicate that the agricultural conversion rate for the
pigeon sector should be adjusted as provided for in
Article 6a of Regulation (EEC) No 1677/85; whereas,
pursuant to Article 8 of Regulation (EEC) No 3153/85,
the monetary compensatory amounts for Greece should
be updated in the sectors concerned,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1876/89 is hereby amended as
follows:

1. The column 'Greece' in Parts 1, 3, 4, 5, 6, 7, 8 and 10
of Annex I is replaced by that given in Annex I
hereto.
2. Annexes II and III are replaced by Annexes II and III
hereto.

Article 2

This Regulation shall enter into force on 2 October
1989.

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

Done at Brussels, 28 September 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 6.

⁽²⁾ OJ No L 182, 3. 7. 1987, p. 1.

⁽³⁾ OJ No L 310, 21. 11. 1985, p. 4.

⁽⁴⁾ OJ No L 220, 29. 7. 1989, p. 9.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁶⁾ OJ No L 280, 29. 9. 1989, p. 11.

⁽⁷⁾ OJ No L 188, 1. 7. 1989, p. 1.

⁽⁸⁾ OJ No L 280, 29. 9. 1989, p. 23.

CN code	Table	Additional code	Notes	Positive			Negative							
				Germany	Netherlands	Spain	United Kingdom	Belgium/Luxembourg	Denmark	Italy	France	Greece	Ireland	Portugal
				DM	Fl	Pta	£	Bfrs/Lfrs	Dkr	Lit	FF	Dr	£ Irl	Esc
2309 90 43	23-12	7672	(¹)(²)									— 1 000 kg —		
												490,8		
	23-12	7673	(¹)(²)									7 755,9		
	23-12	7674	(¹)(²)									15 021,0		
	23-12	7678	(¹)(²)									490,8		
	23-12	7679	(¹)(²)									11 894,0		
2309 90 51	23-12	7680	(¹)(²)									23 297,2		
	23-7	7624	(¹)									—		
2309 90 53	23-7	7695	(¹)									968,7		
	23-13	7541	(¹)(²)									—		
	23-13	7542	(¹)(²)									7 265,1		
	23-13	7543	(¹)(²)									14 530,2		
	23-13	7547	(¹)(²)									—		
	23-13	7548	(¹)(²)									11 403,2		
	23-13	7549	(¹)(²)									22 806,4		
	23-13	7681	(¹)(²)									968,7		
	23-13	7682	(¹)(²)									8 233,8		
	23-13	7683	(¹)(²)									15 498,9		
	23-13	7687	(¹)(²)									968,7		
	23-13	7688	(¹)(²)									12 371,9		
	23-13	7689	(¹)(²)									23 775,1		

(¹) When completing the customs formalities, the applicant must state in the declaration provided for this purpose the content by weight of starch, expressed as dry matter, per 1 000 kg of the product.

(²) When completing customs formalities, the party concerned shall state in the declaration provided for this purpose, in particular, the actual content by weight per tonne of finished product of:

- milk powder or granules (other than whey),
- whey powder or granules,
- added casein and/or caseinate.

(³) When completing:

- customs export formalities carried out in a Member State the currency of which has appreciated,
 - customs import formalities carried out in a Member State the currency of which has depreciated,
 - customs export formalities carried out in a Member State making use of the option provided in Article 10 of Regulation (EEC) No 1677/85,
- the applicant must state in the declaration provided for this purpose the complete composition of the product and the exact content by weight of non-milk constituents broken down by the combined nomenclature code.

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- (1) The compensatory amount shall not be applied on animals imported within an annual tariff quota to be granted by the competent authorities of the European Communities:
- (a) for heifers and cows, other than those intended for slaughter, of the grey, brown, and mottled yellow Simmental and Pinzgau breeds;
 - (b) for bulls, heifers and cows, other than those intended for slaughter, of the mottled Simmental breed, the Schwyz breed and the Friburg breed.
- (2) The compensatory amount shall not be applied:
- in respect of quantities coming within an annual tariff quota of 50 000 tonnes, expressed in boned meat, to be granted by the competent authorities of the European Communities for frozen beef and veal,
 - in respect of quantities coming within an annual tariff quota of 2 250 tonnes, expressed in boned meat, to be granted by the competent authorities of the European Communities for frozen buffalo meat.
- (3) Entry under this CN code is subject to the production of a certificate issued on conditions laid down by the competent authorities of the European Communities.
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CN code	Table	Additional code	Notes	Positive			Negative							
				Germany	Netherlands	Spain	United Kingdom	Belgium/Luxembourg	Denmark	Italy	France	Greece	Ireland	Portugal
				DM	Fl	Pta	£	Bfrs/Lfrs	Dkr	Lit	FF	Dr	£ Irl	Esc
	a			— % milk fat/100 kg product —										
	b			107,3										
	c			— % non-fatty lactic dry matter excluding added whey and/or lactose and/or casein and/or caseinates/100 kg product —										
	d			48,7										
	e			— % lactic matter excluding added whey and/or lactose and/or casein and/or caseinates/100 kg product —										
	f			57,0										
				— % non-fatty lactic matter excluding added whey and/or lactose and/or casein and/or caseinates/100 kg product —										
				4,4										
				— % sucrose/100 kg product —										
				4,5										

Annex

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

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- (¹) Where the yield of the raw sugar differs from that of the standard quality defined by Regulation (EEC) No 431/68 (OJ No L 89, 10. 4. 1968, p. 3) the monetary compensatory amount shall be adjusted in accordance with the provisions of Article 2 of Regulation (EEC) No 837/68 (OJ No L 151, 30. 6. 1968, p. 42).
- (²) For flavoured or coloured sugar the monetary compensatory amount per 100 kg of the product in question shall be equal to the amount indicated multiplied by the sucrose content expressed as a percentage.
- (³) The sucrose content, including other sugars expressed as sucrose, shall be determined in accordance with Article 7 (2) of Regulation (EEC) No 837/68 in the case of imports and in accordance with Article 13 of Regulation (EEC) No 394/70 (OJ No L 50, 4. 3. 1970, p. 1) in the case of exports.
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- (¹) If the goods contain butter reduced in price under the Regulation indicated in Table 7 of Chapter 4 of the additional codes, the amount indicated in additional code 7xxx shall be reduced, for formula A and formula C products, by the amount indicated in additional code 5xxx and, for formula B products, by that indicated in additional code 6xxx. The additional code to be declared will be 5xxx or 6xxx as appropriate (x representing any figure from 0 to 9).
- (*) See the additional codes related to the contents of the goods by weight of, respective milkfat, milk proteins, starch/glucose, and sucrose/invert sugar/isoglucose. These codes are mentioned in Annex I to the TARIC in the tables of Chapters 17, 18, 19 and 21. The numbers of the tables are mentioned above in the column 'Table'. The tables are reprinted (OJ No L 188, 1. 7. 1989, p. 46) without prejudice to any later modification of the TARIC.

NB: For the application of the additional code:

Starch/Glucose

The content of the goods (as presented) in starch, its degradation products i.e. all the polymers of glucose, and the glucose, determined as glucose and expressed as starch (on a dry matter basis, 100 % purity; factor for conversion of glucose to starch: 0,9).

However, where a mixture of glucose and fructose is declared (in whatever form) or is found to be present in the goods, the amount of glucose to be included in the above calculation is that which is in excess of the fructose content of the goods.

Sucrose/Invert Sugar/Isoglucose

The content of the goods (as presented), in sucrose, together with the sucrose which results from expressing as sucrose any mixture of glucose and fructose (the sum of the amounts of these two sugars multiplied by 0,95), which is declared (in whatever form) or found to be present in the goods.

However, where the fructose content of the goods is less than the glucose content, the amount of glucose to be included in the above calculation shall be an amount equal, by weight, to that of fructose.

Note: In all cases, where a hydrolysis product of lactose is declared, and/or galactose is found to be present among the sugars, then the amount of glucose equal to that of galactose is deducted from the total glucose content before any other calculations are carried out.

Milk proteins

Milk proteins, excluding those contained in the whey, casein and/or caseinates, added to the product.

ANNEX II

Monetary coefficients

Products	Member States										
	Germany	Netherlands	United Kingdom	Belgium/Luxembourg	Denmark	Italy	France	Greece	Ireland	Spain	Portugal
— Beef and veal	—	—	1,022	—	—	—	—	1,209	—	0,949	
— Milk and milk products	—	—	1,055	—	—	—	—	1,209	—	0,949	
— Pigmeat	—	—	—	—	—	—	—	—	—	—	
— Sugar	—	—	1,064	—	—	—	—	1,042	—	0,958	—
— Cereals	—	—	1,064	—	—	—	—	1,042	—	0,958	
— Eggs and poultry and albumins	—	—	1,020	—	—	—	—	1,130	—	0,984	
— Wine	—	—	—	—	—	—	—	1,010	—	—	
— Processed products (Regulation (EEC) No 3033/80):											
— to be applied to charges	—	—	1,055	—	—	—	—	1,209	—	0,949	—
— to be applied to refunds:											
— cereals	—	—	1,064	—	—	—	—	1,042	—	0,958	
— milk	—	—	1,055	—	—	—	—	1,209	—	0,949	
— sugar	—	—	1,064	—	—	—	—	1,042	—	0,958	
— Jams and marmalades (Regulation (EEC) No 426/86)	—	—	—	—	—	—	—	—	—	—	—
— Olive oil sector	—	—	1,021	—	—	—	—	1,126	—	—	—

ANNEX III

Conversion rates used to fix the monetary compensatory amounts and referred to in Article 3a of Regulation (EEC) No 3152/85

	100 Lit	1 £	1 £ Ir£	1 ECU
Bfrs/Lfrs	2,89696	63,8256	55,2545	48,2869
Dkr	0,535758	11,8038	10,2187	8,93007
DM	0,140456	3,09451	2,67895	2,34113
FF	0,471069	10,3786	8,98483	7,85183
Fl	0,158257	3,48671	3,01849	2,63785
£ Irl	0,0524290	1,15512	—	0,873900
£	0,0453890	—	0,865710	0,756544
Lit	—	2 203,19	1 907,32	1 666,81
Dr	12,1131	266,874	231,036	201,902
Esc	11,6381	256,409	221,976	193,985
Pta	8,72541	192,237	166,422	145,436