COMMISSION REGULATION (EEC) No 138/89

of 20 January 1989

fixing the sluice-gate prices and levies for poultrymeat

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 2777/75 of 29 October 1975 on the common organization of the market in poultrymeat (1), as last amended by Regulation (EEC) No 3907/87 (2), and in particular Articles 3 and 7 (1) thereof,

Whereas the sluice-gate prices and levies for the products specified in Article 1 (1) of Regulation (EEC) No 2777/75 must be fixed quarterly in advance in accordance with methods of calculation laid down in Council Regulation (EEC) No 2778/75 of 29 October 1975 laying down rules for calculating the levy and the sluice-gate price for poultrymeat (3), as last amended by Regulation (EEC) No 3986/87 (4);

Whereas, since the sluice-gate prices and levies for poultrymeat were, by Commission Regulation (EEC) No 3308/88 (5), last fixed for the period 1 November 1988 to 31 January 1989, they must be fixed anew for the period 1 February to 30 April 1989; whereas such prices and levies should in principle be calculated by reference to feed-grain prices for the period 1 August to 31 December 1988;

Whereas, when the sluice-gate prices applicable from 1 November, 1 February and 1 May are being fixed, trends in world market prices for feed grain are to be taken into account only if the price of the quantity of feed grain required varies by at least a specified minimum in relation to that used to calculate the sluice-gate price for the preceding quarter; whereas, by Regulation (EEC) No 2778/75, this minimum was set at 3 %;

Whereas the price of the quantity of feed grain required varies by more than 3 % from that used for the preceding quarter; whereas this variation must accordingly be taken into account in fixing sluice-gate prices for the period 1 February to 30 April 1989;

Whereas, when the levies applicable from 1 November, 1 February and 1 May are being fixed, changes in world market prices for feed grain should be taken into account only if at the same time a new sluice-gate price is fixed;

Whereas, since a new sluice-gate price has been fixed, changes in world market prices for feed grain must be taken into account in fixing the levies;

Whereas, Commission Regulation (EEC) No 631/86 (6) on the application of import levies on products from Portugal suspended the application of import levies on poultrymeat products from Portugal owing to the minimal difference between the prices obtaining in the Community on the one hand and in Portugal on the other hand; whereas the situation still pertains;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. In respect of the products specified in Article 1 (1) of Regulation (EEC) No 2777/75, the levies provided for in Article 3 thereof and the sluice-gate prices provided for in Article 7 thereof shall be as shown in the Annex hereto.

2. Provided that, in the case of products falling within CN codes 0207 31, 0207 39 90, 0207 50, 0210 90 71, 0210 90 79, 1501 00 90, 1602 31, 1602 39 19, 1602 39 30 and 1602 39 90 in respect of which the rate of duty has been bound within GATT, the levy shall not exceed the amount resulting from that binding.

3. For imports of products specified in paragraph 1 from Portugal, application of the levies specified in the Annex is suspended.

Article 2

This Regulation shall enter into force on 1 February 1989.

(1) OJ No L 282, 1. 11. 1975, p. 77.
(2) OJ No L 370, 30. 12. 1987, p. 14.
(3) OJ No L 282, 1. 11. 1975, p. 84.
(4) OJ No L 376, 31. 12. 1987, p. 7.
(5) OJ No L 293, 27. 10. 1988, p. 43.
(6) OJ No L 60, 1. 3. 1986, p. 11.

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

Done at Brussels, 20 January 1989.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX

to the Commission Regulation of 20 January 1989 fixing the sluice-gate prices and levies for poultrymeat

CN code	Sluice-gate price	Levy	Conventional rate of duty
	ECU/100 units	ECU/100 units	%
0105 11 00	23,57	5,68	—
0105 19 10	102,68	18,95	—
0105 19 90	23,57	5,68	—
	ECU/100 kg	ECU/100 kg	
0105 91 00	80,77	24,33	—
0105 99 10	95,01	35,25	—
0105 99 20	120,54	35,54	—
0105 99 30	107,97	26,88	—
0105 99 50	126,20	37,12	—
0207 10 11	101,47	30,56	—
0207 10 15	115,38	34,75	—
0207 10 19	125,71	37,86	—
0207 10 31	154,24	38,40	—
0207 10 39	169,06	42,10	—
0207 10 51	111,77	41,48	—
0207 10 55	135,73	50,36	—
0207 10 59	150,80	55,95	—
0207 10 71	172,20	50,77	—
0207 10 79	164,08	53,82	—
0207 10 90	180,29	53,03	—
0207 21 10	115,38	34,75	—
0207 21 90	125,71	37,86	—
0207 22 10	154,24	38,40	—
0207 22 90	169,06	42,10	—
0207 23 11	135,73	50,36	—
0207 23 19	150,80	55,95	—
0207 23 51	172,20	50,77	—
0207 23 59	164,08	53,82	—
0207 23 90	180,29	53,03	—
0207 31 00	1 722,00	507,70	3
0207 39 11	301,98	96,71	—
0207 39 13	138,28	41,65	—
0207 39 15	97,46	29,95	—
0207 39 17	67,47	20,73	—
0207 39 21	190,38	57,34	—
0207 39 23	178,84	53,86	—
0207 39 25	299,88	92,14	—
0207 39 27	67,47	20,73	—
0207 39 31	323,90	80,64	—

CN code	Sluice-gate price	Levy	Conventional rate of duty
	ECU/100 kg	ECU/100 kg	%
0207 39 33	185,97	46,31	—
0207 39 35	97,46	29,95	—
0207 39 37	67,47	20,73	—
0207 39 41	246,78	61,44	—
0207 39 43	115,68	28,80	—
0207 39 45	208,22	51,84	—
0207 39 47	299,88	92,14	—
0207 39 51	67,47	20,73	—
0207 39 53	344,57	113,02	—
0207 39 55	301,98	96,71	—
0207 39 57	165,88	61,55	—
0207 39 61	180,49	59,20	—
0207 39 63	198,32	58,33	—
0207 39 65	97,46	29,95	—
0207 39 67	67,47	20,73	—
0207 39 71	246,12	80,73	—
0207 39 73	190,38	57,34	—
0207 39 75	237,92	78,04	—
0207 39 77	178,84	53,86	—
0207 39 81	209,87	72,93	—
0207 39 83	299,88	92,14	—
0207 39 85	67,47	20,73	—
0207 39 90	172,43	52,98	10
0207 41 10	301,98	96,71	—
0207 41 11	138,28	41,65	—
0207 41 21	97,46	29,95	—
0207 41 31	67,47	20,73	—
0207 41 41	190,38	57,34	—
0207 41 51	178,84	53,86	—
0207 41 71	299,88	92,14	—
0207 41 90	67,47	20,73	—
0207 42 10	323,90	80,64	—
0207 42 11	185,97	46,31	—
0207 42 21	97,46	29,95	—
0207 42 31	67,47	20,73	—
0207 42 41	246,78	61,44	—
0207 42 51	115,68	28,80	—
0207 42 59	208,22	51,84	—
0207 42 71	299,88	92,14	—
0207 42 90	67,47	20,73	—
0207 43 11	344,57	113,02	—
0207 43 15	301,98	96,71	—
0207 43 21	165,88	61,55	—
0207 43 23	180,49	59,20	—

CN code	Sluice-gate price	Levy	Conventional rate of duty
	ECU/100 kg	ECU/100 kg	%
0207 43 25	198,32	58,33	—
0207 43 31	97,46	29,95	—
0207 43 41	67,47	20,73	—
0207 43 51	246,12	80,73	—
0207 43 53	190,38	57,34	—
0207 43 61	237,92	78,04	—
0207 43 63	178,84	53,86	—
0207 43 71	209,87	72,93	—
0207 43 81	299,88	92,14	—
0207 43 90	67,47	20,73	—
0207 50 10	1 722,00	507,70	3
0207 50 90	172,43	52,98	10
0209 00 90	149,94	46,07	—
0210 90 71	1 722,00	507,70	3
0210 90 79	172,43	52,98	10
1501 00 90	179,93	55,28	18
1602 31 11	308,48	76,80	17
1602 31 19	329,87	101,35	17
1602 31 30	179,93	55,28	17
1602 31 90	104,96	32,25	17
1602 39 11	297,74	95,98	—
1602 39 19	329,87	101,35	17
1602 39 30	179,93	55,28	17
1602 39 90	104,96	32,25	17