COMMISSION REGULATION (EEC) No 1841/89

of 26 June 1989

fixing the sluice-gate prices and levies for poultrymeat and repealing Regulation (EEC) No 942/89

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard in 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 1235/89 (2) and in particular Articles 3 and 7 (1) thereof,

Whereas a levy fixed quarterly in advance must be charged on imports into the Community for the products specified in Article 1 (1) of Regulation (EEC) No 2777/75; whereas Regulation (EEC) No 2777/75 was amended, with effect on 1 July 1989, by Regulation (EEC) No 1235/89 as regards the quarterly fixing of the sluice-gate prices and levies so that henceforward such fixing is to take place according to quarters of the calendar year, namely on 1 January, 1 April, 1 July and 1 October;

Whereas, as the levies were fixed latterly in Commission Regulation (EEC) No 942/89 of 12 April 1989 (3), new levies and sluice-gate prices must be fixed for the period 1 July to 30 September 1989 and Regulation (EEC) No 942/89, which fixes the amounts for the period 1 May to 31 July 1989, must be repealed;

Whereas the levy on slaughtered poultry is made up of two components;

Whereas the first component must be equal to the difference between prices within the Community and on the world market for the quantity of feed grain specified in Annex I to Council Regulation (EEC) No 2778/75 of 29 October 1975 laying down rules for calculating the levy and the sluice-gate price for poultrymeat (4), as last amended by Regulation (EEC) No 3986/87 (5);

Whereas the price within the Community for that quantity of feed grain must be determined in accordance with Article 2 of Regulation (EEC) No 2778/75; whereas the price for the like quantity on the workd market must be determined in accordance with Article 3 thereof;

Whereas the said Article 3 provides that the price for each type of feed grain on the world market shall be equal to the average of the cif prices determined for that cereal for the period of five months ending one month before the quarter in respect of which the said component is calculated; whereas that period is 1 January to 31 May 1989;

Whereas the second component must be equal to 7 % of the average of the sluice-gate prices applicable for the four quarters to 1 April in each year; whereas, however, in this year of changeover in quarterly periods, the sluice-gate prices applicable for the four quarters to 1 May 1989 are to be maintained as they were fixed quarterly for the purposes of calculating the second component of the levy;

Whereas the levy on chicks must be calculated in the same way as the levy on slaughtered poultry; whereas however, the quantity of feed grain used in the calculation must be that shown in Annex I to Regulation (EEC) No 2778/75; whereas the second component must be equal to 7 % of the average of the sluice-gate prices applicable to chicks;

Whereas the levy on the products specified in Article 1 (2) (d) of Regulation (EEC) No 2777/75 must be derived from the levy on slaughtered poultry on the basis of the coefficients set out in the Annex to Commission Regulation (EEC) No 3011/79 of 20 December 1979 fixing the coefficients for calculating levies on derived poultrymeat products and repealing Regulation No 199/67/EEC (6), as amended by Regulation (EEC) No 1507/82 (7);

Whereas, 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 levies must not exceed the amount resulting from that binding;

Whereas, sluice-gate prices for the products specified in Article 1 (1) of Regulation (EEC) No 2777/75 must be fixed in advance for each quarter; whereas sluice-gate prices were last fixed by Regulation (EEC) No 942/89 for the period ending 31 July 1989, bearing in mind the new definition of quarters introduced by Regulation (EEC) No 1235/89, and prices must therefore be fixed anew for the period 1 July to 30 September 1989;

(1) OJ No L 282, 1. 11. 1975, p. 77.
(2) OJ No L 128, 11. 5. 1989, p. 29.
(3) OJ No L 101, 13. 4. 1989, p. 13.
(4) OJ No L 282, 1. 11. 1975, p. 86.
(5) OJ No L 376, 31. 12. 1987, p. 7.
(6) OJ No L 337, 29. 12. 1979, p. 65.
(7) OJ No L 168, 15. 6. 1982, p. 5.

Whereas the sluice-gate price for slaughtered poultry is made up of two components;

Whereas the first component must be equal to the price on the world market for the quantity of feed grain shown in Annex II to Regulation (EEC) No 2778/75;

Whereas the price for that quantitiy of cereals must be determined in accordance with Article 4 (2) and (3) of Regulation (EEC) No 2778/75;

Whereas the said Article 4 provides that the price for each cereal on the world market shall be equal to the average of the cif prices determined for that cereal for the period of five months ending one month before the quarter in respect of which the said component is calculated; whereas that period is 1 January to 31 May 1989;

Whereas the second amount, which represents other feeding costs and overhead costs of production and marketing, is fixed in Annex II to Regulation (EEC) No 2778/75;

Whereas the sluice-gate price for chicks must be calculated in the same way as the sluice-gate price for slaughtered poultry; whereas, however, the quantity of feed grain used in the calculation must be that shown in Annex II to Regulation (EEC) No 2778/75; whereas the standard amount must be that fixed in the same Annex;

Whereas the sluice-gate price for the products specified in Article 1 (2) (d) of Regulation (EEC) No 2777/75 must be derived from the sluice-gate prices for slaughtered poultry on the basis of the coefficients fixed for these products in accordance with Article 5 (3) of that Regulation;

Whereas, Commission Regulation (EEC) No 631/86 of 28 February 1986 on the applicaton of import levies on products from Portugal and amending Regulation (EEC) No 177/86 (1), 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. The levies provided for in Article 3 of Regulation (EEC) No 2777/75 and the sluice-gate prices provided for in Article 7 thereof, in respect of the products specified in Article 1 (1), shall be as set out in the Annex hereto.

2. Nevertheless, 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 shall be suspended.

Article 2

Regulation (EEC) No 942/89 is hereby repealed.

Article 3

This Regulation shall enter into force on 1 July 1989.

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

Done at Brussels, 26 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

(1) OJ No L 60, 1. 3. 1986, p. 11.

ANNEX

to the Commission Regulation of 26 June 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	23,67	5,33	—
0105 19 10	102,97	17,93	—
0105 19 90	23,67	5,33	—
	ECU/100 kg	ECU/100 kg	
0105 91 00	81,35	22,44	—
0105 99 10	95,60	32,72	—
0105 99 20	121,11	33,14	—
0105 99 30	108,37	25,17	—
0105 99 50	126,76	34,60	—
0207 10 11	102,20	28,20	—
0207 10 15	116,32	32,06	—
0207 10 19	126,62	34,93	—
0207 10 31	154,81	35,96	—
0207 10 39	169,70	39,41	—
0207 10 51	112,47	38,49	—
0207 10 55	136,57	46,74	—
0207 10 59	151,75	51,92	—
0207 10 71	173,01	47,34	—
0207 10 79	164,97	50,07	—
0207 10 90	181,09	49,43	—
0207 21 10	116,22	32,06	—
0207 21 90	126,62	34,93	—
0207 22 10	154,81	35,96	—
0207 22 90	169,70	39,41	—
0207 23 11	136,57	46,74	—
0207 23 19	151,75	51,92	—
0207 23 51	173,01	47,34	—
0207 23 59	164,97	50,07	—
0207 23 90	181,09	49,43	—
0207 31 00	1 730,10	473,40	3
0207 39 11	303,72	89,75	—
0207 39 13	139,28	38,42	—
0207 39 15	97,97	27,85	—
0207 39 17	67,83	19,28	—
0207 39 21	191,76	52,90	—
0207 39 23	180,14	49,69	—
0207 39 25	301,46	85,70	—
0207 39 27	67,83	19,28	—
0207 39 31	325,10	75,52	—

CN code	Sluice-gate price	Levy	Conventional rate of duty
	ECU/100 kg	ECU/100 kg	%
0207 39 33	186,67	43,35	—
0207 39 35	97,97	27,85	—
0207 39 37	67,83	19,28	—
0207 39 41	247,70	57,54	—
0207 39 43	116,11	26,97	—
0207 39 45	208,99	48,55	—
0207 39 47	301,46	85,70	—
0207 39 51	67,83	19,28	—
0207 39 53	346,44	105,15	—
0207 39 55	303,72	89,75	—
0207 39 57	166,93	57,11	—
0207 39 61	181,47	55,08	—
0207 39 63	199,20	54,37	—
0207 39 65	97,97	27,85	—
0207 39 67	67,83	19,28	—
0207 39 71	247,46	75,11	—
0207 39 73	191,76	52,90	—
0207 39 75	239,21	72,60	—
0207 39 77	180,14	49,69	—
0207 39 81	211,08	67,77	—
0207 39 83	301,46	85,70	—
0207 39 85	67,83	19,28	—
0207 39 90	173,34	49,28	10
0207 41 10	303,72	89,75	—
0207 41 11	139,28	38,42	—
0207 41 21	97,97	27,85	—
0207 41 31	67,83	19,28	—
0207 41 41	191,76	52,90	—
0207 41 51	180,14	49,69	—
0207 41 71	301,46	85,70	—
0207 41 90	67,83	19,28	—
0207 42 10	325,10	75,52	—
0207 42 11	186,67	43,35	—
0207 42 21	97,97	27,85	—
0207 42 31	67,83	19,28	—
0207 42 41	247,70	57,54	—
0207 42 51	116,11	26,97	—
0207 42 59	208,99	48,55	—
0207 42 71	301,46	85,70	—
0207 42 90	67,83	19,28	—
0207 43 11	346,44	105,15	—
0207 43 15	303,72	89,75	—
0207 43 21	166,93	57,11	—
0207 43 23	181,47	55,08	—

CN code	Sluice-gate price	Levy	Conventional rate of duty
	ECU/100 kg	ECU/100 kg	%
0207 43 25	199,20	54,37	—
0207 43 31	97,97	27,85	—
0207 43 41	67,83	19,28	—
0207 43 51	247,46	75,11	—
0207 43 53	191,76	52,90	—
0207 43 61	239,21	72,60	—
0207 43 63	180,14	49,69	—
0207 43 71	211,08	67,77	—
0207 43 81	301,46	85,70	—
0207 43 90	67,83	19,28	—
0207 50 10	1 730,10	473,40	3
0207 50 90	173,34	49,28	10
0209 00 90	150,73	42,85	—
0210 90 71	1 730,10	473,40	3
0210 90 79	173,34	49,28	10
1501 00 90	180,88	51,42	18
1602 31 11	309,62	71,92	17
1602 31 19	331,61	94,27	17
1602 31 30	180,88	51,42	17
1602 31 90	105,51	30,00	17
1602 39 11	299,42	89,16	—
1602 39 19	331,61	94,27	17
1602 39 30	180,88	51,42	17
1602 39 90	105,51	30,00	17