# COMMISSION REGULATION (EEC) No 3772/89

## of 14 December 1989

## amending Regulation (EEC) No 3295/89 fixing the additional levy and the reimbursement in the cereals sector for the 1989/90 marketing year

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 (1), as last amended by Regulation (EEC) No 3707/89 (2), and in particular Articles 4 (5) and 4b (2) and (5) thereof,

Having regard to Council Regulation (EEC) No 729/89 of 20 March 1989 laying down general rules for the special arrangements applicable to small producers as part of the co-responsibility arrangements in the cereals sector (3), and in particular Article 2 (4) thereof,

Whereas, for the 1989/90 marketing year, a decision may be taken, where the maximum guaranteed quality is exceeded, not to collect the additional co-responsibility levy and to reimburse in full the levy collected provisionally;

Whereas production fixed for the marketing year in question results in the fixing of an additional co-responsibility levy of ECU 0,54 per tonne; whereas that amount my be considered negligible; whereas Commission Regulation (EEC) No 3295/89 of 31 October 1989 fixing the additional levy and the reimbursement in the cereals sector for the 1989/90 marketing year (4) should accordingly be amended to make provision for the levy not to be collected and for the additional co-responsibility levy already collected in respect of that marketing year to be reimbursed in full;

Whereas, in accordance with Regulation (EEC) No 729/89, the overall aid for small producers is to be reduced on the basis of that proportion of the co-responsibility levy reimbursed; whereas, to that end, the coefficient in Article 2 of Regulation (EEC) No 3295/89 should be adjusted accordingly;

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*

Regulation (EEC) No 3295/89 is hereby amended as follows:

1. Article 1 is replaced by the following:

'*Article 1*

For the 1989/90 marketing year:

— the additional co-responsibility levy provided for in Article 4b of Regulation (EEC) No 2727/75 is hereby fixed at ECU 0,54 per tonne. However, that amount shall not be collected,

— the additional co-responsibility levy already collected shall be reimbursed in full to the producers.'

2. In Article 2, '0,551724' is replaced by '0,50'.

*Article 2*

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

It shall apply with effect from 1 November 1989.

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

Done at Brussels, 14 December 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

(1) OJ No L 281, 1. 11. 1975, p. 1.
(2) OJ No L 363, 13. 12. 1989, p. 1.
(3) OJ No L 80, 23. 3. 1989, p. 5.
(4) OJ No L 320, 1. 11. 1989, p. 43.