COMMISSION REGULATION (EEC) No 3807/89

of 18 December 1989

fixing the export refunds on poultrymeat and amending Regulation (EEC) No 3846/87 establishing an agricultural product nomenclature for export refunds

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 2777/75 of the Council 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 the first sentence of the fifth subparagraph of Article 9 (2) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 9 of Regulation (EEC) No 2777/75 provides that the difference between prices on the world market for the products listed in Article 1 (1) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Regulation (EEC) No 2779/75 of the Council of 29 October 1975 [3] lays down general rules for granting export refunds and criteria for fixing the amount of such refunds;

Whereas it follows from applying these rules and criteria to the present situation on the market in poultrymeat that the refund should be fixed at an amount which would permit Community participation in world trade and would also take account of the nature of these exports and their importance at the present time;

Whereas the present market situation in certain third countries and that regarding competition on particular third country markets make it necessary to fix a refund differentiated by destination for certain products in the poultrymeat sector;

Whereas if the refund system is to operate normally, refunds 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 [4], as last amended by Regulation (EEC) No 1636/87 [5],

— 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 Commission Regulation (EEC) No 634/86 of 28 February 1986 laying down specific rules on export refunds in the poultrymeat sector following the accession of Portugal and amending Regulation (EEC) No 189/86 [6] established the principle that no Community refund should be granted on poultrymeat products originating in Portugal;

Whereas, following the introduction of the combined nomenclature by Council Regulation (EEC) No 2658/87 [7], as last amended by Regulation (EEC) No 2886/89 [8], the nomenclature applicable from 1 January 1988 to export refunds on agricultural products was established by Commission Regulation (EEC) No 3846/87 [9], as last amended by Regulation (EEC) No 3670/89 [10]; whereas that nomenclature should be amended to adjust the refunds fixed to market requirements;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The list of products for which, when they are exported, the export refund referred to in Article 9 of Regulation (EEC) No 2777/75 is granted, and the amount of that refund shall be as shown in Annex I hereto. CN codes 0207 39 25 and 0207 41 71 of the agricultural product nomenclature for export refunds, as shown in sector 8 of the Annex to Regulation (EEC) No 3846/87 as amended, are replaced by Annex II to this Regulation.

2. The refund referred to in paragraph 1 shall not be granted in respect of exports to Portugal from 1 March 1986.

3. The refund referred to in paragraph 1 shall not be granted in respect of exports of products originating in Portugal.

Article 2

This Regulation shall enter into force on 1 January 1990.

(1) OJ No L 282, 1. 11. 1975, p. 77.
(2) OJ No L 128, 11. 5. 1989, p. 29.
(3) OJ No L 282, 1. 11. 1975, p. 90.
(4) OJ No L 164, 24. 6. 1985, p. 1.
(5) OJ No L 153, 13. 6. 1987, p. 1.
(6) OJ No L 60, 1. 3. 1986, p. 15.
(7) OJ No L 256, 7. 9. 1987, p. 1.
(8) OJ No L 282, 2. 8. 1989, p. 1.
(9) OJ No L 366, 24. 12. 1987, p. 1.
(10) OJ No L 358, 8. 12. 1989, p. 24.

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

Done at Brussels, 18 December 1989.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX I

to the Commission Regulation of 18 December 1989 fixing the export refunds on poultrymeat

Product code	Destination of refund (1)	Amount of refund
		ECU/100 units
0105 11 00 000	01	4,20
0105 19 10 000	01	8,40
0105 19 90 000	01	4,20
		ECU/100 kg
0105 91 00 000	01	17,00
0207 10 11 000	01	18,00
0207 10 15 000	04	42,00
	05	29,00
	06	25,00
0207 10 19 100	04	46,00
	05	33,00
	06	25,00
0207 10 19 900	01	25,00
0207 10 31 000	01	25,00
0207 10 39 000	01	25,00
0207 10 51 000	07	20,00
	08	33,00
0207 10 55 000	07	20,00
	08	33,00
0207 10 59 000	07	20,00
	08	33,00
0207 21 10 000	04	42,00
	05	29,00
	06	25,00
0207 21 90 100	04	46,00
	05	33,00
	06	25,00
0207 21 90 900	01	25,00
0207 22 10 000	01	25,00
0207 22 90 000	01	25,00
0207 23 11 000	07	20,00
	08	33,00
0207 23 19 000	07	20,00
	08	33,00
0207 39 11 110	01	8,00
0207 39 11 190	—	—
0207 39 11 910	—	—
0207 39 11 990	01	50,00
0207 39 13 000	02	38,00
	03	28,00
0207 39 15 000	01	10,00
0207 39 21 000	01	37,00
0207 39 23 000	02	47,00
	03	36,00
0207 39 25 100	02	38,00
	03	28,00
0207 39 25 200	02	38,00
	03	28,00
0207 39 25 300	02	38,00
	03	28,00
0207 39 25 400	01	5,00
0207 39 25 900	—	—
0207 39 31 110	01	8,00
0207 39 31 190	—	—
0207 39 31 910	—	—
0207 39 31 990	01	50,00
0207 39 33 000	01	28,00

Product code	Destination of refund (1)	Amount of refund
		ECU/100 kg
0207 39 35 000	01	10,00
0207 39 41 000	01	37,00
0207 39 43 000	01	18,00
0207 39 45 000	01	36,00
0207 39 47 100	01	10,00
0207 39 47 900	—	—
0207 39 55 110	01	8,00
0207 39 55 190	—	—
0207 39 55 910	—	—
0207 39 55 990	01	54,00
0207 39 57 000	01	40,00
0207 39 65 000	01	15,00
0207 39 73 000	01	40,00
0207 39 77 000	01	39,00
0207 41 10 110	01	8,00
0207 41 10 190	—	—
0207 41 10 910	—	—
0207 41 10 990	01	50,00
0207 41 11 000	02	38,00
	03	28,00
0207 41 21 000	01	10,00
0207 41 41 000	01	37,00
0207 41 51 000	02	47,00
	03	36,00
0207 41 71 100	02	38,00
	03	28,00
0207 41 71 200	02	38,00
	03	28,00
0207 41 71 300	02	38,00
	03	28,00
0207 41 71 400	01	5,00
0207 41 71 900	—	—
0207 42 10 110	01	8,00
0207 42 10 190	—	—
0207 42 10 910	—	—
0207 42 10 990	01	50,00
0207 42 11 000	01	28,00
0207 42 21 000	01	10,00
0207 42 41 000	01	37,00
0207 42 51 000	01	18,00
0207 42 59 000	01	36,00
0207 42 71 100	01	10,00
0207 42 71 900	—	—
0207 43 15 110	01	8,00
0207 43 15 190	—	—
0207 43 15 910	—	—
0207 43 15 990	01	54,00
0207 43 21 000	01	40,00
0207 43 31 000	01	15,00
0207 43 53 000	01	40,00
0207 43 63 000	01	39,00
1602 39 11 100	01	19,00
1602 39 11 900	—	—

(1) The destinations are as follows:

01 All destinations except the United States of America,

02 Egypt, Iraq, the Canary Islands, Ceuta and Melilla, Saudi Arabia, Kuwait, Bahrain, Qatar, Oman and the United Arab Emirates,

03 All destinations except the United States of America and those of 02 above,

04 Egypt, Iraq, Saudi Arabia, Kuwait, Bahrein, Qatar, Oman, the United Arab Emirates and Singapore,

05 Canary Islands, Ceuta and Melilla,

06 All destinations except the United States of America and those of 04 and 05 above,

07 Hungary, Poland, Romania and Yugoslavia,

08 All destinations except the United States of America and those of 07 above.

NB: The product codes and the footnotes are defined in Commission Regulation (EEC) No 3846/87 as amended (OJ No L 366, 24. 12. 1987, p. 1).

ANNEX II

to the Commission Regulation of 18 December 1989 fixing the export refunds on poultrymeat

CN code	Description of goods	Product code
0207 39 25	– – – – – – Other:	
	– Halves or quarters without the rump	0207 39 25 100
	– Cuts consisting of whole leg or part of a leg and part of the back, where the weight of the part of the back does not exceed 25 % of the total weight	0207 39 25 200
	– Cuts consisting of both unseparated hindquarters, with or without the rump	0207 39 25 300
	– Cuts consisting of the two wings and a part of the back, where the weight of the part of the back does not exceed 45 % of the total weight	0207 39 25 400
	– Other	0207 39 25 900
0207 41 71	– – – – – Other:	
	– Halves or quarters without the rump	0207 41 71 100
	– Cuts consisting of whole leg or part of a leg and part of the back, where the weight of the part of the back does not exceed 25 % of the total weight	0207 41 71 200
	– Cuts consisting of both unseparated hindquarters, with or without the rump	0207 41 71 300
	– Cuts consisting of the two wings and a part of the back, where the weight of the part of the back does not exceed 45 % of the total weight	0207 41 71 400
	– Other	0207 41 71 900