COMMISSION REGULATION (EEC) No 816/89

of 30 March 1989

establishing the list of products subject to the supplementary trade mechanism in the fresh fruit and vegetables sector

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, and in particular Article 81 (3) thereof,

Whereas Article 81 (2) of the Act of Accession of Spain and Portugal makes products covered by Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables (1), as last amended by Regulation (EEC) No 2238/88 (2), subject to the supplementary trade mechanism from 1 January 1990 as regards trade between Spain and the Community as constituted at 31 December 1985; whereas, however, Article 81 (3) (b) of the Act permits certain products to the withdrawn from the list in particular nine months at the latest before the expiry of the fourth year following accession; whereas, for the sake of clarity a list of products which are currently sensitive in imports from Spain into the Community as constituted at 31 December 1985 and which must remain subject to the abovementioned mechanism should be drawn up; whereas, however, maintaining the application of the mechanism in question does not appear justified in the case of imports into Spain from the rest of the Community market;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the *ad hoc* committee,

HAS ADOPTED THIS REGULATION:

Article 1

The products covered by Regulation (EEC) No 1035/72 and subject from 1 January 1990 to the supplementary trade mechanism (STM) on import from Spain into the Community as constituted at 31 December 1985, shall be as set out in the list in the Annex hereto.

The STM shall not apply to imports into Spain from the Community as constituted at 31 December 1985, of the products listed in Article 81 (2) (b) (cc) of the Act of Accession,

Article 2

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

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

Done at Brussels, 30 March 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

(1) OJ No L 118, 20. 5. 1972, p. 1.
(2) OJ No L 198, 26. 7. 1988, p. 1.

ANNEX

List of products in the fruit and vegetable sector subject to the STM on import from Spain into the Community as constituted at 31 December 1985

CN code	Product
0702 00	Tomatoes
0705 11 10 0705 11 90 0705 19 00	Lettuce
ex 0705 29 00	Broad-leaf endives
ex 0706 10 00	Carrots
0709 10 00	Artichokes
0806 10 11 0806 10 15 0806 10 19	Table grapes
0807 10 90	Melons (excluding watermelons)
0809 10 00	Apricots
ex 0809 30 00	Peaches (excluding nectarines)
0810 10	Strawberries