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(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 198/90

of 22 January 1990

amending Regulation (EEC) No 475/86 laying down general rules for the system for controlling the prices and the quantities of certain products in the oils and fats sector released for consumption in Spain

THE COUNCIL 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 89 (1) thereof,

Having regard to the proposal from the Commission ,

Whereas Article 94 of the Act of Accession provides for a system for controlling the prices and the quantities of certain products in the oils and fats sector released for consumption in Spain ;

Whereas the quantity of Spanish imports of animal oils and fats which are not subject to the control arrangements has increased to such an extent as to threaten the overall balance of the sector and the pursuit of the objectives set for the standstill period ; whereas competition should be re-established between the various vegetable and animal oils and fats ;

Whereas Article 4 of Regulation (EEC) No 475/86 (1), as amended by Regulation (EEC) No 1930/88 (2), provides for drawing up a forecast supply balance for the Spanish market, whereas Article 14 of that Regulation provides for compensatory aid to be granted for rape and sunflower seed used for the production of oil intended for export, up to a quantity not exceeding the positive balance, if any, arising when the forecast supply balance is drawn up ; whereas the margarine industry and the mayonnaise industry should be permitted to obtain sunflower oil at the world market price, also up to a quantity not exceeding any positive balance arising when the forecast supply balance is drawn up ;

Whereas provision should be made for extending the list of food industries which may obtain sunflower oil at the world market price, provided that such extension does not disturb the use of other vegetable oils, notably olive oil ;

Whereas the wording of Regulation (EEC) No 475/86 should be adapted to the combined nomenclature,

HAS ADOPTED THIS REGULATION :

Article 1

Regulation (EEC) No 475/86 is hereby amended as follows :

1. Article 2 is repalced by the following :

'*Article 2*

The control system shall cover the following products :

	CN code	Description of goods
(a)	1202 10 90	Ground-nuts, not roasted or otherwise cooked, in shell, other than for sowing
	1202 20 00	Ground-nuts, not roasted or otherwise cooked, shelled, whether or not broken, other than for sowing
	1203 00 00	Copra
	1204 00 90	Linseed, whether or not broken, other than for sowing
	1205 00 90	Rape or colza seeds, whether or not broken than for sowing
	1206 00 90	Sunflower seeds, whether or not broken, other than for sowing
	1207 10 90	Palm nuts and kernels, whether or not broken, other than for sowing
	1207 20 90	Cotton seeds, whether or not broken, other than for sowing

(1) OJ No L 53, 1. 3. 1986, p. 47.
(2) OJ No L 170, 2. 7. 1988, p. 3.

	CN code	Description of goods
	1207 30 90	Castor oil seeds, whether or not broken, other than for sowing
	1207 40 90	Sesamum seeds, whether or not broken, other than for sowing
	1207 50 90	Mustard seeds, whether or not broken, other than for sowing
	1207 60 90	Safflower seeds, whether or not broken, other than for sowing
	1207 91 90	Poppy seeds, whether or not broken, other than for sowing
	1207 92 90	Shea nuts (karite nuts), whether or not broken, other than for sowing
	1207 99 91	Hemp seeds, whether or not broken, other than for sowing
	1207 99 99	Other oil seeds and oleaginous fruits, whether or not broken, other than for sowing
(b)	1208	Flours and meals of oil seeds or oleaginous fruits, other than those of mustard
	1504	Fats and oils and their fractions, of fish or marine mamals, whether or not refined, but not chemically modified
	1507	Soya-bean and its fractions, whether or not refined, but not chemically modified
	1508	Ground-nut oil and its fractions, whether or not refined, but not chemically modified
	1511	Palm oil and its fractions, whether or not refined, but not chemically modified
	1512	Sunflower seed, safflower or cotton-seed oil and their fractions, whether or not refined, but not chemically modified
	1513	Coconut (copra), palm kernel or babassu oil and fractions thereof, whether or not refined, but not chemically modified
	1514	Rape, colza or mustard oil and fractions thereof, whether or not refined, but not chemically modified
	ex 1515	Other fixed vegetable fats and oils and their fractions, whether or not refined, but not chemically modified
	ex 1516	Animal or vegetable fats and oils and their fractions, partly or wholly hydrogenated, inter-esterified, re-esterified or elaidinized, whether or not refined, but not further prepared, (excluding hydrogenated castor oil, so called 'opalwax': 1516 20 10)
	ex 1517	Margarine, edible mixtures or preparations of animal or vegetable fats or oils or of fractions of different fats or oils of this Chapter, other than edible fats or oils or their fractions of code 1516, excluding codes 1517 10 10, 1517 90 10 and 1517 90 93
	1518 00 31 1518 00 39	Fixed vegetable oils, fluid, mixed for technical or industrial uses other than the manufacture of foodstuffs for human consumption'

2. Article 14 replaced by the following:

'Article 14

1. If, in the case of sunflower and rape seed oil, the supply balance drawn up in accordance with Article 4 is positive, and for a quantity not exceeding that balance, compensatory aid shall be granted in respect of sunflower and rape seed harvested in Spain and used for the production of oil intended for:

— export,

— the manufacture of products covered by CN codes 1516, 1517 and 2103 90 90.

A decision may be taken, in accordance with the procedure laid down in Article 16, to grant the compensatory aid for sunflower oil used by other food industries provided that such extension does not disturb the use of other vegetable oils, notably olive oil.

2. The compensatory aid provided for in paragraph 1 shall be equal to the difference between the price of Spanish seed and the world price, less the import duty charged in Spain on the quantity of cake corresponding to the use of the seed in question. The aid shall be fixed periodically by the Commission. Exports under this Article may not benefit under the provisions of Article 9.'

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, 22 January 1990.

For the Council

The President

M. O'KENNEDY