COMMISSION REGULATION (EEC) No 3864/90
of 28 December 1990
fixing the sluice-gate prices and levies for poultrymeat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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 3577/90 (2), and in particular Articles 3 and 7 (1) thereof,

Whereas the sluice-gate prices and levies for the products specified in Article 1 (1) of Regulation (EEC) No 2777/75 must be fixed quarterly in advance in accordance with methods of calculation laid down in Council Regulation (EEC) No 2778/75 of 29 October 1975 laying down rules for calculating the levy and the sluice-gate price for poultrymeat (3), as last amended by Regulation (EEC) No 3986/87 (4);

Whereas, since the sluice-gate prices and levies for poultrymeat were, by Commission Regulation (EEC) No 2826/90 (5), last fixed for the period 1 October to 31 December 1990, they must be fixed anew for the period 1 January to 31 March 1991; whereas such prices and levies should in principle be calculated by reference to feed-grain prices for the period 1 July to 30 November 1990;

Whereas, when the sluice-gate prices applicable from 1 October, 1 January and 1 April are being fixed, trends in world market prices for feed grain are to be taken into account only if the price of the quantity of feed grain required varies by at least a specified minimum in relation to that used to calculate the sluice-gate price for the preceding quarter; whereas, by Regulation (EEC) No 2778/75, this minimum was set at 3 %;

Whereas the price of the quantity of feed grain required for the production of poultrymeat varies by more than 3 % from that used for the preceding quarter; whereas this variation must accordingly be taken into account in fixing sluice-gate prices for the period 1 January to 31 March 1991;

Whereas, when the levies applicable from 1 October, 1 January and 1 April are being fixed, changes in world market prices for feed grain should be taken into account only if at the same time a new sluice-gate price is fixed;

Whereas, since a new sluice-gate price is to be fixed for certain product; changes in world market prices for feed grain must be taken into account in fixing the levies;

Whereas, by Council Regulations (EEC) No 3834/90 of 20 December 1990 reducing for 1991 the levies on certain agricultural products originating in developing countries (6) and (EEC) 715/90 of 5 March 1990 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States (ACP States) or the overseas countries and territories (OCT) (7), special import arrangements were introduced involving a reduction to 50 % in levies within the framework of fixed amounts or annual quotas, in particular for certain poultry meat products;

Whereas Council Regulation (EEC) No 3833/90 of 20 December 1990 applying generalized tariff preferences for 1991 in respect of certain agricultural products originating in developing countries (8) partially or totally suspends Common Tariff duties, in particular on certain poultry meat products;

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

(1) OJ No L 282, 1. 11. 1975, p. 77.
(2) OJ No L 353, 17. 12. 1990, p. 23.
(3) OJ No L 282, 1. 11. 1975, p. 84.
(4) OJ No L 376, 31. 12. 1987, p. 7.
(5) OJ No L 268, 29. 9. 1990, p. 69.
(6) OJ No L 370, 31. 12. 1990.
(7) OJ No L 84, 30. 3. 1990, p. 85.
(8) OJ No L 370, 31. 12. 1990.

HAS ADOPTED THIS REGULATION:

Article 1

1. In respect of the products specified in Article 1 (1) of Regulation (EEC) No 2777/75, the levies provided for in Article 3 thereof and the sluice-gate prices provided for in Article 7 thereof shall be as shown in the Annex hereto.

2. However, 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.

Article 2

This Regulation shall enter into force on 1 January 1991.

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

Done at Brussels, 28 December 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 28 December 1990 fixing the sluice-gate prices and levies for poultrymeat (1)

CN code	Sluice-gate price	Levy	Conventional rate of duty
	ECU/100 units	ECU/100 units	%
0105 11 00	22,27	6,44	—
0105 19 10	98,85	21,19	—
0105 19 90	22,27	6,44	—
	ECU/100 kg	ECU/100 kg	
0105 91 00	77,15	26,26	—
0105 99 10	86,94	40,58	—
0105 99 20	112,76	40,61	—
0105 99 30	102,46	30,49	—
0105 99 50	118,55	42,36	—
0207 10 11	96,94	32,99	—
0207 10 15	110,22	37,52	—
0207 10 19	120,10	40,87	—
0207 10 31	146,37	43,55	—
0207 10 39	160,44	47,74	—
0207 10 51	102,28	47,74	—
0207 10 55	124,20	57,97	—
0207 10 59	138,00	64,41 (2)	—
0207 10 71	161,08	58,01	—
0207 10 79	151,93	61,73 (2)	—
0207 10 90	169,35	60,52	—
0207 21 10	110,22	37,52	—
0207 21 90	120,10	40,87	—
0207 22 10	146,37	43,55	—
0207 22 90	160,44	47,74	—
0207 23 11	124,20	57,97	—
0207 23 19	138,00	64,41 (2)	—
0207 23 51	161,08	58,01	—
0207 23 59	151,93	61,73 (2)	—
0207 23 90	169,35	60,52	—
0207 31 00	1 610,80	580,10	3 (3)
0207 39 11	282,64	109,20	—
0207 39 13	132,11	44,96	—
0207 39 15	91,27	33,97	—
0207 39 17	63,18	23,52	—
0207 39 21	181,86	61,91	—
0207 39 23	170,84	58,16	—
0207 39 25	280,82	104,52	—
0207 39 27	63,18	23,52	—
0207 39 31	307,38	91,46	—

CN code	Sluice-gate price	Levy	Conventional rate of duty
	ECU/100 kg	ECU/100 kg	%
0207 39 33	176,48	52,51	—
0207 39 35	91,27	33,97	—
0207 39 37	63,18	23,52	—
0207 39 41	234,19	69,68	—
0207 39 43	109,78	32,66	—
0207 39 45	197,60	58,79	—
0207 39 47	280,82	104,52	—
0207 39 51	63,18	23,52	—
0207 39 53	319,05	129,63 (2)	—
0207 39 55	282,64	109,20	—
0207 39 57	151,80	70,85	—
0207 39 61	167,12	67,90 (2)	—
0207 39 63	186,29	66,57	—
0207 39 65	91,27	33,97 (2)	—
0207 39 67	63,18	23,52 (2)	—
0207 39 71	227,90	92,60 (2)	—
0207 39 73	181,86	61,91	—
0207 39 75	220,30	89,51 (2)	—
0207 39 77	170,84	58,16	—
0207 39 81	193,30	83,79 (2)	—
0207 39 83	280,82	104,52	—
0207 39 85	63,18	23,52	—
0207 39 90	161,47	60,10	10
0207 41 10	282,64	109,20	—
0207 41 11	132,11	44,96	—
0207 41 21	91,27	33,97	—
0207 41 31	63,18	23,52	—
0207 41 41	181,86	61,91	—
0207 41 51	170,84	58,16	—
0207 41 71	280,82	104,52	—
0207 41 90	63,18	23,52	—
0207 42 10	307,38	91,46	—
0207 42 11	176,48	52,51	—
0207 42 21	91,27	33,97	—
0207 42 31	63,18	23,52	—
0207 42 41	234,19	69,68	—
0207 42 51	109,78	32,66	—
0207 42 59	197,60	58,79	—
0207 42 71	280,82	104,52	—
0207 42 90	63,18	23,52	—
0207 43 11	319,05	129,63 (2)	—
0207 43 15	282,64	109,20	—
0207 43 21	151,80	70,85	—
0207 43 23	167,12	67,90 (2)	—

CN code	Sluice-gate price	Levy	Conventional rate of duty
	ECU/100 kg	ECU/100 kg	%
0207 43 25	186,29	66,57	—
0207 43 31	91,27	33,97 (2)	—
0207 43 41	63,18	23,52 (2)	—
0207 43 51	227,90	92,60 (2)	—
0207 43 53	181,86	61,91	—
0207 43 61	220,30	89,51 (2)	—
0207 43 63	170,84	58,16	—
0207 43 71	193,30	83,79 (2)	—
0207 43 81	280,82	104,52	—
0207 43 90	63,18	23,52	—
0207 50 10	1 610,80	580,10	3 (3)
0207 50 90	161,47	60,10	10
0209 00 90	140,41	52,26	—
0210 90 71	1 610,80	580,10	3
0210 90 79	161,47	60,10	10
1501 00 90	168,49	62,71	18
1602 31 11	292,74	87,10	17
1602 31 19	308,90	114,97	17
1602 31 30	168,49	62,71	17
1602 31 90	98,29	36,58	17
1602 39 11	277,86	108,88	—
1602 39 19	308,90	114,97	17
1602 39 30	168,49	62,71	17
1602 39 90	98,29	36,58	17

(1) The levy on products covered by CN codes 0207, 1602 31 and 1602 39 originating in the ACP/OCT countries and listed in Article 6 of Regulation (EEC) No 715/90 is reduced by 50 % within the limits of the quotas referred to in that Regulation.

(2) The levy on such products originating in the developing countries and listed in the Annex to Regulation (EEC) No 3834/90 is reduced by 50 % within the limits of the fixed amounts referred to in that Annex.

(3) The Common Customs Tariff duties on these products originating in the developing countries and listed in Regulation (EEC) No 3833/90 are suspended and no levy is to be collected.