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Legislation

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I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EEC) No 3763/91
of 16 December 1991**

**introducing specific measures in respect of certain agricultural products for the
benefit of the French overseas departments**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾.

Whereas, by Decision 89/687/EEC ⁽⁴⁾, the Council adopted a programme of options specific to the remote and insular nature of the French overseas departments (Poseidom) in accordance with the Community's policy of assistance for the remoter regions; whereas the programme provides for measures to improve the conditions under which the agricultural products of the departments are produced and marketed;

Whereas the exceptional geographical situation of the French overseas departments, hereafter referred to as the FOD, in relation to the sources of supply of products used as inputs for the manufacture of certain essential food-stuffs imposes costs which constitute a severe handicap to the sectors concerned; whereas this is true particularly in the case of the supply of cereals, which are not and cannot be produced in the said departments, rendering them dependent on external sources of supply; whereas this natural handicap can be remedied by arranging for supplies on more favourable terms; whereas this may be achieved by exemption from the levy on cereals imported into the said departments;

Whereas, in the interests of regional cooperation, preference should be given to imports into the FOD of cereals from the overseas countries and territories, the African, Caribbean and Pacific States, hereafter referred to as 'ACP States' and other developing countries; whereas, however, in the event of difficulty, the levy exemption arrangements may also, exceptionally, be applied to imports of cereals from other third countries;

Whereas, to maintain the competitiveness of cereals of Community origin on the supply of the FOD, both in order to achieve the Poseidom objective of reducing prices by promoting competition between sources of supply and to prevent disruption of traditional trade flows, provision should be made for the sale to those departments, on terms equivalent to exemption from the levy, based on the prices applied to exports to third countries, of products bought into intervention and, where appropriate, cereals available on the Community market;

Whereas, taking into account their objective, the import arrangements introduced for the FOD should reduce production costs and consumer prices; whereas their actual impact should therefore be monitored;

Whereas traditional livestock farming activities should be supported in order to meet local consumption needs; whereas this objective may be pursued indirectly through the financing of genetic improvement programmes involving the purchase of pure-bred breeding animals, through the grant of a supplementary premium for the fattening of adult male bovine animals for meat production, through aid to promote consumption of fresh milk products and through measures concerning the supply of male bovine animals for fattening;

Whereas undertaking made in the course of negotiations with the ACP States concerning the importation into Réunion of wheat bran from the ACP States should be implemented;

⁽¹⁾ OJ No C 149, 8. 6. 1991, p. 6.

⁽²⁾ OJ No C 326, 13. 12. 1991.

⁽³⁾ Opinion delivered on 30 October 1991 (not yet published in the Official Journal).

⁽⁴⁾ OJ No L 399, 30. 12. 1989, p. 39.

Whereas in French Guiana, in the light of recent agricultural developments, specific measures should be taken to promote livestock production and rice cultivation ;

Whereas provision should be made for a Community financial contribution towards the eradication of diseases specific to the FOD ; whereas, in the light of the exceptional animal health situation in those departments, provision should also be made for derogations from Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine animals and swine and fresh meat from third countries ⁽¹⁾ ;

Whereas the plant health of agricultural crops in the FOD is subject to particular problems associated with the climate and the inadequacy of the control measures hitherto applied there ; whereas programmes should be implemented to combat harmful organisms ; whereas the Community's financial contribution towards such programmes should be specified ;

Whereas, in the fruit, vegetables, plants and floricultural sector, measures should be taken to improve farm productivity and product quality ; whereas measures should also be taken to improve product marketing ;

Whereas rum is a product of great economic importance for the FOD ; whereas the gradual abolition of certain benefits currently accorded in respect of rum production would have a serious impact on the earnings of the producers ; whereas support measures should therefore be taken in respect of the cultivation of sugar cane and its processing into rum ;

Whereas agricultural producers in the FOD should be encouraged to supply quality products and the marketing of these should be assisted ; whereas the creation of a graphic symbol and the promotion of such products, in their natural or processed form, could facilitate their marketing ;

Whereas farms in those departments present major structural weaknesses from which specific difficulties derive ; whereas a derogation is therefore necessary from the rules which restrict or prohibit the grant of certain forms of structural aid ;

Whereas certain structural measures essential for the development of agriculture in the FOD are financed under the Community support frameworks to promote the development and structural adjustment of regions

whose development is lagging behind (Objective 1) pursuant to Articles 130a and 130c of the Treaty ; whereas the Commission has approved an initiative (Regis) to encourage the economic development of the most remote regions, providing for the diversification of agricultural production, the upgrading of traditional products and measures to reduce the risks associated with natural disasters ; whereas additional provision should be made, above and beyond the Community support frameworks and the Regis and Leader Community initiatives, for structural measures related to agricultural development in the FOD ;

Whereas banana cultivation is of fundamental importance to the economics of certain FOD ; whereas all the problems relating to banana production are the subject of a Community study currently under way ; whereas appropriate measures will be taken on conclusion of the study,

HAS ADOPTED THIS REGULATION :

Article 1

This Regulation lays down specific measures to remedy, in respect of certain agricultural products, the difficulties caused by the remote and insular nature of the French overseas departments (FOD).

TITLE I

Measures to promote the supply of cereals and the development of livestock farming in the FOD and to develop rice cultivation in French Guiana

Article 2

1. For each calendar year an assessment shall be drawn up of the supply requirements of the FOD in cereals for animal feed and for human consumption.

2. The levies fixed pursuant to Article 13 (1) of Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽²⁾ shall not apply, in respect of the quantities referred to in paragraph 1, to direct imports into the FOD :

(a) of cereals for animal feed originating in developing countries ;

⁽¹⁾ OJ No L 302, 31. 12. 1972, p. 28. Directive as last amended by Directive 91/497/EEC (OJ No L 268, 24. 9. 1991, p. 69).

⁽²⁾ OJ No L 281, 1. 11. 1975, p. 1. Regulation as last amended by Regulation (EEC) No 3577/90 (OJ No L 353, 17. 12. 1990, p. 23).

- (b) of cereals for human consumption originating in the overseas countries and territories or in the ACP States.

In the event of exceptional cereals supply difficulties in the FOD, the levy exemption may be extended:

- (a) to cereals for animal feed originating in other third countries;
- (b) to cereals for human consumption originating in developing countries.

3. To ensure coverage of the requirements referred to in paragraph 1 in terms of quantity, price and quality, supplies to the FOD shall be effected through the mobilization, on equivalent terms, for the end user, of Community cereals held in intervention storage and, where appropriate, of cereals available on the Community market. The terms of supply shall be fixed with particular reference to the costs of the various sources of supply and in particular shall be based on the prices applied to exports to third countries.

4. Application of the measures provided for in paragraphs 2 and 3 shall be subject to the advantage derived therefrom being actually passed on to the end user.

5. No refund shall be paid on exports of cereals and cereal-based products from the FOD.

6. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 26 of Regulation (EEC) No 2727/75. They shall cover in particular the determination of the quantities referred to in paragraph 1, the application, if appropriate, of the provisions of paragraph 2, second subparagraph, and measures to ensure that the advantages are actually passed on to the end user.

Article 3

1. For each of the 1991/92, 1992/93 and 1993/94 marketing years an assessment shall be drawn up of French Guiana's supply requirements in products falling within CN codes 2309 90 31, 2309 90 33, 2309 90 41, 2309 90 43, 2309 90 51 and 2309 90 53 used for animal feed.

The levies set pursuant to Article 14 (1) of Regulation (EEC) No 2727/75 shall not apply to direct imports into that department from developing countries and, in the case of exceptional difficulties, other third countries, within the limit of an overall quantity determined on the basis of the assessment.

To ensure coverage of French Guiana's requirements in terms of quantity, price and quality, animal feed manufactured from cereals processed in the rest of the Community shall be supplied on equivalent terms for the end user.

2. During the marketing years from 1991/92 to 1995/96 flat-rate aid per hectare shall be granted for rice production in French Guiana. The amount of the aid shall be fixed with particular reference to soil preparation costs.

3. Community aid shall be granted for the conclusion of annual contracts concerning the disposal and marketing, in Guadeloupe and Martinique, of rice harvested in French Guiana, within the limit of an annual volume of 8 000 tonnes of wholly milled rice equivalent.

These contracts shall be concluded between producers in French Guiana and natural or legal persons established in Guadeloupe and/or Martinique.

The amount of the aid shall be 10 % of the value of the marketed produce sold in the two abovementioned departments. This percentage shall be raised to 13 % where the contractor for the producers is a group or association.

The aid shall be paid to the purchaser who markets the products under the annual contracts.

The Commission shall periodically make an assessment of the application of this measure and shall revise the quantity fixed in the first subparagraph in accordance with the growth in the consumption needs of the two departments mentioned, by the procedure laid down in paragraph 5.

4. Within the limit of an annual quantity of 8 000 tonnes, the levy fixed pursuant to Article 14 (1) of Regulation (EEC) No 2727/75 shall not be applied to imports into Réunion of wheat bran falling within CN code 2302 30 from the ACP States.

5. In accordance with the procedure laid down, as appropriate, in Article 26 of Regulation (EEC) No 2727/75 or Article 27 of Regulation (EEC) No 1418/76⁽¹⁾, the following shall be determined:

- the quantities covered by the arrangements provided for in paragraph 1 and the measures to ensure that the advantages granted are actually passed on to the end user,
- the amount of the aid per hectare for rice production,
- the other detailed rules for the application of this Article.

6. At least six months before the end of the periods referred to in paragraphs 1 and 2 the Commission shall submit to the Council an assessment of the implementation of the measures, together with any appropriate proposals.

⁽¹⁾ OJ No L 166, 25. 6. 1975, p. 1. Regulation as last amended by Regulation (EEC) No 1806/89 (OJ No L 177, 24. 6. 1989, p. 1).

Article 4

1. Aid shall be granted for the supply to the FOD of the following products of Community origin :

- (a) pure-bred breeding animals of the bovine species falling within CN code 0102 10 00 ;
- (b) pure-bred breeding swine falling within CN code 0103 10 00 ;
- (c) pure-bred breeding sheep and goats falling within CN codes 0104 10 10 and 0104 20 10 ;
- (d) pure-bred breeding horses falling within CN code 0101 11 00 ;
- (e) pure-bred breeding rabbits falling within CN code ex 0106 00 10 ;
- (f) multiplier or breeding chicks falling within CN code ex 0105 11 00 ;
- (g) hatching eggs, other, for the production of multiplier or breeding chicks falling within CN code 0407 00 19.

2. The aid terms shall take account in particular of the supply requirements of the FOD with regard to the start-up of production. The aid shall be paid for the delivery of animals and products which fulfil the requirements specified under Community rules.

3. The aid shall be determined having regard to the following factors :

- (a) the conditions and in particular the costs of supply to the FOD resulting from their geographical situation ;
- (b) the price of products on the Community market and on the world market ;
- (c) whether or not customs duties and/or levies are charged on imports from third countries ;
- (d) the economic aspect of the aid envisaged.

4. No refund shall be made in respect of exports from the FOD of the products referred to in paragraph 1.

5. The amounts of the aid referred to in paragraph 1 and the detailed rules for the application of this Article shall be determined in accordance with the procedure laid down, as appropriate, in Article 27 of Regulation (EEC) No 805/68⁽¹⁾, or the corresponding articles of the other Regulations on the common organizations of the markets in the sectors concerned.

In the case of products covered by Council Regulation (EEC) No 827/68 of 28 June 1968 on the common organization of the market in certain products listed in Annex II to the Treaty⁽²⁾, these measures shall be adopted by the procedure laid down in Article 27 of Regulation (EEC) No 805/68.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24. Regulation as last amended by Regulation (EEC) No 1628/91 (OJ No L 150, 15. 6. 1991, p. 16).

⁽²⁾ OJ No L 151, 30. 6. 1968, p. 16. Regulation as last amended by Regulation (EEC) No 789/89 (OJ No L 85, 30. 3. 1991, p. 3).

Article 5

Aid shall be granted in support of traditional activities connected with beef and veal production and measures to improve product quality, within the limits of the consumption needs of the FOD as assessed in the context of a periodic review.

- 1. Fattening aid shall represent a supplement of ECU 40 per head to the special premium provided for in Article 4a of Regulation (EEC) No 805/68 ; the supplement may be granted in respect of an animal of a minimum weight to be determined in accordance with the procedure laid down in Article 9 of this Regulation.
- 2. A supplement to the premium for maintaining suckler cows provided for in Regulation (EEC) No 1357/80⁽¹⁾ shall be paid to beef and veal producers in the FOD. The amount of this supplement shall be ECU 40 per suckler cow held by the producer on the day on which the application is submitted.

Article 6

Aid shall be granted for the human consumption of locally produced fresh cow's milk products, within the limits of the consumption needs of the FOD as assessed periodically. The aid shall amount to ECU 5 per 100 kg of whole milk. The amount of the aid shall be adjusted in accordance with the procedure laid down in Article 30 of Regulation (EEC) No 804/68^(*) in order to ensure the regular disposal of the aforementioned products on the local market. The aid shall be paid to the dairies. Payment shall be subject to the benefit derived therefrom being actually passed on to the consumer.

Article 7

During the period 1991/92 to 1994/95 :

- 1. the customs duties and levies referred to in Article 9 of Regulation (EEC) No 805/68 shall not be applied to imports, for fattening purposes, of bovine animals from third countries for consumption in the FOD ;
- 2. aid shall be granted for the supply, on equivalent terms, of the animals referred to in point 1 and originating in the rest of the Community.

The number of animals concerned by the measures referred to in the first paragraph shall be based on the assessment of needs referred to in Article 5, determined degressively to take account of the development of local production. The number of animals in question and the amount of the aid referred to in point 2 shall be determined in accordance with the procedure laid down in Article 9.

^(*) OJ No L 140, 5. 6. 1980, p. 1. Regulation as last amended by Regulation (EEC) No 3577/90 (OJ No L 353, 17. 12. 1990, p. 23).

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13. Regulation as last amended by Regulation (EEC) No 1630/91 (OJ No L 150, 15. 6. 1991, p. 19).

Not later than six months before the end of the 1994/95 marketing year for beef and veal, the Commission shall submit to the Council an assessment of the measures provided for in this Article, together with any appropriate proposals.

Article 8

The products referred to in Articles 2, 3 (1), 4 and 7 may not be re-exported to third countries or redispached to the rest of the Community without prejudice to the patterns of trade existing between the FOD.

Under the same conditions, where the products in question are processed in the FOD, the aforesaid prohibition shall not apply to traditional exports or shipments to the rest of the Community.

Article 9

The Commission, in accordance with the procedure laid down, as the case may be, in Article 30 of Regulation (EEC) No 804/68 or Article 27 of Regulation (EEC) No 805/68, shall adopt detailed rules for the application of Articles 5, 6 and 7 of this Regulation.

TITLE II

Veterinary and plant health measures

Article 10

1. In Article 24 (1) of Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field⁽¹⁾, the following text is hereby added;

'or by the Commission in accordance with the procedure laid down in Article 41 with regard to the eradication of certain diseases specific to the French overseas departments'.

2. The following Article is hereby inserted in Directive 72/462/EEC:

Article 31a

Without prejudice to Article 17 of Directive 90/675/EEC⁽²⁾ or to Article 13 of Directive 91/496/EEC⁽³⁾, the Commission may, in accordance with the procedure laid down in Article 29, derogate from this Directive with regard to imports into the French overseas departments.

When the decisions provided for in the preceding paragraph are taken, the rules applicable after importation shall be laid down in accordance with the same procedure.

⁽¹⁾ OJ No L 373, 31. 12. 1990, p. 1.

⁽²⁾ OJ No L 268, 24. 9. 1991, p. 56.

⁽³⁾ OJ No L 224, 18. 8. 1990, p. 19. Decision as last amended by Decision 91/133/EEC (OJ No L 66, 13. 3. 1991, p. 18).

Article 11

1. The French authorities shall submit to the Commission programmes for the control of organisms harmful to plants or plant products. The programmes shall specify in particular the objectives to be achieved, the measures to be carried out, their duration and their cost. The programmes submitted pursuant to this Article shall not concern protective measures for bananas.

2. The Community shall contribute to the financing of such programmes on the basis of a technical analysis of the regional situation.

3. The financial participation of the Community and the amount of the aid shall be decided in accordance with the procedure laid down in Article 16a of Directive 77/93/EEC⁽⁴⁾. The measures eligible for Community financing shall be defined in accordance with the same procedure.

Such participation may cover up to 60 % of the eligible expenditure. Payment shall be made on the basis of documentation supplied by the French authorities. If necessary, investigations may be organized by the Commission and conducted on its behalf by experts as referred to in Article 19a of Directive 77/93/EEC.

TITLE III

Measures to develop the fruit, vegetables, plants and flowers sectors

Article 12

The fourth indent of Article 3 (2) of Council Regulation (EEC) No 1360/78 of 19 June 1978 on producer groups and associations thereof⁽⁵⁾ is hereby replaced by the following:

— live bovine animals falling within CN code 0102; beef and veal carcasses or quarters falling within CN codes ex 0201 and ex 0202; live trees and other plants; bulbs, roots and the like; cut flowers and ornamental foliage falling within Chapter 6 of the combined nomenclature; fresh fruit and vegetables falling within Chapters 7 and 8 of the combined nomenclature and not covered by Regulation (EEC) No 1035/72; vanilla falling within CN code 0905 00 00; plants falling within CN code 1211, in the French overseas departments.'

⁽⁴⁾ OJ No L 26, 31. 1. 1977, p. 20. Directive as last amended by Directive 91/27/EEC (OJ No L 16, 22. 1. 1991, p. 29).

⁽⁵⁾ OJ No L 166, 23. 6. 1978, p. 1. Regulation as last amended by Regulation (EEC) No 3808/89 (OJ No L 371, 20. 12. 1989, p. 1).

Article 13

1. Aid per hectare shall be granted to producers and producer groups and organizations which undertake a programme of initiatives, approved by the competent authorities of the Member State, with a view to the expansion of production and/or the improvement in the quality of the products listed in Chapters 6, 7 and 8 of the combined nomenclature and of vanilla falling within CN code 0905 00 00, and of plants falling within CN code 1211. The aid shall not concern bananas.

The eligible initiatives shall seek in particular to introduce production methods that are suitable and effective against plant diseases and pests and to develop product quality through varietal conversion and cultural improvements.

These initiatives shall form an integral part of programmes conducted over at least three years.

The aid shall be granted for programmes covering a minimum area of 0,5 ha.

2. The amount of Community aid shall be at most ECU 500/ha. This amount shall be paid where the Member State provides official financing of at least ECU 300/ha and the contribution of the individual producer or group amounts to at least ECU 200/ha. If the contributions of the Member State and the producers are less than the amounts specified, the Community aid shall be reduced proportionately. The aid shall be paid each year of execution of the programme, for three years.

3. The aid shall be increased where the programme of initiatives is submitted and carried out by a producer group or organization and where, for its implementation, recourse to technical assistance is envisaged. The additional aid shall be granted in respect of programmes involving a minimum area of 2 ha. It shall amount to ECU 100/ha.

Article 14

1. The Community shall contribute up to a maximum of ECU 200 000 towards the financing of an economic analysis and forward study of the fruit and vegetable processing industry in the FOD, to be carried out on the responsibility of the Member State concerned.

The study shall produce an economic and technical assessment of the sector; it shall pay particular attention to supply data and processing costs and examine the conditions and scope for development and sales at regional and international level, having regard to competi-

tion on the world market and the diversity of the FOD. It shall make a specific assessment of the pineapple processing sector.

2. The Commission shall adopt, on the basis of the study referred to in paragraph 1, appropriate proposals which it shall transmit to the Council before 1 January 1993.

Article 15

1. Community aid shall be granted for the conclusion of annual contracts concerning the disposal and marketing of the products specified in Article 13 (1) and harvested in the FOD. This aid shall be paid up to a limit of a volume of trade of 3 000 tonnes per product per year and per department.

The contracts shall be concluded between individual producers or producer groups or associations and natural or legal persons established in the rest of the Community.

2. The amount of the aid shall be 10 % of the value of the production marketed, free at destination.

3. The aid shall be granted to purchasers who undertake to market the FOD products under the contracts referred to in paragraph 1.

4. Where the measures provided for in paragraph 1 are undertaken by joint ventures constituted, with the aim of marketing products harvested in the FOD, by producers or producer groups or associations in those departments and natural or legal persons established in the rest of the Community, and where the partners undertake to pool the knowledge and know-how required to achieve the objective of the joint venture over a minimum period of three years, the amount of the aid specified in paragraph 2 shall be increased to 13 % of the value of the annual production marketed jointly.

Article 16

Detailed rules for the application of this Title shall be adopted in accordance with the procedure laid down, as appropriate, in Article 33 of Regulation (EEC) No 1035/72⁽¹⁾ or Article 13 of Regulation (EEC) No 234/68⁽²⁾.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1. Regulation as last amended by Regulation (EEC) No 1623/91 (OJ No L 150, 15. 6. 1991, p. 8).

⁽²⁾ OJ No L 55, 2. 3. 1968, p. 1. Regulation as last amended by Regulation (EEC) No 3991/87 (OJ No L 377, 31. 12. 1987, p. 19).

The rules for products not covered by the market organizations set up by the Regulations referred to in the first paragraph shall be adopted in accordance with the procedure laid down in Article 33 of Regulation (EEC) No 1035/72.

TITLE IV

Measures to promote sugar cane — sugar — rum production

Article 17

In so far as the French authorities submit a restructuring plan for the improvement of plantations and/or development of mechanization to strengthen the sugar cane — sugar — rum sector, aid at a flat rate per hectare shall be granted for sugar cane cultivation.

The aid shall be paid to individual planters, planter groups or associations.

The Community shall finance the aid at the rate of 60 % of eligible expenditure where the official contribution of the Member State is at least 15 % ; if the latter is less, the Community aid shall be reduced accordingly.

Article 18

1. Aid shall be granted for the direct processing of sugar cane into agricultural rum as defined in Article 1 (4) (a) (2) of Council Regulation (EEC) No 1576/89 of 29 May 1989 laying down general rules on the definition, description and presentation of spirit drinks⁽¹⁾.

The aid shall be paid to the distiller on condition that he has paid to the sugar cane producer a minimum price to be determined.

2. The aid referred to in paragraph 1 shall be granted up to the limit of an overall quantity corresponding to the average quantity of agricultural rum sold during the three marketing years 1987/88, 1988/89 and 1989/90.

Article 19

Detailed rules for the application of this Title shall be adopted, and the level of the aid and of the minimum price referred to in Article 18 (1) fixed, in accordance with the procedure laid down in Article 41 of Regulation (EEC) No 1785/81⁽²⁾.

When the decisions provided for in the first paragraph are taken, account shall be taken in particular of the produc-

tion objectives in the context of the arrangements applicable to sugar and of the supply requirements of the FOD markets.

TITLE V

Measures concerning the creation of a graphic symbol

Article 20

1. A graphic symbol shall be introduced with a view to ensuring greater awareness and consumption of quality agricultural products, whether natural or processed, specific to the FOD as remote regions.

2. The graphic symbol shall be chosen on the basis of an invitation to tender published by the Commission in the *Official Journal of the European Communities*.

3. The conditions of utilization of the symbol shall be proposed by the trade organizations. The French authorities shall forward such proposals, with their opinion, to the Commission for approval.

The utilization of the symbol shall be monitored by an official authority or a body approved by the competent French authorities.

4. The Community shall finance the production of the graphic symbol and its promotion.

5. Detailed rules for the application of this Article shall be adopted, as necessary, in accordance with the procedure laid down in Article 33 of Regulation (EEC) No 1035/72, or the corresponding Articles of other Regulations on the common organization of the markets.

TITLE VI

Derogations applicable to structural measures

Article 21

1. Notwithstanding Articles 6, 7 and 12 of Council Regulation (EEC) No 2328/91 of 15 July 1991 on improving the efficiency of agricultural structures⁽³⁾, investment aid for agricultural holdings in the FOD shall be granted on the following conditions :

(a) pig production shall not be subject to the conditions specified in Article 6 (4) of Regulation (EEC) No 2328/91 ;

⁽¹⁾ OJ No L 160, 12. 6. 1989, p. 1.

⁽²⁾ OJ No L 177, 1. 7. 1981, p. 4. Regulation as last amended by Regulation (EEC) No 464/91 (OJ No L 54, 28. 2. 1991, p. 22).

⁽³⁾ OJ No 218, 6. 8. 1991, p. 1.

- (b) with regard to eggs and poultry production, the prohibition referred to in Article 6 (6) of that Regulation shall not apply to family farms in so far as their size is in proportion to the need to ensure balanced development in those departments;
- (c) with regard to property investment, the value of the aid referred to in Article 7 (2) of that Regulation may be applied to other types of investment;
- (d) notwithstanding Article 7 (1) of Regulation (EEC) No 2328/91, expenditure relating to initial stock purchases of pigs and poultry may be eligible under the system of investment aid specified in Article 6 (1) of that Regulation.

The measures mentioned in the first subparagraph under (a), (b) and (d) shall apply only in so far as livestock production is undertaken in a manner compatible with animal welfare and environment protection requirements and provided that the production is for the domestic market of the departments concerned.

2. Notwithstanding Article 17 of Regulation (EEC) No 2328/91, the compensatory allowance referred to in Article 19 of that Regulation may be granted in the FOD for all crops, provided they are cultivated in a way compatible with environmental protection requirements and subject to a maximum income per holding to be determined.

In addition, cows whose milk is intended for the domestic market of the departments concerned may be taken into consideration for the calculation of the compensatory allowance in all the areas in the FOD specified in Article 3 (4) and (5) of Council Directive 75/268/EEC of 28 April 1975 on mountain and hill farming in certain less-favoured areas⁽¹⁾, up to a maximum number of 20 livestock units.

3. The Commission, in accordance with the procedure laid down in Article 29 of Regulation (EEC) No 4253/88⁽²⁾:

- (i) shall adopt the conditions of application of this Article;
- (ii) may decide, on a reasoned request by the French authorities:
 - (a) to derogate from the investment ceiling referred to in Article 8 of Regulation (EEC) No 2328/91;
 - (b) to derogate from Article 12 (1) and the second indent of Article 13 of Council Regulation (EEC)

No 866/90 of 29 March 1990 on improving the processing and marketing conditions for agricultural products⁽³⁾ and from the corresponding provisions of Council Regulation (EEC) No 867/90 of 29 March 1990 on improving the processing and marketing conditions for forestry products⁽⁴⁾ in order to extend the coverage of these measures to essential imports from third countries, provided that the products processed or marketed are intended exclusively for the domestic market in the FOD.

TITLE VII

Final provisions

Article 22

The measures provided for in this Regulation, excluding Articles 10, 11, 12 and 21, shall constitute aid designed to stabilize the agricultural markets within the meaning of Article 3 (1) of Regulation (EEC) No 729/91⁽⁵⁾.

Article 23

1. The Commission shall submit to the Council and the Parliament an annual report on the implementation of the measures provided for in this Regulation accompanied where appropriate by proposals concerning any adjustment measures which may prove necessary in order to achieve the objectives of the Poseidom programme.

2. At the end of the third year of application of the system the Commission shall submit to the Europa Parliament and the Council a general report on the economic situation of the FOD showing the impact of the action taken pursuant to this Regulation.

In the light of the report's conclusions, the Commission shall submit, wherever this proves necessary, appropriate adjustments.

Article 24

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

⁽¹⁾ OJ No L 128, 19. 5. 1975, p. 1. Directive as last amended by Regulation (EEC) No 797/85 (OJ No L 93, 30. 3. 1985, p. 1).

⁽²⁾ OJ No L 374, 31. 12. 1988, p. 1.

⁽³⁾ OJ No L 91, 6. 4. 1990, p. 1. Regulation as last amended by Regulation (EEC) No 3577/90 (OJ No L 353, 17. 12. 1990, p. 23).

⁽⁴⁾ OJ No L 91, 6. 4. 1990, p. 7.

⁽⁵⁾ OJ No L 94, 28. 4. 1970, p. 13.

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

Done at Brussels, 16 December 1991.

For the Council

The President

H. VAN DEN BROEK

COUNCIL REGULATION (EEC) No 3764/91**of 16 December 1991****suspending wholly or in part the Common Customs Tariff duties on certain agricultural products originating in Turkey (1992)**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION :

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to Council Regulation (EEC) No 3033/80 of 11 November 1980 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products⁽¹⁾, and in particular Article 12 thereof,

Having regard to the proposal from the Commission,

Whereas under Annex 6 to the Additional Protocol laying down the conditions, procedures and timetables for implementing the transitional phase referred to in Article 4 of the Agreement establishing an Association between the European Economic Community and Turkey⁽²⁾ and under Article 9 of the Supplementary Protocol to the Association Agreement between the European Economic Community and Turkey consequent on the accession of new Member States to the Community⁽³⁾, which was signed in Ankara on 30 June 1973 and entered into force on 1 March 1986⁽⁴⁾ the Community must wholly or in part suspend the Common Customs Tariff duties applicable to certain products; whereas it also appears necessary, on a provisional basis, to adjust or supplement some of the advantages provided for in the abovementioned Annex 6; whereas the Community should, therefore, with regard to the products originating in Turkey contained in the list annexed to this Regulation, suspend until 31 December 1992 either the fixed component of the charge applicable to the goods falling within the scope of Regulation (EEC) No 3033/80 or the customs duty applicable to the other products, at the levels indicated for each of them;

Whereas in the context of the said tariff suspensions, the Kingdom of Spain and the Portuguese Republic will apply customs duties calculated in accordance with Council Regulation (EEC) No 2573/87 of 11 August 1987 laying down the arrangements for trade between Spain and Portugal, on the one hand, and Algeria, Egypt, Jordan, Lebanon, Tunisia and Turkey, on the other⁽⁵⁾; and whereas the present Regulation is applicable to the Community as presently composed,

Article 1

1. From 1 January to 31 December 1992 the customs duties on imports into the Member States of the products originating in Turkey listed in the Annex shall be those indicated for each of them in the said Annex.

Within the context of these tariff suspensions the Kingdom of Spain and the Portuguese Republic shall apply duties calculated in accordance with the relevant provisions set out in Regulation (EEC) No 2573/87.

2. For the purposes of applying this Regulation, the rules of origin shall be those in force at the time for the implementation of the Agreement establishing an Association between the European Economic Community and Turkey.

The methods of administrative cooperation for ensuring that the products listed in the Annexes benefit from the total or partial suspension shall be those laid down in Association Council Decision No 5/72 attached to Regulation (EEC) No 428/73, as last amended by Decision No 1/83, attached to Regulation (EEC) No 993/83⁽⁶⁾.

Article 2

When imports of products qualifying for the arrangements provided for in Article 1 come into the Community in quantities or at prices which cause or threaten to cause serious injury to the Community producers of such products or directly competitive products, the Common Customs Tariff duties may be partially or wholly re-established for the products in question. These measures may also be taken in the event of serious injury or the threat of serious injury limited to a single region of the Community.

Article 3

1. In order to ensure the application of Article 2, the Commission may decide by means of a Regulation to re-establish Common Customs Tariff duties for a limited period.

⁽¹⁾ OJ No L 323, 29. 11. 1980, p. 1.

⁽²⁾ OJ No 217, 29. 12. 1964, p. 3687/64.

⁽³⁾ OJ No L 361, 31. 12. 1977, p. 2.

⁽⁴⁾ OJ No L 48, 26. 2. 1986, p. 36.

⁽⁵⁾ OJ No L 250, 1. 9. 1987, p. 1.

⁽⁶⁾ OJ No L 112, 28. 4. 1983, p. 1.

2. Where the Commission has been requested by a Member State to take action it shall take a decision within a maximum period of 10 working days from receipt of the request and shall inform the Member States of the action taken.

3. Any Member State may refer the Commission's action to the Council, within 10 working days of its notification.

Referring the matter to the Council shall not have a suspensory effect. The Council shall meet without delay. It may by a qualified majority amend or annul the measure taken.

Article 4

This Regulation shall enter into force on 1 January 1992.

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

Done at Brussels, 16 December 1991.

For the Council

The President

H. VAN DEN BROEK

ANNEX

List of products falling within Chapter 1 to 24 originating in Turkey for which there are grounds for total or partial suspension of the Common Customs Tariff

Order No	CN code	Description	Rate of duty (*)
15.0001	ex 0709 30 00	Vegetables, fresh or chilled : – Aubergines, from 1 to 14 January	9 %
15.0003	0714 20 10	Manioc, arrowroot, salep, Jerusalem artichokes, sweet potatoes and other similar roots and tubers with high starch or inulin content, fresh or dried, whole or sliced ; sago pith : – Sweet potatoes intended for human consumption (1)	Free
15.0005	ex 0807 10 10	Melons (including watermelons) and papaws (papayas), fresh : – Watermelons, from 1 November to 31 March	6,5 %
15.0007	ex 1806 10 10 ex 1806 10 30 ex 1806 10 90	Chocolate and other food preparations containing cocoa : – Cocoa powder, not otherwise sweetened than by the addition of sucrose	3 %
15.0009	1806 20 10 1806 20 30 1806 20 50 1806 20 80 1806 20 95 1806 31 00 1806 32 10 1806 32 90 1806 90 11 1806 90 19 1806 90 31 1806 90 39 1806 90 50	Chocolate and chocolate goods, whether or not filled, sugar confectionery and substitutes therefore made from sugar substitution products, containing cocoa	9 %
15.0011	ex 1901 90 90	Preparation based on flour of leguminous vegetables in the form of sun-dried discs of dough, known as 'papad.'	Free
15.0013	ex 1903 00 00	Tapioca, other than tapioca prepared from potato starch	2 %
15.0015	0710 40 00 0711 90 30 2001 90 30 2004 90 10 2005 80 00 2008 99 85	Preparations : – – corn	3 %
15.0017	1904 90 10	– – Of rice	3 %
15.0019	1904 90 90	– – Of other cereals	2 %

(*) The Taric codes are to be found on page 2 of this Annex.

(1) Entry under this CN code is subject to conditions laid down in the relevant Community provisions.

(2) Without prejudice to the levying of any additional duties applicable.

Taric codes

Order No	CN code	Taric code
15.0001	ex 0709 30 00	0709 30 00 * 10
15.0005	ex 0807 10 10	0807 10 10 * 10
15.0007	ex 1806 10 10	1806 10 10 * 11
		1806 10 10 * 91
	ex 1806 10 30	1806 10 30 * 10
	ex 1806 10 90	1806 10 90 * 10
15.0011	ex 1901 90 90	1901 90 90 * 12
		* 14
		* 16
		* 18
15.0013	ex 1903 00 00	1903 00 00 * 90

COUNCIL REGULATION (EEC) No 3765/91

of 16 December 1991

opening and providing for the administration of a Community preferential ceiling for certain petroleum products refined in Turkey and establishing Community surveillance for imports thereof (1992)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas Article 7 of the Supplementary Protocol to the Association Agreement between the European Economic Community and Turkey consequent on the accession of new Member States to the Community⁽¹⁾, which was signed in Ankara on 30 June 1973 and entered into force on 1 March 1986⁽²⁾, provides for the total suspension of customs duties applicable to certain petroleum products refined in Turkey falling within Chapter 27 of the Common Customs Tariff within the limits of an annual Community tariff quota of 340 000 tonnes; whereas, for the products concerned, a provisional adjustment should be made to those tariff preferences, consisting essentially of substituting for the Community tariff quota a Community ceiling amounting, after successive increases, to 740 250 tonnes, above which the customs duties applicable to third countries may be re-established;

Whereas the Council adopted Regulation (EEC) No 1059/88 laying down the arrangements applicable to Greece's trade with Turkey⁽³⁾; whereas, the Council also adopted Regulation (EEC) No 2573/87 laying down the arrangements for trade between Spain and Portugal, on the one hand, and Algeria, Egypt, Jordan, Lebanon, Tunisia and Turkey, on the other⁽⁴⁾; whereas the tariff quota in question applies therefore to the current Community;

Whereas the application of ceilings requires the Community to be regularly informed of the trend of imports of the relevant products originating in Turkey; whereas

imports should, therefore, be made subject to a system of surveillance;

Whereas this objective may be achieved by means of an administrative procedure based on offsetting imports of the products in question against the ceiling at Community level as and when these products are entered with the customs authorities for free circulation; whereas this administrative procedure must make provision for the possible re-establishment of customs tariff duties as soon as the ceiling is reached at Community level;

Whereas this administrative procedure requires close and particularly swift cooperation between the Member States and the Commission; whereas the latter must, in particular, be able to follow the progress of quantities charged against the ceiling and keep the Member States informed; whereas this cooperation has to be particularly close since the Commission must be able to take the appropriate measures to re-establish customs tariff duties if the ceiling is reached,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1992 the duties applicable to imports into the Community of the petroleum products refined in Turkey and indicated in paragraph 2 shall be suspended in full within the limits of a Community ceiling of 740 250 tonnes.

Within the limits of this ceiling, the Kingdom of Spain and the Portuguese Republic shall apply the duties calculated in accordance with Regulation (EEC) No 2573/87.

2. The petroleum products to which paragraph 1 applies shall be the following:

Order No	CN code	Description
13.0010	2710 00	Petroleum oils and oils obtained from bituminous minerals, other than crude preparations not elsewhere specified or included, containing by weight 70 % or more of petroleum oils or of oils obtained from bituminous minerals, these oils being the basic constituents of the preparations:
		— Light oils:
		— — For other purposes:
		— — — Special spirits:
	2710 00 21	— — — — White spirit

⁽¹⁾ OJ No L 361, 31. 12. 1977, p. 2.

⁽²⁾ OJ No L 48, 26. 2. 1986, p. 36.

⁽³⁾ OJ No L 104, 23. 4. 1988, p. 4.

⁽⁴⁾ OJ No L 250, 1. 9. 1987, p. 1.

Order No	CN code	Description
13.0010 (cont'd)	2710 00 25	- - - - Other
		- - - - Other :
		- - - - Motor spirit :
	2710 00 31	- - - - Aviation spirit
		- - - - Other, with a lead content :
	2710 00 33	- - - - Not exceeding 0,013 g/l
	2710 00 35	- - - - Exceeding 0,013 g/l
	2710 00 37	- - - Spirit type jet fuel
	2710 00 39	- - - Other light oils
		- Medium oils :
		- - For other purposes :
		- - - Kerosene :
	2710 00 51	- - - Jet fuel
	2710 00 55	- - - Other
	2710 00 59	- - - Other
		- Heavy oils :
		- - Gas oils :
	2710 00 69	- - - For other purposes
		- - Fuel oils :
	2710 00 79	- - - For other purposes
		- - Lubricating oils ; other oils :
	2710 00 95	- - - To be mixed in accordance with the terms of additional note 6 (CN) to this chapter (1)
	2710 00 99	- - - For other purposes
	2711	Petroleum gases and other gaseous hydrocarbons :
		- Liquefied :
	2711 12	- - Propane :
		- - - Other :
	2711 12 99	- - - For other purposes
	2711 13	- - Butanes :
	2711 13 90	- - - For other purposes
	2712	Petroleum jelly, paraffin wax, microcrystalline petroleum wax, slack wax, ozokerite, lignite wax, peat wax, other mineral waxes, and similar products obtained by synthesis or by other processes, whether or not coloured :
	2712 10	- Petroleum jelly :
	2712 10 10	- - Crude
	2712 10 90	- - Other
	2712 20 00	- Paraffin wax containing by weight less than 0,75 % of oil
	2712 90	- Other :
		- - Other :
		- - - Crude :
	2712 90 39	- - - For other purposes
	2712 90 90	- - - Other
	2713	Petroleum coke, petroleum bitumen and other residues of petroleum oils or of oils obtained from bituminous minerals :
	2713 90	- Other residues of petroleum oils or of oils obtained from bituminous minerals :
	2713 90 90	- - Other

(1) Entry under this code is subject to conditions laid down in the relevant Community provisions.

3. Imports of the petroleum products referred to in paragraph 1 shall be subject to Community surveillance.

4. Quantities shall be charged against the ceiling as and when products are entered with the customs authorities for free circulation.

5. The extent to which the ceiling is used up shall be determined at Community level on the basis of the imports charged against it, in the manner specified in paragraph 4.

6. Member States shall inform the Commission, at the intervals and within the time limits specified in Article 3, of imports effected in accordance with the rules referred to in this Article.

Article 2

As soon as the ceiling referred to Article 1 (1) has been reached at Community level, the Commission may adopt

a regulation re-establishing, until the end of the calendar year, the collection of the duties normally applicable.

Article 3

Member States shall send the Commission statements of the quantities charged for the preceding month no later than the 15th day of each month. At the Commission's request, they shall send statements of the quantities charged for periods of 10 days, to be forwarded within five clear days of the end of each 10-day period.

Article 4

The Commission shall take all appropriate measures, in close cooperation with the Member States, to ensure the implementation of this Regulation.

Article 5

This Regulation shall enter into force on 1 January 1992.

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

Done at Brussels, 16 December 1991.

For the Council

The President

H. VAN DEN BROEK

COUNCIL REGULATION (EEC) No 3766/91

of 12 December 1991

establishing a support system for producers of soya beans, rape seed and colza seed and sunflower seed

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 42 and 43 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas a new support system for the producers of soya beans, rape seed and sunflower seed harvested within the Community, has to be established; whereas the best way to achieve this objective is to provide for a direct payment for producers who sow and intend to harvest such products; whereas this system shall be applied with effect from those plantings intended for harvest in 1992 thereby superseding the provisions relating to oilseeds aids contained in Regulation No 136/66/EEC ⁽⁴⁾ and Regulation (EEC) No 1491/85 ⁽⁵⁾;

Whereas such direct payments should reflect the specific structural characteristics that influence yields and that the drawing up of a regionalization plan based on objective criteria should be left to the Member States; whereas the regionalization plans must be consistent with the average yields of each region achieved in a given period; whereas a specific procedure should be provided in order to examine these plans on the Community level;

Whereas in order to calculate a direct payment it is necessary to establish a projected reference price, a Community reference amount, the calculation method and appropriate corrective measures;

Whereas rules must be established in order to take into account the specific situation in Spain and Portugal, including the different rates of progress towards integration as foreseen in the 1985 Act of Accession;

Whereas as long as an integrated approach to support for the producers of arable crops as proposed by the Commission is not applied, it seems appropriate to ensure a system of maximum guaranteed areas;

Whereas a quality policy for rape seed is required;

Whereas the Member States should enact appropriate measures in order to ensure the respect of Community legislation concerning oil-seeds;

Whereas it is necessary to provide for transitional measures, in particular to preserve the acquired rights of operators holding stocks of oil-seeds on 30 June 1992,

HAS ADOPTED THIS REGULATION:

Article 1

1. This Regulation establishes a support system for producers of soya beans, rape seed and colza seed and sunflower seed.
2. The system referred to in paragraph 1 shall be applied with effect from those plantings intended for harvest in 1992 thereby superseding the provisions relating to oil-seeds aids contained in Regulation No 136/66/EEC and Regulation (EEC) No 1491/85.
3. The marketing year for the products listed in paragraph 1 shall run from 1 July to 30 June.

Article 2

1. Each Member State shall establish a regionalization plan setting out the criteria for the establishment of separate production regions. The criteria used must be appropriate, objective and provide the necessary flexibility for the recognition of distinctive homogeneous zones of a minimum size and allow for specific structural characteristics that influence yields such as soil fertility, including, where appropriate, due differentiation between irrigated and non-irrigated land.
2. For each production region, the Member State shall give details of the areas and yields of cereals and, whenever possible, oil-seeds produced in that region during the five-year period 1986/87 to 1990/91. An

⁽¹⁾ OJ No C 255, 1. 10. 1991, p. 8.

⁽²⁾ Opinion delivered on 9 December 1991 (not yet published in the Official Journal).

⁽³⁾ Opinion delivered on 31. 10. 1991 (not yet published in the Official Journal).

⁽⁴⁾ Regulation No 136/66/EEC of the Council of 22 September 1966 on the establishment of a common organization of the market in oils and fats (OJ No 172, 30. 9. 1966, p. 3025/66), as last amended by Regulation (EEC) No 1720/91 (OJ No L 162, 26. 6. 1991, p. 27).

⁽⁵⁾ Council Regulation (EEC) No 1491/85 of 23 May 1985 laying down special measures in respect of soya beans (OJ No L 151, 10. 6. 1985, p. 15) as last amended by Regulation (EEC) No 1724/91 (OJ No L 162, 26. 6. 1991, p. 35).

average cereals yield shall be calculated for each region by excluding the year with the highest and the year with the lowest yield during that period; whenever possible an analogous calculation shall be made for oil-seeds.

3. Each Member State shall specify for each region on the basis of appropriate, objective criteria whether the projected regional reference amount (and the final regional amount) shall be derived by a comparison between the regional and Community average yields for either cereals or oilseeds. When exercising this choice, the Member State may not come to a global result which would be higher than if it had used exclusively either cereals yields or oil-seeds yields.

4. Member States shall submit their regionalization plan to the Commission together with all available supporting information including, if necessary, the measures the Member State intends to take in the case of applications for the sowing of seed on unsuitable land with as a main objective obtaining the direct payments rather than the growing of a commercial crop. These plans shall be submitted to the Commission by a date fixed by the Commission in accordance with the procedure laid down in Article 38 of Regulation 136/66/EEC.

5. The Commission shall examine the regionalization plans submitted by the Member States and shall ensure that each plan is based on appropriate, objective criteria and is consistent with available historical information, notably the Community average yield for cereals (4,6 tonnes per hectare) and oilseeds (2,36 tonnes per hectare) and the related national averages.

The Commission may object to plans which are not compatible with the relevant criteria in particular with the average yield of the Member State. In this case the plans shall be subject to adjustment by the Member State concerned after consultation with the Commission.

6. The regionalization plan may be revised by the Member State concerned at the request of the Commission or at the initiative of that Member State in accordance with the same process as outlined in the preceding paragraphs.

Article 3

1. A projected reference price for oil-seeds is set at ECU 163 per tonne.

2. A Community reference amount for oil-seeds is set at ECU 384 per hectare.

3. For each region identified pursuant to Article 2, a projected regional reference amount for oil-seeds shall be established by the Commission which reflects the comparison between either the cereals yield for that region and the average cereals yield for the Community (4,6 tonnes per hectare) or the oil-seeds yields for that region and the

average oil-seeds yield for the Community (2,36 tonnes per hectare).

4. Before 30 January in each marketing year the Commission, acting in accordance with the procedure laid down in Article 38 of Regulation No 136/66/EEC, shall calculate a final regional reference amount based on the observed reference price for oil-seeds. The final calculation shall be made by substituting the observed reference price for the projected reference price; no account shall be taken of price variations within 8 % of the projected reference price.

5. The Commission may make the final calculations separately for each oil-seed in order to avoid favouring one oil-seed rather than another and to take account of the possible application of Article 6, including taking due account of the lower yields typically associated with the catch-cropping of soya beans.

6. The Commission shall publish the aforementioned amounts in the *Official Journal of the European Communities*. The publication shall include a succinct explanation of the calculations made.

Article 4

1. Producers established in the Community who sow and intend to harvest the products listed in Article 1 shall be entitled to apply for a regionalized system of direct payments. The direct payment shall be made to the producer who makes the application, provided that entitlement to such a payment is recognized by the Member State on whose territory the production holding is located.

2. In order to qualify for any payment a producer must, by the date specified for the region in question :

- have sown the seed, and
- have lodged an application.

3. Applications may only be made in respect of arable land cultivated during the period 1989/90 to 1990/91, including land shown to have been fallowed in conformity with a publicly funded scheme, temporarily under grass as part of an arable rotation or exceptionally arable land fallowed throughout this period.

4. The application must include :

- (a) the area planted to each oil-seed ; and
- (b) a detailed cultivation plan for his holding showing the land to be used for cultivating oil-seeds, or a cultivation contract with an approved first buyer.

5. Producers who apply shall be entitled to an advance payment of no more than 50 % of the projected regional reference amount. Member States shall carry out the necessary checks to ensure that entitlement to the advance is justified. Once entitlement to the payment is established, payment of the advance should be made.

6. Applications for further payments must include proof of harvesting in the form of evidence that the crop has been sold or is still owned by the producer. When the Commission has published the final regional reference amounts, a balance shall be paid, equal to the difference between the amount of the advance and the final regional reference amount.

Where a producer demonstrates that he has retained ownership of the product for a period to be specified, an orderly marketing bonus may be payable. The amount and the conditions determining eligibility shall be set by the Commission in accordance with the procedure referred to in Article 38 of Regulation No 136/66/EEC.

7. By way of derogation from the foregoing provisions, producers who intend to plant soyabeans as a catch-crop shall apply by 30 May respecting the other requirements of this article. No advance payment shall be paid to these producers.

8. The timetable of the regionalized system of payments to applicants shall be established by the Commission in accordance with the procedure referred to in Article 38 of Regulation No 136/66/EEC.

Article 5

For Spain and Portugal a national projected reference amount for producers for sunflower seed will be set as the point of departure for regionalization within those countries. These amounts will be set at ECU 292 per hectare for Spain and ECU 272 per hectare for Portugal. These amounts will be fixed unless the maximum guaranteed areas for Spain and Portugal are exceeded, and are subject to the possible adjustments as a result of world market price developments as foreseen in Articles 3, 4 and 6. For Spain the amount shall be adjusted for subsequent years to reflect the transitional steps foreseen in the Act of Accession.

Article 6

1. A system of maximum guaranteed areas shall apply for payments. The maximum guaranteed areas shall be :

Soya beans

EEC-12	509 000 hectares
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Rape seed and colza seed

EEC-12	2 377 000 hectares
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Sunflower seed

Spain	1 411 000 hectares
Portugal	122 000 hectares
The rest of the Community	1 202 000 hectares.

2. If the area planted to an oil-seed exceeds the maximum guaranteed area then the relevant direct payments shall be reduced by 1 % for each 1 % overshoot. The application of the foregoing provisions shall be

based exclusively on the areas for which these payments are claimed. The relevant direct payments shall be reduced by the Commission when the final regional reference amounts are calculated.

Article 7

1. Access to the direct payment for growers of oil-seed rape and colza shall be restricted to those growers using seed of an approved quality and variety.

2. The Commission, in accordance with the procedure laid down in Article 38 of Regulation No 136/66/EEC, shall establish what rape seed and colza seed shall be eligible for aid pursuant to paragraph 1.

Article 8

The determination of the amounts, the rules governing the payment of the direct payments, including the determination of the minimum size of a region and the other detailed rules for the implementation of this Regulation shall be decided on by the Commission in accordance with the procedure laid down in Article 38 of Regulation No 136/66/EEC.

Article 9

1. Member States shall take all action necessary to ensure that the provisions of this Regulation are fully respected.

2. Detailed rules for the application of this Regulation shall be adopted in accordance with the procedure laid down in Article 38 of Regulation No 136/66/EEC, and in particular those relating to :

- the minimum area to be cultivated ; such rules shall take particular account of the monitoring requirements and of the sought-after effectiveness of the scheme in question,
- monitoring ; such rules shall include, *inter alia*, the use of means of remote sensing and/or plausibility monitoring on the basis of binding official documents that are already available in the national administrations,
- the date referred to in Article 4 (2), which may be varied for specific regions to take account of normal and exceptional circumstances.

Article 10

1. The provisions of Regulation (EEC) No 1491/85 and the related provisions in the Regulations in force on 30 June 1992 shall continue to apply after that date to soya beans harvested in the Community and identified by 30 June 1992.

2. The provisions of Regulation 136/66/EEC and the related provisions in the regulations in force on 30 June 1992 shall continue to apply after that date to rape seed and colza seed and sunflower seed harvested in the Community and identified by 30 June 1992.

3. The relevant provisions relating to the Community support system for the products mentioned in paragraphs 1 and 2 above shall remain applicable until the products in question are no longer eligible for Community support. Transitional measures necessary to facilitate the disposal or orderly marketing of these products shall be adopted in accordance with the procedure laid down in Article 38 of Regulation No 136/66/EEC.

4. Regulation No 136/66/EEC and Regulation (EEC) No 1491/85 as well as the implementing rules thereof shall remain in force in so far as they are compatible with the provisions of this Regulation.

Article 11

Should additional or transitional measures be necessary to facilitate the transition from the system in force to that established by this Regulation, in particular if the introduction of this system would give rise to substantial difficulties in respect of certain products such measures shall be adopted in accordance with the procedure laid down in Article 38 of Regulation No 136/66/EEC.

Article 12

This Regulation shall enter into force on the third day following 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, 12 December 1991.

For the Council

The President

P. BUKMAN

COUNCIL REGULATION (EEC) No 3767/91

of 19 December 1991

on urgent action for the supply of foodstuffs to the populations in particular of the cities of Moscow and St Petersburg

THE COUNCIL 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⁾, and in particular Article 7 (5) and (8) thereof,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽²⁾, and in particular Articles 6 (6) and 7 (4) thereof,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽³⁾, and in particular Articles 6 (5) and 7 (2) thereof,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables ⁽⁴⁾, and in particular Article 35 thereof,

Having regard to the proposal from the Commission,

Whereas the market for certain agricultural products may feature production situations which make it possible to dispose of such products on special terms;

Whereas, in order to give effect to the conclusions of the European Council of 9 and 10 December 1991, the purpose of which was the supply of food aid to the populations, in particular, of Moscow and St Petersburg, provision should be made for making agricultural products available to those cities in order to improve conditions of supply to their respective populations; whereas, in the case of some of these products, the measures required could be adopted by the Commission, pursuant to the rules in force;

Whereas it is for the Commission to lay down the detailed rules for the application of this measure,

HAS ADOPTED THIS REGULATION:

Article 1

An emergency measure is hereby adopted, under the conditions laid down in this Regulation, for free supply to the populations, in particular, of the cities of Moscow and St Petersburg of certain foodstuffs to be determined, available as a result of intervention measures.

The expense of this measure shall be limited to ECU 95 million entered in the general budget of the European Communities.

Article 2

1. The products may be supplied unprocessed or in processed form.
2. This measure may also relate to foodstuffs obtained through a commercial exchange of products from intervention storage against foodstuffs belonging to the same group of products.
3. The supply costs, including transport and, where applicable, processing, shall be determined by invitation to tender or, on account of the urgency of the situation, by direct agreement procedure.
4. The costs shall be reimbursed to the operators concerned in respect of the supply of products for which proof is provided that the products have reached the delivery stage laid down.
5. Products consigned pursuant to this Regulation shall not qualify for export refunds and shall not be subject to the arrangements concerning monetary compensatory amounts.

Article 3

The detailed rules for the application of this Regulation shall be adopted in accordance with the procedure laid down in Article 26 of Regulation (EEC) No 2727/75 or, as the case may be, in the corresponding Articles in Regulations (EEC) No 804/68, (EEC) No 805/68 and (EEC) No 1035/72 on the common organization of the markets in question.

Article 4

The Commission shall be responsible for verifying the delivery operations and for the application of the criteria adopted when the aid is distributed to the populations concerned.

Article 5

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

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1. Regulation as last amended by Regulation (EEC) No 3577/90 (OJ No L 353, 17. 12. 1990, p. 23).

⁽²⁾ OJ No L 148, 28. 6. 1968, p. 13. Regulation as last amended by Regulation (EEC) No 1630/91 (OJ No L 150, 15. 6. 1991, p. 19).

⁽³⁾ OJ No L 148, 29. 6. 1968, p. 24. Regulation as last amended by Regulation (EEC) No 1628/91 (OJ No L 150, 15. 6. 1991, p. 16).

⁽⁴⁾ OJ No L 118, 20. 5. 1972, p. 1. Regulation as last amended by Regulation (EEC) No 1623/91 (OJ No L 150, 15. 6. 1991, p. 8).

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

Done at Brussels, 19 December 1991.

For the Council

The President

P. DANKERT

COMMISSION REGULATION (EEC) No 3768/91

of 23 December 1991

fixing the import levies on cereals and on wheat or rye flour, groats and meal

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 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 3577/90⁽²⁾, and in particular Article 13 (5) thereof,Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽³⁾, as last amended by Regulation (EEC) No 2205/90⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 2661/91⁽⁵⁾ and subsequent amending Regulations;

Whereas, if the levy system is to operate normally, levies 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 Regulation (EEC) No 1676/85,

— for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

Whereas these exchange rates being those recorded on 23 December 1991;

Whereas the aforesaid corrective factor affects the entire calculation basis for the levies, including the equivalence coefficients;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2661/91 to today's offer prices and quotations known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 2727/75 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 24 December 1991.

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

Done at Brussels, 23 December 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁵⁾ OJ No L 250, 7. 9. 1991, p. 1.

ANNEX

to the Commission Regulation of 23 December 1991 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CN code	Levy
0709 90 60	133,26 ^(?) ^(?)
0712 90 19	133,26 ^(?) ^(?)
1001 10 10	184,53 ⁽¹⁾ ^(?)
1001 10 90	184,53 ⁽¹⁾ ^(?)
1001 90 91	162,11
1001 90 99	162,11
1002 00 00	166,35 ⁽⁶⁾
1003 00 10	144,19
1003 00 90	144,19
1004 00 10	135,23
1004 00 90	135,23
1005 10 90	133,26 ^(?) ^(?)
1005 90 00	133,26 ^(?) ^(?)
1007 00 90	143,99 ⁽⁴⁾
1008 10 00	70,73
1008 20 00	135,71 ⁽⁴⁾
1008 30 00	88,13 ⁽⁵⁾
1008 90 10	⁽⁷⁾
1008 90 90	88,13
1101 00 00	239,96 ⁽⁶⁾
1102 10 00	245,89 ⁽⁶⁾
1103 11 10	299,34 ⁽⁶⁾
1103 11 90	258,32 ⁽⁶⁾

⁽¹⁾ Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.

⁽²⁾ In accordance with Regulation (EEC) No 715/90 the levies are not applied to products imported directly into the French overseas departments, originating in the African, Caribbean and Pacific States or in the 'overseas countries and territories'.

⁽³⁾ Where maize originating in the ACP or OCT is imported into the Community the levy is reduced by ECU 1,81/tonne.

⁽⁴⁾ Where millet and sorghum originating in the ACP or OCT is imported into the Community the levy is applied in accordance with Regulation (EEC) No 715/90.

⁽⁵⁾ Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.

⁽⁶⁾ The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 (OJ No L 142, 9. 6. 1977, p. 10) and Commission Regulation (EEC) No 2622/71 (OJ No L 271, 10. 12. 1971, p. 22).

⁽⁷⁾ The levy applicable to rye shall be charged on imports of the product falling within CN code 1008 90 10 (triticale).

⁽⁸⁾ On importation into Portugal the levy is increased by the amount specified in Article 2 (2) of Regulation (EEC) No 3808/90.

COMMISSION REGULATION (EEC) No 3769/91

of 23 December 1991

fixing the premiums to be added to the import levies on cereals, flour and malt

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 3577/90⁽²⁾, and in particular Article 15 (6) thereof,Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽³⁾, as last amended by Regulation (EEC) No 2205/90⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EEC) No 1845/91⁽⁵⁾ and subsequent amending Regulation;

Whereas, if the levy system is to operate normally, levies 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 Regulation (EEC) No 1676/85,

- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

Whereas these exchange rates being those recorded on 23 December 1991;

Whereas, on the basis of today's cif prices and cif forward delivery prices, the premiums at present in force, which are to be added to the levies, should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The premiums referred to in Article 15 of Regulation (EEC) No 2727/75 to be added to the import levies fixed in advance in respect of cereals and malt coming from third countries shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 24 December 1991.

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

Done at Brussels, 23 December 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁵⁾ OJ No L 168, 29. 6. 1991, p. 4.

ANNEX

to the Commission Regulation of 23 December 1991 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour*(ECU/tonne)*

CN code	Current 12	1st period 1	2nd period 2	3rd period 3
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 10	0	0	0	0
1001 10 90	0	0	0	0
1001 90 91	0	0	0	0
1001 90 99	0	0	0	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 10	0	0	0	0
1004 00 90	0	0	0	0
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	0

B. Malt*(ECU/tonne)*

CN code	Current 12	1st period 1	2nd period 2	3rd period 3	4th period 4
1107 10 11	0	0	0	0	0
1107 10 19	0	0	0	0	0
1107 10 91	0	0	0	0	0
1107 10 99	0	0	0	0	0
1107 20 00	0	0	0	0	0

COMMISSION REGULATION (EEC) No 3770/91**of 23 December 1991****fixing for Great Britain the level of the variable slaughter premium for sheep
and the amounts to be charged on products leaving region 1**

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 Council Regulation (EEC) No 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat⁽¹⁾, as last amended by Regulation (EEC) No 1741/91⁽²⁾,

Having regard to Commission Regulation (EEC) No 1633/84 of 8 June 1984 laying down detailed rules for applying the variable slaughter premium for sheep and repealing Regulation (EEC) No 2661/80⁽³⁾, as last amended by Regulation (EEC) No 1075/89⁽⁴⁾, and in particular Articles 3 (1) and 4 (1) thereof,

Whereas the United Kingdom is the only country which grants the variable slaughter premium, in region 5, within the meaning of Article 22 (2) of Regulation (EEC) No 3013/89 whereas it is necessary therefore for the Commission to fix, for the week beginning the 2 December 1991, the level of the premium and the amount to be charged on products leaving that region;

Whereas Article 3 (1) of Regulation (EEC) No 1633/84 stipulates that the level of the variable slaughter premium is to be fixed each week by the Commission;

Whereas Article 4 (1) of Regulation (EEC) No 1633/84 lays down that the amount to be charged on products leaving region 1 shall be fixed weekly by the Commission;

Whereas in the Annex to Commission Regulation (EEC) No 3618/89 of 1 December 1989 on the application of the guarantee limitation arrangements for sheepmeat and goatmeat⁽⁵⁾ the weekly amounts of the guide level are set out pursuant to Article 25 of Regulation (EEC) No 3013/89;

Whereas, pursuant to the provisions of Article 24 (2) and (3) of Regulation (EEC) No 3013/89, for the week beginning the 2 December 1991, the variable slaughter premium for sheep certified as eligible in the United Kingdom is to be in accordance with the amounts fixed in the Annexes hereto; whereas, for that week, in the light of the Judgment of the Court of Justice of 2 February 1988 in Case 61/86, the provisions of Article 9 (5) of Regulation (EEC) No 3013/89 and of Article 4 of Regulation (EEC) No 1633/84 lead to the amounts to be charged on products, leaving region 1, being fixed in accordance with those Annexes;

Whereas, as regards the controls necessary for the application of the provisions relating to the said amounts, the system of controls provided for by Regulation (EEC) No 1633/84 should be maintained without prejudice to the preparation of any more specific provisions,

HAS ADOPTED THIS REGULATION:

Article 1

For sheep or sheepmeat certified as eligible in the United Kingdom in region 1, within the meaning of Article 22 (2) of Regulation (EEC) No 3013/89, for the variable slaughter premium during the week beginning the 2 December 1991, the level of the premium is fixed at ECU 65,684 per 100 kilograms of estimated or actual dressed carcase weight within the limits laid down by Article 1 (1) (b) of Regulation (EEC) No 1633/84.

Article 2

For products referred to in Article 1 (a) and (c) of Regulation (EEC) No 3013/89 which left the territory of region 1 during the week beginning the 2 December 1991, the amounts to be charged shall be equivalent to those fixed in the Annexes hereto.

Article 3

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

It shall apply with effect from 2 December 1991.

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 163, 26. 6. 1991, p. 41.

⁽³⁾ OJ No L 154, 9. 6. 1984, p. 27.

⁽⁴⁾ OJ No L 114, 27. 4. 1989, p. 13.

⁽⁵⁾ OJ No L 351, 2. 12. 1989, p. 18.

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

Done at Brussels, 23 December 1991.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX

to the Commission Regulation of 23 December 1991 fixing for Great Britain the level of the variable slaughter premium for sheep and the amounts to be charged on products leaving region 1

(ECU/100 kg)

CN code	Amounts	
	A. Products qualifying for the premium specified in Article 24 of Regulation (EEC) No 3013/89	B. Products specified in Article 4 (4) of Regulation (EEC) No 1633/84 ⁽¹⁾
	Live weight	Live weight
0104 10 90	30,871	0
0104 20 90		0
	Net weight	Net weight
0204 10 00	65,684	0
0204 21 00	65,684	0
0204 50 11		0
0204 22 10	45,979	
0204 22 30	72,252	
0204 22 50	85,389	
0204 22 90	85,389	
0204 23 00	119,545	
0204 30 00	49,263	
0204 41 00	49,263	
0204 42 10	34,484	
0204 42 30	54,189	
0204 42 50	64,042	
0204 42 90	64,042	
0204 43 00	89,659	
0204 50 13		0
0204 50 15		0
0204 50 19		0
0204 50 31		0
0204 50 39		0
0204 50 51		0
0204 50 53		0
0204 50 55		0
0204 50 59		0
0204 50 71		0
0204 50 79		0
0210 90 11	85,389	
0210 90 19	119,545	
1602 90 71 :		
— unboned (bone-in)	85,389	
— boned or boneless	119,545	

⁽¹⁾ Eligibility for these reduced amounts is subject to compliance with the conditions laid down in the second subparagraph of Article 5 (3) of Regulation (EEC) No 1633/84.

COMMISSION REGULATION (EEC) No 3771/91

of 18 December 1991

amending Regulation (EEC) No 1707/90 laying down detailed rules for the application of Regulation (EEC) No 1796/81 on imports of preserved cultivated mushrooms from third countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 426/86 of 24 February on the common organization of the market in products processed from fruit and vegetables ⁽¹⁾, as last amended by Regulation (EEC) No 1943/91 ⁽²⁾, and in particular Article 15 (4) thereof,

Having regard to Council Regulation (EEC) No 1796/81 of 30 June 1981 on measures applicable to imports of preserved cultivated mushrooms ⁽³⁾, and in particular Article 6 thereof,

Whereas experience gained from the application of Commission Regulation (EEC) No 1707/90 ⁽⁴⁾, as last amended by Regulation (EEC) No 3718/90 ⁽⁵⁾, shows that the specific terms for the issue of import licences for products subject to this system should be made more flexible; whereas an extension to the validity of import licences should help to ensure a more regular flow of trade throughout the year;

Whereas under Article 4 of Regulation (EEC) No 1707/90 the entry into free circulation of preserved cultivated mushrooms originating in the People's Republic of China, South Korea and Taiwan is subject to the provision of a certificate of origin issued by the competent authorities referred to in Annex IV to that Regulation; whereas South Korea and Taiwan have authorized new competent authorities; whereas Annex IV should be amended accordingly;

Whereas, in the interests of clarity, all provisions which are no longer applicable should be repealed;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Products Processed from Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1707/90 is hereby amended as follows:

1. Article 4 is replaced by the following:

'Article 4

1. The entry into free circulation of mushrooms originating in China, South Korea and Taiwan shall be

subject to Commission Regulation (EEC) No 3850/89 ⁽⁶⁾.

2. The authorities competent to issue the certificate of origin shall be those indicated in Annex III.

^(*) OJ No L 375, 22. 12. 1989, p. 8.

2. Article 5 (2) is replaced by the following:

'2. Notwithstanding Article 2 (1) of Regulation (EEC) No 2405/89 import licences for the products referred to in Article 1 shall be valid for a period of six months from the date of issue within the meaning of Article 21 (2) of Regulation (EEC) No 3719/88. However, they shall not be valid after 31 December of the year in question.'

3. Annex III is hereby repealed.

4. Annex IV is replaced by the following:

'ANNEX III

The competent authorities referred to in Article 4 of this Regulation are the following:

For China:

- Shanghai Foreign Economic Relations and Trade Commission,
- Fujian Foreign Economic Relations and Trade Commission,
- Guangxi Foreign Economic Relations and Trade Commission,
- Zhejiang Foreign Economic Relations and Trade Commission,
- Jiangsu Foreign Economic Relations and Trade Commission,
- Sichuan Foreign Economic Relations and Trade Commission,
- Chongqing City Foreign Economic Relations and Trade Commission,
- Anhui Foreign Economic Relations and Trade Commission,
- Guangdong Foreign Economic Relations and Trade Commission,
- Import/Export Department, Ministry of Foreign Economic Relations and Trade;

for South Korea:

- Korean Chamber of Commerce and Industry;

for Taiwan:

- Taiwan Cannery Association.'

Article 2

This Regulation shall enter into force on 1 January 1992.

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ OJ No L 175, 4. 7. 1991, p. 1.

⁽³⁾ OJ No L 183, 4. 7. 1981, p. 1.

⁽⁴⁾ OJ No L 158, 22. 6. 1990, p. 34.

⁽⁵⁾ OJ No L 358, 21. 12. 1990, p. 51.

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

Done at Brussels, 18 December 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

**COMMISSION REGULATION (EEC) No 3772/91
of 18 December 1991**

**amending Regulation (EEC) No 3816/90 laying down detailed rules for the
application of the supplementary trade mechanism for certain products in the
pigmeat sector destined for Portugal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 569/86 of
25 February 1986 laying down general rules for the appli-
cation of the supplementary mechanism applicable to
trade ⁽¹⁾, as amended by Regulation (EEC) No 3296/88 ⁽²⁾,
and in particular Article 7 (1) thereof,

Having regard to Council Regulation (EEC) No 3792/85
of 20 December 1985 laying down the agreements
applying to trade in agricultural products between Spain
and Portugal ⁽³⁾, as last amended by Regulation (EEC)
No 3296/88, and in particular Article 13 thereof,

Whereas Commission Regulation (EEC) No 3816/90 of
19 December 1990 laying down detailed rules for the
application of the supplementary trade mechanism for
certain products in the pigmeat sector destined for
Portugal ⁽⁴⁾, as last amended by Regulation (EEC)
No 1120/91 ⁽⁵⁾, sets indicative ceilings on imports into

Portugal of certain products in the pigmeat sector for
1991 ; whereas indicative ceilings should be set for 1992 ;

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

HAS ADOPTED THIS REGULATION :

Article 1

Regulation (EEC) No 3816/90 is hereby amended as
follows :

1. In Article 1, '1991' is deleted.
2. The Annex to Regulation (EEC) No 3816/90 shall be
replaced by the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 January 1992.

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

Done at Brussels, 18 December 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 55, 1. 3. 1986, p. 106.

⁽²⁾ OJ No L 293, 27. 10. 1988, p. 7.

⁽³⁾ OJ No L 367, 31. 12. 1985, p. 7.

⁽⁴⁾ OJ No L 366, 29. 12. 1990, p. 33.

⁽⁵⁾ OJ No L 111, 3. 5. 1991, p. 27.

ANNEX

Groups	CN code	Description	(tonnes) Indicative ceiling for 1992
1	0103 ex 0103 91 0103 91 10 ex 0103 92 0103 92 11 0103 92 19	Live swine : — — Weighing less than 50 kg : — — — Domestic species — — Weighing 50 kg or more : — — — Domestic species : — — — — Sows having farrowed at least once, of a weight of not less than 160 kg — — — — Other	Total = 2 000 (live weight) of which 500 for each quarter ⁽¹⁾
2	0203 ex 0203 11 0203 11 10 ex 0203 12 0203 12 11 0203 12 19 ex 0203 19 0203 19 11 0203 19 13 0203 19 15 0203 19 55 0203 19 59 ex 0203 21 0203 21 10 ex 0203 22 0203 22 11 0203 22 19 ex 0203 29 0203 29 11 0203 29 13 0203 29 15 0203 29 55 0203 29 59	Meat of swine, fresh, chilled or frozen : — Fresh or chilled : — — Carcases and half-carcases — — — Of domestic swine — — Hams, shoulders and cuts thereof, with bone-in : — — — Of domestic swine : — — — — Hams and cuts thereof — — — — Shoulders and cuts thereof — — Other : — — — Of domestic swine : — — — — Fore-ends and cuts thereof — — — — Loins and cuts thereof, with bone-in — — — — Bellies (streaky) and cuts thereof — — — — Other : — — — — Boneless — — — — other — Frozen : — — Carcases and half-carcases : — — — Of domestic swine — — Hams, shoulders and cuts thereof with bone-in : — — — Of domestic swine : — — — — Hams and cuts thereof — — — — Shoulders and cuts thereof — — Other : — — — Of domestic swine : — — — — Fore-ends and cuts thereof — — — — Loins and cuts thereof, with bone in — — — — Bellies (streaky) and cuts thereof — — — — Other : — — — — Boneless — — — — Other	Total = 35 500 from which 8 875 for each quarter ⁽¹⁾

⁽¹⁾ If the overall quantity for which applications have been submitted in one quarter is less than the quantity available in that quarter, the quantity remaining shall be added to the quantity available in respect of the following quarter.

COMMISSION REGULATION (EEC) No 3773/91**of 18 December 1991****amending Regulation (EEC) No 3817/90 laying down detailed rules for the application of the supplementary trade mechanism for certain products in the eggs and poultrymeat sectors destined for Portugal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 569/86 of 25 February 1986 laying down general rules for the application of the supplementary mechanism applicable to trade ⁽¹⁾, as amended by Regulation (EEC) No 3296/88 ⁽²⁾, and in particular Article 7 (1) thereof,

Having regard to Council Regulation (EEC) No 3792/85 of 20 December 1985 laying down the agreements applying to trade in agricultural products between Spain and Portugal ⁽³⁾, as last amended by Regulation (EEC) No 3296/88, and in particular Article 13 thereof,

Whereas Commission Regulation (EEC) No 3817/90 of 19 December 1990 laying down detailed rules for the application of the supplementary trade mechanism for certain products in the eggs and poultrymeat sectors destined for Portugal ⁽⁴⁾, as last amended by Regulation

(EEC) No 1121/91 ⁽⁵⁾, sets indicative ceilings on imports into Portugal of certain products in the eggs and poultrymeat sectors for 1991; whereas indicative ceilings should be set for 1992;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 3817/90 shall be replaced by the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 January 1992.

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

Done at Brussels, 18 December 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 55, 1. 3. 1986, p. 106.

⁽²⁾ OJ No L 293, 27. 10. 1988, p. 7.

⁽³⁾ OJ No L 367, 31. 12. 1985, p. 7.

⁽⁴⁾ OJ No L 366, 29. 12. 1990, p. 36.

⁽⁵⁾ OJ No L 111, 3. 5. 1991, p. 28.

ANNEX

Group Subgroup	CN code	Description	Indicative ceiling 1992 ⁽¹⁾
1	0407 00 30	Eggs other than hatching eggs	6 000 tonnes from which 1 500 tonnes for each quarter
2	2 (a) 0105 11 00	Live fowls of the species <i>Gallus domesticus</i> weighing not more than 185 g	6 million pieces ⁽²⁾ from which 1,5 million each quarter
	2 (b) ex 0407 00 19	Hatching eggs of hens of the species <i>Gallus domesticus</i>	
3	3 (a) 0105 19 10	Live geese and turkeys of domestic species weighing not more than 185 g	2,5 million pieces ⁽³⁾ from which 625 000 for each quarter
	3 (b) 0407 00 11	Hatching eggs of turkeys or geese	
4	4 (a) 0105 91 00	Live fowls of the species <i>Gallus domesticus</i> weighing more than 185 g	11 000 tonnes ⁽⁴⁾ from which 2 750 tonnes for each quarter
	4 (b) 0207 10 15 0207 10 19 0207 21 10 0207 21 90 0207 39 13 0207 41 11	Fowls of the species <i>Gallus domesticus</i> , not cut in pieces fresh, chilled or frozen, known as '70 % chickens' or '65 % chickens' or 'chickens otherwise presented' Halves and quarters of fowls of the species <i>Gallus domesticus</i> , fresh, chilled or frozen	
5	5 (a) 0105 99 30	Live turkeys of domestic species weighing more than 185 g	1 800 tonnes ⁽⁵⁾ from which 450 tonnes for each quarter
	5 (b) 0207 10 31 0207 10 39 0207 22 10 0207 22 90 0207 39 33 0207 42 11	Turkeys not cut in pieces, fresh, chilled, or frozen, known as '80 % turkeys', '73 % turkeys' or 'turkeys otherwise presented' Halves and quarters of turkeys, fresh, chilled or frozen	

⁽¹⁾ If the overall quantity for which applications have been submitted in one quarter is less than the quantity available in that quarter, the quantity remaining shall be added to the quantity available in respect of the following quarter.

⁽²⁾ Hatching egg equivalent: 1 chick = 1,25 hatching eggs.

⁽³⁾ Hatching egg equivalent: 1 poult = 1,4 hatching eggs.

⁽⁴⁾ Carcase weight equivalent: 100 kg live fowl = 70 kg carcase weight.

⁽⁵⁾ Carcase weight equivalent: 100 kg live turkeys = 75 kg carcase weight.

COMMISSION REGULATION (EEC) No 3774/91

of 18 December 1991

amending for the twelfth time Regulation (EEC) No 3800/81 determining the classification of vine varieties

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EEC) No 1734/91 ⁽²⁾, and in particular Article 13 (5) thereof,

Whereas the classification of vine varieties approved for cultivation in the Community is determined by Commission Regulation (EEC) No 3800/81 ⁽³⁾, as last amended by Regulation (EEC) No 1565/91 ⁽⁴⁾;

Whereas certain wine-grape vine varieties have been examined and found to be suitable for cultivation in accordance with Commission Regulation (EEC) No 2314/72 of 30 October 1972 on certain measures for examining the suitability of certain vine varieties for cultivation ⁽⁵⁾, as amended by Regulation (EEC) No 3296/80 ⁽⁶⁾, for certain French administrative units and for one Italian administrative unit; whereas those varieties should be included in the category of vine varieties provisionally authorized for those administrative units, in accordance with Article 11 (1) (b) of Council Regulation (EEC) No 2389/89 of 24 July 1989 on general rules for the classification of vine varieties ⁽⁷⁾, as amended by Regulation (EEC) No 3577/90 ⁽⁸⁾;

Whereas experience has shown that wine obtained from one wine-grape vine variety authorized for certain French administrative units may be considered as normally of good quality; whereas that variety should therefore be classified among the varieties recommended for those French administrative units in accordance with Article 11 (2) (a) of Regulation (EEC) No 2389/89;

Whereas experience has shown that wine obtained from certain wine-grape and table-grape vine varieties authorized for certain Greek administrative units may be considered as normally of good quality; whereas those varieties should accordingly be classified among the varieties

recommended for those Greek administrative units in accordance with Article 11 (2) (a) of Regulation (EEC) No 2389/89;

Whereas omissions should be made good by providing for the classification of certain vine varieties used to produce table wine among the varieties authorized for part of one French administrative unit and for certain Greek administrative units in accordance with Article 11 (1) (b) of Regulation (EEC) No 2389/89;

Whereas the classification of wine-grape and table-grape vine varieties should include, among the varieties recommended and authorized for certain German, Greek and Italian administrative units, certain varieties which have been listed for at least five years in the classification for an administrative unit immediately bordering thereon and which therefore satisfy the condition laid down in the first indent of Article 11 (1) (a) of Regulation (EEC) No 2389/89;

Whereas the new German Länder may be considered administrative units within the meaning of Article 3 of Regulation (EEC) No 2389/89, as amended by Section IV of Annex XII to Regulation (EEC) No 3577/90;

Whereas certain wine-grape vine varieties have been examined and recognized as suitable for cultivation in certain German administrative units; whereas those wine-grape vine varieties should be classified for those administrative units in the category of provisionally authorized vine varieties in accordance with Article 11 (1) (b) of Regulation (EEC) No 2389/89;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 3800/81 is hereby amended in accordance with the Annex hereto.

Article 2

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

It shall apply with effect from 1 September 1991.

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 163, 26. 6. 1991, p. 6.

⁽³⁾ OJ No L 381, 31. 12. 1981, p. 1.

⁽⁴⁾ OJ No L 146, 11. 6. 1991, p. 7.

⁽⁵⁾ OJ No L 248, 1. 11. 1972, p. 53.

⁽⁶⁾ OJ No L 344, 19. 12. 1980, p. 13.

⁽⁷⁾ OJ No L 232, 9. 8. 1989, p. 1.

⁽⁸⁾ OJ No L 353, 17. 12. 1990, p. 23.

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

Done at Brussels, 18 December 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

The Annex to Regulation (EEC) No 3800/81 is hereby amended as follows :

I. In title I, sub-title I, point 'IV. FRANCE' is amended as follows (the vine varieties are to be inserted in the correct alphabetical order) :

4. Department of Alpes de Haute-Provence

— 'Marselan N (')' and 'Viognier B (')' are added to the category of authorized vine varieties.

6. Department of Alpes-Maritimes

— 'Pinot N' is added to the category of recommended vine varieties,

— 'Marselan N (')' and 'Viognier B (')' are added to and 'Pinot N' is deleted from the category of authorized vine varieties.

7. Department of Ardèche

Under B :

— 'Chatus N (')' and 'Marselan N (')' are added to the category of authorized vine varieties.

9. Department of Ariège

— 'Marselan N (')' is added to the category of authorized vine varieties.

11. Department of Aude

Under A :

— 'Colombard B (')', 'Gros Manseng B (')' and 'Marselan N (')' are added to the category of authorized vine varieties.

Under B :

— 'Marselan N (')' is added to the category of authorized vine varieties.

12. Department of Aveyron

— 'Marselan N (')' is added to the category of authorized vine varieties.

13. Department of Bouches-du-Rhône

— 'Pinot N' is added to the category of recommended vine varieties,

— 'Marselan N (')' and 'Viognier B (')' are added to and 'Pinot N' is deleted from the category of authorized vine varieties .

20. Departments of Haute-Corse and Corse du Sud

— 'Gentile Biancu B (')', 'Marselan N (')' and 'Viognier B (')' are added to the category of authorized vine varieties.

26. Department of Drôme

Under B :

— 'Marselan N (')' is added to the category of authorized vine varieties.

30. Department of Gard

— 'Marselan N (')' is added to the category of authorized vine varieties.

31. Department of Haute-Garonne

— 'Marselan N (')' is added to the category of authorized vine varieties.

48. Department of Lozère

Under A :

— 'Marselan N (')' is added to the category of authorized vine varieties.

66. Department of Pyrénées-Orientales

— 'except for the variety "Viognier B"' is deleted.

81. Department of Tarn

— 'Marselan N (')' is added to the category of authorized vine varieties.

83. Department of Var

— 'Marselan N (')' and 'Viognier B (')' are added to the category of authorized vine varieties.

84. Department of Vaucluse

— 'Pinot N' is added to the category of recommended vine varieties,

— 'Marselan N (')' is added to and 'Pinot N' is deleted from the category of authorized vine varieties.

II. In Title I, sub-title I, point 'V. ITALY' is amended as follows (the vine varieties are to be inserted in the correct alphabetical order):

24. Province of Padova

- 'Malbec N', 'Refosco dal pedunculo rosso N' and 'Malvasia istriana B' are added to the category of authorized vine varieties.

27. Province of Venezia

- 'Franconia N' and 'Marzemino N' are added to the category of authorized vine varieties.

29. Province of Vicenza

- 'Malvasia istriana B' is added to the category of authorized vine varieties.

44. Province of Grosseto

- 'Cabernet franc N' and 'Cabernet Sauvignon N' are added to the category of authorized vine varieties.

92. Province of Nuoro

- 'Chardonnay B (*)' is added to the category of authorized vine varieties.

III. In Title I, sub-title I, point 'II. GERMANY' is amended as follows (the vine varieties are to be inserted in the correct alphabetical order):

2. Regierungsbezirk Trier

- 'Dornfelder N' and 'Müllerrebe N' are added to the category of authorized vine varieties.

5. Saarland

- 'Chardonnay B' is added to the category of authorized vine varieties.

18. Land Sachsen

- 'Goldriesling B (*)', 'Traminer Rs (*)', 'Mario Muscat B (*)', 'Saint Laurent N (*)' and 'Trollinger N (*)' are added to the category of authorized vine varieties,
- 'Perle van Zala B (*)' is added to the category of provisionally authorized vine varieties.

IV. In Title I, sub-title I, point 'III. GREECE' is amended as follows (the vine varieties are to be inserted in the correct alphabetical order):

5. Νομός Καβάλας (Kavàlas)

- 'Αθήρι (Athiri) B (*)' is added to the category of authorized vine varieties.

6. Νομός Σερρών (Serròn)

- 'Cinsaut N' is added to the category of recommended vine varieties,
- 'Cinsaut N' is deleted from the category of authorized vine varieties.

8. Νομός Θεσσαλονίκης (Thessalonikis)

- 'Μαλαγουζιά (Malagouzia) B (*)' is added to the category of authorized vine varieties.

23. Νομός Μαγνησίας (Magnissias)

- 'Μανδηλαριά (Mandilaria) N' and 'Ugni blanc B' are added to the category of recommended vine varieties,
- 'Cinsaut N', 'Μονεμβασία (Monemvassia) B (*)', 'Μπατίκι (Batiki) B', 'Ξυνόμαυρο (Xynomavro) N' and 'Syrah N' are deleted to the category of authorized vine varieties.

24. Νομός Λαρίσης (Larissis)

- 'Cabernet Sauvignon N' and 'Merlot N' are added to the category of recommended vine varieties,
- 'Grenach rouge N (*)' is added to and 'Merlot N' is deleted from the category of authorized vine varieties.

25. Νομός Τρικάλων (Trikalon)

- 'Cinsaut N', 'Μπατίκι (Batiki) B', 'Ζαλοβίτικο (Zalovitiko) N' and 'Ξυνόμαυρο (Xynomavro) N' are added to the category of recommended vine varieties,
- 'Ντεμπίνα (Debina) B' is added to and 'Cinsaut N', 'Μπατίκι (Batiki) B', 'Ζαλοβίτικο (Zalovitiko) N' and 'Ξυνόμαυρο (Xynomavro) N' are deleted from the category of authorized vine varieties.

28. Νομός Φθιώτιδος (Fthiōtidos)

- 'Cabernet Sauvignon N' is added to the category of recommended vine varieties.

32. Νομός Βοιωτίας (Viotias)

- 'Αθήρι (Athiri) B' and 'Cabernet Sauvignon N' are added to the category of recommended vine varieties,
- 'Αθήρι (Athiri) B' is deleted from the category of authorized vine varieties.

35. Νομός Κορινθίας (Korinthias)

- 'Assyrtiko (Assyrtiko) B' is added to the category of recommended vine varieties.

36. Νομός Αχαΐας (Achaïas)

- 'Grenache rouge N', 'Μαλαγουζία (Malagouzia) B' and 'Ρεφόσκο (Refosco) N' are added to the category of recommended vine varieties.

37. Νομός Ηλείας (Ilias)

- 'Μανροδάφνη (Mavrodafni) N' and 'Ρεφόσκο (Refosco) N' are added to the category of recommended vine varieties.
- 'Ζακυνθινό (Zakynthino) B' is added to and 'Ρεφόσκο (Refosco) N' is deleted from the category of authorized vine varieties.

38. Νομός Μεσσηνίας (Messinias)

- 'Assyrtiko (Assyrtiko) B', 'Cinsaut N', 'Μανδηλαριά (Mandilaria) N', 'Μοσχοφίλερο (Moschofilero) Rs' and 'Tempranillio N' are added to the category of recommended vine varieties,
- 'Cinsaut N', 'Μανδηλαριά (Mandilaria) N' and 'Tempranillio' are deleted from the category of authorized vine varieties.

50. Νομός Ηρακλείου (Irakliou)

- 'Cabernet Sauvignon N', 'Chardonnay B' and 'Grenache Rouge N' are added to the category of recommended vine varieties,
- 'Cabernet Sauvignon N', 'Chardonnay B' and 'Grenache Rouge N' are deleted from the category of authorized vine varieties,

V. In Title II, point 'II. GREECE' is amended as follows (the vine varieties are to be inserted in the correct alphabetical order):

2. Νομός Καβάλας (Kavàlas)

- 'Victoria B' is added to the category of recommended vine varieties.

4. Νομοί Ημαθίας (Imathias), Πέλλης (Péllis), Φλωρίνης (Florinis), Καστοριάς (Kastoriàs), Κοζάνης (Kozànìs), Γρεβενών (Grevenòn)

- 'Italia B' is added to the category of recommended vine varieties.

6. Νομοί Μαγνησίας (Magnissias), Καρδίτσας (Kardítsis), Τρικάλων (Trikàlon), Φθιώτιδος (Fthiōtidos)

- 'Victoria B' is added to the category of recommended vine varieties.

12. Νομοί Λασιθίου (Lassithiou), Ηρακλείου (Irakliou), Ρεθύμνης (Rethimnis), Χανίων (Chanìon)

- 'Victoria B' is added to the category of recommended vine varieties,
- 'Victoria B' is deleted from the category of authorized vine varieties.

VI. In the Annex to Regulation (EEC) No 3800/81:

- footnote 59 is deleted.

(*) Added pursuant to Article 11 (1) (b) of Regulation (EEC) No 2389/89 with effect from 31 December 1991.

COMMISSION REGULATION (EEC) No 3775/91
of 18 December 1991

amending Regulation (EEC) No 3812/90 laying down detailed rules for the application of the supplementary trade mechanism to milk products imported into Portugal from the Community of Ten and Spain

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 251,

Having regard to Council Regulation (EEC) No 569/86 of 25 February 1986 laying down general rules for the application of the supplementary mechanism applicable to trade⁽¹⁾, as last amended by Regulation (EEC) No 3296/88⁽²⁾, and in particular Article 7 (1) thereof,

Whereas Commission Regulation (EEC) No 3812/90⁽³⁾, as last amended by Regulation (EEC) No 1082/91⁽⁴⁾, sets an indicative ceiling for exports of certain milk products to Portugal for 1991; whereas, in the light of export possibilities from the Community of Ten and Spain and with a view to the continued gradual opening up of the Portuguese market, indicative ceilings should be fixed for 1992 at a level 20 % up on those applying previously; whereas to that end the Annex to Regulation (EEC) No 3812/90 should be replaced;

Whereas the Management Committee for Milk and Milk Products has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3812/90 is hereby amended as follows:

1. In Article 1 (1), '1991' is replaced by '1992'.
2. The Annex is replaced by the following:

'ANNEX'

INDICATIVE CEILINGS

CN code	Description	<i>(tonnes)</i> Quantities Community of Ten and Spain
	Milk and cream, not contracted or containing sugar or any other sweetening matter:	
0401 10 10	Of a fat content, by weight, not exceeding 6 %, in immediate packings of a net content not exceeding two litres	2 056
0401 20 11	Of a fat content, by weight, exceeding 1 % but not exceeding 3 %, in immediate packings of a net content not exceeding two litres	8 054
0401 20 91	Of a fat content, by weight, exceeding 3 % but not exceeding 6 %, in immediate packings of a net content not exceeding two litres	18 118
0406 90 21	Cheddar	170
0406 90 23	Edam	576
0406 90 77	Danbo, Fontal, Fontina, Fynbo, Gouda, Havarti, Maribo, Samsø	576
0406 90 79	Esrom, Italico, Kernhem, Saint-Nectaire, Saint-Paulin, Taleggio	366.'

⁽¹⁾ OJ No L 55, 1. 3. 1986, p. 106.

⁽²⁾ OJ No L 293, 27. 10. 1988, p. 7.

⁽³⁾ OJ No L 366, 29. 12. 1990, p. 15.

⁽⁴⁾ OJ No L 108, 30. 4. 1991, p. 29.

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, 18 December 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 3776/91

of 18 December 1991

amending Regulation (EEC) No 1780/89 laying down detailed rules for the disposal of alcohol obtained from the distillation operations referred to in Articles 35, 36 and 39 of Regulation (EEC) No 822/87 and held by intervention agencies

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine⁽¹⁾, as last amended by Regulation (EEC) No 1734/91⁽²⁾,

Having regard to Council Regulation (EEC) No 3877/88 of 12 December 1988 laying down general rules on the disposal of alcohol obtained from the distillation operations referred to in Articles 35, 36 and 39 of Regulation (EEC) No 822/87 and held by intervention agencies⁽³⁾, and in particular Articles 2 and 3 thereof,

Whereas Commission Regulation (EEC) No 1780/89⁽⁴⁾, as last amended by Regulation (EEC) No 270/91⁽⁵⁾, lays down detailed rules for the disposal of alcohol obtained from distillation as provided for in Articles 35, 36 and 39 of Regulation (EEC) No 822/87 and held by intervention agencies; whereas the detailed rules on standing invitations to tender should be amended in the light of experience gained;

Whereas the term of validity of the standing invitation to tender issued by Commission Regulation (EEC) No 2490/90⁽⁶⁾ was set at 13 months; whereas the term of validity of a new standing invitation to tender should be unlimited so that the industry concerned is assured of better continuity in supply in view of the investments needed to process spirits distilled from wine;

Whereas a quantity of alcohol should be set aside for the standing invitation to tender, care being taken to avoid any disturbance of certain markets;

Whereas tenderers should be able to submit tenders by type of alcohol, by type of end use and by partial invitation to tender; whereas the Commission should be able to accept or reject tenders by type of alcohol in order to take the value of the different qualities of alcohol into account;

Whereas in addition lots of alcohol comprising one or more vats should be specified solely in partial invitations

to tender in order to prevent a substantial quantity of alcohol from being immobilized given the unlimited duration of the standing invitation to tender;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1780/89 is hereby amended as follows:

1. The following is added to Article 2:

'If the use laid down for the alcohol is export to third countries in the form of manufactured goods, proof must be provided that during the two preceding years authorization was granted to use alcohol from third countries to manufacture under inward processing arrangements goods the same as those exported.'

2. Article 3 is replaced by the following:

Article 3

The Commission, acting in accordance with the procedure laid down in Article 83 of Regulation (EEC) No 822/87, shall issue a standing invitation to tender covering quantities of alcohol obtained from distillation as provided for in Articles 35, 36 and 39 of that Regulation. The quantities of alcohol awarded under this invitation to tender shall not exceed 400 000 hectolitres per year.'

3. Article 4 is replaced by the following:

Article 4

1. The Commission shall organize partial invitations to tender in the framework of a standing invitation to tender.
2. Notices issuing partial invitations to tender shall be published in the "C" series of the *Official Journal of the European Communities* in the first fortnight of each quarter.

Such notices shall specify:

- one or more vats which constitute a lot in a given Member State;
- the quantity of alcohol, expressed in hectolitres of alcohol at 100 % vol, covered by the partial invitation to tender;

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 163, 26. 6. 1991, p. 6.

⁽³⁾ OJ No L 346, 15. 12. 1988, p. 7.

⁽⁴⁾ OJ No L 178, 24. 6. 1989, p. 1.

⁽⁵⁾ OJ No L 28, 2. 2. 1991, p. 23.

⁽⁶⁾ OJ No L 281, 12. 10. 1990, p. 14.

- the tendering security as referred to in Article 6 (2) and the performance guarantee as referred to in the second indent of Article 8 (2);
 - the special conditions governing the standing invitation to tender and the names and addresses of the intervention agencies concerned.'
4. The following indent is inserted as the first indent of Article 5 (1):
- '— the type of goods exported if the use laid down for the alcohol is export to third countries in the form of manufactured goods.'
5. Article 5 (3) is replaced by the following:
- '3. Tenderers may submit only one tender by type of alcohol, by type of end use and by partial invitation to tender. If a tenderer submits more than one tender by type of alcohol, by type of end use and by partial invitation to tender, none of those tenders shall be admissible.'
6. The third subparagraph of Article 7 (4a) is replaced by the following:
- 'To that end, the Commission decision shall state the number of the vat in which the quantity of replacement alcohol is stored in agreement with the intervention agency concerned.'
7. Article 35 (1) is replaced by the following:
- '1. For the purposes of drawing up the notices issuing partial invitations to tender, the Commission shall send the Member States concerned a request for information specifying for each Member State concerned:
- the quantity of alcohol, expressed in hectolitres of alcohol at 100 % vol, which it plans to offer for sale by tender,
 - the type of alcohol concerned,
 - the quality of alcohol, laying down maximum and minimum values for the characteristics referred to in the first and second indents of Article 29 (4) (d).
- Within 15 days of receiving that request, the Member States concerned shall inform the Commission of the exact location and references of the various vats of alcohol meeting the required quality criteria and containing a total quantity of alcohol not less than that referred to in the first indent of the first subparagraph.
- The Member States concerned shall make a balances selection between the alcohol obtained from distillation as provided for in Article 39 of Regulation (EEC) No 822/87 on the one hand and that obtained from distillation as provided for in Articles 35 and 36 of that Regulation on the other hand.'
8. Article 35 (3) is replaced by the following:
- '3. After the information referred to in the second subparagraph of paragraphs 1 and 2 has been forwarded to the Commission, the alcohol in the vats concerned shall not be moved until a removal order relating thereto has been issued.
- This prohibition shall not relate to alcohol in vats not covered by the notices of invitation to tender concerned or not specified in the Commission decision referred to in Articles 7, 15 and 23.'
- Article 2*
- This Regulation shall enter into force on the third day following 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, 18 December 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 3777/91**of 18 December 1991****opening a sale by standing invitation to tender for use in the Community of
alcohol of vinous origin held by intervention agencies**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine⁽¹⁾, as last amended by Regulation (EEC) No 1734/91⁽²⁾,Having regard to Council Regulation (EEC) No 3877/88 of 12 December 1988 laying down general rules on the disposal of alcohol obtained from the distillation operations referred to in Articles 35, 36 and 39 of Regulation (EEC) No 822/87 and held by intervention agencies⁽³⁾, and in particular Article 1 thereof,Whereas Commission Regulation (EEC) No 1780/89⁽⁴⁾, as last amended by Regulation (EEC) No 3776/91⁽⁵⁾, lays down detailed rules for the disposal of alcohol obtained from the distillation operations referred to in Articles 35, 36 and 39 of Regulation (EEC) No 822/87 and held by intervention agencies; whereas the rules on standing invitations to tender were amended by Regulation (EEC) No 3776/91;

Whereas, because of the cost of storing alcohol, it is desirable to open a new sale by standing invitation to tender of alcohol of vinous origin intended for new industrial uses;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. There shall be sale by standing invitation to tender of alcohol at 100 % vol obtained from the distillation operations referred to in Articles 35, 36 and 39 of Regulation (EEC) No 822/87 and held by the Spanish, French, Italian and Greek intervention agencies.

2. The quantity of alcohol awarded under the said tendering procedure shall not exceed 400 000 hectolitres per year.

3. The alcohol offered for sale shall be for use in the Community in accordance with Article 2 of Regulation (EEC) No 1780/89.

Article 2

The sale shall take place in accordance with Regulation (EEC) No 1780/89, and in particular Articles 2 to 9 and 29 to 38 thereof.

Article 3

This Regulation shall enter into force on the third day following 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, 18 December 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 163, 26. 6. 1991, p. 6.

⁽³⁾ OJ No L 346, 15. 12. 1988, p. 7.

⁽⁴⁾ OJ No L 178, 24. 6. 1989, p. 1.

⁽⁵⁾ See page 43 of this Official Journal.

COMMISSION REGULATION (EEC) No 3778/91

of 18 December 1991

determining the rate at which the components intended to ensure protection of cereals and rice processing in Portugal are to be dismantled and fixing the amount thereof for 1992

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 3577/90 ⁽²⁾,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽³⁾, as last amended by Regulation (EEC) No 1806/89 ⁽⁴⁾,

Having regard to Council Regulation (EEC) No 3653/90 of 11 December 1990 laying down transitional measures governing the common organization of the market in cereals and rice in Portugal ⁽⁵⁾, and in particular Article 10 (1) thereof,

Whereas Regulation (EEC) No 3653/90 provided for dismantling over a period of 10 years from 1 January 1991 of the charges on imports from the other Member States into Portugal constituting the fixed components intended to protect Portuguese cereal and rice processing; whereas, however, in the case of rice the dismantling process provided for in Article 286 (3) of the Act of Accession should continue to be applicable;

Whereas the base amounts to be adopted for dismantling or approximation are those set by Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice ⁽⁶⁾, as last amended by Regulation (EEC) No 1906/87 ⁽⁷⁾, and those listed in Annex XXIV to the Act of Accession;

Whereas pursuant to Article 287 of the Act of Accession the gap between the fixed components applied in Portugal during the first stage of accession and those forming part of the charge on imports from third countries are to be reduced on 1 January 1992 to 66,6 % of the previous amount; whereas it is this new gap that should be used in determining the fixed components applicable in Portugal;

Whereas the fixed components are an import charge forming part of the imports levy; whereas from 1 January 1991 the levy applicable in the Community also applies in Portugal; whereas the provisions of Article 287 of the Act of Accession require that the residual gap between the fixed components applicable in Portugal and these applicable in the Community be fixed, this new gap being added to the levy applicable in Portugal to imports from third countries;

Whereas, however, both Council Regulation (EEC) No 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 ACP States or in the overseas countries and territories (OCT) ⁽⁸⁾, as last amended by Regulation (EEC) No 523/91 ⁽⁹⁾ and Council Regulation (EEC) No 3877/86 of 16 December 1986 on imports of rice of the long-grain aromatic Basmati variety of CN codes 1006 10, 1006 20 and 1006 30 ⁽¹⁰⁾, as amended by Regulation (EEC) No 3130/91 ⁽¹¹⁾, apply to Portuguese imports of the products to which they relate;

Whereas a full table of the components intended to protect processing of cereals and rice should be published;

Whereas this Regulation entails the repeal of Commission Regulation (EEC) No 3808/90 determining for 1991 the components intended to ensure protection of cereals and rice processing in Portugal ⁽¹²⁾;

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

Dismantling of the fixed components mentioned in Article 273 of the Act of Accession intended to protect processing of cereals and rice shall, where intra-Community trade is concerned, be effected:

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽⁵⁾ OJ No L 362, 27. 12. 1990, p. 28.

⁽⁶⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁷⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁸⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽⁹⁾ OJ No L 58, 5. 3. 1991, p. 1.

⁽¹⁰⁾ OJ No L 361, 20. 12. 1986, p. 1.

⁽¹¹⁾ OJ No L 297, 29. 10. 1991, p. 1.

⁽¹²⁾ OJ No L 366, 29. 12. 1990, p. 1.

- for products made from cereals, in 10 equal stages of 10 %, or more if necessary, to prevent the protection applicable in trade between Portugal and the other Member States from exceeding that applicable in trade between Portugal and third countries,
- for products made from rice, as provided for in Article 286 (3) of the Act of Accession.

Article 2

1. On importation into Portugal from other Member States of products covered by Regulations (EEC) No 2727/75 and (EEC) No 1418/76 a component intended to protect processing in Portugal shall be charged the amount indicated in column 3 of the Annex to this Regulation.

2. The levy applied on importation into Portugal of products listed in Annex XXIV to the Act of Accession from third countries shall, without prejudice to Articles 12 and 14 of Regulation (EEC) No 715/90 or to Regulation (EEC) No 3877/86 be increased by the amount shown in column 4 of the Annex to this Regulation.

3. The amounts indicated in the Annex shall be valid from 1 January to 31 December 1992.

Article 3

Regulation (EEC) No 3808/90 is hereby repealed.

Article 4

This Regulation shall enter into force on 1 January 1992.

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

Done at Brussels, 18 December 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

FIXED COMPONENTS APPLICABLE IN PORTUGAL IN 1992

(ECU/tonne)

CN code	Description	Fixed components applicable in Portugal	Amount to be added to levy in Portugal
(1)	(2)	(3)	(4)
0714	Manioc, arrowroot, salep, Jerusalem artichokes, sweet potatoes and similar roots and tubers with high starch or inulin content, fresh or dried, whether or not sliced or in the form of pellets; sago pith:		
0714 10	— manioc (cassava):	2,42	—
0714 10 10	— — Pellets of flour and meal		
	— — Other:		
0714 10 91	— — — Of a kind used for human consumption, in immediate packings of a net content not exceeding 28 kg, either fresh and whole or without skin and frozen, whether or not sliced	—	—
0714 10 99	— — — Other:	2,42	—
0714 90	— Other:		
	— — Arrowroot, salep and similar roots and tubers with high starch content:		
0714 90 11	— — — Of a kind used for humans consumption, in immediate packings of a net content not exceeding 28 kg, either fresh and whole or without skin and frozen, whether or not sliced	—	—
0714 90 19	— — — Other:	2,42	—
1006 30	— Semi-milled or wholly milled rice, whether or not polished or glazed:		
	— — Semi-milled rice:		
	— — — Parboiled:		
1006 30 21	— — — — Round grain	18,65	9,96
1006 30 23	— — — — Medium grain	18,65	10,01
	— — — — Long grain:		
1006 30 25	— — — — — Of a length/width ratio greater than 2 but not less than 3	18,65	10,01
1006 30 27	— — — — — Of a length/width ratio equal to or greater than 3	18,65	10,01
	— — — Other:		
1006 30 42	— — — — Round grain	18,65	9,96
1006 30 44	— — — — Medium grain	18,65	10,01
	— — — — Long grain:		
1006 30 46	— — — — — Of a length/width ratio greater than 2 but less than 3	18,65	10,01
1006 30 48	— — — — — Of a length/width ratio greater than 2 but less than 3	18,65	10,01
	— — Wholly milled rice:		
	— — — Parboiled:		
1006 30 61	— — — — Round grain	19,98	10,72
1006 30 63	— — — — Medium grain	19,98	10,72
	— — — — Long grain:		
1006 30 65	— — — — — Of a length/width ratio greater than 2 but not less than 3	19,98	10,72
1006 30 67	— — — — — Of a length/width ratio equal to or greater than 3	19,98	10,72
	— — — Other:		
1006 30 92	— — — — Round grain	19,98	10,72
1006 30 94	— — — — Medium grain	19,98	10,72
	— — — — Long grain:		
1006 30 96	— — — — — Of a length/width ratio greater than 2 but less than 3	19,98	10,72
1006 30 98	— — — — — Of a length/width ratio equal to or greater than 3	19,98	10,72

(ECU/tonne)			
(1)	(2)	(3)	(4)
1101 00 00	Wheat or meslin flour (1)	24,00	4,88
1102	Cereals flours other than of wheat or meslin (1):		
1102 10 00	— Rye flour	24,00	4,88
1102 20	— Maize (corn) flour:		
1102 20 10	— — Of a fat content not exceeding 1,5 by weight	4,83	—
1102 20 90	— — Other:	2,42	—
1102 30 00	— Rice flour	2,01	1,00
1102 90	— Other:		
1102 90 10	— — Oat flour	4,83	—
1102 90 30	— — Oat flour	4,83	—
1102 90 90	— — Other	2,42	—
1103	Cereals groats, meal and pellets (1):		
	— Groats and meal:		
1103 11	— — Of wheat:		
1103 11 10	— — — Durum wheat	24,00	4,88
1103 11 90	— — — Common wheat and spelt	25,60	6,21
1103 12 00	— — Of oats	4,83	—
1103 13	— — Of maize (corn):		
	— — — Of a fat content not exceeding 1,5 % by weight:		
1103 13 11	— — — — For the brewing industry	4,83	—
1103 13 19	— — — — Other	4,83	—
1103 13 90	— — — Other	2,42	—
1103 14 00	— — of rice	2,01	—
1103 19	— — Of other cereals:		
1103 19 10	— — — Of rye	4,83	—
1103 19 30	— — — Of barley	4,83	—
1103 19 90	— — — Other	2,42	—
	— Pellets:		
1103 21 00	— — Of wheat	4,83	—
1103 29	— — of other cereals:		
1103 29 10	— — — Of rye	4,83	—
1103 29 20	— — — Of barley	4,83	—
1103 29 30	— — — Of oats	4,83	—
1103 29 40	— — — Of maize	4,83	—
1103 29 50	— — — of rice	2,01	—
1103 29 90	— — — Other:	2,42	—
1104	Cereal grains otherwise worked (for example, hulled, rolled, flaked, pearled, sliced or kibbled), except rice of heading NO 1006; germs of cereals, whole, rolled, flaked or ground (1):		
	— Rolled or flaked grains:		
1104 11	— — Of barley:		
1104 11 10	— — — Rolled	2,42	—
1104 11 90	— — — Flaked	4,83	—
1104 12	— — Of oats:		
1104 12 10	— — — Rolled	2,42	—
1104 12 90	— — — Flaked	4,83	—
1104 19	— — Of other cereals:		
1104 19 10	— — — Of wheat	4,83	—

(ECU/tonne)			
(1)	(2)	(3)	(4)
1104 19 30	— — — Of rye	4,83	—
1104 19 50	— — — Of maize	4,83	—
	— — — Other :		
1104 19 91	— — — — Flaked rice	4,02	—
1104 19 99	— — — — Other :	4,83	—
	— Other worked grains (for example, hulled, pearled, sliced or kibbled) :		
1104 21	— — Of barley :		
1104 21 10	— — — Hulled (shelled or husked)	2,42	—
1104 21 30	— — — Hulled and sliced or kibbled ('Grütze' or 'grutten')	2,42	—
1104 21 50	— — — Pearled	4,83	—
1104 21 90	— — — Not otherwise worked than kibbled	2,42	—
1104 22	— — Of oats :		
1104 22 10	— — — Hulled (shelled or husked)	2,42	—
1104 22 30	— — — Hulled and sliced or kibbled ('Grütze' or 'grutten')	2,42	—
1104 22 50	— — — Pearled	2,42	—
1104 22 90	— — — Not otherwise worked than kibbled	2,42	—
1104 23	— — Of maize :		
1104 23 10	— — — Hulled (shelled or husked) whether or not sliced or kibbled	2,42	—
1104 23 30	— — — Pearled	2,42	—
1104 23 90	— — — Not otherwise worked than kibbled	2,42	—
1104 29	— — Of other cereals :		
	— — — Hulled (shelled or husked), whether or not sliced or kibbled :		
1104 29 11	— — — — Of wheat	2,42	—
1104 29 15	— — — — Of rye	2,42	—
1104 29 19	— — — — Other	2,42	—
	— — — Pearled :		
1104 29 31	— — — — Of wheat	2,42	—
1104 29 35	— — — — Of rye	2,42	—
1104 29 39	— — — — Other	2,42	—
	— — — Not otherwise worked than kibbled :		
1104 29 91	— — — — Of wheat	2,42	—
1104 29 95	— — — — Of rye	2,42	—
1104 29 99	— — — — Other	2,42	—
1104 30	— Germ of cereals, whole, rolled, flaked or ground :		
1104 30 10	— — Of wheat	4,83	—
1104 30 90	— — Of other cereals	4,83	—
1106	Flour and meal of the dried leguminous vegetables of heading No 0713, of sago or of roots or tubers of heading No 0714 ; flour, meal and powder of the products of Chapter 8 :		
1106 20	— Flour and meal of sago, roots or tubers of heading No 0714 :		
1106 20 10	— — Denatured	2,42	—
	— — Other :		
1106 20 91	— — — For the manufacture of starches	16,44	—
1106 20 99	— — — Other	16,44	—
1107	Malt, whether or not roasted :		
1107 10	— Not roasted :		
	— — Of wheat :		
1107 10 11	— — — In the form of flour	17,60	7,41
1107 10 19	— — — Other	17,60	7,41
	— — Other :		
1107 10 91	— — — In the form of flour	17,60	7,41
1107 10 99	— — — Other	17,60	7,41
1107 20 00	— Roasted	16,00	6,07

(ECU/tonne)			
(1)	(2)	(3)	(4)
1108	Starches ; inulin :		
	– Starches :		
1108 11 00	– – Wheat starch	16,44	—
1108 12 00	– – Maize (corn) starch	16,44	—
1108 13 00	– – Potato starch (cassava) starch	16,44	—
1108 14 00	– – Manioc	16,44	—
1108 19	– – Other starches :		
1108 19 10	– – – Rice starch	20,53	—
1108 19 90	– – – Other	16,44	—
1109 00 00	Wheat gluten, whether or not dried	145,07	—
1702	Other sugars, including chemically pure lactose, maltose, glucose and fructose, in solid form ; sugar syrups not containing added flavouring or colouring matter ; artificial honey, whether or not mixed with natural honey ; caramel :		
1702 30	– Glucose and glucose syrup, not containing in the dry state less than 20 % by weight of fructose :		
	– – Other :		
	– – – Other :		
1702 30 91	– – – – White crystalline powder, whether or not agglomerated	82,40	4,18
1702 30 99	– – – – Other	72,00	15,66
1702 40	– Glucose and glucose syrup, containing in the dry state at least 20 % but less than 50 % by weight of fructose :		
1702 40 90	– – Other	72,00	15,66
1702 90	– Other, including invert sugar :		
1702 90 50	– – Maltodextrine and maltodextrine syrup	72,00	15,66
	– – Sugars and molasses, caramelized :		
	– – – Other :		
1702 90 75	– – – – In the form of powder, whether or not agglomerated	82,40	4,18
1702 90 79	– – – – Other	72,00	15,66
2106	Food preparations not elsewhere specified or included :		
2106 90	– Other :		
	– – Syrups of sugar, flavoured or with added colourings :		
	– – – Other :		
2106 90 55	– – – – Glucose syrup and maltodextrine	66,40	11,00
2302	Bran, sharps and other residues, whether or not in the form of pellets, derived from the sifting, milling or other working of cereals or of leguminous plants :		
2302 10	– Of maize (corn) :		
2302 10 10	– – With a starch content not exceeding 35 % by weight	4,80	—
2302 10 90	– – Other	4,80	—
2302 20	– Of rice :		
2302 20 10	– – With a starch content not exceeding 35 % by weight	4,80	—
2302 20 90	– – Other	4,80	—
2302 30	– Of wheat :		
2302 30 10	– – Of which the starch content does not exceed 28 % by weight, and of which the proportion that passes through a sieve with an aperture of 0,2 mm does not exceed 10 % by weight or alternatively the proportion that passes through the sieve has an ash content, calculated on the dry product, equal to or more than 1,5 % by weight		

(ECU/tonne)			
(1)	(2)	(3)	(4)
2302 30 90	— — Other	4,80	—
2302 40	— Of other cereals :	4,80	—
2302 40 10	— — Of which the starch content does not exceed 28 % by weight, and of which the proportion that passes through the sieve with an aperture of 0,2 mm does not exceed 10 % by weight or alternatively the proportion that passes through the sieve has an ash content, calculated on the dry product, equal to or more than 1,5 %	4,80	—
2302 40 90	— — Other	4,80	—
2303	Residues of starch manufacture and similar residues, beet-pulp, bagasse and other waste of sugar manufacture, brewing or distilling dregs and waste, whether or not in the form of pellets :		
2303 10	— Residues of starch manufacture and similar residues :		
	— — Residues from the manufacture of starch maize (excluding concentrated steeping liquors), of a protein content, calculated on the dry product		
2303 10 11	— — — Exceeding 40 % by weight	145,07	—
2309	Preparations of a kind used in animal feeding :		
2303 10	— Dog or cat food, put up for retail sale :		
	— — Containing starch, glucose, glucose syrup, maltodextrine or maltodextrine syrup falling within subheadings 1702 30 51 to 1702 30 99, 1702 40 90, 1702 90 50 and 2106 90 55 or milk products :		
	— — — Containing starch, glucose, glucose syrup, maltodextrine or maltodextrine syrup :		
	— — — — Containing no starch or containing 10 % or less by weight of starch	8,70	—
2309 10 11	— — — — — Containing no milk products or containing less than 10 % by weight of such products	8,70	—
2309 10 13	— — — — — Containing not less than 10 % but less than 50 % by weight of milk products	8,70	—
	— — — — — Containing more than 10 % but not more than 30 % by weight of starch :		
2309 10 31	— — — — — Containing no milk products or containing less than 10 % by weight of such products	8,70	—
2309 10 33	— — — — — Containing not less than 10 % but less than 50 % by weight of milk products	8,70	—
	— — — — — Containing more than 30 % by weight of starch :		
2309 10 51	— — — — — Containing no milk products or containing less than 10 % by weight of such products	8,70	—
2309 10 53	— — — — — Containing not less than 10 % but less than 50 % by weight of milk products	8,70	—
2309 90	— Other :		
	— — Other :		
	— — — Containing starch, glucose, glucose syrup, maltodextrine or maltodextrine syrup falling within subheadings 1702 30 51 to 1702 30 99, 1702 40 90, 1702 90 50 and 2106 90 55 or milk products :		
	— — — — Containing starch, glucose, glucose syrup, maltodextrine or maltodextrine syrup :		
	— — — — — Containing no starch or containing 10 % or less by weight of starch :		
2309 90 31	— — — — — Containing no milk products or containing less than 10 % by weight of such products	8,70	—
2309 90 33	— — — — — Containing not less than 10 % but less than 50 % by weight of milk products	8,70	—
	— — — — — Containing more than 10 % but not more than 30 % by weight of starch :		

(ECU/tonne)			
(1)	(2)	(3)	(4)
2309 90 41	— — — — — Containing no milk products or containing less than 10 % by weight of such products	8,70	—
2309 90 43	— — — — — Containing not less than 10 % but less than 50 % by weight of milk products	8,70	—
	— — — — — Containing more than 30 % by weight of starch :		
2309 90 51	— — — — — Containing no milk products or containing less than 10 % by weight of such products	8,70	—
2309 90 53	— — — — — Containing not less than 10 % but less than 50 % by weight of milk products	8,70	—

(¹) In order to distinguish between products falling within subheading 1101 00 00 and heading Nos 1102 1103 and 1104 of the combined nomenclature on the one hand, and within subheadings 2302 10 to 2302 40 on the other, those products shall be considered as falling within subheadings 1101 00 00 and heading Nos 1102, 1103 and 1104 which simultaneously have :

- a starch content (determined by the modified Ewers polarimetric method) of more than 45 % (by weight) calculated on the dry product,
- an ash content (by weight) calculated on dry products (after deduction of any added minerals) or 1,6 % or less for rice, 2,5 % or less for wheat or rye, 3 % or less for barley, 4 % or less for buckwheat, 5 % or less for oats and 2 % or less for the other cereals.

Germ of cereals, whole, rolled, flaked or grounds, falls in all cases within subheading 1101 00 00 and heading No 1102.

COMMISSION REGULATION (EEC) No 3779/91

of 20 December 1991

fixing the export refunds on baled tobacco from the 1991 harvest

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 727/70 of 21 April 1970 on the common organization of the market in raw tobacco ⁽¹⁾, as last amended by Regulation (EEC) No 1737/91 ⁽²⁾, and in particular the second subparagraph of Article 9 (1) and the first sentence of the third subparagraph of Article 9 (2) thereof,

Whereas under Article 9 of Regulation (EEC) No 727/70 the difference between world prices and Community prices for the products referred to in Article 1 of the said Regulation may be covered by an export refund;

Whereas under Council Regulation (EEC) No 326/71 of 15 February 1971 laying down general rules for granting export refunds on raw tobacco and fixing the amount of such refunds ⁽³⁾, as amended by Regulation (EEC) No 1977/87 ⁽⁴⁾, the granting of refunds must be limited to baled tobacco produced from leaf tobacco harvested in the Community; whereas the refunds must be fixed for each variety produced in the Community in the light of the factors referred to in Article 2 (1) of Regulation (EEC) No 326/71;

Whereas for some varieties the outlets are very limited or involve high transport costs; whereas, moreover, some third countries exporting tobacco charge prices which have a marked effect on the competitive position of Community tobacco; whereas Article 4 of Regulation (EEC) No 326/71 foresees criteria to be taken into account in the assessment of the exceptional cases referred to in the second subparagraph of Article 9 (1) of Regulation (EEC) No 727/70; whereas in view of the abovementioned situation it may be concluded that these circumstances constitute exceptional cases which therefore justify the refund being fixed outside the limits specified in the second subparagraph of Article 9 (1) of Regulation (EEC) No 727/70;

Whereas, as a result of progress in processing and market preparation, an increasingly large part of Community production of certain varieties of tobacco is being exported in the form of threshed (stripped) tobacco;

whereas, consequently, the amount of the refund should be differentiated according to the form in which the baled tobacco is presented; whereas for exports of entirely threshed (stripped) tobacco it should be specified that the refund is to be granted only on the strips, not scraps, and the amount should be increased accordingly to take account of the results of threshing; whereas, to avoid any risk of confusion, the strips must measure at least 0,5 centimetres;

Whereas the trade in threshed (stripped) tobacco involves only a few tobacco varieties; whereas some oriental varieties in particular are not threshed on account of their small leaf size; whereas the refund should therefore be differentiated only for strips from varieties which are actually threshed and the differentiated amount worked out by applying to the basic amount set for unthreshed tobacco of the particular variety the coefficient set in the Annex to Commission Regulation (EEC) No 410/76 of 23 February 1976 fixing the maximum permissible weight losses in connection with the supervision of the first processing and market preparation of tobacco ⁽⁵⁾, as last amended by Regulation (EEC) No 838/91 ⁽⁶⁾;

Whereas, to apply the rules and criteria referred to above in the present situation on the market in tobacco, and in particular in the light of Community and world prices, a refund should be fixed for the products listed in the Annex, at the levels and for the countries specified therein;

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

HAS ADOPTED THIS REGULATION:

Article 1

The list of varieties of baled tobacco from the 1991 harvest on which the export refund referred to in Article 9 of Regulation (EEC) No 727/70 is to be granted, the amount of the refund and the countries of destination shall be as specified in the Annexes.

The refund shall be granted on baled tobacco presented in one of the following two forms:

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 1.

⁽²⁾ OJ No L 163, 26. 6. 1991, p. 11.

⁽³⁾ OJ No L 39, 17. 2. 1971, p. 1.

⁽⁴⁾ OJ No L 184, 3. 7. 1987, p. 55.

⁽⁵⁾ OJ No L 50, 26. 2. 1976, p. 11.

⁽⁶⁾ OJ No L 85, 5. 4. 1991, p. 16.

- (a) tobacco in the form of whole or cut (not stripped) leaves falling within CN code ex 2401 10 (Annex I);
- (b) threshed (totally stripped) tobacco in the form of strips measuring at least 0,5 centimetres, falling within CN code ex 2401 20 (Annex II).

Article 2

This Regulation shall enter into force on 1 January 1992.

It shall apply until 31 December 1992.

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

Done at Brussels, 20 December 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX I

(ECU/kg)

Serial No	Variety	Product code	Amount of the refund on tobacco in the form of whole or cut (unstripped) leaves (Article 1 (2) (a))	Countries of destination (1)
1	Badischer Geudertheimer	2401 10 70 0101	0,34	01
2	Badischer Burley E	2401 10 20 0201	0,34	01
3	Virgin D	2401 10 10 0301	0,30	02
4	(a) Paraguay	2401 10 70 0411	0,21	01
	(b) Dragon vert and hybrids thereof, Philippin, Petit-Grammont (Flobecq), Semois, Appel terre	2401 10 70 0421	0,34	01
7	Bright	2401 10 80 0701	0,25	02
8	Burley I	2401 10 20 0801	0,25	02
9	Maryland	2401 10 30 0901	0,30	02
10	Kentucky	2401 10 41 1001	0,44	02
11	(a) Forchheimer Havana II c), e) Hybrids of Badischer Geudertheimer	2401 10 70 1111	0,21	01
13	Xanti-Yaka	2401 10 60 1301	0,35	03
14	(a) Perustiza	2401 10 60 1411	0,35	03
	(b) Samsun	2401 10 60 1421	0,25	03
15	Erzegovina	2401 10 60 1501	0,35	03
16	(a) Round Tip	2401 10 90 1611	0,44	02
	(b) Scafati	2401 10 90 1621		02
	(c) Sumatra I	2401 10 90 1631		02
17	Basmas	2401 10 60 1701	0,34	03
18	Katerini and similar varieties	2401 10 60 1801	0,34	03
19	(a) Kaba Koulak classic	2401 10 60 1911	0,32	03
	(b) Elassona	2401 10 60 1921	0,32	03
20	(a) Kaba Koulak non classic	2401 10 60 2011	0,41	03
	(b) Myrodata Smyrne, Trapezous, and Phi I	2401 10 60 2021	0,41	03
21	Myrodata Agrinion	2401 10 60 2101	0,41	03
22	Zichnomyrodata	2401 10 60 2201	0,32	03
23	Tsebelia	2401 10 60 2301	0,27	03
24	Mavra	2401 10 60 2401	0,27	03
25	Burley EL	2401 10 20 2501	0,30	02
26	Virginia EL	2401 10 10 2601	0,20	02
27	Santa Fé	2401 10 70 2701	0,34	01
28	Burley fermenté	2401 10 70 2801	0,34	01
29	Havana E	2401 10 70 2901	0,34	01
30	Round Scafati	2401 10 90 3001	0,27	02
31	Virginia E	2401 10 10 3101	0,20	02
32	Burley E	2401 10 20 3201	0,30	02
33	Virginia P	2401 10 10 3301	0,30	02
34	Burley P	2401 10 20 3401	0,30	02

(1) 01 All third countries.

02 All third countries except the United States and Canada.

03 All third countries except Turkey and Yugoslavia.

ANNEX II

Serial No	Variety	Product code	Amount of the refund on threshed (totally stripped) tobacco (Article 1 (2) (b))	(ECU/kg) Countries of destination (¹)
1	Badischer Geudertheimer	2401 20 70 0101	0,47	01
2	Badischer Burley E	2401 20 20 0201	0,47	01
3	Virgin D	2401 20 10 0301	0,42	02
4	(a) Paraguay	2401 20 70 0411	0,29	01
	(b) Dragon and hybrids thereof, Philippin, Petit-Grammont (Flobecq), Semois, Appel terre	2401 20 70 0421	0,47	01
7	Bright	2401 20 80 0701	0,36	02
8	Burley I	2401 20 20 0801	0,42	02
9	Maryland	2401 20 30 0901	0,42	02
10	Kentucky	2401 20 41 1001	0,61	02
11	(a) Forchheimer Havana II c), e) Hybrids of Badischer Geudertheimer	2401 20 70 1111	0,29	01
23	Tsebelia	2401 20 60 2301	0,37	03
24	Mavra	2401 20 60 2401	0,37	03
25	Burley EL	2401 20 20 2501	0,42	02
26	Virginia EL	2401 20 10 2601	0,28	02
27	Santa Fé	2401 20 70 2701	0,47	01
28	Burley fermenté	2401 20 70 2801	0,47	01
29	Havana E	2401 20 70 2901	0,47	01
31	Virginia E	2401 20 10 3101	0,28	02
32	Burley E	2401 20 20 3201	0,42	02
33	Virginia P	2401 20 10 3301	0,42	02
34	Burley P	2401 20 20 3401	0,42	02

(¹) 01 All third countries.

02 All third countries except the United States and Canada.

03 All third countries except Turkey and Yugoslavia.

COMMISSION REGULATION (EEC) No 3780/91**of 20 December 1991****extending Regulations (EEC) No 3665/88, (EEC) No 3766/89 and (EEC) No 3793/90 fixing, in respect of 1988, 1989 and 1990 crops, export refunds for raw tobacco**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 727/70 of 21 April 1970 on the common organization of the market in raw tobacco ⁽¹⁾, as last amended by Regulation (EEC) No 1737/91 ⁽²⁾, and in particular the first sentence of the third subparagraph of Article 9 (2) thereof,

Whereas export refunds were fixed in respect of certain varieties of tobacco from the 1988, 1989 and 1990 crops by Commission Regulations (EEC) No 3665/88 ⁽³⁾, (EEC) No 3766/89 ⁽⁴⁾ and (EEC) No 3793/90 ⁽⁵⁾ respectively;

Whereas the final date for granting those refunds was set at 31 December 1991; whereas, in respect of certain varieties of that tobacco, export possibilities after that date have presented themselves; whereas it is advisable to grant refunds in respect of the varieties in question from the 1988, 1989 and 1990 harvests, in order to enable those exports to be carried out;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. In Article 2 of Regulation (EEC) No 3665/88, '31 December 1991' is hereby replaced by '31 June 1992'.
2. In Article 2 of Regulation (EEC) No 3766/89, '31 December 1991' is hereby replaced by '30 June 1992'.
3. In Article 2 of Regulation (EEC) No 3793/90, '31 December 1991' is hereby replaced by '30 June 1992'.

Article 2

This Regulation shall enter into force on 1 January 1992.

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

Done at Brussels, 20 December 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 1.

⁽²⁾ OJ No L 163, 26. 6. 1991, p. 11.

⁽³⁾ OJ No L 318, 25. 11. 1988, p. 19.

⁽⁴⁾ OJ No L 365, 15. 12. 1989, p. 28.

⁽⁵⁾ OJ No L 365, 28. 12. 1990, p. 8.

COMMISSION REGULATION (EEC) No 3781/91

of 19 December 1991

concerning the stopping of fishing for plaice by vessels flying the flag of Denmark

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2241/87 of 23 July 1987 establishing certain control measures for fishing activities ⁽¹⁾, as last amended by Regulation (EEC) No 3483/88 ⁽²⁾, and in particular Article 11 (3) thereof,

Whereas Council Regulation (EEC) No 3926/90 of 20 December 1990 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1991 and certain conditions under which they may be fished ⁽³⁾, as last amended by Regulation (EEC) No 2381/91 ⁽⁴⁾, provides for plaice quotas for 1991;

Whereas, in order to ensure compliance with the provisions relating to the quantitative limitations on catches of stocks subject to quotas, it is necessary for the Commission to fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated;

Whereas, according to the information communicated to the Commission, catches of plaice in the waters of ICES division III a Kattegat by flying the flag of Denmark or registered in Denmark have reached the quota allocated for 1991; whereas Denmark has prohibited fishing for

this stock as from 6 December 1991; whereas it is therefore necessary to abide by that date,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of plaice in the waters of ICES division III a Kattegat by vessels flying the flag of Denmark or registered in Denmark are deemed to have exhausted the quota allocated to Denmark for 1991.

Fishing for plaice in the waters of ICES division III a Kattegat by vessels flying the flag of Denmark or registered in Denmark is prohibited, as well as the retention on board, the transshipment and the landing of such stock captured by the abovementioned vessels after the date of application of this Regulation.

Article 2

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

It shall apply with effect from 6 December 1991.

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

Done at Brussels, 19 December 1991.

For the Commission

Manuel MARÍN

Vice-President

⁽¹⁾ OJ No L 207, 29. 7. 1987, p. 1.

⁽²⁾ OJ No L 306, 11. 11. 1988, p. 2.

⁽³⁾ OJ No L 378, 31. 12. 1990, p. 1.

⁽⁴⁾ OJ No L 219, 7. 8. 1991, p. 2.

COMMISSION REGULATION (EEC) No 3782/91

of 19 December 1991

concerning the stopping of fishing for Mackerel by vessels flying the flag of Denmark

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2241/87 of 23 July 1987 establishing certain control measures for fishing activities ⁽¹⁾, as last amended by Regulation (EEC) No 3483/88 ⁽²⁾, and in particular Article 11 (3) thereof,

Whereas Council Regulation (EEC) No 3926/90 of 20 December 1990 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1991 and certain conditions under which they may be fished ⁽³⁾, as last amended by Regulation (EEC) No 2381/91 ⁽⁴⁾, provides for mackerel quotas for 1991;

Whereas, in order to ensure compliance with the provisions relating to the quantitative limitations on catches of stocks subject to quotas, it is necessary for the Commission to fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated;

Whereas, according to the information communicated to the Commission, catches of mackerel in the waters of ICES division II a (EC zone), III a; III b, c, d (EC zone) and IV by vessels flying the flag of Denmark or registered in Denmark have reached the quota allocated for 1991; whereas Denmark has prohibited fishing for this stock as

from 30 November 1991; whereas it is therefore necessary to abide by that date,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of plaice in the waters of ICES division II a (EC zone), III a; III b, c, d (EC zone) and IV by vessels flying the flag of Denmark or registered in Denmark are deemed to have exhausted the quota allocated to Denmark for 1991.

Fishing for mackerel in the waters of ICES division II a (EC zone) III a; III b, c, d (EC zone) and IV by vessels flying the flag of Denmark or registered in Denmark is prohibited, as well as the retention on board, the transshipment and the landing of such stock captured by the abovementioned vessels after the date of application of this Regulation.

Article 2

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

It shall apply with effect from 30 November 1991.

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

Done at Brussels, 19 December 1991.

For the Commission

Manuel MARÍN

Vice-President

⁽¹⁾ OJ No L 207, 29. 7. 1987, p. 1.

⁽²⁾ OJ No L 306, 11. 11. 1988, p. 2.

⁽³⁾ OJ No L 378, 31. 12. 1990, p. 1.

⁽⁴⁾ OJ No L 219, 7. 8. 1991, p. 2.

COMMISSION REGULATION (EEC) No 3783/91

of 19 December 1991

concerning the stopping of fishing for northern deepwater prawns by vessels flying the flag of Denmark

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2241/87 of 23 July 1987 establishing certain control measures for fishing activities⁽¹⁾, as amended by Regulation (EEC) No 3483/88⁽²⁾, and in particular Article 11 (3) thereof,Whereas Council Regulation (EEC) No 3926/90 of 20 December 1990 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1991 and certain conditions under which they may be fished⁽³⁾, as last amended by Regulation (EEC) No 2381/91⁽⁴⁾, provides for northern deepwater prawn quotas for 1991 ;

Whereas, in order to ensure compliance with the provisions relating to the quantitative limitations on catches of stocks subject to quotas, it is necessary for the Commission to fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated ;

Whereas, according to the information communicated to the Commission, catches of northern deepwater prawns in the waters of ICES division III a Skagerrak by vessels flying the flag of Denmark or registered in Denmark have reached the quota allocated for 1991 ; whereas Denmark

has prohibited fishing for this stock as from 4 December 1991 ; whereas it is therefore necessary to abide by that date,

HAS ADOPTED THIS REGULATION :

Article 1

Catches of northern deepwater prawns in the waters of ICES division III a Skagerrak by vessels flying the flag of Denmark or registered in Denmark are deemed to have exhausted the quota allocated to Denmark for 1991.

Fishing for northern deepwater prawns in the waters of ICES division III a Skagerrak by vessels flying the flag of Denmark or registered in Denmark is prohibited, as well as the retention on board, the transshipment and the landing of such stock captured by the abovementioned vessels after the date of application of this Regulation.

*Article 2*This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Communities*.

It shall apply with effect from 4 December 1991.

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

Done at Brussels, 19 December 1991.

For the Commission

Manuel MARÍN

Vice-President⁽¹⁾ OJ No L 207, 29. 7. 1987, p. 1.⁽²⁾ OJ No L 306, 11. 11. 1988, p. 2.⁽³⁾ OJ No L 378, 31. 12. 1990, p. 1.⁽⁴⁾ OJ No L 219, 7. 8. 1991, p. 2.

COMMISSION REGULATION (EEC) No 3784/91

of 19 December 1991

concerning the stopping of fishing for common sole by vessels flying the flag of the Netherlands

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2241/87 of 23 July 1987 establishing certain control measures for fishing activities⁽¹⁾, as amended by Regulation (EEC) No 3483/88⁽²⁾, and in particular Article 11 (3) thereof,

Whereas Council Regulation (EEC) No 3926/90 of 20 December 1990 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1991 and certain conditions under which they may be fished⁽³⁾, as last amended by Regulation (EEC) No 2381/91⁽⁴⁾, provides for northern deepwater prawn quotas for 1991 ;

Whereas, in order to ensure compliance with the provisions relating to the quantitative limitations on catches of stocks subject to quotas, it is necessary for the Commission to fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated ;

Whereas, according to the information communicated to the Commission, catches of common sole in the waters of ICES divisions II and IV by vessels flying the flag of the Netherlands or registered in the Netherlands have reached the quota allocated for 1991 ; whereas the Netherlands have prohibited fishing for this stock as from

7 December 1991 ; whereas it is therefore necessary to abide by that date,

HAS ADOPTED THIS REGULATION :

Article 1

Catches of common sole in the waters of ICES divisions II and IV by vessels flying the flag of the Netherlands or registered in the Netherlands are deemed to have exhausted the quota allocated to the Netherlands for 1991.

Fishing for common sole in the waters of ICES divisions II and IV by vessels flying the flag of the Netherlands or registered in the Netherlands is prohibited, as well as the retention on board, the transshipment and the landing of such stock captured by the abovementioned vessels after the date of application of this Regulation.

Article 2

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

It shall apply with effect from 7 December 1991.

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

Done at Brussels, 19 December 1991.

For the Commission

Manuel MARÍN

Vice-President

⁽¹⁾ OJ No L 207, 29. 7. 1987, p. 1.

⁽²⁾ OJ No L 306, 11. 11. 1988, p. 2.

⁽³⁾ OJ No L 378, 31. 12. 1990, p. 1.

⁽⁴⁾ OJ No L 219, 7. 8. 1991, p. 2.

COMMISSION REGULATION (EEC) No 3785/91**of 19 December 1991****concerning the stopping of fishing for mackerel by vessels flying the flag of the Netherlands**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2241/87 of 23 July 1987 establishing certain control measures for fishing activities ⁽¹⁾, as amended by Regulation (EEC) No 3483/88 ⁽²⁾, and in particular Article 11 (3) thereof,

Whereas Council Regulation (EEC) No 3926/90 of 20 December 1990 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1991 and certain conditions under which they may be fished ⁽³⁾, as last amended by Regulation (EEC) No 2381/91 ⁽⁴⁾, provides for mackerel quotas for 1991;

Whereas, in order to ensure compliance with the provisions relating to the quantitative limitations on catches of stocks subject to quotas, it is necessary for the Commission to fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated;

Whereas, according to the information communicated to the Commission, catches of mackerel in the waters of ICES divisions II (excluding EC zone), V b (EC zone), VI, VII, VIII a, b, d, e, XII and XIV by vessels flying the flag of the Netherlands or registered in the Netherlands have reached the quota allocated for 1991; whereas the Netherlands have prohibited fishing for this stock as from

30 November 1991; whereas it is therefore necessary to abide by that date,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of mackerel in the waters of ICES divisions II (excluding EC zone), V b (EC zone), VI, VII, VIII a, b, d, e, XII and XIV by vessels flying the flag of the Netherlands or registered in the Netherlands are deemed to have exhausted the quota allocated to the Netherlands for 1991.

Fishing for mackerel in the waters of ICES divisions II (excluding EC zone), V b (EC zone), VI, VII, VIII a, b, d, e, XII and XIV by vessels flying the flag of the Netherlands or registered in the Netherlands is prohibited, as well as the retention on board, the transshipment and the landing of such stock captured by the abovementioned vessels after the date of application of this Regulation.

Article 2

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

It shall apply with effect from 30 November 1991.

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

Done at Brussels, 19 December 1991.

For the Commission

Manuel MARÍN

Vice-President

⁽¹⁾ OJ No L 207, 29. 7. 1987, p. 1.

⁽²⁾ OJ No L 306, 11. 11. 1988, p. 2.

⁽³⁾ OJ No L 378, 31. 12. 1990, p. 1.

⁽⁴⁾ OJ No L 219, 7. 8. 1991, p. 2.

COMMISSION REGULATION (EEC) No 3786/91

of 19 December 1991

concerning the stopping of fishing for saithe by vessels flying the flag of Germany

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2241/87 of 23 July 1987 establishing certain control measures for fishing activities ⁽¹⁾, as last amended by Regulation (EEC) No 3483/88 ⁽²⁾, and in particular Article 11 (3) thereof,

Whereas Council Regulation (EEC) No 3926/90 of 20 December 1990 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1991 and certain conditions under which they may be fished ⁽³⁾, as last amended by Regulation (EEC) No 2381/91 ⁽⁴⁾, provides for saithe quotas for 1991;

Whereas, in order to ensure compliance with the provisions relating to the quantitative limitations on catches of stocks subject to quotas, it is necessary for the Commission to fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated;

Whereas, according to the information communicated to the Commission, catches of saithe in the waters of ICES divisions II a (EC zone), III a, III b, c, d (EC zone) and IV by vessels flying the flag of Germany or registered in Germany have reached the quota allocated for 1991; whereas Germany has prohibited fishing for this stock as

from 8 December 1991; whereas it is therefore necessary to abide by that date,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of saithe in the waters of ICES divisions II a (EC zone), III a, III b, c, d (EC zone) and IV by vessels flying the flag of Germany or registered in Germany are deemed to have exhausted the quota allocated to Germany for 1991.

Fishing for saithe in the waters of ICES divisions II a (EC zone), III a, III b, c, d (EC zone) and IV by vessels flying the flag of Germany or registered in Germany is prohibited, as well as the retention on board, the transshipment and the landing of such stock captured by the abovementioned vessels after the date of application of this Regulation.

Article 2

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

It shall apply with effect from 8 December 1991.

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

Done at Brussels, 19 December 1991.

For the Commission

Manuel MARÍN

Vice-President

⁽¹⁾ OJ No L 207, 29. 7. 1987, p. 1.

⁽²⁾ OJ No L 306, 11. 11. 1988, p. 2.

⁽³⁾ OJ No L 378, 31. 12. 1990, p. 1.

⁽⁴⁾ OJ No L 219, 7. 8. 1991, p. 2.

COMMISSION REGULATION (EEC) No 3787/91

of 20 December 1991

opening an invitation to tender for the sale of olive oil held by the Spanish intervention agency for export to the Canary Islands

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 1720/91⁽²⁾, and in particular Article 12 (4) thereof,

Whereas Article 2 (1) of Council Regulation (EEC) No 2754/78⁽³⁾, as amended by Regulation (EEC) No 2203/90⁽⁴⁾, provides that sales of olive oil held by intervention agencies are to be organized by invitation to tender;

Whereas, pursuant to Article 12 (1) of Regulation No 136/66/EEC, the Spanish intervention agency has bought in large quantities of olive oil;

Whereas Commission Regulation (EEC) No 2960/77⁽⁵⁾, as last amended by Regulation (EEC) No 3818/85⁽⁶⁾, lays down the conditions for sale by invitation to tender;

Whereas, in order to ensure the supply of olive oil to the Canary Islands, some of the oil from Community intervention stocks should be made available for export to that destination;

Whereas the minimum selling price is so fixed that the Community operators enjoy equal conditions of competition with operators in third countries; whereas, accordingly, oil sold pursuant to this Regulation must not qualify for export refunds as provided for in Article 20 of Regulation No 136/66/EEC or for consumption aid as provided for in Article 11 of that Regulation or be subject to the arrangements on monetary compensatory amounts or on accession compensatory amounts;

Whereas Articles 16, 17 and 18 of Commission Regulation (EEC) No 3665/87 of 27 November 1987 laying down common detailed rules for the application of the

system of export refunds on agricultural products⁽⁷⁾, as last amended by Regulation (EEC) No 1615/90⁽⁸⁾, specify the evidence required to prove importation into a third country;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The Spanish intervention agency Servicio Nacional de Productos Agrarios, hereinafter referred to as 'Senpa', shall open an invitation to tender in accordance with the provisions of this Regulation and of Regulation (EEC) No 2960/77 for the sale for export of approximately 2 650 tonnes of lampante virgin olive oil.

2. The olive oil awarded must be exported to the Canary Islands, in the form of products put up in containers with a net content of not more than five litres and of the quality defined in point 3 of the Annex to Regulation No 136/66/EEC.

Article 2

The invitation to tender shall be made public on 7 January 1992.

Particulars of the lots of oil offered for sale and the places where they are stored shall be displayed at the head office of Senpa, Calle Beneficencia 8, E-Madrid 28004.

Notwithstanding Article 5 (2) of Regulation (EEC) No 2960/77, Senpa shall be authorized, where the quantity of oil in a container exceeds 300 tonnes, to make up several lots with part only of such oil.

A copy of the invitation to tender referred to above shall be forwarded without delay to the Commission.

Article 3

Tenders must reach Senpa, Calle Beneficia 8, E-Madrid 28004, not later than 2 p.m. (local time) on 24 January 1992.

⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽²⁾ OJ No L 162, 26. 6. 1991, p. 27.

⁽³⁾ OJ No L 331, 28. 11. 1978, p. 13.

⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 5.

⁽⁵⁾ OJ No L 340, 30. 12. 1977, p. 46.

⁽⁶⁾ OJ No L 368, 31. 12. 1985, p. 20.

⁽⁷⁾ OJ No L 351, 14. 12. 1987, p. 1.

⁽⁸⁾ OJ No L 152, 16. 6. 1990, p. 33.

Tenders shall be admissible only if submitted by a natural or legal person who exercises an activity in the olive oil sector and is entered in that capacity as at 31 December 1991 in a public register of a Member State.

No tenderer may submit a tender for a quantity in excess of 400 tonnes.

Article 4

1. Tenders shall be submitted for oil of 3° acidity.
2. Where the oil awarded has a different degree of acidity from that for which the tender was submitted, the price to be paid shall be equal to the price tendered, increased or reduced in accordance with the scale below:
 - up to 3° acidity:
increase of Pta 47,94 for each tenth of a degree of acidity below 3°,
 - more than 3° to up to 5° acidity,
reduction of Pta 47,94 for each tenth of a degree of acidity above 3°,
 - more than 5° acidity,
additional reduction of Pta 52,43 for each tenth of a degree above 5°.

Article 5

Not later than three days after the expiry of the time limit laid down for the submission of tenders, Senpa shall send the Commission a list, without mentioning names, stating the highest tender received for each lot put up for sale.

Article 6

The minimum selling price shall be fixed, in accordance with the procedure laid down in Article 38 of Regulation No 136/66/EEC, on the basis of the tenders received, not later than the last working day of the month during which the tenders were submitted. The decision fixing the minimum selling price shall be notified forthwith to the Member State concerned.

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

Done at Brussels, 20 December 1991.

Article 7

The olive oil shall be sold by Senpa not later than the seventh day of the month following that in which the tenders were submitted.

Article 8

The security referred to in Article 7 of Regulation (EEC) No 2960/77 shall be Pta 3 000 per 100 kilograms.

The security referred to in Article 12 (3) of Regulation (EEC) No 2960/77 shall be Pta 18 000 per 100 kilograms of olive oil.

For the purpose of applying Article 1 (2), the security referred to in the second paragraph of this Article shall not be released until proof is provided that a quantity of product equal to 110 % of that obtained by refining the oil awarded has been imported into, and released for consumption in, the Canary Islands before 31 May 1992, except in cases where it is destroyed during transport as a result of *force majeure*, without the identification number referred to in Article 2 (2) of Council Regulation (EEC) No 3089/78 ⁽¹⁾. Such proof shall be provided no later than three months following the date of import.

Article 9

Products dispatched pursuant to this Regulation shall not qualify for export refunds or consumption aid and shall not be subject to the arrangements or monetary or accession compensatory amounts.

Article 10

The storage charge provided for in Article 15 of Regulation (EEC) No 2960/77 shall be Pta 400 per 100 kilograms.

Article 11

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

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 369, 29. 12. 1978, p. 12.

COMMISSION REGULATION (EEC) No 3788/91
of 19 December 1991
amending and extending Regulation (EEC) No 2819/79 making imports of
certain textile products from certain third countries subject to Commission
surveillance

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 288/82 of 5 February 1982 on common rules for imports ⁽¹⁾, as last amended by Regulation (EEC) No 2978/91 ⁽²⁾, and in particular Article 10 thereof,

Having consulted the advisory committee set up under Article 5 of Regulation (EEC) No 288/82,

Whereas, by virtue of Regulation (EEC) No 2819/79 ⁽³⁾, as last amended by Regulation (EEC) No 3888/90 ⁽⁴⁾, the Commission has established a system of Community surveillance for imports of certain textile products listed in the Annex and originating in the Mediterranean countries which have signed Agreements establishing preferential arrangements with the Community, that is to say Egypt, Turkey and Malta;

Whereas this Regulation expires on 31 December 1991;

Whereas the situation which led to the introduction of the said surveillance system still exists; whereas that system should therefore remain in force,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2819/79 is hereby extended until 31 December 1992.

Article 2

The descriptions and codes listed in the Annex to this Regulation replace the descriptions and codes listed in Annex I to the Regulation (EEC) No 2819/79 for the categories concerned.

Article 3

This Regulation shall enter into force on 1 January 1992.

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

Done at Brussels, 19 December 1991.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 35, 9. 2. 1982, p. 1.

⁽²⁾ OJ No L 284, 12. 10. 1991, p. 1.

⁽³⁾ OJ No L 320, 15. 12. 1979, p. 9.

⁽⁴⁾ OJ No L 367, 29. 12. 1990, p. 151.

ANNEX

ANNEX I

Category	CN code	Description
6	6203 41 10	Men's or boys' woven breeches, shorts other than swimwear and trousers (including slacks); women's or girls woven trousers and slacks, of wool, of cotton or of man-made fibres;
	6203 41 90	
	6203 42 31	Lower parts of tracksuits with lining, other than category 16 or 29, of cotton or of man-made fibres
	6203 42 33	
	6203 42 35	
	6203 42 90	
	6203 43 19	
	6203 43 90	
	6203 49 19	
	6203 49 50	
	6204 61 10	
	6204 62 31	
	6204 62 33	
	6204 62 39	
	6204 63 18	
	6204 69 18	
	6211 32 42	
	6211 33 42	
	6211 42 42	
	6211 43 42	
21	ex 6201 12 10	Parkas; anoraks, windcheaters, waister jackets and the like, other than knitted or crocheted, of wool, of cotton or man-made fibres;
	ex 6201 12 90	
	ex 6201 13 10	Upper parts of tracksuits with lining, other than category of 16 or 29, of cotton or of man-made fibres
	ex 6201 13 90	
	6201 91 00	
	6201 92 00	
	6201 93 00	
	ex 6202 12 10	
	ex 6202 12 90	
	ex 6202 13 10	
	ex 6202 13 90	
	6202 91 00	
	6202 92 00	
	6202 93 00	
	6211 32 41	
	6211 33 41	
	6211 42 41	
	6211 43 41	
29	6204 11 00	Women's or girls' suits and ensembles, other than knitted or crocheted, of wool, of cotton or man-made fibres, excluding ski suits;
	6204 12 00	
	6204 13 00	Women's or girls' tracksuits with lining, with an outer shell of a single identical fabric, of cotton or of man-made fibres'
	6204 19 10	
	6204 21 00	
	6204 22 80	
	6204 23 80	
	6204 29 18	
	6211 42 31	
	6211 43 31	

COMMISSION REGULATION (EEC) No 3789/91
of 19 December 1991

amending and extending the periods of validity of Regulations (EEC) No 3044/79, (EEC) No 1782/80, (EEC) No 4121/88, (EEC) No 4033/89, on Community surveillance of imports of certain textile products originating in Malta, Egypt and Turkey

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 288/82 of 5 February 1982 on common rules for imports ⁽¹⁾, as last amended by Regulation (EEC) No 2978/91 ⁽²⁾, and in particular Article 10 thereof,

Having consulted the advisory committee set up under Article 5 of Regulation (EEC) No 288/82,

Whereas Commission Regulation (EEC) No 2819/79 ⁽³⁾, the period of validity of which was last amended by Regulation (EEC) No 3788/91 ⁽⁴⁾, makes imports of certain textile products originating in certain non-member countries subject to Community surveillance;

Whereas by Regulation (EEC) No 3044/79 ⁽⁵⁾, as last amended by Regulation (EEC) No 3889/90 ⁽⁶⁾, the Commission established Community surveillance of imports of certain textile products originating in Malta;

Whereas, by Regulation (EEC) No 1782/80 ⁽⁷⁾, as last amended by Regulation (EEC) No 3889/90, the Commission established Community surveillance of imports of certain textile products originating in Egypt;

Whereas by Regulations (EEC) No 4121/88 ⁽⁸⁾ and (EEC) No 4033/89 ⁽⁹⁾, the Commission established Community surveillance of imports of certain textile products originating in Turkey;

Whereas those Regulations expire on 31 December 1991;

Whereas the reasons that justified the introduction of the above Regulations are still valid; whereas the said Regulations should therefore be extended for an additional period,

HAS ADOPTED THIS REGULATION:

Article 1

Community surveillance of imports of certain textile products, established by Regulations (EEC) No 3044/79, (EEC) No 1782/80, (EEC) No 4121/88 and (EEC) No 4033/89 is hereby extended until 31 December 1992.

Article 2

The descriptions and codes listed in the Annex to this Regulation replace the descriptions and codes listed in Annex I to Regulations (EEC) No 3044/79 and (EEC) No 4121/88 for the categories concerned.

Article 3

This Regulation shall enter into force on 1 January 1992.

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

Done at Brussels, 19 December 1991.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 35, 9. 2. 1982, p. 1.

⁽²⁾ OJ No L 284, 12. 10. 1991, p. 1.

⁽³⁾ OJ No L 320, 15. 12. 1979, p. 9.

⁽⁴⁾ See page 67 of this Official Journal.

⁽⁵⁾ OJ No L 343, 31. 12. 1979, p. 8.

⁽⁶⁾ OJ No L 367, 29. 12. 1990, p. 152.

⁽⁷⁾ OJ No L 174, 9. 7. 1980, p. 16.

⁽⁸⁾ OJ No L 361, 29. 12. 1988, p. 28.

⁽⁹⁾ OJ No L 382, 30. 12. 1989, p. 72.

ANNEX

ANNEX I

Category	CN code	Description
6	6203 41 10	Men's or boys' woven breeches, shorts other than swimwear and trousers (including slacks); women's or girls' woven trousers and slacks, of wool, of cotton or of man-made fibres
	6203 41 90	
	6203 42 31	
	6203 42 33	
	6203 42 35	Lower parts of tracksuits with lining, other than of category 16 or 29, of cotton or of man-made fibres
	6203 42 90	
	6203 43 19	
	6203 43 90	
	6203 49 19	
	6203 49 50	
	6204 61 10	
	6204 62 31	
	6204 62 33	
	6204 62 39	
	6204 63 18	
	6204 69 18	
	6211 32 42	
	6211 33 42	
	6211 42 42	
	6211 43 42	
21	ex 6201 12 10	Parkas; anoraks, windcheaters, waister jackets and the like, other than knitted or crocheted, of wool, of cotton or man-made fibres
	ex 6201 12 90	
	ex 6201 13 10	Upper parts of tracksuits with lining, other than of category 16 or 29, of cotton or of man-made fibres'
	ex 6201 13 90	
	6201 91 00	
	6201 92 00	
	6201 93 00	
	ex 6202 12 10	
	ex 6202 12 90	
	ex 6202 13 10	
	ex 6202 13 90	
	6202 91 00	
	6202 92 00	
	6202 93 00	
	6211 32 41	
	6211 33 41	
	6211 42 41	
	6211 43 41	

COMMISSION REGULATION (EEC) No 3790/91

of 19 December 1991

on arrangements for imports into Germany, Benelux, United Kingdom, Ireland, Denmark, Greece, Spain and Portugal of certain textile products (category 36) originating in South Korea

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 4136/86 of 22 December 1986 on common rules for imports of certain textile products originating in third countries⁽¹⁾, as last amended by Commission Regulation (EEC) No 1215/91⁽²⁾, and in particular Article 11 thereof,

Whereas Article 11 of Regulation (EEC) No 4136/86 lays down the conditions under which quantitative limits may be established; whereas imports into the Community of certain textile products (category 36) specified in the Annex hereto and originating in South Korea have exceeded the level referred to in paragraph 2 of the said Article 11;

Whereas imports of these products into France and Italy are already subject to regional quantitative limits for the years 1987 to 1991 by Regulation (EEC) No 4136;

Whereas the Agreement on trade in textile products between South Korea and the Community, applied since 1 January 1987, has been extended until the end of 1992 by an exchange of letters initialled on 16 October 1991 and due to be applied provisionally from 1 January 1992;

Whereas, in accordance with paragraph 5 of the said Article 11 of Regulation (EEC) No 4136/86, on 11 November 1991 South Korea was notified of a request for consultations; whereas, pending a mutually satisfactory solution, the Commission has requested South Korea for a provisional period of three months to limit its exports to Germany, Benelux, United Kingdom, Ireland, Denmark, Greece, Spain and Portugal of products falling within category 36 to the provisional quantitative limits set out in the annex with effect from the date of the request for consultations;

Whereas pending the outcome of the requested consultations quantitative limits identical to those requested of the supplier country should be applied provisionally to imports of the category of products in question;

Whereas Article 11 (13) ensures that the quantitative limits are observed by means of a double-checking system in accordance with Annex VI to Regulation (EEC) No 4136/86;

Whereas the products in question exported from South Korea between 11 November 1991 and the date of entry into force of this Regulation must be set off against the quantitative limits which have been introduced;

Whereas these quantitative limits should not prevent the importation of products covered by them shipped from South Korea before the date of entry into force of this Regulation;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Textile Committee,

HAS ADOPTED THIS REGULATION:

Article 1

Without prejudice to the provisions of Article 2, imports into Germany, Benelux, United Kingdom, Ireland, Denmark, Greece, Spain and Portugal of the category of products originating in South Korea and specified in the Annex hereto shall be subject to the provisional quantitative limits set out in that Annex.

Article 2

1. Products referred to in Article 1 shipped from South Korea to Germany, Benelux, United Kingdom, Ireland, Denmark, Greece, Spain and Portugal before the date of entry into force of this Regulation and not yet released for free circulation, shall be so released subject to the presentation of a bill of lading or other transport document providing that shipment actually took place during that period.

2. The provisional limits referred to in Article 1 shall not prevent the importation of products covered by them but shipped from South Korea before the date of entry into force of this Regulation.

Article 3

1. Imports of products referred to in Article 1, shipped from South Korea to Germany, Benelux, United Kingdom, Ireland, Denmark, Greece, Spain and Portugal after the entry into force of this Regulation shall be

⁽¹⁾ OJ No L 387, 31. 12. 1986, p. 42.

⁽²⁾ OJ No L 116, 9. 5. 1991, p. 46.

subject to the double-checking system described in Annex VI to Regulation (EEC) No 4136/86.

2. All quantities of such products shipped from South Korea to Germany, Benelux, United Kingdom, Ireland, Denmark, Greece, Spain and Portugal on or after 11 November 1991 and released for free circulation shall be deducted from the quantitative limits laid down.

Article 4

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

It shall apply from 11 November 1991 until 10 February 1992.

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

Done at Brussels, 19 December 1991.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

Category	CN code	Description	Third country	Unit	Member State	Quantitative limits from 11 November 1991 until 10 February 1992
36	5408 10 00	Woven fabrics of continuous artificial fibres other than those for tyres of category 114	South Korea	tonnes	D	232
	5408 21 00				BNL	220
	5408 22 10				UK	55
	5408 22 90				IRL	2
	5408 23 10				DK	6
	5408 23 90				GR	9
	5408 24 00				ES	33
	5408 31 00				PT	5
	5408 32 00					
	5408 33 00					
	5408 34 00					
	ex 5811 00 00					
	ex 5905 00 70					

COMMISSION REGULATION (EEC) No 3791/91

of 20 December 1991

on the supply of various consignments of white sugar as food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management ⁽¹⁾, as last amended by Regulation (EEC) No 1930/90 ⁽²⁾, and in particular Article 6 (1)(c) thereof,

Whereas Council Regulation (EEC) No 1420/87 of 21 May 1987 laying down implementing rules for Regulation (EEC) No 3972/86 on food-aid policy and food-aid management ⁽³⁾ lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas following the taking of a number of decisions on the allocation of food aid the Commission has allocated to certain countries and beneficiary organizations 252 tonnes of sugar;

Whereas it is necessary to provide for the carrying out of this measure in accordance with the rules laid down by Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid ⁽⁴⁾, as amended by Regulation (EEC) No 790/91 ⁽⁵⁾; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs;

Whereas, notably for logistical reasons, certain supplies were not awarded within the first and second deadlines for submission of tenders; whereas, in order to avoid republication of the notice of invitation to tender, a third deadline for submission of tenders should be opened,

HAS ADOPTED THIS REGULATION:

Article 1

White sugar shall be mobilized in the Community, as Community food aid for supply to the recipients listed in the Annexes, in accordance with Regulation (EEC) No 2200/87 and under the conditions set out in the Annexes. Supplies shall be awarded by the tendering procedure.

The successful tenderer is deemed to have noted and accepted all the general and specific conditions applicable. Any other condition or reservation included in his tender is deemed unwritten.

Article 2

This Regulation shall enter into force on the day following 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, 20 December 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 174, 7. 7. 1990, p. 6.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

⁽⁵⁾ OJ No L 81, 28. 3. 1991, p. 108.

ANNEX I

LOT A

1. **Operation Nos** ⁽¹⁾: 960 — 966/91
2. **Programme**: 1991
3. **Recipient** ⁽²⁾: Euronaid, Rijngeesterstraatweg 40, Postbus 77, NL-2340 AB Oegstgeest
4. **Representative of the recipient** ⁽³⁾: see OJ No C 103, 16. 4. 1987
5. **Place or country of destination**: see Annex II
6. **Product to be mobilized**: white sugar
7. **Characteristics and quality of the goods** ⁽⁴⁾: see OJ No C 114, 29. 4. 1991, p. 1, (under V.A.1.)
8. **Total quantity**: 252 tonnes
9. **Number of lots**: One
10. **Packaging and marking** ⁽⁵⁾ ⁽⁶⁾ ⁽¹⁰⁾: see OJ No C 114, 29. 4. 1991, p. 1 (under V.A.2 and V.A.3).
Markings in Portuguese, Spanish
Supplementary markings on the packaging: see Annex II
11. **Method of mobilization** ⁽⁷⁾: sugar produced in the Community as defined at (a) and (b) in the sixth subparagraph of Article 24 (1a) of Council Regulation (EEC) No 1785/81 (OJ No L 177, 1. 7. 1981, p. 4)
12. **Stage of supply**: free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 20. 1 - 20. 2. 1992
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **In the case of an invitation to tender, date of expiry of the period allowed for submission of tenders**: 7. 1. 1992 at 12 noon
21. **A. In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 21. 1. 1992 at 12 noon
 - (b) period for making the goods available at the port of shipment: 3. 2. - 3. 3. 1992
 - (c) deadline for the supply: —**B. In the case of a third invitation to tender**:
 - (a) deadline for the submission of tenders: 4. 2. 1992 at 12 noon
 - (b) period for making the goods available at the port of shipment: 17. 2. - 17. 3. 1992
 - (c) deadline for the supply: —
22. **Amount of the tendering security**: ECU 15 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders** ⁽⁹⁾:

Bureau de l'aide alimentaire,
à l'attention de Monsieur N. Arend,
Bâtiment Loi 120, bureau 7/46,
200, rue de la Loi,
B-1049 Bruxelles;
telex 22037 AGREC B or 25670 AGREC B
25. **Refund payable on request by the successful tenderer** ⁽⁸⁾: periodic refund applicable to white sugar on 5. 12. 1991, fixed by Commission Regulation (EEC) No 3526/91 (OJ No L 334, 5. 12. 1991, p. 33)

Notes :

- (¹) The operation number is to be quoted in all correspondence.
- (²) Commission delegate to be contacted by the successful tenderer : see list published in OJ No C 114, 29. 4. 1991, p. 33.
- (³) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.

The radioactivity certificate must indicate the caesium-134 and -137 levels.

The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following documents :

- phytosanitary certificate,
- certificate of origin.

- (⁴) Since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.
- (⁵) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of these Annexes, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably :
 - either by porter at the office referred to in point 24 of these Annexes,
 - or by telecopier on one of the following numbers in Brussels :
 - 235 01 32,
 - 236 10 97,
 - 235 01 30,
 - 236 20 05,
 - 236 33 04.

- (⁶) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987) is applicable as regards the export refund and, where appropriate, the monetary and accession compensatory amounts, the representative rate and the monetary coefficient. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 25 of these Annexes.

- (⁷) The rule provided at the second indent of Article 18 (2) (a) of Regulation (EEC) No 2103/77 is binding for determination of the sugar category.

- (⁸) The successful tenderer has to submit to the recipient's agent complete packing list of each container, specifying number of bags belonging to each shipping number as specified in the invitation to tender.

The successful tenderer has to seal each container with a numbered locktainer, number of which to be provided to the beneficiary's forwarded.

Shipment top take place in 20-foot containers, condition FCL/LCL. The supplier shall be responsible for the cost of making the containers available in the stack position at the container terminal at the port of shipment. The recipient shall be responsible for all subsequent loading costs, including the cost of moving the containers from the container terminal.

The provisions of Article 13 (2), second paragraph, of Regulation (EEC) No 2200/87 shall not apply.

- (⁹) The successful tenderer shall contact the recipient as soon as possible to establish which consignment documents are required and how they are to be distributed.
- (¹⁰) The supplier should send a duplicate of the original invoice to : M. De Keyzer and Schütz BV, Postbus 1438, Blaak 16, NL-3000 BK Rotterdam.

ANEXO II — BILAG II — ANHANG II — ΠΑΡΑΡΤΗΜΑ II — ANNEX II — ANNEXE II — ALLEGATO II — BIJLAGE II — ANEXO II

Designación de la partida Parti Bezeichnung der Partie Χαρακτηρισμός της παρτίδας Lot Désignation de la partie Designazione della partita Aanduiding van de partij Designação do lote	Cantidad total de la partida (en toneladas) Totalmængde (tons) Gesamtmenge der Partie (in Tonnen) Συνολική ποσότητα της παρτίδας (σε τόνους) Total quantity (in tonnes) Quantité totale de la partie (en tonnes) Quantità totale della partita (in tonnellate) Totale hoeveelheid van de partij (in ton) Quantidade total (em toneladas)	Cantidades parciales (en toneladas) Delmængde (tons) Teilmengen (in Tonnen) Μερικές ποσότητες (σε τόνους) Partial quantities (in tonnes) Quantités partielles (en tonnes) Quantitativi parziali (in tonnellate) Deelhoeveelheden (in ton) Quantidades parciais (em toneladas)	Acción nº Aktion nr. Maßnahme Nr. Δράση αριθ. Operation No Action nº Azione n. Maatregel nr. Acção nº	Inscripciones complementarias sobre el embalaje Yderligere påskrifter Ergänzende Aufschriften auf der Verpackung Συμπληρωματικές ενδείξεις στη συσκευασία Supplementary markings on the packaging Inscriptions complémentaires sur l'emballage Iscrizioni supplementari sull'imballaggio Bijkomende vermeldingen op de verpakking Inscrições complementares na embalagem
A	252	18	960/91	Perú / Prosalus / 915554 / Arequipa vía Matarani / Distribución gratuita
		18	961/91	Perú / Prosalus / 915555 / Chapoyas vía Callao / Distribución gratuita
		54	962/91	Perú / Prosalus / 915556 / Lima vía Callao / Distribución gratuita
		36	963/91	Perú / Prosalus / 915557 / Lima vía Callao / Distribución gratuita
		18	964/91	Perú / Prosalus / 915558 / Lima vía Callao / Distribución gratuita
		18	965/91	Perú / Prosalus / 915559 / Lima vía Callao / Distribución gratuita
		90	966/91	Moçambique / Caritas Alemana / 910429 / Maputo / Distribuição gratuita

COMMISSION REGULATION (EEC) No 3792/91
of 23 December 1991
fixing the amount of the subsidy on oil seeds

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 Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 1720/91⁽²⁾, and in particular Article 27 (4) thereof,

Having regard to Council Regulation (EEC) No 1678/85 of 11 June 1985 fixing the conversion rates to be applied in agriculture⁽³⁾, as last amended by Regulation (EEC) No 3696/91⁽⁴⁾,

Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza, rape and sunflower seed⁽⁵⁾, as last amended by Regulation (EEC) No 2206/90⁽⁶⁾, and in particular Article 2 (3) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the amount of the subsidy referred to in Article 27 of Regulation No 136/66/EEC was fixed by Commis-

sion Regulation (EEC) No 3198/91⁽⁷⁾, as last amended by Regulation (EEC) No 3759/91⁽⁸⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 3198/91 to the information known to the Commission that the amount of the subsidy at present in force should be altered to the amount set out in the Annexes hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The amounts of the subsidy and the exchange rates referred to in Article 33 (2) and (3) of Commission Regulation (EEC) No 2681/83⁽⁹⁾ shall be as set out in the Annexes hereto.

Article 2

This Regulation shall enter into force on 24 December 1991.

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

Done at Brussels, 23 December 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽²⁾ OJ No L 162, 26. 6. 1991, p. 27.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁴⁾ OJ No L 350, 19. 12. 1991, p. 22.

⁽⁵⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 11.

⁽⁷⁾ OJ No L 303, 1. 11. 1991, p. 34.

⁽⁸⁾ OJ No L 352, 21. 12. 1991, p. 83.

⁽⁹⁾ OJ No L 266, 28. 9. 1983, p. 1.

ANNEX I

Aids to colza and rape seed other than 'double zero'

(amounts per 100 kg)

	Current 12	1st period 1	2nd period 2	3rd period 3	4th period 4	5th period 5
1. Gross aids (ECU):						
— Spain	16,773	17,051	17,396	17,674	16,452	16,843
— Portugal	25,853	26,131	26,476	26,754	25,532	25,923
— Other Member States	16,773	17,051	17,396	17,674	16,452	16,843
2. Final aids:						
Seed harvested and processed in:						
— Federal Republic of Germany (DM)	39,49	40,14	40,95	41,61	38,73	39,65
— Netherlands (Fl)	44,49	45,23	46,14	46,88	43,64	44,68
— BLEU (Bfrs/Lfrs)	814,43	827,93	844,69	858,18	798,85	817,83
— France (FF)	132,43	134,63	137,35	139,55	129,90	132,99
— Denmark (Dkr)	150,62	153,12	156,21	158,71	147,74	151,25
— Ireland (£ Irl)	14,740	14,984	15,287	15,531	14,458	14,874
— United Kingdom (£)	13,080	13,301	13,578	13,800	12,801	13,115
— Italy (Lit)	29 545	30 034	30 642	31 132	28 979	29 548
— Greece (Dr)	4 007,56	4 040,55	4 085,16	4 126,84	3 784,70	3 767,84
— Spain (Pta)	2 551,21	2 593,09	2 644,97	2 685,63	2 503,38	2 549,10
— Portugal (Esc)	5 433,85	5 491,76	5 563,44	5 620,04	5 369,23	5 429,10

ANNEX II

Aids to colza and rape seed 'double zero'

(amounts per 100 kg)

	Current 12	1st period 1	2nd period 2	3rd period 3	4th period 4	5th period 5
1. Gross aids (ECU):						
— Spain	18,023	18,301	18,646	18,924	17,702	18,093
— Portugal	27,103	27,381	27,726	28,004	26,782	27,173
— Other Member States	18,023	18,301	18,646	18,924	17,702	18,093
2. Final aids:						
Seed harvested and processed in:						
— Federal Republic of Germany (DM)	42,43	43,08	43,90	44,55	41,67	42,59
— Netherlands (Fl)	47,81	48,54	49,46	50,20	46,96	47,99
— BLEU (Bfrs/Lfrs)	875,13	888,63	905,38	918,88	859,54	878,53
— France (FF)	142,30	144,50	147,22	149,42	139,77	142,86
— Denmark (Dkr)	161,84	164,34	167,44	169,94	158,96	162,47
— Ireland (£ Irl)	15,838	16,082	16,386	16,630	15,556	15,972
— United Kingdom (£)	14,074	14,296	14,572	14,794	13,795	14,109
— Italy (Lit)	31 747	32 236	32 844	33 334	31 181	31 750
— Greece (Dr)	4 322,71	4 355,70	4 400,31	4 442,00	4 099,85	4 082,99
— Spain (Pta)	2 739,75	2 781,62	2 833,51	2 874,17	2 691,92	2 737,64
— Portugal (Esc)	5 694,70	5 752,60	5 824,29	5 880,88	5 630,07	5 689,94

ANNEX III

Aids to sunflower seed

(amounts per 100 kg)

	Current 12	1st period 1	2nd period 2	3rd period 3	4th period 4
1. Gross aids (ECU):					
— Spain	29,745	29,958	30,131	30,462	29,769
— Portugal	36,869	37,084	37,260	37,591	36,917
— Other Member States	18,439	18,654	18,830	19,161	18,487
2. Final aids:					
(a) Seed harvested and processed in:					
— Federal Republic of Germany (DM)	43,41	43,91	44,33	45,11	43,52
— Netherlands (Fl)	48,91	49,48	49,95	50,83	49,04
— BLEU (Bfrs/Lfrs)	895,33	905,77	914,32	930,39	897,66
— France (FF)	145,59	147,29	148,67	151,29	145,97
— Denmark (Dkr)	165,58	167,51	169,09	172,06	166,01
— Ireland (£ Irl)	16,204	16,393	16,547	16,838	16,246
— United Kingdom (£)	14,374	14,543	14,681	14,946	14,392
— Italy (Lit)	32 479	32 858	33 168	33 751	32 564
— Greece (Dr)	4 401,38	4 412,03	4 403,84	4 454,89	4 262,58
— Portugal (Esc)	7 734,05	7 779,14	7 816,19	7 883,75	7 745,85
(b) Seed harvested in Spain and processed:					
— in Spain (Pta)	4 508,59	4 540,80	4 567,08	4 615,65	4 512,55
— in another Member State (Pta)	4 567,44	4 599,98	4 626,69	4 675,30	4 574,99

ANNEX IV

Exchange rate of the ecu to be used for converting final aids into the currency of the processing country when the latter is a country other than the country of production

(value of ECU 1)

	Current 12	1st period 1	2nd period 2	3rd period 3	4th period 4	5th period 5
DM	2,038250	2,036890	2,035490	2,034480	2,034480	2,031700
Fl	2,297490	2,295810	2,295140	2,294840	2,294840	2,290980
Bfrs/Lfrs	41,993500	41,964600	41,944500	41,920000	41,920000	41,852800
FF	6,961700	6,959210	6,957130	6,955700	6,955700	6,949170
Dkr	7,931270	7,925610	7,921950	7,917650	7,917650	7,909920
£Irl	0,764627	0,764324	0,763597	0,763212	0,763212	0,756725
£	0,711068	0,711210	0,711345	0,711358	0,711358	0,711518
Lit	1 539,65	1 542,51	1 544,77	1 546,69	1 546,69	1 554,15
Dr	233,60400	237,21400	240,10300	242,01300	242,01300	249,13700
Esc	180,72200	181,09900	181,53300	181,71300	181,71300	183,00400
Pta	130,01900	130,27300	130,51800	130,74300	130,74300	131,47000

COMMISSION REGULATION (EEC) No 3793/91

of 23 December 1991

introducing a countervailing charge on apples originating in Hungary

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 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 1623/91⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Article 25a (1) of Regulation (EEC) No 1035/72 provides that, if the entry price of a product imported from a non-member country is alternatively above and below the reference price for five to seven consecutive market days a countervailing charge is introduced in respect of that non-member country, save in exceptional cases; whereas that charge is introduced when three entry prices fall below the reference price and one of those entry prices is at least ECU 0,6 below the reference price; whereas that charge is equal to the difference between the reference price and the last available entry price by at least ECU 0,6 below the reference price;

Whereas Commission Regulation (EEC) No 1875/91 of 28 June 1991 fixing for the 1991/92 marketing year the reference prices for apples⁽³⁾ fixed the reference price for products of class I at ECU 45,95 per 100 kilograms net for the month of December 1991;

Whereas the entry price for a given exporting country is equal to the lowest representative prices recorded for at least 30 % of the quantities from the exporting country concerned which are marketed on all representative markets for which prices are available less the duties and the charges indicated in Article 24 (3) of Regulation (EEC) No 1035/72; whereas the meaning of representative price is defined in Article 24 (2) of Regulation (EEC) No 1035/72;

Whereas, in accordance with Article 3 (1) of Commission Regulation (EEC) No 2118/74⁽⁴⁾, as last amended by Regulation (EEC) No 3811/85⁽⁵⁾, the prices to be taken

into consideration must be recorded on the representative markets or, in certain circumstances, on other markets;

Whereas for apples originating in Hungary the entry prices calculated in this way have for six consecutive market days been alternatively above and below the reference price; whereas three of these entry prices are at least ECU 0,6 below the reference prices; whereas a countervailing charge should therefore be introduced for these apples;

Whereas, if the system is to operate normally, the entry price 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⁽⁶⁾, as last amended by Regulation (EEC) No 2205/90⁽⁷⁾,
- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent,

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of ECU 2,29 per 100 kilograms net is applied to apples (CN codes 0808 10 91, 0808 10 93 and 0808 10 99) originating in Hungary.

Article 2

This Regulation shall enter into force on 25 December 1991.

Subject to the provisions of the second subparagraph of Article 26 (2) of Regulation (EEC) No 1035/72, this Regulation shall be applicable until 30 December 1991.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 150, 15. 6. 1991, p. 8.

⁽³⁾ OJ No L 168, 29. 6. 1991, p. 70.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 201, 31. 7. 1990, p. 9.

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

Done at Brussels, 23 December 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 3794/91

of 23 December 1991

altering the import levies on products processed from cereals and rice

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 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 3577/90⁽²⁾, and in particular Article 14 (4) thereof,Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EEC) No 1806/89⁽⁴⁾, and in particular Article 12 (4) thereof,Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽⁵⁾, as last amended by Regulation (EEC) No 2205/90⁽⁶⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on products processed from cereals and rice were fixed by Commission Regulation (EEC) No 3437/91⁽⁷⁾, as last amended by Regulation (EEC) No 3760/91⁽⁸⁾;Whereas Council Regulation (EEC) No 1906/87⁽⁹⁾ amended Council Regulation (EEC) No 2744/75⁽¹⁰⁾ as regards products falling within CN codes 2302 10, 2302 20, 2302 30 and 2302 40;

Whereas, if the levy system is to operate normally, levies should be calculated on the following basis:

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.⁽⁴⁾ OJ No L 177, 24. 6. 1989, p. 1.⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 9.⁽⁷⁾ OJ No L 326, 28. 11. 1991, p. 14.⁽⁸⁾ OJ No L 352, 21. 12. 1991, p. 86.⁽⁹⁾ OJ No L 182, 3. 7. 1987, p. 49.⁽¹⁰⁾ OJ No L 281, 1. 11. 1975, p. 65.

— 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 Regulation (EEC) No 1676/85,

— for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

Whereas these exchange rates being those recorded on 23 December 1991;

Whereas the aforesaid corrective factor affects the entire calculation basis for the levies, including the equivalence coefficients;

Whereas the levy on the basic product as last fixed differs from the average levy by more than ECU 3,02 per tonne of basic product; whereas, pursuant to Article 1 of Commission Regulation (EEC) No 1579/74⁽¹¹⁾ as last amended by Regulation (EEC) No 1740/78⁽¹²⁾, the levies at present in force must therefore be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products processed from cereals and rice covered by Regulation (EEC) No 2744/75 as fixed in the Annex to amended Regulation (EEC) No 3437/91 are hereby altered to the amounts set out in the Annex.

Article 2

This Regulation shall enter into force on 24 December 1991.

⁽¹¹⁾ OJ No L 168, 25. 6. 1974, p. 7.⁽¹²⁾ OJ No L 202, 26. 7. 1978, p. 8.

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

Done at Brussels, 23 December 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 23 December 1991 altering the import levies on products processed from cereals and rice

(ECU / tonne)

CN code	Import levies	
	ACP or OCT	Third countries (other than ACP or OCT) (*)
1103 21 00	291,47	297,51
1104 19 10	291,47	297,51
1104 29 11	215,37	218,39
1104 29 31	259,09	262,11
1104 29 91	165,17	168,19
1104 30 10	121,45	127,49
1107 10 11	288,24	299,12
1107 10 19	215,37	226,25
1108 11 00	356,25	376,80
1109 00 00	647,72	829,06
2302 10 10	62,11	68,11
2302 10 90	133,08	139,08
2302 20 10	62,11	68,11
2302 20 90	133,08	139,08
2302 30 10	62,11	68,11
2302 30 90	133,08	139,08
2302 40 10	62,11	68,11
2302 40 90	133,08	139,08

(*) On importation into Portugal the levy is increased by the amount specified in Article 2 (2) of Regulation (EEC) No 3808/90.