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(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 226/91

of 31 January 1991

amending Regulation (EEC) No 1207/90 fixing the monetary compensatory amounts in the agricultural sector and certain coefficients required for their application

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1677/85 of 11 June 1985 on monetary compensatory amounts in agriculture ⁽¹⁾, as last amended by Regulation (EEC) No 2205/90 ⁽²⁾, and in particular Article 9 (2) thereof,

Whereas the monetary compensatory amounts introduced by Regulation (EEC) No 1677/85 were fixed by Commission Regulation (EEC) No 1207/90 ⁽³⁾, as last amended by Regulation (EEC) No 161/91 ⁽⁴⁾;

Whereas Commission Regulation (EEC) No 3153/85 ⁽⁵⁾, as last amended by Regulation (EEC) No 3672/89 ⁽⁶⁾, lays down detailed rules for calculating monetary compensatory amounts; whereas the spot market rates recorded as provided for in Regulation

(EEC) No 3153/85 during the period 23 to 29 January 1991 for the Spanish peseta lead, pursuant to Article 9 (2) of Regulation (EEC) No 1677/85, to an adjustment of the monetary compensatory amounts applicable to Spain,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1207/90 is hereby amended as follows:

1. The column headed 'Spain' in parts 1, 3, 5, 7 and 8 of Annex I is replaced by that in Annex I hereto.
2. Annex II is replaced by Annex II hereto.

Article 2

This Regulation shall enter into force on 4 February 1991.

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

Done at Brussels, 31 January 1991.

For the Commission
Ray MAC SHARRY
Member of the Commission

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 6.

⁽²⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽³⁾ OJ No L 122, 14. 5. 1990, p. 1.

⁽⁴⁾ OJ No L 22, 28. 1. 1991, p. 1.

⁽⁵⁾ OJ No L 310, 21. 11. 1985, p. 4.

⁽⁶⁾ OJ No L 358, 8. 12. 1989, p. 28.

CN code	Table	Additional code	Notes	Positive			Negative							
				Germany	Netherlands	Spain	United Kingdom	Belgium/Luxembourg	Denmark	Italy	France	Greece	Ireland	Portugal
				DM	Fl	Pta	£	Bfrs/Lfrs	Dkr	Lit	FF	Dr	£ Irl	Esc
2309 90 53	23-13	7548	(?)			— 1 000 kg — 1 673,55								
	23-13	7549	(?)			3 347,10								
	23-13	7681	(?)			540,98								
	23-13	7682	(?)			1 499,38								
	23-13	7683	(?)			2 457,78								
	23-13	7684	(?)			540,98								
	23-13	7685	(?)			698,72								
	23-13	7686	(?)			856,46								
	23-13	7687	(?)			540,98								
	23-13	7688	(?)			2 214,53								
	23-13	7689	(?)			3 888,08								

(¹) When completing the customs formalities, the applicant must state in the declaration provided for this purpose the content by weight of starch, expressed as dry matter, per 1 000 kg of the product.

(²) When completing customs formalities, the party concerned shall state in the declaration provided for this purpose, in particular, the actual content by weight per tonne of finished product of:

- milk powder or granules (other than whey),
- whey powder or granules,
- added casein and/or caseinate.

PART 3

SECTOR BEEF AND VEAL

Monetary compensatory amounts

CN code	Table	Additional code	Notes	Positive			Negative								
				Germany	Netherlands	Spain	United Kingdom	Belgium/Luxembourg	Denmark	Italy	France	Greece	Ireland	Portugal	
				DM	Fl	Pta	£	Bfrs/Lfrs	Dkr	Lit	FF	Dr	£ Irl	Esc	
				— 100 kg live weight —											
0102 90 10			(¹)	899,95											
0102 90 31			(¹)	899,95											
0102 90 33			(¹)	899,95											
0102 90 35			(¹)	899,95											
0102 90 37				899,95											
				— 100 kg net weight —											
0201 10 10				1 709,91											
0201 10 90				1 709,91											
0201 20 21				1 709,91											
0201 20 29				1 709,91											
0201 20 31				1 367,93											
0201 20 39				1 367,93											
0201 20 51				2 051,89											
0201 20 59				2 051,89											
0201 20 90				1 367,93											
0201 30 00				2 339,87											
0202 10 00				1 520,92											
0202 20 10			(¹)	1 520,92											
0202 20 30	02-1	7014		243,35											
	02-1	7018		243,35											
	02-1	7019	(¹)	1 216,73											
0202 20 50	02-1	7014		380,23											
	02-1	7018		380,23											
	02-1	7019	(¹)	1 901,15											
0202 20 90			(¹)	1 216,73											
0202 30 10			(¹)	1 901,15											
0202 30 50			(¹)(²)	1 901,15											
0202 30 90	02-2	7034		380,23											
	02-2	7038	(¹)	1 901,15											
0206 10 95				2 339,87											
0206 29 91				1 901,15											
0210 20 10				1 367,93											
0210 20 90				1 952,89											
0210 90 41				1 952,89											
0210 90 90				1 952,89											
1602 50 10	16-4	7330		1 952,89											
	16-4	7331		1 169,94											
	16-4	7332		782,96											
1602 90 61	16-4	7332		782,96											

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- (¹) The compensatory amount shall not be applied on animals imported within an annual tariff quota to be granted by the competent authorities of the European Communities:
- (a) for heifers and cows, other than those intended for slaughter, of the grey, brown, and mottled yellow Simmental and Pinzgau breeds;
 - (b) for bulls, heifers and cows, other than those intended for slaughter, of the mottled Simmental breed, the Schwyz breed and the Friburg breed.
- (²) The compensatory amount shall not be applied:
- in respect of quantities coming within an annual tariff quota of 50 000 tonnes, expressed in boned meat, to be granted by the competent authorities of the European Communities for frozen beef and veal,
 - in respect of quantities coming within an annual tariff quota of 2 250 tonnes, expressed in boned meat, to be granted by the competent authorities of the European Communities for frozen buffalo meat.
- (³) Entry under this CN code is subject to the production of a certificate issued on conditions laid down by the competent authorities of the European Communities.
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CN code	Table	Additional code	Notes	Positive			Negative						
				Germany DM	Netherlands Fl	Spain Pta	United Kingdom £	Belgium/ Luxembourg Bfrs/Lfrs	Denmark Dkr	Italy Lit	France FF	Greece Dr	Ireland £ Irl
e				— % non-fatty lactic matter excluding added whey and/or lactose and/or casein and/or caseinates/100 kg product —									
				0,818									
f				— % sucrose/100 kg product —									
				2,460									

Annex

For certain milk products, falling within CN codes 0401, 0402, 0403 and 0404, the applicant, when completing customs formalities, shall state on the declaration provided for this purpose: the weight of fat, the weight of non-fatty lactic dry matter and the weight of added sucrose, contained in 100 kg of product, as well as whether or not whey and/or lactose and/or casein and/or caseinates have been added, and where this is the case, the actual content by weight of these products and the lactose content of the added whey.

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- (¹) Where the yield of the raw sugar differs from that of the standard quality defined by Regulation (EEC) No 431/68 (OJ No L 89, 10. 4. 1968, p. 3) the monetary compensatory amount shall be adjusted in accordance with the provisions of Article 2 of Regulation (EEC) No 837/68 (OJ No L 151, 30. 6. 1968, p. 42).
- (²) For flavoured or coloured sugar the monetary compensatory amount per 100 kg of the product in question shall be equal to the amount indicated multiplied by the sucrose content expressed as a percentage.
- (³) The sucrose content, including other sugars expressed as sucrose, shall be determined in accordance with Article 7 (2) of Regulation (EEC) No 837/68 in the case of imports and in accordance with Article 13 of Regulation (EEC) No 394/70 (OJ No L 50, 4. 3. 1970, p. 1) in the case of exports.
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CN code	Table	Additional code	Notes	Positive			Negative							
				Germany	Netherlands	Spain	United Kingdom	Belgium/Luxembourg	Denmark	Italy	France	Greece	Ireland	Portugal
				DM	Fl	Pta	£	Bfrs/Lfrs	Dkr	Lit	FF	Dr	£ Irl	Esc
						— 100 kg —								
—		7971	(¹)			504,59								
—		7972	(¹)			551,09								
—		7973	(¹)			595,37								
—		7975	(¹)			486,51								
—		7976	(¹)			539,65								
—		7977	(¹)			586,15								
—		7978	(¹)			521,57								
—		7979	(¹)			574,71								
—		7980	(¹)			605,84								
—		7981	(¹)			658,98								
—		7982	(¹)			705,48								
—		7983	(¹)			749,76								
—		7984	(¹)			811,76								
—		7985	(¹)			634,40								
—		7986	(¹)			687,54								
—		7987	(¹)			734,04								
—		7988	(¹)			778,32								
—		7990	(¹)			666,86								
—		7991	(¹)			720,00								
—		7992	(¹)			766,50								
—		7995	(¹)			701,92								
—		7996	(¹)			755,06								

Amounts to be deducted

—	51xx	21,63
—	52xx	45,73
—	53xx	73,17
—	54xx	101,14
—	55xx	144,23
—	56xx	209,13
—	570x	324,52
—	571x	324,52
—	572x	454,32
—	573x	454,32
—	574x	584,13
—	5750	584,13
—	5751	584,13
—	5760	713,93
—	5761	713,93
—	5762	713,93
—	5765	713,93
—	5766	713,93
—	5770	713,93
—	5771	713,93

(¹) If the goods contain butter reduced in price under the Regulation indicated in Table 7 of Chapter 4 of the additional codes, the amount indicated in additional code 7xxx shall be reduced, for formula A and formula C products, by the amount indicated in additional code 5xxx and, for formula B products, by that indicated in additional code 6xxx. The additional code to be declared will be 5xxx or 6xxx as appropriate (x representing any figure from 0 to 9).

(*) See the additional codes related to the contents of the goods by weight of, respective milkfat, milk proteins, starch/glucose, and sucrose/invert sugar/isoglucose. These codes are mentioned in Annex I to the TARIC in the tables of Chapters 17, 18, 19 and 21. The numbers of the tables are mentioned above in the column 'Table'. The tables are reprinted (OJ No L 122, 14. 5. 1990, p. 48) without prejudice to any later modification of the TARIC.

NB: For the application of the additional code:

Starch/Glucose

The content of the goods (as presented) in starch, its degradation products i.e. all the polymers of glucose, and the glucose, determined as glucose and expressed as starch (on a dry matter basis, 100 % purity; factor for conversion of glucose to starch: 0,9).

However, where a mixture of glucose and fructose is declared (in whatever form) or is found to be present in the goods, the amount of glucose to be included in the above calculation is that which is in excess of the fructose content of the goods.

Sucrose/Invert Sugar/Isoglucose

The content of the goods (as presented), in sucrose, together with the sucrose which results from expressing as sucrose any mixture of glucose and fructose (the sum of the amounts of these two sugars multiplied by 0,95), which is declared (in whatever form) or found to be present in the goods.

However, where the fructose content of the goods is less than the glucose content, the amount of glucose to be included in the above calculation shall be an amount equal, by weight, to that of fructose.

Note: In all cases, where a hydrolysis product of lactose is declared, and/or galactose is found to be present among the sugars, then the amount of glucose equal to that of galactose is deducted from the total glucose content before any other calculations are carried out.

Milk proteins

Milk proteins, excluding those contained in the whey, casein and/or caseinates, added to the product.
