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Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other Acts are printed in bold type and preceded by an asterisk.

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 2201/90

of 24 July 1990

amending Regulation (EEC) No 426/86 on the common organization of the market in products processed from fruit and vegetables

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,

Having regard to the opinion of the European Parliament⁽¹⁾,

Having regard to the opinion of the Economic and Social Committee⁽²⁾,

Whereas Regulation (EEC) No 426/86⁽³⁾, as last amended by Regulation (EEC) No 1202/90⁽⁴⁾, introduced a system of production aid for certain products processed from fruit and vegetables; whereas the chief objective is to enable products processed from raw materials produced in the Community to be sold at prices which compete with those charged by third countries;

Whereas, with respect to dried grapes, it is necessary in order to make the producer aware of the requirements for disposing of and marketing his products and to improve the competitiveness of such products that a new system of aid for specialized cultivated areas should gradually replace the existing system of production aid; whereas, during a transitional period of four marketing years, cultivation aid is to be gradually introduced to compensate for the reduction in production aid; whereas the conditions of this transition should be defined; whereas the monthly increments applicable to the minimum price payable to producers for sultanas and currants should be abolished;

Whereas account should also be taken of producers who are not engaged in combating phylloxera; whereas they should be granted increased aid;

Whereas to encourage a more rapid disposal of certain products and thus to avoid prolonged storage detrimental to the maintenance of quality, on the one hand, the

minimum price paid by the storage agencies for the product bought in under the intervention arrangements should be reduced and, on the other hand, as from the 1994/95 marketing year, the quantities of sultanas and dried grapes that can be bought in by the storage agencies in the last two months of the marketing year should be limited and the buying-in price by those bodies should be reduced; whereas the costs of excessively long storage should, moreover, no longer be financed,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 426/86 is hereby amended as follows:

1. Article 2 (1) is replaced by the following:

'1. A system of production aid shall apply to the products listed in Annex I, Part A and obtained from fruit and vegetables harvested in the Community, without prejudice to the specific provisions for dried grapes in Article 6 and 6a.'

2. In Article 3 (2), 'sultanas and' is inserted before 'currants'.

3. Article 4 (2) is replaced by the following:

'2. The minimum price for dried figs valid at the start of the marketing year shall be increased each month, starting with the third month of the marketing year and continuing to the end of the marketing year, by a fixed amount corresponding to storage costs.'

4. Article 6 is replaced by the following:

Article 6

1. Aid shall be granted for the cultivation of sultanas, muscatel grapes and currants which are dried for processing.

⁽¹⁾ OJ No C 96, 17. 4. 1990, p. 1.

⁽²⁾ OJ No C 112, 7. 5. 1990, p. 34.

⁽³⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽⁴⁾ OJ No L 119, 11. 5. 1990, p. 66.

The amount of the aid shall be fixed per hectare of specialized area harvested on the basis of the average yield per hectare of the said areas. In addition, the amount of the aid shall be fixed to take account of:

- the need to ensure that the areas traditionally used to grow the said crops are maintained,
- the outlets available for these dried grapes.

The amount of aid may be differentiated on the basis of the varieties of grapes and on other factors which may affect yield.

This aid shall be introduced gradually during the 1990/91, 1991/92, 1992/93 and 1993/94 marketing years, in accordance with Article 6a.

2. If the specialized areas used for the production of dried grapes exceed a maximum guaranteed Community area, the amount of the aid shall be reduced for the following marketing year according to the extent by which that area is exceeded. The maximum guaranteed area shall take account of the average of the areas in the Community used for the crops referred to in paragraph 1, over the marketing years from 1987/88, 1988/89 and 1989/90.

3. The aid shall be granted once the areas have been harvested and the products have been dried for processing.

4. As from the 1991/92 marketing year, producers who replant their vineyard to combat phylloxera and who do not benefit from aids provided for under the operational programme against that disease shall benefit, during three marketing years, from the amount of aid that will be applicable during the last year of the transitional period. That aid shall be fixed also taking into account the amount of aid granted to holdings taking part in the operational programme against phylloxera, in accordance with Community decisions. The provision of paragraph 3 shall not apply.

5. The cultivation aid shall be deemed to be an intervention measure intended to stabilize the agricultural markets, within the meaning of Article 3 (1) of Regulation (EEC) No 729/70 (*).

6. The Commission shall fix the amount of the aid, the maximum guaranteed area and the detailed rules for applying this Article in accordance with the procedure laid down in Article 22.

7. Where applicable, the Commission shall establish the extent to which the maximum guaranteed area has been exceeded and shall determine the resultant reduction in the amount of aid.

(* OJ No L 94, 28. 4. 1970, p. 13.)

5. The following Article is inserted:

Article 6a

1. The minimum price to be paid to the producer for sultanas, dried muscatel grapes and currants shall

be gradually reduced during the 1990/91, 1991/92, 1992/93 and 1993/94 marketing years.

This price shall be reduced from the 1990/91 marketing year up to the 1993/94 marketing year by ECU 19,941 per 100 kg per marketing year.

It shall no longer be fixed as from the 1994/95 marketing year.

2. The amount of the production aid shall, during the four marketing years referred to in paragraph 1, be fixed so as to enable Community produce to be marketed. When fixing the amount of aid, account shall be taken, in particular, of the amount of the aid fixed for the previous marketing year, adjusted to take account of movements in the minimum price referred to in paragraph 1 and, if necessary, of trends in processing costs assessed on a standard basis and in the minimum import price referred to in Article 9.

The aid shall be fixed in respect of the net weight of the processed product. The coefficients expressing the relationship between the weight of raw material used and the net weight of the processed product shall be defined on a standard basis.

The aid shall be granted only to processors who do not process a quantity of dried grapes of these varieties corresponding to a percentage of the quantities purchased. The aid shall not be paid in respect of the quantities in question.

The aid shall be granted to processors only for processed products which:

- (a) have been produced from raw materials harvested in the Community for which the applicant has paid at least the minimum price referred to in Article 4;
- (b) meet the minimum quality requirements.

Production aid shall no longer be applied as from the 1994/95 marketing year.

3. The cultivation aid referred to in Article 6 shall, during the four marketing years referred to in paragraph 1, also be fixed so as to compensate for the reduction in the minimum price referred to in that paragraph.

4. The Council, acting by a qualified majority on a proposal from the Commission, shall fix the percentages provided for in paragraph 2.

5. The minimum quality requirements referred to in point (b) of the fourth subparagraph of paragraph 2 and the other detailed rules for applying this Article shall be adopted in accordance with the procedure laid down in Article 22.

6. Article 8 is replaced by the following:

Article 8

1. The agencies or legal or natural persons approved by the Member States concerned, hereinafter called "storage agencies", shall buy in during the last two months of the marketing year, sultanas, currants and dried figs produced in the Community during the current marketing year, provided that the products comply with quality standards to be determined. Sultanas and currants shall be purchased up to the limits laid down pursuant to Article 2 (3).

As from the 1994/95 marketing year, the quantities of sultanas and of currants bought-in in accordance with paragraph 2 may not exceed 27 370 tonnes.

2. The storage agencies shall buy in:

- the dried figs at the minimum price applicable at the beginning of the marketing year,
- the sultanas and currants at the minimum price applicable at the beginning of the marketing year in question, reduced by 15 % for the 1990/91 marketing year reduced by 20 % during the 1991/92 to 1993/94 marketing years; as from the 1994/95 marketing year, the products shall be bought-in by the storage agencies at the buying-in price in force during the 1993/94 marketing year, reduced by 5 %.

3. The products purchased by the storage agencies shall be disposed of on terms which do not jeopardize the balance of the market and which ensure equal access to the products for sale and equal treatment of purchasers.

Where products cannot be disposed of on normal terms, special measures may be taken.

4. Storage aid shall be granted to storage agencies for the quantities of products which they have purchased and for the actual duration of storage. However, the aid shall cease to be granted at the end of a period of 18 months following the end of the marketing year during which the product was purchased.

5. Financial compensation equal to the difference between the buying-in price paid by the storage agencies and the selling price shall be granted to the storage agencies. This compensation shall be reduced by the amount of any profits resulting from the difference between the purchase price and the selling price.

6. The Council, acting by a qualified majority, shall adopt the general rules for the application of this Article.

7. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 22.

Article 2

Before the end of the 1993/94 marketing year, the Commission shall submit a report on the application of the measures introduced under this Regulation, together with, with necessary, appropriate proposals.

Article 3

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

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

Done at Brussels, 24 July 1990.

For the Council

The President

C. MANNINO

COUNCIL REGULATION (EEC) No 2202/90

of 24 July 1990

amending Regulation (EEC) No 1206/90 laying down general rules for the system of production aid for processed fruit and vegetables

THE COUNCIL 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 1986 on the common organization of the market in products processed from fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 2201/90⁽²⁾, and in particular Articles 5 (4) and 8 (6) thereof,

Having regard to the proposal from the Commission,

Whereas Article 3 (2) of Regulation (EEC) No 426/86 provides that in the case of dried grapes the producers are to undertake to withhold from delivery to the processing industry a given percentage of the quantities covered by contracts; whereas that percentage must ensure that the quality of products delivered by producers is adequate; whereas, in the case of dried grapes, the aid is to be paid on condition that a percentage to be determined of the quantities is not processed by processors; whereas those percentages must ensure that the quality of the product intended for consumption is adequate; whereas Regulation (EEC) No 1206/90⁽³⁾ should therefore be amended;

Whereas the technical adjustments should be carried out that result, for sultanas and currants, from the abolition of the monthly increments applicable to the minimum price to be paid to producers,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1206/90 is hereby amended as follows:

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

Done at Brussels, 24 July 1990.

(a) Article I is replaced by the following:

Article 1

1. The percentage referred to in Article 3 (2) of Regulation (EEC) No 426/86 shall be 4 % for sultanas and 6 % for currants.

2. The percentages referred to in the third subparagraph of Article 6a (2) of Regulation (EEC) No 426/86 shall be as follows:

(a) for currants: 15 %

(b) for other dried grapes: 8 %.

(b) Article 3 (1) is replaced by the following:

'1. For the purposes of applying the production aid provided for in Article 5 (1) of Regulation (EEC) No 426/86, this Article shall apply.'

(c) Article 3 (5) is replaced by the following:

'5. The minimum price of the raw material to be adopted for dried figs shall be the minimum price to be paid to the producer at the beginning of the marketing year, increased by the average of the monthly increments provided for in Article 4 (2) of Regulation (EEC) No 426/86.'

Article 2

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

For the Council

The President

C. MANNINO

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ See page 1 of this Official Journal.

⁽³⁾ OJ No L 119, 11. 5. 1990, p. 74.

COUNCIL REGULATION (EEC) No 2203/90
of 24 July 1990

amending Regulation (EEC) No 1581/86 laying down general rules for intervention on the market in cereals and Regulations No 724/67/EEC and (EEC) No 2754/78 on intervention in the oils and fats sector

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⁾, as last amended by Regulation (EEC) No 1340/90⁽²⁾, and in particular Article 7 (5) thereof,

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⁽³⁾, as last amended by Regulation (EEC) No 2902/89⁽⁴⁾, and in particular Articles 12 (3) and 26 (2) thereof,

Having regard to the proposal from the Commission,

Whereas a feature of the Community cereals and olive oils sectors is a structural imbalance between supply and demand; whereas the search for new uses in an appropriate means for remedying the situation;

Whereas, in these two sectors and in the oilseeds sector, the search for non-food uses is an appropriate way of opening up new prospects for Community agriculture;

Whereas the search for new outlets for cereals and oils and fats outside the food sector should accordingly be supported; whereas that support may involve making cereals and oils and fats held by intervention agencies available to researchers on favourable terms laid down in advance for the execution of projects approved according to a procedure ensuring close cooperation between the Member States and the Commission;

Whereas such cooperation may be realized under the Standing Committee on Agricultural Research;

Whereas it is therefore appropriate to amend Regulation (EEC) No 1581/86⁽⁵⁾, as amended by Regulation (EEC) No 195/89⁽⁶⁾, Regulation No 724/67/EEC⁽⁷⁾, as last

amended by Regulation (EEC) No 1230/89⁽⁸⁾, and Regulation (EEC) No 2754/78⁽⁹⁾.

HAS ADOPTED THIS REGULATION:

Article 1

1. Article 4 of Regulation (EEC) No 1581/86 is hereby replaced by the following:

Article 4

1. Cereals shall be purchased from intervention agencies for the purposes of fulfilling obligations arising from the award of contracts to supply Community food aid under international agreements or other supplementary programmes, at prices and in accordance with detailed rules of implementation laid down in advance.

2. Intervention agencies may be authorized, in accordance with the procedure laid down in Article 26 of Regulation (EEC) No 2727/75, as last amended by Regulation (EEC) No 1340/90⁽²⁾, to sell, at a price fixed at a standard rate in advance, the quantities of cereals required to carry out projects to demonstrate new uses for non-food ends and approved by the Commission in accordance with the procedure laid down in Article 8 of Regulation (EEC) No 1728/74⁽¹⁰⁾, as last amended by Regulation (EEC) No 3768/85⁽¹¹⁾.

3. If special circumstances so require, the Council, acting by a qualified majority on a proposal from the Commission, may lay down procedures for sale other than those provided for in Article 3.

4. Detailed rules for the application of this Article shall be adopted in accordance with the procedure provided for in Article 26 of Regulation (EEC) No 2727/75.

⁽¹⁾ OJ No L 134, 28. 5. 1990, p. 1.

⁽²⁾ OJ No L 182, 5. 7. 1974, p. 1.

⁽³⁾ OJ No L 362, 31. 12. 1985, p. 8.

2. The following paragraph is hereby inserted in Article 2 of Regulation (EEC) No 2754/78:

'1a. Intervention agencies may be authorized in accordance with the procedure laid down in Article 38 of Regulation No 136/66/EEC as last amended by Regulation (EEC) No 2902/89⁽⁴⁾, to sell, at a price fixed at a standard rate in advance, the quantities of

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 134, 28. 5. 1990, p. 1.

⁽³⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽⁴⁾ OJ No L 280, 29. 9. 1989, p. 2.

⁽⁵⁾ OJ No L 139, 24. 5. 1986, p. 36.

⁽⁶⁾ OJ No L 25, 28. 1. 1989, p. 22.

⁽⁷⁾ OJ No 252, 19. 10. 1967, p. 10.

⁽⁸⁾ OJ No L 128, 11. 5. 1989, p. 23.

⁽⁹⁾ OJ No L 331, 28. 11. 1978, p. 13.

olive oil required to carry out projects to demonstrate new uses for non-food ends and approved by the Commission in accordance with the procedure laid down in Article 8 of Regulation (EEC) No 1728/74 (**), as last amended by Regulation (EEC) No 3768/85 (***).

Detailed rules for the application of this paragraph shall be adopted in accordance with the procedure laid down in Article 38 of Regulation No 136/66/EEC.

(*) OJ No L 280, 29. 9. 1989, p. 2.

(**) OJ No L 182, 5. 7. 1974, p. 1,

(***) OJ No L 362, 31. 12. 1985, p. 8.

3. In Article 2a of Regulation No 724/67/EEC, the present wording becomes paragraph 1 and the following paragraph is added:

'2. Intervention agencies may be authorized, in accordance with the procedure laid down in Article 38 of Regulation No 136/66/EEC, as last amended by

Regulation (EEC) No 2902/89 (*), to sell, at a price fixed at a standard rate in advance, the quantities of oilseeds required to carry out projects to demonstrate new uses for non-food ends and approved by the Commission in accordance with the procedure laid down in Article 8 of Regulation (EEC) No 1728/74 (**), as last amended by Regulation (EEC) No 3768/85 (***).

Detailed rules for the application of this paragraph shall be adopted in accordance with the procedure laid down in Article 38 of Regulation No 136/66/EEC.

(*) OJ No L 280, 29. 9. 1989, p. 2.

(**) OJ No L 182, 5. 7. 1974, p. 1.

(***) OJ No L 362, 31. 12. 1985, p. 8.

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, 24 July 1990.

For the Council

The President

C. MANNINO

COUNCIL REGULATION (EEC) No 2204/90

of 24 July 1990

**laying down additional general rules on the common organization of the market
in milk and milk products as regards cheese**

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,

Having regard to the opinion of the European Parliament⁽¹⁾,

Having regard to the opinion of the Economic and Social Committee⁽²⁾,

Whereas Article 11 of Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽³⁾, as last amended by Regulation (EEC) No 3879/89⁽⁴⁾, provides for the granting of aid, since the introduction of that organization, for skimmed milk produced in the Community and processed with a view to the manufacture of casein and caseinates; whereas that aid for disposal must ensure for the Community producers concerned a market position identical to that of producers of non-Community casein and caseinates the products of which, following a binding of customs duties, are available on the Community market at the world market price;

Whereas technical progress combined with the arrangements for controlling milk production have had the result of developing the use of casein and caseinates in products for which the primary objective of the aid did not intend them; whereas such substitution operations resulted in affecting the stability of the milk market; whereas, while it appears vital, for reasons of competition, to maintain the principle of aid of a sufficient amount, measures to ensure that the granting of the aid may not disturb the balance of the milk market and that casein and caseinates of Community and non-Community origin receive the same treatment must be adopted;

Whereas the characteristics of casein and caseinates and those of cheese show similarities such that the latter products are particularly vulnerable to the abovementioned substitution operations; whereas only the use of casein and caseinates in cheese should accordingly be governed by rules at Community level;

Whereas the sound operation of such arrangements requires, on the part of the Member States, controls ensu-

ring compliance with the obligations laid down: whereas, to that end, provision should be made in particular for controls and the relevant penalties: whereas the penalties must be such as to neutralize at least the economic benefit arising from unauthorized utilization,

HAS ADOPTED THIS REGULATION:

Article 1

The use of casein and caseinates in the manufacture of cheese shall be subject to prior authorization, which shall be granted only if such use is a necessary condition for the manufacture of the products.

According to the procedure laid down in Article 30 of Regulation (EEC) No 804/86, the Commission shall determine the conditions under which States shall grant the authorizations and the maximum percentages to be incorporated, on the basis of objective criteria laid down having regard to what is technologically necessary.

Article 2

For the purposes of this Regulation:

- (a) 'cheese' means products covered by CN code 0406 and manufactured within Community territory;
- (b) 'casein and caseinates' means products covered by CN codes 3501 10 90 and 3501 90 90 and used as such or in the form of a mixture.

Article 3

1. The Member States shall introduce administrative and physical controls involving the following measures:—

- (a) the obligation to declare the quantities and types of cheese manufactured and the quantities of casein and caseinates incorporated into the various products;
- (b) the obligation on each undertaking to keep stock accounts enabling the quantities and types of cheese manufactured, the quantities of casein and caseinates purchased and/or manufactured and their destination and/or utilization to be recorded;
- (c) frequent, unannounced spot checks in order to cross-check the stock accounts on the one hand and appropriate commercial documents and stocks actually held on the other hand; such checks shall relate to a representative number of the declarations referred to in (a) in order to check the facts.

⁽¹⁾ Opinion delivered on 13 July 1990 (not yet published in the Official Journal).

⁽²⁾ Opinion delivered on 4 July 1990 (not yet published in the Official Journal).

⁽³⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽⁴⁾ OJ No L 378, 27. 12. 1989, p. 1.

2. The Member States shall notify the Commission of all measures adopted pursuant to this Regulation and of those ensuring that the parties concerned are informed as to the penal or administrative penalties to which they are liable in the case of failure to comply with the provisions of this Regulation, observed

- either pursuant to the measures adopted under paragraph 1,
- or during any check that the public authorities conduct concerning the undertakings which manufacture cheeses but which are not subject to the provisions of paragraph 1.

3. Without prejudice to the penalties laid down, or to be laid down, by the Member State concerned, a sum equal to the difference between the value of the skimmed milk resulting from the intervention price for skimmed-milk powder on the one hand and the market price for casein and caseinates on the other hand, plus 10 %, shall be due for quantities of casein and caseinates used without authorization.

Those values shall be ascertained in accordance with the procedure laid down in Article 30 of Regulation (EEC) No 804/68.

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

Done at Brussels, 24 July 1990.

Article 4

After the arrangements provided for by this Regulation have been applied for one year, the Commission shall draw up a report, together with any appropriate proposals, on the operation and impact of the arrangements.

Article 5

The detailed rules for the application of this Regulation shall be adopted in accordance with the procedure laid down in Article 30 of Regulation (EEC) No 804/68.

Article 6

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

It shall apply from 15 October 1990. Until that date the provisions in force, and in particular Article 2 (4) of Council Regulation (EEC) No 987/68 of 15 July 1968 laying down general rules for granting aid for skimmed milk processed into caseins or caseinates⁽¹⁾, as last amended by Regulation (EEC) No 1435/90⁽²⁾, shall continue to apply.

For the Council

The President

C. MANNINO

⁽¹⁾ OJ No L 169, 18. 7. 1968, p. 6.

⁽²⁾ OJ No L 138, 31. 5. 1990, p. 8.

COUNCIL REGULATION (EEC) No 2205/90

of 24 July 1990

amending Regulation (EEC) No 1676/85 and No 1677/85 in regard to the conversion rates and monetary compensatory amounts to be applied to the purposes of the common agricultural policy

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,

Having regard to the opinion of the European Parliament⁽¹⁾,

Whereas Regulation (EEC) No 1676/85⁽²⁾, as last amended by Regulation (EEC) No 1636/87⁽³⁾ set the conversion rates to be applied for the purposes of the common agricultural policy; whereas Articles 2 (4) and 3 (2) of that Regulation make provision for derogations whereby conversion rates corresponding more closely to economic reality can be used; whereas the rules on the making of the derogations should be adjusted in order to take account of various specific market situations and the risks of monetary disturbance;

Whereas, in order to clarify the provisions concerned, European Monetary System ecu quotations should be used directly for calculation of the rate referred to in Article 3 (1) and the wording of the last indent of the first subparagraph of Article 6 (1) of Regulation (EEC) No 1676/85 should be made more precise;

Whereas the method of calculation of the gap defined in Article 5 (2) (b) of Regulation (EEC) No 1677/85⁽⁴⁾, as last amended by Regulation (EEC) No 52/90⁽⁵⁾, and of the conversion rate referred to in Article 10 (1) of that Regulation should be altered to take account of the market rate defined in Article 3 (1) of Regulation (EEC) No 1676/85;

Whereas the provisions of Article 6a (2) of Regulation (EEC) No 1677/85 prevent within certain limits the creation of monetary compensatory amounts in the pigmeat sector; whereas experience indicates that these provisions should be more accurately targeted, in order to ensure compliance with these limits and greater stability in the application of the monetary compensatory amounts,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1676/85 is hereby amended as follows:

⁽¹⁾ Opinion delivered on 13 July 1990 (not yet published in the Official Journal).

⁽²⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽³⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁴⁾ OJ No L 164, 24. 6. 1985, p. 6.

⁽⁵⁾ OJ No L 8, 11. 1. 1990, p. 22.

1. Article 2 (4) is replaced by the following:

'4. In order to prevent the risk of market distortion of monetary origin, derogation may be made from the agricultural conversion rates in accordance with the procedure laid down in Article 10 (2), by permitting the use of conversion rates corresponding more closely to economic reality.'

2. The last indent of the first subparagraph of Article 3 (1) is replaced by the following:

'— for the other currencies, on the basis of an average of the ecu rates published in the *Official Journal of the European Communities*, Series C, over a period to be determined in accordance with the procedure laid down in Article 12.'

3. Article 3 (2) is replaced by the following:

'2. In order to prevent the risk of market distortion of monetary origin, derogation may be made from the first subparagraph of paragraph 1 in accordance with the procedure laid down in Article 10 (2), by permitting the use of conversion rates corresponding more closely to economic reality.'

4. The following paragraph is added to Article 3:

'3. A specific conversion rate close to economic reality may be determined in accordance with the procedure laid down in Article 12 for conversion into a Member State's national currency of amounts expressed in the national currency of a non-member country.'

5. In the introductory part of Article 6 (1) 'if they satisfy the following conditions' is replaced by 'if the three following conditions are met'.

Article 2

Regulation (EEC) No 1677/85 is hereby amended as follows:

1. Point (b) in the second subparagraph of Article 5 (2) is replaced by the following:

'(b) in respect of Member States other than those referred to in (a), to the percentage difference for the currency of the Member State concerned between:

- the agricultural conversion rate, and
- the average of the ecu rates published in the *Official Journal of the European Communities*, Series C, over a period to be determined in accordance with the procedure laid down in Article 12.'

2. Point 2 in Article 6a is replaced by the following :

- '2. In accordance with the procedure laid down in Article 12, the agricultural conversion rate of a Member State shall be adjusted so as to avoid the application of monetary compensatory amounts.

Such adjustment must, however :

- in no case bring about a situation where, for the Member State concerned, the difference between the real monetary gap applicable in the pigmeat sector, on the one hand, and that

applicable in the cereals sector, on the other, exceeds eight percentage points,

- reduce the risk of adjustments of the monetary compensatory amounts which are both frequent and economically unjustified.'

3. The last subparagraph of Article 10 (1) is replaced by the following :

'The monetary compensatory amount shall be converted using the bilateral rates resulting from the central rates or, as appropriate, the average rates referred to in the second indent of point (b) in the second subparagraph of Article 5 (2).'

Article 3

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

Article 1 (2) and Article 2 (1) shall apply as from 1 September 1990.

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

Done at Brussels, 24 July 1990.

For the Council

The President

C. MANNINO

COUNCIL REGULATION (EEC) No 2206/90

of 24 July 1990

amending Regulation (EEC) No 1569/72 laying down special measures for colza and rape seed and Regulation (EEC) No 2036/82 adopting general rules concerning special measures for peas, field beans and sweet lupins

THE COUNCIL 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 2902/89⁽²⁾, and in particular Article 36 thereof,

Having regard to Council Regulation (EEC) No 1431/82 of 18 May 1982 laying down special measures for peas, field beans and sweet lupins⁽³⁾, as last amended by Regulation (EEC) No 1104/88⁽⁴⁾, and in particular Article 3 (5) thereof,

Having regard to the proposal from the Commission,

Whereas Regulation (EEC) No 1569/72⁽⁵⁾, as last amended by Regulation (EEC) No 2216/88⁽⁶⁾, and Regulation (EEC) No 2036/82⁽⁷⁾, as last amended by Regulation (EEC) No 1190/90⁽⁸⁾, provide for the monetary differential amounts to be calculated using the market rates which refer to the central rates of certain Member States;

Whereas, in order to clarify the provisions on the calculation of the monetary differential amounts, on the one hand, and to take account of the growing importance of the ecu, on the other hand, the ecu should be used directly as a reference basis to determine the market rate for currencies not complying with the margin of fluctuation of 2,25 % in the European Monetary System,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1569/72 is hereby amended as follows:

⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.
⁽²⁾ OJ No L 280, 29. 9. 1989, p. 2.
⁽³⁾ OJ No L 162, 12. 6. 1982, p. 28.
⁽⁴⁾ OJ No L 110, 29. 4. 1988, p. 16.
⁽⁵⁾ OJ No L 167, 25. 7. 1972, p. 9.
⁽⁶⁾ OJ No L 197, 26. 7. 1988, p. 10.
⁽⁷⁾ OJ No L 219, 28. 7. 1982, p. 1.
⁽⁸⁾ OJ No L 119, 11. 5. 1990, p. 39.

1. Point (b) of the first subparagraph of Article 2 (1) is replaced by the following:

'(b) in respect of Member States other than those referred to in (a) of the percentage representing the difference between:

- the agricultural conversion rate, and
- the average rate of the ecu as published in the C Series of the *Official Journal of the European Communities* during a period to be determined.'

2. The second subparagraph of Article 2 (1) is replaced by the following:

'However, the rates referred to in the second indents of points (a) and (b) of the first subparagraph shall be multiplied by the correcting factor referred to in Article 6 (1) of Regulation (EEC) No 1677/85^(*) as last amended by Regulation (EEC) No 52/90^(**).

^(*) OJ No L 164, 24. 6. 1985, p. 6.

^(**) OJ No L 8, 11. 1. 1990, p. 22.'

Article 2

Regulation (EEC) No 2036/82 is hereby amended as follows:

1. In the second indent of Article 12a (2) (a), 'coefficient specified in Article 6 (3)' is replaced by 'correcting factor referred to in Article 6 (1)'.

2. Article 12a (2) (b) is replaced by the following:

'(b) In the case of Member States other than those referred to in (a), of the percentage representing the difference between:

- the agricultural conversion rate, and
- the average rate of the ecu as published in the C Series of the *Official Journal of the European Communities* during a period to be determined, multiplied by the correcting factor referred to in Article 6 (1) of Regulation (EEC) No 1677/85.'

Article 3

This Regulation shall enter into force on 1 September 1990.

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

Done at Brussels, 24 July 1990.

For the Council

The President

C. MANNINO

COUNCIL REGULATION (EEC) No 2207/90

of 24 July 1990

opening and providing for the administration of a Community tariff quota for heifers and cows, other than those intended for slaughter, of certain mountain breeds

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 Act of Accession of Spain and Portugal,

Having regard to the proposal from the Commission,

Whereas the European Economic Community undertook, within the framework of the General Agreement on Tariffs and Trade (GATT), to open an annual Community tariff quota of 20 000 head at a duty of 6 % for heifers and cows, other than those intended for slaughter, of certain mountain breeds; whereas, in an Exchange of Letters with Austria dated 21 July 1972, the Community undertook unilaterally to increase the size of the tariff quota from 20 000 to 30 000 head and to lower the quota duty from 6 % to 4 %; whereas, subsequently, this quota was increased unilaterally to 38 000 head; whereas according to the Agreement in the form of an Exchange of Letters between the European Economic Community and the Republic of Austria concerning agriculture of 14 July 1986, which was approved by Decision 86/555/EEC⁽¹⁾, the volume of this tariff quota was raised to 42 600 head as from 1 July 1986; whereas the abovementioned tariff quota should therefore be opened for the period 1 July 1990 to 30 June 1991 at a duty of 4 % for a quantity of 42 600 head; whereas it is, however, necessary to envisage special provisions allowing for facilitated access by the Portuguese Republic to the said quota; whereas a check

should be carried out to ascertain that the imported animals have not been slaughtered within a certain period;

Whereas it is, in particular, necessary to ensure equal and continuous access for all Community importers to the abovementioned quota, and the uninterrupted application of the quota duties, to all imports of the animals in question until the quota is exhausted; whereas the necessary measures should be taken to ensure efficient administration of this tariff quota, taking into account the Community nature of the quota and special factors in the trade in these animals; whereas to this end the Commission should assign to the Member States on request the quantities needed to cover actual imports in accordance with an economically appropriate procedure to be determined;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any measure concerning the administration of the quantities levied by that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 July 1990 to 30 June 1991, the duty applicable to the import into the Community of the animals designed hereafter shall be suspended at the level and within the limits of the Community tariff quota indicated.

Order No	CN code (a)	Description	Quota volume	Quota duty (%)
09.0001	ex 0102 90 10 ex 0102 90 31 ex 0102 90 33	Cows and heifers other than those intended for slaughter, of the following mountain breeds: grey, brown, yellow and mottled Simmental breed and mottled Pintzgau breed	42 600 head	4

(a) TARIC codes: 0102 90 10 * 20 and 40,
0102 90 31 * 11, 19, 31 and 39,
0102 90 33 * 10 and 30.

2. Within the limits of this tariff quota, the Kingdom of Spain and the Portuguese Republic shall apply customs duties calculated in accordance with the relevant provisions in the Act of Accession.

3. For the purposes of this Regulation, the animals referred to in paragraph 1 shall be considered not intended for slaughter if they are not slaughtered within four months of the date of the acceptance of the entry for release for free circulation.

Derogations may, however, be granted in the event of *force majeure* duly attested by a local authority certificate setting out the reasons for the slaughter.

Article 2

1. The quota volume referred to in Article 1 (1) shall be further divided into two parts.

The first part, 85 % of the total, i. e. 36 210 head, shall be reserved for established importers who are able to furnish

(1) OJ No L 328, 22. 11. 1986, p. 57.

proof of having imported animals of the breeds specified in the tariff quota in question during the previous three years, or, in the case of Spain, during the last two years.

With regard to Portugal, in the case of established importers, account shall be taken of animals referred to in Article 1 (1) in respect of which importers can prove, to the satisfaction of the competent authorities, that they were imported and that they were not slaughtered within four months following the date of the acceptance of the entry for release for free circulation.

The second part, of 15 %, i.e. 6 390 head, shall be reserved either for importers who undertake, when making an application, to keep the imported cattle in premises of which they have the use or for importers who have been conducting business in live bovine animals for a period of at least one year and are listed in a public register of the Member State or who can provide proof, recognized by the competent authority, of such conduct.

2. The 36 210 head shall be assigned to the various importers pro rata, in proportion to the scale of their previous imports over the three years under consideration or, in the case of Spain over the two years under consideration, or to the quantities applied for if they are less than previous imports while the 6 390 head shall be assigned to applicants pro rata, in proportion to the entitlement applied for by the importers. In the latter case :

- (a) applications for quantities greater than 50 head shall be automatically reduced to that number ;
- (b) applications which would give rise to a certificate of participation covering a quantity of less than five head shall not be taken into account ;
- (c) quantities which have not been assigned, owing to the minimum five head limitation shall be assigned by drawing lots (with a figure of five head).

3. Any quantities of one of the parts of the tariff quota referred to in paragraph 1 not applied for shall be automatically transferred to the other part.

Article 3

1. Applications to import under each part of the tariff quota, accompanied, where appropriate, by proof of previous imports, shall be made to the competent authorities in the Member States, in accordance with the procedures laid down and the deadline set by those authorities, by means of the document of release for free circulation, which shall be cancelled by the said authorities after being submitted as proof.

These authorities shall transmit to the Commission, not later than 31 July 1990, the data thus collected, and in particular :

- the number of applicants and the number of head applied for by each category of importer,
- the average of previous imports furnished by each applicant in respect of the 36 210 head reserved for established importers.

2. The Commission shall notify the Member States, by 10 August 1990, of the quantities to be assigned to each applicant, in the form, where necessary, of a percentage of the amount originally applied for, or of that applicant's previous imports.

3. On the basis of the data referred to in paragraph 2, Member States shall issue applicants with certificates specifying the number of head to which they are entitled. The period of validity of the certificates may not go beyond 30 June 1991.

The entitlement certificates, a model of which is annexed to this Regulation, shall be issued upon provision of a security of ECU 20 per head, which shall be released once the certificates have been returned, complete with the customs stamps acknowledging the import of the animals, to the issuing authority.

An entitlement certificate shall not be transferable and shall entitle the bearer to benefit from the tariff quota only when made out in the same name as the entry for release for free circulation which accompanies it.

The rules laid down in Commission Regulation (EEC) No 3719/88 of 16 November 1988 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products⁽¹⁾, as last amended by Regulation (EEC) No 1599/90⁽²⁾, for the release of the security for the import certificates or its conversion into revenue shall apply to the security referred to in the second subparagraph.

4. Quantities which have not been the subject of the issue of entitlement certificates by 31 March 1991 shall be finally reassigned under the procedure described in the foregoing paragraphs to importers who have exhausted their own entitlements.

To this end, Member States shall notify the Commission by 10 April 1991 of the quantities remaining unused on 31 March 1991, and furnish the data specified in the second subparagraph of paragraph 1. The Commission shall set the new percentages for entitlements in each category and shall transmit them by not later than 15 April 1991 to the Member States, which shall then issue the entitlement certificates to the applicants under the conditions set out in paragraph 3, with a period of validity not extending beyond 30 June 1991.

Article 4

1. Member States shall take all measures necessary to ensure that access to the tariff quota in question is restricted to cattle as specified in Article 1 (1).

⁽¹⁾ OJ No L 331, 2. 12. 1988, p. 1.

⁽²⁾ OJ No L 151, 15. 6. 1990, p. 29.

2. They shall ensure importers equal and continuous access to the tariff quota in question.

Article 5

Member States and the Commission shall cooperate closely to ensure that the provisions of this Regulation are observed.

3. Depletion of the said quota shall be measured on the basis of imports submitted for customs clearance under cover of entries for release for free circulation.

Article 6

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 1 July 1990.

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

Done at Brussels, 24 July 1990.

For the Council

The President

C. MANNINO

ENTITLEMENT CERTIFICATE No COMMUNITY TARIFF QUOTAS FOR — Cows and heifers other than those intended for slaughter of certain mountain breeds — Bulls, cows and heifers other than those intended for slaughter of certain mountain breeds							
1. Holder (Name, complete address and Member State)	2. Issuing authority						
NOTES A. This certificate is valid in all Member States of the Community. B. This certificate must be attached to the entry for release for free circulation, and the entry must itself be drawn up in the name of the holder of this certificate. C. The customs office concerned should write off the quantities released for free circulation and return this certificate to the holder or the holders representative. D. The holder must return this certificate to the issuing authority to obtain release of the guarantee.	3. This certificate is valid until and including <table border="1" style="display: inline-table; margin-left: 10px; border-collapse: collapse;"> <tr> <td style="width: 30px; text-align: center;">day</td> <td style="width: 30px; text-align: center;">month</td> <td style="width: 30px; text-align: center;">year</td> </tr> <tr> <td style="height: 20px;"> </td> <td> </td> <td> </td> </tr> </table> <p style="margin-top: 10px;">Place and date of issue :</p> <p style="margin-top: 10px;">Signature and stamp of issuing authority :</p>	day	month	year			
day	month	year					
4. Description of animals	5. CN code						
	6. Number of head in figures						
7. Number of head in words							

8. WRITING OFF BY CUSTOMS OFFICES (in column 9, indicate in part 1 the quantity available, and in part 2 the quantity written off)			
9. Number of head in figures:	10. Number of head in words for the quantity written off	11. Number and date of acceptance of the entry for release for free circulation:	12. Name, Member State, signature and stamp of the customs office
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COUNCIL REGULATION (EEC) No 2208/90

of 24 July 1990

opening and providing for the administration of a Community tariff quota for bulls, cows and heifers, other than those intended for slaughter, of certain Alpine breeds

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 Act of Accession of Spain and Portugal,

Having regard to the proposal from the Commission,

Whereas the European Economic Community undertook, within the framework of the General Agreement on Tariffs and Trade (GATT), to open an annual Community tariff quota of 5 000 head at a duty of 4 % for bulls, cows and heifers, other than those intended for slaughter, of certain Alpine breeds; whereas eligibility for such quota is subject to submission of the following documents:

- bulls: a pedigree certificate,
- female animals: a pedigree certificate or certificate of registration in the herdbook, certifying purity of breed;

Whereas the abovementioned tariff quota should therefore be opened for the period 1 July 1990 to 30 June 1991 at a duty of 4 %; whereas it is, however, necessary to envisage special provisions allowing for facilitated access by the Portuguese Republic to the said quota; whereas a check should be carried out to ascertain that the imported animals have not been slaughtered within a certain period;

Whereas it is in particular necessary to ensure equal and continuous access for all Community importers to the abovementioned quota, and the uninterrupted application of the quota duties, to all imports of the animals in question until the quota is exhausted; whereas the necessary measures should be taken to ensure efficient administration of this tariff quota, taking into account the Community nature of the quota and special factors in the trade in these animals; whereas to this end the Commission should assign to the Member States on request the quantities needed to cover actual imports in accordance with an economically appropriate procedure to be determined;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any measure concerning the administration of the quantities levied by that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 July 1990 to 30 June 1991, the duty applicable to the import into the Community of the animals designated hereafter shall be suspended at the level and within the limits of Community tariff quota indicated:

Order No	CN code (a)	Description	Quota volume	Quota duty (%)
09.0003	ex 0102 90 10 ex 0102 90 31 ex 0102 90 33 ex 0102 90 35	Bulls, cows and heifers, other than those intended for slaughter, of the following breeds: mottled Simmental breed and the Schwyz and Fribourg breeds	5 000 head	4

(a) TARIC codes: 0102 90 10 * 30, 40 and 50,
0102 90 31 * 21, 29, 31 and 39,
0102 90 33 * 20 and 30,
0102 90 35 * 21 and 29.

Within the limits of this tariff quota, the Kingdom of Spain and the Portuguese Republic shall apply customs duties calculated in accordance with the relevant provisions in the Act of Accession.

2. Eligibility for this tariff quota shall be subject to the submission of:

- in the case of bulls: a pedigree certificate,
- in the case of female animals: a pedigree certificate or certificate of registration in the herdbook, certifying purity of breed.

3. For the purposes of this Regulation, the animals referred to in paragraph 1 shall be considered not intended for slaughter if they are not slaughtered within four months of the date of acceptance of the entry for free circulation.

Derogations may, however, be granted in the event of *force majeure* duly attested by a local authority certificate setting out the reasons for the slaughter.

Article 2

1. The quota volume referred to in Article 1 (1) shall be further divided into two parts.

The first part, 85 % of the total, i. e. 4 250 head, shall be reserved for established importers who are able to furnish proof of having imported animals of the breeds specified in the tariff quota in question during the previous three years, or, in the case of Spain, during the last two years.

With regard to Portugal, in the case of established importers, account shall be taken of animals referred to in Article 1 (1) in respect of which importers can prove, to the satisfaction of the competent authorities, that they were imported and that they were not slaughtered within four months following the date of the acceptance of the entry for release for free circulation.

The second part, of 15 %, i. e. 750 head, shall be reserved either for importers who undertake, when making an application, to keep the imported cattle in premises of which they have the use or for importers who have been conducting business in live bovine animals for a period of at least one year and are listed in a public register of the Member State or who can provide proof, recognized by the competent authority, of such conduct.

2. The 4 250 head shall be assigned to the various importers pro rata, in proportion to the scale of their previous imports over the three years under consideration, or, in the case of Spain, over the two years under consideration, or to the quantities applied for if they are less than previous imports while the 750 head shall be assigned to applicants pro rata, in proportion to the entitlement applied for by the importers. In the latter case :

- (a) applications for quantities greater than 50 head shall be automatically reduced to that number ;
- (b) applications which would give rise to a certificate of participation covering a quantity of less than five head shall not be taken into account ;
- (c) quantities which have not been assigned, owing to the minimum five head limitation shall be assigned by drawing lots (with a figure of five head).

3. Any quantities of one of the parts of the tariff quota referred to in paragraph 1 not applied for shall be automatically transferred to the other part.

Article 3

1. Applications to import under each part of the tariff quota, accompanied, where appropriate, by proof of previous imports, shall be made to the competent authorities in the Member States, in accordance with the procedures laid down and the deadline set by those authorities, by means of the document of release for free circulation, which shall be cancelled by the said authorities after being submitted as proof.

These authorities shall transmit to the Commission, not later than 31 July 1990, the data thus collected, and in particular :

- the number of applicants and the number of head applied for by each category of importer,
- the average of previous imports furnished by each applicant in respect of the 4 250 head reserved for established importers.

2. The Commission shall notify the Member States, by 10 August 1990, of the quantities to be assigned to each applicant, in the form, where necessary, of a percentage of the amount originally applied for, or of that applicant's previous imports.

3. On the basis of the data referred to in paragraph 2, Member States shall issue applicants with certificates specifying the number of head to which they are entitled. The period of validity of the certificates may not go beyond 30 June 1991.

The entitlement certificates, a model of which is annexed to this Regulation, shall be issued upon provision of a security of ECU 20 per head, which shall be released once the certificates have been returned, complete with the customs stamps acknowledging the import of the animals, to the issuing authority.

An entitlement certificate shall not be transferable and shall entitle the bearer to benefit from the tariff quota only when made out in the same as the entry for release for free circulation which accompanies it.

The rules laid down in Commission Regulation (EEC) No 3719/88 of 16 November 1988 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products⁽¹⁾, as last amended by Regulation (EEC) No 1599/90⁽²⁾, for the release of the security for the import certificates or its conversion into revenue shall apply to the security referred to in the second subparagraph.

4. Quantities which have not been the subject of the issue of entitlement certificates by 31 March 1991 shall be finally reassigned under the procedure described in the foregoing paragraphs to importers who have exhausted their own entitlements.

To this end, Member States shall notify the Commission by 10 April 1991 of the quantities remaining unused on 31 March 1991, and furnish the data specified in the second subparagraph of paragraph 1. The Commission shall set the new percentages for entitlements in each category and shall transmit them by not later than 15 April 1991 to the Member States, which shall then issue

⁽¹⁾ OJ No L 331, 2. 12. 1988, p. 1.

⁽²⁾ OJ No L 151, 15. 6. 1990, p. 29.

the entitlement certificates to the applicants under the conditions set out in paragraph 3, with a period of validity not extending beyond 30 June 1991.

Article 4

1. Member States shall take all measures necessary to ensure that access to the tariff quota in question is restricted to cattle as specified in Article 1 (1).

2. They shall ensure importers equal and continuous access to the tariff quota in question.

3. Depletion of the said quota shall be measured on the basis of imports submitted for customs clearance under cover of entries for release for free circulation.

Article 5

Member States and the Commission shall cooperate closely to ensure that the provisions of this Regulation are observed.

Article 6

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 1 July 1990.

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

Done at Brussels, 24 July 1990.

For the Council

The President

C. MANNINO

ENTITLEMENT CERTIFICATE No COMMUNITY TARIFF QUOTAS FOR — Cows and heifers other than those intended for slaughter of certain mountain breeds — Bulls, cows and heifers other than those intended for slaughter of certain mountain breeds				
1. Holder (Name, complete address and Member State)	2. Issuing authority			
NOTES A. This certificate is valid in all Member States of the Community. B. This certificate must be attached to the entry for release for free circulation, and the entry must itself be drawn up in the name of the holder of this certificate. C. The customs office concerned should write off the quantities released for free circulation and return this certificate to the holder or the holders representative. D. The holder must return this certificate to the issuing authority to obtain release of the guarantee.	3. This certificate is valid until and including <table border="1" style="display: inline-table; vertical-align: middle;"> <tr> <td style="width: 30px;">day</td> <td style="width: 30px;">month</td> <td style="width: 30px;">year</td> </tr> </table> Place and date of issue: Signature and stamp of issuing authority:	day	month	year
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4. Description of animals	5. CN code 6. Number of head in figures			
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8. WRITING OFF BY CUSTOMS OFFICES (in column 9, indicate in part 1 the quantity available, and in part 2 the quantity written off)			
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