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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 455/91

of 25 February 1991

amending Regulation (EEC) No 3275/90 opening and providing for the administration of Community tariff quotas bound in GATT for certain agricultural and industrial products

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, by Regulation (EEC) No 3275/90⁽¹⁾, the Council opened a certain number of Community tariff quotas for 1991 for agricultural and industrial products, including a duty-free tariff quota of 600 000 cubic metres for plywood of coniferous species; whereas, by Decision 91/30/EEC⁽²⁾, the Council approved an exchange of letters having the purpose of extending until 31 December 1991 the Agreement for the conclusion of negotiations between the United States and the European Community under GATT Article XXIV.6; whereas that

decision implies an increase of the volume of the above-mentioned tariff quota by 50 000 cubic metres, and the opening of a tariff quota of 12 000 tonnes at 10 % duty for dried onions falling within CN code 0712 20 00; whereas the abovementioned Regulation should consequently be amended,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3275/90 is hereby amended as follows:

1. The table shown in Article 1 is replaced by the following:

Order No	CN code (a)	Description	Quota period	Quota volume (tonnes)	Rate of duty (%)
09.0005	0302 40 90 0303 50 90 0304 10 93 ex 0304 10 98 0304 90 25	Herring, subject to compliance with the reference prices	From 16 June 1991 to 14 February 1992	34 000	0
09.0007	ex 0305 51 10 ex 0305 51 90 0305 59 11 0305 59 19 ex 0305 62 00 0305 69 10	Cod of the species <i>Gadus morhua</i> or <i>Gadus ogac</i> and fish of the species <i>Boreogadus saida</i> , dried, salted or in brine, whole, headless or in pieces	From 1 January to 31 December 1991	25 000	0
09.0009	ex 0302 69 65 ex 0303 78 10 ex 0304 90 47	Silver hake (<i>Merluccius bilinearis</i>), fresh, chilled or frozen	From 1 January to 31 December 1991	2 000	8

⁽¹⁾ OJ No L 315, 15. 11. 1990, p. 3.

⁽²⁾ OJ No L 17, 23. 1. 1991, p. 17.

Order No	CN code (a)	Description	Quota period	Quota volume (tonnes)	Rate of duty (%)
09.0011	ex 0304 20 29	Frozen cod fillets (<i>Gadus morhua</i>)	From 1 January to 31 December 1991	10 000	8
09.0013	ex 4412 19 00 ex 4412 99 90	Plywood of coniferous species, without the addition of other substances : — Of a thickness greater than 8,5 mm, the faces of which are not further prepared than the peeling process — Sanded, and of a thickness greater than 18,5 mm	From 1 January to 31 December 1991	650 000 m ³	0
09.0015 09.0017	4801 00 10	Newsprint ('): — From Canada — From other third countries	From 1 January to 31 December 1991	600 000 50 000	0 0
09.0019	7202 21 10 7202 21 90 7202 29 00	Ferro-silicon	From 1 January to 31 December 1991	12 600	0
09.0021	7202 30 00	Ferro-silico-manganese	From 1 January to 31 December 1991	18 550	0
09.0023	ex 7202 49 10 ex 7202 49 50	Ferro-chromium containing not more than 0,10 % by weight of carbon and more than 30 % but not more than 90 % of chromium (super-refined ferro-chromium)	From 1 January to 31 December 1991	2 950	0
09.0035	0712 20 00	Dried onions, whole cut, sliced, broken or in powder, but not further prepared	From 1 January to 31 December 1991	12 000	10
09.0039	0805 30 10	Lemons (<i>Citrus limon</i> , <i>Citrus limonum</i>)	From 15 January to 14 June 1991	10 000	6
09.0041	0802 11 90 0802 12 90	Almonds, whether or not shelled, other than bitter almonds	From 1 January to 31 December 1991	45 000	2

(a) See Taric codes annexed.

(') Entry under this subheading is subject to conditions determined by the relevant Community provisions.'

2. In the table appearing in the Annex, Order No '09.0006' is replaced by Order No '09.0005'.

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 from 1 January 1991.

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

Done at Brussels, 25 February 1991.

For the Council

The President

J.-C. JUNCKER

COUNCIL REGULATION (EEC) No 456/91**of 25 February 1991****amending Regulation (EEC) No 802/68 on the common definition of the concept
of the origin of goods**

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 Regulation (EEC) No 802/68 ⁽¹⁾, as last amended by Regulation (EEC) No 1769/89 ⁽²⁾, does not apply to the petroleum products listed in Annex I;

Whereas, in the absence of a common definition of the origin of petroleum products, Member States apply the provisions of their national law; whereas these provisions differ from one another and may give rise to differing results with regard to the application of customs duties or measures and instruments of commercial policy;

Whereas, with a view to the completion of the internal market on 31 December 1992, it would appear essential that such provisions be harmonized;

Whereas the most appropriate way to harmonize the said provisions is to make Regulation (EEC) No 802/68 applicable to the petroleum products in question,

HAS ADOPTED THIS REGULATION:

Article 1

Article 3 of Regulation (EEC) No 802/68 and Annex I thereto shall be deleted.

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, 25 February 1991.

For the Council

The President

J.-C. JUNCKER

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 1.

⁽²⁾ OJ No L 174, 22. 6. 1989, p. 11.

COMMISSION REGULATION (EEC) No 457/91

of 27 February 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 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 322/91⁽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 26 February 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 322/91 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 28 February 1991.

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

Done at Brussels, 27 February 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 38, 12. 2. 1991, p. 1.

ANNEX

to the Commission Regulation of 27 February 1991 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Levy
0709 90 60	139,42 ^(?) ^(?)
0712 90 19	139,42 ^(?) ^(?)
1001 10 10	200,06 ^(?) ^(?)
1001 10 90	200,06 ^(?) ^(?)
1001 90 91	192,10
1001 90 99	192,10
1002 00 00	158,20 ^(*)
1003 00 10	159,49
1003 00 90	159,49
1004 00 10	147,90
1004 00 90	147,90
1005 10 90	139,42 ^(?) ^(?)
1005 90 00	139,42 ^(?) ^(?)
1007 00 90	147,24 ^(*)
1008 10 00	64,06
1008 20 00	135,64 ^(*)
1008 30 00	73,34 ^(?)
1008 90 10	^(?)
1008 90 90	73,34
1101 00 00	282,39 ^(*)
1102 10 00	235,67 ^(*)
1103 11 10	322,46 ^(*)
1103 11 90	303,71 ^(*)

⁽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 458/91

of 27 February 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 3845/90 ⁽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 26 February 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 28 February 1991.

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

Done at Brussels, 27 February 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 367, 29. 12. 1990, p. 10.

ANNEX

to the Commission Regulation of 27 February 1991 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CN code	(ECU/tonne)			
	Current 2	1st period 3	2nd period 4	3rd period 5
0709 90 60	0	0	0	4,25
0712 90 19	0	0	0	4,25
1001 10 10	0	0	0	1,20
1001 10 90	0	0	0	1,20
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	4,25
1005 90 00	0	0	0	4,25
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

CN code	(ECU/tonne)				
	Current 2	1st period 3	2nd period 4	3rd period 5	4th period 6
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 459/91**of 26 February 1991****establishing unit values for the determination of the customs value of certain perishable goods**

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

Having regard to Commission Regulation (EEC) No 1577/81 of 12 June 1981 establishing a system of simplified procedures for the determination of the customs value of certain perishable goods ⁽¹⁾, as last amended by Regulation (EEC) No 3334/90 ⁽²⁾, and in particular Article 1 thereof,

Whereas Article 1 of Regulation (EEC) No 1577/81 provides that the Commission shall periodically establish unit values for the products referred to in the classification in the Annex;

Whereas the result of applying the rules and criteria laid down in that same Regulation to the elements communi-

cated to the Commission in accordance with Article 1 (2) of that Regulation is that the unit values set out in the Annex to this Regulation should be established in regard to the products in question,

HAS ADOPTED THIS REGULATION:

Article 1

The unit values provided for in Article 1 (1) of Regulation (EEC) No 1577/81 are hereby established as set out in the table in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 March 1991.

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

Done at Brussels, 26 February 1991.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 154, 13. 6. 1981, p. 26.

⁽²⁾ OJ No L 321, 21. 11. 1990, p. 6.

ANNEX

Code	CN code	Description	Amount of unit values per 100 kg net									
			ECU	Bfrs/Lfrs	Dkr	DM	FF	Dr	£ Irl	Lit	Fl	£
1.10	0701 90 51 0701 90 59	New potatoes	32,48	1 370	256,31	66,58	226,59	7 147	25,02	49 901	75,06	22,80
1.20	0702 00 10 0702 00 90	Tomatoes	67,06	2 830	529,21	137,48	467,83	14 757	51,66	103 032	154,98	47,07
1.30	0703 10 19	Onions (other than seed)	21,90	924	172,87	44,90	152,82	4 820	16,87	33 656	50,62	15,37
1.40	0703 20 00	Garlic	178,60	7 537	1 409,48	366,16	1 246,02	39 303	137,61	274 411	412,77	125,38
1.50	ex 0703 90 00	Leeks	116,72	4 925	921,11	239,29	814,28	25 685	89,93	179 330	269,75	81,94
1.60	ex 0704 10 10 ex 0704 10 90	Cauliflowers	114,47	4 831	903,37	234,68	798,60	25 190	88,20	175 877	264,55	80,36
1.70	0704 20 00	Brussels sprouts	53,72	2 267	423,88	110,06	374,08	11 735	41,29	82 719	124,09	37,72
1.80	0704 90 10	White cabbages and red cabbages	38,56	1 627	304,33	79,05	269,03	8 486	29,71	59 249	89,12	27,07
1.90	ex 0704 90 90	Sprouting broccoli or calabrese (<i>Brassica oleracea</i> var. <i>italica</i>)	111,56	4 708	880,39	228,71	778,29	24 549	85,95	171 402	257,82	78,32
1.100	ex 0704 90 90	Chinese cabbage	53,39	2 253	421,37	109,46	372,50	11 750	41,14	82 037	123,40	37,48
1.110	0705 11 10 0705 11 90	Cabbage lettuce (head lettuce)	118,05	4 982	931,63	242,02	823,58	25 978	90,95	181 378	272,83	82,87
1.120	ex 0705 29 00	Endives	69,92	2 951	551,84	143,36	487,84	15 388	53,87	107 438	161,60	49,09
1.130	ex 0706 10 00	Carrots	47,38	1 999	373,92	97,13	330,56	10 427	36,50	72 799	109,50	33,26
1.140	ex 0706 90 90	Radishes	78,89	3 329	622,63	161,75	550,42	17 362	60,79	121 220	182,34	55,39
1.150	0707 00 11 0707 00 19	Cucumbers	70,91	2 992	559,66	145,39	494,75	15 606	54,64	108 959	163,89	49,78
1.160	0708 10 10 0708 10 90	Peas (<i>Pisum sativum</i>)	232,70	9 820	1 836,39	477,06	1 623,41	51 207	179,29	357 524	537,79	163,36
1.170		Beans :										
1.170.1	0708 20 10 0708 20 90	Beans (<i>Vigna</i> spp., <i>Phaseolus</i> spp.)	180,95	7 636	1 428,04	370,98	1 262,42	39 821	139,42	278 023	418,20	127,03
1.170.2	0708 20 10 0708 20 90	Beans (<i>Phaseolus</i> ssp., <i>vulgaris</i> var. <i>Compressus Savi</i>)	244,77	10 330	1 931,65	501,80	1 707,62	53 864	188,59	376 069	565,68	171,84
1.180	ex 0708 90 00	Broad beans	129,77	5 477	1 024,15	266,05	905,38	28 558	99,99	199 391	299,92	91,10
1.190	0709 10 00	Globe artichokes	105,52	4 453	832,78	216,34	736,19	23 222	81,30	162 133	243,88	74,08
1.200		Asparagus :										
1.200.1	ex 0709 20 00	— green	292,76	12 355	2 310,35	600,18	2 042,40	64 424	255,56	449 798	676,59	205,53
1.200.2	ex 0709 20 00	— other	200,50	8 462	1 582,32	411,05	1 398,80	44 123	154,48	308 059	463,38	140,76
1.210	0709 30 00	Aubergines (egg-plants)	129,05	5 446	1 018,40	264,56	900,29	28 398	99,43	198 272	298,24	90,59
1.220	ex 0709 40 00	Ribbed celery (<i>Apium graveolens</i> var. <i>dulce</i>)	60,47	2 552	477,20	123,96	421,86	13 306	46,59	92 906	139,75	42,45
1.230	0709 51 30	Chantarelles	547,80	23 223	4 305,96	1 127,97	3 777,47	112 445	420,46	845 160	1 271,93	383,30
1.240	0709 60 10	Sweet peppers	111,11	4 689	876,85	227,79	775,15	24 451	85,61	170 713	256,78	78,00
1.250	0709 90 50	Fennel	120,19	5 072	948,49	246,40	838,48	26 448	92,60	184 660	277,76	84,37
1.260	0709 90 70	Courgettes	75,46	3 184	595,52	154,70	526,45	16 606	58,14	115 941	174,40	52,97
1.270	ex 0714 20 10	Sweet potatoes, whole, fresh (intended for human consumption)	72,78	3 080	573,11	149,64	502,35	15 180	55,82	112 490	168,76	50,99
2.10	ex 0802 40 00	Chestnuts (<i>Castanea</i> spp.), fresh	87,98	3 716	694,15	180,34	612,04	18 967	67,47	135 667	203,31	61,65
2.20	ex 0803 00 10	Bananas (other than plantains), fresh	48,60	2 051	383,52	99,63	339,04	10 694	37,44	74 668	112,31	34,11
2.30	ex 0804 30 00	Pineapples, fresh	48,95	2 066	386,36	100,37	341,55	10 773	37,72	75 220	113,14	34,37
2.40	ex 0804 40 10 ex 0804 40 90	Avocados, fresh	114,05	4 813	900,04	233,81	795,65	25 097	87,87	175 227	263,57	80,06

Code	CN code	Description	Amount of unit values per 100 kg net									
			ECU	Bfrs/Lfrs	Dkr	DM	FF	Dr	£ IrI	Lit	Fl	£
2.50	ex 0804 50 00	Guavas and mangoes, fresh	188,70	7963	1489,16	386,85	1 316,45	41 525	145,39	289 922	436,10	132,47
2.60		Sweet oranges, fresh :										
2.60.1	0805 10 11 0805 10 21 0805 10 31 0805 10 41	— Sanguines and semi-sanguines	43,02	1 815	339,51	88,19	300,13	9 467	33,14	66 099	99,42	30,20
2.60.2	0805 10 15 0805 10 25 0805 10 35 0805 10 45	— Navels, Navelines, Navelates, Salustianas, Vernas, Valencia lates, Maltese, Shamoutis, Ovalis, Trovita and Hamlins	40,56	1 711	320,09	83,15	282,97	8 925	31,25	62 319	93,74	28,47
2.60.3	0805 10 19 0805 10 29 0805 10 39 0805 10 49	— Others	26,48	1 118	208,95	54,28	184,23	5 709	20,30	40 838	61,20	18,55
2.70		Mandarins (including tangerines and satsumas), fresh ; clementines, wilkings and similar citrus hybrids, fresh :										
2.70.1	ex 0805 20 10	— Clementines	95,32	4 023	752,29	195,43	665,04	20 977	73,44	146 463	220,31	66,92
2.70.2	ex 0805 20 30	— Monreales and Satsumas	65,62	2 769	517,84	134,52	457,79	14 440	50,55	100 819	151,65	46,06
2.70.3	ex 0805 20 50	— Mandarins and wilkings	58,08	2 451	458,39	119,08	405,23	12 782	44,75	89 244	134,24	40,77
2.70.4	ex 0805 20 70 ex 0805 20 90	— Tangerines and others	83,80	3 536	661,35	171,80	584,65	18 441	64,57	128 757	193,67	58,83
2.80	ex 0805 30 10	Lemons (<i>Citrus limon</i> , <i>Citrus limonum</i>), fresh	47,61	2 009	375,73	97,60	332,15	10 477	36,68	73 150	110,03	33,42
2.85	ex 0805 30 90	Limes (<i>Citrus aurantifolia</i>), fresh	77,37	3 265	610,57	158,61	539,75	17 025	59,61	118 871	178,80	54,31
2.90		Grapefruit, fresh :										
2.90.1	ex 0805 40 00	— white	31,01	1 309	244,78	63,59	216,39	6 825	23,89	47 656	71,68	21,77
2.90.2	ex 0805 40 00	— pink	58,69	2 477	463,20	120,33	409,48	12 916	45,22	90 180	135,64	41,20
2.100	0806 10 11 0806 10 15 0806 10 19	Table grapes	117,71	4 967	928,96	241,32	821,22	25 904	90,69	180 857	272,04	82,64
2.110	0807 10 10	Water-melons	27,15	1 151	213,48	55,92	187,27	5 574	20,84	41 901	63,05	19,00
2.120		Melons (other than water-melons) :										
2.120.1	ex 0807 10 90	— Amarillo, Cuper, Honey dew (including Cantalene), Onteniente, Piel de Sapo (including Verde Liso), Rochet, Tendral, Futuro	43,38	1 830	342,36	88,94	302,66	9 546	33,42	66 655	100,26	30,45
2.120.2	ex 0807 10 90	— other	122,77	5 181	968,89	251,70	856,52	27 017	94,59	188 633	283,74	86,19
2.130	0808 10 91 0808 10 93 0808 10 99	Apples	68,51	2 891	540,67	140,45	477,96	15 076	52,78	105 262	158,33	48,09
2.140		Pears										
2.140.1	0808 20 31 0808 20 33 0808 20 35 0808 20 39	Pears — Nashi (<i>Pyrus pyrifolia</i>)	110,81	4 676	874,53	227,18	773,10	24 386	85,38	170 261	256,10	77,79
2.140.2	0808 20 31 0808 20 33 0808 20 35 0808 20 39	Other	67,83	2 862	535,30	139,06	473,22	14 927	52,26	104 218	156,76	47,62
2.150	0809 10 00	Apricots	140,85	5 932	1 109,84	288,19	981,41	30 821	108,42	216 792	324,75	99,48
2.160	0809 20 10 0809 20 90	Cherries	151,28	6 386	1 193,65	309,95	1 053,40	33 046	116,27	232 934	349,44	106,23
2.170	ex 0809 30 00	Peaches	144,13	6 082	1 137,43	295,48	1 005,51	31 717	111,05	221 445	333,09	101,18

Code	CN code	Description	Amount of unit values per 100 kg net									
			ECU	Bfrs/Lfrs	Dkr	DM	FF	Dr	£ Irl	Lit	Fl	£
2.180	ex 0809 30 00	Nectarines	124,44	5 252	982,09	255,13	868,19	27 385	95,88	191 203	287,60	87,36
2.190	0809 40 11 0809 40 19	Plums	121,30	5 119	957,25	248,67	846,23	26 693	93,46	186 366	280,33	85,15
2.200	0810 10 10 0810 10 90	Strawberries	398,29	16 808	3 143,12	816,52	2 778,59	87 646	306,87	611 930	920,47	279,61
2.205	0810 20 10	Raspberries	765,01	32 285	6 037,10	1 568,33	5 336,93	168 345	589,42	1 175 353	1 767,97	537,06
2.210	0810 40 30	Fruit of the species <i>Vaccinium myrtillus</i>	145,50	6 146	1 147,96	298,25	1 012,17	31 366	111,57	224 360	336,22	101,95
2.220	0810 90 10	Kiwi fruit (<i>Actinidia chinensis</i> Planch.)	80,72	3 406	637,05	165,49	563,17	17 764	62,19	124 027	186,56	56,67
2.230	ex 0810 90 80	Pomegranates	54,65	2 307	431,24	111,97	380,57	11 938	42,00	84 154	126,24	38,38
2.240	ex 0810 90 80	Khakis (including Sharon fruit)	101,43	4 280	800,50	207,95	707,66	22 322	78,15	155 849	234,42	71,21
2.250	ex 0810 90 30	Lychees	207,71	8 766	1 639,22	425,84	1 449,11	45 709	160,04	319 138	480,05	145,82

COMMISSION REGULATION (EEC) No 460/91

of 27 February 1991

fixing the export refunds on white sugar and raw sugar exported in its unaltered state

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EEC) No 305/91⁽²⁾, and in particular point (a) of the first subparagraph of Article 19 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 19 of Regulation (EEC) No 1785/81 provides that the difference between quotations or prices on the world market for the products listed in Article 1 (1) (a) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar⁽³⁾, as last amended by Regulation (EEC) No 1489/76⁽⁴⁾, provides that when refunds on white and raw sugar, undenatured and exported in its unaltered state are being fixed account must be taken of the situation on the Community and world markets in sugar and in particular of the price and cost factors set out in Article 3 of that Regulation; whereas the same Article provides that the economic aspect of the proposed exports should also be taken into account;

Whereas the refund on raw sugar must be fixed in respect of the standard quality; whereas the latter is defined in Article 1 of Council Regulation (EEC) No 431/68 of 9 April 1968 determining the standard quality for raw sugar and fixing the Community frontier crossing point for calculating cif prices for sugar⁽⁵⁾; whereas, furthermore, this refund should be fixed in accordance with Article 5 (2) of Regulation (EEC) No 766/68; whereas candy sugar is defined in Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar⁽⁶⁾, as last amended by Regulation (EEC) No 1714/88⁽⁷⁾; whereas the refund thus calculated for sugar containing added flavouring or colouring matter must apply to their sucrose content and, accordingly, be fixed per 1 % of the said content;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for sugar according to destination;

Whereas, in special cases, the amount of the refund may be fixed by other legal instruments;

Whereas, if the refund system is to operate normally, refunds 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 subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁸⁾, as last amended by Regulation (EEC) No 2205/90⁽⁹⁾,
- 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 the refund must be fixed every two weeks; whereas it may be altered in the intervening period;

Whereas it follows from applying the rules set out above to the present situation on the market in sugar and in particular to quotations or prices for sugar within the Community and on the world market that the refund should be as set out in the Annex hereto;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, are hereby fixed to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 28 February 1991.

(¹) OJ No L 177, 1. 7. 1981, p. 4.
(²) OJ No L 37, 9. 2. 1991, p. 1.
(³) OJ No L 143, 25. 6. 1968, p. 6.
(⁴) OJ No L 167, 26. 6. 1976, p. 13.
(⁵) OJ No L 89, 10. 4. 1968, p. 3.
(⁶) OJ No L 50, 4. 3. 1970, p. 1.
(⁷) OJ No L 152, 18. 6. 1988, p. 23.

(⁸) OJ No L 164, 24. 6. 1985, p. 1.
(⁹) 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, 27 February 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 27 February 1991 fixing the export refunds on white sugar and raw sugar exported in its unaltered state

Product code	Amount of refund	
	per 100 kg	per percentage point of sucrose content and per 100 kg net of the product in question
1701 11 90 100	35,63 ⁽¹⁾	
1701 11 90 910	35,30 ⁽¹⁾	
1701 11 90 950	⁽²⁾	
1701 12 90 100	35,63 ⁽¹⁾	
1701 12 90 910	35,30 ⁽¹⁾	
1701 12 90 950	⁽²⁾	
1701 91 00 000		0,3873
1701 99 10 100	38,73	
1701 99 10 910	38,37	
1701 99 10 950	38,37	
1701 99 90 100		0,3873

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the refund applicable is calculated in accordance with the provisions of Article 5 (3) of Regulation (EEC) No 766/68.

⁽²⁾ Fixing suspended by Commission Regulation (EEC) No 2689/85 (OJ No L 255, 26. 9. 1985, p. 12), as amended by Regulation (EEC) No 3251/85 (OJ No L 309, 21. 11. 1985, p. 14).

COMMISSION REGULATION (EEC) No 461/91
of 27 February 1991
fixing the import levies on milk and milk products

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

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 ⁽¹⁾, as last amended by Regulation (EEC) No 3641/90 ⁽²⁾, and in particular Article 14 (8) thereof,

Whereas the import levies on milk and milk products were fixed by Commission Regulation (EEC) No 3803/90 ⁽³⁾, as last amended by Regulation (EEC) No 362/91 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 3803/90 to the prices

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 referred to in Article 14 of Regulation (EEC) No 804/68 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 March 1991.

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

Done at Brussels, 27 February 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 362, 27. 12. 1991, p. 5.

⁽²⁾ OJ No L 303, 31. 10. 1990, p. 5.

⁽³⁾ OJ No L 365, 28. 12. 1991, p. 47.

⁽⁴⁾ OJ No L 42, 15. 2. 1991, p. 14.

ANNEX

to the Commission Regulation of 27 February 1991 fixing the import levies on milk and milk products

(ECU/100 kg net weight, unless otherwise indicated)

CN code	Note	Import levy
0401 10 10		18,76
0401 10 90		17,35
0401 20 11		25,53
0401 20 19		24,32
0401 20 91		31,09
0401 20 99		29,88
0401 30 11		79,64
0401 30 19		78,43
0401 30 31		152,94
0401 30 39		151,73
0401 30 91		256,29
0401 30 99		255,08
0402 10 11	(¹)	132,83
0402 10 19	(¹)	125,58
0402 10 91	(¹) (²)	1,2558/kg + 30,25
0402 10 99	(¹) (²)	1,2558/kg + 23,00
0402 21 11	(¹)	192,79
0402 21 17	(¹)	185,54
0402 21 19	(¹)	185,54
0402 21 91	(¹)	227,34
0402 21 99	(¹)	220,09
0402 29 11	(¹) (²) (³)	1,8554/kg + 30,25
0402 29 15	(¹) (²)	1,8554/kg + 30,25
0402 29 19	(¹) (²)	1,8554/kg + 23,00
0402 29 91	(¹) (²)	2,2009/kg + 30,25
0402 29 99	(¹) (²)	2,2009/kg + 23,00
0402 91 11	(¹)	30,28
0402 91 19	(¹)	30,28
0402 91 31	(¹)	37,85
0402 91 39	(¹)	37,85
0402 91 51	(¹)	152,94
0402 91 59	(¹)	151,73
0402 91 91	(¹)	256,29
0402 91 99	(¹)	255,08
0402 99 11	(¹)	49,85
0402 99 19	(¹)	49,85
0402 99 31	(¹) (²)	1,4931/kg + 26,63
0402 99 39	(¹) (²)	1,4931/kg + 25,42
0402 99 91	(¹) (²)	2,5266/kg + 26,63
0402 99 99	(¹) (²)	2,5266/kg + 25,42
0403 10 02		132,83
0403 10 04		192,79

(ECU/100 kg net weight, unless otherwise indicated)

CN code	Note	Import levy
0403 10 06		227,34
0403 10 12	(¹)	1,2558/kg + 30,25
0403 10 14	(¹)	1,8554/kg + 30,25
0403 10 16	(¹)	2,2009/kg + 30,25
0403 10 22		27,94
0403 10 24		33,50
0403 10 26		82,05
0403 10 32	(¹)	0,2190/kg + 29,04
0403 10 34	(¹)	0,2746/kg + 29,04
0403 10 36	(¹)	0,7601/kg + 29,04
0403 90 11		132,83
0403 90 13		192,79
0403 90 19		227,34
0403 90 31	(¹)	1,2558/kg + 30,25
0403 90 33	(¹)	1,8554/kg + 30,25
0403 90 39	(¹)	2,2009/kg + 30,25
0403 90 51		27,94
0403 90 53		33,50
0403 90 59		82,05
0403 90 61	(¹)	0,2190/kg + 29,04
0403 90 63	(¹)	0,2746/kg + 29,04
0403 90 69	(¹)	0,7601/kg + 29,04
0404 10 11		32,37
0404 10 19	(¹)	0,3237/kg + 23,00
0404 10 91	(²)	0,3237/kg
0404 10 99	(²)	0,3237/kg + 23,00
0404 90 11		132,83
0404 90 13		192,79
0404 90 19		227,34
0404 90 31		132,83
0404 90 33		192,79
0404 90 39		227,34
0404 90 51	(¹)	1,2558/kg + 30,25
0404 90 53	(¹) (²)	1,8554/kg + 30,25
0404 90 59	(¹)	2,2009/kg + 30,25
0404 90 91	(¹)	1,2558/kg + 30,25
0404 90 93	(¹) (²)	1,8554/kg + 30,25
0404 90 99	(¹)	2,2009/kg + 30,25
0405 00 10		264,45
0405 00 90		322,63
0406 10 10	(²)	235,91
0406 10 90	(²)	285,03
0406 20 10	(²) (³)	410,94
0406 20 90	(²)	410,94
0406 30 10	(²) (³)	188,54
0406 30 31	(²) (³)	175,96
0406 30 39	(²) (³)	188,54
0406 30 90	(²) (³)	285,26

(ECU/100 kg net weight, unless otherwise indicated)

CN code	Note	Import levy
0406 40 00	(³) (⁴)	148,14
0406 90 11	(³) (⁴)	238,96
0406 90 13	(³) (⁴)	198,86
0406 90 15	(³) (⁴)	198,86
0406 90 17	(³) (⁴)	198,86
0406 90 19	(³) (⁴)	410,94
0406 90 21	(³) (⁴)	238,96
0406 90 23	(³) (⁴)	188,31
0406 90 25	(³) (⁴)	188,31
0406 90 27	(³) (⁴)	188,31
0406 90 29	(³) (⁴)	188,31
0406 90 31	(³) (⁴)	188,31
0406 90 33	(⁴)	188,31
0406 90 35	(³) (⁴)	188,31
0406 90 37	(³) (⁴)	188,31
0406 90 39	(³) (⁴)	188,31
0406 90 50	(³) (⁴)	188,31
0406 90 61	(⁴)	410,94
0406 90 63	(⁴)	410,94
0406 90 69	(⁴)	410,94
0406 90 71	(⁴)	235,91
0406 90 73	(⁴)	188,31
0406 90 75	(⁴)	188,31
0406 90 77	(⁴)	188,31
0406 90 79	(⁴)	188,31
0406 90 81	(⁴)	188,31
0406 90 83	(⁴)	188,31
0406 90 85	(⁴)	188,31
0406 90 89	(³) (⁴)	188,31
0406 90 91	(⁴)	235,91
0406 90 93	(⁴)	235,91
0406 90 97	(⁴)	285,03
0406 90 99	(⁴)	285,03
1702 10 10		36,29
1702 10 90		36,29
2106 90 51		36,29
2309 10 15		96,60
2309 10 19		125,49
2309 10 39		117,74
2309 10 59		97,52
2309 10 70		125,49
2309 90 35		96,60
2309 90 39		125,49
2309 90 49		117,74
2309 90 59		97,52
2309 90 70		125,49

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- (¹) The levy on 100 kg of product falling within this code is equal to the sum of the following:
- (a) the amount per kilogram shown, multiplied by the weight of milk and milk cream contained in 100 kg of product; and
 - (b) the other amount indicated.
- (²) The levy on 100 kg of product falling within this code is equal to:
- (a) the amount per kilogram shown, multiplied by the weight of the dried milk contained in 100 kg of product plus, where appropriate,
 - (b) the other amount indicated.
- (³) Products falling within this code imported from a third country under special arrangements concluded between that country and the Community for which an IMA 1 certificate issued under the conditions provided for in Regulation (EEC) No 1767/82 is issued are subject to the levies in Annex I to that Regulation.
- (⁴) The levy applicable is limited under the conditions laid down in Regulation (EEC) No 715/90.
-

COMMISSION REGULATION (EEC) No 462/91

of 27 February 1991

on the issuing of a standing invitation to tender for the resale on the internal market of 50 000 tonnes of durum wheat held by the Italian intervention agency

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 7 (6) thereof,

Whereas Article 3 of Council Regulation (EEC) No 1581/86 of 23 May 1986 laying down general rules for intervention on the market in cereals⁽³⁾ as amended by Regulation (EEC) No 2203/90⁽⁴⁾, provides that cereals held by the intervention agency are to be sold by tender;

Whereas Commission Regulation (EEC) No 1836/82⁽⁵⁾, as last amended by Regulation (EEC) No 2619/90⁽⁶⁾, lays down the procedure and conditions for the disposal of cereals held by intervention agencies;

Whereas, in the present market situation, a standing invitation to tender for the resale on the internal market of 50 000 tonnes of durum wheat held by the Italian intervention agency should be issued;

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

The Italian intervention agency shall issue a standing invitation to tender for the resale on the internal market

of 50 000 tonnes of durum wheat held by it in accordance with Regulation (EEC) No 1836/82.

Article 2

1. The final date for the submission of tenders for the first partial invitation to tender shall be 14 March 1991.

2. The final date for the submission of tenders for the last partial invitation to tender shall expire on 25 April 1991.

3. Tenders must be lodged with the Italian intervention agency:

Azienda di Stato per gli interventi nel mercato agricolo (AIMA),
via Palestro 81,
I-00100 Roma;
(telex: 620331 — tel.: 47 49 91).

Article 3

Not later than Tuesday of the week following the final date for the submission of tenders, the Italian intervention agency shall notify the Commission of the quantities and average prices of the various lots sold.

Article 4

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, 27 February 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 139, 24. 5. 1986, p. 36.
⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 5.
⁽⁵⁾ OJ No L 202, 9. 7. 1982, p. 23.
⁽⁶⁾ OJ No L 249, 12. 9. 1990, p. 8.

COMMISSION REGULATION (EEC) No 463/91

of 27 February 1991

on the issuing of a standing invitation to tender for the resale on the internal market of 35 000 tonnes of durum wheat held by the Spanish intervention agency

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 7 (6) thereof,

Whereas Article 3 of Council Regulation (EEC) No 1581/86 of 23 May 1986 laying down general rules for intervention on the market in cereals⁽³⁾ as amended by Regulation (EEC) No 2203/90⁽⁴⁾, provides that cereals held by the intervention agency are to be sold by tender;

Whereas Commission Regulation (EEC) No 1836/82⁽⁵⁾, as last amended by Regulation (EEC) No 2619/90⁽⁶⁾, lays down the procedure and conditions for the disposal of cereals held by intervention agencies;

Whereas, in the present market situation, a standing invitation to tender for the resale on the internal market of 35 000 tonnes of durum wheat held by the Spanish intervention agency should be issued;

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

The Spanish intervention agency shall issue a standing invitation to tender for the resale on the internal market

of 35 000 tonnes of durum wheat held by it in accordance with Regulation (EEC) No 1836/82.

Article 2

1. The final date for the submission of tenders for the first partial invitation to tender shall be 14 March 1991.
2. The final date for the submission of tenders for the last partial invitation to tender shall expire on 25 April 1991.
3. Tenders must be lodged with the Spanish intervention agency:

Servicio Nacional de Productos Agrarios (SENPA),
Beneficencia, 8,
E-28004, Madrid;
(telex: 23427 SENPA E — tel.: 132 84 88).

Article 3

Not later than Tuesday of the week following the final date for the submission of tenders, the Spanish intervention agency shall notify the Commission of the quantities and average prices of the various lots sold.

Article 4

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, 27 February 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 139, 24. 5. 1986, p. 36.

⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 5.

⁽⁵⁾ OJ No L 202, 9. 7. 1982, p. 23.

⁽⁶⁾ OJ No L 249, 12. 9. 1990, p. 8.

COMMISSION REGULATION (EEC) No 464/91

of 27 February 1991

amending Commission Regulation (EEC) No 1729/78, the Annex to Council Regulation (EEC) No 1010/86 and Annex I to Regulation (EEC) No 1785/81 in respect of the production refund for sugar used in the chemical industry

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 305/91 ⁽²⁾, and in particular Articles 9 (6) and 19 (7) thereof,

Having regard to Council Regulation (EEC) No 1010/86 of 25 March 1986 laying down general rules for the production refund on certain sugar products used in the chemical industry ⁽³⁾, as last amended by Regulation (EEC) No 1771/90 ⁽⁴⁾, and in particular Article 8 thereof,

Whereas experience acquired since the implementation of the new system of production refunds as from 1 July 1986 and more particularly since its modification as from 1 July 1990 shows that it is necessary for some of its technical and administrative rules to be altered so that it can be applied more efficiently, particularly at the stage of the application for the production refund; whereas, to this end, the minimum tolerance used for considering that the person concerned has fulfilled his principal obligation of processing the basic product or the intermediate product should also be raised in order to take into account the technical constraints of processing, particularly in the case of the fermentation processes where the yield varies enormously depending on the reactions of micro-organisms; whereas it is also desirable for a maximum tolerance to be introduced to cover cases in which a processing operation is unsuccessful and the processor is forced to use a larger quantity of the basic product than was initially considered necessary without him having, as a result, within this limit, to start a separate file in order for the additional quantity processed in this way to qualify under the system;

Whereas Commission Regulation (EEC) No 1729/78 ⁽⁵⁾, as last amended by Regulation (EEC) No 2029/90 ⁽⁶⁾, should be amended accordingly;

Whereas the regular review of the Annex to Regulation (EEC) No 1010/86 shows that it should be supplemented

by a number of chemical products in the manufacture of which basic sugar-sector products are used; whereas these same products should therefore be inserted in Annex I to Regulation (EEC) No 1785/81 relating to export refunds in order to bring it into line with the aforementioned Annex;

Whereas the product known as 'crispbread', containing added sugar, listed in the former Brussels Nomenclature, was included in the Common Customs Tariff; whereas it fell within subheading 19.08 B and was listed in Annex I to Regulation (EEC) No 1785/81; whereas, however, when the old Common Customs Tariff was transposed into the new 'combined nomenclature' (CN) applicable from 1 January 1988, this product failed to be included in the Annex in question; whereas the former situation should therefore be restored by inserting the product in Annex I to Regulation (EEC) No 1785/81;

Whereas, in order that uniform treatment and management be maintained throughout the marketing year, the abovementioned measures should be applied as from 1 July 1991, the beginning of the next marketing year;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1729/78 is hereby amended as follows:

1. The following second subparagraph is added to Articles 2 (2) and 3 (3):

'For the purposes of the first subparagraph:

- (a) shall be considered as one and the same basic product:

- (i) white sugar falling within CN code 1701 99 10; sugar containing added flavouring or colouring matter falling within CN code 1701 91 00; sugar containing other added substances falling within CN code 1701 99 90 and sucrose syrups having a purity of at least 85 % falling within CN codes 1702 60 90 and 1702 90 90;

- (ii) raw sugar falling within CN codes 1701 11 and 1701 12;

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 37, 9. 2. 1991, p. 1.

⁽³⁾ OJ No L 94, 9. 4. 1986, p. 9.

⁽⁴⁾ OJ No L 163, 29. 6. 1990, p. 1.

⁽⁵⁾ OJ No L 201, 25. 7. 1978, p. 26.

⁽⁶⁾ OJ No L 186, 18. 7. 1990, p. 5.

- (iii) isoglucose falling within CN codes ex 1702 40 10, 1702 60 10 and 1702 90 30;
 - (iv) the intermediate products referred to in Article 1a of this Regulation and in the first subparagraph of Article 1 (1a) of Regulation (EEC) No 1010/86;
 - (b) the entry concerning the use to which the basic product is to be put may, on request and with the agreement of the competent authorities of the Member State in question, relate only to the CN chapter under which the chemical product(s) to be manufactured fall.
2. In the second subparagraph of Article 2 (6), the percentage '95 %' is replaced by '90 %'.
3. The following second subparagraph is added to Article 4 (1):
- 'Where the quantity of basic product or of processed intermediate product exceeds the quantity indicated in the refund certificate, that additional quantity shall be considered, within a limit of 5 %, as processed for the purposes of the certificate with entitlement to payment of the production refund indicated in it.'

4. The first paragraph of Article 10 is replaced by the following:

'The production refund shall be paid in respect of the quantity of basic product or intermediate product processed within the limit referred to in the second subparagraph of Article 4 (1).'

Article 2

The chemical products listed in Annex I to this Regulation are hereby inserted in the Annex to Regulation (EEC) No 1010/86.

Article 3

The products listed in Annex II to this Regulation are hereby inserted in Annex I to Regulation (EEC) No 1785/81.

Article 4

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

It shall apply from 1 July 1991.

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

Done at Brussels, 27 February 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

*ANNEX I***Supplement to the Annex to Regulation (EEC) No 1010/86**

CN code	Description
ex 3203 00	Colouring matter of vegetable or animal origin and preparations based thereon
ex 3204	Synthetic organic colouring matter and preparations based thereon
ex 6809	Articles of plaster or of compositions based on plaster (boards, sheets, panels, tiles and similar articles)

*ANNEX II***Supplement to Annex I to Regulation (EEC) No 1785/81**

CN code	Description
1905 10 00	Crispbread
ex 3202 00	Colouring matter of vegetable or animal origin and preparations based thereon
ex 3204	Synthetic organic colouring matter
ex 6809	Articles of plaster or of compositions based on plaster (boards, sheets, panels, tiles and similar articles)

COMMISSION REGULATION (EEC) No 465/91
of 27 February 1991
correcting Regulation (EEC) No 3864/90 fixing the sluice-gate prices and levies
for poultrymeat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organization of the market in poultrymeat⁽¹⁾, as last amended by Regulation (EEC) No 3577/90⁽²⁾, and in particular Articles 3 and 7 (1) thereof,

Whereas the sluice-gate prices and levies for poultrymeat were set by Commission Regulation (EEC) No 3864/90⁽³⁾;

Whereas a check has shown that the mistake was made in the Annex to the said Regulation; whereas the Regulation should, therefore, be corrected;

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

HAS ADOPTED THIS REGULATION:

Article 1

Footnote reference (2) is hereby added opposite CN codes 0207 39 55, 0207 39 73, 0207 39 77, 0207 43 15, 0207 43 53 and 0207 43 63 superscript in the column entitled 'Levy' in the Annex to Regulation (EEC) No 3864/90.

Article 2

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 January 1991.

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

Done at Brussels, 27 February 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 77.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 367, 29. 12. 1990, p. 72.

COMMISSION REGULATION (EEC) No 466/91

of 27 February 1991

fixing the import levies on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 305/91 ⁽²⁾, and in particular Article 16 (8) thereof,Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 3608/90 ⁽³⁾, as last amended by Regulation (EEC) No 449/91 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Commission Regulation (EEC) No 3608/90 to the information known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto;

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 subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽⁵⁾, as last amended by Regulation (EEC) No 2205/90 ⁽⁶⁾,

- 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 26 February 1991,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies referred to in Article 16 (1) of Regulation (EEC) No 1785/81 shall be, in respect of white sugar and standard quality raw sugar, as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 28 February 1991.

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

Done at Brussels, 27 February 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 37, 9. 2. 1991, p. 1.

⁽³⁾ OJ No L 350, 14. 12. 1990, p. 68.

⁽⁴⁾ OJ No L 52, 27. 2. 1991, p. 31.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 9.

ANNEX

to the Commission Regulation of 27 February 1991 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	39,74 ⁽¹⁾
1701 11 90	39,74 ⁽¹⁾
1701 12 10	39,74 ⁽¹⁾
1701 12 90	39,74 ⁽¹⁾
1701 91 00	44,94
1701 99 10	44,94
1701 99 90	44,94 ⁽²⁾

⁽¹⁾ The levy applicable is calculated in accordance with the provisions of Article 2 or 3 of Commission Regulation (EEC) No 837/68 (OJ No L 151, 30. 6. 1968, p. 42).

⁽²⁾ In accordance with Article 16 (2) of Regulation (EEC) No 1785/81 this amount is also applicable to sugar obtained from white and raw sugar containing added substances other than flavouring or colouring matter.

COMMISSION REGULATION (EEC) No 467/91

of 27 February 1991

altering the basic amount of the import levies on syrups and certain other products in the sugar sector

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EEC) No 305/91⁽²⁾, and in particular Article 16 (8) thereof,

Whereas the import levies on syrups and certain other sugar products were fixed by Commission Regulation (EEC) No 236/91⁽³⁾, as amended by Regulation (EEC) No 303/91⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 236/91 to the information known to the Commission that the basic amount of the levy on syrups and certain other sugar products at present in force should be altered;

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 subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁵⁾, as last amended by Regulation (EEC) No 2205/90⁽⁶⁾,

- 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

The basic amounts of the import levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81, as fixed in the Annex to amended Regulation (EEC) No 236/91 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 28 February 1991.

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

Done at Brussels, 27 February 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 37, 9. 2. 1991, p. 1.

⁽³⁾ OJ No L 27, 1. 2. 1991, p. 25.

⁽⁴⁾ OJ No L 36, 8. 2. 1991, p. 19.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 9.

ANNEX

to the Commission Regulation of 27 February 1991 altering the basic amount of the import
levies on syrups and certain other products in the sugar sector

(ECU)

CN code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question	Amount of levy per 100 kg of dry matter
1702 20 10	0,4494	—
1702 20 90	0,4494	—
1702 30 10	—	54,76
1702 40 10	—	54,76
1702 60 10	—	54,76
1702 60 90	0,4494	—
1702 90 30	—	54,76
1702 90 60	0,4494	—
1702 90 71	0,4494	—
1702 90 90	0,4494	—
2106 90 30	—	54,76
2106 90 59	0,4494	—

COMMISSION REGULATION (EEC) No 468/91

of 27 February 1991

fixing the maximum export refund for white sugar for the 43rd partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EEC) No 983/90

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EEC) No 305/91⁽²⁾, and in particular the first subparagraph of Article 19 (4) (b) thereof,

Whereas Commission Regulation (EEC) No 983/90 of 19 April 1990 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar⁽³⁾, as amended by Regulation (EEC) No 2786/90⁽⁴⁾, requires partial invitations to tender to be issued for the export of this sugar;

Whereas, pursuant to Article 9 (1) of Regulation (EEC) No 983/90, a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question;

Whereas, following an examination of the tenders submitted in response to the 43rd partial invitation to

tender, the provisions set out in Article 1 should be adopted;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 43rd partial invitation to tender for white sugar issued pursuant to amended Regulation (EEC) No 983/90 the maximum amount of the export refund is fixed at ECU 41,030 per 100 kilograms.

Article 2

This Regulation shall enter into force on 28 February 1991.

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

Done at Brussels, 27 February 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 37, 9. 2. 1991, p. 1.

⁽³⁾ OJ No L 100, 20. 4. 1990, p. 9.

⁽⁴⁾ OJ No L 265, 28. 9. 1990, p. 15.

COMMISSION REGULATION (EEC) No 469/91
of 27 February 1991
fixing the import levy on molasses

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the market in sugar ⁽¹⁾, as last amended by Regulation (EEC) No 305/91 ⁽²⁾, and in particular Article 16 (8) thereof,

Whereas the import levy on molasses was fixed by Commission Regulation (EEC) No 15/91 ⁽³⁾, as last amended by Regulation (EEC) No 403/91 ⁽⁴⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 15/91 to the information at present available to the Commission that the levy at present in force should be altered pursuant to Article 1 of this 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 subparagraph of Article 3 (1) of Council Regu-

lation (EEC) No 1676/85 ⁽⁵⁾, as last amended by Regulation (EEC) No 2205/90 ⁽⁶⁾,

- 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 26 February 1991,

HAS ADOPTED THIS REGULATION:

Article 1

The import levy referred to in Article 16 (1) of Regulation (EEC) No 1785/81 shall be, in respect of molasses falling within CN codes 1703 10 00 and 1703 90 00, ECU 0,01 per 100 kilograms.

Article 2

This Regulation shall enter into force on 28 February 1991.

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

Done at Brussels, 27 February 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 37, 9. 2. 1991, p. 1.

⁽³⁾ OJ No L 2, 4. 1. 1991, p. 8.

⁽⁴⁾ OJ No L 48, 21. 2. 1991, p. 18.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 9.

COMMISSION REGULATION (EEC) No 470/91

of 27 February 1991

on the temporary suspension of the system of accession compensatory amounts
for common feed wheat

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 257 thereof, [and to Regulation (EEC) No 4007/87 standing the period referred to in Articles 90 (1) and 257 (1) of the Act of Accession of Spain and Portugal ⁽¹⁾], as last amended by Regulation (EEC) No 3836/90 ⁽²⁾],Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽³⁾, as last amended by Regulation (EEC) No 3577/90 ⁽⁴⁾, and in particular Article 7 (6) thereof,

Whereas market prices for maize are very high throughout the Community owing to the shortage of supplies following the drought in the summer of 1990; whereas the shortage of maize is offset by the availability of large quantities of common wheat; whereas, however, as regards Portugal, given the difference between the price for common wheat and for other feed grain, the substitution of common wheat for maize in feedingstuffs in Portugal cannot take place under comparable economic conditions to those in the other Member States; whereas this may be counteracted by temporarily suspending the system of accession compensatory amounts for consignments of common wheat that have undergone a treatment which makes the grain unsuitable for human consumption;

Whereas, so as to avoid any deflection of trade, the consignments of treated common wheat should be

excluded from intervention and from grant of accession compensatory amounts on export;

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

In the period from the date of entry into force of this Regulation until 30 April 1991, trade in common wheat (CN code 1001 90 99) between Portugal and the other Member States shall not be subject to the system of succession compensatory amounts referred to in Council Regulation (EEC) No 3654/90 ⁽⁵⁾ provided the cereals in question have been treated using one of the methods set out in the Annex hereto.

Article 2

Consignments of cereals showing traces of one of the products used to treat common wheat set out in the Annex may not:

- be accepted for the intervention laid down in Article 7 of Regulation (EEC) No 2727/75,
- benefit from accession compensatory amounts on export.

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, 27 February 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 378, 31. 12. 1987, p. 1.

⁽²⁾ OJ No L 367, 29. 12. 1990, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽⁴⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽⁵⁾ OJ No L 362, 27. 12. 1990, p. 31.

ANNEX

Reference methods for treating common wheat

Method No 1 — Colouring with Patented Blue V

1. Dissolve either 30 grams of colouring matter of 80 % concentration or 51 grams of colouring matter of 50 % concentration of Patented Blue V (Schultz No 826, EEC No E 131) ⁽¹⁾ in at least 2,5 litres and at most 3 litres of pure water.
2. Colour 100 kilograms of wheat from the quantity to be treated with the amount of solution prepared in accordance with paragraph 1.
3. Mix 90 kilograms of wheat to be treated with at least 10 kilograms of grains coloured as indicated in point 2, so that they are uniformly dispersed in the total mass.

Method No 2 — Colouring with (brilliant) green

The wheat must be treated with the colouring matter listed below in such a manner that the said wheat shall contain a quantity of colouring matter at least equal to that shown in column 4 and evenly distributed, so that at least 5 % of the grains shall be coloured and distributed throughout the whole quantity.

TABLE OF COLOURING MATTER

Common name of dye	Scientific name	Colour index (1956) No	Minimum quantity in parts per million by weight
1	2	3	4
Green S	Sodium salt of di-(<i>p</i> -dimethylaminophenyl)-2- hydroxy-3 ; 6-disulphonaphthymethanol anhydride	44 090	20

Method No 3 — Addition of fish oil or fish liver oil

- (a) Fish oil or fish liver oil, filtered, not deodorized, not decolourized, with no additives.
- (b) Characteristics :
 - minimum iodine content : 120,
 - colour content : 7-14 (Gärtner)
 - or 5-19 (FAC),
 - acidity between : 3 and 4 %,
 - maximum point of solidification : 10°C.
- (c) Minimum quantity to be used per tonne of wheat to be treated : four kilograms.
- (d) The treating apparatus must be such that at all times the oil is evenly distributed throughout the wheat.
- (e) The temperature of the oil used must be kept at a level sufficient to ensure such even distribution.

⁽¹⁾ The definition of Patented Blue V is given in the Council Directive on the approximation of rules of Member States on colouring matters for use in foodstuffs intended for human consumption (OJ No 115, 11. 11. 1962, p. 2645/62). Patented Blue V of 50 % concentration is marketed in the Federal Republic of Germany as Lebensmittelblau Nr. 3'.

COMMISSION REGULATION (EEC) No 471/91**of 27 February 1991****derogating from the provisions on the deadline for the submission of tenders laid down in (EEC) No 859/89 laying down detailed rules for the application of intervention measures in the beef and veal sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 3577/90 ⁽²⁾, and in particular Article 6 (7) thereof;Whereas Commission Regulation (EEC) No 859/89 of 29 March 1989 laying down detailed rules for the application of intervention measures in the beef and veal sector ⁽³⁾, as last amended by Regulation (EEC) No 2271/90 ⁽⁴⁾, lays down in particular the detailed rules on invitations to tender; whereas Article 8 of the abovementioned Regulation in particular sets the deadline for the submission of tenders at the second and fourth Wednesdays of each month;

Whereas the public holidays in March, April and May 1991 call for that deadline to be amended for practical reasons;

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

HAS ADOPTED THIS REGULATION:

Article 1

By way of derogation from the first sentence of Article 8 of Regulation (EEC) No 859/89, during the period 1 March to 31 May 1991 the deadline for the submission of tenders shall expire at 12 noon (Brussels time) on the following dates:

- in March: the second Wednesday,
- in April: the first and the third Wednesday,
- in May: the first, the third and the fifth Wednesday.

Article 2

This Regulation shall enter into force on 1 March 1991.

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

Done at Brussels, 27 February 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 91, 4. 4. 1989, p. 5.

⁽⁴⁾ OJ No L 204, 2. 8. 1990, p. 45.

COMMISSION REGULATION (EEC) No 472/91

of 27 February 1991

amending Regulation (EEC) No 625/78 on detailed rules of application for public storage of skimmed-milk powder

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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 ⁽¹⁾, as last amended by Regulation (EEC) No 3641/90 ⁽²⁾, and in particular Article 7 (5) thereof,

Whereas, as provided for in Commission Regulation (EEC) No 625/78 ⁽³⁾, as last amended by Regulation (EEC) No 426/91 ⁽⁴⁾, payment for skimmed-milk powder bought in by the intervention agency is to be made within a period commencing the 45th day after the date on which the skimmed-milk powder was taken over and ending on the 65th day thereafter; whereas, given both the current market situation and the likely trend in intervention stock levels and prices, intervention should be made less attractive; whereas, therefore, the abovementioned periods should be increased to 120 and 140 days respectively,

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

HAS ADOPTED THIS REGULATION:

Article 1

In Article 2 (4) of Regulation (EEC) No 625/78, '45th' and '65th' are replaced by '120th' and '140th' respectively.

Article 2

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

It shall apply to payments made as from the date of its entry into force.

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

Done at Brussels, 27 February 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 362, 27. 12. 1990, p. 5.

⁽³⁾ OJ No L 84, 31. 3. 1978, p. 19.

⁽⁴⁾ OJ No L 50, 23. 2. 1991, p. 12.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 25 February 1991

authorizing extension or tacit renewal of certain trade agreements concluded
between Member States and third countries

(91/104/EEC)

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 Council Decision 69/494/EEC of 16 December 1969 on the progressive standardization of agreements concerning commercial relations between Member States and third countries and on the negotiation of Community agreements⁽¹⁾, and in particular Article 3 thereof,

Having regard to the proposal from the Commission,

Whereas extension or tacit renewal beyond the end of the transitional period was last authorized in the case of the Agreements and Protocols listed in the Annex by Decision 89/525/EEC⁽²⁾;

Whereas the Member States concerned have, with a view to avoiding any disruption of their commercial relations with the third countries concerned based on Agreement, requested authorization to extend or renew the abovementioned Agreements;

Whereas, however, most of the areas covered by these national Agreements are henceforth the subject of Community Agreements; whereas, in this situation, there should be authorization for the maintenance of national Agreements only for those areas not covered by

Community Agreements; whereas, in addition, such authorization should not, therefore, adversely affect the obligation incumbent upon the Member States to avoid and, where appropriate, to eliminate any incompatibility between such Agreements and the provisions of Community law;

Whereas the provisions of the Agreements to be either prolonged or renewed should not furthermore, during the period under consideration, constitute an obstacle to the implementation of the common commercial policy;

Whereas the Member States concerned have declared that the extension or tacit renewal of these Agreements would neither constitute an obstacle to the opening of Community negotiations with the third countries concerned and the transfer of the commercial substance of those Agreements to Community Agreements nor, during the period under consideration, hinder the adoption of the measures necessary to complete the standardization of the import arrangements of the Member States;

Whereas, at the conclusion of the consultations provided for in Article 2 of Decision 69/494/EEC, it was established, as the aforesaid declarations by the Member States concerned confirm, that the provisions of the Agreements to be extended or renewed would not, during the period under consideration, constitute an obstacle to the implementation of the common commercial policy;

Whereas, in these circumstances, the Agreements concerned may be either extended or tacitly renewed for a limited period,

⁽¹⁾ OJ No L 326, 29. 12. 1969, p. 39.

⁽²⁾ OJ No L 273, 22. 9. 1989, p. 22.

HAS ADOPTED THIS DECISION :

Article 1

The Trade Agreements and Protocols between Member States and third countries, as listed in the Annex hereto, may be extended or tacitly renewed up to the dates indicated for each of them for those areas not covered by Agreements between the Community and the third countries concerned and in so far as their provisions are not contrary to existing common policies.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 25 February 1991.

For the Council

The President

J.-C. JUNKER

[illegible]

DEUTSCHLAND (Fortsetzung)	Somalia	Handelsabkommen	19. 1. 1962	31. 12. 1991
	Sri Lanka	Handelsabkommen	1. 4. 1955	31. 12. 1991
	Südafrika	Liste der Einfuhrkontingente		31. 8. 1991
	Tansania	Handels- und Wirtschaftsabkommen	6. 9. 1962	31. 12. 1991
	Tschad	Wirtschaftsabkommen	31. 5. 1963	31. 12. 1991
	Tunesien	Handelsabkommen und Zusatzprotokoll	29. 1. 1960 22. 12. 1963	} 31. 12. 1991
	Uganda	Handelsabkommen	17. 3. 1964	
	Zentralafrikanische Republik	Wirtschaftsabkommen	29. 12. 1962	31. 12. 1991
	Zypern	Handelsabkommen	30. 10. 1961	31. 12. 1991
ΕΛΛΑΔΑ	Καναδάς	Εμπορική συμφωνία	25. 8. 1947	28. 8. 1991
	Σουδάν	Εμπορική συμφωνία	10. 10. 1978	10. 10. 1991
	Ζαΐρ	Εμπορική συμφωνία	3. 10. 1968	3. 10. 1991
	Κορέα	Εμπορική συμφωνία	4. 10. 1974	4. 10. 1991
	Κύπρος	Εμπορική συμφωνία	23. 8. 1962	23. 8. 1991
ESPAÑA	Cuba	Convenio comercial	23. 1. 1979	31. 1. 1992
	Colombia	Acuerdo comercial	27. 6. 1979	19. 12. 1991
	India	Acuerdo de comercio y de cooperación económica	14. 12. 1972	13. 12. 1991
	Madagascar	Acuerdo comercial	20. 1. 1965	19. 1. 1992
	Pakistan	Acuerdo comercial	29. 11. 1976	28. 11. 1991
	Uruguay	Convenio sobre intercambio comercial	24. 2. 1954	20. 2. 1992
	Zaire	Acuerdo de cooperación económica	21. 11. 1983	20. 11. 1991
FRANCE	Argentine	Accord commercial et de paiement	25. 11. 1957	31. 12. 1991
	Autriche	Accord commercial et protocole	26. 7. 1963	31. 12. 1991
	Israël	Accord commercial	10. 7. 1953	} 31. 12. 1991
		Protocole	16. 1. 1967	
	Japon	Échange de lettres	24. 12. 1968	} 10. 1. 1992
		Accord commercial et protocole	14. 5. 1963	
		Protocole	26. 7. 1966	} 28. 11. 1991
	Mexique	Accord commercial	11. 7. 1950	
	Norvège	Accord commercial	3. 7. 1951	} 31. 12. 1991
		Protocole	2. 4. 1960	
		Échange de lettres	6. 2. 1964	} 31. 12. 1991
	Suède	Accord commercial	3. 3. 1949	
	Suisse	Accord commercial	21. 11. 1967	31. 12. 1991
	Turquie	Accord commercial	31. 8. 1946	31. 12. 1991
	Yugoslavie	Accord commercial	25. 1. 1964	} 31. 12. 1991
		Protocole	6. 5. 1970	
ITALIA	Argentina	Accordo commerciale e scambio di note	25. 11. 1957	31. 12. 1991
	Canada	Modus vivendi commerciale	28. 4. 1948	31. 12. 1991
	Costa Rica	Modus vivendi commerciale e scambio di note	20. 2. 1953 23. 6. 1953	} 12. 11. 1991
	Giappone	Agreed minutes	31. 12. 1969	
	Guatemala	Modus vivendi commerciale	6. 6. 1936	31. 12. 1991
	Malta	Accordo commerciale	28. 7. 1967	31. 12. 1991
	Marocco	Accordo commerciale	28. 1. 1961	} 31. 12. 1991
		Protocollo	24. 2. 1963	
	Messico	Accordo commerciale	15. 9. 1949	} 31. 12. 1991
		Protocollo	28. 10. 1963	
		Scambio di note	20. 7. 1963	} 10. 1. 1992
	Pakistan	Accordo commerciale	10. 1. 1961	
	Paraguay	Accordo commerciale	8. 7. 1959	23. 1. 1992
	Repubblica araba d'Egitto	Protocollo commerciale	29. 4. 1959	31. 12. 1991
	Siria	Accordo commerciale	10. 11. 1955	31. 12. 1991
	Tunisia	Accordo commerciale e protocollo addizionale	23. 11. 1961 2. 8. 1963	} 31. 12. 1991
NEDERLAND	Arabische Republiek			
	Egypte	Handelsovereenkomst	21. 3. 1953	31. 12. 1991
	Argentinië	Handels- en betalingsovereenkomst	25. 11. 1957	31. 12. 1991
	Turkije	Handelsakkoord	6. 9. 1949	31. 12. 1991

PORTUGAL	Angola	Acordo comercial	20. 1. 1979	19. 1. 1992
	Colômbia	Acordo comercial	28. 12. 1978	27. 12. 1991
	Coreia do Sul	Acordo comercial	2. 12. 1977	1. 12. 1991
	Equador	Acordo comercial	16. 12. 1976	15. 12. 1991
	Senegal	Acordo comercial	30. 1. 1975	} 29. 1. 1992
		Protocolo adicional	21. 2. 1980	
	Tunísia	Acordo comercial	9. 11. 1974	8. 11. 1991
	Zaire	Acordo comercial	16. 12. 1983	15. 12. 1991
UEBL / BLEU	Argentine /	Accord commercial et de paiement /		
	Argentinië	Handels- en betalingsakkoord	25. 11. 1957	31. 12. 1991
	Pakistan	Accord commercial / Handelsakkoord	15. 3. 1952	31. 12. 1991

CORRIGENDA

Corrigendum to Council Regulation (EEC) No 3732/90 of 13 December 1990 establishing Community statistical surveillance for certain agricultural products originating in Cyprus, Yugoslavia, Egypt, Jordan, Israel, Tunisia, Syria, Malta and Morocco which are subject to reference quantities (1991)

(Official Journal of the European Communities No L 363 of 27 December 1990)

On page 20, serial No 1800.50 in the second line of column 5 of the Annex:

for: '1.10 - 31.10',

read: '1.10 - 31.12'.

Corrigendum to the Agreement between the European Economic Community and the Argentine Republic on the conclusion of negotiations under Article XXIV.6 of the General Agreement on Tariffs and Trade (GATT)

(Official Journal of the European Communities No L 24 of 29 January 1988)

On page 59, Section II B, the following point is inserted:

- '2. The commitment in 1 shall apply from 1 January 1987 to 31 December 1990. The quantity for 1987 shall be in addition to any EC obligation remaining with respect to the interim agreement of 1 July 1986.'

Corrigendum to Decision 90/682/ECSC of the Representatives of the Governments of the Member States, meeting within the Council of 21 December 1990 establishing ceilings and Community supervision for imports of certain goods falling within the ECSC Treaty originating in Yugoslavia (1991)

(Official Journal of the European Communities No L 376 of 31 December 1990)

On page 33, in the Annex, footnote (1) is replaced by the following:

'(1) With a thickness of less than 3 mm.'

On page 34, in the Annex, footnote (1) is deleted.

Corrigendum to Council Directive 91/60/EEC of 4 February 1991 amending, with a view to fixing certain maximum authorized dimensions for road trains, Directive 85/3/EEC

(Official Journal of the European Communities No L 37 of 9 February 1991)

On page 38, Article 1 (3):

— In the fifth line of point 1.7:

for: 'to the rearmost point',

read: 'to the rearmost external point'.

— In the third, fourth and fifth lines of point 1.8:

for: 'from the foremost point of the loading area behind the cabin to the rearmost point',

read: 'from the foremost external point of the loading area behind the cabin to the rearmost external point'.
