

# Official Journal

## of the European Communities

ISSN 0378-6978

L 107

Volume 34

27 April 1991

English edition

## Legislation

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## I

*(Acts whose publication is obligatory)*

**COUNCIL REGULATION (EEC) No 1051/91**  
**of 22 April 1991**  
**extending the provisional anti-dumping duty on imports of espadrilles**  
**originating in the People's Republic of China**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2423/88 of 11 July 1988 on protection against dumped or subsidized imports from countries not members of the European Economic Community<sup>(1)</sup>, and in particular Article 11 thereof,

Having regard to the proposal from the Commission,

Whereas Commission Regulation (EEC) No 3798/90<sup>(2)</sup> imposed a provisional anti-dumping duty on imports of espadrilles originating in the People's Republic of China;

Whereas examination of the facts has not yet been completed; whereas the Commission has informed the Chinese exporters concerned of its intention to propose an extension of the validity of the provisional anti-dumping duty for an additional period not exceeding two

months and none of the exporters affected by the procedure has raised any objection,

HAS ADOPTED THIS REGULATION:

*Article 1*

The provisional anti-dumping duty on imports of espadrilles originating in the People's Republic of China imposed by Regulation (EEC) No 3798/90 is hereby extended for a period not exceeding two months or until the entry into force of an act of the Council adopting definitive measures, whichever is the earlier.

*Article 2*

This Regulation shall enter into force on the day following that 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 Luxembourg, 22 April 1991.

*For the Council*

*The President*

R. STEICHEN

<sup>(1)</sup> OJ No L 209, 2. 8. 1988, p. 1.

<sup>(2)</sup> OJ No L 365, 28. 12. 1990, p. 25.

## COMMISSION REGULATION (EEC) No 1052/91

of 26 April 1991

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals<sup>(1)</sup>, as last amended by Regulation (EEC) No 3577/90<sup>(2)</sup>, 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<sup>(3)</sup>, as last amended by Regulation (EEC) No 2205/90<sup>(4)</sup>, 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 533/91<sup>(5)</sup> 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 25 April 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 533/91 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 27 April 1991.

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

Done at Brussels, 26 April 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 353, 17. 12. 1990, p. 23.

<sup>(3)</sup> OJ No L 164, 24. 6. 1985, p. 1.

<sup>(4)</sup> OJ No L 201, 31. 7. 1990, p. 9.

<sup>(5)</sup> OJ No L 59, 6. 3. 1991, p. 1.

## ANNEX

## to the Commission Regulation of 26 April 1991 fixing the import levies on cereals and on wheat or rye flour, groats and meal

| <i>(ECU/tonne)</i> |                                      |
|--------------------|--------------------------------------|
| CN code            | Levy                                 |
| 0709 90 60         | 128,70 <sup>(2)</sup> <sup>(3)</sup> |
| 0712 90 19         | 128,70 <sup>(2)</sup> <sup>(3)</sup> |
| 1001 10 10         | 190,15 <sup>(1)</sup> <sup>(3)</sup> |
| 1001 10 90         | 190,15 <sup>(1)</sup> <sup>(3)</sup> |
| 1001 90 91         | 161,90                               |
| 1001 90 99         | 161,90                               |
| 1002 00 00         | 150,94 <sup>(6)</sup>                |
| 1003 00 10         | 144,24                               |
| 1003 00 90         | 144,24                               |
| 1004 00 10         | 136,74                               |
| 1004 00 90         | 136,74                               |
| 1005 10 90         | 128,70 <sup>(2)</sup> <sup>(3)</sup> |
| 1005 90 00         | 128,70 <sup>(2)</sup> <sup>(3)</sup> |
| 1007 00 90         | 134,56 <sup>(4)</sup>                |
| 1008 10 00         | 41,40                                |
| 1008 20 00         | 133,07 <sup>(4)</sup>                |
| 1008 30 00         | 49,30 <sup>(5)</sup>                 |
| 1008 90 10         | <sup>(7)</sup>                       |
| 1008 90 90         | 49,30                                |
| 1101 00 00         | 241,19 <sup>(8)</sup>                |
| 1102 10 00         | 225,85 <sup>(8)</sup>                |
| 1103 11 10         | 308,31 <sup>(8)</sup>                |
| 1103 11 90         | 258,85 <sup>(8)</sup>                |

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

<sup>(2)</sup> 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'.

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

<sup>(4)</sup> 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.

<sup>(5)</sup> 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.

<sup>(6)</sup> 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).

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

<sup>(8)</sup> 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 1053/91

of 26 April 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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 3577/90 <sup>(2)</sup>, 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 <sup>(3)</sup>, as last amended by Regulation (EEC) No 2205/90 <sup>(4)</sup>, 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 <sup>(5)</sup> 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 25 April 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 27 April 1991.

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

Done at Brussels, 26 April 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.<sup>(2)</sup> OJ No L 353, 17. 12. 1990, p. 23.<sup>(3)</sup> OJ No L 164, 24. 6. 1985, p. 1.<sup>(4)</sup> OJ No L 201, 31. 7. 1990, p. 9.<sup>(5)</sup> OJ No L 367, 29. 12. 1990, p. 10.

## ANNEX

to the Commission Regulation of 26 April 1991 fixing the premiums to be added to the import levies on cereals, flour and malt

## A. Cereals and flour

*(ECU/tonne)*

| CN code    | Current | 1st period | 2nd period | 3rd period |
|------------|---------|------------|------------|------------|
|            | 4       | 5          | 6          | 7          |
| 0709 90 60 | 0       | 0          | 0          | 0          |
| 0712 90 19 | 0       | 0          | 0          | 0          |
| 1001 10 10 | 0       | 0          | 0          | 0          |
| 1001 10 90 | 0       | 0          | 0          | 0          |
| 1001 90 91 | 0       | 0          | 0          | 0          |
| 1001 90 99 | 0       | 0          | 0          | 0          |
| 1002 00 00 | 0       | 0          | 0          | 0          |
| 1003 00 10 | 0       | 0          | 0          | 0          |
| 1003 00 90 | 0       | 0          | 0          | 0          |
| 1004 00 10 | 0       | 0          | 0          | 0          |
| 1004 00 90 | 0       | 0          | 0          | 0          |
| 1005 10 90 | 0       | 0          | 0          | 0          |
| 1005 90 00 | 0       | 0          | 0          | 0          |
| 1007 00 90 | 0       | 0          | 0          | 0          |
| 1008 10 00 | 0       | 0          | 0          | 0          |
| 1008 20 00 | 0       | 0          | 0          | 0          |
| 1008 30 00 | 0       | 0          | 0          | 0          |
| 1008 90 90 | 0       | 0          | 0          | 0          |
| 1101 00 00 | 0       | 0          | 0          | 0          |

## B. Malt

*(ECU/tonne)*

| CN code    | Current | 1st period | 2nd period | 3rd period | 4th period |
|------------|---------|------------|------------|------------|------------|
|            | 4       | 5          | 6          | 7          | 8          |
| 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 1054/91**  
**of 26 April 1991**  
**fixing the import levies on rice and broken rice**

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

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice<sup>(1)</sup>, as last amended by Regulation (EEC) No 1806/89<sup>(2)</sup>, and in particular Article 11 (2) thereof,

Having regard to Commission Regulation (EEC) No 883/87 of 23 March 1987 laying down detailed rules for the application of Council Regulation (EEC) No 3877/86 on imports rice of the long-grain aromatic Basmati variety falling within CN codes 1006 10, 1006 20 and 1006 30<sup>(3)</sup>, as last amended by Regulation (EEC) No 674/91<sup>(4)</sup>, and in particular Article 8 thereof,

Whereas the import levies on rice 230/91 broken rice were fixed by Commission Regulation (EEC) No 915/91<sup>(5)</sup>, as amended by Regulation (EEC) No 961/91<sup>(6)</sup>,

HAS ADOPTED THIS REGULATION:

*Article 1*

The import levies to be charged on the products listed in Article 1 (1) (a) and (b) of Regulation (EEC) No 1418/76 shall be as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 29 April 1991.

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

Done at Brussels, 26 April 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 166, 25. 6. 1976, p. 1.

<sup>(2)</sup> OJ No L 177, 24. 6. 1989, p. 1.

<sup>(3)</sup> OJ No L 80, 24. 3. 1987, p. 20.

<sup>(4)</sup> OJ No L 75, 21. 3. 1991, p. 29.

<sup>(5)</sup> OJ No L 92, 13. 4. 1991, p. 5.

<sup>(6)</sup> OJ No L 100, 20. 4. 1991, p. 5.



## ANNEX

## to the Commission Regulation of 26 April 1991 fixing the import levies on rice and broken rice

(ECU/tonne)

| CN code    | Arrangement<br>in Regulation (EEC)<br>No 3877/86 | ACP or OCT<br>( <sup>1</sup> ) ( <sup>2</sup> ) ( <sup>3</sup> ) ( <sup>4</sup> )<br>Bangladesh | Third countries<br>(except ACP or OCT)<br>( <sup>5</sup> ) |
|------------|--|---|--|
| 1006 10 21 | —  | 152,31  | 311,82   |
| 1006 10 23 | 217,45   | 141,36  | 289,93   |
| 1006 10 25 | 217,45   | 141,36  | 289,93   |
| 1006 10 27 | 217,45   | 141,36  | 289,93   |
| 1006 10 92 | —  | 152,31  | 311,82   |
| 1006 10 94 | 217,45   | 141,36  | 289,93   |
| 1006 10 96 | 217,45   | 141,36  | 289,93   |
| 1006 10 98 | 217,45   | 141,36  | 289,93   |
| 1006 20 11 | —  | 191,29  | 389,78   |
| 1006 20 13 | 271,81   | 177,60  | 362,41   |
| 1006 20 15 | 271,81   | 177,60  | 362,41   |
| 1006 20 17 | 271,81   | 177,60  | 362,41   |
| 1006 20 92 | —  | 191,29  | 389,78   |
| 1006 20 94 | 271,81   | 177,60  | 362,41   |
| 1006 20 96 | 271,81   | 177,60  | 362,41   |
| 1006 20 98 | 271,81   | 177,60  | 362,41   |
| 1006 30 21 | —  | 236,70  | 497,25 ( <sup>6</sup> )                                    |
| 1006 30 23 | 432,35 ( <sup>7</sup> )                          | 276,35  | 576,47 ( <sup>8</sup> )                                    |
| 1006 30 25 | 432,35 ( <sup>7</sup> )                          | 276,35  | 576,47 ( <sup>8</sup> )                                    |
| 1006 30 27 | 432,35 ( <sup>7</sup> )                          | 276,35  | 576,47 ( <sup>8</sup> )                                    |
| 1006 30 42 | —  | 236,70  | 497,25 ( <sup>6</sup> )                                    |
| 1006 30 44 | 432,35 ( <sup>7</sup> )                          | 276,35  | 576,47 ( <sup>8</sup> )                                    |
| 1006 30 46 | 432,35 ( <sup>7</sup> )                          | 276,35  | 576,47 ( <sup>8</sup> )                                    |
| 1006 30 48 | 432,35 ( <sup>7</sup> )                          | 276,35  | 576,47 ( <sup>8</sup> )                                    |
| 1006 30 61 | —  | 252,43  | 529,57 ( <sup>6</sup> )                                    |
| 1006 30 63 | 463,49 ( <sup>9</sup> )                          | 296,64  | 617,98 ( <sup>8</sup> )                                    |
| 1006 30 65 | 463,49 ( <sup>9</sup> )                          | 296,64  | 617,98 ( <sup>8</sup> )                                    |
| 1006 30 67 | 463,49 ( <sup>9</sup> )                          | 296,64  | 617,98 ( <sup>8</sup> )                                    |
| 1006 30 92 | —  | 252,43  | 529,57 ( <sup>6</sup> )                                    |
| 1006 30 94 | 463,49 ( <sup>9</sup> )                          | 296,64  | 617,98 ( <sup>8</sup> )                                    |
| 1006 30 96 | 463,49 ( <sup>9</sup> )                          | 296,64  | 617,98 ( <sup>8</sup> )                                    |
| 1006 30 98 | 463,49 ( <sup>9</sup> )                          | 296,64  | 617,98 ( <sup>8</sup> )                                    |
| 1006 40 00 | —  | 71,98   | 149,96   |

(<sup>1</sup>) Subject to the application of the provisions of Articles 12 and 13 of Regulation (EEC) No 715/90.

(<sup>2</sup>) In accordance with Regulation (EEC) No 715/90, the levies are not applied to products originating in the African, Caribbean and Pacific States or in the overseas countries and territories and imported directly into the overseas department of Réunion.

(<sup>3</sup>) The import levy on rice entering the overseas department of Réunion is specified in Article 11a of Regulation (EEC) No 1418/76.

(<sup>4</sup>) The levy on imports of rice, not including broken rice (CN code 1006 40 00), originating in Bangladesh is applicable under the arrangements laid down in Regulation (EEC) Nos 3491/90 and 862/91.

(<sup>5</sup>) The levy on imports into Portugal is increased by the amount specified in Article 2 (2) of Regulation (EEC) No 3808/90.

**COMMISSION REGULATION (EEC) No 1055/91**

of 26 April 1991

**fixing the premiums to be added to the import levies on rice and broken rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice <sup>(1)</sup>, as last amended by Regulation (EEC) No 1806/89 <sup>(2)</sup>, and in particular Article 13 (6) thereof,

Whereas the premiums to be added to the levies on rice and broken rice were fixed by Commission Regulation (EEC) No 3847/90 <sup>(3)</sup>, as last amended by Regulation (EEC) No 962/91 <sup>(4)</sup>;

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 shown in the Annex hereto,

HAS ADOPTED THIS REGULATION :

*Article 1*

The premiums to be added to the import levies fixed in advance in respect of rice and broken rice originating in third countries shall be as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 29 April 1991.

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

Done at Brussels, 26 April 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 166, 25. 6. 1976, p. 1.

<sup>(2)</sup> OJ No L 177, 24. 6. 1989, p. 1.

<sup>(3)</sup> OJ No L 367, 29. 12. 1990, p. 19.

<sup>(4)</sup> OJ No L 100, 20. 4. 1991, p. 7.

## ANNEX

to the Commission Regulation of 26 April 1991 fixing the premiums to be added to the import levies on rice and broken rice

| CN code    | (ECU/tonne)  |                 |                 |                 |
|------------|--------------|-----------------|-----------------|-----------------|
|            | Current<br>4 | 1st period<br>5 | 2nd period<br>6 | 3rd period<br>7 |
| 1006 10 21 | 0            | 0               | 0               | —               |
| 1006 10 23 | 0            | 0               | 0               | —               |
| 1006 10 25 | 0            | 0               | 0               | —               |
| 1006 10 27 | 0            | 0               | 0               | —               |
| 1006 10 92 | 0            | 0               | 0               | —               |
| 1006 10 94 | 0            | 0               | 0               | —               |
| 1006 10 96 | 0            | 0               | 0               | —               |
| 1006 10 98 | 0            | 0               | 0               | —               |
| 1006 20 11 | 0            | 0               | 0               | —               |
| 1006 20 13 | 0            | 0               | 0               | —               |
| 1006 20 15 | 0            | 0               | 0               | —               |
| 1006 20 17 | 0            | 0               | 0               | —               |
| 1006 20 92 | 0            | 0               | 0               | —               |
| 1006 20 94 | 0            | 0               | 0               | —               |
| 1006 20 96 | 0            | 0               | 0               | —               |
| 1006 20 98 | 0            | 0               | 0               | —               |
| 1006 30 21 | 0            | 0               | 0               | —               |
| 1006 30 23 | 0            | 0               | 0               | —               |
| 1006 30 25 | 0            | 0               | 0               | —               |
| 1006 30 27 | 0            | 0               | 0               | —               |
| 1006 30 42 | 0            | 0               | 0               | —               |
| 1006 30 44 | 0            | 0               | 0               | —               |
| 1006 30 46 | 0            | 0               | 0               | —               |
| 1006 30 48 | 0            | 0               | 0               | —               |
| 1006 30 61 | 0            | 0               | 0               | —               |
| 1006 30 63 | 0            | 0               | 0               | —               |
| 1006 30 65 | 0            | 0               | 0               | —               |
| 1006 30 67 | 0            | 0               | 0               | —               |
| 1006 30 92 | 0            | 0               | 0               | —               |
| 1006 30 94 | 0            | 0               | 0               | —               |
| 1006 30 96 | 0            | 0               | 0               | —               |
| 1006 30 98 | 0            | 0               | 0               | —               |
| 1006 40 00 | 0            | 0               | 0               | 0               |

**COMMISSION REGULATION (EEC) No 1056/91**  
**of 25 April 1991**  
**amending Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff**

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

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff<sup>(1)</sup>, as last amended by Regulation (EEC) No 315/91<sup>(2)</sup>, and in particular Article 9 thereof,

Whereas Council Regulation (EEC) No 3034/80 of 11 November 1980 fixing the quantities of basic products considered to have been used in the manufacture of goods covered by Regulation (EEC) No 3033/80 and amending Regulation (EEC) No 950/68 on the Common Customs Tariff<sup>(3)</sup>, as amended by Regulation (EEC) No 572/91<sup>(4)</sup>, stipulates that certain goods falling within Chapter 21 of the combined nomenclature shall be subject to the levy of a variable component if they contain starch breakdown products;

whereas the third subparagraph of Article 1 (2) of Commission Regulation (EEC) No 1061/69 of 6 June 1969 specifying methods of analysis for the implementation of Regulation (EEC) No 1059/69 on the trade arrangements applicable to certain goods resulting from the processing of agricultural products<sup>(5)</sup>, repealed by Commission Regulation (EEC) No 4154/87<sup>(6)</sup>, provides that, under certain conditions, dextrans are to be treated as starches in a given product; whereas this provision was not included in the last Regulation referred to above; whereas it is therefore necessary, in order to return

unequivocally to the situation prevailing before 1 January 1988 and to ensure uniform and correct application of the variable component, to insert an additional note to Chapter 21 of the combined nomenclature; whereas it is necessary for this purpose to amend Regulation (EEC) No 2658/87;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The combined nomenclature annexed to Regulation (EEC) No 265/87 is hereby amended as follows:

1. The following additional note 1 is added to Chapter 21:
  - '1. For the purpose of subheadings 2101 10 91, 2101 20 10, 2106 10 10 and 2106 90 91 the term "starch" also covers starch breakdown products.'
2. Current additional notes 1 and 2 now become 2 and 3.

*Article 2*

This Regulation shall enter into force three weeks after 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 April 1991.

*For the Commission*

Christiane SCRIVENER

*Member of the Commission*

<sup>(1)</sup> OJ No L 256, 7. 9. 1987, p. 1.  
<sup>(2)</sup> OJ No L 37, 9. 2. 1991, p. 24.  
<sup>(3)</sup> OJ No L 323, 29. 11. 1980, p. 7.  
<sup>(4)</sup> OJ No L 63, 9. 3. 1991, p. 24.  
<sup>(5)</sup> OJ No L 141, 12. 6. 1969, p. 24.  
<sup>(6)</sup> OJ No L 392, 31. 12. 1987, p. 19.

**COMMISSION REGULATION (EEC) No 1057/91**  
of 26 April 1991

**amending certain Council Regulations and Directives on agricultural statistics  
in connection with the unification of Germany**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

Having regard to Council Regulation (EEC) No 3570/90 of 4 December 1990 on derogations in respect of agricultural statistics in Germany in connection with the unification of Germany<sup>(1)</sup>, and in particular Article 1 thereof,

Whereas the implementation of Community Regulations on agricultural statistics on the territory of the former German Democratic Republic will require adjustments on the part of the institutions responsible for collecting data and on the part of the persons responsible for providing data; whereas temporary derogations will need to be introduced concerning the deadlines for the transmission of statistics relating to that territory;

Whereas, for technical reasons, the centralization of individual data as provided for in point 6 in Annex II to Council Regulation (EEC) No 571/88<sup>(2)</sup>, as amended by Regulation (EEC) No 807/89<sup>(3)</sup>, will not be possible for the territory of the former German Democratic Republic before 31 December 1992;

Whereas, on the territory of the former German Democratic Republic, it will not be possible until after the 1992 survey in Germany to make the estimates of clearing and new plantations provided for in Articles 5 and 6 of Council Directive 76/625/EEC of 20 July 1976 concerning the statistical surveys to be carried out by the Member States<sup>(4)</sup>, as last amended by Directive 86/652/EEC<sup>(5)</sup>, in order to determine the production potential of plantations of certain species of fruit trees;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Agricultural Statistics,

HAS ADOPTED THIS REGULATION:

*Article 1*

The following is hereby added to the first indent of Article 10 (1) of Council Regulation (EEC) No 2782/75<sup>(6)</sup>:

'Germany is authorized to delay the collection of monthly data on hatcheries on the territory of the former German Democratic Republic until after 1 January 1991 and to submit such data for 1991 not later than four months after the reference month.'

*Article 2*

The following is hereby added to point 6 in Annex II to Regulation (EEC) No 571/88:

'The deadline for the centralization of individual data relating to holdings on the territory of the former German Democratic Republic is put back to 31 December 1992.'

*Article 3*

The following is hereby inserted in Article 6 of Council Directive 72/280/EEC<sup>(7)</sup>:

'2bis. Notwithstanding paragraph 2, Germany is authorized to delay the collection of data concerning holdings on the territory of the former German Democratic Republic until after 1 January 1991 and to transmit the data for 1991 by the following deadlines:

- (a) one month after the end of the reference week for the weekly results indicated in Article 4 (1);
- (b) three months after the end of the reference month for the monthly results indicated in Article 4 (2);
- (c) in July of the year following the reference year for:
  - the annual results indicated in Article 4 (3) (a) and (b);
  - the results of the surveys indicated in Article 1 (1) (b);
- (d) August of the year following the reference year for the annual results indicated in Article 4 (3) (c);
- (e) November of the year following the reference year for the results indicated in Article 4 (4).'

<sup>(1)</sup> OJ No L 353, 17. 12. 1990, p. 8.

<sup>(2)</sup> OJ No L 56, 2. 3. 1988, p. 1.

<sup>(3)</sup> OJ No L 86, 31. 3. 1989, p. 1.

<sup>(4)</sup> OJ No L 218, 11. 8. 1976, p. 10.

<sup>(5)</sup> OJ No L 382, 31. 12. 1986, p. 16.

<sup>(6)</sup> OJ No L 282, 1. 11. 1975, p. 100.

<sup>(7)</sup> OJ No L 179, 7. 8. 1972, p. 2.

*Article 4*

Council Directive 73/132/EEC<sup>(1)</sup> is hereby amended as follows:

1. The following paragraph 4 is added to Article 6:
 

'4. Notwithstanding paragraph 3, Germany is authorized to delay transmission of forecasts concerning the territory of the former German Democratic Republic until not later than 10 weeks following the reference month for the 1990 and 1991 surveys.'
2. The following paragraph 5 is added to Article 7:
 

'5. Notwithstanding paragraph 1, Germany is authorized to delay the production of monthly statistics relating to the territory of the former German Democratic Republic until 1991 and, by way of derogation from paragraph 4, to delay the transmission of the results for 1991 until not later than 10 weeks following the reference month.'

*Article 5*

Directive 76/625/EEC is hereby amended as follows:

1. The following paragraph 4 is added to Article 5:
 

'4. Notwithstanding paragraph 1, Germany is authorized to delay the production of statistics relating to the territory of the former German Democratic Republic until 1993.'
2. The following paragraph 3 is added to Article 6:
 

'3. Notwithstanding paragraph 1, Germany is authorized to delay the production of statistics relating to the territory of the former German Democratic Republic until 1993.'

*Article 6*

Council Directive 76/630/EEC<sup>(2)</sup> is hereby amended as follows:

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

Done at Brussels, 26 April 1991.

1. The following indent is added to Article 1:
 

'Notwithstanding the first indent, Germany is authorized to carry out a survey in May 1991 instead of the survey stipulated for April 1991 in the case of the territory of the former German Democratic Republic.'
2. The following subparagraph is added to Article 4 (3):
 

'Notwithstanding the first indent, Germany is authorized to delay the transmission of the results of the survey to be carried out in May 1991 on the territory of the former German Democratic Republic until 31 August 1991 at the latest.'
3. The following paragraph 4 is added to Article 7:
 

'4. Notwithstanding paragraph 1, Germany is authorized to delay the production of monthly statistics on the territory of the former German Democratic Republic until January 1991.'

*Article 7*

Council Directive 82/177/EEC<sup>(3)</sup> is hereby amended as follows:

1. The following paragraph 4 is added to Article 6:
 

'4. Notwithstanding paragraph 3, Germany is authorized to delay the transmission of the forecasts to be drawn up in 1991 until 1 April 1991 at the latest.'
2. The following paragraph 5 is added to Article 7:
 

'5. Notwithstanding paragraph 1, Germany is authorized to delay the production of monthly statistics on the territory of the former German Democratic Republic until January 1991 and, by way of derogation from paragraph 4, to delay the transmission of the results for 1991 until 10 weeks after the reference month at the latest.'

*Article 8*

This Regulation shall enter into force on the 10th day following its publication in the *Official Journal of the European Communities*.

*For the Commission*

Henning CHRISTOPHERSEN

*Vice-President*

<sup>(1)</sup> OJ No L 153, 9. 6. 1973, p. 25.

<sup>(2)</sup> OJ No L 223, 16. 8. 1976, p. 4.

<sup>(3)</sup> OJ No L 81, 27. 3. 1982, p. 35.

## COMMISSION REGULATION (EEC) No 1058/91

of 26 April 1991

## adopting definitive measures on the issuing of STM licences for milk and milk products in regard to Spain

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

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 85 (3) thereof,

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

Whereas Commission Regulation (EEC) No 606/86 of 28 February 1986 laying down detailed rules for applying the supplementary trade mechanism to milk products imported into Spain from the Community of Ten and Portugal<sup>(3)</sup>, as last amended by Regulation (EEC) No 334/91<sup>(4)</sup>, fixes the indicative ceiling for imports into Spain of certain products in the milk and milk products sector for 1991;

Whereas applications for STM licences lodged solely in the Community of Ten during the period 4 to 8 March 1991 for cheese of category 4 relate to quantities in excess of that fraction of the indicative ceiling set aside for the first quarter of 1991;

Whereas the Commission accordingly adopted, by an emergency procedure, suitable interim protective measures by Regulation (EEC) No 622/91<sup>(5)</sup>; whereas

definitive measures must be adopted; whereas, in view of the market situation in Spain, an increase in the indicative ceiling cannot be contemplated at present;

Whereas, as part of the definitive measures referred to in Article 85 (3) of the Act of Accession, the suspension of the issuing of STM licences provided for in Article 1 (2) of Regulation (EEC) No 622/91 until the end of the first quarter of 1991 should be confirmed;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The measure suspending for the first quarter of 1991 the issue of STM licences applied for in the Community of Ten for the cheeses referred to in Regulation (EEC) No 622/91 is hereby made definitive.

*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, 26 April 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 55, 1. 3. 1986, p. 106.

<sup>(2)</sup> OJ No L 293, 27. 10. 1988, p. 7.

<sup>(3)</sup> OJ No L 58, 1. 3. 1986, p. 28.

<sup>(4)</sup> OJ No L 39, 13. 2. 1991, p. 15.

<sup>(5)</sup> OJ No L 68, 15. 3. 1991, p. 26.

COMMISSION REGULATION (EEC) No 1059/91  
of 26 April 1991

on residual duties applicable in 1991 in the framework of the progressive reductions in accordance with the Act of Accession of Spain and Portugal

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 75 (4) and 243 (4) thereof,

Whereas the Act of Accession of Spain and Portugal makes it possible to suspend in whole or in part the customs duties on agricultural products in trade between those two Member States and the Community of Ten; whereas Council Regulation (EEC) No 3792/85<sup>(1)</sup> as last amended by Regulation (EEC) No 396/88<sup>(2)</sup>, provides that the suspension may apply to trade in agricultural products between Spain and Portugal;

Whereas, in the context of the extension of tariff concessions in the framework of the GSP to certain East European countries, provision should be made on the basis of reciprocity that, in view of the duties applicable to imports from Spain and Portugal in accordance with Articles 75 (1) and 243 (1) of the Act of Accession, agricultural products consigned from Spain and Portugal should not be treated less favourably than the same products covered by Annex II to Council Regulation (EEC) No 3833/90<sup>(3)</sup> and originating in Yugoslavia, Poland, Czechoslovakia, Hungary, Romania and Bulgaria;

Whereas Spain and Portugal have requested the application of these measures to imports of their products into the Community of Ten;

Whereas the measures provided for in this Regulation are in accordance with the opinions of all the Management Committees concerned,

HAS ADOPTED THIS REGULATION:

*Article 1*

In so far as they are higher than the preferential duties granted in accordance with Annex II to Regulation (EEC) No 3833/90 on agricultural products originating in Yugoslavia, Poland, Czechoslovakia, Hungary, Romania and Bulgaria, the residual duties applicable to imports from the Community of Ten from 1 January 1991 in accordance with the timetables laid down in Articles 75 (1) and 243 (1) of the Act of Accession shall be reduced to the level of those preferential duties.

*Article 2*

Article 1 shall apply *mutatis mutandis* to imports into Spain and Portugal of the products in question from the Community of Ten and in trade between the said Member States.

*Article 3*

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

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

Done at Brussels, 26 April 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 367, 31. 12. 1985, p. 7.

<sup>(2)</sup> OJ No L 293, 27. 10. 1988, p. 7.

<sup>(3)</sup> OJ No L 370, 31. 12. 1990, p. 86.



**COMMISSION REGULATION (EEC) No 1060/91**  
**of 26 April 1991**  
**fixing the import levies on frozen beef and veal**

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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 3577/90 <sup>(2)</sup>, and in particular Article 12 (8) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas under Article 9 of Regulation (EEC) No 805/68 a levy is applicable to the products specified in Article 1 (1) (a) of that Regulation; whereas Article 12 fixes the amount of the levy applicable by reference to a percentage of the basic levy;

Whereas, in respect of the types of frozen meat listed in section (b) of the Annex to the said Regulation under CN codes 0202 10 00 and 0202 20 10, the basic levy is determined on the basis of the difference between:

- the guide price multiplied by a coefficient representing the ratio existing in the Community between the price of fresh meat of a category competitive with the frozen meat in question, presented in the same form, and the average price of adult bovine animals, and
- the Community free-at-frontier offer price for frozen meat, plus the amount of the customs duty and a standard amount representing the specific costs of the import operations;

Whereas, by Commission Regulation (EEC) No 586/77 of 18 March 1977 laying down rules for the application of the levies on beef and veal and amending Regulation (EEC) No 950/68 on the Common Customs Tariff <sup>(3)</sup>, as last amended by Regulation (EEC) No 3988/87 <sup>(4)</sup>, the abovementioned coefficient, calculated in accordance with the rules laid down in Article 11 (2) (a) of Regulation (EEC) No 805/68, has been fixed at 1,69 units of account and the standard amount referred to in Article 11 (2) (b) of the said Regulation has been fixed at ECU 6,65;

Whereas, if it is found that the price of adult bovine animals on representative Community markets is higher than the guide price, the levy applicable equals the following percentage of the basic levy:

- (a) 75 % where the market price is less than or equal to 102 % of the guide price;
- (b) 50 % where the market price is more than 102 % and less than or equal to 104 % of the guide price;

- (c) 25 % where the market price is more than 104 % and less than or equal to 106 % of the guide price;
- (d) 0 % where the market price is more than 106 % of the guide price;

Whereas, if it is found that the price of adult bovine animals on representative Community markets is equal to or less than the guide price, the levy applicable equals the following percentage of the basic levy:

- (a) 100 % where the market price is more than or equal to 98 % of the guide price;
- (b) 105 % where the market price is less than 98 % and more than or equal to 96 % of the guide price;
- (c) 110 % where the market price is less than 96 % and more than or equal to 90 % of the guide price;
- (d) 114 % where the market price is less than 90 % of the guide price;

Whereas the guide prices for adult bovine animals to be applied from 14 May 1990 have been fixed by Council Regulation (EEC) No 1188/90 <sup>(5)</sup>; whereas Council Regulation (EEC) No 1025/91 <sup>(6)</sup> has extended the 1990/91 marketing year for beef and veal until 26 May 1991;

Whereas the prices fixed by the Council are to be reduced in accordance with Commission Regulation (EEC) No 1252/90 of 11 May 1990 establishing the prices and amounts fixed in ecus by the Council in the beef and veal sector and reduced as a result of the monetary realignment of 5 January 1990 <sup>(7)</sup>;

Whereas the Community free-at-frontier offer price for frozen meat is determined by reference to the world market price based on the most representative purchasing possibilities, as regards quality and quantity, recorded over a certain period preceding the fixing of the basic levy, taking into account in particular:

- foreseeable developments on the market in frozen meat,
- the most representative prices on third country markets for fresh and chilled meat of a category which is competitive with frozen meat,
- past experience;

Whereas the basic levy on the types of frozen meat listed in section (b) of the Annex to Regulation (EEC) No 805/68 under CN codes 0202 20 50, 0202 20 90, 0202 30 10, 0202 30 50 and 0202 30 90 is equal to the basic levy fixed for the products falling within CN codes 0202 10 00 and 0202 20 10, multiplied by a standard

<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 24.

<sup>(2)</sup> OJ No L 353, 17. 12. 1990, p. 23.

<sup>(3)</sup> OJ No L 75, 23. 3. 1977, p. 10.

<sup>(4)</sup> OJ No L 376, 31. 12. 1987, p. 31.

<sup>(5)</sup> OJ No L 119, 11. 5. 1990, p. 36.

<sup>(6)</sup> OJ No L 106, 26. 4. 1991, p. 1.

<sup>(7)</sup> OJ No L 121, 12. 5. 1990, p. 30.

coefficient fixed for each of the products in question; whereas these coefficients were fixed in Annex II to Regulation (EEC) No 586/77;

Whereas, for the purpose of fixing the free-at-frontier offer prices, offer prices that do not correspond to real purchasing possibilities or that relate to unrepresentative quantities should not be taken into account; whereas offer prices should also be excluded when the movement of prices in general or the information available gives reason to believe that they are unrepresentative of the true trend of prices in the country of origin;

Whereas, where the free-at-frontier offer price for frozen meat differs by less than one unit of account per 100 kilograms from that previously used for the calculation of the levy, the latter price should be retained;

Whereas pursuant to Article 12 (6) of Regulation (EEC) No 805/68 the price of adult bovine animals on representative Community markets is the price established on the basis of prices recorded over a period to be determined on the representative market or markets of each Member State for the various categories of adult bovine animals or of meat from such animals, taking into account the size of each of these categories and the relative size of the bovine herd of each Member State;

Whereas the representative markets, categories and qualities of products and weighting coefficients are fixed in Annex II to Commission Regulation (EEC) No 610/77 of 18 March 1977 on the determination of prices of adult bovine animals on representative Community markets and the survey of prices of certain other cattle in the Community<sup>(1)</sup>, as last amended by Regulation (EEC) No 3784/90<sup>(2)</sup>;

Whereas, for Member States with several representative markets, the price of each category and quality is equal to the arithmetic mean of the prices recorded on each of those markets; for representative markets held several times in one period of seven days, the price of each category and quality is equal to the arithmetic mean of the prices recorded on each market day; whereas in respect of Italy the price of each category and quality is equal to the average, weighted by the special weighting coefficients fixed in Annex II to Regulation (EEC) No 610/77, of the

prices recorded in the surplus and deficit zones; whereas the price recorded in the surplus zone is equal to the arithmetic mean of the prices recorded on each of the markets within that zone; whereas in respect of the United Kingdom the weighted average prices of adult bovine animals recorded on the representative markets of Great Britain on the one hand and Northern Ireland on the other are adjusted by the coefficient fixed in the abovementioned Annex II;

Whereas prices for the different categories and qualities not obtained from prices which are 'live weight excluding tax', are multiplied by the live weight conversion coefficients fixed in Annex II to the said Regulation and, in the case of Italy, are first increased or reduced by the corrective amounts fixed in the said Annex;

Whereas if one or more Member States, for veterinary or health reasons for example, adopt measures affecting the normal trend of prices recorded on their markets, the Commission may disregard the prices recorded on the market or markets in question, or use the latest prices recorded on the market or markets in question before the entry into force of such measures;

Whereas, in the absence of information, prices recorded on representative Community markets are determined mainly by reference to the most recently recorded prices;

Whereas, for such period as the price of adult bovine animals recorded on representative Community markets differs by less than ECU 0,24 per 100 kilograms of live weight from the price previously used, the latter is retained;

Whereas the levies must be so fixed that obligations arising from international agreements concluded by the Community continue to be fulfilled;

Whereas Council Regulation (EEC) No 715/90<sup>(3)</sup>, as last amended by Regulation (EEC) No 523/91<sup>(4)</sup>, lays down the arrangements applicable on agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories;

Whereas the various cuts of frozen meat are defined in Regulation (EEC) No 586/77;

<sup>(1)</sup> OJ No L 77, 25. 3. 1977, p. 1.

<sup>(2)</sup> OJ No L 364, 28. 12. 1990, p. 21.

<sup>(3)</sup> OJ No L 84, 30. 3. 1990, p. 85.

<sup>(4)</sup> OJ No L 58, 5. 3. 1991, p. 1.

Whereas, pursuant to Article 33 (2) of Regulation (EEC) No 805/68, the nomenclature provided for in this Regulation is incorporated in the combined nomenclature ;

Whereas the levies are fixed before the 27th day of each month and are applicable from the first Monday of the following month ; whereas these levies may be altered in the period between two fixings where the basic levy is altered, or in these case of changes in the prices recorded on Community representative markets ;

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 Council Regulation (EEC) No 1676/85 <sup>(1)</sup>, as last amended by Regulation (EEC) No 2205/90 <sup>(2)</sup>,
- 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, having regard to the provisions of the aforementioned Regulations, and in particular to the information and quotations known to the Commission, the levies on frozen beef and veal should be as set out in the Annex hereto,

HAS ADOPTED THIS REGULATION :

*Article 1*

The import levies on frozen beef and veal shall be as set out in the Annex.

*Article 2*

This Regulation shall enter into force on 29 April 1991.

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

Done at Brussels, 26 April 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 164, 24. 6. 1985, p. 1.

<sup>(2)</sup> OJ No L 201, 31. 7. 1990, p. 9.

## ANNEX

to the Commission Regulation of 26 April 1991 fixing the import levies on frozen beef and veal <sup>(1)</sup>

*(ECU/100 kg)*

| CN code    | Levy                     |
|------------|--------------------------|
|            | — Net weight —           |
| 0202 10 00 | ( <sup>1</sup> ) 198,531 |
| 0202 20 10 | ( <sup>1</sup> ) 198,531 |
| 0202 20 30 | ( <sup>1</sup> ) 158,825 |
| 0202 20 50 | ( <sup>1</sup> ) 248,164 |
| 0202 20 90 | ( <sup>1</sup> ) 297,797 |
| 0202 30 10 | ( <sup>1</sup> ) 248,164 |
| 0202 30 50 | ( <sup>1</sup> ) 248,164 |
| 0202 30 90 | ( <sup>1</sup> ) 341,473 |
| 0206 29 91 | ( <sup>1</sup> ) 341,473 |

<sup>(1)</sup> In accordance with amended Regulation (EEC) No 715/90, 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.

## COMMISSION REGULATION (EEC) No 1061/91

of 26 April 1991

## fixing the import levies on live cattle and on beef and veal other than frozen

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<sup>(1)</sup>, as last amended by Regulation (EEC) No 3577/90<sup>(2)</sup>, and in particular Article 12 (8) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas under Article 9 of Regulation (EEC) No 805/68 a levy is applicable to the products specified in Article 1 (1) (a) of that Regulation; whereas Article 12 fixes the amount of the levy applicable by reference to a percentage of the basic levy;

Whereas in respect of bovine animals the basic levy is determined on the basis of the difference between the guide price and the Community free-at-frontier offer price plus the amount of the customs duty; whereas the Community free-at-frontier offer price is determined in the light of the most representative purchasing possibilities, as regards quality and quantity, recorded over a certain period for bovine animals and for the fresh or chilled meat specified in section (a) of the Annex to the said Regulation under CN codes 0201 10 10, 0201 10 90, 0201 20 11 and 0201 20 19, account being taken in particular of the position with respect to supply and demand, of world market prices for frozen meat of a category which is competitive with fresh or chilled meat and of past experience;

Whereas if it is found that the price of adult bovine animals on representative Community markets is higher than the guide price, the levy applicable equals the following percentage of the basic levy:

- (a) 75 % where the market price is less than or equal to 102 % of the guide price;
- (b) 50 % where the market price is more than 102 % and less than or equal to 104 % of the guide price;
- (c) 25 % where the market price is more than 104 % and less than or equal to 106 % of the guide price;
- (d) 0 % where the market price is more than 106 % of the guide price;

Whereas if it is found that the price of adult bovine animals on representative Community markets is equal to

or less than the guide price, the levy applicable equals the following percentage of the basic levy:

- (a) 100 % where the market price is more than or equal to 98 % of the guide price;
- (b) 105 % where the market price is less than 98 % and more than or equal to 96 % of the guide price;
- (c) 110 % where the market price is less than 96 % and more than or equal to 90 % of the guide price;
- (d) 114 % where the market price is less than 90 % of the guide price;

Whereas pursuant to Article 10 (4) of Regulation (EEC) No 805/68 the basic levy on the meat specified in sections (a), (c) and (d) of the Annex hereto is equal to the basic levy determined for bovine animals, multiplied by a standard coefficient fixed for each of the products in question; whereas these coefficients are fixed by Commission Regulation (EEC) No 586/77 of 18 March 1977 laying down rules for the application of levies on beef and veal and amending Regulation (EEC) No 950/68 on the Common Customs Tariff<sup>(3)</sup>, as last amended by Regulation (EEC) No 3988/87<sup>(4)</sup>;

Whereas the guide prices for adult bovine animals to be applied from 14 May 1990 were fixed by Council Regulation (EEC) No 1188/90<sup>(5)</sup>; whereas Council Regulation (EEC) No 1025/91<sup>(6)</sup> has extended the 1990/91 marketing year for beef and veal until 26 May 1991;

Whereas the prices fixed by the Council are to be reduced in accordance with Commission Regulation (EEC) No 1252/90 of 11 May 1990 establishing the prices and amounts fixed in ecus by the Council in the beef and veal sector and reduced as a result of the monetary realignment of 5 January 1990<sup>(7)</sup>;

Whereas Regulation (EEC) No 586/77 stipulates that the basic levy is to be calculated according to the method set out in its Article 3 and on the basis of all the representative free-at-frontier offer prices of the Community determined for the products of each of the categories and cuts specified in Article 2 and established principally by reference to the prices specified in the customs documents accompanying products imported from third countries or from other information concerning export prices obtaining in those third countries;

<sup>(1)</sup> OJ No L 75, 23. 3. 1977, p. 10.

<sup>(2)</sup> OJ No L 376, 31. 12. 1987, p. 31.

<sup>(3)</sup> OJ No L 119, 11. 5. 1990, p. 36.

<sup>(4)</sup> OJ No L 106, 26. 4. 1991, p. 1.

<sup>(5)</sup> OJ No L 121, 12. 5. 1990, p. 30.

<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 24.

<sup>(2)</sup> OJ No L 353, 17. 12. 1990, p. 23.

Whereas, however, offer prices that do not correspond to real purchasing possibilities or that relate to unrepresentative quantities should not be taken into account; whereas offer prices should also be excluded when the movement of prices in general or the information available suggests that they are unrepresentative of the true trend of prices in the country of origin;

Whereas in cases where for one or more categories of bovine animals or cuts of meat a free-at-frontier offer price cannot be established, the most recent available price should be used for the calculation;

Whereas if the free-at-frontier offer price differs by less than ECU 0,60 per 100 kilograms of live weight from that previously used for the calculation of the levy, the latter price should be retained;

Whereas pursuant to Article 10 (3) of Regulation (EEC) No 805/68 a special basic levy is determined for certain third countries on the basis of the difference between the guide price and the average price recorded over a certain period plus the amount of the customs duty;

Whereas Commission Regulation (EEC) No 611/77<sup>(1)</sup>, as amended by Regulation (EEC) No 925/77<sup>(2)</sup>, provides that the special levy on products originating in and coming from Austria, Sweden and Switzerland should be determined on the basis of the weighted average of the prices of adult bovine animals recorded on the representative markets of those third countries; whereas the weighting coefficients and representative markets are specified in the Annexes to Regulation (EEC) No 611/77;

Whereas the average price is not to be used for calculating the special levy unless it is at least ECU 1,21 per 100 kilograms of live weight more than the free-at-frontier offer price determined in accordance with Article 10 (2) of Regulation (EEC) No 805/68;

Whereas if the average price differs by less than ECU 0,60 per 100 kilograms of live weight from that previously used to calculate the levy, the latter may be retained;

Whereas in cases where one or more of the abovementioned third countries adopt, for reasons of health for

example, measures affecting the prices recorded on their markets, the Commission may use the latest prices recorded before the entry into force of such measures;

Whereas pursuant to Article 12 (6) of Regulation (EEC) No 805/68 the price of adult bovine animals on representative Community markets is the price established on the basis of prices recorded over a period to be determined on the representative market or markets of each Member State in respect of the various categories of adult bovine animals or of meat from such animals, after taking into account the size of each of these categories and the relative size of the bovine herd of each Member State;

Whereas the representative markets, categories and qualities of products and weighting coefficients are fixed in Annex II to Commission Regulation (EEC) No 610/77 of 18 March 1977 on the determination of prices of adult bovine animals on representative Community markets and the survey of prices of certain other cattle in the Community<sup>(3)</sup>, as last amended by Regulation (EEC) No 3784/90<sup>(4)</sup>;

Whereas, for Member States with several representative markets, the price of each category and quality is equal to the arithmetic mean of the prices recorded on each of those markets; whereas, for representative markets held several times in one period of seven days, the price of each category and quality is equal to the arithmetic mean of the prices recorded on each market day; whereas in respect of Italy the price of each category and quantity is equal to the average, weighted by the special weighting coefficients fixed in Annex II to Regulation (EEC) No 610/77, of the prices recorded in the surplus and deficit zones; whereas the price recorded in the surplus zone is equal to the arithmetic mean of the prices recorded on each of the markets within that zone; whereas in respect of the United Kingdom the weighted average prices of adult bovine animals recorded on the representative markets of Great Britain on the one hand and Northern Ireland on the other are adjusted by the coefficient fixed in the abovementioned Annex II;

Whereas prices for the different categories and qualities not obtained from prices which are 'live weight excluding tax' are multiplied by the live weight conversion coefficients fixed in Annex II to the said Regulation and, in the case of Italy, are first increased or reduced by the corrective amounts fixed in the said Annex;

<sup>(1)</sup> OJ No L 77, 25. 3. 1977, p. 14.

<sup>(2)</sup> OJ No L 109, 30. 4. 1977, p. 1.

<sup>(3)</sup> OJ No L 77, 25. 3. 1977, p. 1.

<sup>(4)</sup> OJ No L 364, 28. 12. 1990, p. 21.

Whereas if one or more Member States, for veterinary or health reasons for example, adopt measures affecting the normal trend of prices recorded on their markets the Commission may disregard the prices recorded on the market or markets in question, or use the latest prices recorded on the market or markets in question before the entry into force of such measures ;

Whereas, in the absence of information, prices recorded on representative Community markets are determined mainly by reference to the most recently recorded prices ;

Whereas for such period as the price of adult bovine animals recorded on representative Community markets differs by less than 0,24 ECU per 100 kilograms of live weight from the price previously used, the latter is retained ;

Whereas levies must be fixed having regard to the obligations arising from international agreements concluded by the Community ; whereas account should also be taken of Council Regulation (EEC) No 314/83 of 24 January 1983 on the conclusion of the Cooperation Agreement between the European Economic Community and the Socialist Federal Republic of Yugoslavia <sup>(1)</sup>, and of Council Decision 87/605/EEC of 21 December 1987 on the conclusion of the additional Protocol to the Cooperation Agreement between the European Economic Community and the Socialist Federal Republic of Yugoslavia <sup>(2)</sup>, anticipating a reduction in the levy applicable on imports into the Community of certain products in the beef and veal sector originating in and coming from Yugoslavia ;

Whereas Council Regulation (EEC) No 715/90 <sup>(3)</sup>, as last amended by Regulation (EEC) No 523/91 <sup>(4)</sup>, lays down the arrangements applicable on agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories ;

Whereas the various cuts of beef and veal are defined in Regulation (EEC) No 586/77 ;

Whereas, pursuant to Article 33 (2) of Regulation (EEC) No 805/68, the nomenclature provided for in this Regulation is incorporated in the combined nomenclature ;

<sup>(1)</sup> OJ No L 41, 14. 2. 1983, p. 1.

<sup>(2)</sup> OJ No L 389, 31. 12. 1987, p. 72.

<sup>(3)</sup> OJ No L 84, 30. 3. 1990, p. 85.

<sup>(4)</sup> OJ No L 58, 5. 3. 1991, p. 1.

Whereas the levies and special levies are fixed before the 27th day of each month and are applicable from the first Monday of the following month ; whereas these levies may be altered in the period between two fixings where the basic levy or special basic levy is altered, or in the case of changes in the prices recorded on Community representative markets ;

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 coefficient provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 <sup>(5)</sup>, as last amended by Regulation (EEC) No 2205/90 <sup>(6)</sup>,
- for the other currencies, an exchange rate based on 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, having regard to the provisions of the aforementioned Regulation, and in particular to the information and quotations known to the Commission, the levies on live cattle and beef and veal other than frozen meat should be as set out in the Annex hereto,

HAS ADOPTED THIS REGULATION :

#### Article 1

The import levies on live cattle and beef and veal other than frozen meat shall be as set out in the Annex to the present Regulation.

#### Article 2

This Regulation shall enter into force on 29 April 1991.

<sup>(5)</sup> OJ No L 164, 24. 6. 1985, p. 1.

<sup>(6)</sup> 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, 26 April 1991.

*For the Commission*  
Ray MAC SHARRY  
*Member of the Commission*

ANNEX

to the Commission Regulation of 26 April 1991 fixing the import levies on live cattle and on beef and veal other than frozen

(ECU/100 kg)

| CN code         | Yugoslavia <sup>(1)</sup> | Austria/Sweden/<br>Switzerland | Other third countries |
|-----------------|---------------------------|--------------------------------|-----------------------|
| — Live weight — |                           |                                |                       |
| 0102 90 10      | —                         | 24,432                         | (1) 124,192           |
| 0102 90 31      | 21,788                    | 24,432                         | (1) 124,192           |
| 0102 90 33      | —                         | 24,432                         | (1) 124,192           |
| 0102 90 35      | 21,788                    | 24,432                         | (1) 124,192           |
| 0102 90 37      | 21,788                    | 24,432                         | (1) 124,192           |
| — Net weight —  |                           |                                |                       |
| 0201 10 10      | —                         | 46,422                         | (1) 235,964           |
| 0201 10 90      | 41,397                    | 46,422                         | (1) 235,964           |
| 0201 20 21      | —                         | 46,422                         | (1) 235,964           |
| 0201 20 29      | 41,397                    | 46,422                         | (1) 235,964           |
| 0201 20 31      | —                         | 37,138                         | (1) 188,771           |
| 0201 20 39      | 33,118                    | 37,138                         | (1) 188,771           |
| 0201 20 51      | 49,677                    | 55,706                         | (1) 283,157           |
| 0201 20 59      | 49,677                    | 55,706                         | (1) 283,157           |
| 0201 20 90      | —                         | 69,632                         | (1) 353,946           |
| 0201 30 00      | —                         | 79,650                         | (1) 404,864           |
| 0206 10 95      | —                         | 79,650                         | (1) 404,864           |
| 0210 20 10      | —                         | 69,632                         | 353,946               |
| 0210 20 90      | —                         | 79,650                         | 404,864               |
| 0210 90 41      | —                         | 79,650                         | 404,864               |
| 0210 90 90      | —                         | 79,650                         | 404,864               |
| 1602 50 10      | —                         | 79,650                         | 404,864               |
| 1602 90 61      | —                         | 79,650                         | 404,864               |

(1) In accordance with amended Regulation (EEC) No 715/90, 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.

(2) This levy is applicable only to products complying with the provisions of the Commission Regulation (EEC) No 1368/88 (OJ No L 126, 20. 5. 1988, p. 26).



## COMMISSION REGULATION (EEC) No 1062/91

of 26 April 1991

fixing the export refunds on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice <sup>(1)</sup>, as last amended by Regulation (EEC) No 1806/89 <sup>(2)</sup>, and in particular the first sentence of the fourth subparagraph of Article 17 (2) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 17 of Regulation (EEC) No 1418/76 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 1431/76 of 21 June 1976 laying down general rules for granting export refunds on rice and criteria for fixing the amount of such refunds <sup>(3)</sup>, provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of rice and broken rice on the Community market on the one hand and prices for rice and broken rice on the world market on the other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on the rice market and, furthermore, to take into account the economic aspect of the proposed exports and the need to avoid disturbances of the Community market;

Whereas Commission Regulation (EEC) No 1361/76 <sup>(4)</sup> lays down the maximum percentage of broken rice allowed in rice for which an export refund is fixed and specifies the percentage by which that refund is to be reduced where the proportion of broken rice in the rice exported exceeds that maximum;

Whereas Article 3 of Regulation (EEC) No 1431/76 defines the specific criteria to be taken into account when the export refund on rice and broken rice is being calculated;

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

Whereas a separate refund should be fixed for packaged long grain rice to accommodate current demand for the product on certain markets;

Whereas the refund must be fixed at least once a month; whereas it may be altered in the intervening period;

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 paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 <sup>(5)</sup>, as last amended by Regulation (EEC) No 2205/90 <sup>(6)</sup>;
- 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 it follows from applying these rules and criteria to the present situation on the market in rice and in particular to quotations or prices for rice and broken rice within the Community and on the world market, that the refund should be fixed 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 Cereals,

HAS ADOPTED THIS REGULATION:

*Article 1*

The export refunds on the products listed in Article 1 of Regulation (EEC) No 1418/76 with the exception of those listed in paragraph 1 (c) of that Article, exported in the natural state, shall be as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 1 May 1991.

<sup>(1)</sup> OJ No L 166, 25. 6. 1976, p. 1.

<sup>(2)</sup> OJ No L 177, 24. 6. 1989, p. 1.

<sup>(3)</sup> OJ No L 166, 25. 6. 1976, p. 36.

<sup>(4)</sup> OJ No L 154, 15. 6. 1976, p. 11.

<sup>(5)</sup> OJ No L 164, 24. 6. 1985, p. 1.

<sup>(6)</sup> 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, 26 April 1991.

*For the Commission*  
Ray MAC SHARRY  
*Member of the Commission*

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## ANNEX

to the Commission Regulation of 26 April 1991 fixing the export refunds on rice and broken rice

| <i>(ECU/tonne)</i> |                 |                   |
|--------------------|-----------------|-------------------|
| Product code       | Destination (!) | Amount of refunds |
| 1006 20 11 000     | —               | —                 |
| 1006 20 13 000     | 01              | 191,59            |
| 1006 20 15 000     | 01              | 191,59            |
| 1006 20 17 000     | —               | —                 |
| 1006 20 92 000     | —               | —                 |
| 1006 20 94 000     | 01              | 191,59            |
| 1006 20 96 000     | 01              | 191,59            |
| 1006 20 98 000     | —               | —                 |
| 1006 30 21 000     | —               | —                 |
| 1006 30 23 000     | 01              | 191,59            |
| 1006 30 25 000     | 01              | 191,59            |
| 1006 30 27 000     | —               | —                 |
| 1006 30 42 000     | —               | —                 |
| 1006 30 44 000     | 01              | 191,59            |
| 1006 30 46 000     | 01              | 191,59            |
| 1006 30 48 000     | —               | —                 |
| 1006 30 61 000     | —               | —                 |
| 1006 30 63 100     | 01              | 239,49            |
|                    | 05              | 245,49            |
|                    | 06              | 250,49            |
|                    | 09              | 245,49            |
|                    | 12              | 250,49            |
|                    | 13              | 239,49            |
| 1006 30 63 900     | 01              | 239,49            |
|                    | 13              | 239,49            |
| 1006 30 65 100     | 01              | 239,49            |
|                    | 05              | 245,49            |
|                    | 06              | 250,49            |
|                    | 09              | 245,49            |
|                    | 12              | 250,49            |
|                    | 13              | 239,49            |
| 1006 30 65 900     | 01              | 239,49            |
|                    | 13              | 239,49            |
| 1006 30 67 100     | —               | —                 |
| 1006 30 67 900     | —               | —                 |
| 1006 30 92 000     | 07              | 255,49            |

| <i>(ECU/tonne)</i> |                 |                   |
|--------------------|-----------------|-------------------|
| Product code       | Destination (1) | Amount of refunds |
| 1006 30 94 100     | 01              | 239,49            |
|                    | 05              | 245,49            |
|                    | 06              | 250,49            |
|                    | 09              | 245,49            |
|                    | 12              | 250,49            |
|                    | 13              | 239,49            |
| 1006 30 94 900     | 01              | 239,49            |
|                    | 07              | 255,49            |
|                    | 13              | 239,49            |
| 1006 30 96 100     | 01              | 239,49            |
|                    | 05              | 245,49            |
|                    | 06              | 250,49            |
|                    | 09              | 245,49            |
|                    | 12              | 250,49            |
|                    | 13              | 239,49            |
| 1006 30 96 900     | 01              | 239,49            |
|                    | 13              | 239,49            |
| 1006 30 98 100     | —               | —                 |
| 1006 30 98 900     | —               | —                 |
| 1006 40 00 000     | —               | —                 |

(1) The destinations are identified as follows:

- 01 Austria, Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italia,
- 02 Third countries other than Austria, Liechtenstein, Switzerland and the communes of Livigno and Campione d'Italie,
- 03 Zone I,
- 04 Third countries other than Austria, Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italie and countries of zone I,
- 05 Zones I, II, III and VI,
- 06 Zones IV a), IV b), V a), VII a) and VIII excluding Surinam, de Guyana and Madagascar,
- 07 Zone IV b),
- 08 Zone VI,
- 09 Canary Islands, Ceuta and Melilla,
- 10 Zone V a),
- 11 Zone VII c),
- 12 Canada,
- 13 Destinations mentioned in Article 34 of Commission Regulation (EEC) No 3665/87 (OJ No L 351, 14. 12. 1987, p. 1),
- 14 Zone VIII, except Surinam, Guyana and Madagascar,
- 15 Zones I, II, III, IV, V, VI and VIII, except Surinam, Guyana and Madagascar.

*NB:* The zones are those defined in the Annex to Commission Regulation (EEC) No 1124/77 (OJ No L 134, 28. 5. 1977, p. 35), as last amended by Regulation (EEC) No 3049/89 (JO No L 292, 11. 10. 1989, p. 10).

**COMMISSION REGULATION (EEC) No 1063/91**  
**of 26 April 1991**  
**fixing the corrective amount applicable to the refund on rice and broken rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice <sup>(1)</sup>, as last amended by Regulation (EEC) No 1806/89 <sup>(2)</sup>, and in particular the second subparagraph of Article 17 <sup>(4)</sup> thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the first subparagraph of Article 17 <sup>(4)</sup> of Regulation (EEC) No 1418/76 provides that the export refund applicable to rice and broken rice on the day on which application for an export licence is made, adjusted for the threshold price which will be in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the licence ;

Whereas Commission Regulation No 474/67/EEC <sup>(3)</sup>, as amended by Regulation (EEC) No 1397/68 <sup>(4)</sup>, lays down detailed rules for the advance fixing of the export refund on rice and broken rice ;

Whereas that Regulation provides that the refund applicable on the day on which application for an export licence is made must, when it is fixed in advance, be reduced by an amount no greater than the difference between the cif forward delivery price and the cif price, where the former exceeds the latter by more than ECU 0,30 per tonne ; whereas on the other hand, the refund must be increased by an amount no greater than the difference between the cif price and the cif forward delivery price, where the former exceeds the latter by more than ECU 0,30 per tonne ;

Whereas the cif price is that determined in accordance with Article 16 of Regulation (EEC) No 1418/76 ; whereas the cif forward delivery price is that determined in accor-

dance with Article 3 <sup>(2)</sup> of Council Regulation (EEC) No 1428/76 <sup>(5)</sup>, based in respect of each month for which the export licence is valid, on the cif price calculated on the basis of offers for shipment during the month of exportation ;

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 paragraph of Article 3 <sup>(1)</sup> of Council Regulation (EEC) No 1676/85 <sup>(6)</sup>, as last amended by Regulation (EEC) No 2205/90 <sup>(7)</sup>,
- 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 it follows from applying the provisions set out above that the corrective amount must 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 Cereals,

HAS ADOPTED THIS REGULATION :

*Article 1*

The corrective amount referred to in Article 17 <sup>(4)</sup> of Regulation (EEC) No 1418/76 which is applicable to the export refunds fixed in advance in respect of rice and broken rice shall be as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 1 May 1991.

<sup>(1)</sup> OJ No L 166, 25. 6. 1976, p. 1.

<sup>(2)</sup> OJ No L 177, 24. 6. 1989, p. 1.

<sup>(3)</sup> OJ No 204, 24. 8. 1967, p. 20.

<sup>(4)</sup> OJ No L 222, 10. 9. 1968, p. 6.

<sup>(5)</sup> OJ No L 166, 25. 6. 1976, p. 30.

<sup>(6)</sup> OJ No L 164, 24. 6. 1985, p. 1.

<sup>(7)</sup> 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, 26 April 1991.

*For the Commission*  
Ray MAC SHARRY  
*Member of the Commission*

ANNEX

to the Commission Regulation of 26 April 1991 fixing the corrective amount applicable to the refund on rice and broken rice

(ECU/tonne)

| Product code   | Destination (!) | Current<br>5 | 1st period<br>6 | 2nd period<br>7 | 3rd period<br>8 |
|----------------|-----------------|--------------|-----------------|-----------------|-----------------|
| 1006 20 11 000 | —               | —            | —               | —               | —               |
| 1006 20 13 000 | 01              | 0            | 0               | 0               | 0               |
| 1006 20 15 000 | 01              | 0            | 0               | 0               | 0               |
| 1006 20 17 000 | —               | —            | —               | —               | —               |
| 1006 20 92 000 | —               | —            | —               | —               | —               |
| 1006 20 94 000 | 01              | 0            | 0               | 0               | 0               |
| 1006 20 96 000 | 01              | 0            | 0               | 0               | 0               |
| 1006 20 98 000 | —               | —            | —               | —               | —               |
| 1006 30 21 000 | —               | —            | —               | —               | —               |
| 1006 30 23 000 | 01              | 0            | 0               | 0               | 0               |
| 1006 30 25 000 | 01              | 0            | 0               | 0               | 0               |
| 1006 30 27 000 | —               | —            | —               | —               | —               |
| 1006 30 42 000 | —               | —            | —               | —               | —               |
| 1006 30 44 000 | 01              | 0            | 0               | 0               | 0               |
| 1006 30 46 000 | 01              | 0            | 0               | 0               | 0               |
| 1006 30 48 000 | —               | —            | —               | —               | —               |
| 1006 30 61 000 | —               | —            | —               | —               | —               |
| 1006 30 63 100 | 01              | 0            | 0               | 0               | 0               |
|                | 05              | 0            | 0               | 0               | 0               |
|                | 06              | 0            | 0               | 0               | 0               |
|                | 09              | 0            | 0               | 0               | 0               |
|                | 12              | 0            | 0               | 0               | 0               |
|                | 13              | 0            | 0               | 0               | 0               |
| 1006 30 63 900 | 01              | 0            | 0               | 0               | 0               |
|                | 13              | 0            | 0               | 0               | 0               |
| 1006 30 65 100 | 01              | 0            | 0               | 0               | 0               |
|                | 05              | 0            | 0               | 0               | 0               |
|                | 06              | 0            | 0               | 0               | 0               |
|                | 09              | 0            | 0               | 0               | 0               |
|                | 12              | 0            | 0               | 0               | 0               |
|                | 13              | 0            | 0               | 0               | 0               |
| 1006 30 65 900 | 01              | 0            | 0               | 0               | 0               |
|                | 13              | 0            | 0               | 0               | 0               |
| 1006 30 67 100 | —               | —            | —               | —               | —               |
| 1006 30 67 900 | —               | —            | —               | —               | —               |
| 1006 30 92 000 | 07              | 0            | 0               | 0               | 0               |
| 1006 30 94 100 | 01              | 0            | 0               | 0               | 0               |
|                | 05              | 0            | 0               | 0               | 0               |
|                | 06              | 0            | 0               | 0               | 0               |
|                | 09              | 0            | 0               | 0               | 0               |
|                | 12              | 0            | 0               | 0               | 0               |
|                | 13              | 0            | 0               | 0               | 0               |

*(ECU/tonne)*

| Product code   | Destination (1) | Current<br>5 | 1st period<br>6 | 2nd period<br>7 | 3rd period<br>8 |
|----------------|-----------------|--------------|-----------------|-----------------|-----------------|
| 1006 30 94 900 | 01              | 0            | 0               | 0               | 0               |
|                | 07              | 0            | 0               | 0               | 0               |
|                | 13              | 0            | 0               | 0               | 0               |
| 1006 30 96 100 | 01              | 0            | 0               | 0               | 0               |
|                | 05              | 0            | 0               | 0               | 0               |
|                | 06              | 0            | 0               | 0               | 0               |
|                | 09              | 0            | 0               | 0               | 0               |
|                | 12              | 0            | 0               | 0               | 0               |
|                | 13              | 0            | 0               | 0               | 0               |
| 1006 30 96 900 | 01              | 0            | 0               | 0               | 0               |
|                | 13              | 0            | 0               | 0               | 0               |
| 1006 30 98 100 | —               | —            | —               | —               | —               |
| 1006 30 98 900 | —               | —            | —               | —               | —               |
| 1006 40 00 000 | —               | —            | —               | —               | —               |

(1) The destinations are identified as follows :

- 01 Austria, Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italia,
- 02 Third countries other than Austria, Liechtenstein, Switzerland and the communes of Livigno and Campione d'Italie,
- 03 Zone I,
- 04 Third countries other than Austria, Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italie and countries of zone I,
- 05 Zones I, II, III and VI,
- 06 Zones IV a), IV b), V a), VII c) and VIII a), except Suriname, Guyana and Madagascar,
- 07 Bulgaria and Romania,
- 08 Zone VI,
- 09 Canary Islands, Ceuta and Melilla,
- 10 Zone V a),
- 11 Zone VII c),
- 12 Canada,
- 13 Destinations mentioned in Article 34 of Commission Regulation (EEC) No 3665/87 (OJ No L 351, 14. 12. 1987, p. 1),
- 14 Zone VIII, except Suriname, Guyana and Madagascar,
- 15 Zones I, II, III, IV, V, VI and VIII, except Suriname, Guyana and Madagascar.

*NB*: The zones are those defined in the Annex to Commission Regulation (EEC) No 1124/77 (OJ No L 134, 28. 5. 1977, p. 35), as last amended by Regulation (EEC) No 3049/89 (JO No L 292, 11. 10. 1989, p. 10).

## COMMISSION REGULATION (EEC) No 1064/91

of 26 April 1991

## fixing the corrective amount applicable to the refund on cereals

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<sup>(1)</sup>, as last amended by Regulation (EEC) No 3577/90<sup>(2)</sup>,

Having regard to Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds<sup>(3)</sup>,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 (4) of Regulation (EEC) No 2727/75 provides that the export refund applicable to cereals on the day on which application for an export licence is made, adjusted for the threshold price in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the export licence; whereas, in this case, a corrective amount must be applied to the refund;

Whereas Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice<sup>(4)</sup>, as last amended by Regulation (EEC) No 1906/87<sup>(5)</sup>, made possible the fixing of a corrective amount for certain products listed in Article 1 (c) of Regulation (EEC) No 2727/75;

Whereas Commission Regulation (EEC) No 1281/75<sup>(6)</sup> laid down detailed rules for the advance fixing of export refunds for cereals and certain products processed from cereals;

Whereas, pursuant to that Regulation, when the corrective amount is being fixed, account must be taken of the exist-

ing situation and the future trend with regard to prices and availabilities of cereals on the Community market on the one hand and possibilities and conditions for the sale of cereals and cereal products on the world market on the other; whereas the same Regulation provides that it is also important to ensure equilibrium and the natural development of prices and trade on cereal markets and, furthermore, to take into account the economic aspect of exports and the need to avoid disturbances on the Community market;

Whereas for the products listed in Article 1 (c) of Regulation (EEC) No 2727/75 account should be taken of the specific criteria laid down in Article 2 (2) of Regulation (EEC) No 1281/75;

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

Whereas the corrective amount must be fixed at the same time as the refund and according to the same procedure; whereas it may be altered in the period between fixings;

Whereas, if the system of corrective amounts is to operate normally, corrective amounts should be calculated on the following basis:

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85<sup>(7)</sup>, as last amended by Regulation (EEC) No 2205/90<sup>(8)</sup>,
- 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 it follows from applying the provisions set out above that the corrective amount must be as set out in the Annex hereto;

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 353, 17. 12. 1990, p. 23.

<sup>(3)</sup> OJ No L 281, 1. 11. 1975, p. 78.

<sup>(4)</sup> OJ No L 281, 1. 11. 1975, p. 65.

<sup>(5)</sup> OJ No L 182, 3. 7. 1987, p. 49.

<sup>(6)</sup> OJ No L 131, 22. 5. 1975, p. 15.

<sup>(7)</sup> OJ No L 164, 24. 6. 1985, p. 1.

<sup>(8)</sup> OJ No L 201, 31. 7. 1990, p. 9.



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

export refunds fixed in advance in respect of cereals shall be as set out in the Annex hereto.

HAS ADOPTED THIS REGULATION :

*Article 1*

The corrective amount referred to in Article 16 (4) of Regulation (EEC) No 2727/75 which is applicable to

*Article 2*

This Regulation shall enter into force on 1 May 1991.

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

Done at Brussels, 26 April 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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## ANNEX

to the Commission Regulation of 26 April 1991 fixing the corrective amount applicable to the refund on cereals

(ECU/tonne)

| Product code   | Destination (1) | Current<br>5 | 1st period<br>6 | 2nd period<br>7 | 3rd period<br>8 | 4th period<br>9 | 5th period<br>10 | 6th period<br>11 |
|----------------|-----------------|--------------|-----------------|-----------------|-----------------|-----------------|------------------|------------------|
| 0709 90 60 000 | —               | —            | —               | —               | —               | —               | —                | —                |
| 0712 90 19 000 | —               | —            | —               | —               | —               | —               | —                | —                |
| 1001 10 10 000 | —               | —            | —               | —               | —               | —               | —                | —                |
| 1001 10 90 000 | 01              | 0            | - 40,00         | - 40,00         | - 40,00         | - 40,00         | - 40,00          | - 40,00          |
| 1001 90 91 000 | —               | —            | —               | —               | —               | —               | —                | —                |
| 1001 90 99 000 | 01              | 0            | 0               | - 30,00         | - 30,00         | - 30,00         | - 30,00          | - 30,00          |
| 1002 00 00 000 | 01              | 0            | 0               | - 30,00         | - 30,00         | - 30,00         | - 30,00          | - 30,00          |
| 1003 00 10 000 | 01              | 0            | - 30,00         | - 30,00         | - 30,00         | - 30,00         | - 30,00          | - 30,00          |
| 1003 00 90 000 | 01              | 0            | - 30,00         | - 30,00         | - 30,00         | - 30,00         | - 30,00          | - 30,00          |
| 1004 00 10 000 | —               | —            | —               | —               | —               | —               | —                | —                |
| 1004 00 90 000 | —               | —            | —               | —               | —               | —               | —                | —                |
| 1005 10 90 000 | —               | —            | —               | —               | —               | —               | —                | —                |
| 1005 90 00 000 | 01              | 0            | 0               | 0               | 0               | —               | —                | —                |
| 1007 00 90 000 | —               | —            | —               | —               | —               | —               | —                | —                |
| 1008 20 00 000 | —               | —            | —               | —               | —               | —               | —                | —                |
| 1101 00 00 100 | 01              | 0            | - 30,00         | - 30,00         | - 30,00         | - 30,00         | - 30,00          | - 30,00          |
| 1101 00 00 130 | 01              | 0            | - 30,00         | - 30,00         | - 30,00         | - 30,00         | - 30,00          | - 30,00          |
| 1101 00 00 150 | 01              | 0            | 0               | - 30,00         | - 30,00         | - 30,00         | - 30,00          | - 30,00          |
| 1101 00 00 170 | 01              | 0            | 0               | - 30,00         | - 30,00         | - 30,00         | - 30,00          | - 30,00          |
| 1101 00 00 180 | 01              | 0            | 0               | - 30,00         | - 30,00         | - 30,00         | - 30,00          | - 30,00          |
| 1101 00 00 190 | —               | —            | —               | —               | —               | —               | —                | —                |
| 1101 00 00 900 | —               | —            | —               | —               | —               | —               | —                | —                |
| 1102 10 00 600 | 01              | 0            | 0               | - 30,00         | - 30,00         | - 30,00         | - 30,00          | - 30,00          |
| 1102 10 00 900 | —               | —            | —               | —               | —               | —               | —                | —                |
| 1103 11 10 100 | 01              | 0            | - 50,00         | - 50,00         | - 50,00         | - 50,00         | - 50,00          | - 50,00          |
| 1103 11 10 200 | 01              | 0            | - 50,00         | - 50,00         | - 50,00         | - 50,00         | - 50,00          | - 50,00          |
| 1103 11 10 500 | 01              | 0            | - 50,00         | - 50,00         | - 50,00         | - 50,00         | - 50,00          | - 50,00          |
| 1103 11 10 900 | 01              | 0            | - 50,00         | - 50,00         | - 50,00         | - 50,00         | - 50,00          | - 50,00          |
| 1103 11 90 100 | 01              | 0            | 0               | - 50,00         | - 30,00         | - 30,00         | - 30,00          | - 30,00          |
| 1103 11 90 900 | —               | —            | —               | —               | —               | —               | —                | —                |

(1) For the following destinations:

01 All third countries.

NB: The zones are those defined in Commission Regulation (EEC) No 1124/77 (OJ No L 134, 28. 5. 1977, p. 53), as last amended by Regulation (EEC) No 3049/89 (OJ No L 292, 11. 10. 1989, p. 10).

## COMMISSION REGULATION (EEC) No 1065/91

of 26 April 1991

## fixing the corrective amount applicable to the refund on 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<sup>(1)</sup>, as last amended by Council Regulation (EEC) No 3577/90<sup>(2)</sup>,

Having regard to Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds<sup>(3)</sup>,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 (4) of Regulation (EEC) No 2727/75 provides that the export refund applicable to cereals on the day on which application for an export licence is made, adjusted for the threshold price in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the export licence; whereas, in this case, a corrective amount must be applied to the refund;

Whereas Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice<sup>(4)</sup>, as last amended by Regulation (EEC) No 1906/87<sup>(5)</sup>, made possible the fixing of a corrective amount for certain products listed in Article 1 (d) of Regulation (EEC) No 2727/75;

Whereas Commission Regulation (EEC) No 1281/75<sup>(6)</sup> laid down detailed rules for the advance fixing of export refunds for cereals and certain products processed from cereals;

Whereas, pursuant to that Regulation, when the corrective amount is being fixed in respect of malt, account must be taken of the existing situation and the future trend with regard to the possibilities and conditions for the sale of the cereals concerned and of malt on the world market; whereas the same Regulation also provides that account must be taken of the quantity of cereals needed for

making malt, the economic aspect of exports and the need to avoid disturbances on the Community market;

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

Whereas the corrective amount must be fixed at the same time as the refund and according to the same procedure; whereas it may be altered in the period between fixings;

Whereas, if the system of corrective amounts is to operate normally, corrective amounts should be calculated on the following basis:

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85<sup>(7)</sup>, as last amended by Regulation (EEC) No 2205/90<sup>(8)</sup>,
- 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 it follows from applying the provisions set out above that the corrective amount must 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 Cereals,

HAS ADOPTED THIS REGULATION:

*Article 1*

The corrective amount referred to in Article 16 (4) of Regulation (EEC) No 2727/75 which is applicable to export refunds fixed in advance in respect of malt shall be as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 1 May 1991.

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 353, 17. 12. 1990, p. 23.

<sup>(3)</sup> OJ No L 281, 1. 11. 1975, p. 78.

<sup>(4)</sup> OJ No L 281, 1. 11. 1975, p. 65.

<sup>(5)</sup> OJ No L 182, 3. 7. 1987, p. 49.

<sup>(6)</sup> OJ No L 131, 22. 5. 1975, p. 15.

<sup>(7)</sup> OJ No L 164, 24. 6. 1985, p. 1.

<sup>(8)</sup> 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, 26 April 1991.

*For the Commission*  
Ray MAC SHARRY  
*Member of the Commission*

ANNEX

to the Commission Regulation of 26 April 1991 fixing the corrective amount applicable to the refund on malt

*(ECU/tonne)*

| Product code   | Current | 1st period | 2nd period | 3rd period | 4th period | 5th period |
|----------------|---------|------------|------------|------------|------------|------------|
|                | 5       | 6          | 7          | 8          | 9          | 10         |
| 1107 10 11 000 | 0       | 0          | 0          | 0          | 0          | 0          |
| 1107 10 19 000 | 0       | 0          | 0          | 0          | 0          | 0          |
| 1107 10 91 000 | 0       | 0          | 0          | 0          | 0          | 0          |
| 1107 10 99 000 | 0       | 0          | 0          | 0          | 0          | 0          |
| 1107 20 00 000 | 0       | 0          | 0          | 0          | 0          | 0          |

*(ECU/tonne)*

| Product code   | 6th period | 7th period | 8th period | 9th period | 10th period | 11th period |
|----------------|------------|------------|------------|------------|-------------|-------------|
|                | 11         | 12         | 1          | 2          | 3           | 4           |
| 1107 10 11 000 | 0          | 0          | 0          | 0          | 0           | 0           |
| 1107 10 19 000 | 0          | 0          | 0          | 0          | 0           | 0           |
| 1107 10 91 000 | 0          | 0          | 0          | 0          | 0           | 0           |
| 1107 10 99 000 | 0          | 0          | 0          | 0          | 0           | 0           |
| 1107 20 00 000 | 0          | 0          | 0          | 0          | 0           | 0           |

## COMMISSION REGULATION (EEC) No 1066/91

of 26 April 1991

fixing the export refunds on 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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 3577/90 <sup>(2)</sup>, and in particular the fourth subparagraph of Article 16 <sup>(2)</sup> thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 of Regulation (EEC) No 2727/75 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of those Regulations and prices for those products within the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds <sup>(3)</sup> provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals on the Community market on the one hand and prices for cereals and cereal products on the world market on the other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on cereal markets and, furthermore, to take into account the economic aspect of the proposed exports, and the need to avoid disturbances on the Community market;

Whereas Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice <sup>(4)</sup>, as last amended by Regulation (EEC) No 1906/87 <sup>(5)</sup>, defines the specific criteria to be taken into account when the refund on these products is being calculated;

Whereas it follows from applying these detailed rules to the present situation on the market in products processed

from cereals and rice that the export refund should be fixed at an amount which will cover the difference between Community prices and world market prices;

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

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 paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 <sup>(6)</sup>, as last amended by Regulation (EEC) No 2205/90 <sup>(7)</sup>,
- 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 once a month; whereas it may be altered in the intervening period;

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 export refunds on malt listed in Article 1 (d) of Regulation (EEC) No 2727/75 subject to Regulation (EEC) No 2744/75 shall be as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 1 May 1991.

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 353, 17. 12. 1990, p. 23.

<sup>(3)</sup> OJ No L 281, 1. 11. 1975, p. 78.

<sup>(4)</sup> OJ No L 281, 1. 11. 1975, p. 65.

<sup>(5)</sup> OJ No L 182, 3. 7. 1987, p. 49.

<sup>(6)</sup> OJ No L 164, 24. 6. 1985, p. 1.

<sup>(7)</sup> 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, 26 April 1991.

*For the Commission*  
Ray MAC SHARRY  
*Member of the Commission*

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*ANNEX*

to the Commission Regulation of 26 April 1991 fixing the export refunds on malt

|                | <i>(ECU/tonne)</i> |
|----------------|--------------------|
| Product code   | Refund             |
| 1107 10 19 000 | 115,00             |
| 1107 10 99 000 | 127,00             |
| 1107 20 00 000 | 150,00             |

*NB:* The product codes and the footnotes are defined in amended Commission Regulation (EEC) No 3846/87 as amended (OJ No L 366, 24. 12. 1987, p. 1).

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**COMMISSION REGULATION (EEC) No 1067/91**  
**of 26 April 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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 3641/90 <sup>(2)</sup>, and in particular Article 14 (8) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 14 of Regulation (EEC) No 804/68 provides for charging a levy on imports of the products listed in Article 1 of that Regulation; whereas these products may be divided into groups; whereas the product groups and the pilot groups and the pilot product for each of these groups are set out in Annex I to Council Regulation (EEC) No 2915/79 of 18 December 1979 determining the groups of products and the special provisions for calculating levies on milk and milk products <sup>(3)</sup>, as last amended by Regulation (EEC) No 3116/90 <sup>(4)</sup>;

Whereas the levy on the products in any one group must be equal to the threshold price for the pilot product less the free-at-frontier price; whereas these threshold prices were fixed for the 1990/1991 milk year by Council Regulation (EEC) No 1182/90 <sup>(5)</sup>; whereas Council Regulation (EEC) No 1025/91 <sup>(6)</sup> has extended the 1990/91 marketing year for milk until 26 May 1991;

Whereas the threshold price fixed by the Council is to be reduced by Commission Regulation (EEC) No 1552/90 of 8 June 1990 determining the reduced ecu values of milk sector prices and amounts consequent on the monetary realignment of 5 January 1990 <sup>(7)</sup>

Whereas, however, Regulation (EEC) No 2915/79 lays down special provisions for calculating the levy on certain assimilated products; whereas these products are listed and the method of calculating the levy on them described in Annex II and in Articles 2 to 12 of that Regulation respectively;

Whereas, as provided for in Regulation (EEC) No 2915/79, the component of the levy established using a factor expressing the weight ratio existing between the milk components contained in the product on the one hand and the product itself on the other is, for products containing sugar or other sweeteners, calculated by multi-

plying the basic amount by the quantity of milk components contained in the product;

Whereas Article 12 of Regulation (EEC) No 2915/79 provides that for certain products originating in or coming from certain third countries a specific levy is to be applied; whereas the levy applicable to those products is fixed in Annex I to Commission Regulation (EEC) No 1767/82 <sup>(8)</sup>, as last amended by Regulation (EEC) No 1502/90 <sup>(9)</sup>;

Whereas, for as long as it is found that on importation into the Community the price of an assimilated product for which the levy is not equal to the levy on its pilot product is considerably lower than the price which would obtain if the ratio to the price of the pilot product were normal, the levy must be equal to the sum of two components:

- one component equal to the amount resulting from the provisions of Articles 2 to 7 of Regulation (EEC) No 2915/79 applicable to the assimilated product in question,
- an additional component fixed at a level which, the composition and quality of the assimilated product being taken into account, makes it possible to re-establish normal price ratios for imports into the Community;

Whereas Article 14 (3) of Regulation (EEC) No 804/68 provides that the levy on products in respect of which the customs duty has been bound within GATT must be limited to the amount resulting from that binding;

Whereas Commission Regulation (EEC) No 1073/68 <sup>(10)</sup>, as amended by Regulation (EEC) No 222/88 <sup>(11)</sup>, provides that a free-at-frontier price must be established for each of the pilot products defined in Annex I to Regulation (EEC) No 2915/79; whereas these prices must be determined for products of good marketable quality;

Whereas the free-at-frontier prices must be established on the basis of the most favourable purchasing opportunities in international trade for the products listed in Article 1 of Regulation (EEC) No 804/68 other than assimilated products for which the levy is not equal to the levy on the related pilot products; whereas, when recording these purchasing opportunities, the Commission must take account of all information obtained direct or through the Member States concerning prices for delivery of third-country products free-at-Community-frontier and prices on third-country markets;

<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 13.

<sup>(2)</sup> OJ No L 362, 27. 12. 1990, p. 5.

<sup>(3)</sup> OJ No L 329, 24. 12. 1979, p. 1.

<sup>(4)</sup> OJ No L 303, 31. 10. 1990, p. 1.

<sup>(5)</sup> OJ No L 119, 11. 5. 1990, p. 26.

<sup>(6)</sup> OJ No L 106, 26. 4. 1991, p. 1.

<sup>(7)</sup> OJ No L 146, 9. 6. 1990, p. 14.

<sup>(8)</sup> OJ No L 196, 5. 7. 1982, p. 1.

<sup>(9)</sup> OJ No L 141, 2. 6. 1990, p. 5.

<sup>(10)</sup> OJ No L 180, 26. 7. 1968, p. 25.

<sup>(11)</sup> OJ No L 28, 1. 2. 1988, p. 1.

Whereas Commission Regulation (EEC) No 788/86 <sup>(1)</sup>, as last amended by Regulation (EEC) No 1525/90 <sup>(2)</sup>, specifies the free-at-Spanish-frontier values of certain cheeses imported from and originating in Switzerland;

Whereas, however, no account should be taken of information relating to small quantities which are not representative of trade in the products in question and quantities in respect of which price trends in general or other information available to it lead the Commission to believe that the price in question is unrepresentative of the real trend of the market;

Whereas the prices used must be adjusted where they are not quoted free-at-Community-frontier or where they do not apply to products of good marketable quality; whereas the adjustment in respect of an assimilated product the levy on which is equal to the levy on its pilot product must be effected in such a way as to allow, in particular, for differences in composition, maturity, quality and presentation between the assimilated product and the related pilot product; whereas adjustments relating to composition must be calculated by multiplying the difference between the milk component content of the pilot product and that of the assimilated product in question by the value attributed in international trade to one unit of weight of the milk component in question; whereas, when the other adjustments are being effected, the difference between the value attributed on the Community market to each of the relevant characteristics of the pilot product and the value attributed on that market to the corresponding characteristics of the assimilated product in question must be taken into account;

Whereas, if no information on prices is available, the free-at-frontier price may, by way of exception, be established on the basis of the value of the raw materials contained in the pilot product in question (calculated on the basis of the prices of milk products for which prices are available), average processing costs and average yields;

Whereas, in exceptional circumstances, a free-at-frontier price may remain unchanged for a limited period where the new level of the price for a given quality or a specific origin, used as a basis for establishing the previous free-at-frontier price, has not reached the Commission to enable it to establish the next free-at-frontier price and if the Commission considers that the prices which are available could lead to sudden and considerable changes in the free-at-frontier price because they are not sufficiently representative of real market trends;

Whereas, in accordance with Article 19 (1) of Regulation (EEC) No 804/68, the nomenclature provided for in this Regulation is incorporated in the combined nomenclature;

Whereas Article 8 of Regulation (EEC) No 1073/68 provides that the levies are fixed every fortnight; whereas

they may be altered in the intervening period if necessary; whereas the levy remains valid until another becomes applicable;

Whereas Council Regulation (EEC) No 2730/75 of 29 October 1975 on glucose and lactose <sup>(3)</sup>, as amended by Regulation (EEC) No 222/88, stipulates that the treatment provided for lactose and lactose syrup falling within CN code 1702 10 90 by Regulation (EEC) No 804/68 and by the provisions adopted for the application of that Regulation is to be extended to lactose and lactose syrup falling within CN code 1702 10 10; whereas consequently the levy fixed for products falling within CN code 1702 10 90 also applies to products falling within CN code 1702 10 10; whereas to ensure that the provision in question is properly applied these products and the levy thereon should be explicitly mentioned in the list of levies;

Whereas Council Regulation (EEC) No 715/90 <sup>(4)</sup>, as last amended by Regulation (EEC) No 523/91 <sup>(5)</sup>, lays down the arrangements applicable to agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories;

Whereas, if the levy 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 coefficient provided for in the last subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 <sup>(6)</sup>, as last amended by Regulation (EEC) No 2205/90 <sup>(7)</sup>,
- 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 it follows from applying these provisions that the levies on milk and milk products should be as 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 29 April 1991.

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 20.

<sup>(2)</sup> OJ No L 84, 30. 3. 1990, p. 85.

<sup>(3)</sup> OJ No L 58, 5. 3. 1991, p. 1.

<sup>(4)</sup> OJ No L 164, 24. 6. 1985, p. 1.

<sup>(5)</sup> OJ No L 201, 31. 7. 1990, p. 9.

<sup>(1)</sup> OJ No L 74, 19. 3. 1986, p. 20.

<sup>(2)</sup> OJ No L 144, 7. 6. 1990, p. 15.



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

Done at Brussels, 26 April 1991.

*For the Commission*  
Ray MAC SHARRY  
*Member of the Commission*

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## ANNEX

to the Commission Regulation of 26 April 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 |             | 18,22             |
| 0401 10 90 |             | 17,01             |
| 0401 20 11 |             | 24,98             |
| 0401 20 19 |             | 23,77             |
| 0401 20 91 |             | 30,30             |
| 0401 20 99 |             | 29,09             |
| 0401 30 11 |             | 77,27             |
| 0401 30 19 |             | 76,06             |
| 0401 30 31 |             | 148,15            |
| 0401 30 39 |             | 146,94            |
| 0401 30 91 |             | 248,01            |
| 0401 30 99 |             | 246,80            |
| 0402 10 11 | (*)         | 130,36            |
| 0402 10 19 | (*)         | 123,11            |
| 0402 10 91 | (*) (*)     | 1,2311/kg + 28,92 |
| 0402 10 99 | (*) (*)     | 1,2311/kg + 21,67 |
| 0402 21 11 | (*)         | 181,54            |
| 0402 21 17 | (*)         | 174,29            |
| 0402 21 19 | (*)         | 174,29            |
| 0402 21 91 | (*)         | 220,77            |
| 0402 21 99 | (*)         | 213,52            |
| 0402 29 11 | (*) (*) (*) | 1,7429/kg + 28,92 |
| 0402 29 15 | (*) (*)     | 1,7429/kg + 28,92 |
| 0402 29 19 | (*) (*)     | 1,7429/kg + 21,67 |
| 0402 29 91 | (*) (*)     | 2,1352/kg + 28,92 |
| 0402 29 99 | (*) (*)     | 2,1352/kg + 21,67 |
| 0402 91 11 | (*)         | 30,28             |
| 0402 91 19 | (*)         | 30,28             |
| 0402 91 31 | (*)         | 37,85             |
| 0402 91 39 | (*)         | 37,85             |
| 0402 91 51 | (*)         | 148,15            |
| 0402 91 59 | (*)         | 146,94            |
| 0402 91 91 | (*)         | 248,01            |
| 0402 91 99 | (*)         | 246,80            |
| 0402 99 11 | (*)         | 49,85             |
| 0402 99 19 | (*)         | 49,85             |
| 0402 99 31 | (*) (*)     | 1,4452/kg + 25,30 |
| 0402 99 39 | (*) (*)     | 1,4452/kg + 24,09 |
| 0402 99 91 | (*) (*)     | 2,4438/kg + 25,30 |
| 0402 99 99 | (*) (*)     | 2,4438/kg + 24,09 |
| 0403 10 02 |             | 130,36            |
| 0403 10 04 |             | 181,54            |

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

| CN code    | Note                              | Import levy       |
|------------|-----------------------------------|-------------------|
| 0403 10 06 |                                   | 220,77            |
| 0403 10 12 | ( <sup>1</sup> )                  | 1,2311/kg + 28,92 |
| 0403 10 14 | ( <sup>1</sup> )                  | 1,7429/kg + 28,92 |
| 0403 10 16 | ( <sup>1</sup> )                  | 2,1352/kg + 28,92 |
| 0403 10 22 |                                   | 27,39             |
| 0403 10 24 |                                   | 32,71             |
| 0403 10 26 |                                   | 79,68             |
| 0403 10 32 | ( <sup>1</sup> )                  | 0,2135/kg + 27,71 |
| 0403 10 34 | ( <sup>1</sup> )                  | 0,2667/kg + 27,71 |
| 0403 10 36 | ( <sup>1</sup> )                  | 0,7364/kg + 27,71 |
| 0403 90 11 |                                   | 130,36            |
| 0403 90 13 |                                   | 181,54            |
| 0403 90 19 |                                   | 220,77            |
| 0403 90 31 | ( <sup>1</sup> )                  | 1,2311/kg + 28,92 |
| 0403 90 33 | ( <sup>1</sup> )                  | 1,7429/kg + 28,92 |
| 0403 90 39 | ( <sup>1</sup> )                  | 2,1352/kg + 28,92 |
| 0403 90 51 |                                   | 27,39             |
| 0403 90 53 |                                   | 32,71             |
| 0403 90 59 |                                   | 79,68             |
| 0403 90 61 | ( <sup>1</sup> )                  | 0,2135/kg + 27,71 |
| 0403 90 63 | ( <sup>1</sup> )                  | 0,2667/kg + 27,71 |
| 0403 90 69 | ( <sup>1</sup> )                  | 0,7364/kg + 27,71 |
| 0404 10 11 |                                   | 30,29             |
| 0404 10 19 | ( <sup>1</sup> )                  | 0,3029/kg + 21,67 |
| 0404 10 91 | ( <sup>2</sup> )                  | 0,3029/kg         |
| 0404 10 99 | ( <sup>2</sup> )                  | 0,3029/kg + 21,67 |
| 0404 90 11 |                                   | 130,36            |
| 0404 90 13 |                                   | 181,54            |
| 0404 90 19 |                                   | 220,77            |
| 0404 90 31 |                                   | 130,36            |
| 0404 90 33 |                                   | 181,54            |
| 0404 90 39 |                                   | 220,77            |
| 0404 90 51 | ( <sup>1</sup> )                  | 1,2311/kg + 28,92 |
| 0404 90 53 | ( <sup>1</sup> ) ( <sup>2</sup> ) | 1,7429/kg + 28,92 |
| 0404 90 59 | ( <sup>1</sup> )                  | 2,1352/kg + 28,92 |
| 0404 90 91 | ( <sup>1</sup> )                  | 1,2311/kg + 28,92 |
| 0404 90 93 | ( <sup>1</sup> ) ( <sup>2</sup> ) | 1,7429/kg + 28,92 |
| 0404 90 99 | ( <sup>1</sup> )                  | 2,1352/kg + 28,92 |
| 0405 00 10 |                                   | 255,79            |
| 0405 00 90 |                                   | 312,06            |
| 0406 10 10 | ( <sup>3</sup> )                  | 234,35            |
| 0406 10 90 | ( <sup>3</sup> )                  | 285,03            |
| 0406 20 10 | ( <sup>3</sup> ) ( <sup>4</sup> ) | 385,87            |
| 0406 20 90 | ( <sup>3</sup> )                  | 385,87            |
| 0406 30 10 | ( <sup>3</sup> ) ( <sup>4</sup> ) | 186,47            |
| 0406 30 31 | ( <sup>3</sup> ) ( <sup>4</sup> ) | 175,53            |
| 0406 30 39 | ( <sup>3</sup> ) ( <sup>4</sup> ) | 186,47            |
| 0406 30 90 | ( <sup>3</sup> ) ( <sup>4</sup> ) | 283,19            |

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

| CN code    | Note                             | Import levy |
|------------|----------------------------------|-------------|
| 0406 40 00 | ( <sup>1</sup> )( <sup>2</sup> ) | 148,14      |
| 0406 90 11 | ( <sup>1</sup> )( <sup>2</sup> ) | 224,00      |
| 0406 90 13 | ( <sup>1</sup> )( <sup>2</sup> ) | 196,74      |
| 0406 90 15 | ( <sup>1</sup> )( <sup>2</sup> ) | 196,74      |
| 0406 90 17 | ( <sup>1</sup> )( <sup>2</sup> ) | 196,74      |
| 0406 90 19 | ( <sup>1</sup> )( <sup>2</sup> ) | 385,87      |
| 0406 90 21 | ( <sup>1</sup> )( <sup>2</sup> ) | 224,00      |
| 0406 90 23 | ( <sup>1</sup> )( <sup>2</sup> ) | 188,31      |
| 0406 90 25 | ( <sup>1</sup> )( <sup>2</sup> ) | 188,31      |
| 0406 90 27 | ( <sup>1</sup> )( <sup>2</sup> ) | 188,31      |
| 0406 90 29 | ( <sup>1</sup> )( <sup>2</sup> ) | 188,31      |
| 0406 90 31 | ( <sup>1</sup> )( <sup>2</sup> ) | 188,31      |
| 0406 90 33 | ( <sup>1</sup> )                 | 188,31      |
| 0406 90 35 | ( <sup>1</sup> )( <sup>2</sup> ) | 188,31      |
| 0406 90 37 | ( <sup>1</sup> )( <sup>2</sup> ) | 188,31      |
| 0406 90 39 | ( <sup>1</sup> )( <sup>2</sup> ) | 188,31      |
| 0406 90 50 | ( <sup>1</sup> )( <sup>2</sup> ) | 188,31      |
| 0406 90 61 | ( <sup>1</sup> )                 | 385,87      |
| 0406 90 63 | ( <sup>1</sup> )                 | 385,87      |
| 0406 90 69 | ( <sup>1</sup> )                 | 385,87      |
| 0406 90 71 | ( <sup>1</sup> )                 | 234,35      |
| 0406 90 73 | ( <sup>1</sup> )                 | 188,31      |
| 0406 90 75 | ( <sup>1</sup> )                 | 188,31      |
| 0406 90 77 | ( <sup>1</sup> )                 | 188,31      |
| 0406 90 79 | ( <sup>1</sup> )                 | 188,31      |
| 0406 90 81 | ( <sup>1</sup> )                 | 188,31      |
| 0406 90 83 | ( <sup>1</sup> )                 | 188,31      |
| 0406 90 85 | ( <sup>1</sup> )                 | 188,31      |
| 0406 90 89 | ( <sup>1</sup> )( <sup>2</sup> ) | 188,31      |
| 0406 90 91 | ( <sup>1</sup> )                 | 234,35      |
| 0406 90 93 | ( <sup>1</sup> )                 | 234,35      |
| 0406 90 97 | ( <sup>1</sup> )                 | 285,03      |
| 0406 90 99 | ( <sup>1</sup> )                 | 285,03      |
| 1702 10 10 |                                  | 36,29       |
| 1702 10 90 |                                  | 36,29       |
| 2106 90 51 |                                  | 36,29       |
| 2309 10 15 |                                  | 94,75       |
| 2309 10 19 |                                  | 123,07      |
| 2309 10 39 |                                  | 115,40      |
| 2309 10 59 |                                  | 95,40       |
| 2309 10 70 |                                  | 123,07      |
| 2309 90 35 |                                  | 94,75       |
| 2309 90 39 |                                  | 123,07      |
| 2309 90 49 |                                  | 115,40      |
| 2309 90 59 |                                  | 95,40       |
| 2309 90 70 |                                  | 123,07      |

- 
- (<sup>1</sup>) 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.
- (<sup>2</sup>) 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.
- (<sup>3</sup>) 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.
- (<sup>4</sup>) The levy applicable is limited under the conditions laid down in Regulation (EEC) No 715/90.
-

## COMMISSION REGULATION (EEC) No 1068/91

of 26 April 1991

adjusting the corrective amount on the import of artichokes into the  
Community of Ten from Spain (except the Canary Islands)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European  
Economic Community,Having regard to the Act of Accession of Spain and  
Portugal,Having regard to Council Regulation (EEC) No 3709/89  
of 4 December 1989 laying down general rules for imple-  
menting the Act of Accession of Spain and Portugal as  
regards the compensatory mechanism for imports of fruit  
and vegetables from Spain <sup>(1)</sup>, and in particular Article 4  
(2) thereof,Whereas Article 152 of the Act of Accession introduces  
from 1 January 1990 a compensatory mechanism for  
imports into the Community as constituted on 31  
December 1985, hereinafter called 'the Community of  
Ten', of fruit and vegetables from Spain (except the  
Canary Islands) for which a reference price is fixed with  
regard to third countries;Whereas Regulation (EEC) No 3709/89 lays down general  
rules for applying the said compensatory mechanism and  
Commission Regulation (EEC) No 3815/89 <sup>(2)</sup> lays down  
detailed rules for applying the said compensatory  
mechanism;Whereas Commission Regulation (EEC) No 931/91 <sup>(3)</sup>, as  
amended by Regulation (EEC) No 984/91 <sup>(4)</sup>, introduces a  
corrective amount on imports of artichokes into the  
Community of Ten from Spain (except the Canary  
Islands);Whereas Article 3 (4) of Regulation (EEC) No 3709/89  
lays down the conditions under which a corrective  
amount introduced pursuant to Article 3 (1) of the said  
Regulation, is to be adjusted; whereas the said conditions  
require that the corrective amount on imports of arti-  
chokes from Spain (except the Canary Islands) into the  
Community of Ten be adjusted,

HAS ADOPTED THIS REGULATION:

*Article 1*In Article 1 of amended Regulation (EEC) No 931/91  
'ECU 21,46' is replaced by 'ECU 36,17'.*Article 2*

This Regulation shall enter into force on 27 April 1991.

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

Done at Brussels, 26 April 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*<sup>(1)</sup> OJ No L 363, 13. 12. 1989, p. 3.<sup>(2)</sup> OJ No L 371, 20. 12. 1989, p. 28.<sup>(3)</sup> OJ No L 94, 16. 4. 1991, p. 12.<sup>(4)</sup> OJ No L 102, 23. 4. 1991, p. 19.

**COMMISSION REGULATION (EEC) No 1069/91**  
**of 26 April 1991**  
**abolishing the countervailing charge on lemons originating in Morocco**

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

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables<sup>(1)</sup>, as last amended by Regulation (EEC) No 3920/90<sup>(2)</sup>, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 895/91<sup>(3)</sup> introduced a countervailing charge on lemons originating in Morocco;

Whereas for lemons originating in Morocco there were no prices for six consecutive working days; whereas the

conditions specified in Article 26 (1) of Regulation (EEC) No 1035/72 are therefore fulfilled and the countervailing charge on imports of lemons originating in Morocco can be abolished,

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EEC) No 895/91 is hereby repealed.

*Article 2*

This Regulation shall enter into force on 27 April 1991.

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

Done at Brussels, 26 April 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 118, 20. 5. 1972, p. 1.

<sup>(2)</sup> OJ No L 375, 31. 12. 1990, p. 17.

<sup>(3)</sup> OJ No L 90, 11. 4. 1991, p. 28.

**COMMISSION REGULATION (EEC) No 1070/91**  
**of 26 April 1991**  
**amending Regulation (EEC) No 1627/89 on the buying-in of beef by invitation to tender**

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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 3577/90 <sup>(2)</sup>, and in particular Article 6 (7) thereof,

Whereas Commission Regulation (EEC) No 1627/89 of 9 June 1989 on the buying-in of beef by invitation to tender <sup>(3)</sup>, as last amended by Regulation (EEC) No 711/91 <sup>(4)</sup>, opens buying-in by invitation to tender in certain Member States or regions of a Member State for certain quality groups;

Whereas the application of Article 6 (2), (3) and the first indent of (5) of Regulation (EEC) No 805/68 and the need to limit intervention to the buying-in of the quantities necessary to ensure reasonable support for the market result, on the basis of the prices of which the

Commission is aware, in an amendment, in accordance with the Annex hereto, to the list of Member States or regions of a Member State where buying-in is open by invitation to tender, and the list of the quality groups which may be bought in;

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*

Annexes I and II to Regulation (EEC) No 1627/89 are hereby replaced by Annexes I and II hereto.

*Article 2*

This Regulation shall enter into force on 30 April 1991.

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

Done at Brussels, 26 April 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 24.

<sup>(2)</sup> OJ No L 353, 17. 12. 1990, p. 23.

<sup>(3)</sup> OJ No L 159, 10. 6. 1989, p. 36.

<sup>(4)</sup> OJ No L 77, 23. 3. 1991, p. 35.



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

Estados miembros o regiones de Estados miembros y grupos de calidades previstos en el apartado 1 del artículo 1

Medlemsstater eller regioner og kvalitetsgrupper, jf. artikel 1, stk. 1

Mitgliedstaaten oder Gebiete eines Mitgliedstaats sowie die in Artikel 1 Absatz 1 genannten Qualitätsgruppen

Κράτη μέλη ή περιοχές κρατών μελών και ομάδες ποιότητας που αναφέρονται στο άρθρο 1 παράγραφος 1

Member States or regions of a Member State and quality groups referred to in Article 1 (1)

États membres ou régions d'États membres et groupes de qualités visés à l'article 1<sup>er</sup>, paragraphe 1

Stati membri o regioni di Stati membri e gruppi di qualità di cui all'articolo 1, paragrafo 1

In artikel 1, lid 1 bedoelde Lid-Staten of gebieden van een Lid-Staat en kwaliteitsgroepen

Estados-membros ou regiões de Estados-membros e grupos de qualidades referidos no n.º 1 do artigo 1.º

| Estados miembros o regiones de Estados miembros<br>Medlemsstat eller region<br>Mitgliedstaaten oder Gebiete eines Mitgliedstaats<br>Κράτος μέλος ή περιοχές κράτους μέλους<br>Member States or regions of a Member State<br>États membres ou régions d'États membres<br>Stati membri o regioni di Stati membri<br>Lid-Staat of gebied van een Lid-Staat<br>Estados-membros ou regiões de Estados-membros | Categoría A |   |   | Categoría C |   |   |
|--|-------------|---|---|-------------|---|---|
|  | U           | R | O | U           | R | O |
|  |             |   |   |             |   |   |
| Belgique / België  | ×           | × | × |             |   |   |
| Danmark  |             | × | × |             |   |   |
| Deutschland  | ×           | × |   |             |   |   |
| France   | ×           | × | × |             | × | × |
| Italia   |             | × | × |             |   |   |
| Luxembourg   |             | × | × |             |   | × |
| Nederland  |             | × |   |             |   |   |

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

Estados miembros o regiones de Estados miembros y grupos de calidades previstos en el apartado 2 del artículo 1

Medlemsstater eller regioner og kvalitetsgrupper, jf. artikel 1, stk. 2

Mitgliedstaaten oder Gebiete eines Mitgliedstaats sowie die in Artikel 1 Absatz 2 genannten Qualitätsgruppen

Κράτη μέλη ή περιοχές κρατών μελών και ομάδες ποιότητας που αναφέρονται στο άρθρο 1 παράγραφος 2

Member States or regions of a Member State and quality groups referred to in Article 1 (2)

États membres ou régions d'États membres et groupes de qualités visés à l'article 1<sup>er</sup>, paragraphe 2

Stati membri o regioni di Stati membri e gruppi di qualità di cui all'articolo 1, paragrafo 2

In artikel 1, lid 2 bedoelde Lid-Staten of gebieden van een Lid-Staat en kwaliteitsgroepen

Estados-membros ou regiões de Estados-membros e grupos de qualidades referidos no n.º 2 do artigo 1.º

|   |             |   |   |             |   |   |
|---|-------------|---|---|-------------|---|---|
| Estados miembros o regiones de Estados miembros   | Categoría A |   |   | Categoría C |   |   |
| Medlemsstat eller region                          | Kategori A  |   |   | Kategori C  |   |   |
| Mitgliedstaaten oder Gebiete eines Mitgliedstaats | Kategorie A |   |   | Kategorie C |   |   |
| Κράτος μέλος ή περιοχές κρατους μέλους            | Κατηγορία Α |   |   | Κατηγορία Γ |   |   |
| Member States or regions of a Member State        | Category A  |   |   | Category C  |   |   |
| États membres ou régions d'États membres          | Catégorie A |   |   | Catégorie C |   |   |
| Stati membri o regioni di Stati membri            | Categoria A |   |   | Categoria C |   |   |
| Lid-Staat of gebied van een Lid-Staat             | Categorie A |   |   | Categorie C |   |   |
| Estados-membros ou regiões de Estados-membros     | Categoria A |   |   | Categoria C |   |   |
|   | U           | R | O | U           | R | O |
| Ireland   |             |   |   | x           | x | x |
| Great Britain                                     |             |   |   | x           | x | x |
| North Ireland                                     |             |   |   | x           | x | x |

## COMMISSION REGULATION (EEC) No 1071/91

of 26 April 1991

on the issue of import licences on 30 April 1991 for sheepmeat and goatmeat products originating in certain non-member countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat<sup>(1)</sup>, as amended by Regulation (CEE) No 3577/90<sup>(2)</sup>,

Having regard to Council Regulation (EEC) No 3643/85 of 19 December 1985 concerning the import system applicable to certain non-member countries in the sheepmeat and goatmeat sector, as from 1986<sup>(3)</sup>, as last amended by Regulation (EEC) No 3939/87<sup>(4)</sup>, and in particular Article 3 thereof,

Whereas Commission Regulation (EEC) No 3653/85<sup>(5)</sup>, as last amended by Regulation (EEC) No 1645/89<sup>(6)</sup>, laid down detailed rules for implementing the import system provided for in Regulation (EEC) No 3643/85; whereas provision should be made, pursuant to Article 2 (5) of Regulation (EEC) No 3653/85, for determining the extent to which import licences may be issued in connection with applications lodged in respect of the second quarter of 1991;

Whereas, in cases where the quantities in respect of which licence applications have been lodged exceed the quantities which may be imported pursuant to Article 1 of Regulation (EEC) No 3653/85, such quantities should be reduced by a single percentage figure in accordance with Article 2 (5) (b) of that Regulation;

Whereas all the licence applications may be granted in cases where the quantities in respect of which licence

applications have been lodged do not exceed the quantities provided for in Regulation (EEC) No 3653/85,

HAS ADOPTED THIS REGULATION:

*Article 1*

Member States shall, on 30 April 1991, issue the import licences provided for in Regulation (EEC) No 3653/85 and applied for from 1 to 10 April 1991 subject to the following conditions:

- (a) for products falling within CN codes 0204 10 00, 0204 21 00, 0204 22 10, 0204 22 30, 0204 22 50, 0204 22 90, 0204 23 00, 0204 50 11, 0204 50 13, 0204 50 15, 0204 50 19, 0204 50 31 and 0204 50 39, the quantities applied for, originating in other non-member countries, shall be granted in full;
- (b) for products falling within CN codes 0204 30 00, 0204 41 00, 0204 42 10, 0204 42 30, 0204 42 50, 0204 42 90, 0204 43 00, 0204 50 51, 0204 50 53, 0204 50 55, 0204 50 59, 0204 50 71 and 0204 50 79, the quantities applied for originating:
  - in Chile, shall be granted in full,
  - in other non-member countries, shall be granted in full;
- (c) for products falling within CN codes 0104 10 90 and 0104 20 90, the quantities applied for, originating in other non-member countries, shall be reduced by 98,921 %.

*Article 2*

This Regulation shall enter into force on 30 April 1991.

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

Done at Brussels, 26 April 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 289, 7. 10. 1989, p. 1.  
<sup>(2)</sup> OJ No L 353, 17. 12. 1990, p. 23.  
<sup>(3)</sup> OJ No L 348, 24. 12. 1985, p. 2.  
<sup>(4)</sup> OJ No L 373, 31. 12. 1987, p. 1.  
<sup>(5)</sup> OJ No L 348, 24. 12. 1985, p. 21.  
<sup>(6)</sup> OJ No L 162, 13. 6. 1989, p. 21.

## II

*(Acts whose publication is not obligatory)*

## COUNCIL

## COUNCIL DIRECTIVE

of 22 April 1991

amending Directive 89/396/EEC on indications or marks identifying the lot to which a foodstuff belongs

(91/238/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 100a thereof,

Having regard to the proposal from the Commission <sup>(1)</sup>,

In cooperation with the European Parliament <sup>(2)</sup>,

Having regard to the opinion of the Economic and Social Committee <sup>(3)</sup>,

Whereas it is necessary to take account of the fact that the immediate consumption on purchase of certain foodstuffs such as ice cream in individual portions means that indicating the lot directly on the individual packaging would serve no useful purpose; whereas Directive 89/396/EEC <sup>(4)</sup> should therefore be amended;

Whereas, however, it must be compulsory in the case of these products to indicate the lot on the combined package,

HAS ADOPTED THIS DIRECTIVE:

*Article 1*

The following is hereby added to Article 2 (2) of Directive 89/396/EEC:

'(d) to individual portions of ice cream. The indication enabling the lot to be identified must appear on the combined package.'

*Article 2*

This Directive is addressed to the Member States.

Done at Luxembourg, 22 April 1991.

*For the Council*

*The President*

R. STEICHEN

<sup>(1)</sup> OJ No C 267, 23. 10. 1990, p. 15.

<sup>(2)</sup> OJ No C 324, 24. 12. 1990, p. 246 and

OJ No C 72, 18. 3. 1991.

<sup>(3)</sup> OJ No C 60, 8. 3. 1991, p. 4.

<sup>(4)</sup> OJ No L 186, 30. 6. 1989, p. 21.

## COUNCIL DECISION

of 22 April 1991

**amending the Seventh Decision, 85/355/EEC, on the equivalence of field inspections carried out in third countries on seed producing crops and the Seventh Decision, 85/356/EEC, on the equivalence of seed produced in third countries**

(91/239/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 66/400/EEC of 14 June 1966 on the marketing of beet seed<sup>(1)</sup>, as last amended by Directive 90/654/EEC<sup>(2)</sup>, and in particular Article 16 (1) (a) and (b) thereof,

Having regard to Council Directive 66/401/EEC of 14 June 1966 on the marketing of fodder plant seed<sup>(3)</sup>, as last amended by Directive 90/654/EEC, and in particular Article 16 (1) (a) and (b) thereof,

Having regard to Council Directive 66/402/EEC of 14 June 1966 on the marketing of cereal seed<sup>(4)</sup>, as last amended by Directive 90/654/EEC, and in particular Article 16 (1) (a) and (b) thereof,

Having regard to Council Directive 69/208/EEC of 30 June 1969 on the marketing of seed of oil and fibre plants<sup>(5)</sup>, as last amended by Directive 90/654/EEC, and in particular Article 15 (1) (a) and (b) thereof,

Having regard to the proposal from the Commission,

Whereas, in its seventh Decision, 85/355/EEC<sup>(6)</sup>, as last amended by Decision 90/402/EEC<sup>(7)</sup>, the Council determined that field inspections carried out in certain third countries on seed-producing crops of certain species satisfied the conditions laid down in Directives 66/400/EEC, 66/401/EEC, 66/402/EEC and 69/208/EEC;

Whereas, in its seventh Decision, 85/356/EEC<sup>(8)</sup>, as last amended by Decision 90/402/EEC, the Council determined that seed of certain species produced in certain

third countries is equivalent to corresponding seed harvested in the Community;

Whereas, in the case of certain third countries, additional detailed information was requested and the equivalence granted in respect of those countries was limited to a period thought necessary to examine and assess that additional information; whereas that period expires with regard to Austria on 31 March 1991;

Whereas, in the case of Austria, the examination and assessment of the information requested is, for the present, complete for all species other than maize; whereas it is therefore appropriate, as far as species other than maize are concerned, to extend the abovementioned period until 30 June 1995, the date on which Decisions 85/355/EEC and 85/356/EEC expire in respect of the majority of third countries;

Whereas in the case of Austria and as far as maize is concerned further information is awaited; whereas it is therefore appropriate in this case, to grant a shorter extension of the abovementioned period, to allow time for this information to be supplied and assessed,

HAS ADOPTED THIS DECISION:

### *Article 1*

Article 3 of Decision 85/355/EEC is hereby replaced by the following:

### *Article 3*

This Decision shall apply from 1 July 1990 to 31 March 1992 in the case of Austria for the species *Zea mays* (maize), from 1 July 1990 to 30 June 1995 in the case of Austria for all other species listed in respect of that country in the table in Part I, point 2 of the Annex, from 1 July 1990 to 30 June 1992 in the case of Australia for the species *Medicago sativa* (lucerne) and *Helianthus annuus* (sunflower), from 1 July 1990 to 30 June 1995 in the case of Australia for all other species listed in respect of that country in the table in Part I, point 2 of the Annex and from 1 July 1990 to 30 June 1995 in the case of the other third countries listed in Part 1 of the Annex.'

<sup>(1)</sup> OJ No 125, 11. 7. 1966, p. 2290/66.

<sup>(2)</sup> OJ No L 353, 17. 12. 1990, p. 48.

<sup>(3)</sup> OJ No 125, 11. 7. 1966, p. 2298/66.

<sup>(4)</sup> OJ No 125, 11. 7. 1966, p. 2309/66.

<sup>(5)</sup> OJ No L 169, 10. 7. 1969, p. 3.

<sup>(6)</sup> OJ No L 195, 26. 7. 1985, p. 1.

<sup>(7)</sup> OJ No L 208, 7. 8. 1990, p. 27.

<sup>(8)</sup> OJ No L 195, 26. 7. 1985, p. 20.

*Article 2*

Article 5 of Decision 85/356/EEC is replaced by the following:

*Article 5*

This Decision shall apply from 1 July 1990 to 31 March 1992 in the case of Austria for the species *Zea mays* (maize), from 1 July 1990 to 30 June 1995 in the case of Austria for all other species listed in respect of that country in the table in Part 1, point 2 of the Annex, from 1 July 1990 to 30 June 1992 in the case of Australia for the species *Medicago sativa* (lucerne) and *Helianthus annuus* (sunflower), from 1 July 1990 to 30 June 1995 in the case of Australia for all other species listed in respect of that country in the table in Part I, point 2 of the Annex and from 1 July

1990 to 30 June 1995 in the case of the other third countries listed in Part 1 of the Annex.'

*Article 3*

This Decision is addressed to the Member States.

Done at Luxembourg, 22 April 1991.

*For the Council*

*The President*

R. STEICHEN

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**Information concerning the entry into force of the Agreement establishing the European Bank for Reconstruction and Development<sup>(1)</sup>**

The Agreement establishing the European Bank for Reconstruction and Development entered into force on 28 March 1991, in accordance with Article 62 thereof. In effect, on that date the instruments of ratification, acceptance or approval of the signatories whose initial subscriptions represent two-thirds of the capital, including at least two countries from Central and Eastern Europe, had been deposited with the French Government.

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<sup>(1)</sup> OJ No L 372, 31. 12. 1990, p. 1.