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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 1964/91

of 4 July 1991

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 3577/90⁽²⁾, and in particular Article 13 (5) thereof,

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

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 1844/91⁽⁵⁾, and subsequent amending Regulations;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in

the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85,

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

Whereas these exchange rates being those recorded on 3 July 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 1844/91 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 5 July 1991.

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

Done at Brussels, 4 July 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁵⁾ OJ No L 168, 29. 6. 1991, p. 1.

ANNEX

to the Commission Regulation of 4 July 1991 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Levy
0709 90 60	126,49 ⁽²⁾ ⁽³⁾
0712 90 19	126,49 ⁽²⁾ ⁽³⁾
1001 10 10	159,28 ⁽¹⁾ ⁽²⁾
1001 10 90	159,28 ⁽¹⁾ ⁽²⁾
1001 90 91	150,59
1001 90 99	150,59
1002 00 00	133,14 ⁽⁶⁾
1003 00 10	134,55
1003 00 90	134,55
1004 00 10	112,01
1004 00 90	112,01
1005 10 90	126,49 ⁽²⁾ ⁽³⁾
1005 90 00	126,49 ⁽²⁾ ⁽³⁾
1007 00 90	135,81 ⁽⁴⁾
1008 10 00	25,91
1008 20 00	110,61 ⁽⁴⁾
1008 30 00	21,25 ⁽⁵⁾
1008 90 10	(7)
1008 90 90	21,25
1101 00 00	223,83 ⁽⁸⁾
1102 10 00	199,40 ⁽⁸⁾
1103 11 10	259,88 ⁽⁸⁾
1103 11 90	241,74 ⁽⁸⁾

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

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

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

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

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

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

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

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

COMMISSION REGULATION (EEC) No 1965/91

of 4 July 1991

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 3577/90⁽²⁾, and in particular Article 15 (6) thereof,Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽³⁾, as last amended by Regulation (EEC) No 2205/90⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

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

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central

rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85,

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

Whereas these exchange rates being those recorded on 3 July 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 5 July 1991.

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

Done at Brussels, 4 July 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 9.⁽⁵⁾ OJ No L 168, 29. 6. 1991, p. 4.

ANNEX

to the Commission Regulation of 4 July 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
	7	8	9	10
0709 90 60	0	0,58	0,58	0,90
0712 90 19	0	0,58	0,58	0,90
1001 10 10	0	0	0	1,29
1001 10 90	0	0	0	1,29
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	0,58	0,58	0,90
1005 90 00	0	0,58	0,58	0,90
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
	7	8	9	10	11
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 1966/91
of 4 July 1991**

**fixing the minimum levies on the importation of olive oil and levies on the
importation of other olive oil sector products**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 1720/91⁽²⁾, and in particular Article 16 (2) thereof,

Having regard to Council Regulation (EEC) No 1514/76 of 24 June 1976 on imports of olive oil originating in Algeria⁽³⁾, as last amended by Regulation (EEC) No 728/91⁽⁴⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1521/76 of 24 June 1976 on imports of olive oil originating in Morocco⁽⁵⁾, as last amended by Regulation (EEC) No 729/91⁽⁶⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1508/76 of 24 June 1976 on imports of olive oil originating in Tunisia⁽⁷⁾, as last amended by Regulation (EEC) No 413/86⁽⁸⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1180/77 of 17 May 1977 on imports into the Community of certain agricultural products originating in Turkey⁽⁹⁾, as last amended by Regulation (EEC) No 730/91⁽¹⁰⁾, and in particular Article 10 (2) thereof,

Having regard to Council Regulation (EEC) No 1620/77 of 18 July 1977 laying down detailed rules for the importation of olive oil from Lebanon⁽¹¹⁾;

Whereas by Regulation (EEC) No 3131/78⁽¹²⁾, as amended by the Act of Accession of Greece, the Commission decided to use the tendering procedure to fix levies on olive oil;

Whereas Article 3 of Council Regulation (EEC) No 2751/78 of 23 November 1978 laying down general rules for fixing the import levy on olive oil by tender⁽¹³⁾ specifies that the minimum levy rate shall be fixed for each of the products concerned on the basis of the situation on the world market and the Community market and of the levy rates indicated by tenderers;

Whereas, in the collection of the levy, account should be taken of the provisions in the Agreements between the Community and certain third countries; whereas in particular the levy applicable for those countries must be fixed, taking as a basis for calculation the levy to be collected on imports from the other third countries;

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 1 and 2 July 1991 leads to the minimum levies being fixed as indicated in Annex I to this Regulation;

Whereas the import levy on olives falling within 29 codes 0709 90 39 and 0711 20 90 and on products falling within CN codes 1522 00 31, 1522 00 39 and 2306 90 19 must be calculated from the minimum levy applicable on the olive oil contained in these products; whereas, however, the levy charged for olive oil may not be less than an amount equal to 8 % of the value of the imported product, such amount to be fixed at a standard rate; whereas application of these provisions leads to the levies being fixed as indicated in Annex II to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The minimum levies on olive oil imports are fixed in Annex I.

Article 2

The levies applicable on imports of other olive oil sector products are fixed in Annex II.

Article 3

This Regulation shall enter into force on 5 July 1991.

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

⁽²⁾ OJ No L 162, 26. 6. 1991, p. 27.

⁽³⁾ OJ No L 169, 28. 6. 1976, p. 24.

⁽⁴⁾ OJ No L 80, 27. 3. 1991, p. 1.

⁽⁵⁾ OJ No L 169, 28. 6. 1976, p. 43.

⁽⁶⁾ OJ No L 80, 27. 3. 1991, p. 2.

⁽⁷⁾ OJ No L 169, 28. 6. 1976, p. 9.

⁽⁸⁾ OJ No L 48, 26. 2. 1986, p. 1.

⁽⁹⁾ OJ No L 142, 9. 6. 1977, p. 10.

⁽¹⁰⁾ OJ No L 80, 27. 3. 1991, p. 3.

⁽¹¹⁾ OJ No L 181, 21. 7. 1977, p. 4.

⁽¹²⁾ OJ No L 370, 30. 12. 1978, p. 60.

⁽¹³⁾ OJ No L 331, 28. 11. 1978, p. 6.

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

Done at Brussels, 4 July 1991.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX I

Minimum import levies on olive oil

(ECU/100 kg)

CN code	Non-member countries
1509 10 10	77,00 ⁽¹⁾
1509 10 90	77,00 ⁽¹⁾
1509 90 00	89,00 ⁽²⁾
1510 00 10	77,00 ⁽¹⁾
1510 00 90	122,00 ⁽²⁾

⁽¹⁾ For imports of oil falling within this CN code and produced entirely in one of the countries listed below and transported directly from any of those countries to the Community, the levy to be collected is reduced by:

- (a) Lebanon: ECU 0,60 per 100 kg;
- (b) Tunisia: ECU 12,69 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country; however, the repayment may not exceed the amount of the tax in force;
- (c) Turkey: ECU 22,36 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country; however, the repayment may not exceed the amount of the tax in force;
- (d) Algeria and Morocco: ECU 24,78 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country; however, the repayment may not exceed the amount of the tax in force.

⁽²⁾ For imports of oil falling within this CN code:

- (a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by ECU 3,86 per 100 kg;
- (b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by ECU 3,09 per 100 kg.

⁽³⁾ For imports of oil falling within this CN code:

- (a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by ECU 7,25 per 100 kg;
- (b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by ECU 5,80 per 100 kg.

ANNEX II

Import levies on other olive oil sector products

(ECU/100 kg)

CN code	Non-member countries
0709 90 39	16,94
0711 20 90	16,94
1522 00 31	38,50
1522 00 39	61,60
2306 90 19	6,16

COMMISSION REGULATION (EEC) No 1967/91
of 4 July 1991

laying down certain indicative ceilings and certain additional detailed rules for the application of the supplementary trade mechanism to trade in fruit and vegetables between Portugal and the other Member States

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 251 (1) thereof,

Having regard to Council Regulation (EEC) No 3651/90 of 11 December 1990 laying down general rules for applying the supplementary trade mechanism to trade in fresh fruit and vegetables between Portugal and the other Member States⁽¹⁾, and in particular Article 8 thereof,

Whereas, pursuant to Council Regulation (EEC) No 3659/90 of 11 December 1990 on products subject to the supplementary trade mechanism during the second stage of Portuguese accession⁽²⁾, oranges and apples other than cider apples are subject to the supplementary trade mechanism (STM) from 1 January 1991;

Whereas Commission Regulation (EEC) No 3819/90⁽³⁾ lays down detailed rules for the application of the supplementary trade mechanism to trade in fresh fruit and vegetables between Portugal and the other Member States;

Whereas, in accordance with Article 3 of Regulation (EEC) No 3651/90, the indicative ceilings provided for in Article 251 (1) of the Act of Accession should be laid down, for oranges and apples other than cider apples, for the periods during which the Portuguese market is to be considered sensitive within the meaning of Article 2 of that Regulation; whereas these ceilings have been laid down for onions and garlic until the end of 1991 by Commission Regulation (EEC) No 1437/91⁽⁴⁾; whereas these ceilings must reflect a gradual increase in trade

flows between the Community as constituted on 31 December 1985 and Spain on the one hand and Portugal on the other;

Whereas the amount of the security relating to STM licences referred to in Article 4 of Regulation (EEC) No 3651/90 should be fixed so as to ensure the proper functioning of these arrangements;

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

HAS ADOPTED THIS REGULATION:

Article 1

For oranges and apples other than cider apples falling within the CN codes listed in the Annex hereto the indicative ceilings provided for in Article 251 (1) of the Act of Accession and the sensitive periods for the Portuguese market, within the meaning of Article 2 of Regulation (EEC) No 3651/90, shall be as fixed in that Annex.

Article 2

The amount of the security for STM licences referred to in Article 4 (3) of Regulation (EEC) No 3651/90 is hereby fixed at ECU 8 per 100 kilograms net of the products referred to in Article 1.

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, 4 July 1991.

For the Commission
Ray MAC SHARRY
Member of the Commission

⁽¹⁾ OJ No L 362, 27. 12. 1990, p. 24.

⁽²⁾ OJ No L 362, 27. 12. 1990, p. 38.

⁽³⁾ OJ No L 366, 29. 12. 1990, p. 41.

⁽⁴⁾ OJ No L 137, 31. 5. 1991, p. 23.

ANNEX

Indicative ceilings provided for in Article 251 (1) of the Act of Accession

CN code	Description of goods	Sensitive period	Target ceiling (tonnes)	
0805 10 41 0805 10 45 0805 10 49	Oranges	1. 12. 1991 – 29. 2. 1992	4 400	
0805 10 41 0805 10 45 0805 10 49 0805 10 11 0805 10 15 0805 10 19 0805 10 21 0805 10 25 0805 10 29 0805 10 31 0805 10 35 0805 10 39		1. 3 – 31. 5. 1992	4 700	
0808 10 91		Apples, other than cider apples	1. 9 – 31. 10. 1991	3 500
			1. 11 – 31. 12. 1991	3 900
0808 10 93			1. 1 – 29. 2. 1992	8 400

COMMISSION REGULATION (EEC) No 1968/91
of 4 July 1991

exempting certain Member States from the obligation to buy in certain fruit and
vegetables

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

Having regard to Regulation (EEC) No 1035/72 of the
Council of 18 May 1972 on the common organization of
the market in fruit and vegetables ⁽¹⁾, as last amended by
Regulation (EEC) No 3920/90 ⁽²⁾, and in particular Article
19a (4) thereof,

Whereas Commission Regulation (EEC) No 1852/85 of 2
July 1985 laying down detailed rules of application with a
view to exempt Member States from the obligation to buy
in certain types of fruit and vegetables ⁽³⁾ specified what
information the Member States were to provide to the
Commission with a view to their being exempted if they
so requested, as provided for in Article 19a (4) of Regula-
tion (EEC) No 1035/72, from intervention purchasing;

Whereas this information must concern either the
proportion of each of the products indicated in Article
19a of Regulation (EEC) No 1035/72 marketed through
recognized producer organizations or the proportion
harvested in the Member State concerned during the last
three marketing years;

Whereas the Member States have supplied this informa-
tion; whereas the conditions for exemption laid down in
Regulation (EEC) No 1852/85 are met by certain Member
States for certain products for the 1991/92 marketing
year; whereas those Member States which have so applied

should therefore be exempted from the obligation to
make intervention purchases,

HAS ADOPTED THIS REGULATION:

Article 1

The following Member States are hereby exempted from
the obligations to make intervention purchases, as
provided for in Article 19a of Regulation (EEC) No
1035/72, of pears from 1 July to 31 August 1991, and
peaches, apricots, tomatoes and aubergines during the
1991/92 marketing year:

Belgium
Denmark
Germany
Ireland
Luxembourg
Netherlands
United Kingdom

This exemption shall apply in respect of Greece only to
the pears during the period referred to above.

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, 4 July 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 375, 31. 12. 1990, p. 17.

⁽³⁾ OJ No L 174, 4. 7. 1985, p. 24.

COMMISSION REGULATION (EEC) No 1969/91
of 4 July 1991
amending Regulation (EEC) No 1445/76 specifying the different varieties of
***Lolium perenne* L.**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2358/71 of 26 October 1971 on the common organization of the market in seeds ⁽¹⁾, as last amended by Regulation (EEC) No 1740/91 ⁽²⁾, and in particular Article 3 ⁽⁵⁾ thereof,

Whereas Commission Regulation (EEC) No 1445/76 ⁽³⁾, as last amended by Regulation (EEC) No 1911/90 ⁽⁴⁾, listed the varieties of *Lolium perenne* L. of high persistence, late or medium late, and of *Lolium perenne* L. of low persistence, medium late, medium early or early, within the meaning of the provisions adopted pursuant to Article 3 of Regulation (EEC) No 2358/71;

Whereas, since the last amendment of Regulation (EEC) No 1445/76, certified seed of certain varieties of *Lolium perenne* L. is no longer marketed, while certified seed of other varieties has appeared on the market and will be marketed for the first time during the 1991/92 marketing year; whereas, furthermore, the application of the classification criteria to certain varieties of *Lolium perenne* L.

results in their inclusion in one of the abovementioned lists; whereas the Annexes to Regulation (EEC) No 1445/76 should therefore be amended accordingly;

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

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I and II to Regulation (EEC) No 1445/76 are hereby replaced by the Annexes to this Regulation.

Article 2

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

It shall apply with effect from 1 July 1991.

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

Done at Brussels, 4 July 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 246, 5. 11. 1971, p. 1.

⁽²⁾ OJ No L 163, 26. 6. 1991, p. 39.

⁽³⁾ OJ No L 161, 23. 6. 1976, p. 10.

⁽⁴⁾ OJ No L 173, 6. 7. 1990, p. 19.

ANNEX I

Varieties of high persistence, late or medium late

1. Aberystwyth S. 23	54. Fanal (T)	107. Outsider
2. Aladin	55. Final	108. Pablo
3. Albi	56. Fingal	109. Pacage
4. Amadur	57. Flamingo (T)	110. Parcour
5. Ambiance	58. Floret (T)	111. Patora
6. Anduril	59. Heraut	112. Patron
7. Animo	60. Hercules	113. Pelleas
8. Antara	61. Hermes	114. Perfect
9. Antrim	62. Honneur	115. Perma
10. Arno	63. Hunter	116. Phoenix (T)
11. Baltic	64. Idole	117. Pippin
12. Barball	65. Jetta	118. Player
13. Barclay	66. Jumbo	119. Pleno
14. Barcredo	67. Karin	120. Portstewart
15. Barenza	68. Kent Indigenous	121. Preference
16. Barezane	69. Kerdion	122. President
17. Barglen	70. Kosta	123. Prester
18. Barlow	71. Langa	124. Prince
19. Barlenna	72. Lamora (Mommersteeg's Weidauer)	125. Profit
20. Barlet	73. Leanda	126. Progress
21. Barmaco	74. Lihersa	127. Rally (T)
22. Barmega	75. Lilope	128. Rathlin
23. Barry	76. Limage	129. Rival
24. Barsandra	77. Limes	130. Ronja
25. Bartony	78. Linocta	131. Saione
26. Belfort (T)	79. Liparis	132. Sakini
27. Bellatrix	80. Lipondo	133. Salem
28. Boomer	81. Liquick	134. Score (Fair Way)
29. Borvi	82. Lisabelle	135. Senator
30. Boston	83. Lissabon	136. Sisu
31. Capper	84. Lisuna	137. Sommora
32. Caprice	85. Livonne	138. Splendor
33. Carrick	86. Look	139. Springfield
34. Castle (T)	87. Loretta	140. Sprinter
35. Chantal	88. Lorina	141. Stentor
36. Citadel (T)	89. Lucretia	142. Surprise
37. Combi	90. Madera (T)	143. Talbot
38. Compas	91. Magella	144. Talgo
39. Condesa (T)	92. Magister	145. Taya
40. Contender	93. Majestic	146. Texas
41. Cupido	94. Mandola	147. Tilva
42. Danny	95. Manhattan	148. Tivoli
43. Dolby	96. Maprima	149. Trani
44. Domingo	97. Marathon	150. Tresor
45. Donata	98. Mascot	151. Trimmer
46. Duramo	99. Master	152. Troubadour
47. Edgar	100. Meltra RVP (T)	153. Trustee
48. Elka	101. Modus (T)	154. Tyrone
49. Elrond	102. Moldau	155. Variant
50. Emir	103. Mombassa	156. Vigor
51. Ensporta	104. Mondial	157. Wendy
52. Entrar	105. Moretti	
53. Excelsior	106. Othello	

ANNEX II

Varieties of low persistence, medium late, medium early or early

- | | |
|---------------|-------------------|
| 1. Atempo (T) | 3. Lenta Pajbjerg |
| 2. Delray | 4. Verna Pajbjerg |

COMMISSION REGULATION (EEC) No 1970/91

of 4 July 1991

amending Regulation (EEC) No 879/91 laying down detailed rules for urgent action for the supply of butter and skimmed-milk powder to Bulgaria and Romania and amending Regulation (EEC) No 569/88

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 597/91 of 5 March 1991 on urgent action for the supply of agricultural and medical products intended for the people of Romania and Bulgaria⁽¹⁾, and in particular Article 5 thereof,

Whereas Commission Regulation (EEC) No 879/91⁽²⁾, as amended by Regulation (EEC) No 1440/91⁽³⁾, provides for certain time limits for effecting the supply of skimmed-milk powder to Romania; whereas, in order to make it easier for the recipient to take delivery of the products, the deadlines for the delivery of the products should be extended by 60 days;

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

As regards the supply of skimmed-milk powder to Romania provided for in Article 1 (3) of Regulation (EEC) No 879/91, the dates '1 June 1991' and '1 July 1991' in Articles 2 (2) (e) and 5 (4) of that Regulation are hereby replaced by '1 August 1991' and '31 August 1991' respectively.

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, 4 July 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 67, 14. 3. 1991, p. 17.

⁽²⁾ OJ No L 89, 10. 4. 1991, p. 28.

⁽³⁾ OJ No L 137, 31. 5. 1991, p. 29.

COMMISSION REGULATION (EEC) No 1971/91
of 4 July 1991

fixing the import levies on white sugar and raw sugar

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EEC) No 464/91⁽²⁾, and in particular Article 16 (8) thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 1849/91⁽³⁾, as last amended by Regulation (EEC) No 1954/91⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Commission Regulation (EEC) No 1849/91 to the information known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in

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

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

Whereas these exchange rates being those recorded on 3 July 1991,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 5 July 1991.

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

Done at Brussels, 4 July 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 54, 28. 2. 1991, p. 22.

⁽³⁾ OJ No L 168, 29. 6. 1991, p. 16.

⁽⁴⁾ OJ No L 175, 4. 7. 1991, p. 23.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 9.

ANNEX

to the Commission Regulation of 4 July 1991 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	34,36 ⁽¹⁾
1701 11 90	34,36 ⁽¹⁾
1701 12 10	34,36 ⁽¹⁾
1701 12 90	34,36 ⁽¹⁾
1701 91 00	38,70
1701 99 10	38,70
1701 99 90	38,70 ⁽²⁾

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

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

COMMISSION REGULATION (EEC) No 1972/91

of 4 July 1991

introducing a countervailing charge on cherries originating in Bulgaria

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 Regulation (EEC) No 1035/72 of the Council of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1623/91⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Article 25 (1) of Regulation (EEC) No 1035/72 provides that, if the entry price of a product imported from a third country remains at least ECU 0,6 below the reference price for two consecutive market days, a countervailing charge must be introduced in respect of the exporting country concerned, save in exceptional circumstances; whereas this charge is equal to the difference between the reference price and the arithmetic mean of the last two entry prices available for that exporting country;

Whereas Commission Regulation (EEC) No 1171/91 of 6 May 1991 fixing for the 1991 marketing year the reference prices for cherries⁽³⁾ fixed the reference price for products of class I at ECU 115,49 per 100 kilograms net for the month of July 1991;

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

Whereas, in accordance with Article 3 (1) of Regulation (EEC) No 2118/74 of the Commission⁽⁴⁾, as last amended

by Regulation (EEC) No 3811/85⁽⁵⁾, the prices to be taken into consideration must be recorded on the representative markets or, in certain circumstances, on other markets;

Whereas, for cherries originating in Bulgaria the entry price calculated in this way has remained at least ECU 0,6 below the reference price for two consecutive market days; whereas a countervailing charge should therefore be introduced for these cherries;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁶⁾, as amended by Regulation (EEC) No 2205/90⁽⁷⁾,
- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of ECU 11,35 per 100 kilograms net is applied to cherries (CN code ex 0809 20) originating in Bulgaria.

Article 2

This Regulation shall enter into force on 6 July 1991.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 150, 15. 6. 1991, p. 8.

⁽³⁾ OJ No L 114, 7. 5. 1991, p. 20.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 209, 31. 7. 1990, p. 9.

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

Done at Brussels, 4 July 1991.

For the Commission
Ray MAC SHARRY
Member of the Commission

COMMISSION REGULATION (EEC) No 1973/91

of 4 July 1991

on the issuing and suspension of issuing of import licences for certain processed products obtained from sour cherries originating in Yugoslavia

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

Having regard to Council Regulation (EEC) No 1201/88 of 28 April 1988 establishing import mechanisms for certain processed products obtained from sour cherries and originating in Yugoslavia ⁽¹⁾, as amended by Regulation (EEC) No 2781/90 ⁽²⁾, and in particular Articles 4 and 5 thereof,

Whereas Article 1a (1) of Commission Regulation (EEC) No 4061/88 of 21 December 1988 laying down further detailed rules of application as regards import licences for certain processed products obtained from sour cherries originating in Yugoslavia ⁽³⁾, as last amended by Regulation (EEC) No 1578/90 ⁽⁴⁾, has allocated 16 950 tonnes of the available quantity of 19 900 tonnes to traditional importers; whereas Article 2 (1) of this Regulation states that if the quantities for which licences have been applied far exceed those available, the Commission shall set a percentage reduction in the quantities applied for;

Whereas the quantities applied for by traditional importers on 1 and 2 July 1991 exceed those available; whereas a percentage reduction should be set for each application according to the quantities still available;

Whereas quantities for which import licences have been issued have reached the volume of 16 950 tonnes;

whereas import licences for the products in question should be suspended in the framework of the regime in question for the traditional importers,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for import licences made under Article 1a (1) (a) of Regulation (EEC) No 4061/88 on 1 and 2 July 1991 and transmitted to the Commission on 3 July 1991 for processed products obtained from sour cherries falling within CN codes ex 0811 90 10, ex 0811 90 30, ex 0811 90 90, ex 0812 10 00, 2008 60 51, 2008 60 61, 2008 60 71 and 2008 60 91 originating in Yugoslavia shall be accepted for 25,3 % of the quantity applied for.

Article 2

The issuing of import licences for the products referred to in Article 1, applied for under Article 1a (1) (a) of Regulation (EEC) No 4061/88 from 3 July 1991 is suspended.

Article 3

This Regulation shall enter into force on 5 July 1991.

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

Done at Brussels, 4 July 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 115, 3. 5. 1988, p. 9.

⁽²⁾ OJ No L 265, 28. 9. 1990, p. 3.

⁽³⁾ OJ No L 356, 24. 12. 1988, p. 45.

⁽⁴⁾ OJ No L 147, 12. 6. 1991, p. 7.

COMMISSION REGULATION (EEC) No 1974/91
of 4 July 1991

on the issue of import licences for fresh sour cherries originating in Yugoslavia

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

Having regard to Council Regulation (EEC) No 1200/88 of 28 April 1988 establishing a surveillance mechanism for imports of sour cherries, fresh, originating in Yugoslavia ⁽¹⁾, as last amended by Regulation (EEC) No 3652/90 ⁽²⁾, and in particular Article 2 thereof,

Whereas Yugoslavia has undertaken to limit its exports of that product to the Community to an annual quantity of 3 000 tonnes; whereas Regulation (EEC) No 1200/88 provides that the Commission is to suspend the issuing of import licences once imports reach the abovementioned quantity;

Whereas Commission Regulation (EEC) No 1385/88 ⁽³⁾, as last amended by Regulation (EEC) No 3821/90 ⁽⁴⁾, lays down special detailed rules for the application of the system of import licences for fresh cherries originating in Yugoslavia;

Whereas at present the quantities covered by applications for import licences for fresh cherries originating in Yugoslavia reach 3 000 tonnes, even taking account of quantities made available by licences which are not used or are partly used; whereas the issuing of licences should be suspended until 31 December 1991,

HAS ADOPTED THIS REGULATION:

Article 1

For imports of fresh sour cherries falling within CN codes ex 0809 20 10 and ex 0809 20 90 originating in Yugoslavia, the issuing of import licences requested after 2 July 1991 is suspended until 31 December 1991.

Article 2

This Regulation shall enter into force on 5 July 1991.

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

Done at Brussels, 4 July 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 115, 3. 5. 1988, p. 7.

⁽²⁾ OJ No L 362, 27. 12. 1990, p. 27.

⁽³⁾ OJ No L 128, 21. 5. 1988, p. 19.

⁽⁴⁾ OJ No L 366, 29. 12. 1990, p. 45.

COMMISSION REGULATION (EEC) No 1975/91**of 4 July 1991****altering the export refunds on milk and milk products**

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 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by Regulation (EEC) No 1630/91⁽²⁾, and in particular Article 17 (5) thereof,

Whereas the export refunds on milk and milk products were fixed by Commission Regulation (EEC) No 1618/91⁽³⁾, as amended by Regulation (EEC) No 1698/91⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1618/91 to the

information known to the Commission that the export refunds for the products listed in the Annex hereto should be altered to the amounts set out therein,

HAS ADOPTED THIS REGULATION :

Article 1

The export refunds referred to in article 17 of Regulation (EEC) No 804/68 on products exported in the natural state, as fixed in the Annex to amended Regulation (EEC) No 1618/91 are hereby altered, in respect of the products set out in the Annex hereto, to the amounts set out therein.

Article 2

This Regulation shall enter into force on 5 July 1991.

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

Done at Brussels, 4 July 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 150, 15. 6. 1991, p. 19.

⁽³⁾ OJ No L 149, 14. 6. 1991, p. 34.

⁽⁴⁾ OJ No L 156, 20. 6. 1991, p. 28.

ANNEX

to the Commission Regulation of 4 July 1991 altering the export refunds on milk and milk products

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

Product code	Destination	Amount of refund
0402 21 11 900		112,00
0402 21 17 000		70,00
0402 21 19 300		99,72
0402 21 19 500		106,00
0402 21 19 900		112,00

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DIRECTIVE

of 29 May 1991

on establishing indicative limit values by implementing Council Directive 80/1107/EEC on the protection of workers from the risks related to exposure to chemical, physical and biological agents at work

(91/322/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 80/1107/EEC of 27 November 1980 on the protection of workers from the risks related to exposure to chemical, physical and biological agents at work⁽¹⁾, as last amended by Directive 88/642/EEC⁽²⁾, and in particular the first subparagraph of Article 8 (4) thereof,

Having regard to the opinion of the Advisory Committee on Safety, Hygiene and Health Protection at Work,

Whereas the third subparagraph of Article 8 (4) of Directive 80/1107/EEC states that indicative limit values shall reflect expert evaluations based on scientific data;

Whereas the aim of fixing these values is the harmonization of conditions in this area, while maintaining the improvements made;

Whereas the Directive constitutes a practical step towards the achievement of the social dimension of the internal market;

Whereas occupational exposure limit values should be regarded as an important part of the overall approach to ensuring the protection of the health of workers at the workplace;

Whereas an initial list of occupational exposure limit values can be established for agents for which similar values exist in the Member States, giving priority to agents which are found at places of work and are likely to have an effect on the health of workers; whereas this list can be based on existing scientific data as far as the effects on health are concerned, although for certain agents these data are very limited;

Whereas in addition it may be necessary to establish occupational exposure limit values for shorter periods taking into account the effects arising from short term exposure;

Whereas a reference method covering, *inter alia*, assessment of exposure and measuring strategy for occupational exposure limit values is contained in Directive 80/1107/EEC;

Whereas, in view of the importance of obtaining reliable measurements of exposure in relation to occupational exposure limit values, it may be necessary in the future to establish appropriate reference methods;

Whereas occupational exposure limit values need to be kept under review and will need to be revised if new scientific data indicate that they are no longer valid;

⁽¹⁾ OJ No L 327, 3. 12. 1980, p. 8.

⁽²⁾ OJ No L 356, 24. 12. 1988, p. 74.

Whereas, for some agents it will be necessary in the future to consider all absorption pathways, including the possibility of penetration through the skin, in order to ensure the best possible level of protection ;

Whereas the measures laid down in this Directive are in conformity with the opinion of the Committee set up pursuant to Article 9 of Directive 80/1107/EEC,

HAS ADOPTED THIS DIRECTIVE :

Article 1

Indicative limit values, of which Member States shall take account, *inter alia*, when establishing the limit values referred to in Article 4 (4) (b) of Directive 80/1107/EEC are listed in the Annex.

Article 2

1. Member States shall bring into force the provisions necessary to comply with this Directive by 31 December

1993. They shall immediately inform the Commission thereof.

When Member States adopt these provisions, these shall contain a reference to this Directive or shall be accompanied by such reference at the time of their official publication. The procedure for such reference shall be adopted by Member States.

2. Member States shall communicate to the Commission the provisions of national law which they adopt in the field governed by this Directive.

Article 3

This Directive is addressed to the Member States.

Done at Brussels, 29 May 1991.

For the Commission

Vasso PAPANDEOU

Member of the Commission

ANNEX

INDICATIVE LIMIT VALUES FOR OCCUPATIONAL EXPOSURE

Einecs ⁽¹⁾	CAS ⁽²⁾	Name of agent	Limit values ⁽³⁾	
			mg/m ³ ⁽⁴⁾	ppm ⁽⁵⁾
2 001 933	54-11-5	Nicotine ⁽⁶⁾	0,5	—
2 005 791	64-18-6	Formic acid	9	5
2 005 807	64-19-7	Acetic acid	25	10
2 006 596	67-56-1	Methanol	260	200
2 008 352	75-05-8	Acetonitrile	70	40
2 018 659	88-89-1	Picric acid ⁽⁶⁾	0,1	—
2 020 495	91-20-3	Naphtalene	50	10
2 027 160	98-95-3	Nitrobenzene	5	1
2 035 852	108-46-3	Resorcinol ⁽⁶⁾	45	10
2 037 163	109-89-7	Diethylamine	30	10
2 038 099	110-86-1	Pyridine ⁽⁶⁾	15	5
2 046 969	124-38-9	Carbon dioxide	9 000	5 000
2 056 343	144-62-7	Oxalic acid ⁽⁶⁾	1	—
2 069 923	420-04-2	Cyanamide ⁽⁶⁾	2	—
2 151 373	1305-62-0	Calcium dihydroxide ⁽⁶⁾	5	—
2 152 361	1314-56-3	Disphosphorus pentaoxide ⁽⁶⁾	1	—
2 152 424	1314-80-3	Disphosphorus pentasulphide ⁽⁶⁾	1	—
2 152 932	1319-77-3	Cresols (all isomers) ⁽⁶⁾	22	5
2 311 161	7440-06-4	Platinum (metallic) ⁽⁶⁾	1	—
2 314 843	7580-67-8	Lithium hydride ⁽⁶⁾	0,025	—
2 317 781	7726-95-6	Bromine ⁽⁶⁾	0,7	0,1
2 330 603	10026-13-8	Phosphorus pentachloride ⁽⁶⁾	1	—
2 332 710	10102-43-9	Nitrogen monoxide	30	25
	8003-34-7	Pyrethrum	5	—
		Barium (soluble compounds as Ba) ⁽⁶⁾	0,5	—
		Silver (soluble compounds as Ag) ⁽⁶⁾	0,01	—
		Tin (inorganic compounds as Sn) ⁽⁶⁾	2	—

⁽¹⁾ Einecs : *European Inventory of Existing Chemical Substances.*

⁽²⁾ CAS : *Chemical Abstract Service Number.*

⁽³⁾ Measured or calculated in relation to a reference period of eight hours.

⁽⁴⁾ Mg/m³ = milligrams per cubic metre of air at 20 °C and 101,3 KPa (760 mm mercury pressure).

⁽⁵⁾ Ppm = parts per million by volume in air (ml/m³).

⁽⁶⁾ Existing scientific data on health effects appear to be particularly limited.

COMMISSION DECISION

of 30 May 1991

relating to the application of Council Directive 72/166/EEC on the approximation of the laws of the Member States relating to insurance against civil liability in respect of the use of motor vehicles and to the enforcement of the obligation to insure against such liability

(91/323/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 72/166/EEC of 24 April 1972 on the approximation of the laws of the Member States relating to insurance against civil liability in respect of the use of motor vehicles and to the enforcement of the obligation to insure against such liability⁽¹⁾, as last amended by Directive 90/232/EEC⁽²⁾, and in particular Articles 2 (2) and 7 (3) thereof,

Whereas the present relationships between the national insurers' bureaux of the Member States, Austria, Finland, Norway, Sweden, Switzerland, Hungary and Czechoslovakia as defined in Article 1 (3) of Directive 72/166/EEC ('bureaux') which collectively provide for the practical means to abolish insurance inspection in the case of vehicles normally based in the territories of the 19 countries, are governed by the following agreements supplementary to the uniform agreement on the green card system between national insurers' bureaux of 2 November 1951 ('supplementary agreements') which have been concluded:

- on 12 December 1973 between the bureaux of the nine Member States and those of Austria, Finland, Norway, Sweden and Switzerland and extended on 15 March 1986 to the bureaux of Portugal and Spain and on 9 October 1987 to the bureau of Greece,
- on 22 April 1974 between the 14 original signatories of the supplementary agreement of 12 December 1973 and the bureau of Hungary,
- on 22 April 1974 between the 14 original signatories of the supplementary agreement of 12 December 1973 and the bureau of Czechoslovakia,
- on 14 March 1986 between the bureau of Greece and those of Czechoslovakia and Hungary;

Whereas the Commission subsequently adopted Decisions 74/166/EEC⁽³⁾, 74/167/EEC⁽⁴⁾, 75/23/EEC⁽⁵⁾, 86/218/EEC⁽⁶⁾, 86/219/EEC⁽⁷⁾, 86/220/EEC⁽⁸⁾,

88/367/EEC⁽⁹⁾, 88/368/EEC⁽¹⁰⁾ and 88/369/EEC⁽¹¹⁾ relating to the application of Directive 72/166/EEC requiring each Member State to refrain from making checks on insurance against civil liability in respect of vehicles which are normally based in the European territory of another Member State or in the territories of Hungary, Czechoslovakia, Sweden, Finland, Norway, Austria and Switzerland and which are the subject of the supplementary agreements;

Whereas the bureaux have reviewed and unified the texts of the supplementary agreements and replaced them by a single agreement ('the multilateral guarantee agreement') which was concluded on 15 March 1991 in conformity with the principles laid down in Article 2 (2) of Directive 72/166/EEC;

Whereas the Commission's Decisions pertaining to the supplementary agreements requiring Member States to refrain from making checks on insurance against civil liability on vehicles which are normally based in the European territory of another Member State or in the territories of Hungary, Czechoslovakia, Sweden, Finland, Norway, Austria and Switzerland should therefore be annulled and replaced by the present Decision,

HAS ADOPTED THIS DECISION:

Article 1

As from 1 June 1991, each Member State shall refrain from making checks on insurance against civil liability in respect of vehicles which are normally based in the European territory of another Member State or in the territory of Hungary, Czechoslovakia, Sweden, Finland, Norway, Austria and Switzerland and which are the subject of the multilateral guarantee agreement between national insurers' bureaux of 15 March 1991.

⁽¹⁾ OJ No L 103, 2. 5. 1972, p. 1.

⁽²⁾ OJ No L 129, 19. 5. 1990, p. 35.

⁽³⁾ OJ No L 87, 30. 3. 1974, p. 13.

⁽⁴⁾ OJ No L 87, 30. 3. 1974, p. 14.

⁽⁵⁾ OJ No L 6, 10. 1. 1975, p. 33.

⁽⁶⁾ OJ No L 153, 7. 6. 1986, p. 52.

⁽⁷⁾ OJ No L 153, 7. 6. 1986, p. 53.

⁽⁸⁾ OJ No L 153, 7. 6. 1986, p. 54.

⁽⁹⁾ OJ No L 181, 12. 7. 1988, p. 45.

⁽¹⁰⁾ OJ No L 181, 12. 7. 1988, p. 46.

⁽¹¹⁾ OJ No L 181, 12. 7. 1988, p. 47.

Article 2

This Decision annuls and replaces Commission Decisions 74/166/EEC, 74/167/EEC, 75/23/EEC, 86/218/EEC, 86/219/EEC, 86/220/EEC, 88/367/EEC, 88/368/EEC and 88/369/EEC as of 1 June 1991.

Article 3

Member States shall forthwith inform the Commission of measures taken to apply this Decision.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 30 May 1991.

For the Commission

Leon BRITTAN

Vice-President

ANNEX

**THE MULTILATERAL GUARANTEE AGREEMENT BETWEEN NATIONAL
INSURERS' BUREAUX**

of 15 March 1991

PREAMBLE

Article 1

THE BUREAUX OF THE SIGNATORIES,

Having regard to Recommendation No 5, adopted on 25 January 1949 by the Principal Working Party on Road Transport of the Inland Transport Committee of the Economic Commission for Europe of the United Nations, as amended by Annex 2 to the Consolidated Resolution on the Facilitation of Road Transport adopted by the Principal Working Party in its Session of 25 to 29 June 1984 (hereinafter referred to as the 'Geneva recommendations'),

Whereas the council of bureaux, to which all the signatory bureaux mentioned in Article 9 of this agreement adhere, is the body responsible in conjunction with the Principal Working Party on Road Transport, for the management and operation of the international third party motor insurance system (hereinafter referred to as 'the green card system') and for ensuring that all members of the council act in accordance with the said Geneva recommendations,

Having regard to Council Directive 72/166/EEC of 24 April 1972 on the approximation of the laws of the Member States relating to insurance against civil liability in respect of the use of motor vehicles and to the enforcement of the obligation to insure against such liability which led certain bureaux to conclude between them agreements to settle claims resulting from the international circulation of vehicles normally based in the countries of the bureaux of the signatories,

Whereas it is desirable for the signatory bureaux to review and unify the texts of their various agreements and to replace them with a unique agreement in which would be incorporated as far as possible, taking into account the aim of each of these agreements, the provisions of the uniform agreement between bureaux,

HAVE CONCLUDED BETWEEN THEM THE PRESENT AGREEMENT (hereinafter referred to as "THE MULTILATERAL GUARANTEE AGREEMENT") APPLICABLE IN THE TERRITORIES MENTIONED FOR EACH OF THEM IN ARTICLE 9 (SIGNATURE CLAUSE).

Scope and application of the agreement

- (a) Each signatory bureau acts on behalf of all insurers authorized to transact compulsory third party motor vehicle insurance in its own territory.
- (b) The contracting parties base themselves on Council Directives 72/164/EEC of 24 April 1972, 84/5/EEC of 30 December 1983 and 90/232/EEC of 14 May 1990.
- (c) For the bureaux of the non-member States of the European Communities, the reference made in paragraph (b) to the Council Directives of the European Communities has regard only to the provisions of those Directives which relate to the international circulation of motor vehicles.
- (d) When a vehicle normally based in a territory mentioned in Article 9 enters another territory mentioned in the same Article and is there subject to the compulsory third party motor insurance provisions in force in that other territory, the owner, keeper, user and/or driver shall be considered as insured whether they are holders of a valid policy of insurance or not.
- (e) Consequent to the above, each handling bureau assumes responsibility, in accordance with its national legal provisions and the policy of insurance, if one exists, for the handling and settlement of claims arising from accidents caused by vehicles, which are subject to the third party provisions of the compulsory motor insurance law in the territory of that bureau, which are normally based in the territory of a paying bureau.
- (f) This agreement shall apply to the vehicles defined in Article 2 (b), but shall not apply to the vehicles specified in Annex I.
- (g) The territories referred to Article 9 for each signatory bureau are to be regarded, for the purposes of this agreement, as one single undivided territory.
- (h) This agreement shall, subject to the provisions of Articles 7 and 8, be concluded for an unlimited period and shall be brought into force on the date fixed by the president of the council of bureaux in conjunction with the Commission of the European Communities and shall apply to all accidents occurring on or after that date.

Article 2

Definitions

For the purpose of this agreement the following words and expressions shall have the following meanings and no other:

- (a) 'member' — means an insurance company or underwriting group which is a member of a signatory bureau;
- (b) 'vehicle' — any land-based motor vehicle or trailer whether or not coupled, which is subject to compulsory insurance in a visited territory;
- (c) 'policy of insurance' — means a policy of insurance issued by a member of a paying bureau to cover liability arising out of the use of a vehicle;
- (d) 'claim' — means a third party claim, or series of claims arising from one accident, liability for which is required to be covered by insurance by the law of the territory in which the accident has occurred;
- (e) 'signatory bureau' — means an organization, constituted in accordance with the Geneva recommendations, which groups together all insurance undertakings authorized to transact third party motor vehicle insurance in the territory of one of the signatory bureaux mentioned in Article 9;
- (f) 'handling bureau' — means the bureau (and/or a member of that bureau acting under its authority) which has responsibility in its own territory for the handling and settlement of a claim, in accordance with the provisions of this agreement and its national legal provisions, arising from an accident caused by a vehicle normally based in the territory of another signatory bureau;
- (g) 'Paying bureau' — means the bureau (and/or a member of that bureau) of the territory in which the vehicle involved in the accident in another territory is normally based, which has responsibility for fulfilling the obligations to the handling bureau in accordance with the provisions of this agreement;
- (h) 'territory in which the vehicle is normally based' — means:
 - the territory of the State of which the vehicle bears a registration plate, or
 - in the case of a vehicle which is not required to have a registration plate, the territory in which the person who has custody of the vehicle is permanently resident.

Article 3

Handling of claims

- (a) As soon as it comes to the knowledge of a handling bureau that an accident has occurred involving a vehicle normally based in the territory of another signatory bureau the handling bureau shall forthwith, without waiting for a formal claim, proceed to investigate the circumstances of the accident with a view to dealing with any claim. The handling bureau shall give immediate notice of any formal claim to the paying bureau or the member of the paying bureau which issued the policy of insurance, if one exists. Any omission by the handling bureau to do so shall not be held against it nor free the paying bureau from its obligations under Article 5.
- (b) The paying bureau hereby authorizes the handling bureau to accept service of all judicial or extrajudicial proceedings which may involve the payment of damages arising out of the accident and to settle any claim.
- (c) The handling bureau shall be responsible for the action of any agent it appoints to deal with a claim. It shall not of its own volition, or without the written consent of the paying bureau, cause or permit a claim to be handled by any agent, or by a person in the service of such agent, who by virtue of any contractual obligation is financially interested in that claim. If it does so, without such consent, its right to reimbursement from the paying bureau shall be limited to one half of the sum otherwise recoverable.
- (d) The handling bureau, in accordance with its national legal provisions and the provisions of the policy of insurance, if one exists, shall act in the best interests of the paying bureau. The handling bureau shall be exclusively competent in all matters concerning the interpretation of its national legal provisions and the settlement of the claim. It shall on request consult the paying bureau or the member of the paying bureau which issued the policy of insurance, if one exists, before taking any final action but without obligation to do so. When, however, the settlement envisaged is in excess of the conditions or limits of the third party provisions of the compulsory motor insurance law in the territory of the handling bureau, but is covered under a policy of insurance, it shall, unless prevented from doing so by the provisions of that law, consult with and obtain the consent of the paying bureau, in relation to that part of the claim which exceeds those conditions or limits.

*Article 4***Mandate for the handling of claims**

(a) If a member of the paying bureau has a branch or subsidiary established and authorized in the territory of the handling bureau for the transaction of motor insurance the handling bureau shall, if so requested, leave the handling and settlement of claims to the branch or subsidiary.

(b) Optional clause

The paying bureau may, on behalf of one of its members, request the handling bureau to leave the handling and settlement of claims to a correspondent who may be:

- (i) a member of the handling bureau;
- (ii) an organization established in the territory of the handling bureau and specializing, on behalf of insurers, in the handling and settlement of claims arising out of accidents caused by a vehicle.

If the handling bureau approves the request, it thereby gives authority to the nominated correspondent to handle and settle claims. It undertakes to inform the third parties of this authority and to forward to the correspondent all notifications relating to such claims.

For its part the member of the paying bureau, in requesting the appointment of nominated correspondent, undertakes to entrust all claims in the territory of accident to that correspondent and to forward to that correspondent all documentation relevant to such claims.

As a duly authorized agent of the handling bureau, the nominated correspondent becomes responsible to the said bureau for the handling of the claim and shall take into account any directions, whether general or specific, received from the handling bureau.

Exceptionally, if so requested, the handling bureau may give the same authority as described above to a correspondent nominated to handle a specific claim, notwithstanding that such correspondent has received no general authority.

(c) in the situations described in (a) and (b):

- (i) the member of the paying bureau shall undertake to the handling bureau that its branch, subsidiary, or nominated correspondent shall settle claims in full compliance with the third party provisions of the compulsory motor insurance law in the

country of the handling bureau, or the policy of insurance if one exists. The paying bureau shall guarantee the fulfilment of this undertaking;

- (ii) the handling bureau may, at any time and without being required to give a reason, take over the handling of any claim or, where a nominated correspondent is concerned, revoke that correspondent's authority for the particular claim or generally.

*Article 5***Reimbursement of the handling bureau**

(a) When the handling bureau has disposed of a claim it shall, on demand, and on proof of payment, have a right to recover from the paying bureau, or the member of the paying bureau which issued the policy of insurance, if one exists:

- (i) the whole amount paid by the handling bureau as damages or compensation and such costs and charges as the claimant is entitled to recover under a judgement or, where settlement is by agreement with the claimant, then the whole amount of such settlement including the agreed costs and charges;
- (ii) amounts specifically disbursed by the handling bureau for external services in the investigation and settlement of each claim, and costs specifically incurred for the purposes of a legal action, which would also have been disbursed, in similar circumstances, by a motor insurer established in the country of accident;
- (iii) a handling fee, to cover all other costs, calculated at the rate of 15 % of the equivalent of the amount paid under subparagraph (i) subject to minimum and maximum sums at the levels and on the basis determined by the council of bureaux;
- (iv) the minimum and maximum sums referred to above are expressed in Deutsche Mark (DM) calculated at the rate of exchange current on the date of the first demand for final reimbursement.

(b) When, after the handling fee has been paid, a settled claim is re-opened or a further claim arising from the same accident is made, the balance, if any, to be paid as a handling fee, shall be calculated in accordance with the provisions in force at the time the demand for reimbursement in respect of the re-opened or further claim is presented.

- (c) Reimbursement of the amount calculated under these provisions, including the minimum handling fee, shall be made even when the claim is disposed of without payment to the third party.
- (d) The amount due to the handling bureau shall be reimbursed in its country on demand, in the currency of its country, and free of cost.
- (e) The paying bureau shall not be liable for any payment in respect of fines imposed under the penal law.
- (f) Demands for reimbursement of provisional payments which have been made by a handling bureau shall be dealt with in the same way as final payments. A handling fee shall be payable only when a claim has been disposed of and according to the provisions applicable at that time.
- (g) If, within a period of two months from the date of the first demand for reimbursement, the member of the paying bureau has failed to pay the amount due to the handling bureau, the paying bureau shall, on receipt of notification of such failure from the handling bureau, itself make the reimbursement within a period of one month from the date of receipt of that notification. This requirement shall be in addition to the penalty of payment of interest referred to below.
- (h) If, by the time of the demand for reimbursement, the handling bureau has not been notified of the existence of a policy of insurance, such demand shall be submitted to the paying bureau. The paying bureau shall, in these circumstances, pay the amount due within a period of two months from the date of the demand.
- (i) If, within a period of two months of the date of the first demand for provisional or final reimbursement to the member of the paying bureau, or the paying bureau itself, payment has not been received by the handling bureau or its bankers, then there shall be added to the amount due to the handling bureau interest at the rate of 12 % per annum, calculated from the date of such first demand to the date of receipt of the remittance by the handling bureau.
- (j) The handling bureau shall on demand, but without delay to the reimbursement, provide documentation regarding the settlement.

Article 6

Arbitration

- (a) Any dispute between bureaux regarding the interpretation of the term 'normally based', in so far as it is not defined above, shall be submitted to a court of arbitra-

tors. This court shall consist of the president of the council of bureaux together with one arbitrator appointed by each of the bureaux involved in the dispute. If the president of the council of bureaux is of the same nationality as one of the arbitrators, he shall appoint in his place another arbitrator of a nationality other than his own or that of the other arbitrators.

- (b) Any arbitration decision shall be of no effect in the presence of a court decision, whatever the date of either may be, when the latter results from any action of the victim or of his/her dependants.

Article 7

Suspension or cancellation of the agreement

- (a) Sanctions, involving the suspension or cancellation of this agreement with a signatory bureau, might be taken against the signatory bureau concerned in any of the following circumstances :
 - (i) if the country of the signatory bureau places an embargo on the transfer of the necessary funds to fulfil the obligations of such signatory bureau under this agreement ; or
 - (ii) if the transfer of the necessary funds from one country to another is not effected or becomes impossible ; or
 - (iii) if, otherwise, the conduct of a signatory bureau is such that it seriously impedes the operation of this agreement.
- (b) Should any of the foregoing situations arise the president of the council of bureaux shall be notified and he shall bring the matter to the notice of all the other signatories which shall then decide whether any of the sanctions referred to in (a) should be applied. In the event of an affirmative and unanimous decision in this respect the signatories shall mandate the president of the council of bureaux to take action to implement that decision. In this respect the decision shall be notified by the president of the council of bureaux to the offending signatory bureau concerned and the suspension or cancellation of the agreement with that signatory bureau shall take effect immediately on expiry of two months from the date of posting of such notification.

- (c) Notice of any such suspension or cancellation shall be given by the other signatory bureaux to their respective government authorities and by the president of the council of bureaux to the Commission of the European Communities.

(d) In the event of the situation referred to in (b) arising it shall be brought, by the president of the council of bureaux, to the notice of all members of the council and he shall invite them to consider the position of the offending signatory bureau concerned in relation to the uniform agreement.

Article 8

Withdrawal from the agreement

Should a signatory bureau decide to withdraw from this agreement it shall give immediate written notice of that decision to the president of the council of bureaux who shall, in turn, inform the other signatory bureaux and the Commission of the European Communities. Such withdrawal shall take effect on the expiry of six calendar months from the day after the day of the posting of such notification. The signatory bureau concerned shall remain liable under this agreement to satisfy all reimbursement demands relating to settlements of claims arising from accidents up to the expiry of the period described.

Article 9

Signature clause

This agreement is concluded between the undermentioned signatory bureaux, in respect of the territories for which each of them has responsibility, in the form of three specimens in each of the English and French languages.

One specimen in each of the two languages shall be lodged respectively with the secretariat of the council of bureaux, the general-secretariat of the comité européen des assurances and the Commission of the European Communities.

The secretary general of the council of bureaux shall provide each signatory bureau with authorized copies of this agreement.

Signed at Madrid, 15 March 1991.

<p>Austria</p> <p>Robert KRIEGEL <i>Member of the Board</i></p>	<p>For the Verband der Versicherungsunternehmen Österreichs Gerhard TÖLG <i>Director</i></p>
<p>Belgium</p>	<p>For the Bureau belge des assureurs automobiles Alain PIRE <i>Director</i></p>
<p>Czech and Slovak Federal Republic Vlastimil UZEL <i>Chairman</i></p>	<p>For the bureau of compulsory motor insurance for the territory of CSFR Jakub HRADEC <i>Secretary</i></p>
<p>Denmark (and the Faroe Islands) Steen LETH JEPPESEN <i>Managing Director</i></p>	<p>For the Dansk Forening for International Motorkøretøjsforsikring Thorstein IVERSEN <i>Deputy Managing Director</i></p>
<p>Finland Peter KÜTTNER <i>Member of the Board</i></p>	<p>For the Liikennevakuutusyhdistys Pentti AJO <i>Managing Director</i></p>
<p>France (and Monaco)</p>	<p>For the Bureau central français des sociétés d'assurances contre les accidents d'automobiles</p>
	<p>Jean RIPOLI <i>President</i> (Subject to the reservation expressed in Annex 2 attached)</p>
<p>Germany</p>	<p>For the HUK-Verband Ulf LEMOR <i>Deputy Managing Director</i></p>

Greece
Michael PARASKAKIS
Chairman

For the Motor Insurers Bureau,
Michael PSALIDAS
General Secretary

Hungary

For the Hungaria Biztosító
Agnes SULKO
Member of the Board

Ireland

For the Irish Visiting
Motorists' Bureau Ltd
John FORDE
Chairman
Noel MULVIN
Secretary

Italy (and the Republic of
San Marino and the Vatican State)

For the Ufficio Centrale Italiano (UCI)

Raffaele DEIDDA
General Manager

Luxembourg

For the Bureau luxembourgeois
des assureurs contre les accidents automobiles
Philippe MULLER
President

The Netherlands

For the Nederlands Bureau
der Motorrijtuigverzekeraars
Jan SMIT
Chairman

Norway

For the Trafikkforsikringsforeningen
Gunnar BRASK
Managing Director
Anders BULL-LARSEN
Director

Portugal

For the Gabinete português
da Carta Verde
João SANTOS
Chairman
Maia DOS SANTOS
Delegate
Jose NEVES
Delegate

Spain

For the Oficina Española
de Aseguradores de Automóviles
Ricardo PATRON
President
Jose Antonio NAVES
Vice-President

Sweden
Lars G. GÖRANSSON
Chairman of the Board

For the Trafikförsäkringsföreningen
Arne BRANDT
Managing Director

Switzerland
(and Liechtenstein)

For the Swiss Group of
Motor Insurers

Jean-Marie BOLLER
Secretary General

United Kingdom of Great Britain
and Northern Ireland (and the
Channel Islands, Gibraltar, the Isle of Man)

For the Motor Insurers' Bureau

Timothy KENT
Chairman

ANNEX I
DEROGATIONS

Belgium

Vehicles with temporary registration plates (customs plate).

France (and Monaco)

Military vehicles subject to the terms of international agreements.

Germany

1. Vehicles which, because of their construction, do not exceed the speed of 6 km per hour.
2. Motorized mechanical equipment the speed of which does not exceed 20 km per hour.
3. Vehicles and trailers with temporary registration plates (customs plate).
4. Vehicles and trailers of foreign troops stationed in territory within the sovereignty of Germany, of civilian support personnel or of members and their families, when such vehicles are registered by the competent military authorities.
5. Vehicles and trailers belonging to international military headquarters established in Germany by virtue of the North Atlantic Treaty (NATO).

Greece

1. Vehicles belonging to inter-governmental organizations.
(Green plates — bearing the letters 'CD' and 'ΔΣ' followed by the registration number.)
2. Vehicles belonging to the armed forces and military and civil personnel of NATO.
(Yellow plates — bearing the letters 'ΞΑ' followed by the registration number.)
3. Vehicles belonging to the Greek armed forces.
(Plates bearing the letters 'ΕΣ'.)
4. Vehicles belonging to Allied Forces in Greece.
(Plates bearing the letters 'AFG'.)
5. Vehicles bearing temporarily registration plates (customs plate).
(White plates — bearing the letters 'ΔΙΠΕΑ' and 'Ε Y' followed by the registration number.)
6. Vehicles bearing test plates.
(White plates — bearing the letters 'ΔΟΚΙΜΗ' followed by the registration number.)

Hungary

1. Motor vehicles bearing registration plates 'DT' and 'CK'.
2. Motor vehicles with no registration plates.

Ireland

Vehicles with temporary registration plates (customs plate).

Italy (and the Republic of San Marino and the Vatican State)

1. Vehicle with temporary registration plates.
2. Vehicles belonging to military forces and other military and civil personnel governed by international agreements (as, for instance, plate 'AFI' and international organizations like NATO).
3. Vehicles with no registration plates (particularly motorized cycles).
4. Agricultural machines (such as agricultural tractors, their trailers and all other vehicles designed specifically for agricultural work).

Luxembourg

Vehicles with temporary registration plates, after the date of expiry mentioned on the registration plate.

The Netherlands

1. Vehicles with temporary registration plates (customs plate).
2. Private vehicles belonging to Dutch military personnel and their families stationed in Germany.
3. Vehicles belonging to German military personnel stationed in the Netherlands.
4. Vehicles belonging to persons attached to Headquarters Allied Forces Central Europe.
5. Service vehicles of NATO armed forces.

Portugal

1. Agricultural machines and motorized mechanical equipment for which registration plates are not required under Portuguese law.
2. Vehicles belonging to foreign States and to international organizations of which Portugal is a Member State.
(White plates — red figures, preceded by the letters 'CD' or 'FM'.)
3. Vehicles belonging to the Portuguese State.
(Black plates — white figures, preceded by the letters 'AM', 'AP', 'EP', 'ME', 'MG' or 'MX', according to the Government department concerned.)

Switzerland (and Liechtenstein)

1. Manually operated vehicles fitted with a motor and machines for agricultural work fitted with an axle and operated solely by one person on foot, which are not used to tow a trailer, more than five months after the date of expiry of the sticker.
2. Motorized-cycles and invalid wheelchairs of which cylinder capacity does not exceed 50 cc and which, under normal circumstances, do not exceed a speed of 30 km per hour, more than five months after the date of expiry of the registration plate.
3. Vehicles with a temporary registration plate (customs plate), after the date of expiry mentioned on the registration plate.

United Kingdom of Great Britain and Northern Ireland (and the Channel Islands, Gibraltar, the Isle of Man)

1. NATO vehicles subject to the provisions of the London Convention of 19 June 1951 and the Paris Protocol of 28 August 1952.
 2. Vehicles with the temporary registration plates of Gibraltar (figures preceded by the letters 'GG').
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ANNEX II

SUSPENSIVE CLAUSES

France (and Monaco)

Suspensive clause of the Bureau central français

The undertaking of the Bureau central français :

1. will become operative for accidents caused in Czechoslovakia or in Hungary by vehicles normally based in France or in Monaco, when the legal and statutory provisions assimilating Czechoslovakia and Hungary to the other countries signatory to this agreement and modifying accordingly Articles L 221.4, L 421.11 and 12, R 211.14, R 211.28, R 421.1, R 421.69 and A 421.1 of the insurance code are brought into effect ;
2. excludes until further notice the provisions of Article 6 (b) mentioned above from its relations with all of the other signatory bureaux.

Greece

Suspensive clause of the motor insurers' bureau — Greece

Until such time as this Clause is cancelled the application of the supplementary agreement of 12 December 1973, to accidents in Austria, Czechoslovakia, Finland, Norway, Hungary, Sweden and Switzerland caused by vehicles 'normally based' in Greece, is suspended. The motor insurers' bureau — Greece, will consider, in the light of the conditions prevailing at that time, the possibility to bring this agreement into full effect, with those countries, by the end of 1992 but in any case they undertake to bring it into full effect by the end of 1995 at the latest.

Italy (the Republic of San Marino and the Vatican State)

Suspensive clause of the Ufficio Centrale Italiano

- (a) With regard to motor vehicles normally based in Italy which are driven in Austria this agreement will come into effect for accidents which occur on or after 1 June 1992.
 - (b) With regard to motor vehicles normally based in Italy which are driven in Hungary, Switzerland and Liechtenstein, this agreement will come into effect as from the date determined by the signatories involved when :
 - (i) the necessary measures have been taken by the governments of such States to assimilate, in the event of an accident within these territories, Italian citizens to national citizens of these territories with regard to the benefits provided by the guarantee fund, it being understood that already the citizens of these territories are assimilated to Italian citizens if they are victims of an accident in Italy ;
 - (ii) the necessary subsequent administrative procedures have been completed by the competent Italian authorities after receipt of the confirmation that the measures under point (i) have been taken.
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COMMISSION DECISION

of 25 June 1991

authorizing Portugal to import from third countries at a reduced levy certain quantities of raw sugar during the period 1 July 1991 to 29 February 1992

(Only the Portuguese text is authentic)

(91/324/EEC)

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, hereinafter referred to as 'the Act', and in particular the third subparagraph of Article 303 thereof,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EEC) No 464/91⁽²⁾, and in particular Articles 13 (2) and 16 (7) and the second subparagraph of Article 39 thereof,

Whereas, pursuant to the first and second subparagraphs of Article 303 of the Act, the maximum quantities of raw sugar to be imported at a reduced levy from certain ACP States, together with the relevant periods of application in order to supply the Portuguese refineries, have been determined by Commission Regulation (EEC) No 600/86⁽³⁾;

Whereas the third subparagraph of Article 303 of the Act provides in particular that, where, during the specified periods of application, the Community forward estimate for raw sugar for a given marketing year or part thereof shows that the availability of raw sugar is insufficient to ensure adequate supply of Portuguese refineries, Portugal may be authorized to import from third countries under the marketing year or part thereof concerned, the quantities which it is estimated are lacking, under the same conditions regarding the reduced levy as those provided for in respect of the quantities to be imported from the ACP States in question; whereas the forward estimate, for the period from 1 July 1991 to 30 June 1992, of Community raw sugar available for refining does not at this stage enable the quantities that the Portuguese

refineries are lacking to be determined with any accuracy; whereas to ensure adequate supplies in these circumstances there should be fixed as a first step a quantity to be imported from third countries at a reduced levy for a specified period enabling the actual availabilities of Community raw sugar, particularly as regards the production of the French overseas department of Réunion, to be known accurately and therefore to be able to fix as a second step the final quantities lacking;

Whereas, in order to ensure sound management of the markets in the sector and, in particular, effective control of operations, it is necessary firstly to apply to the sugar concerned the normal rules for performance of the customs formalities for import and, secondly, to provide for notification by Portugal of the quantities of raw sugar imported and refined within the meaning of this Decision;

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

HAS ADOPTED THIS DECISION:

Article 1

Portugal is hereby authorized to import from third countries during the period 1 July 1991 to 29 February 1992 a quantity of raw sugar not exceeding the equivalent of 60 000 tonnes of white sugar, at the reduced levy determined in accordance with Article 1 of Regulation (EEC) No 600/86.

Article 2

1. The import licences for the raw sugar referred to in Article 1 shall be valid from the date of issue until 30 June 1992.

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 54, 28. 2. 1991, p. 2.

⁽³⁾ OJ No L 58, 1. 3. 1986, p. 20.

2. The application for the licence referred to in paragraph 1 must be made to the competent authority in Portugal, during the 1991/92 marketing year, and must be accompanied by a declaration from a refiner in which he undertakes to refine the quantity of raw sugar concerned in Portugal within six months following the month in which the customs import formalities take place.

Except in cases of *force majeure* if the sugar in question is not refined within the prescribed time limit the importer must pay an amount equal to the difference between the threshold price and the intervention price for raw sugar applicable on the day of acceptance of the import declaration concerned.

In cases of *force majeure*, the competent authority in Portugal shall adopt the measures that it considers necessary, in the light of the circumstances worked by the interested party.

3. The application for the import licence and the licence itself shall include in box 12 the following:

'import of raw sugar at reduced levy in accordance with Decision 91/324/EEC'.

4. The rate of deposit applicable to the licence referred to in paragraph 1 is hereby fixed at ECU 0,25 for each 100 kilograms of sugar net.

Article 3

If the volume of applications for licences exceeds the quantity provided for in Article 1, Portugal shall proceed

with a fair apportionment of this quantity among the applicants concerned.

Article 4

Portugal shall communicate to the Commission each month in respect of the previous month:

- (a) the quantities of raw sugar expressed by weight 'tel quel' for which the licences referred to in Article 2 have been issued;
- (b) the quantities of raw sugar, expressed by weight 'tel quel' actually imported under the licences referred to in Article 2;
- (c) the total quantities of sugar in question, by weight 'tel quel' and expressed as white sugar, which have been refined.

Article 5

This Decision is addressed to the Portuguese Republic.

Done at Brussels, 25 June 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

CORRIGENDA

Corrigendum to Commission Regulation (EEC) No 1848/91 of 28 June 1991 fixing the import levies on milk and milk products

(Official Journal of the European Communities No L 168 of 29 June 1991)

Annex, page 13, CN code 0404 10 91, column 'Import levy':

for: '0,2414/kg + 20,78',

read: '0,2414/kg'.
