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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2971/91

of 10 October 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 2661/91⁽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 9 October 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 2661/91 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 11 October 1991.

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

Done at Brussels, 10 October 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 250, 7. 9. 1991, p. 1.

ANNEX

to the Commission Regulation of 10 October 1991 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Levy
0709 90 60	124,00 ⁽²⁾ ⁽³⁾
0712 90 19	124,00 ⁽²⁾ ⁽³⁾
1001 10 10	177,54 ⁽¹⁾ ⁽²⁾
1001 10 90	177,54 ⁽¹⁾ ⁽²⁾
1001 90 91	151,10
1001 90 99	151,10
1002 00 00	163,29 ⁽⁶⁾
1003 00 10	138,17
1003 00 90	138,17
1004 00 10	124,05
1004 00 90	124,05
1005 10 90	124,00 ⁽²⁾ ⁽³⁾
1005 90 00	124,00 ⁽²⁾ ⁽³⁾
1007 00 90	132,87 ⁽⁴⁾
1008 10 00	48,87
1008 20 00	121,47 ⁽⁴⁾
1008 30 00	48,86 ⁽⁴⁾
1008 90 10	(7)
1008 90 90	48,86
1101 00 00	224,54 ⁽⁸⁾
1102 10 00	241,61 ⁽⁸⁾
1103 11 10	288,38 ⁽⁸⁾
1103 11 90	242,00 ⁽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 2972/91
of 10 October 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 9 October 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 11 October 1991.

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

Done at Brussels, 10 October 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 10 October 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
	10	11	12	1
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
	10	11	12	1	2
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 2973/91

of 10 October 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 7 and 8 October 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 11 October 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, 10 October 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	62,00 ⁽¹⁾
1509 10 90	62,00 ⁽¹⁾
1509 90 00	73,00 ⁽²⁾
1510 00 10	77,00 ⁽¹⁾
1510 00 90	122,00 ⁽³⁾

⁽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	13,64
0711 20 90	13,64
1522 00 31	31,00
1522 00 39	49,60
2306 90 19	6,16

**COMMISSION REGULATION (EEC) No 2974/91
of 10 October 1991**

**closing an invitation to tender on the supply of refined rape seed oil to Licross
as food aid**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management ⁽¹⁾, as last amended by Regulation (EEC) No 1930/90 ⁽²⁾; and in particular Article 6 (1) (c) thereof,

Whereas, by Annex I to Regulation (EEC) No 2715/91 ⁽³⁾, the Commission issued an invitation to tender for the supply of 2 205 tonnes of refined rape seed oil to Licross as food aid; whereas the conditions of the supply should be reviewed and the invitation to tender in question should consequently be closed,

HAS ADOPTED THIS REGULATION:

Article 1

For lots A, B, C, D and I of Annex I to Regulation (EEC) No 2715/91 the tender is closed.

Article 2

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

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

Done at Brussels, 10 October 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 174, 7. 7. 1990, p. 6.

⁽³⁾ OJ No L 257, 14. 9. 1991, p. 14.

COMMISSION REGULATION (EEC) No 2975/91

of 10 October 1991

abolishing the countervailing charge on apples originating in Hungary

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⁽¹⁾, as last amended by Regulation (EEC) No 1623/91⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 2935/91⁽³⁾ introduced a countervailing charge on apples originating in Hungary;

Whereas the present trend of prices for products originating in Hungary on the representative markets referred to in Commission Regulation (EEC) No 2118/74⁽⁴⁾, as last amended by Regulation (EEC) No 3811/85⁽⁵⁾, recorded or calculated in accordance with the provisions

of Article 5 of that Regulation, indicated that entry prices have been at least equal to the reference price for two consecutive market days; whereas the conditions specified in the second indent of Article 26 (1) of Regulation (EEC) No 1035/72 are therefore fulfilled and the countervailing charge on imports of these products originating in Hungary can be abolished,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2935/91 is hereby repealed.

Article 2

This Regulation shall enter into force on 11 October 1991.

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

Done at Brussels, 10 October 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 150, 15. 6. 1991, p. 8.

⁽³⁾ OJ No L 278, 5. 10. 1991, p. 22.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

COMMISSION REGULATION (EEC) No 2976/91

of 10 October 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 2957/91⁽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 9 October 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 11 October 1991.

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

Done at Brussels, 10 October 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 281, 9. 10. 1991, p. 15.⁽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 10 October 1991 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	37,78 ⁽¹⁾
1701 11 90	37,78 ⁽¹⁾
1701 12 10	37,78 ⁽¹⁾
1701 12 90	37,78 ⁽¹⁾
1701 91 00	43,10
1701 99 10	43,10
1701 99 90	43,10 ⁽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 2977/91

of 10 October 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 ⁽¹⁾, as last amended by Regulation (EEC) No 3577/90 ⁽²⁾, and in particular the fourth subparagraph of Article 16 ⁽²⁾ 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 ⁽³⁾ 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 ⁽⁴⁾, as last amended by Regulation (EEC) No 1906/87 ⁽⁵⁾, 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 ⁽⁶⁾, as last 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;

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 11 October 1991.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ 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, 10 October 1991.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX

to the Commission Regulation of 10 October 1991 fixing the export refunds on malt

<i>(ECU/tonne)</i>	
Product code	Refund
1107 10 19 000	102,00
1107 10 99 000	114,00
1107 20 00 000	132,00

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).

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 24 September 1991

amending Commission Decision 87/257/EEC as regards the list of establishments in the United States of America approved for the purpose of importing fresh meat into the Community

(91/522/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine, ovine and caprine animals and swine, fresh meat or meat products from third countries⁽¹⁾, as last amended by Directive 91/69/EEC⁽²⁾, and in particular Articles 4 (1) and 18 (1) thereof,

Whereas a list of establishments in the United States of America approved for the purpose of importing fresh meat into the Community was drawn up initially by Commission Decision 87/257/EEC⁽³⁾, as last amended by Commission Decision 91/344/EEC⁽⁴⁾; whereas the list may be amended at any time in the light of the results of Community inspections carried out in the United States of America;

Whereas, during the latest inspection under Article 5 of Directive 72/462/EEC and Article 2 (1) of Commission Decision 86/474/EEC of 11 September 1986 on the implementation of the on-the-spot inspections to be carried out in respect of the importation of bovine animals and swine and fresh meat from non-member countries⁽⁵⁾, some improvements were found in certain establishments;

Whereas a comparative examination of Directive 72/462/EEC and of United States legislation is to be made shortly; whereas the examination should be completed by 31 March 1992;

Whereas a temporary decision should consequently be adopted concerning the import of fresh meat from these establishments;

Whereas this decision does not establish a precedent for future decisions made in accordance with Article 4 of Council Directive 72/462/EEC;

Whereas the measures provided for by this Decision are not in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

The Annex to Decision 87/257/EEC is hereby replaced by the text in the Annex to this Decision.

Article 2

1. From 1 October 1991, Member States shall authorize imports of fresh bovine and porcine meat from slaughterhouses 253 (Long Prairie Packing Co Inc., Long Prairie, MN), 532 (Northern States Beef, Omaha, NE) and 9400 (Taylor Packing Co Inc., Wyalusing, PA) and the cutting premises listed in the Annex to this Decision.

⁽¹⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽²⁾ OJ No L 46, 19. 2. 1991, p. 37.

⁽³⁾ OJ No L 121, 9. 5. 1987, p. 46.

⁽⁴⁾ OJ No L 187, 13. 7. 1991, p. 50.

⁽⁵⁾ OJ No L 279, 30. 9. 1986, p. 55.

2. Member States shall authorize imports of fresh beef and veal from establishments 7 (Berliner & Marx South Bend, IN), 410 (Green Bay Dressed Beef Inc., Green Bay, WI), 8984 (Provimi Veal Corp., Seymour, WI) and imports of fresh pigmeat from establishments 3 W (Montfort Pork Inc., Worthington, MN), 244 (IBP, Storm Lake, IA), 244 M (IBP, Madison, NE), 244 P (IBP, Perry, IA), 244 W (IBP, Waterloo, IA), 1620 (Quality Pork Processors Inc., Austin, MN) and 2003 (Cornbelt Meats Inc., Albert Lea, MN) as from a date to be fixed by the Commission once the authorities of the United States of America notify it that the said establishments comply with the terms of the exchange of letters of 7 May 1991 between the Commission and these authorities and, in particular, that all offal intended for human consumption is inspected.

3. The import of fresh bovine and porcine meat from establishments 3 S (Montfort Pork Inc., Marshalltown, IA); 244 C (IBP, Council Bluffs, IA) and 562 (Packerland Packing Co., Green Bay, WI) listed in the Annex to this Decision will start on a date to be fixed in the future and only after the Commission has received the necessary

assurances and verified that the necessary improvements have been completed in the said establishments.

Article 3

This Decision shall apply until 31 March 1992. It shall be reviewed before that date.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 24 September 1991.

For the Council

The President

P. BUKMAN

ANNEX

ANNEX

List of establishments in the United States of America approved for the purpose of importing fresh meat into the Community

Approval No	Establishment/address	Category (*)							SR
		SL	CP	CS	B	S/G	P	SP	
3 S	Montfort Pork Inc., Marshalltown, IA	x					x		
3 W	Montfort Pork Inc., Worthington, MN	x					x		6, 9
7	Berliner & Marx, South Bend, IN	x			x				2
7 A	Berliner & Marx, Edgar, WI	x	x		x				
I-30	New Orleans Inspection Service Inc., New Orleans, LA			x					1
53	American Freezer Services, Norfolk, NE			x					1
E-113-W	M & R Packing Co., Walterboro, SC	x	x					x	
I-113	US Cold Storage, Philadelphia, PA			x					1
I-149	C W Storage, Albany, NY			x					1
I-162	Americold, Fogelsville, PA			x					1
I-183	Blue Grass Inspection Service, Philadelphia, PA			x					1
I-195	Rosenberger's Cold Storage Inc., Hatfield, PA			x					1
244	IBP, Storm Lake, IA	x					x		7, 9
244 C	IBP, Council Bluffs, IA	x					x		
244 M	IBP, Madison, NE	x					x		5, 9
244 P	IBP, Perry, IA	x					x		5, 9
244 W	IBP, Waterloo, IA	x					x		7, 9
253	Long Prairie Packing Co. Inc., Long Prairie, MN	x			x				8
I-305	Georgia Ports Authority, Savannah, GA			x					1
I-320	South Carolina State Ports Authority, North Charleston, SC			x					1
I-333	Diamond Distribution Center, Newark, DE			x					1
I-335	Service Cold Storage, Miami, FL			x					1
I-346	Primliks, Miami, FL			x					1
382 G	Smithfield Packing Co., Norfolk, VA			x					1
410	Green Bay Dressed Beef Inc., Green Bay, WI	x			x				2
511	Rocco Further Processing, Timberville, VA	x	x			x			
532	Northern States Beef, Omaha, NE	x			x				2
562	Packerland Packing Co., Green Bay, WI	x			x				

Approval No	Establishment/address	Category (*)							SR
		SL	CP	CS	B	S/G	P	SP	
E-646	Transcontinent Packing Co., Palestine, TX	x	x					x	
E-713	Central Nebraska Packing Inc., North Platte, NE	x	x					x	
1620	Quality Pork Processors Inc., Austin, MN	x						x	6, 9
2003	Cornbelt Meats Inc., Albert Lea, MN	x						x	6, 9
E-2018	Dallas Crown Packing Co., Kaufman, TX	x	x						x
2508	The Bruss Company, Chicago, IL		x			x			
3001	Capitol Cold Storage, San Antonio, TX			x					1
3056	Termicol Inc., Wallula, WA			x					1
3131	Worthington Freezer Warehouse Company, Worthington, MN			x					1, TF
3136	Fairmont Refrigerated Service Co., Fairmont, MN			x					1, TF
3149	Millard Warehouse (L & B Corp.), Des Moines, IA			x					1
3150	Beatrice Cold Storage Warehouse, Denver, CO			x					1
3157	Des Moines Cold Storage Co. Inc., Des Moines, IA			x					1
3158	Freezer Services Inc., Amarillo, TX			x					1
3161	Monument Distribution Warehouse Inc., Indianapolis, IN			x					1
3164	Americold Corporation, Boston, MA			x					1
3170	Logansport Refrig Services, Logansport, IN			x					1
3190	American Freezer Services Inc., Fremont, NE			x					1
3198	Millard Warehouse (L & B Corp.), Denison, IA			x					1
3215	Napoleon Warehouse Inc., Napoleon, OH			x					1
3216	Freezer Services Inc. of Texas, Garden City, KS			x					1
3219	Merchants Refrigerating Co., Denver, CO			x					1
3229	Iowa Beef Processors Inc., Emporia, KS			x					1
3241	AMC Warehouses, Grand Prairie, TX			x					1
3245	United Refrigerated Services, Marshall, MO			x					1
3256	Nobel Inc., Denver, CO			x					1
3261	Rosenberger's Cold Storage Inc., Hatfield, PA			x					1
3273	Central Nebraska Packing Inc., North Platte, NE			x					1
3338	Millard Warehouse, Iowa City, IA			x					1
3363	Millard Warehouse (L & B Corp.), Friona, TX			x					1
3396	Americold, Bettendorf, IA			x					1
3397	DFW Cold Storage Inc., Richardson, TX			x					1

Approval No	Establishment/address	Category (*)							SR
		SL	CP	CS	B	S/G	P	SP	
3398	Millard Warehouse, Grand Island, NE			x					1
3407	Bell Cold Storage, St Paul, MN			x					1
3431	Texas Cold Storage, Fort Worth, TX			x					1
3447	Mohawk Cold Storage Division, Wauwatosa, WI			x					1
3474	Nordic Warehouses Inc., Benson, NC			x					1
3475	Atlas Warehouse Cold Storage, Green Bay, WI			x					1
3477	Northland Cold Storage, Greenbay, WI			x					1
3490	Oneida Cold Storage, Salt Lake City, UT			x					1
3505	Dakota Cold Storage, Huron, SD			x					1
3507	Zollinger Cold Storage Corp., Logan, UT			x					1
3512	Inland Storage Dist Center, Kansas City, KS			x					1
3524	Trans Continental Cold Storage, Storm Lake, IA			x					1
3535	Ashland Cold Storage Co., Chicago, IL			x					1
3552	Cloverleaf Cold Storage Co. (No 2), Sioux City, IA			x					1
3554	Cloverleaf Cold Storage Co., Sioux City, IA			x					1
3555	Cloverleaf Cold Storage Co., Sioux City, IA			x					1, TF
3562	L & B Corporation, Lincoln, NE			x					1
3573	Albert Lea Freezer Warehouse Co., Albert Lea, MN			x					1, TF
3610	Millard Cold Storage, Dodge City, KS			x					1
3688	Newport St Paul Cold Storage, Newport, MN			x					1
3707	United States Cold Storage Inc., Omaha, NE			x					1
3722	Des Moines Cold Storage Co. Inc., Des Moines, IA			x					1, TF
3738	Artesian Ice and Cold Storage Co., St Joseph, MO			x					1
3748	Cloverleaf Cold Storage Co., Sioux City, IA			x					1
3854	Merchants Refrigerating Co., Vinita Park, MO			x					1
3860	Central Storage and Warehouse Inc., Eau Claire, WI			x					1
3871	York Cold Storage Co., York, NE			x					1
3910	United States Cold Storage, East Peoria, IL			x					1
3935	Millard Warehouse, Omaha, NE			x					1
3942	Wilkerson Cold Storage, Lubbock, TX			x					1
4215	Mid America Refr. Serv., Omaha, NE			x					1
E-4816	Great Western Meat Co., Morton, TX	x	x					x	

Approval No	Establishment/address	Category (*)							SR
		SL	CP	CS	B	S/G	P	SP	
E-6043	Florence Packing Co., Stanwood, WA	x	x					x	
6543	Savannah Cold Storage, Savannah, GA			x					1
E-7041	Beltex Corporation, Fort Worth, TX	x	x					x	
7164	Cox Packing Co., Devine, TX	x	x			x			
7271	Custom Meat Corp., Dallas, TX		x			x			
7298	Monfort of Colorado Inc., Harper, KS	x	x			x			
E-8861	Amfran Packing Co., Plainfield, CT	x	x					x	
8904	Bell Cold Storage, St Paul, MN			x					1
8984	Provimi Veal Corp., Seymour, WI	x	x		x				3
8984-A	Provimi Lamb, Seymour, WI		x			x			
E-9294	Cavel West Inc., Redmond, OR	x	x					x	
9400	Taylor Packing Co Inc., Wyalusing, PA	x			x				7
E-9910	Cavalier Export Co., Evington, VA	x	x					x	
13182	Mid-Continent Cold Storage, Omaha, NE			x					1
13247	Gold Leaf of Nebraska, York, NE		x		x				4
E-13439	Archway Packing Co., Desloge, MO	x	x					x	
E-15849	Cavel International, De Kalb, IL	x	x					x	
17054	RCS/Smithfield Inc., Smithfield, VA			x					1
17068	US Coldstorage, Cumberton, NC			x					1
17461	Millard Refrigerated Services, Greeley, CO			x					1
17756	Millard Refrigerated Services, Sioux City, IA			x					1

- (*) SL: Slaughterhouse
 CP: Cutting Premises
 CS: Cold Store
 B: Bovine Meat
 S/G: Sheep Meat/Goat Meat
 P: Pig Meat
 SP: Meat from Solipeds
 SR: Special Remarks
 1 = Only storage of meat already finally packaged in approved slaughtering or cutting establishments.
 2 = Offal only.
 3 = Also for sliced bovine livers.
 4 = Only sliced bovine livers.
 5 = Tongues and hearts only.
 6 = Tongues, hearts and kidneys only.
 7 = Tongues, hearts, kidneys and livers only.
 8 = Tongues, hearts, kidneys, livers and brains only.
 9 = Only packaged meat which has undergone the freezing treatment provided for in Article 3 of Directive 77/96/EEC.
 TF = The establishments with the indication 'TF' are authorized, within the meaning of Article 4 of Directive 77/96/EEC, to perform the freezing treatment provided for in Article 3 of the same Directive.

COMMISSION

COMMISSION DECISION

of 18 September 1991

abolishing the support tariffs applied by the Italian railways to the carriage of bulk ores and products produced and processed in Sicily and Sardinia

(Only the Italian text is authentic)

(91/523/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 80 thereof,

Whereas Italy introduced a system of rail support tariffs for certain goods produced in Sicily and Sardinia in the last paragraph of Article 19 of Law No 887 of 22 December 1984 (1985 Finance Law) (1). This states that a 30 % reduction on Italian railway tariffs shall apply to the carriage of bulk ores from Sicily and Sardinia. A 60 % reduction shall apply to products produced and processed in Sicily and Sardinia. The amount of these reductions shall be borne by the Italian Treasury which shall reimburse the Italian railways any amount due pursuant to Community law;

Whereas this rule, which is of indefinite duration, is, as far as the Commission knows, still in force;

Whereas the application of support tariffs constitutes a form of aid with a direct impact on the selling price of the goods in question; whereas they favour production of these products *vis-à-vis* competitors in other Member States on the Italian and other Member States' markets;

Whereas the tariff reductions in question are granted for an indefinite period; whereas such aid does not promote structural development or help to improve the situation in the regions in question; whereas these measures cannot be justified on regional policy grounds and do not serve the needs of less developed regions; whereas they

are hence subject to the prohibition laid down in Article 80 (1) of the EEC Treaty and cannot be exempted therefrom;

Whereas the system of support tariffs introduced by Law No 887 of 22 December 1984 concerns the railways only; whereas, consequently, it creates distortions of competition between modes of transport; whereas this may encourage goods from Sicily and Sardinia to be carried by the railways which offer a combined rail/ferry service with associated ferries;

Whereas this may have a detrimental impact on the significant charge in the competitive position of the other modes of transport; whereas the Commission has taken note of practical examples of such an effect;

Whereas there is a significant imbalance between the volume of freight to and from Sicily and Sardinia; whereas, consequently, under normal conditions of competition, carriers already find it difficult to obtain return loads; whereas these problems will only be aggravated by support tariffs;

Whereas such distortions in competition between modes of transport is not in the interest of the public or the completion of the internal market and is contrary to the Community's common transport policy strategy; whereas the prohibition placed on such tariffs by Article 80 (1) of the EEC Treaty therefore also applies in this case;

Whereas, in accordance with the procedure laid down in Article 80 (2) of the EEC Treaty, the Commission asked the Italian Government for its comments by letter No 52319 of 7 September 1989 and reminder No 53821 of 18 December 1989;

(1) Supplement to *Gazzetta Ufficiale* No 356, 29. 12. 1984.

Whereas by its letter No 57302 of 1 August 1990 the Commission tried to organize a meeting as requested by the Italian authorities;

Whereas by letter No 216 of 15 May 1991 the Italian authorities communicated their comments to the Commission; however, these comments do not give a justification of the support tariffs;

Whereas the Commission has no other information in its possession which would justify authorization,

HAS ADOPTED THIS DECISION:

Article 1

Italy shall abolish the system of support tariffs for the carriage of certain types of goods from Sicily and Sardinia

introduced by the last paragraph of Article 19 of Law No 887 of 22 December 1984.

Article 2

This Decision is addressed to the Italian Republic.

Done at Brussels, 18 September 1991.

For the Commission

Karel VAN MIERT

Member of the Commission

COMMISSION DECISION

of 20 September 1991

fixing the aid for private storage of carcasses and half-carcasses of lamb in connection with the invitations to tender issued pursuant to Regulation (EEC) No 2630/91

(91/524/EEC)

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⁽¹⁾, as last amended by Regulation (EEC) No 1741/91⁽²⁾, and in particular Article 7 (5) thereof,

Having regard to Commission Regulation (EEC) No 3446/90 of 27 November 1990 laying down detailed rules for granting private storage aid for sheepmeat and goatmeat⁽³⁾, and in particular Article 12 (1) (f) thereof,

Whereas Commission Regulation (EEC) No 3447/90 of 28 November 1990 on special conditions for the granting of private storage aid for sheepmeat and goatmeat⁽⁴⁾ supplements the provisions of Regulation (EEC) No 3446/90 and lays down in particular detailed rules governing invitations to tender;

Whereas Commission Regulation (EEC) No 2630/91⁽⁵⁾ opens invitations to tender for the fixing of aid for the private storage of carcasses and half-carcasses of lamb;

Whereas, in accordance with Article 12 (1) (f) of Regulation (EEC) No 3446/90, a maximum amount of aid for private storage should be fixed on the basis of tenders received or no action must be taken in respect of the invitation to tender;

Whereas the tenders received lead to action being taken in respect of the invitations to tender;

Whereas the Management Committee for Sheep and Goats has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS DECISION:

Article 1

The aid referred to in Article 12 (1) (f) of Regulation (EEC) No 3446/90 for the invitations to tender opened by Regulation (EEC) No 2630/91 shall be as follows: ECU 1 000 per tonne.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 20 September 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 163, 26. 6. 1991, p. 41.

⁽³⁾ OJ No L 333, 30. 11. 1990, p. 39.

⁽⁴⁾ OJ No L 333, 30. 11. 1990, p. 46.

⁽⁵⁾ OJ No L 246, 4. 9. 1991, p. 10.

COMMISSION DECISION

of 25 September 1991

authorizing the French Republic to permit temporarily the marketing of alsike clover seed not satisfying the requirements of Directive 66/401/EEC

(91/525/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 66/401/EEC of 14 June 1966 on the marketing of fodder plant seed⁽¹⁾, as last amended by Directive 90/654/EEC⁽²⁾ and in particular Article 17 thereof,

Having regard to Commission Directive 86/109/EEC of 27 February 1986, limiting the marketing of seed of certain species of fodder plants and oil and fibre plants to seed which has been officially certified as 'basic seed' or 'certified seed'⁽³⁾ as last amended by Commission Directive 91/376/EEC⁽⁴⁾ and in particular Article 2a thereof,

Having regard to the request submitted by the French Republic,

Whereas Directive 86/109/EEC provides that from 1 July 1990, it shall not be permitted to place on the market seed of alsike clover (*Trifolium hybridum* L.) unless it has been officially certified as 'basic seed' or 'certified seed';

Whereas France does not have a sufficient supply of 'basic seed' or 'certified seed' of the abovementioned species to satisfy the present demand;

Whereas it is not possible to cover this demand satisfactorily with seed from other Member States or from third countries satisfying all the requirements laid down in Directive 66/401/EEC;

Whereas France should therefore be authorized to permit, for a period expiring on 30 November 1991, the marketing of seed of the abovementioned species which does not satisfy the requirements laid down in the said Directive;

Whereas other Member States which are able to supply France with such seed not satisfying the requirements of the said Directive should be authorized to permit the marketing of such seed, provided that it is intended for France;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee

on Seeds and Propagating Material for Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

Article 1

The French Republic is hereby authorized to permit, until 30 November 1991, the marketing in its territory of a maximum of 150 tonnes of alsike clover seed (*Trifolium hybridum* L.) of the category 'commercial seed'. The official label shall state: 'intended exclusively for France'.

Article 2

The other Member States are hereby authorized to permit, subject to the conditions laid down in Article 1, the marketing in their territories of a maximum of 150 tonnes of alsike clover seed of the category 'commercial seed', provided that it is intended exclusively for France.

The official label shall bear the endorsements referred to in Article 1.

Article 3

The Member States shall notify the Commission before 31 March 1992 of the quantities of seed marketed in their territories pursuant to this Decision. The Commission shall inform the other Member States thereof.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 25 September 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No 125, 11. 7. 1966, p. 2298/66.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 48.

⁽³⁾ OJ No L 93, 8. 4. 1986, p. 21.

⁽⁴⁾ OJ No L 203, 26. 7. 1991, p. 108.

COMMISSION DECISION

of 4 October 1991

suspending the buying-in of butter in certain Member States**(Only the German, English, French and Dutch texts are authentic)**

(91/526/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 1630/91 ⁽²⁾, and in particular the first subparagraph of Article 7a (1) and Article 7a (3) thereof,Whereas Council Regulation (EEC) No 777/87 ⁽³⁾, as last amended by Regulation (EEC) No 1634/91 ⁽⁴⁾, sets out the circumstances under which the buying-in of butter and skimmed milk powder may be suspended and subsequently resumed and, where suspension takes place, the alternative measures that may be taken;Whereas Commission Regulation (EEC) No 1547/87 ⁽⁵⁾, as last amended by Regulation (EEC) No 2011/91 ⁽⁶⁾, lays down the criteria on the basis of which the buying-in of butter by invitation to tender is to be opened and suspended in a Member State or, as regards the United Kingdom and the Federal Republic of Germany, in a region;Whereas Commission Decision 91/503/EEC ⁽⁷⁾ suspends buying-in in certain Member States; whereas information on market prices shows that the condition laid down in Article 1 (3) of Regulation (EEC) No 1547/87 is currently met in Belgium, France, Northern Ireland, the Federal Republic of Germany, with the exception of the territory of the former German Democratic Republic, Luxembourg and the Netherlands; whereas the list of Member States where that suspension applies must be adapted accordingly;

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

HAS ADOPTED THIS DECISION:

Article 1

The buying-in of butter by invitation to tender as provided for in Article 1 (3) of Regulation (EEC) No 777/87 is hereby suspended in Belgium, France, Northern Ireland, the Federal Republic of Germany, with the exception of the territory of the former German Democratic Republic, Luxembourg and the Netherlands.

Article 2

Decision 91/503/EEC is hereby repealed.

Article 3

This Decision is addressed to the Kingdom of Belgium, the Federal Republic of Germany, the French Republic, the Grand Duchy of Luxembourg, the United Kingdom and the Kingdom of the Netherlands.

Done at Brussels, 4 October 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 78, 20. 3. 1987, p. 10.

⁽⁴⁾ OJ No L 150, 15. 6. 1991, p. 26.

⁽⁵⁾ OJ No L 144, 4. 6. 1987, p. 12.

⁽⁶⁾ OJ No L 185, 11. 7. 1991, p. 5.

⁽⁷⁾ OJ No L 264, 20. 9. 1991, p. 29.