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## Legislation

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## I

(Acts whose publication is obligatory)

## COMMISSION REGULATION (EEC) No 3237/91

of 7 November 1991

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

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

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

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

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

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 2661/91<sup>(5)</sup> and subsequent amending Regulations;

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

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

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

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

Whereas these exchange rates being those recorded on 7 November 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 8 November 1991.

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

Done at Brussels, 7 November 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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

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

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

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

<sup>(5)</sup> OJ No L 250, 7. 9. 1991, p. 1.

## ANNEX

to the Commission Regulation of 7 November 1991 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CN code	Levy
0709 90 60	125,50 <sup>(?)</sup> <sup>(?)</sup>
0712 90 19	125,50 <sup>(?)</sup> <sup>(?)</sup>
1001 10 10	177,54 <sup>(1)</sup> <sup>(?)</sup>
1001 10 90	177,54 <sup>(1)</sup> <sup>(?)</sup>
1001 90 91	153,58
1001 90 99	153,58
1002 00 00	164,77 <sup>(6)</sup>
1003 00 10	140,00
1003 00 90	140,00
1004 00 10	128,47
1004 00 90	128,47
1005 10 90	125,50 <sup>(?)</sup> <sup>(?)</sup>
1005 90 00	125,50 <sup>(?)</sup> <sup>(?)</sup>
1007 00 90	137,27 <sup>(4)</sup>
1008 10 00	63,03
1008 20 00	126,29 <sup>(4)</sup>
1008 30 00	80,90 <sup>(?)</sup>
1008 90 10	<sup>(?)</sup>
1008 90 90	80,90
1101 00 00	228,01 <sup>(8)</sup>
1102 10 00	243,68 <sup>(8)</sup>
1103 11 10	288,44 <sup>(8)</sup>
1103 11 90	245,58 <sup>(8)</sup>

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

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

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

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

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

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

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

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

## COMMISSION REGULATION (EEC) No 3238/91

of 7 November 1991

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

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals<sup>(1)</sup>, as last amended by Regulation (EEC) No 3577/90<sup>(2)</sup>, and in particular Article 15 (6) thereof,

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

Having regard to the opinion of the Monetary Committee,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EEC) No 1845/91<sup>(5)</sup> 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 7 November 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 8 November 1991.

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

Done at Brussels, 7 November 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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

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

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

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

<sup>(5)</sup> OJ No L 168, 29. 6. 1991, p. 4.

## ANNEX

to the Commission Regulation of 7 November 1991 fixing the premiums to be added to the import levies on cereals, flour and malt

## A. Cereals and flour

CN code	Current	1st period	2nd period	3rd period
	11	12	1	2
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	3,59
1004 00 90	0	0	0	3,59
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

CN code	Current	1st period	2nd period	3rd period	4th period
	11	12	1	2	3
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 3239/91

of 7 November 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<sup>(1)</sup>, as last amended by Regulation (EEC) No 1720/91<sup>(2)</sup>, 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<sup>(3)</sup>, as last amended by Regulation (EEC) No 728/91<sup>(4)</sup>, 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<sup>(5)</sup>, as last amended by Regulation (EEC) No 729/91<sup>(6)</sup>, 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<sup>(7)</sup>, as last amended by Regulation (EEC) No 413/86<sup>(8)</sup>, 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<sup>(9)</sup>, as last amended by Regulation (EEC) No 730/91<sup>(10)</sup>, 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<sup>(11)</sup>,Whereas by Regulation (EEC) No 3131/78<sup>(12)</sup>, 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<sup>(13)</sup> 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 4 and 5 November 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 8 November 1991.

<sup>(1)</sup> OJ No 172, 30. 9. 1966, p. 3025/66.<sup>(2)</sup> OJ No L 162, 26. 6. 1991, p. 27.<sup>(3)</sup> OJ No L 169, 28. 6. 1976, p. 24.<sup>(4)</sup> OJ No L 80, 27. 3. 1991, p. 1.<sup>(5)</sup> OJ No L 169, 28. 6. 1976, p. 43.<sup>(6)</sup> OJ No L 80, 27. 3. 1991, p. 2.<sup>(7)</sup> OJ No L 169, 28. 6. 1976, p. 9.<sup>(8)</sup> OJ No L 48, 26. 2. 1986, p. 1.<sup>(9)</sup> OJ No L 142, 9. 6. 1977, p. 10.<sup>(10)</sup> OJ No L 80, 27. 3. 1991, p. 3.<sup>(11)</sup> OJ No L 181, 21. 7. 1977, p. 4.<sup>(12)</sup> OJ No L 370, 30. 12. 1978, p. 60.<sup>(13)</sup> 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, 7 November 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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## ANNEX I

## Minimum import levies on olive oil

*(ECU/100 kg)*

CN code	Non-member countries
1509 10 10	63,00 <sup>(1)</sup>
1509 10 90	63,00 <sup>(1)</sup>
1509 90 00	74,00 <sup>(2)</sup>
1510 00 10	77,00 <sup>(1)</sup>
1510 00 90	122,00 <sup>(3)</sup>

<sup>(1)</sup> 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.

<sup>(2)</sup> 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.

<sup>(3)</sup> 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	13,86
0711 20 90	13,86
1522 00 31	31,50
1522 00 39	50,40
2306 90 19	6,16

**COMMISSION REGULATION (EEC) No 3240/91****of 6 November 1991****amending the list annexed to Regulation (EEC) No 55/87 establishing the list of vessels exceeding eight metres length overall permitted to use beam trawls within certain areas of the Community**

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

Having regard to Council Regulation (EEC) No 3094/86 of 7 October 1986 laying down certain technical measures for the conservation of fishery resources <sup>(1)</sup>, as last amended by Regulation (EEC) No 4056/89 <sup>(2)</sup>,

Having regard to Commission Regulation (EEC) No 55/87 of 30 December 1986 establishing the list of vessels exceeding eight metres length overall permitted to use beam trawls within certain areas of the Community <sup>(3)</sup>, as last amended by Regulation (EEC) No 3083/91 <sup>(4)</sup>, and in particular Article 3 thereof,

Whereas the German and British authorities have requested withdrawal from the list annexed to Regulation (EEC) No 55/87 of two vessels that no longer meet the requirements laid down in Article 1 (2) of that Regulation; whereas the national authorities have provided all

the information in support of the request required pursuant to Article 3 of Regulation (EEC) No 55/87; whereas scrutiny of this information shows that the requirements of the Regulation are met; whereas the vessels in question should be withdrawn from the list,

HAS ADOPTED THIS REGULATION:

*Article 1*

The Annex to Regulation (EEC) No 55/87 is amended as indicated in the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on the 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, 6 November 1991.

*For the Commission*

Manuel MARÍN

*Vice-President*

<sup>(1)</sup> OJ No L 288, 11. 10. 1986, p. 1.  
<sup>(2)</sup> OJ No L 389, 30. 12. 1989, p. 75.  
<sup>(3)</sup> OJ No L 8, 10. 1. 1987, p. 1.  
<sup>(4)</sup> OJ No L 291, 23. 10. 1991, p. 8.

*ANNEX*

The following vessels are deleted from the list of Regulation (EEC) No 55/87:

External identification Letters + numbers	Name of vessel	Radio call sign	Port of registry	Engine power (kW)
GERMANY HF 553	Ursula	DIFU	Hamburg	147
UNITED KINGDOM BM 22	Ocean Hound	MKRJ6	Brixham	221

## COMMISSION REGULATION (EEC) No 3241/91

of 6 November 1991

amending the list annexed to Regulation (EEC) No 55/87 establishing the list of vessels exceeding eight metres length overall permitted to use beam trawls within certain areas of the Community

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3094/86 of 7 October 1986 laying down certain technical measures for the conservation of fishery resources<sup>(1)</sup>, as last amended by Regulation (EEC) No 4056/89<sup>(2)</sup>,

Having regard to Commission Regulation (EEC) No 55/87 of 30 December 1986 establishing the list of vessels exceeding eight metres length overall permitted to use beam trawls within certain areas of the Community<sup>(3)</sup>, as last amended by Regulation (EEC) No 3240/91<sup>(4)</sup>, and in particular Article 3 thereof,

Whereas the German authorities have requested replacement in the list annexed to Regulation (EEC) No 55/87 of one vessel that no longer meets the requirements laid down in Article 1 (2) of that Regulation; whereas the national authorities have provided all the information in

support of the request required pursuant to Article 3 of Regulation (EEC) No 55/87; whereas scrutiny of this information shows that the requirements of the Regulation are met; whereas the vessel in question should be replaced in the list,

HAS ADOPTED THIS REGULATION:

*Article 1*

The Annex to Regulation (EEC) No 55/87 is amended as indicated in the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on the 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, 6 November 1991.

*For the Commission*

Manuel MARÍN

*Vice-President*

<sup>(1)</sup> OJ No L 288, 11. 10. 1986, p. 1.

<sup>(2)</sup> OJ No L 389, 30. 12. 1989, p. 75.

<sup>(3)</sup> OJ No L 8, 10. 1. 1987, p. 1.

<sup>(4)</sup> See page 8 of this Official Journal.

*ANNEX*

The Annex to Regulation (EEC) No 55/87 is amended as follows:

— vessel to be replaced:

External identification Letters + numbers	Name of vessel	Radio call sign	Port of registry	Engine power (kW)
GERMANY NOR 210	Hildegard	DCMF	Norddeich	147

— vessel replacing the abovementioned vessel:

External identification Letters + numbers	Name of vessel	Radio call sign	Port of registry	Engine power (kW)
GERMANY NC 324	Klaasje	DFMP	Cuxhaven	221

## COMMISSION REGULATION (EEC) No 3242/91

of 6 November 1991

concerning the stopping of fishing for megrim by vessels flying the flag of Spain

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

Having regard to Council Regulation (EEC) No 2241/87 of 23 July 1987 establishing certain control measures for fishing activities<sup>(1)</sup>, as amended by Regulation (EEC) No 3483/88<sup>(2)</sup>, and in particular Article 11 (3) thereof,

Whereas Council Regulation (EEC) No 3926/90 of 20 December 1990 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1991 and certain conditions under which they may be fished<sup>(3)</sup>, as last amended by Regulation (EEC) No 2381/91<sup>(4)</sup>, provides for megrim quotas for 1991;

Whereas, in order to ensure compliance with the provisions relating to the quantitative limitations on catches of stocks subject to quotas, it is necessary for the Commission to fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated;

Whereas, according to the information communicated to the Commission, catches of megrim in the waters of ICES divisions V b (EC zone), VI, XII, XIV by vessels flying the flag of Spain or registered in Spain have reached the quota allocated for 1991; whereas Spain has prohibited

fishing for this stock as from 17 October 1991; whereas it is therefore necessary to abide by that date,

HAS ADOPTED THIS REGULATION:

*Article 1*

Catches of megrim in the waters of ICES divisions V b (EC zone), VI, XII, XIV by vessels flying the flag of Spain or registered in Spain are deemed to have exhausted the quota allocated to Spain for 1991.

Fishing for megrim in the waters of ICES divisions V b (EC zone), VI, XII, XIV by vessels flying the flag of Spain or registered in Spain is prohibited, as well as the retention on board, the transshipment and the landing of such stock captured by the abovementioned vessels after the date of application of this Regulation.

*Article 2*

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

It shall apply with effect from 17 October 1991.

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

Done at Brussels, 6 November 1991.

*For the Commission*

Manuel MARÍN

*Vice-President*

<sup>(1)</sup> OJ No L 207, 29. 7. 1987, p. 1.

<sup>(2)</sup> OJ No L 306, 11. 11. 1988, p. 2.

<sup>(3)</sup> OJ No L 378, 31. 12. 1990, p. 1.

<sup>(4)</sup> OJ No L 219, 7. 8. 1991, p. 2.

## COMMISSION REGULATION (EEC) No 3243/91

of 6 November 1991

concerning the stopping of fishing for Atlantic redfish by vessels flying the flag of a Member State

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2241/87 of 23 July 1987 establishing certain control measures for fishing activities<sup>(1)</sup>, as amended by Regulation (EEC) No 3483/88<sup>(2)</sup>, and in particular Article 11 (3) thereof,

Whereas Council Regulation (EEC) No 3934/90 of 20 December 1990 fixing catch possibilities for 1991 for certain fish stocks and groups of fish stocks in the Regulatory Area as defined in the NAFO Convention<sup>(3)</sup>, provides for Atlantic redfish quotas for 1991;

Whereas, in order to ensure compliance with the provisions relating to the quantitative limitations on catches of stocks subject to quotas, it is necessary for the Commission to fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated;

Whereas, according to the information communicated to the Commission, catches of Atlantic redfish in the waters

of NAFO zone 3M by vessels flying the flag of a Member State or registered in a Member State have reached the quota allocated for 1991,

HAS ADOPTED THIS REGULATION:

*Article 1*

Catches of Atlantic redfish in the waters of NAFO zone 3M by vessels flying the flag of a Member State or registered in a Member State are deemed to have exhausted the quota allocated to the Community for 1991.

Fishing for Atlantic redfish in the waters of NAFO zone 3M by vessels flying the flag of a Member State or registered in a Member State is prohibited, as well as the retention on board, the transshipment and the landing of such stock captured by the abovementioned vessels after the date of entry into force of this Regulation.

*Article 2*

This Regulation shall enter into force on the 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, 6 November 1991.

*For the Commission*

Manuel MARÍN

*Vice-President*

<sup>(1)</sup> OJ No L 207, 29. 7. 1987, p. 1.

<sup>(2)</sup> OJ No L 306, 11. 11. 1988, p. 2.

<sup>(3)</sup> OJ No L 378, 31. 12. 1990, p. 69.



## COMMISSION REGULATION (EEC) No 3244/91

of 7 November 1991

re-establishing the levying of customs duties on products falling within CN code 2903 61 00, originating in Poland, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3831/90 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3831/90 of 20 December 1990 applying generalized tariff preferences for 1991 in respect of certain industrial products originating in developing countries<sup>(1)</sup>, and in particular Article 9 thereof,

Whereas, pursuant to Article 1 of Regulation (EEC) No 3831/90, duties on certain products originating in each of the countries or territories listed in Annex III shall be totally suspended and the products as such shall, as a general rule, be subject to statistical surveillance every three months on the reference base referred to in Article 8;

Whereas, as provided for in Article 8, where the increase of preferential imports of these products, originating in one or more beneficiary countries, causes, or threatens to cause, economic difficulties in the Community or in a region of the Community, the levying of customs duties may be re-established once the Commission has had an appropriate exchange of information with the Member States; whereas for this purpose the reference base to be considered shall be, as a general rule, equal to 6,3 % of the total importations into the Community, originating from third countries in 1988;

Whereas, in the case of products falling within CN code 2903 61 00, originating in Poland, the reference base is fixed at ECU 417 000; whereas, on 18 April 1991, imports of these products into the Community origina-

ting in Poland, reached the reference base in question after being charged thereagainst; whereas the exchange of information organized by the Commission has demonstrated that continuance of the preference threatens to cause economic difficulties in a region of the Community; whereas, therefore, customs duties in respect of the products in question must be re-established against Poland,

HAS ADOPTED THIS REGULATION:

*Article 1*

As from 11 November 1991, the levying of customs duties, suspended pursuant to Council Regulation (EEC) No 3831/90, shall be re-established on imports into the Community of the following products originating in Poland:

CN code	Description
2903 61 00	— — Chlorobenzene, o-dichlorobenzene and p-dichlorobenzene

*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, 7 November 1991.

*For the Commission*

Christiane SCRIVENER

*Member of the Commission*

<sup>(1)</sup> OJ No L 370, 31. 12. 1990, p. 1.

## COMMISSION REGULATION (EEC) No 3245/91

of 7 November 1991

amending Regulation (EEC) No 3827/90 on transitional arrangements for the description of certain quality wines produced in specified areas

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 257 (1) thereof,

Whereas, under the Act of Accession of Spain and Portugal, the special provisions for quality wines produced in specified regions laid down in Council Regulation (EEC) No 823/87 <sup>(1)</sup>, as amended by Regulation (EEC) No 3577/90 <sup>(2)</sup>, and the general rules on the description and presentation of such wines laid down in Council Regulation (EEC) No 2392/89 <sup>(3)</sup>, as last amended by Regulation (EEC) No 3886/89 <sup>(4)</sup>, are to come into force in Portugal from the beginning of the second stage of accession;

Whereas Article 1 of Commission Regulation (EEC) No 3827/90 <sup>(5)</sup> as last amended by Regulation (EEC) No 2271/91 <sup>(6)</sup>, provides for a derogation from Article 40 (2) of Regulation (EEC) No 2392/89 so that holders of recognized registered brand names for a wine or grape must that contain words identical to the name of a region specified by Portugal for designation of a quality wine prior before 1 January 1991 may continue to use them where they are identical to the proper name of the holder of the brand name; whereas the second paragraph of Article 2 of Regulation (EEC) No 3827/90 provides that the derogation is to apply until 31 October 1991;

Whereas, in order to avoid an interruption in established trade flows and pending an adaptation of the Community rules on the designation of specified regions and on the use of brand names containing words identical to such geographical descriptions, the term of validity of the abovementioned derogation should be extended by two months;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

In the second paragraph of Article 2 of Regulation (EEC) No 3827/90, the date '31 October 1991' is hereby replaced by '31 December 1991'.

*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 November 1991.

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

Done at Brussels, 7 November 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 84, 27. 3. 1987, p. 59.

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

<sup>(3)</sup> OJ No L 232, 9. 8. 1989, p. 13.

<sup>(4)</sup> OJ No L 216, 3. 8. 1991, p. 1.

<sup>(5)</sup> OJ No L 366, 29. 12. 1990, p. 59.

<sup>(6)</sup> OJ No L 208, 30. 7. 1991, p. 36.

## COMMISSION REGULATION (EEC) No 3246/91

of 7 November 1991

authorizing the United Kingdom to discontinue granting the variable slaughter premium for sheep in Great Britain and derogating from Regulation (EEC) No 1633/84 laying down detailed rules for applying the variable slaughter premium for sheep

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat<sup>(1)</sup>, as last amended by Regulation (EEC) No 1741/91<sup>(2)</sup>, and in particular Article 24 (3) and (9) thereof,

Whereas the United Kingdom has requested authorization to discontinue granting premiums applying from the beginning of the 1992 marketing year; whereas the trend on the market and in particular that of intra-Community trade indicates that this request should be acceded to;

Whereas, however, such a measure could result in serious disturbance of the Community market where the animals in respect of which the premium is paid at the end of the 1991 marketing year and carcasses thereof are consigned outside Region 1 at the beginning of the 1992 marketing year without the amount to be levied in accordance with Article 4 of Commission Regulation (EEC) No 1633/84<sup>(3)</sup>, as last amended by Regulation (EEC) No 1075/89<sup>(4)</sup>, being collected; whereas provision should accordingly be made for that amount to be collected for a sufficiently lengthy period corresponding to that during which the last animals on which the premium is paid at the end of 1991 are likely to be consigned outside Region 1 alive or in the form of carcasses, cuts or other sheepmeat products; whereas that amount should also be fixed at a uniform rate for the whole period;

Whereas, in the light of the Judgment of the Court in Case 61/86, provision should be made for animals and products thereof in respect of which it can be shown that the premium has not been paid should be exempted from that amount; whereas, to that end, an administrative procedure similar to that provided for in the second indent of Article 5 (3) of Regulation (EEC) No 1633/84 should also apply to live animals;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The United Kingdom is hereby authorized to discontinue granting the variable slaughter premium for sheep provided for in Article 24 of Regulation (EEC) No 3013/89 as from the beginning of the 1992 marketing year.

*Article 2*

Notwithstanding Regulation (EEC) No 1633/84 and for the period 6 January to 2 February 1992:

- (a) the amount provided for in Article 4 (1) of that Regulation shall be the arithmetic mean of the amounts fixed for the period 2 December 1991 to 5 January 1992;
- (b) the security provided for in Article 4 (2) of that Regulation shall be fixed by the United Kingdom at a uniform level sufficient to cover the amount referred to in (a);
- (c) the amounts provided for in Article 4 (1) and (3) shall not be payable on the following:
  - live sheep in respect of which it may be shown by means of an administrative procedure involving systematic checks until consignment outside Region 1 that the premium has not been paid,
  - carcasses and cuts thereof in respect of which it may be shown by means of the procedure provided for in the second indent of the second subparagraph of Article 5 (3) of that Regulation that the premium has not been paid.

*Article 3*

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

<sup>(1)</sup> OJ No L 289, 7. 10. 1989, p. 1.

<sup>(2)</sup> OJ No L 163, 26. 6. 1991, p. 41.

<sup>(3)</sup> OJ No L 154, 9. 6. 1984, p. 27.

<sup>(4)</sup> OJ No L 114, 27. 4. 1989, p. 13.

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

Done at Brussels, 7 November 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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## COMMISSION REGULATION (EEC) No 3247/91

of 7 November 1991

amending Regulation (EEC) No 737/91 adopting measures for the supply of raw sugar from beet harvested in the Community to Portuguese refineries during the 1991/92 marketing year

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<sup>(1)</sup>, as last amended by Regulation (EEC) No 464/91<sup>(2)</sup>, and in particular Article 9 (6) thereof,

Whereas the second subparagraph of Article 9 (4) of Regulation (EEC) No 1785/81 stipulates that, to the extent necessary for the supply of refineries, provision may be made for the same measures as those taken in regard to raw sugar produced in the French overseas departments to be applied to raw sugar produced from beet harvested in the Community; whereas a quantity of raw sugar equivalent to 92 000 tonnes of white sugar has already been provided for refining in Portugal during the 1991/92 marketing year by Commission Regulation (EEC) No 737/91<sup>(3)</sup>, as amended by Regulation (EEC) No 1807/91<sup>(4)</sup>; whereas the raw sugar forward supply estimate for all refineries indicates an increase in the quantity of the raw sugar from beet harvested in the Community that is available for Portuguese refineries for the 1991/92

marketing year; whereas it is appropriate as a consequence for the quantity of such sugar foreseen for the supply of Portuguese refineries in respect of the 1991/92 marketing year by Regulation (EEC) No 737/91 to be amended;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The quantity of 92 000 tonnes indicated in Article 1 of Regulation (EEC) No 737/91 is replaced by the quantity of 100 000 tonnes.

*Article 2*

This regulation shall enter into force on the 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, 7 November 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ No L 54, 28. 2. 1991, p. 2.

<sup>(3)</sup> OJ No L 80, 27. 3. 1991, p. 14.

<sup>(4)</sup> OJ No L 165, 27. 6. 1991, p. 14.

## COMMISSION REGULATION (EEC) No 3248/91

of 7 November 1991

opening an invitation to tender for the reduction in the levy on maize imported from third countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1799/87 of 25 June 1987 on special arrangements for imports of maize and sorghum into Spain from 1987 to 1990<sup>(1)</sup>, and in particular Articles 3 (2) and 8 thereof,

Whereas, as part of an agreement with the United States of America, the Community has undertaken to import a certain quantity of maize into Spain in the years 1987 to 1990; whereas by Decision 91/30/EEC<sup>(2)</sup> on the conclusion of the exchange of letters complementing the above mentioned agreement, the Council approved the extension of that agreement to 1991, that extension being without prejudice to the rights and obligations arising from the original agreement;

Whereas under the said rights and obligations Commission Regulation (EEC) No 798/91<sup>(3)</sup>, as last amended by Regulation (EEC) No 981/91<sup>(4)</sup>, opens invitations to tender for the reduction in the levy on imports of the quantities outstanding for 1990; whereas a closer estimate of those quantities calls for a further invitation to tender to be opened;

Whereas, pursuant to Article 3 (3) of Regulation (EEC) No 1799/87, the levy reduction is to be applied to maize imported into Spain under cover of a licence valid in that Member State alone;

Whereas the specific additional rules required for administering the invitation to tender should be laid down, including in particular rules on the lodging by operators and the release of securities against fulfilment of their obligations, and in particular the obligation to process or use the imported product in Spain;

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*

1. Further to the invitations to tender opened by Regulation (EEC) No 798/91, an invitation to tender is hereby

<sup>(1)</sup> OJ No L 170, 30. 6. 1987, p. 1.

<sup>(2)</sup> OJ No L 17, 23. 1. 1991, p. 17.

<sup>(3)</sup> OJ No L 82, 28. 3. 1991, p. 21.

<sup>(4)</sup> OJ No L 102, 23. 4. 1991, p. 14.

opened for the reduction in the import levy on maize to be imported into Spain.

2. The invitation to tender shall be open until 12 December 1991. During that period, weekly invitations shall be issued with quantities and closing dates as shown in the notice of invitation to tender.

*Article 2*

1. Tenders shall be lodged in writing with the competent authority against a receipt or forwarded to that authority by telex, telegram or telefax.

2. Tenders shall indicate:

- the weekly invitation in response to which they are made;
- the name and exact address of the tenderer, with telex or telefax number;
- the type and quantity of the product to be imported;
- the reduction in the import levy proposed, in ecus per tonne;
- the origin of the maize to be imported;

3. Tenders shall be valid only if:

- (a) they do not exceed the maximum quantity available for each closing date for the submission of applications;
- (b) evidence is provided before expiry of the time limit for submission that the tenderer has lodged a security for an amount per tonne equal to that of the reduction proposed in the tender;
- (c) they are accompanied by a written undertaking to lodge with the competent authority within two days of receipt of notification of award as mentioned in Article 4 (2) an application for an import licence for the quantities awarded together with an application for advance fixing of the levy at the reduced rate proposed in the tender and an application for advance fixing of the Spanish monetary compensatory amounts;
- (d) they are for at least 1 000 tonnes.

4. Tenders not meeting the requirements set out in paragraph 1, 2 and 3 or incorporating terms other than those provided for in the invitation to tender shall not be valid.

5. Once submitted, tenders may not be withdrawn.

*Article 3*

1. Notwithstanding Article 21 (1) of Commission Regulation (EEC) No 3719/88 <sup>(1)</sup> import licences shall, for the purposes of determining their term of validity, be deemed to have been issued on the closing date for the submission of tenders.
2. Import licences issued in connection with awards made under this invitation to tender shall be valid from 1 January to 29 February 1992.
3. Notwithstanding Article 2 (2) of Commission Regulation (EEC) No 891/89 <sup>(2)</sup>, Article 5 (2) of Commission Regulation (EEC) No 3105/87 <sup>(3)</sup> shall apply in respect of licences issued under this Regulation.
4. Notwithstanding Article 9 of Regulation (EEC) No 3719/88, rights conferred by import licences shall not be transferable.

*Article 4*

1. On the basis of tenders submitted and forwarded, the Commission shall decide in accordance with the procedure laid down in Article 26 of Council Regulation (EEC) No 2727/75 <sup>(4)</sup>;
  - either to set a maximum reduction in the import levy, or
  - to make no awards.

Where a maximum reduction in the import levy is set, awards shall be made to the tenderer or tenderers offering the maximum or a smaller reduction.

2. As soon as the Commission has reached a decision as referred to in paragraph 1, the competent Spanish authority shall notify all tenderers in writing of the outcome of their tenders.

*Article 5*

1. Where the successful tenderer lodges an application for an import licence as referred to in Article 2 (3) (c) within the time limit laid down, a licence shall be issued

for the quantities for which he has been awarded a contract.

2. Where the undertaking referred to in Article 2 (3) (c) is not fulfilled, the tendering security shall be forfeit.

*Article 6*

1. The tendering security shall be released:
  - (a) where the tender is not accepted;
  - (b) where the tenderer provides evidence by means of a sales invoice to a processor or consumer in Spain that the products imported have been processed or used in Spain;
  - (c) where the successful tenderer provides evidence that the product imported has become unfit for any use or where import cannot be effected to reasons of *force majeure*.
2. Article 33 of Regulation (EEC) No 3719/88 shall apply to securities.

*Article 7*

Tenders lodged must be forwarded by the competent Spanish authority to the Commission to arrive not more than two hours after the time limit laid down in the notice of invitation to tender. They must be forwarded in the form shown in the Annex.

Should no tenders be received, Spain shall inform the Commission within the same period as that referred to in the first paragraph.

*Article 8*

The times for the purposes of this Regulation shall be Brussels time.

*Article 9*

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, 7 November 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 331, 2. 12. 1988, p. 1.

<sup>(2)</sup> OJ No L 94, 7. 4. 1989, p. 13.

<sup>(3)</sup> OJ No L 294, 17. 10. 1987, p. 15.

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

*ANNEX***Weekly invitation to tender for the reduction in the levy on maize imported from third countries**

(Regulation (EEC) No 3248/91)

Deadline for submission of tenders (date/time)

1	2	3	4	5
Numbering of tenderers	Quantity (tonnes)	Reduction in import levy	MCA fixed in advance	Origin of the cereals
1				
2				
3				
4				
5				
etc.				



## COMMISSION REGULATION (EEC) No 3249/91

of 7 November 1991

## opening an invitation to tender for the reduction in the levy on grain sorghum imported from third countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1799/87 of 25 June 1987 on special arrangements for imports of maize and sorghum into Spain from 1987 to 1990 <sup>(1)</sup>, and in particular Articles 3 (2) and 8 thereof,

Whereas, as part of an agreement with the United States of America, the Community has undertaken to import a certain quantity of grain sorghum into Spain in the years 1987 to 1990; whereas by Decision 91/30/EEC <sup>(2)</sup> on the conclusion of the exchange of letters complementing to above mentioned agreement, the Council approved the extension of that agreement to 1991, that extension being without prejudice to the rights and obligations arising from the original agreement;

Whereas under the said rights and obligations Commission Regulation (EEC) No 799/91 <sup>(3)</sup>, as last amended by Regulation (EEC) No 981/91 <sup>(4)</sup>, opens invitations to tender for the reduction in the levy on imports of the quantities outstanding for 1990; whereas a closer estimate of those quantities calls for a further invitation to tender to be opened;

Whereas, pursuant to Article 3 (3) of Regulation (EEC) No 1799/87, the levy reduction is to be applied to grain sorghum imported into Spain under cover of a licence valid in that Member State alone;

Whereas Council Regulation (EEC) No 715/90 of 5 March 1990 on the arrangements applicable to agriculture products and certain goods resulting from the processing of agriculture products originating in the ACP States or in the overseas countries and territories (OCT) <sup>(5)</sup>, as last amended by Regulation (EEC) No 523/91 <sup>(6)</sup>, provides in particular for a reduction of 60 % in the levy applicable to grain sorghum up to a quota of 100 000 tonnes per calendar year and of 50 % in excess of that quota;

Whereas, if that benefit is combined with the reduction provided for under this Regulation, this is likely to disturb the Spanish market for cereals; whereas such combined benefits should be ruled out for the sake of the satisfactory functioning of the invitation to tender;

Whereas the specific additional rules required for administering the invitation to tender should be laid down,

including in particular rules on the lodging by operators and the release of securities against fulfilment of their obligations, and in particular the obligation to process or use the imported product in Spain;

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*

1. Further to the invitations to tender opened by Regulation (EEC) No 799/91, an invitation to tender is hereby opened for the reduction in the import levy on grain sorghum to be imported into Spain.
2. Under this invitation to tender, the reduction in the import levy on grain sorghum provided for in Article 11 of Regulation (EEC) No 715/90 shall not apply grain sorghum to be imported into Spain.
3. The invitation to tender shall be open until 12 December 1991. During that period, weekly invitations shall be issued with quantities and closing dates as shown in the notice of invitation to tender.

*Article 2*

1. Tenders shall be lodged in writing with the competent authority against a receipt or forwarded to that authority by telex, telegram or telefax.
2. Tenders shall indicate:
  - the weekly invitation in response to which they are made;
  - the name and exact address of the tenderer, with telex or telefax number,
  - the type and quantity of the product to be imported;
  - the reduction in the import levy proposed, in ecus per tonne;
  - the origin of the grain sorghum to be imported;
3. Tenders shall be valid only if:
  - (a) they do not exceed the maximum quantity available for each closing date for the submission of applications;

<sup>(1)</sup> OJ No L 170, 30. 6. 1987, p. 1.

<sup>(2)</sup> OJ No L 17, 23. 1. 1991, p. 17.

<sup>(3)</sup> OJ No L 82, 28. 3. 1991, p. 24.

<sup>(4)</sup> OJ No L 102, 23. 4. 1991, p. 14.

<sup>(5)</sup> OJ No L 84, 30. 3. 1990, p. 85.

<sup>(6)</sup> OJ No L 58, 5. 3. 1991, p. 1.

- (b) evidence is provided before expiry of the time limit for submission that the tenderer has lodged a security for an amount per tonne equal to that of the reduction proposed in the tender;
  - (c) they are accompanied by a written undertaking to lodge with the competent authority within two days of receipt of notification of award as mentioned in Article 4 (2) an application for an import licence for the quantities awarded together with an application for advance fixing of the levy at the reduced rate proposed in the tender and an application for advance fixing of the Spanish monetary compensatory amounts;
  - (d) they are for at least 1 000 tonnes.
4. Tenders not meeting the requirements set out in paragraph 1, 2 and 3 or incorporating terms other than those provided for in the invitation to tender shall not be valid.
5. Once submitted, tenders may not be withdrawn.

#### Article 3

1. Notwithstanding Article 21 (1) of Commission Regulation (EEC) No 3719/88 <sup>(1)</sup> import licences shall, for the purposes of determining their term of validity, be deemed to have been issued on the closing date for the submission of tenders.
2. Import licences issued in connection with awards made under this invitation to tender shall be valid from 1 January to 29 February 1992.
3. Notwithstanding Article 2 (2) of Commission Regulation (EEC) No 891/89 <sup>(2)</sup>, Article 5 (2) of Commission Regulation (EEC) No 3105/87 <sup>(3)</sup> shall apply in respect of licences issued under this Regulation.
4. Notwithstanding Article 9 of Regulation (EEC) No 3719/88, rights conferred by import licences shall not be transferable.

#### Article 4

1. On the basis of tenders submitted and forwarded, the Commission shall decide in accordance with the procedure laid down in Article 26 of Council Regulation (EEC) No 2727/75 <sup>(4)</sup>:

— either to set a maximum reduction in the import levy,  
or

— to make no awards.

Where a maximum reduction in the import levy is set, awards shall be made to the tenderer or tenderers offering the maximum or a smaller reduction.

2. As soon as the Commission has reached a decision as referred to in paragraph 1, the competent Spanish authority shall notify all tenderers in writing of the outcome of their tenders.

#### Article 5

1. Where the successful tenderer lodges an application for an import licence as referred to in Article 2 (3) (c) within the time limit laid down, a licence shall be issued for the quantities for which he has been awarded a contract.
2. Where the undertaking referred to in Article 2 (3) (c) is not fulfilled, the tendering security shall be forfeit.

#### Article 6

1. The tendering security shall be released :
  - (a) where the tender is not accepted;
  - (b) where the tenderer provides evidence by means of a sales invoice to a processor or consumer in Spain that the products imported have been processed or used in Spain;
  - (c) where the successful tenderer provides evidence that the product imported has become unfit for any use or where import cannot be effected for reasons of *force majeure*.
2. Article 33 of Regulation (EEC) No 3719/88 shall apply to securities.

#### Article 7

Tenders lodged must be forwarded by the competent Spanish authority to the Commission to arrive not more than two hours after the time limit laid down in the notice of invitation to tender. They must be forwarded in the form shown in the Annex.

Should no tenders be received, Spain shall inform the Commission within the same period as that referred to in the first paragraph.

#### Article 8

The times for the purposes of this Regulation shall be Brussels time.

#### Article 9

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

<sup>(1)</sup> OJ No L 331, 2. 12. 1988, p. 1.

<sup>(2)</sup> OJ No L 94, 7. 4. 1989, p. 13.

<sup>(3)</sup> OJ No L 294, 17. 10. 1987, p. 15.

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

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

Done at Brussels, 7 November 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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**ANNEX**

**Weekly invitation to tender for the reduction in the levy on grain sorghum imported from third countries**

(Regulation (EEC) No 3249/91)

Deadline for submission of tenders (date/time)

1	2	3	4	5
Numbering of tenderers	Quantity (tonnes)	Reduction in import levy	MCA fixed in advance	Origin of the cereals
1				
2				
3				
4				
5				
etc.				

## COMMISSION REGULATION (EEC) No 3250/91

of 7 November 1991

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

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

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

Whereas the import levies on syrups and certain other sugar products were fixed by Commission Regulation (EEC) No 3194/91 <sup>(3)</sup>;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 3194/91 to the information known to the Commission that the basic amount of the levy on syrups and certain other sugar products at present in force should be altered;

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

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

the last subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 <sup>(4)</sup>, as last amended by Regulation (EEC) No 2205/90 <sup>(5)</sup>,

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The basic amounts of the import levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81, as fixed in the Annex to Regulation (EEC) No 3194/91 are hereby altered to the amounts shown in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 8 November 1991.

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

Done at Brussels, 7 November 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ No L 54, 28. 2. 1991, p. 22.

<sup>(3)</sup> OJ No L 303, 1. 11. 1991, p. 25.

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

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

## ANNEX

to the Commission Regulation of 7 November 1991 altering the basic amount of the import levies on syrups and certain other products in the sugar sector

(ECU)

CN code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question	Amount of levy per 100 kg of dry matter
1702 20 10	0,4401	—
1702 20 90	0,4401	—
1702 30 10	—	52,83
1702 40 10	—	52,83
1702 60 10	—	52,83
1702 60 90	0,4401	—
1702 90 30	—	52,83
1702 90 60	0,4401	—
1702 90 71	0,4401	—
1702 90 90	0,4401	—
2106 90 30	—	52,83
2106 90 59	0,4401	—

## COMMISSION REGULATION (EEC) No 3251/91

of 7 November 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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 464/91 <sup>(2)</sup>, 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 <sup>(3)</sup>, as last amended by Regulation (EEC) No 3225/91 <sup>(4)</sup>;

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 <sup>(5)</sup>, as last amended by Regulation (EEC) No 2205/90 <sup>(6)</sup>,

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

Whereas these exchange rates being those recorded on 6 November 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 8 November 1991.

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

Done at Brussels, 7 November 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ No L 54, 28. 2. 1991, p. 22.

<sup>(3)</sup> OJ No L 168, 29. 6. 1991, p. 16.

<sup>(4)</sup> OJ No L 305, 6. 11. 1991, p. 17.

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

<sup>(6)</sup> OJ No L 201, 31. 7. 1990, p. 9.

## ANNEX

to the Commission Regulation of 7 November 1991 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	39,11 <sup>(1)</sup>
1701 11 90	39,11 <sup>(1)</sup>
1701 12 10	39,11 <sup>(1)</sup>
1701 12 90	39,11 <sup>(1)</sup>
1701 91 00	44,01
1701 99 10	44,01
1701 99 90	44,01 <sup>(2)</sup>

<sup>(1)</sup> 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).

<sup>(2)</sup> 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 3252/91

of 7 November 1991

fixing the export refunds on cereals and on wheat or rye flour, groats and meal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals<sup>(1)</sup>, as last amended by Regulation (EEC) No 3577/90<sup>(2)</sup>, 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 that Regulation and prices for those products in the Community may be covered by an export refund;

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

Whereas Article 3 of Regulation (EEC) No 2746/75 defines the specific criteria to be taken into account when the refund on cereals is being calculated;

Whereas these specific criteria are defined, as far as wheat and rye flour, groats and meal are concerned, in Article 4 of Regulation (EEC) No 2746/75; whereas furthermore, when the refund on these products is being calculated, account must be taken of the quantities of cereals required for their manufacture; whereas these quantities were fixed in Commission Regulation No 162/67/EEC<sup>(4)</sup>, as last amended by Regulation (EEC) No 2849/91<sup>(5)</sup>;

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

#### Article 1

The export refunds on the products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 2727/75, exported in the natural state, shall be as set out in the Annex hereto.

#### Article 2

This Regulation shall enter into force on 8 November 1991.

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

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

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

<sup>(4)</sup> OJ No 128, 27. 6. 1967, p. 2574/67.

<sup>(5)</sup> OJ No L 272, 28. 9. 1991, p. 62.

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

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



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

Done at Brussels, 7 November 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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## ANNEX

to the Commission Regulation of 7 November 1991 fixing the export refunds on cereals  
and on wheat or rye flour, groats and meal

(ECU/tonne)

Product code	Destination (1)	Amount of refund
0709 90 60 000	—	—
0712 90 19 000	—	—
1001 10 10 000	—	—
1001 10 90 000	04	120,00
	05	40,00
	06	35,00
	02	0
1001 90 91 000	—	—
1001 90 99 000	04	77,00
	05	32,00
	02	20,00
1002 00 00 000	03	31,00
	07	85,00
	02	30,00
1003 00 10 000	08	80,00
	02	0
1003 00 90 000	04	31,00
	05	32,00
	02	30,00
1004 00 10 000	—	—
1004 00 90 000	—	—
1005 10 90 000	—	—
1005 90 00 000	04	60,00
	02	0
1007 00 90 000	—	—
1008 20 00 000	—	—
1101 00 00 100	01	123,00
1101 00 00 130	01	115,00
1101 00 00 150	01	106,00
1101 00 00 170	01	98,00
1101 00 00 180	01	92,00
1101 00 00 190	—	—
1101 00 00 900	—	—
1102 10 00 600	01	123,00
1102 10 00 900	—	—
1103 11 10 100	01	200,00
1103 11 10 200	01	200,00
1103 11 10 500	01	0
1103 11 10 900	01	0
1103 11 90 100	01	123,00
1103 11 90 900	—	—

(<sup>1</sup>) The destinations are identified as follows :

- 01 All third countries,
- 02 Other third countries,
- 03 Switzerland, Austria and Liechtenstein,
- 04 Switzerland, Austria, Liechtenstein, Ceuta and Melilla,
- 05 The Soviet Union,
- 06 Algeria,
- 07 Zone II b),
- 08 Turkey.

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

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**COMMISSION REGULATION (EEC) No 3253/91****of 7 November 1991****adopting interim protective measures regarding applications submitted during the period 28 October to 1 November 1991 for STM licences for trade with Spain in beef and veal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 85 (1) thereof,

Whereas Commission Regulation (EEC) No 3690/90 of 19 December 1990 laying down detailed rules for the application of the supplementary trade mechanism to trade in the beef and veal sector between the Community as constituted on 31 December 1985 and Spain<sup>(1)</sup> fixes in particular the indicative ceilings applicable to beef and veal and the maximum quantities for which STM licences may be issued each quarter;

Whereas Article 85 (1) of the Act of Accession makes provision for the Commission to take interim protective measures necessary where an examination of the trend in intra-Community trade shows a significant increase in imports carried out or foreseeable in the current year or part thereof;

Whereas an examination of licence applications lodged from 28 October to 1 November 1991 shows that the quantities applied for are likely to bring about a serious

disturbance of the Spanish market for live animals; whereas, as an interim protective measure, licences should only be issued for up to a given percentage of the quantities applied for,

HAS ADOPTED THIS REGULATION:

*Article 1*

For live animals of the bovine species other than purebred breeding animals and animals for bullfights:

1. applications for STM licences lodged from 28 October to 1 November 1991 and notified to the Commission shall be accepted in respect of 5,086 % of the quantities applied for therein;
2. further applications may be submitted from 18 November 1991.

*Article 2*

This Regulation shall enter into force on 11 November 1991.

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

Done at Brussels, 7 November 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 357, 20. 12. 1990, p. 27.

## II

*(Acts whose publication is not obligatory)*

## COUNCIL

## COUNCIL DECISION

of 29 October 1991

concerning the promotion of energy efficiency in the Community (SAVE programme)

(91/565/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 235 thereof,

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

Having regard to the opinion of the European Parliament <sup>(2)</sup>,

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

Whereas, in its resolution of 15 January 1985 on the improvement of energy saving programmes in the Member States <sup>(4)</sup>, the Council invited the latter to pursue and, where necessary, increase their efforts to promote the more rational use of energy by the development of integrated energy-saving policies;

Whereas, in its resolution of 16 September 1986 concerning new Community energy policy objectives for 1995 and the convergence of the policies of Member States <sup>(5)</sup>, the Council considered that the energy policy of the Community and the Member States must endeavour to achieve the objective of more secure conditions of supply through a vigorous policy for energy-saving and the rational use of energy; whereas, in that resolution, the Council adopted for the Community the objective of

achieving a more rational use of energy through improved energy efficiency and decided that the efficiency of final demand should be improved by at least 20 % by 1995;

Whereas Article 130r of the Treaty requires a prudent and rational utilization of natural resources and the rational use of energy is one of the principal means by which this objective can be respected and environmental pollution reduced;

Whereas the Commission, in its Communication to the Council of 3 May 1988 on the principal results of the review of Member States' energy policies, noted that the Community would fail to achieve the energy efficiency objective of a further 20 % saving if vigorous measures were not adopted;

Whereas the promotion of energy efficiency in all regions of the Community will help to reinforce the economic and social development of the Community as a whole, an objective which, according to Article 130r of the Treaty, should be taken into account when implementing common policies and the internal market;

Whereas the Commission, in its Communication to the Council of 8 February 1990 on energy and the environment, stressed that energy efficiency had to be increased to reduce the negative impact of energy on the environment;

Whereas improved energy efficiency will have a positive impact on both the security of energy supplies and the environment, which are by nature of global significance, and whereas a high level of international cooperation is therefore desirable to produce the most positive results;

<sup>(1)</sup> OJ No C 301, 30. 11. 1990, p. 11.

<sup>(2)</sup> OJ No C 240, 16. 9. 1991, p. 273.

<sup>(3)</sup> OJ No C 120, 6. 5. 1991, p. 6.

<sup>(4)</sup> OJ No C 20, 22. 1. 1985, p. 1.

<sup>(5)</sup> OJ No C 241, 25. 9. 1986, p. 1.

Whereas the Council, in its Decision 89/364/EEC<sup>(1)</sup>, established a Community action programme for improving the efficiency of electricity use;

Whereas a programme lasting five years is called for;

Whereas an amount of ECU 35 million is estimated as necessary to implement this multiannual programme; whereas, for the period 1991 to 1992, in the framework of the current financial perspective, the funds estimated as necessary are ECU 14 million;

Whereas the amounts to be committed for the financing of the programme for the period after the budget year 1992 will have to fall within the Community financial framework in force;

Whereas the Treaty makes no provision for powers other than those of Article 235 for the adoption of this Decision,

HAS ADOPTED THIS DECISION:

#### *Article 1*

1. The Community shall support a series of energy efficiency actions within the context of this programme, entitled SAVE (Specific Actions for Vigorous Energy Efficiency) and hereinafter referred to as the 'programme'.

2. The programme shall last five years.

3. The Community financial resources estimated as necessary for its implementation amount to ECU 35 million, of which ECU 14 million are for the period 1991 to 1992 in the framework of the 1988 to 1992 financial perspectives.

For the subsequent period of implementation of the programme, the amount shall fall within the Community financial framework in force.

4. The budget authority shall determine the appropriations available for each financial year, taking into account the principles of sound management referred to in Article 2 of the Financial Regulation applicable to the general budget of the European Communities.

#### *Article 2*

Four categories of action on energy efficiency shall be financed under the programme, namely:

- (a) technical evaluations for assessing the data needed for defining technical standards or specifications;
- (b) measures to support the Member States' initiatives for extending or creating infrastructures concerned with energy efficiency. These initiatives shall include:

- training and information activities with regard to energy efficiency at a level as close as possible to the final consumers of energy,

- sectoral pilot projects such as those listed in the Annex to this Decision;

(c) measures to foster the creation of an information network aimed at promoting better coordination between national, Community and international activities through the establishment of appropriate means for exchanging information and at evaluating the impact of the various measures provided for in this Article;

(d) measures to implement the programme for improving the efficiency of electricity use adopted by Decision 89/364/EEC.

#### *Article 3*

1. All costs relating to the measures referred to in Article 2 (a) shall be borne by the Community.

2. The level of Community support for the measures referred to in Article 2 (b) and (c) shall be between 30 and 50 % of their total cost. The balance may be made up from either government or private funding or by a combination of the two. In exceptional cases duly justified to the advisory committee referred to in Article 5 (2), Community funding may exceed the 50 % limit, while not exceeding 60 %.

3. The level of Community support for the measures referred to in Article 2 (d), covered by Decision 89/364/EEC, shall be determined case by case in the light of the type of measure.

#### *Article 4*

1. The Commission shall establish guidelines for the support measures referred to in Article 2 (b) and (c) in consultation with the committee referred to in Article 5 (2).

2. The proposed initiatives referred to in Article 2 (b) and the list of bodies which are to implement these projects shall be submitted annually by the Member States to the Commission, which shall decide on the level and conditions of Community funding according to the procedure referred to in Article 6. The Commission shall sign contracts relating to the support measures with those bodies.

#### *Article 5*

1. The Commission shall be responsible for the implementation of the programme.

2. The Commission shall be assisted by an advisory committee, hereinafter referred to as the committee, composed of the representatives of the Member States and chaired by the representative of the Commission.

<sup>(1)</sup> OJ No L 157, 9. 6. 1989, p. 32.

*Article 6*

As regards the measures referred to in Article 2 (a), (b) and (c), the representative of the Commission shall submit to the committee a draft of the measures to be taken. The committee shall deliver its opinion on the draft within a time limit which the chairman may lay down according to the urgency of the matter, if necessary by taking a vote.

The opinion shall be recorded in the minutes; in addition, each Member State shall have the right to ask to have its position recorded in the minutes.

The Commission shall take the utmost account of the opinion delivered by the committee. It shall inform the committee of the manner in which its opinion has been taken into account.

*Article 7*

1. During the third year of the programme, the Commission shall present a report to the European Parliament to the Council on the basis of the results achieved. This report shall be accompanied by proposals for any

changes which may be necessary in the light of these results.

2. On the expiry of the programme, the Commission shall assess the results obtained, the application of this Decision and the coherence of national and Community actions. It shall present a report thereon to the European Parliament and the Council.

*Article 8*

This Decision shall apply from 1 January 1991 to 31 December 1995.

*Article 9*

This Decision is addressed to the Member States.

Done at Luxembourg, 29 October 1991.

*For the Council*

*The President*

K. ANDRIESEN

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*ANNEX*

**Illustrative, non-limitative list of sectoral pilot projects referred to in the second indent of Article 2 (b), to be implemented at a level as close as possible to the final consumers of energy<sup>(1)</sup>**

1. Pilot studies on least cost planning and demand side management
2. Feasibility studies on cogeneration projects involving institutional or organizational innovations
3. Sectoral targeting and monitoring of energy efficiency
4. Sectoral audits
5. Pilot projects in the transport sector, e.g. improving traffic flow in towns, toll systems, etc.
6. Pilot projects on third-party financing within the framework of the European network for third-party financing (Community participation in the direct financing of an investment is ruled out).

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<sup>(1)</sup> A non-binding framework of the projects, drawn up by the Commission on the basis of the amendments proposed by the European Parliament, will be found in a separate Commission communication in the *Official Journal of the European Communities* ('C' edition).

# COMMISSION

## COMMISSION DECISION

of 28 October 1991

on a concerted measure for the implementation of a socio-economic pilot scheme in the fisheries and aquaculture sector in France

(Only the French text is authentic)

(91/566/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 4028/86 of 18 December 1986 on Community measures to improve and adapt structures in the fisheries and aquaculture sector<sup>(1)</sup>, and in particular Article 32 (1) thereof,

Whereas there is considerable imbalance between the Community fishing fleet capacity and the available resources;

Whereas it is an objective of the common fisheries policy to combat that imbalance; whereas new initiatives are needed to ensure the success of the policy;

Whereas in adopting on 20 December 1990 Regulation (EEC) No 3944/90<sup>(2)</sup>, amending Regulation (EEC) No 4028/86, the Council stressed in particular that no structural policy measure in the fisheries sector could be successful if, concomitantly, attention was not given to its socio-economic consequences, particularly as regards employment and the development of regions heavily dependent on fishing;

Whereas it is necessary to identify the areas socially and economically dependent on fishing and related activities which are likely to be the most seriously affected by the common fisheries policy, and to define for those areas appropriate socio-economic flanking measures in order to improve the economic and social cohesion of the Community;

Whereas the Commission at present has no information enabling it to define precisely the nature and scope of such measures; whereas the implementation of a small-scale pilot scheme to deal with a representative case of

socio-economic problems of Community importance would yield general information and guidance for the planning and implementation of the socio-economic measures envisaged;

Whereas such a scheme can constitute a concerted measure within the meaning of the third indent of Article 32 (1) of Regulation (EEC) No 4028/86; whereas Community assistance should therefore be provided;

Whereas by analogy with Article 26 (5) of Regulation (EEC) No 4028/86 as amended by Article 1 point 25 of Regulation (EEC) No 3944/90 the assistance should be fixed at 50 % of the expenditure taken into consideration, hereafter referred to as 'eligible expenditure'; whereas on the basis of information provided by the French authorities the maximum amount of assistance should be ECU 50 000;

Whereas the general conditions for the implementation of the concerted measure and the conditions for the grant of Community financial assistance must be laid down;

Whereas this Decision is in accordance with the opinion of the Standing Committee for the Fishing Industry,

HAS ADOPTED THIS DECISION:

### Article 1

1. A concerted measure for the implementation of a pilot scheme in France, hereafter referred to as 'concerted measure', is hereby set up. The details are given in Annex I.

2. The Commission shall provide financial assistance for the implementation of the concerted measure. The assistance shall consist of a capital grant equivalent to 50 % of the eligible expenditure but not exceeding ECU 50 000, paid in accordance with the conditions in Annex II.

<sup>(1)</sup> OJ No L 376, 31. 12. 1986, p. 7.

<sup>(2)</sup> OJ No L 380, 31. 12. 1990, p. 1.



*Article 2*

This Decision is addressed to the French Republic.

Done at Brussels, 28 October 1991.

*For the Commission*

Manuel MARÍN

*Vice-President*

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**ANNEX I****CONCERTED MEASURE FOR THE IMPLEMENTATION OF A PILOT SCHEME IN FRANCE****I. General objective**

Implementation of a small-scale pilot scheme to deal with a representative case of socio-economic problems of Community importance, in order to derive general information and guidance for the planning and implementation at Community level of suitable socio-economic measures to accompany the common fisheries policy.

**II. Area concerned**

Le Guilvinec, Loctudy, Lesconil, Saint-Guénolé (Finistère, Bretagne)

**III. Responsible Body**

Comité local des Pêches Maritimes du Guilvinec

**IV. Timetable**

The concerted measure is scheduled to run from the beginning of November 1991 to the end of April 1992.

**V. Operations envisaged**

The concerted measure involves the creation of alternative employment and accompanying social measures (occupational training, early retirement, etc.).

The responsible body must:

- assess, in the light of local conditions, the number of potential end beneficiaries and possible conversion measures, such as occupational training, early retirement and grants for the creation of alternative employment,
- draw up a provisional budget within the limits specified in the Commission Decision,
- commit the financial contribution originating from the Member State (local, regional, national or other sources),
- draw up an indicative allocation of the overall budget between the various conversion measures,
- take receipt of the Community assistance and distribute capital grants to fishermen obliged to leave their jobs,
- submit reports to the Commission on the management of the assistance and the results achieved.

**VI. Financial estimate**

Total estimated cost:	ECU 100 000
Community assistance:	ECU 50 000 (50 % of total)
National contribution:	ECU 50 000 (50 % of total)

*ANNEX II***CONDITIONS GOVERNING THE GRANT OF FINANCIAL ASSISTANCE**

1. The financial assistance referred to in Article 1, hereafter referred to as 'assistance', is intended for operations as listed in Annex I, hereafter referred to as 'operations'.
  2. Eligible expenditure includes all the expenditure, excluding recoverable charges, which is necessary for the satisfactory execution of the operations. It does not include the fees or expenses of personnel employed by the responsible body.
  3. The national authorities must guarantee the coverage of expenditure not eligible for assistance.
  4. The assistance will be granted only if the operations are completed within the timetable specified in Annex I.
  5. The beneficiary of the assistance is the responsible body, which must distribute individual grants to the natural persons concerned by the conversion measures.
  6. An advance of ECU 20 000 will be paid to the beneficiary as soon as this Decision is adopted. The balance will be paid as one sum on completion of all the operations and on presentation and verification of a detailed statement of expenditure.
  7. The body responsible for the concerted measure must ensure that the necessary supporting evidence (files, vouchers, etc.) is held at the Commission's disposal. Documents concerning the progress of operations will be sent to the Commission at its request.
  8. Any advertising in respect of the operations must refer clearly to the assistance received from the Community.
  9. If these conditions are not respected, the Commission may decide to suspend, reduce or cancel the assistance, and require reimbursement of the sums paid. Such a decision may not be taken until the beneficiary has been given notice to submit its comments within a time limit laid down by the Commission.
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## COMMISSION DECISION

of 29 October 1991

on a concerted measure for the implementation of a socio-economic pilot scheme in the fisheries and aquaculture sector in Greece

(Only the Greek text is authentic)

(91/567/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 4028/86 of 18 December 1986 on Community measures to improve and adapt structures in the fisheries and aquaculture sector<sup>(1)</sup>, and in particular Article 32 (1) thereof,

Whereas there is considerable imbalance between the Community fishing fleet capacity and the available resources;

Whereas it is an objective of the common fisheries policy to combat that imbalance; whereas new initiatives are needed to ensure the success of the policy;

Whereas in adopting on 20 December 1990 Regulation (EEC) No 3944/90<sup>(2)</sup>, amending Regulation (EEC) No 4028/86, the Council stressed in particular that no structural policy measure in the fisheries sector could be successful if, concomitantly, attention was not given to its socio-economic consequences, particularly as regards employment and the development of regions heavily dependent on fishing;

Whereas it is necessary to identify the areas socially and economically dependent on fishing and related activities which are likely to be the most seriously affected by the common fisheries policy, and to define for those areas appropriate socio-economic flanking measures in order to improve the economic and social cohesion of the Community;

Whereas the Commission at present has no information enabling it to define precisely the nature and scope of such measures; whereas the implementation of a small-scale pilot scheme to deal with a representative case of socio-economic problems of Community importance would yield general information and guidance for the planning and implementation of the socio-economic measures envisaged;

Whereas such a scheme can constitute a concerted measure within the meaning of the third indent of Article 32 (1) of Regulation (EEC) No 4028/86; whereas Community assistance should therefore be provided;

Whereas by analogy with Article 26 (5) of Regulation (EEC) No 4028/86 as amended by Article 1 point 25 of Regulation (EEC) No 3944/90 the assistance should be fixed at 50 % of the expenditure taken into consideration, hereafter referred to as 'eligible expenditure'; whereas on the basis of information provided by the Greek authorities the maximum amount of assistance should be ECU 50 000;

Whereas the general conditions for the implementation of the concerted measure and the conditions for the grant of Community financial assistance must be laid down;

Whereas this Decision is in accordance with the opinion of the Standing Committee for the Fishing Industry,

HAS ADOPTED THIS DECISION:

*Article 1*

1. A concerted measure for the implementation of a pilot scheme in Greece, hereafter referred to as 'concerted measure', is hereby set up. The details are given in Annex I.

2. The Commission shall provide financial assistance for the implementation of the concerted measure. The assistance shall consist of a capital grant equivalent to 50 % of the eligible expenditure but not exceeding ECU 50 000, paid in accordance with the conditions in Annex II.

*Article 2*

This Decision is addressed to the Hellenic Republic.

Done at Brussels, 29 October 1991.

*For the Commission*

Manuel MARÍN

*Vice-President*

<sup>(1)</sup> OJ No L 376, 31. 12. 1986, p. 7.

<sup>(2)</sup> OJ No L 380, 31. 12. 1990, p. 1.

**ANNEX I****CONCERTED MEASURE FOR THE IMPLEMENTATION OF A PILOT SCHEME IN GREECE****I. General objective**

Implementation of a small-scale pilot scheme to deal with a representative case of socio-economic problems of Community importance, in order to derive general information and guidance for the planning and implementation at Community level of suitable socio-economic measures to accompany the common fisheries policy.

**II. Area concerned**

Alykes-Kitrous, Methoni, Makryialos, Agathoupoli (*nomós* de Piérie, Kentriki Makedonia).

**III. Responsible Body**

*Nomós* de Pierie, Fishery office.

**IV. Timetable**

The concerted measure is scheduled to run from the beginning of November 1991 to the end of April 1992.

**V. Operations envisaged**

The concerted measure involves the creation of alternative employment and accompanying social measures (occupational training, early retirement, etc.).

The responsible body must:

- assess, in the light of local conditions, the number of potential end beneficiaries and possible conversion measures, such as occupational training, early retirement and grants for the creation of alternative employment,
- draw up a provisional budget within the limits specified in the Commission Decision,
- commit the financial contribution originating from the Member State (local, regional, national or other sources),
- draw up an indicative allocation of the overall budget between the various conversion measures,
- take receipt of the Community assistance and distribute capital grants to fishermen obliged to leave their jobs,
- submit reports to the Commission on the management of the assistance and the results achieved.

**VI. Financial estimate**

Total estimated cost:	ECU 100 000
Community assistance:	ECU 50 000 (50 % of total)
National contribution:	ECU 50 000 (50 % of total)

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*ANNEX II***CONDITIONS GOVERNING THE GRANT OF FINANCIAL ASSISTANCE**

1. The financial assistance referred to in Article 1, hereafter referred to as 'assistance', is intended for operations as listed in Annex I, hereafter referred to as 'operations'.
  2. Eligible expenditure includes all the expenditure, excluding recoverable charges, which is necessary for the satisfactory execution of the operations. It does not include the fees or expenses of personnel employed by the responsible body.
  3. The national authorities must guarantee the coverage of expenditure not eligible for assistance.
  4. The assistance will be granted only if the operations are completed within the timetable specified in Annex I.
  5. The beneficiary of the assistance is the responsible body, which must distribute individual grants to the natural persons concerned by the conversion measures.
  6. An advance of ECU 20 000 will be paid to the beneficiary as soon as this Decision is adopted. The balance will be paid as one sum on completion of all the operations and on presentation and verification of a detailed statement of expenditure.
  7. The body responsible for the concerted measure must ensure that the necessary supporting evidence (files, vouchers, etc.) is held at the Commission's disposal. Documents concerning the progress of operations will be sent to the Commission at its request.
  8. Any advertising in respect of the operations must refer clearly to the assistance received from the Community.
  9. If these conditions are not respected, the Commission may decide to suspend, reduce or cancel the assistance, and require reimbursement of the sums paid. Such a decision may not be taken until the beneficiary has been given notice to submit its comments within a time limit laid down by the Commission.
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## CORRIGENDA

**Corrigendum to Commission Regulation (EEC) No 2082/91 of 16 July 1991 amending Regulation (EEC) No 2814/91 laying down detailed rules for the definition of lambs fattened as heavy carcasses**

*(Official Journal of the European Communities No L 193 of 17 July 1991)*

On page 13 in Article 1 (1):

for: '... Article 2...',

read: '... Article 1...'.  
  
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**Corrigendum to Commission Regulation (EEC) No 3198/91 of 31 October 1991 fixing the amount of the subsidy on oil seeds**

*(Official Journal of the European Communities No L 303 of 1 November 1991)*

On page 39 in Annex III, point 1, in the column headed 'Current 11', against Portugal:

for: '32,558',

read: '32,858',  
  
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**Corrigendum to Commission Regulation (EEC) No 3199/91 of 31 October 1991 fixing the amount of aid for peas, field beans and sweet lupins**

*(Official Journal of the European Communities No L 303 of 1 November 1991)*

On page 44 in Annex V, 'Partial aids', products harvested in:

in the column headed '5th period (4)' against BLEU (Bfrs/Lfrs):

for: '479,55'

read: '479,35',

against Federal Republic of Germany (DM):

for: '25,24'

read: '23,24',

in the column headed 'Current (11)' against Spain (Pta):

for: '1 379,95'

read: '1 379,93',

in the column headed '4th period (3)' against Ireland (£ Irl):

for: '8,255'

read: '8,253'.  
  
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