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## I

*(Acts whose publication is obligatory)*

**COUNCIL REGULATION (EEC) No 2334/92**  
**of 7 August 1992**  
**amending Regulation (EEC) No 3906/89 in order to extend economic aid to**  
**include Slovenia**

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>,

Whereas Regulation (EEC) No 3906/89 <sup>(3)</sup>, provides for economic and humanitarian aid to support the process of economic and social reform in a number of Central and Eastern European countries;

Whereas the countries qualifying for such aid are listed in the Annex to the said Regulation;

Whereas, as a result of Slovenia's becoming independent, this new state should be included in the list of eligible countries in order to allow it to continue to receive aid under the arrangements set up by Regulation (EEC) No 3906/89 which have been extended, since 17 September 1990, to include Yugoslavia,

HAS ADOPTED THIS REGULATION :

*Article 1*

The following country shall be included in the Annex to Regulation (EEC) No 3906/89 :  
'SLOVENIA'.

*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 August 1992.

*For the Council*  
*The President*  
N. LAMONT

<sup>(1)</sup> OJ No C 120, 12. 5. 1992, p. 26.

<sup>(2)</sup> Opinion delivered on 9 July 1992 (not yet published in the Official Journal).

<sup>(3)</sup> OJ No L 375, 23. 12. 1989, p. 11. Regulation as last amended by Regulation (EEC) No 3800/91 (OJ No L 357, 28. 12. 1991, p. 10).

**COUNCIL REGULATION (EEC) No 2335/92****of 7 August 1992****on an emergency measure to supply food products to the populations of Estonia,  
Latvia and Lithuania**

THE COUNCIL 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>, and in particular Article 7 (5) and Article 8 thereof,

Having regard to the proposal from the Commission,

Whereas the market for certain agricultural products may feature production situations which make it possible to dispose of such products on special terms;

Whereas Regulation (EEC) No 3861/91<sup>(2)</sup> provides for a first emergency measure to supply food products to the populations of Estonia, Latvia and Lithuania;

Whereas provision should be made for a second measure to continue the supply of cereal products to the people of Estonia, Latvia and Lithuania in order to improve the conditions of supply to the populations of those countries and maintain their livestock herds; whereas the Community has stocks of agricultural products as a result of intervention and such products should be used to implement the measure in question;

Whereas it is for the Commission to lay down the detailed rules for applying the measure in question,

HAS ADOPTED THIS REGULATION:

*Article 1*

An emergency measure is hereby adopted, under the conditions laid down in the following Articles, for free supply to the populations of Estonia, Latvia and Lithuania of certain cereal products to be determined, available as a result of intervention.

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1. Regulation as last amended by Regulation (EEC) No 1738/92 (OJ No L 180, 1. 7. 1992, p. 1).  
<sup>(2)</sup> OJ No L 362, 31. 12. 1991, p. 87.

Expenditure on this measure shall be limited to ECU (budgetary) 45 million.

*Article 2*

1. The products may be supplied unprocessed or in processed form.
2. The measure may also relate to food products obtained through a commercial exchange of products from intervention stocks against goods belonging to the same group of products.
3. The supply costs, including transport and, where applicable, processing, shall be determined by invitation to tender or, on account of the urgency of the situation, by direct agreement procedure.
4. The costs shall be reimbursed to the operators concerned in respect of the supply of products for which proof is provided that they have reached the delivery stage laid down.
5. Products consigned pursuant to this Regulation shall not qualify for export refunds and shall not be subject to the arrangements concerning monetary compensatory amounts.

*Article 3*

The detailed rules for the application of this Regulation shall be adopted by the Commission in accordance with the procedure laid down in Article 26 of Regulation (EEC) No 2727/75.

*Article 4*

The Commission shall be responsible for verifying the delivery operations and for the application of the criteria adopted when the aid is distributed to the populations concerned.

*Article 5*

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 August 1992.

*For the Council*

*The President*

N. LAMONT

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## COMMISSION REGULATION (EEC) No 2336/92

of 10 August 1992

## 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 1738/92<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,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 1820/92<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 August 1992;

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 1820/92 to today's offer prices and quotations known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

*Article 1*

The import levies to be charged on products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 2727/75 shall be as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 11 August 1992.

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

Done at Brussels, 10 August 1992.

*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 180, 1. 7. 1992, p. 1.

<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 185, 4. 7. 1992, p. 1.

## ANNEX

## to the Commission Regulation of 10 August 1992 fixing the import levies on cereals and on wheat or rye flour, groats and meal

<i>(ECU/tonne)</i>	
CN code	Levy (°)
0709 90 60	152,27 (°) (°)
0712 90 19	152,27 (°) (°)
1001 10 10	161,09 (°) (°) (10)
1001 10 90	161,09 (°) (°) (10)
1001 90 91	148,73
1001 90 99	148,73 (11)
1002 00 00	153,99 (°)
1003 00 10	126,07
1003 00 90	126,07 (11)
1004 00 10	109,13
1004 00 90	109,13
1005 10 90	152,27 (°) (°)
1005 90 00	152,27 (°) (°)
1007 00 90	153,97 (°)
1008 10 00	52,35 (11)
1008 20 00	102,90 (°)
1008 30 00	50,53 (°)
1008 90 10	(°)
1008 90 90	50,53
1101 00 00	221,18 (°) (11)
1102 10 00	228,55 (°)
1103 11 10	262,59 (°) (10)
1103 11 90	238,71 (°)

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

(°) 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.

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

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

(°) 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.

(°) 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 and Commission Regulation (EEC) No 2622/71.

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

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

(°) No levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC, except if paragraph 4 of the same Article applies.

(10) An amount equal to the amount fixed by Regulation (EEC) No 1825/91 is to be levied in accordance with Article 101 (4) of Decision 91/482/EEC.

(11) Products falling within this code, imported from Poland, Czechoslovakia or Hungary under the Interim Agreements concluded between those countries and the Community, and in respect of which EUR.1 certificates issued in accordance with Regulation (EEC) No 585/92 have been presented, are subject to the levies set out in the Annex to that Regulation.

## COMMISSION REGULATION (EEC) No 2337/92

of 10 August 1992

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 1738/92 <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,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EEC) No 1821/92 <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 August 1992;

Whereas, on the basis of today's cif prices and cif forward delivery prices, the premiums at present in force, which are to be added to the levies, should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

*Article 1*

The premiums referred to in Article 15 of Regulation (EEC) No 2727/75 to be added to the import levies fixed in advance in respect of cereals and malt coming from third countries shall be as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 11 August 1992.

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

Done at Brussels, 10 August 1992.

*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 180, 1. 7. 1992, p. 1.

<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 185, 4. 7. 1992, p. 4.



## ANNEX

to the Commission Regulation of 10 August 1992 fixing the premiums to be added to the import levies on cereals, flour and malt

## A. Cereals and flour

CN code	<i>(ECU/tonne)</i>			
	Current 8	1st period 9	2nd period 10	3rd period 11
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 10	0	0	0	0
1001 10 90	0	0	0	0
1001 90 91	0	0	0	0
1001 90 99	0	0	0	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 10	0	0	0	0
1004 00 90	0	0	0	0
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	0

## B. Malt

CN code	<i>(ECU/tonne)</i>				
	Current 8	1st period 9	2nd period 10	3rd period 11	4th period 12
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 2338/92****of 31 July 1992****concerning the stopping of fishing for cod by vessels flying the flag of Germany**

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 3882/91 of 18 December 1991 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1992 and certain conditions under which they may be fished<sup>(3)</sup>, as last amended by Regulation (EEC) No 2121/92<sup>(4)</sup>, provides for cod quotas for 1992;

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 cod in the waters of ICES division II b by vessels flying the flag of Germany or registered in Germany have reached the quota allocated for 1992; whereas Germany has prohibited fishing for

this stock as from 11 July 1992; whereas it is therefore necessary to abide by that date,

HAS ADOPTED THIS REGULATION:

*Article 1*

Catches of cod in the waters of ICES division II b by vessels flying the flag of Germany or registered in Germany are deemed to have exhausted the quota allocated to Germany for 1992.

Fishing for cod in the waters of ICES division II b by vessels flying the flag of Germany or registered in Germany 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 11 July 1992.

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

Done at Brussels, 31 July 1992.

*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 367, 31. 12. 1991, p. 1.

<sup>(4)</sup> OJ No L 213, 29. 7. 1992, p. 5.

**COMMISSION REGULATION (EEC) No 2339/92  
of 6 August 1992**

**re-establishing the levying of customs duties on products falling within CN code 7318 15 81, originating in China, 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>, extended into 1992 by Regulation (EEC) No 3587/91 <sup>(2)</sup>, and in particular Article 9 thereof,

Whereas, pursuant to Articles 1 and 6 of Regulation (EEC) No 3831/90, suspension of customs duties shall be accorded to each of the countries or territories listed in Annex III other than those listed in column 4 of Annex I within the framework of the preferential tariff ceilings fixed in column 6 of Annex I;

Whereas, as provided for in Article 7 of that Regulation, as soon as the individual ceilings in question are reached at Community level, the levying of customs duties on imports of the products in question originating in each of

the countries and territories concerned may at any time be re-established;

Whereas, in the case of products falling within CN code 7318 15 81, originating in China, the individual ceiling was fixed at ECU 873 000; whereas, on 12 June 1992, imports of these products into the Community originating in China reached the ceiling in question after being charged thereagainst; whereas, it is appropriate to re-establish the levying of customs duties in respect of the products in question against China,

HAS ADOPTED THIS REGULATION:

*Article 1*

As from 14 August 1992, the levying of customs duties, suspended pursuant to Regulation (EEC) No 3831/90, shall be re-established on imports into the Community of the following products originating in China:

Order No	CN code	Description
10.0902	7318 15 81	– Hexagon bolts – – Other, with a tensile strength of less than 800 MPa

*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, 6 August 1992.

*For the Commission*

Jean DONDELINGER

*Member of the Commission*

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

<sup>(2)</sup> OJ No L 341, 12. 12. 1991, p. 1. Last amended by Council Regulation (EEC) No 1509/92 (OJ No L 159, 17. 6. 1992, p. 1).

**COMMISSION REGULATION (EEC) No 2340/92  
of 6 August 1992**

**re-establishing the levying of customs duties on products falling within CN code 9105, originating in China, 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>, extended into 1992 by Regulation (EEC) No 3587/91<sup>(2)</sup>, and in particular Article 9 thereof,

Whereas, pursuant to Articles 1 and 6 of Regulation (EEC) No 3831/90, suspension of customs duties shall be accorded to each of the countries or territories listed in Annex III other than those listed in column 4 of Annex I within the framework of the preferential tariff ceilings fixed in column 6 of Annex I;

Whereas, as provided for in Article 7 of that Regulation, as soon as the individual ceilings in question are reached at Community level, the levying of customs duties on imports of the products in question originating in each of

the countries and territories concerned may at any time be re-established;

Whereas, in the case of products falling within CN code 9105, originating in China, the individual ceiling was fixed at ECU 5 441 000; whereas, on 7 April 1992, imports of these products into the Community originating in China reached the ceiling in question after being charged thereagainst; whereas, it is appropriate to re-establish the levying of customs duties in respect of the products in question against China,

HAS ADOPTED THIS REGULATION:

*Article 1*

As from 14 August 1992, the levying of customs duties, suspended pursuant to Regulation (EEC) No 3831/90, shall be re-established on imports into the Community of the following products originating in China:

Order No	CN code	Description
10.1180	9105	Other clocks

*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, 6 August 1992.

*For the Commission*  
Jean DONDELINGER  
*Member of the Commission*

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

<sup>(2)</sup> OJ No L 341, 12. 12. 1991, p. 1. Last amended by Council Regulation (EEC) No 1509/92 (OJ No L 159, 17. 6. 1992, p. 1).

## COMMISSION REGULATION (EEC) No 2341/92

of 7 August 1992

laying down definitive measures on the issuing of STM licences for beef and veal  
in trade with Portugal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 252 (3) thereof,

Having regard to Council Regulation (EEC) No 569/86 of 25 February 1986 laying down general rules for the application of the supplementary mechanism applicable to trade <sup>(1)</sup>, as last amended by Regulation (EEC) No 3296/88 <sup>(2)</sup>, and in particular Article 7 (1) thereof,Whereas Commission Regulation (EEC) No 3810/91 of 18 December 1991 laying down detailed rules for the application of the supplementary trade mechanism in the beef and veal sector between the Community as constituted on 31 December 1985 and Spain and Portugal and repealing Regulations (EEC) No 4026/89 and (EEC) No 3815/90 <sup>(3)</sup> as last amended by Regulation (EEC) No 1844/92 <sup>(4)</sup>, set the indicative ceilings applicable in the beef and veal sector and the maximum quantities for which STM licences may be issued every two months;

Whereas STM licences issued in response to applications lodged from 20 to 23 July 1992 in Portugal have exhausted that fraction of the indicative ceiling set aside for the fourth two months of 1992 for frozen beef and veal;

Whereas the Commission accordingly adopted, by an emergency procedure, appropriate interim protective measures by Regulation (EEC) No 2185/92 <sup>(5)</sup>;

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

Whereas, as a definitive measure as referred to in Article 252 (3) of the Act of Accession, the issue of STM licences should be definitively discontinued in order to prevent any disturbance on the market;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

1. The issue of STM licences is hereby suspended until 3 September 1992 for frozen beef and veal.
2. Further applications for STM licences may be lodged from 24 August 1992.

*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 August 1992.

*For the Commission*

Jean DONDELINGER

*Member of the Commission*<sup>(1)</sup> OJ No L 55, 1. 3. 1986, p. 106.<sup>(2)</sup> OJ No L 293, 27. 10. 1988, p. 7.<sup>(3)</sup> OJ No L 357, 28. 12. 1991, p. 53.<sup>(4)</sup> OJ No L 187, 7. 7. 1992, p. 36.<sup>(5)</sup> OJ No L 217, 31. 7. 1992, p. 88.

## COMMISSION REGULATION (EEC) No 2342/92

of 7 August 1992

on imports of pure-bred breeding animals of the bovine species from the third countries and the granting of export refunds thereon and repealing Regulation (EEC) No 1544/79

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal <sup>(1)</sup>, as last amended by Regulation (EEC) No 2066/92 <sup>(2)</sup>, and in particular Articles 10 (5) and 18 (6) thereof,

Whereas import levy is not payable on pure-bred breeding animals of the bovine species falling within CN code 0102 10 00 on import into the Community; whereas on export a higher refund is paid on female animals up to the age of 60 months than on live bovine animals falling within CN codes 0102 90 31 and 0102 90 33;

Whereas, to permit proper application of the Community rules in this area, the term pure-bred breeding animal should be clarified; whereas the definition given in Article 1 of Council Directive 77/504/EEC of 25 July 1977 on pure-bred breeding animals of the bovine species <sup>(3)</sup>, as last amended by Directive 91/174/EEC <sup>(4)</sup>, must be used for the purpose;

Whereas in order to ensure that imported animals are actually intended for breeding they must be accompanied by the pedigree and breeding certificates and the health certificates normally required for such animals and importers must undertake to keep the animals alive for a certain period;

Whereas, since there is no provision for a security to ensure that these animals are kept alive for that period, provision should be made for Council Regulation (EEC) No 1697/79 of 24 July 1979 on the post-clearance recovery of import duties or export duties which have not been required of the person liable for payment on goods entered for a customs procedure involving the obligation to pay such duties <sup>(5)</sup> to apply where the requirement concerning that period is not observed;

Whereas the Community has concluded bilateral free-trade agreements with the EFTA; whereas, under those

agreements, certain provisions relating to, or obligations on, the third countries concerned should be waived but the pedigree and breeding certificates and the health certificates relating to pure-bred breeding animals must be required to be presented on release for free circulation in the Community;

Whereas the health documents required to accompany exports of pure-bred female breeding animals up to 60 months old in order to make sure that they are really intended for breeding and the genetic value assessment results that must appear on or accompany the pedigree certificate should be specified;

Whereas pure-bred breeding animals imported into the Community must be checked to see that they have not previously been exported from the Community and that export refunds have not been paid thereon; whereas, where export refunds have been paid on such animals, the sums must be repaid before the animals are re-imported into the Community;

Whereas Commission Regulation (EEC) No 1544/79 <sup>(6)</sup>, amended by Regulation (EEC) No 3988/87 <sup>(7)</sup>, only covers the requirements pertaining to the granting of export refunds on pure-bred breeding animals; whereas, for the sake of clarity it should be repealed and its provisions incorporated in this Regulation;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

For the purposes of collecting import levies and granting export refunds, live animals of the bovine species shall be considered pure-bred breeding animals falling within CN code 0102 1000 if they meet the definition laid down in Article 1 of Directive 77/504/EEC. In addition, only female animals up to six years old shall be considered pure-bred breeding females.

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

<sup>(2)</sup> OJ No L 215, 30. 7. 1992, p. 49.

<sup>(3)</sup> OJ No L 206, 12. 8. 1977, p. 8.

<sup>(4)</sup> OJ No L 85, 5. 4. 1991, p. 37.

<sup>(5)</sup> OJ No L 197, 3. 8. 1979, p. 1.

<sup>(6)</sup> OJ No L 187, 25. 7. 1979, p. 8.

<sup>(7)</sup> OJ No L 376, 31. 12. 1987, p. 31.

### Article 2

1. On the release for free circulation of pure-bred breeding animals of the bovine species falling within CN code 0102 10 00, importers shall present the following to the customs authorities of the Member State in respect of each animal:

- (a) the pedigree and breeding certificate;
- (b) the health certificate of the type required for pure-bred breeding animals of the bovine species.

2. In addition, importers shall submit a written declaration to the customs authorities to the effect that, except in cases of *force majeure*, the animal will not be slaughtered within 12 months of the day on which it is imported.

3. By no later than the end of the 15th month following that of release for free circulation, importers shall provide the customs authorities of the Member State of import with proof that the animal:

- (a) has not been slaughtered before the expiry of the time limit laid down in paragraph 2 and has been registered or entered in a herd book; or
- (b) has been slaughtered before the expiry of the time limit for health reasons or has died as a result of disease or accident.

The proof referred to in (a) shall consist in a certificate drawn up by the association, organization or official body of the member State holding the herd book. The proof referred to in (b) shall consist in a certificate drawn up by an official body designated by the Member State.

4. Failure to observe the requirement relating to the period of 12 months, except where paragraph 3 (b) applies, shall result in classification of the animal in question under CN code 0102 90 and shall give rise to proceedings to recover import duties not collected, in accordance with Regulation (EEC) No 1697/79.

5. The provisions relating to:

- the age limit laid down in Article 1,
  - the obligations specified in paragraphs 2, 3 and 4
- shall not apply to imports of pure-bred breeding originating in and coming from Austria, Finland, Iceland, Norway, Sweden and Switzerland.

### Article 3

The granting of the refund on female pure-bred breeding animals shall be subject to the presentation, in respect of

each animal, at the time customs export formalities are completed, of the original and a copy of:

- (a) the pedigree certificate issued by the association, organization or official body of the Member State holding the herd book showing in particular the results of performance tests and the results (with details of origin) of the assessment of the genetic value of the animal concerned and its parents and grandparents. These results may also accompany the certificate;
- (b) the health certificate for pure-bred breeding animals of the bovine species required by the third country of destination.

However, by way of derogation from point (b), Member States may authorize the presentation of a single certificate for a batch of animals.

The originals of both certificates shall be returned to the exporter and the copies, certified as true copies by the customs authorities, shall be attached to the refund payment application.

### Article 4

1. Before release for free circulation of pure-bred breeding animals re-imported into the Community, any export refund granted must be repaid or the necessary measures taken by the competent authorities for such sums to be withheld if they have not already been paid.

2. If, at the time customs import formalities are completed for animals falling within CN code 0102 10 00, the pedigree certificate shows that the breeder is established in the Community, the importer must also give proof that no refund has been granted or that any refund granted has been repaid. If such proof cannot be provided, an export refund equal to the highest import levy applicable to animals of the bovine species falling within CN code 0102 90 on the day of re-importation into the Community shall be considered as having been paid.

### Article 5

Regulation (CEE) No 1544/79 is hereby repealed.

### Article 6

This Regulation shall enter into force on 17 August 1992.

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

Done at Brussels, 7 August 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

**COMMISSION REGULATION (EEC) No 2343/92**  
**of 10 August 1992**  
**on the supply of corned beef as food aid**

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

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

Whereas Council Regulation (EEC) No 1420/87 of 21 May 1987 laying down implementing rules for Regulation (EEC) No 3972/86 on food-aid policy and food-aid management <sup>(3)</sup> lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas, following the taking of a number of decisions on the allocation of food aid, the Commission has allocated to certain countries and beneficiary organizations 937 tonnes of corned beef;

Whereas it is necessary to make these supplies in accordance with the rules laid down by Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid <sup>(4)</sup>, as amended by Regulation (EEC) No 790/91 <sup>(5)</sup>; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs;

Whereas, notably for logistical reasons, certain supplies are not awarded within the first and second deadlines for submission of tenders; whereas, in order to avoid republication of the notice of invitation to tender, a third deadline for submission of tenders should be opened,

HAS ADOPTED THIS REGULATION:

*Article 1*

Corned beef shall be mobilized in the Community as Community food aid for supply to the recipients listed in the Annex, in accordance with Regulation (EEC) No 2200/87 and under the conditions set out in the Annex. Supplies shall be awarded by the tendering procedure.

The successful tenderer is deemed to have noted and accepted all the general and specific conditions applicable. Any other condition or reservation included in his tender is deemed unwritten.

*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, 10 August 1992.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 370, 30. 12. 1986, p. 1.

<sup>(2)</sup> OJ No L 174, 7. 7. 1990, p. 6.

<sup>(3)</sup> OJ No L 136, 26. 5. 1987, p. 1.

<sup>(4)</sup> OJ No L 204, 25. 7. 1987, p. 1.

<sup>(5)</sup> OJ No L 81, 28. 3. 1991, p. 108.



## ANNEX

## LOTS A, B and C

1. **Operation Nos** <sup>(1)</sup>: 749/92 (A) 750/92 (B) and 751/92 (C)
2. **Programme** : 1992
3. **Recipient** <sup>(2)</sup>: UNRWA Headquarters, Supply Division, Vienna International Center, PO Box 700, A-1400 Vienna; telex 135310 UNRWA A — fax: (1) 230 75 29
4. **Representative of the recipient** <sup>(2)</sup>:
  - A: Ashdod: UNRWA Field Supply and Transport Officer, West Bank, PO Box 19149, Jerusalem (tel.: 82 80 93; telex: 26194 UNRWA IL; fax: 81 65 64)
  - B: Latakia: UNRWA Field Supply and Transport Officer SAR, PO Box 4313, Damascus — SAR tel. (96311) 66 02 17 — telex: 412006 UNRWA SY
  - C: Beirut: UNRWA Field Supply and Transport Officer, Lebanon, PO Box 947, Beirut, Lebanon (tel.: 81 00 12; telex: 21430 UNRWA LE; fax: 87 11 45 02 32)
5. **Place or country of destination** :
  - Lot A: Israel
  - Lot B: Syria
  - Lot C: Lebanon
6. **Product to be mobilized** : corned beef
7. **Characteristics and quality of the goods** <sup>(3)</sup>: see OJ No C 114, 29. 4. 1991, p. 1 (under VII A 1), lot B: <sup>(2)</sup>
8. **Total quantity** : 937 tonnes
9. **Number of lots** : three (A: 603 tonnes; B: 162 tonnes; C: 172 tonnes)
10. **Packaging and marking** <sup>(6)</sup> <sup>(8)</sup>:
  - OJ No C 114, 29. 4. 1991, p. 1 (under VII A 2 and A 3)
  - Markings in English
  - Supplementary markings on the packaging:  
'UNRWA'
11. **Method of mobilization** : the Community market
12. **Stage of supply** : free at port of landing — landed
13. **Port of shipment** : —
14. **Port of landing specified by the recipient** : —
15. **Port of landing** : Lot A: Ashdod; Lot B: Latakia; Lot C: Beirut
16. **Address of the warehouse and, if appropriate, port of landing** : —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage** : 1 — 15. 10. 1992
18. **Deadline for the supply** : 15. 11. 1992
19. **Procedure for determining the costs of supply** : invitation to tender
20. **Date of expiry of the period allowed for submission of tenders** : 12 noon on 25. 8. 1992
21. **A. In the case of a second invitation to tender** :
  - (a) deadline for the submission of tenders : 12 noon on 10. 9. 1992
  - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage : 15 — 31. 10. 1992
  - (c) deadline for the supply : 30. 11. 1992

**B. In the case of a third invitation to tender** :

  - (a) deadline for the submission of tenders : 12 noon on 24. 9. 1992
  - (b) period for making the goods available at the port of shipment stage : 29. 10 — 12. 11. 1992
  - (c) deadline for the supply : 15. 12. 1992

22. **Amount of tendering security:** ECU 15 per tonne
23. **Amount of delivery security:** 10 % of the amount of the tender in ecus
24. **Address for submission of tenders (\*):** Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, Bâtiment Loi 120, bureau 7/46, 200 rue de la Loi, B-1049 Bruxelles ; telex 22037 AGREC B or 25670 AGREC B
25. **Refund payable on application by the successful tenderer (\*) :** refunds only for products covered by product code 1602 50 90 120 or 1602 50 90 320, referred to in Commission Regulation (EEC) No 3445/89 (OJ No L 336, 20. 11. 1989, p. 1). The refunds are those which are applicable at the expiry date of the time limit for the submission of tenders

*Notes:*

- (<sup>1</sup>) The operation number is to be quoted in all correspondence.
- (<sup>2</sup>) Commission delegate to be contacted by the successful tenderer: see list published in OJ No C 114, 29. 4. 1991, p. 33.
- (<sup>3</sup>) The successful tenderer shall deliver to the recipient a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.
- The radioactivity certificate must indicate the caesium-134 and -137 and iodine-131 levels.
- The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following documents:
- health certificate,
  - certificate of origin.
- (<sup>4</sup>) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of this Annex, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably:
- by porter at the office referred to in point 24 of this Annex, or
  - by telecopier on one of the following numbers in Brussels:
    - 295 01 32,
    - 296 10 97,
    - 295 01 30,
    - 296 20 05,
    - 296 33 04.
- (<sup>5</sup>) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56), is applicable as regards the export refund and, where appropriate, the monetary and accession compensatory amounts, the representative rate and the monetary coefficient. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 25 of the Annex.
- (<sup>6</sup>) Consignment be stowed in 20-foot containers. The contracted shipping terms shall be considered full liner terms (liner in/liner out) free Ashdod/Latakia/Beirut, container yard and is understood to cover 15 days — Saturdays, Sundays and official public and religious holidays excluded — free of container detention charges at the port of discharge taken from the day/time of the arrival of the vessel. The 15 days free of container detention charges should be clearly marked on the bill of lading. Bona fide detention charges levied in respect of container detention(s) in excess of the said 15 days as detailed above will be borne by UNRWA. UNRWA shall not pay/not be charged any container deposit fees. After take-over of the goods at the delivery stage, the recipient will bear all costs of shifting the containers to the storage yard outside the port area and of moving them on to the container yard.
- (<sup>7</sup>) The successful tenderer is to contact the recipient as soon as possible to establish what consignment documents are required and how they are to be distributed.
- (<sup>8</sup>) Ashdod: consignment to be stowed in 20-foot containers containing not more than 17 tonnes each, net, not more than 50 containers being shipped per week on any vessel.
- (<sup>9</sup>) The health certificate and the certificate of origin must be signed and stamped by a Syrian consulate, including a statement that consular fees and charges have been paid.

## COMMISSION REGULATION (EEC) No 2344/92

of 10 August 1992

laying down detailed rules applicable to the free supply of agriculture products to the victims of the conflict in the former Yugoslavia provided for in Council Regulation (EEC) No 2139/92

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2139/92 of 23 July 1992 on an emergency measure for the free supply of agricultural products to the victims of the conflict in the former Yugoslavia<sup>(1)</sup>, and in particular Article 3 (2) thereof,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the conversion rate to be applied for the purpose of the common agricultural policy<sup>(2)</sup>, as last amended by Regulation (EEC) No 2322/91<sup>(3)</sup>, and in particular Article 2 (4) thereof,

Whereas Council Regulation (EEC) No 2139/92 provides for an emergency measure for the supply of agriculture products to the victims of the conflict in the former Yugoslavia; whereas, with a view to implementing that emergency measure, detailed rules of application should be laid down for the cereals, rice, milk products, beef meat and fruit and vegetable sectors, providing in particular for the said supply operation to be allocated by a tendering procedure; whereas common detailed rules should be laid down for invitations to tender opened for the purposes of this measure;

Whereas Council Regulation (EEC) No 2139/92 provides for the free supply of agricultural products in the same state as that in which they were removed from intervention stock but also of products processed from the same group of products; whereas, therefore, provision should be made for detailed rules for invitations to tender for the free supply of processed products; whereas special detailed rules should be laid down for this, in particular provision should be made that these supplies, the processing, transport and other related costs shall be paid for in the form of raw materials from intervention stocks;

Whereas the detailed rules of application must also provide for arrangements governing the lodging of securities and controls to ensure the proper execution of the supply operation;

Whereas, in order to avoid the risk of monetary distortion when converting into ecus the tenders awarded for supply

costs, a rate corresponding more closely to actual economic circumstances than the agricultural conversion rate should be used with due regard to the application of the correcting factor referred to in Article 2 (2) of Regulation (EEC) No 1876/85; whereas Article 3a of Commission Regulation (EEC) No 3152/85 of 11 November 1985 laying down detailed rules for the application of Regulation (EEC) No 1676/85 on the value of the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy<sup>(4)</sup>, as last amended by Regulation (EEC) No 3237/90<sup>(5)</sup> provides for the publication of such a rate;

Whereas products held by intervention agencies and intended for export are subject to the provisions of Commission Regulation (EEC) No 569/88<sup>(6)</sup>, as last amended by Regulation (EEC) No 2315/92<sup>(7)</sup>; whereas, however, the Annex I to the said Regulation setting out the entries to be made should be expanded;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the relevant management Committees,

HAS ADOPTED THIS REGULATION:

*Article 1*

The detailed rules set out herein shall apply for the purpose of the free supply of agricultural products to the victims of the conflict in the former Yugoslavia as provided for in Regulation (EEC) No 2139/92.

*Article 2*

1. The invitation to tender shall cover the determination of the supply costs between the intervention stores and the destination laid down.

2. Such costs shall cover the supply of goods loaded in bulk or in sacks on the means of transport, ex-store of the intervention agency, cif former Yugoslavia maritime port of unloading, or, in the case of land transport, up to the point of taking over by the appropriate bodies to be determined.

<sup>(1)</sup> OJ No L 214, 30. 7. 1992, p. 8.

<sup>(2)</sup> OJ No L 164, 24. 6. 1985, p. 1.

<sup>(3)</sup> OJ No L 213, 1. 8. 1991, p. 64.

<sup>(4)</sup> OJ No L 310, 21. 11. 1985, p. 1.

<sup>(5)</sup> OJ No L 310, 9. 11. 1990, p. 18.

<sup>(6)</sup> OJ No L 55, 1. 3. 1988, p. 1.

<sup>(7)</sup> OJ No L 222, 7. 8. 1992, p. 46.

3. However, in the case of the supply of processed products from the same group of products, the invitation to tender shall cover the quantity of basic products to be taken from intervention stocks as payment in kind.

#### Article 3

Participation in the invitations to tender shall be open on equal terms to any natural person who is a national of a Member State and established in the Community or any company established in accordance with the laws of a Member State, the registered office, central administration or main establishment of which is in a Member State.

#### Article 4

Tenderers shall participate in the invitation to tender by forwarding to the intervention agency concerned a tender by letter or any other written means of telecommunication provided for in the notice of invitation to tender.

#### Article 5

1. In the case of invitations to tender as provided for in Article 2 (1) of this Regulation, tenders shall cover all the supply costs referred to in Article 2 (2) of a lot or group of lots indicated in the notice of invitation to tender for a given destination. They shall be expressed in ecus per tonne. That amount shall be converted using the representative market rate specified in Article 3a of Commission Regulation (EEC) No 3152/85, applicable on the closing date for the submission of tenders.

2. In the case of invitations to tender as provided for in Article 2 (3) of this Regulation, tenders shall cover the quantities of basic products to be taken from intervention stocks as payment in kind for the supply.

3. Tenders shall be valid only where they are accompanied by:

- (a) an application for an export licence quoting a reference to the present Regulation, to be entered in section 22;
- (b) proof that a tendering security has been lodged in accordance with Regulation (EEC) No 2220/85<sup>(1)</sup>, as last amended by Regulation (EEC) No 3745/89<sup>(2)</sup>.

Tenders not submitted in accordance with this Regulation and the invitation to tender shall not be valid.

Tenders may be neither amended nor withdrawn.

#### Article 6

1. The intervention agency concerned shall notify the Commission of tenders received two hours at the latest

after the expiry of the closing date for the submission of tenders.

2. In accordance with the procedure laid down in Article 26 of Council Regulation (EEC) No 2727/75<sup>(3)</sup> as the case may be, in the corresponding Articles in the other Regulations on the organization of the agricultural market in question, the Commission shall fix either the maximum supply costs for each lot or the maximum quantity of the basic product to be taken as payment in kind, or shall decide to make no award in respect of tenders received.

#### Article 7

1. The intervention agencies concerned shall inform all tenderers of the outcome of their tenders at the earliest opportunity. It shall forward a declaration of award by written telecommunication to the successful tenderers.

2. Where several tenderers have lodged tenders quoting the same offer in respect of the same lot, the supply shall be awarded by the intervention agency by drawing lots.

#### Article 8

1. In the case of invitations to tender as referred to in Article 2 (1) of this Regulation, removal of the goods shall be subject to the lodging of a security of an amount equal to the intervention buying-in price for the said basic products, adjusted as necessary in accordance with the monthly increases applicable on the last day for submission of tenders, increased by 10 %.

2. In the case of invitations to tender as referred to in Article 2 (3) of this Regulation, the successful tenderer must lodge a supply security before the goods are shipped. The amount of the security shall be equal to the purchase price of the total basic product awarded as payment in kind, adjusted as necessary in accordance with the monthly increases applicable on the last day for submission of tenders, increased by 10 %.

#### Article 9

1. Except in cases of *force majeure*, the successful tenderer shall bear all risks which the goods may incur, in particular loss or deterioration as far as the supply stage laid down.

2. If taking over at the delivery stage is delayed owing to circumstances beyond the control of the successful tenderer, the additional costs may be reimbursed by the Commission on the basis of supporting documents.

<sup>(1)</sup> OJ No L 205, 3. 8. 1985, p. 5.

<sup>(2)</sup> OJ No L 364, 14. 12. 1989, p. 54.

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

3. The successful tenderer shall apply to the consignee indicated in the notice of invitation to tender for a certificate testifying that the quantity delivered has been taken over.

4. In the case of invitations to tender as provided for in Article 2 (1) of this Regulation, the supply costs shall be reimbursed in respect of the quantity appearing in the taking-over certificate, no amount being withheld for normal loss of weight.

5. In the case of invitations to tender as provided for in Article 2 (3) of this Regulation, the basic product for which a contract is awarded shall be put at the disposal of the tenderer on presentation of:

- a quality certificate issued before loading on the means of transport;
- the original taking-over certificate issued by the consignee of the supply, or, if no such document is issued, on presentation of a certificate issued at destination by a body designated by the Member State.

#### Article 10

1. Representative samples of the quantities of products supplied shall be taken at the time of loading for exportation and at the time of unloading in the place of destination.

The security firm which monitors the unloading may not be the same as that monitoring the loading and must operate independently from the latter. Security firms shall be designated by the intervention agency acting in agreement with the tenderer.

2. Samples shall be taken at the expense of the successful tenderer and made available to the intervention agency concerned.

#### Article 11

1. For the purpose of invitations to tender as provided for in Article 2 (1) of this Regulation 'primary requirement' within the meaning of Article 20 of Commission Regulation (EEC) No 2220/85 means:

- (a) maintenance of the tender and removal of the goods as regards the tendering security referred to in point (b) of Article 5 (3);
- (b) actual delivery of the lots awarded up to the supply stage without any significant change in quality compared with that recorded at the time of removal from the intervention store as regards the security referred to in Article 8.

2. The tendering security referred to in point (b) of Article 5 (3) shall be released when:

- the tender has been rejected,
- the goods have been removed by the tenderer.

3. The security referred to in Article 8 shall be released when the successful tenderer has presented the taking-over certificate provided for in Article 9 (3) and when evidence has been provided that the quality of the goods supplied at delivery is not significantly different from that applying when they were removed. That evidence shall be provided by an analysis of the samples taken for the purpose.

4. When the successful tenderer has provided the taking-over certificate and on presentation of the document relating to transport, the supply costs as laid down in the tender shall be reimbursed to him.

#### Article 12

1. For the purpose of invitations to tender as provided for in Article 2 (3) of this Regulation 'primary requirement' within the meaning of Article 20 of Commission Regulation (EEC) No 2220/85:

- (a) maintenance of the tender and removal of the goods as payment in kind from intervention stocks as regards the tendering security provided for in point (b) of Article 5 (3);
- (b) actual delivery of the lots awarded up to the supply stage without any significant change in quality compared with that provided for in the invitation to tender as regards the security referred to in Article 8.

2. The tendering security referred to in point (b) of Article 5 (3) shall be released when:

- the tender has been rejected,
- the goods for payment in kind have been removed from the intervention stocks by the tenderer.

3. The security referred to in Article 8 shall be released when the successful tenderer has presented the taking-over certificate provided for in Article 9 (3) and when evidence has been provided that the quality of the goods supplied at delivery is not significantly different from that provided for in the invitation to tender and established when samples are taken. That evidence shall be provided by an analysis of the samples taken for the purposes.

4. When the successful tenderer has provided the taking-over certificate and on presentation of the documents relating to transport and the quality of the processed product, the goods awarded for payment in kind may be removed from the intervention stocks.

#### Article 13

In Part 1 of the Annex to Regulation (EEC) No 569/88, 'Products to be exported in the same state as that in which they were when removed from intervention stock', the following item and footnote are added:

'133. Commission Regulation (EEC) No 2344/92 of 10 August 1992 laying down detailed rules applicable to the free supply of agricultural products to the victims of the conflict in the former Yugoslavia as provided for in Council Regulation (EEC) No 2139/92<sup>(133)</sup>.

<sup>(133)</sup> OJ No L 227, 11. 8. 1992, p. 18.'

#### *Article 14*

The export licences shall include in section 20 : 'Humanitarian Aid Council Regulation (EEC) No 2139/92. Not eligible for export refunds or monetary compensatory amounts.'

#### *Article 15*

1. With a view to the invitation to tender provided for in Article 2 (1) of this Regulation, the intervention agencies concerned shall publish at least eight days before the date laid down for the first partial invitation to tender, a notice of invitation to tender specifying in particular :

- the additional clauses and conditions compatible with this Regulation,
- the lots or groups of lots to which the tender must relate, with the names and addresses of the storers and the places of supply to which the lots must be delivered,
- the main physical and technical characteristics of the various lots recorded at the time of buying-in by the intervention agency or at the time of checks conducted subsequently,

— the time limits laid down for removal and supply.

2. With a view to the invitation to tender provided for in Article 2 (3) of this Regulation, the intervention agencies concerned shall publish at least eight days before the date laid down for the first partial invitation to tender, a notice of invitation to tender specifying in particular :

- the additional clauses and conditions compatible with this Regulation,
- the lots or groups of lots to which the tender must relate and the places of supply to which the lots must be delivered,
- the quantity, quality and packaging of the processed product to be supplied,
- the time limits laid down for supply,
- the places of storage where the basic products to be taken as payment in kind are available.

That notice, together with any amendments, shall be forwarded to the Commission before the expiry of the first closing date for the submission of tenders.

#### *Article 16*

The book value of the products disposed of pursuant to this Regulation shall be fixed in ecus per tonne in the regulation issuing the invitation to tender. That value shall be converted into national currency at the agricultural conversion rate applying on 1 August 1992.

#### *Article 17*

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

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

Done at Brussels, 10 August 1992.

*For the Commission*

Jean DONDELINGER

*Member of the Commission*

**COMMISSION REGULATION (EEC) No 2345/92****of 10 August 1992****altering 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 1738/92 <sup>(2)</sup>, and in particular the fifth subparagraph of Article 16 (2) thereof,Whereas the export refunds on cereals and on wheat or rye flour, groats and meal were fixed by Commission Regulation (EEC) No 2317/92 <sup>(3)</sup>;

Whereas it follows from applying the detailed rules contained in Commission Regulation (EEC) No 2317/92

to the information known to the Commission that the export refunds at present in force should be altered to the amounts set out in the Annex hereto,

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, as fixed in the Annex to Regulation (EEC) No 2317/92, are hereby altered as shown in the Annex to this Regulation in respect of the products set out therein.

*Article 2*

This Regulation shall enter into force on 11 August 1992.

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

Done at Brussels, 10 August 1992.

*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 180, 1. 7. 1992, p. 1.<sup>(3)</sup> OJ No L 222, 7. 8. 1992, p. 57.



## ANNEX

to the Commission Regulation of 10 August 1992 altering fixing the export refunds on cereals and on wheat or rye flour, groats and meal

<i>(ECU/tonne)</i>		
Product code	Destination (!)	Amount of refund (?)
0709 90 60 000	—	—
0712 90 19 000	—	—
1001 10 10 000	05 02	122,00 0
1001 10 90 000	04 02	50,00 20,00
1001 90 91 000	05 02	71,00 0
1001 90 99 000	04 02	60,00 20,00
1002 00 00 000	03 02	21,00 20,00
1003 00 10 000	—	—
1003 00 90 000	04 02	40,00 20,00
1004 00 10 000	—	—
1004 00 90 000	—	—
1005 10 90 000	—	—
1005 90 00 000	04 02	60,00 0
1007 00 90 000	—	—
1008 20 00 000	—	—
1101 00 00 100	01	96,00
1101 00 00 130	01	90,00
1101 00 00 150	01	83,00
1101 00 00 170	01	76,00
1101 00 00 180	01	71,00
1101 00 00 190	—	—
1101 00 00 900	—	—
1102 10 00 500	01	96,00
1102 10 00 700	—	—
1102 10 00 900	—	—
1103 11 10 200	01	166,50
1103 11 10 400	01	148,00
1103 11 10 900	01	0
1103 11 90 200	01	96,00
1103 11 90 800	—	—

(<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 Algeria.

(<sup>2</sup>) Refunds for exports to the Republics of Serbia and Montenegro may only be granted for humanitarian aid supplied by charitable organizations fulfilling the conditions laid down in Article 2 (a) and Article 3 of Council Regulation (EEC) No 1432/92.

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*NB*: The zones are those defined in Commission Regulation (EEC) No 2145/92 (OJ No L 214, 30. 7. 1992, p. 20).

**COMMISSION REGULATION (EEC) No 2346/92****of 10 August 1992****on the issue of import licences for high-quality fresh, chilled or frozen beef and veal**

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

Having regard to Council Regulation (EEC) No 3668/91 of 11 December 1991 opening a Community tariff quota for high-quality fresh, chilled or frozen meat of bovine animals falling within CN codes 0201 and 0202 and for products falling within CN codes 0206 10 95 and 0206 29 91 (1992) (1), and in particular Article 2 thereof,

Whereas Commission Regulation (EEC) No 3743 of 18 December 1991 laying down detailed rules for the application of import arrangements provided for by Council Regulations (EEC) No 3668/91 and (EEC) No 3669/91 in the beef and veal sectors (2), as amended by Regulation (EEC) No 657/92 (3), provides in Article 7, that applications for and the issue of import licences for the meat referred to in Article 1 (1) (d) thereof are to be effected in accordance with the provisions of Articles 12 and 15 of Commission Regulation (EEC) No 2377/80 of 4 September 1980 on special detailed rules for the application of the system of import and export licences in the beef and veal sector (4), as last amended by Regulation (EEC) No 815/91 (5);

Whereas Article 1 (1) (d) of Regulation (EEC) No 3743/91 fixes the amount of high-quality fresh, chilled or frozen

beef and veal originating in and imported from the United States of America and Canada which may be imported on special terms in 1992 at 10 000 tonnes;

Whereas it should be recalled that licences issued pursuant to this Regulation will, throughout the period of validity, be open for use only in so far as provisions on health protection in force permit,

HAS ADOPTED THIS REGULATION :

*Article 1*

1. All applications for import licences from 1 until 5 August 1992 for high-quality fresh, chilled or frozen beef and veal as referred to in Article 1 (1) (d) of Regulation (EEC) No 3743/91 shall be met in full.

2. Applications for licences may be submitted, in accordance with Article 12 of Regulation (EEC) No 2377/80, during the first five days of September 1992 for 6 860 tonnes.

*Article 2*

This Regulation shall enter into force on 11 August 1992.

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

Done at Brussels, 10 August 1992.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

(1) OJ No L 349, 18. 12. 1991, p. 3.

(2) OJ No L 352, 21. 12. 1991, p. 36.

(3) OJ No L 70, 17. 3. 1992, p. 14.

(4) OJ No L 241, 13. 9. 1980, p. 5.

(5) OJ No L 83, 3. 4. 1991, p. 6.

**COMMISSION REGULATION (EEC) No 2347/92**  
**of 10 August 1992**  
**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 61/92<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 1813/92<sup>(3)</sup>, as last amended by Regulation (EEC) No 2330/92<sup>(4)</sup>;

Whereas it follows from applying the detailed rules contained in Commission Regulation (EEC) 1813/92 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 7 August 1992,

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 11 August 1992.

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

Done at Brussels, 10 August 1992.

*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 6, 11. 1. 1992, p. 19.

<sup>(3)</sup> OJ No L 183, 3. 7. 1992, p. 18.

<sup>(4)</sup> OJ No L 223, 8. 8. 1992, p. 20.

<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 10 August 1992 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy (°)
1701 11 10	37,82 (°)
1701 11 90	37,82 (°)
1701 12 10	37,82 (°)
1701 12 90	37,82 (°)
1701 91 00	45,32
1701 99 10	45,32
1701 99 90	45,32 (°)

(°) The levy applicable is calculated in accordance with the provisions of Article 2 or 3 of Commission Regulation (EEC) No 837/68.

(°) 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.

(°) No import levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC. However, an amount equal to the amount fixed by Regulation (EEC) No 1870/91 B to be levied in accordance with Article 101 (4) of the abovementioned Decision.

## COMMISSION REGULATION (EEC) No 2348/92

of 10 August 1992

altering the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 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 1738/92<sup>(2)</sup>, and in particular Article 14 (4) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice<sup>(3)</sup>, as last amended by Regulation (EEC) No 674/92<sup>(4)</sup>, and in particular Article 12 (4) 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>(5)</sup> as last amended by Regulation (EEC) No 2205/90<sup>(6)</sup>, and in particular Article 3 thereof,

Whereas the import levies on products processed from cereals and rice were fixed by Commission Regulation (EEC) No 2319/92<sup>(7)</sup>, as last amended by Regulation (EEC) No 2279/92<sup>(8)</sup>;

Whereas Council Regulation (EEC) No 1906/87<sup>(9)</sup>, amended Council Regulation (EEC) No 2744/75<sup>(10)</sup>, as regards products falling within CN codes 2302 10, 2302 20, 2302 30 and 2302 40;

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

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.  
<sup>(2)</sup> OJ No L 180, 1. 7. 1992, p. 1.  
<sup>(3)</sup> OJ No L 166, 25. 6. 1976, p. 1.  
<sup>(4)</sup> OJ No L 73, 19. 3. 1992, p. 7.  
<sup>(5)</sup> OJ No L 164, 24. 6. 1985, p. 1.  
<sup>(6)</sup> OJ No L 201, 31. 7. 1990, p. 9.  
<sup>(7)</sup> OJ No L 218, 1. 8. 1992, p. 9.  
<sup>(8)</sup> OJ No L 222, 7. 8. 1992, p. 64.  
<sup>(9)</sup> OJ No L 182, 3. 7. 1987, p. 49.  
<sup>(10)</sup> OJ No L 281, 1. 11. 1975, p. 65.

— 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 August 1992;

Whereas the aforesaid corrective factor affects the entire calculation basis for the levies, including the equivalence coefficients;

Whereas the levy on the basic product as last fixed differs from the average levy by more than ECU 3,02 per tonne of basic product; whereas, pursuant to Article 1 of Commission Regulation (EEC) No 1579/74<sup>(11)</sup>, as last amended by Regulation (EEC) No 1740/78<sup>(12)</sup>, the levies at present in force must therefore 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 processed from cereals and rice covered by Regulation (EEC) No 2744/75 as fixed in the Annex to amended Regulation (EEC) No 2197/92 are hereby altered to the amounts set out in the Annex.

*Article 2*

This Regulation shall enter into force on 11 August 1992.

<sup>(11)</sup> OJ No L 168, 25. 6. 1974, p. 7.  
<sup>(12)</sup> OJ No L 202, 26. 7. 1978, p. 8.

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

Done at Brussels, 10 August 1992.

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

ANNEX

to the Commission Regulation of 10 August 1992 altering the import levies on products processed from cereals and rice

(ECU/tonne)

CN code	Import levies (*)	
	ACP	Third countries (other than ACP) (*)
2302 10 10	59,50	65,50
2302 10 90	127,51	133,51
2302 20 10	59,50	65,50
2302 20 90	127,51	133,51
2302 30 10	59,50 <sup>(10)</sup>	65,50
2302 30 90	127,51 <sup>(10)</sup>	133,51
2302 40 10	59,50	65,50
2302 40 90	127,51	133,51

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

(\*) No import levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.

<sup>(10)</sup> Under the terms of Regulation (EEC) No 3763/91 the levy does not apply to wheat bran originating in the African, Caribbean and Pacific States (ACP) and directly imported into the French department of Réunion.