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## Legislation

### Contents

#### I Acts whose publication is obligatory

- \* **Council Regulation (EEC) No 2984/92 of 12 October 1992 amending Regulation (EEC) No 3884/91 allocating, for 1992, certain catch quotas between Member States for vessels fishing in the Norwegian exclusive economic zone and the fishing zone around Jan Mayen** ..... 1
- \* **Council Regulation (EEC) No 2985/92 of 12 October 1992 amending, for the third time, Regulation (EEC) No 3882/91 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** ..... 3
- Commission Regulation (EEC) No 2986/92 of 15 October 1992 fixing the import levies on cereals and on wheat or rye flour, groats and meal ..... 5
- Commission Regulation (EEC) No 2987/92 of 15 October 1992 fixing the premiums to be added to the import levies on cereals, flour and malt ..... 7
- Commission Regulation (EEC) No 2988/92 of 15 October 1992 fixing the minimum levies on the importation of olive oil and levies on the importation of other olive oil sector products ..... 9
- \* **Commission Regulation (EEC) No 2989/92 of 15 October 1992 laying down detailed implementing rules for the specific measures for supplying the French overseas departments with products from the pigmeat sector** .... 12
- Commission Regulation (EEC) No 2990/92 of 15 October 1992 adopting interim protective measures in so far as concerns Spain in regard to applications for STM licences coming from the Community of Ten for milk and milk products lodged between 5 and 9 October 1992 ..... 14
- Commission Regulation (EEC) No 2991/92 of 15 October 1992 prolonging the first suspension of the advance fixing of the import levy for certain cereals ..... 15

**Contents (continued)**

<b>Commission Regulation (EEC) No 2992/92 of 15 October 1992 fixing the export refunds on rice and broken rice .....</b>	<b>16</b>
<b>Commission Regulation (EEC) No 2993/92 of 15 October 1992 fixing the export refunds on malt .....</b>	<b>20</b>
<b>Commission Regulation (EEC) No 2994/92 of 15 October 1992 fixing the amount of aid for peas, field beans and sweet lupins .....</b>	<b>22</b>
<b>Commission Regulation (EEC) No 2995/92 of 15 October 1992 fixing the export refunds on cereals and on wheat or rye flour, groats and meal .....</b>	<b>29</b>

## I

*(Acts whose publication is obligatory)*

**COUNCIL REGULATION (EEC) No 2984/92  
of 12 October 1992**

**amending Regulation (EEC) No 3884/91 allocating, for 1992, certain catch quotas between Member States for vessels fishing in the Norwegian exclusive economic zone and the fishing zone around Jan Mayen**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 170/83 of 25 January 1983 establishing a Community system for the conservation and management of fishery resources<sup>(1)</sup>, and in particular Article 11 thereof,

Having regard to the proposal from the Commission,

Whereas Regulation (EEC) No 3884/91<sup>(2)</sup>, allocates, for 1992, certain catch quotas between Member States for vessels fishing in the Norwegian exclusive economic zone and the fishery zone around Jan Mayen;

Whereas a catch of 6 500 tonnes of 'Other Species' had been allocated to the Community in Norwegian waters south of 62° N for 1992; whereas the catches by Community vessels might lead to this allocation being exhausted shortly;

Whereas, in accordance with the procedure provided for in Article 2 of the Fisheries Agreement between the European Economic Community and the Kingdom of Norway<sup>(3)</sup>, the parties have had further consultations on their reciprocal fishing rights for 1992;

Whereas these consultations have been concluded and, as a result, the abovementioned catch quota allocated to the Community has been increased;

Whereas it is for the Community, pursuant to Article 3 of Regulation (EEC) No 170/83, to determine the conditions subject to which this additional catch quota may be used by Community fishermen;

Whereas, to ensure efficient management of the catch possibilities available, they should be allocated among the Member States as quotas in accordance with Article 4 of Regulation (EEC) No 170/83,

HAS ADOPTED THIS REGULATION:

*Article 1*

In Annex II to Regulation (EEC) No 3884/91, the figures relating to 'Other Species' in ICES division IV are hereby replaced by those set out in the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force of 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 Luxembourg, 12 October 1992.

*For the Council*

*The President*

W. WALDEGRAVE

<sup>(1)</sup> OJ No L 24, 27. 1. 1983, p. 1. As amended by the Act of Accession of Spain and Portugal (OJ No L 302, 15. 11. 1985, p. 1).

<sup>(2)</sup> OJ No L 367, 31. 12. 1991, p. 46.

<sup>(3)</sup> OJ No L 226, 29. 8. 1980, p. 48.

## ANNEX

*(tonnes — fresh round weight)*

Species	ICES division	Community catch quotas	Quotas allocated to Member States	
Other species	IV	8 500	Denmark	4 250
			United Kingdom	3 184
			Germany	} 1 066
			Belgium	
			France	
Netherlands				

**COUNCIL REGULATION (EEC) No 2985/92**  
of 12 October 1992

**amending, for the third time, Regulation (EEC) No 3882/91 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**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 170/83 of 25 January 1983 establishing a Community system for the conservation and management of fishery resources<sup>(1)</sup>, and in particular Article 11 thereof,

Having regard to the proposal from the Commission,

Whereas, under the terms of Article 3 of Regulation (EEC) No 170/83, it is for the Council to establish the total allowable catches (TACs) by stock or group of fish stocks, the share available for the Community and the specific conditions under which these catches must be taken; whereas, under Article 4 of the same Regulation, the share available to the Community is to be allocated among the Member States;

Whereas Regulation (EEC) No 3882/91<sup>(2)</sup> fixes, for certain fish stocks and groups of fish stocks, the TACs for 1992 and certain conditions under which they may be fished;

Whereas the Joint Norwegian-Russian Fisheries Commission has agreed to increase its TAC of Arctic cod for 1992

from 300 000 tonnes to 356 000 tonnes; whereas the increase in the stock is such as to allow the Community to increase its fishing possibilities in the same proportion;

Whereas Regulation (EEC) No 3882/91 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

*Article 1*

The Annex to this Regulation shall replace the corresponding elements of the Annex to Regulation (EEC) No 3882/91.

*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 Luxembourg, 12 October 1992.

*For the Council*

*The President*

W. WALDEGRAVE

<sup>(1)</sup> OJ No L 24, 27. 1. 1983, p. 1. As amended by the Act of Accession of Spain and Portugal (OJ No L 302, 15. 11. 1985, p.1).

<sup>(2)</sup> OJ No L 367, 31. 12. 1991, p. 1. As last amended by Regulation (EEC) No 2121/92 (OJ NO L 213, 29. 7. 1992, p. 5).

## ANEXO / BILAG / ANHANG / ΠΑΡΑΡΤΗΜΑ / ANNEX / ANNEXE / ALLEGATO / BIJLAGE / ANEXO

Especie / Art / Art / Είδος / Species / Espèce / Specie / Soort / Espécie	Zona / Område / Bereich / Ζώνη / Zone / Zone / Zona / Sector / Zona	TAC	Estado miembro / Medlemsstat / Mitgliedstaat / Κράτος μέλος / Member State / État membre / Stato membro / Lid-Staat / Estado-membro	Cuota / Kvote / Quote / Ποσόστωση / Quota / Quota / Contingente / Quota / Quota
(1)	(2)	(3)	(4)	(5)
Bacalao / Torsk / Kabeljau / Γάδος / Cod / Cabillaud / Merluzzo bianco / Kabeljauw / Bacalhau ( <i>Gadus morhua</i> )	II b	12 320	België/Belgique Danmark Deutschland Ελλάδα España France Ireland Italia Luxembourg Nederland Portugal United Kingdom  CEE/EØF/EWG/EOK/EEC/BEG	2 350  6 080 1 000    1 280 1 510 100 <sup>(*)</sup> ( <sup>17</sup> )  12 320 <sup>(*)</sup>

## COMMISSION REGULATION (EEC) No 2986/92

of 15 October 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 14 October 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 16 October 1992.

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

Done at Brussels, 15 October 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 15 October 1992 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Levy (°)
0709 90 60	136,94 (°) (°)
0712 90 19	136,94 (°) (°)
1001 10 10	170,50 (°) (°) (°)
1001 10 90	170,50 (°) (°) (°)
1001 90 91	138,76
1001 90 99	138,76 (°)
1002 00 00	156,03 (°)
1003 00 10	124,68
1003 00 90	124,68 (°)
1004 00 10	119,80
1004 00 90	119,80
1005 10 90	136,94 (°) (°)
1005 90 00	136,94 (°) (°)
1007 00 90	138,63 (°)
1008 10 00	53,57 (°)
1008 20 00	112,66 (°)
1008 30 00	51,60 (°)
1008 90 10	(°)
1008 90 90	51,60
1101 00 00	208,09 (°) (°)
1102 10 00	231,32 (°)
1103 11 10	276,98 (°) (°)
1103 11 90	224,24 (°)

- (°) 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.
- (°) 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.
- (°) 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 2987/92

of 15 October 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 14 October 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 16 October 1992.

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

Done at Brussels, 15 October 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 15 October 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 10	1st period 11	2nd period 12	3rd period 1
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 10	0	0	0	0
1001 10 90	0	0	0	0
1001 90 91	0	0	0	12,77
1001 90 99	0	0	0	12,77
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	17,88

## B. Malt

CN code	<i>(ECU/tonne)</i>				
	Current 10	1st period 11	2nd period 12	3rd period 1	4th period 2
1107 10 11	0	0	0	22,73	22,73
1107 10 19	0	0	0	16,98	16,98
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 2988/92

of 15 October 1992

## 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 2046/92<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 1900/92<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 1901/92<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 1902/92<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 Commis-

sion 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, pursuant to Article 101 (1) of Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community<sup>(14)</sup>, no levies shall apply on imports of products originating in the overseas countries and territories; whereas, however, pursuant to Article 101 (4) of the abovementioned Decision, a special amount shall be charged on imports of certain products originating in the overseas countries and territories in order to prevent products originating from these countries and territories from receiving more favourable treatment than similar products imported from Spain or Portugal into the Community as constituted on 31 December 1985;

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 12 and 13 October 1992 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,

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

<sup>(2)</sup> OJ No L 215, 30. 7. 1992, p. 1.

<sup>(3)</sup> OJ No L 169, 28. 6. 1976, p. 24.

<sup>(4)</sup> OJ No L 192, 11. 7. 1992, p. 1.

<sup>(5)</sup> OJ No L 169, 28. 6. 1976, p. 43.

<sup>(6)</sup> OJ No L 192, 11. 7. 1992, 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 192, 11. 7. 1992, 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.

<sup>(14)</sup> OJ No L 263, 19. 9. 1991, p. 1.

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 16 October 1992.

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

Done at Brussels, 15 October 1992.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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## ANNEX I

## Minimum import levies on olive oil (1)

*(ECU/100 kg)*

CN code	Non-member countries
1509 10 10	76,00 (2)
1509 10 90	76,00 (2)
1509 90 00	88,00 (2)
1510 00 10	77,00 (2)
1510 00 90	122,00 (4)

(1) No 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 3148/91 is to be levied in accordance with Article 101 (4) of the abovementioned Decision.

(2) 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.

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

(a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by ECU 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.

(4) 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 (1)

*(ECU/100 kg)*

CN code	Non-member countries
0709 90 39	16,72
0711 20 90	16,72
1522 00 31	38,00
1522 00 39	60,80
2306 90 19	6,16

(1) No 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 3148/91 is to be levied in accordance with Article 101 (4) of the abovementioned Decision.

## COMMISSION REGULATION (EEC) No 2989/92

of 15 October 1992

## laying down detailed implementing rules for the specific measures for supplying the French overseas departments with products from the pigmeat sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments<sup>(1)</sup>, and in particular Article 4 (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 conversion rates to be applied for the purposes of the common agricultural policy<sup>(2)</sup>, as last amended by Regulation (EEC) No 2205/90<sup>(3)</sup>, and in particular Article 12 thereof,

Whereas, in application of Article 4 of Regulation (EEC) No 3763/91, it is necessary to determine for the pigmeat sector for each annual period of validity, the number of pure-bred breeding swine originating in the Community which benefit from an aid with a view to developing the potential for production in the French overseas departments;

Whereas it is appropriate to fix the amount of aid referred to above for the supply to the French overseas departments of pure-bred breeding swine originating in the rest of the Community; whereas such aid must be fixed taking into account, in particular, the cost of supply from the world market, the conditions resulting from the geographical situation of the French overseas departments and the basis of the current prices on export to third countries for the animals or products concerned;

Whereas the common detailed rules for implementing the share for supplying the French overseas departments with certain agricultural products were laid down by Commission Regulation (EEC) No 131/92<sup>(4)</sup>, as amended by Regulation (EEC) No 2132/92<sup>(5)</sup>; whereas it is appropriate to lay down additional detailed rules in line with current commercial practice in the pigmeat sector, in particular regarding the duration of the validity of aid certificates and the amount of securities ensuring operators' compliance with their obligations;

Whereas with a view to sound management of the supply scheme, provision should be made for a timetable for the lodging of certificate applications and for a period of reflection for their issue;

Whereas Article 3 (4) of Regulation (EEC) No 131/92 stipulates that the amount of the aid is that in force on the day the application for the 'aid certificate' is lodged; whereas, therefore, provision should be made for the conversion rate to be used for payment of the aid and for the lodging of a security for the certificate, to be the agricultural conversion rate in force on the day on which the application for a certificate is lodged;

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*

The aid provided for in Article 4 (1) of Regulation (EEC) No 3763/91 for the supply to the French overseas departments of pure-bred breeding swine originating in the Community as well as the number of animals which benefit from it shall be as fixed in the Annex.

*Article 2*

The provisions of Regulation (EEC) No 131/92 shall apply.

*Article 3*

France shall designate the competent authority for:

- (a) the issue of the 'aid certificate' provided for in Article 3 (1) of Regulation (EEC) No 131/92; and
- (b) the payment of the aid to the operators concerned.

*Article 4*

1. Applications for certificates shall be submitted to the competent authority during the first five working days of each month. An application for a certificate shall be admissible only if:

- (a) it relates to no more than the maximum quantity of animals available published by France prior to the opening of the time limit for the submission of applications;

<sup>(1)</sup> OJ No L 356, 24. 12. 1991, p. 1.

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

<sup>(3)</sup> OJ No L 201, 31. 7. 1990, p. 9.

<sup>(4)</sup> OJ No L 15, 22. 1. 1992, p. 13.

<sup>(5)</sup> OJ No L 213, 29. 7. 1992, p. 25.

(b) before expiry of the period provided for the submission of applications for certificates, proof has been provided that the party concerned has lodged a security of ECU 40 per animal.

2. The certificates shall be issued by the 10th working day of each month at the latest.

#### Article 5

The duration of validity of the aid certificates shall expire on the last day of the second month following that of their issue.

#### Article 6

The aid provided for in Article 1 shall be paid in respect of for the quantities actually supplied.

The rate to be applied for conversion into national currency of the amount of the aid and the amount of the guarantee for the certificate shall be the agricultural conversation rate in force on the day on which the application for the aid certificate is lodged.

#### Article 7

This Regulation shall enter into force on the seventh 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, 15 October 1992.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

#### ANNEX

Supply to the French overseas departments of pure-bred breeding pigs originating in the Community for each calendar year

CN code	Description of the goods	Number of animals to supply	Aid (ECU/head)
0103 10 00	Pure-bred breeding pigs (1):		
	— males	80	440
	— females	450	380

(1) Inclusion in this sub-position is subject to the conditions provided for by the Community provisions which regulate the matter.

**COMMISSION REGULATION (EEC) No 2990/92**

of 15 October 1992

**adopting interim protective measures in so far as concerns Spain in regard to applications for STM licences coming from the Community of Ten for milk and milk products lodged between 5 and 9 October 1992**

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 608/86<sup>(1)</sup> laying down detailed rules for applying the supplementary trade mechanism to milk products imported into Spain from the Community of Ten, as last amended by Regulation (EEC) No 705/92<sup>(2)</sup>, fixes the indicative ceilings for milk sector products for 1992 and splits these up into monthly ceilings;

Whereas applications for STM licences in the Community of Ten for cheese of categories 4 and 5 a lodged between 5 and 9 October 1992 relate to quantities higher than the ceiling set for the month of October 1992;

Whereas Article 85 (1) of the Act of Accession states that the Commission may take interim protective measures necessary by an emergency procedure where the situation indicates that the indicative ceiling will be attained or exceeded; whereas to this effect it is necessary, as an interim protective measure, in view of the number of requests, for the products concerned and only for the Community of Ten, to issue licences up to a percentage of the quantities applied for in categories 4 and 5 a and to

suspend all further issuing of licences for the products in question,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. Applications for STM licences as referred to in Regulation (EEC) No 606/86, lodged between 5 and 9 October 1992 for the Community of Ten and lodged with the Commission, for milk products falling within:

- category 4 of CN code ex 0406 are hereby accepted up to 65,41 %,
- category 5 a of CN code ex 0406 are hereby accepted up to 80,69 %.

2. The issuing of STM licences in the Community of Ten is hereby provisionally suspended for products falling within categories 4 and 5 a.

3. Without prejudice to any definitive measures the Commission may take, further applications for STM licences may be lodged from 19 October 1992 for all products in respect of that fraction of the indicative ceiling applicable from 1 November 1992.

*Article 2*

This Regulation shall enter into force on 19 October 1992.

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

Done at Brussels, 15 October 1992.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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

<sup>(2)</sup> OJ No L 75, 21. 3. 1992, p. 29.



**COMMISSION REGULATION (EEC) No 2991/92****of 15 October 1992****prolonging the first suspension of the advance fixing of the import levy for certain cereals**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of the Council 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 first subparagraph of Article 15 (7) thereof,

Whereas Article 15 (7) of Regulation (EEC) No 2727/75 provides that the provisions concerning advance fixing of the levy may be suspended if the market situation shows that the application of these provisions is causing or is likely to cause difficulties;

Whereas Commission Regulation (EEC) No 2936/92<sup>(3)</sup>, suspended advance fixing of the import levy for certain cereals; whereas the reasons which led to that suspension still exist; whereas it is important, therefore, to continue

that measure for a period, which will make it possible to monitor the situation;

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*

In Article 1 of Regulation (EEC) No 2936/92, '15 October 1992' is hereby replaced by '22 October 1992'.

*Article 2*

This Regulation shall enter into force on 16 October 1992.

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

Done at Brussels, 15 October 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 293, 9. 10. 1992, p. 16.

**COMMISSION REGULATION (EEC) No 2992/92**  
**of 15 October 1992**  
**fixing the export refunds on rice and broken rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice <sup>(1)</sup>, as last amended by Regulation (EEC) No 674/92 <sup>(2)</sup>, and in particular the first sentence of the fourth subparagraph of Article 17 (2) thereof,

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

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

Whereas export possibilities exist for a quantity of 15 000 tonnes of wholly milled rice, falling within CN codes 1006 30 92 900, 1006 30 94 900 and 1006 30 96 900 to certain destinations; whereas the procedure laid down in Article 9 (4) of Commission Regulation (EEC) No 891/89 <sup>(4)</sup>, as last amended by Regulation (EEC) No 2804/92 <sup>(5)</sup>, should be used; whereas account should be taken of this when the refunds are fixed;

Whereas Commission Regulation (EEC) No 1361/76 <sup>(6)</sup> lays down the maximum percentage of broken rice

allowed in rice for which an export refund is fixed and specifies the percentage by which that refund is to be reduced where the proportion of broken rice in the rice exported exceeds that maximum;

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

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

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

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

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 <sup>(7)</sup>, as last amended by Regulation (EEC) No 2205/90 <sup>(8)</sup>;
- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

Whereas it follows from applying these rules and criteria to the present situation on the market in rice and in particular to quotations or prices for rice and broken rice within the Community and on the world market, that the refund should be fixed as set out in the Annex hereto;

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

<sup>(2)</sup> OJ No L 73, 19. 3. 1992, p. 7.

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

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

<sup>(5)</sup> OJ No L 282, 26. 9. 1992, p. 40.

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

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

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

Whereas Council Regulation (EEC) No 1432/92<sup>(1)</sup>, as amended by Regulation (EEC) No 2015/92<sup>(2)</sup>, prohibits trade between the Community and the Republics of Serbia and Montenegro; whereas this prohibition does not apply to certain situations as given in the limitative enumeration laid down in Articles 2 and 3; whereas this should be taken into account when refunds are fixed;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 16 October 1992.

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

Done at Brussels, 15 October 1992.

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

<sup>(1)</sup> OJ No L 151, 3. 6. 1992, p. 4.  
<sup>(2)</sup> OJ No L 205, 22. 7. 1992, p. 2.

## ANNEX

to the Commission Regulation of 15 October 1992 fixing the export refunds on rice and broken rice

<i>(ECU/tonne)</i>		
Product code	Destination (1)	Amount of refunds (2)
1006 20 11 000	—	—
1006 20 13 000	01	143,20
1006 20 15 000	01	143,20
1006 20 17 000	—	—
1006 20 92 000	—	—
1006 20 94 000	01	143,20
1006 20 96 000	01	143,20
1006 20 98 000	—	—
1006 30 21 000	—	—
1006 30 23 000	01	143,20
1006 30 25 000	01	143,20
1006 30 27 000	—	—
1006 30 42 000	—	—
1006 30 44 000	01	143,20
1006 30 46 000	01	143,20
1006 30 48 000	—	—
1006 30 61 100	01 02 03 04	179,00 185,00 190,00 179,00
1006 30 61 900	01 04	179,00 179,00
1006 30 63 100	01 02 03 04	179,00 185,00 190,00 179,00
1006 30 63 900	01 04	179,00 179,00
1006 30 65 100	01 02 03 04	179,00 185,00 190,00 179,00
1006 30 65 900	01 04	179,00 179,00
1006 30 67 100	—	—
1006 30 67 900	—	—

<i>(ECU/tonne)</i>		
Product code	Destination (1)	Amount of refunds (2)
1006 30 92 100	01	179,00
	02	185,00
	03	190,00
	04	179,00
1006 30 92 900	01	179,00
	04	179,00
1006 30 94 100	01	179,00
	02	185,00
	03	190,00
	04	179,00
1006 30 94 900	01	179,00
	04	179,00
1006 30 96 100	01	179,00
	02	185,00
	03	190,00
	04	179,00
1006 30 96 900	01	179,00
	04	179,00
1006 30 98 100	—	—
1006 30 98 900	—	—
1006 40 00 000	—	—

(1) The destinations are identified as follows :

- 01 Austria, Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italia,
- 02 Zones I, II, III, VI, Ceuta and Melilla,
- 03 Zones IV, VII c), Canada and Zone VIII excluding Surinam, Guyana and Madagascar,
- 04 Destinations mentioned in Article 34 of Commission Regulation (EEC) No 3665/87.

(2) 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.

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

**COMMISSION REGULATION (EEC) No 2993/92**  
of 15 October 1992  
fixing the export refunds on malt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals <sup>(1)</sup>, as last amended by Regulation (EEC) No 1738/92 <sup>(2)</sup>, and in particular the fourth subparagraph of Article 16 <sup>(2)</sup> thereof,

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

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

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

Whereas it follows from applying these detailed rules to the present situation on the market in products processed from cereals and rice that the export refund should be fixed at an amount which will cover the difference between Community prices and world market prices;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to

vary the refund for certain products according to destination;

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

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

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

Whereas Council Regulation (EEC) No 1432/92 <sup>(8)</sup>, as amended by Regulation (EEC) No 2015/92 <sup>(9)</sup>, prohibits trade between the Community and the Republics of Serbia and Montenegro; whereas this prohibition does not apply to certain situations as given in the limitative enumeration laid down in Articles 2 and 3; whereas this should be taken into account when refunds are fixed;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 16 October 1992.

<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 281, 1. 11. 1975, p. 78.

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

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

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

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

<sup>(8)</sup> OJ No L 151, 3. 6. 1992, p. 4.

<sup>(9)</sup> OJ No L 205, 22. 7. 1992, p. 2.

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

Done at Brussels, 15 October 1992.

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

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ANNEX

to the Commission Regulation of 15 October 1992 fixing the export refunds on malt

<i>(ECU / tonne)</i>	
Product code	Refund (1)
1107 10 19 000	95,00 (1)
1107 10 99 000	117,50 (1)
1107 20 00 000	137,50 (1)

(1) In view of the lack of a decision by the Council on the Commission's proposal COM(92) 275 of 8 July 1992, the attention of interested parties is drawn to the possibility that, for agri-monetary reasons, an adjustment will be made in the refund on exports made from 1 January 1993.

**NB:** The product codes and the footnotes are defined in amended Commission Regulation (EEC) No 3846/87.

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## COMMISSION REGULATION (EEC) No 2994/92

of 15 October 1992

fixing the amount of aid for peas, field beans and sweet lupins

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 1431/82 of 18 May 1982 laying down special measures for peas, field beans and sweet lupins <sup>(1)</sup>, as last amended by Regulation (EEC) No 1750/92 <sup>(2)</sup>, and in particular Article 3 (6) (a) thereof,

Having regard to Commission Regulation (EEC) No 3540/85 of 5 December 1985 laying down detailed rules for the application of the special measures for peas, field beans and sweet lupins <sup>(3)</sup>, as last amended by Regulation (EEC) No 1734/92 <sup>(4)</sup>, and in particular Article 26a (7) thereof,

Whereas, as provided for in Article 3 (1) of Regulation (EEC) No 1431/82, aid is granted for peas, field beans and sweet lupins harvested in the Community and used in the manufacture of feedingstuffs where the world market price of soya cake is lower than the activating price; whereas this aid is equal to a proportion of the difference between these prices; whereas this proportion of the price difference was fixed in Article 3a of Council Regulation (EEC) No 2036/82 <sup>(5)</sup>, as last amended by Regulation (EEC) No 2206/90 <sup>(6)</sup>;

Whereas, in accordance with Article 3 (2) of Regulation (EEC) No 1431/82, aid is granted for peas and field beans harvested in the Community where the world market price for these products is lower than the guide price; whereas this aid is equal to the difference between the two prices;

Whereas the threshold price activating the aid for peas, field beans and sweet lupins for the 1992/93 marketing year was fixed by Council Regulation (EEC) No 1751/92 <sup>(7)</sup>; whereas, as provided for in Article 2a of Regulation (EEC) No 1431/82, the activating price for the aid for peas, field beans and sweet lupins is increased monthly as from the beginning of the third month of the marketing year; whereas the amount of the monthly

increases in the threshold price was fixed by Council Regulation (EEC) No 1752/92 <sup>(8)</sup>;

Whereas the abatement of the subsidy which arises from the system of maximum guaranteed quantities for the 1992/93 year, has been fixed by Commission Regulation (EEC) No 2512/92 <sup>(9)</sup>;

Whereas, pursuant to Article 4 of Regulation (EEC) No 1431/82, the world market price for soya cake must be determined on the basis of the most favourable purchase possibilities, excepting offers and quotations which cannot be considered representative of the real market trend; whereas account must be taken both of all offers on the world market and of the prices quoted on exchanges that are important for international trade;

Whereas, pursuant to Article 1 of Commission Regulation (EEC) No 2049/82 <sup>(10)</sup>, as last amended by Regulation (EEC) No 1238/87 <sup>(11)</sup>, the price must be determined per 100 kilograms of bulk soya cake of the standard quality defined in Article 1 (2) of Council Regulation (EEC) No 1464/86 <sup>(12)</sup> delivered to Rotterdam; whereas the necessary adjustments, notably those referred to in Article 2 of Regulation (EEC) No 2049/82, must be made for offers and quotations not of the type referred to above;

Whereas, if the aid 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 moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the correcting factor provided for in Article 6 (1) of Council Regulation (EEC) No 1676/85 <sup>(13)</sup>, as last amended by Regulation (EEC) No 2205/90 <sup>(14)</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 pursuant to Articles 121 (2) and 307 (2) of the Act of Accession the amount of the aid for products harvested and processed in either of these Member States should be reduced by the customs duty charged on importation of products from third countries;

<sup>(1)</sup> OJ No L 162, 12. 6. 1982, p. 28.

<sup>(2)</sup> OJ No L 180, 1. 7. 1992, p. 17.

<sup>(3)</sup> OJ No L 342, 19. 12. 1985, p. 1.

<sup>(4)</sup> OJ No L 179, 30. 6. 1992, p. 120.

<sup>(5)</sup> OJ No L 219, 28. 7. 1982, p. 1.

<sup>(6)</sup> OJ No L 201, 31. 7. 1990, p. 11.

<sup>(7)</sup> OJ No L 180, 1. 7. 1992, p. 18.

<sup>(8)</sup> OJ No L 180, 1. 7. 1992, p. 20.

<sup>(9)</sup> OJ No L 250, 29. 8. 1992, p. 15.

<sup>(10)</sup> OJ No L 219, 28. 7. 1982, p. 36.

<sup>(11)</sup> OJ No L 117, 5. 5. 1987, p. 9.

<sup>(12)</sup> OJ No L 133, 21. 5. 1986, p. 21.

<sup>(13)</sup> OJ No L 164, 24. 6. 1985, p. 1.

<sup>(14)</sup> OJ No L 201, 31. 7. 1990, p. 9.



Whereas the world market price for peas and field beans and the amount of aid referred to in Article 3 (2) of Regulation (EEC) No 1431/82 were fixed by Commission Regulation (EEC) No 1899/91<sup>(1)</sup>; whereas in terms of Article 2a of Regulation (EEC) No 1431/82 the guide price is increased monthly as from the beginning of the third month of the marketing year;

Whereas, pursuant to Article 26a of Regulation (EEC) No 3540/85, the gross aid expressed in ecus that results from Article 3 of Regulation (EEC) No 1431/82 shall be weighted by the differential amount referred to in Article 12a of Regulation (EEC) No 2036/82 and then converted into the final aid in the currency of the Member State in which the products are harvested using the agricultural conversion rate of that Member State,

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

Done at Brussels, 15 October 1992.

HAS ADOPTED THIS REGULATION:

*Article 1*

The amounts of aid provided for in Article 3 (1) of Regulation (EEC) No 1431/82 is indicated in the Annexes hereto.

*Article 2*

This Regulation shall enter into force on 16 October 1992.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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<sup>(1)</sup> OJ No L 169, 29. 6. 1991, p. 29.

## ANNEX I

## Gross aid

## Products intended for human consumption :

(ECU per 100 kg)

	Current 10	1st period 11	2nd period 12	3rd period 1	4th period 2	5th period 3	6th period 4
Peas used :							
— in Spain	10,808	10,966	11,124	11,282	11,440	11,598	11,756
— in Portugal	10,816	10,974	11,132	11,290	11,448	11,606	11,764
— in another Member State	10,876	11,034	11,192	11,350	11,508	11,666	11,824
Field beans used :							
— in Spain	10,876	11,034	11,192	11,350	11,508	11,666	11,824
— in Portugal	10,816	10,974	11,132	11,290	11,448	11,606	11,764
— in another Member State	10,876	11,034	11,192	11,350	11,508	11,666	11,824

## Products used in animal feed :

(ECU per 100 kg)

	Current 10	1st period 11	2nd period 12	3rd period 1	4th period 2	5th period 3	6th period 4
A. Peas used :							
— in Spain	11,405	11,696	11,868	11,996	12,154	12,311	12,969
— in Portugal	11,446	11,735	11,908	12,036	12,193	12,351	13,006
— in another Member State	11,446	11,735	11,908	12,036	12,193	12,351	13,006
B. Field beans used :							
— in Spain	11,405	11,696	11,868	11,996	12,154	12,311	12,969
— in Portugal	11,446	11,735	11,908	12,036	12,193	12,351	13,006
— in another Member State	11,446	11,735	11,908	12,036	12,193	12,351	13,006
C. Sweet lupins harvested in Spain and used :							
— in Spain	14,348	14,525	14,545	14,506	14,506	14,506	15,174
— in Portugal	14,402	14,578	14,598	14,559	14,559	14,559	15,223
— in another Member State	14,402	14,578	14,598	14,559	14,559	14,559	15,223
D. Sweet lupins harvested in another Member State and used :							
— in Spain	14,348	14,525	14,545	14,506	14,506	14,506	15,174
— in Portugal	14,402	14,578	14,598	14,559	14,559	14,559	15,223
— in another Member State	14,402	14,578	14,598	14,559	14,559	14,559	15,223







## ANNEX VIII

## Corrective amount to be added to amounts in Annex VII

*(in national currency per 100 kg)*

Use of products :	BLEU	DK	DE	EL	ES	FR	IRL	IT	NL	PT	UK
Products harvested in :											
— BLEU (Bfrs/Lfrs)	0,00	0,00	0,00	0,00	1,19	0,00	0,00	21,88	0,00	0,00	17,66
— Denmark (Dkr)	0,00	0,00	0,00	0,00	0,22	0,00	0,00	4,05	0,00	0,00	3,27
— Federal Republic of Germany (DM)	0,00	0,00	0,00	0,00	0,06	0,00	0,00	1,06	0,00	0,00	0,86
— Greece (Dr)	0,00	0,00	0,00	0,00	7,13	0,00	0,00	130,96	0,00	0,00	105,68
— Spain (Pta)	0,00	0,00	0,00	0,00	3,80	0,00	0,00	69,75	0,00	0,00	56,29
— France (FF)	0,00	0,00	0,00	0,00	0,19	0,00	0,00	3,56	0,00	0,00	2,87
— Ireland (£ Irl)	0,000	0,000	0,000	0,000	0,022	0,000	0,000	0,396	0,000	0,000	0,320
— Italy (Lit)	0	0	0	0	48	0	0	877	0	0	708
— Netherlands (Fl)	0,00	0,00	0,00	0,00	0,07	0,00	0,00	1,20	0,00	0,00	0,96
— Portugal (Esc)	0,00	0,00	0,00	0,00	5,06	0,00	0,00	92,96	0,00	0,00	75,02
— United Kingdom (£)	0,000	0,000	0,000	0,000	0,021	0,000	0,000	0,392	0,000	0,000	0,316

## ANNEX IX

## Exchange rate of the ecu to be used

	BLEU	DK	DE	EL	ES	FR	IRL	IT	NL	PT	UK
In national currency, ECU 1 =	41,9547	7,75901	2,03412	255,153	140,422	6,82216	0,759300	1 759,97	2,29193	176,481	0,786924

## COMMISSION REGULATION (EEC) No 2995/92

of 15 October 1992

## 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 1738/92<sup>(2)</sup>, and in particular the fourth subparagraph of Article 16 (2) thereof,

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 export possibilities exist for a quantity of 600 000 tonnes of soft wheat flour to certain destinations; whereas the procedure laid down in Article 9 (4) of Commission Regulation (EEC) No 891/89<sup>(4)</sup>, as last amended by Regulation (EEC) No 2804/92<sup>(5)</sup>, should be used; whereas account should be taken of this when the refunds are fixed;

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>(6)</sup>, as last amended by Regulation (EEC) No 468/92<sup>(7)</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>(8)</sup>, as last amended by Regulation (EEC) No 2205/90<sup>(9)</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 Council Regulation (EEC) No 1432/92<sup>(10)</sup> as amended by Regulation (EEC) No 2015/92<sup>(11)</sup>, prohibits

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

<sup>(7)</sup> OJ No L 53, 28. 2. 1992, p. 15.

<sup>(8)</sup> OJ No L 164, 24. 6. 1985, p. 1.

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

<sup>(10)</sup> OJ No L 151, 3. 6. 1992, p. 4.

<sup>(11)</sup> OJ No L 205, 22. 7. 1992, p. 2.

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

<sup>(2)</sup> OJ No L 171, 26. 6. 1992, p. 47.

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

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

<sup>(5)</sup> OJ No L 282, 26. 9. 1992, p. 40.

trade between the Community and the Republics of Serbia and Montenegro; whereas this prohibition does not apply to certain situations as given in the limitative enumeration laid down in Articles 2 and 3; whereas this should be taken into account when refunds are fixed;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The export refunds on the products listed in Article 1 (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 16 October 1992.

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

Done at Brussels, 15 October 1992.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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## ANNEX

to the Commission Regulation of 15 October 1992 fixing export refunds on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

Product code	Destination (1)	Amount of refund (2)
0709 90 60 000	—	—
0712 90 19 000	—	—
1001 10 10 000	—	—
1001 10 90 000	04	50,00
	02	20,00
1001 90 91 000	06	77,00
	02	0
1001 90 99 000	04	73,00
	05	21,00
	07	87,50 (3)
	08	87,50 (4)
	09	87,50 (5)
	02	20,00
1002 00 00 000	03	21,00
	02	20,00
1003 00 10 000	06	75,00
	02	0
1003 00 90 000	04	71,00
	02	20,00
1004 00 10 000	—	—
1004 00 90 000	—	—
1005 10 90 000	—	—
1005 90 00 000	04	78,00
	02	0
1007 00 90 000	—	—
1008 20 00 000	—	—
1101 00 00 100	01	114,00
1101 00 00 130	01	107,00
1101 00 00 150	01	98,00
1101 00 00 170	01	91,00
1101 00 00 180	01	85,00
1101 00 00 190	—	—
1101 00 00 900	—	—
1102 10 00 500	01	114,00
1102 10 00 700	—	—
1102 10 00 900	—	—
1103 11 10 200	01	140,00
1103 11 10 400	01	120,00
1103 11 10 900	01	0
1103 11 90 200	01	114,00
1103 11 90 800	—	—

- (1) 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 Poland,
  - 06 Romania,
  - 07 Tunisia,
  - 08 Algeria,
  - 09 Morocco.
- (2) 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.
- (3) Refund fixed under the procedure laid down in Article 9 (4) of amended Regulation (EEC) No 891/89 in respect of a quantity of 200 000 tonnes of soft wheat destined for Morocco.
- (4) Refund fixed under the procedure laid down in Article 9 (4) of amended Regulation (EEC) No 891/89 in respect of a quantity of 200 000 tonnes of soft wheat flour destined for Algeria.
- (5) Refund fixed under the procedure laid down in Article 9 (4) of amended Regulation (EEC) No 891/89 in respect of a quantity of 200 000 tonnes of soft wheat destined for Tunisia.

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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).