

# Official Journal

## of the European Communities

ISSN 0378

L 307

Volume 35

23 October 1992

English edition

## Legislation

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## I

*(Acts whose publication is obligatory)*

**COUNCIL REGULATION (EEC) No 3034/92**

**of 19 October 1992**

**amending, for the fourteenth time, Regulation (EEC) No 3094/86 laying down certain technical measures for the conservation of fishery resources**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

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>, as amended by the Act of Accession of Spain and Portugal, and in particular Article 11 thereof,

Having regard to the proposal from the Commission,

Whereas the non-selective use of purse seines on schools of tuna and other species of fish found in association with or in close proximity to marine mammals may result in the pointless catching and killing of such mammals;

Whereas the mortality of marine mammals as a result of the use of purse seines has aroused concern among the public and within the fishing industry;

Whereas the importance of this issue and the interest it has received at international level are attested to by the report approved by the European Parliament on fishing with purse seines;

Whereas, when properly and responsibly conducted, the use of purse seines is an effective method of fishing solely for the desired target species; whereas under such circumstances it no longer represents a threat to the conservation of marine mammals;

Whereas, therefore, Regulation (EEC) No 3094/86<sup>(2)</sup> should be amended accordingly,

*Article 1*

Regulation (EEC) No 3094/86 is hereby amended as follows:

1. The first paragraph of Article 1 (1) shall be replaced by the following:

'1. This Regulation shall apply to the taking and landing of fishery resources occurring in all maritime waters under the sovereignty or jurisdiction of the Member States, except as otherwise provided for in Article 6 (1) (b), Article 9 (17) and Article 9a (4), and situated in one of the following regions:'

2. The following shall be added to Article 9:

'17. It shall be prohibited to undertake encirclements with purse seines on schools or groups of marine mammals when aiming to catch tuna or other species of fish.

Notwithstanding Article 1 (1), this paragraph shall apply to all vessels flying the flag of, or registered in, a Member State in all waters under the sovereignty or jurisdiction of the Member States as well as outside these waters.'

*Article 2*

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

<sup>(1)</sup> OJ No L 24, 27. 1. 1983, p. 1.

<sup>(2)</sup> OJ No L 288, 11. 10. 1986, p. 1. Regulation as last amended by Council Regulation (EEC) No 2120/92 (OJ No L 213, 29. 7. 1992, p. 3).

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

Done at Luxembourg, 19 October 1992.

*For the Council*

*The President*

D. CURRY

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**COMMISSION REGULATION (EEC) No 3035/92**  
of 22 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 21 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 23 October 1992.

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

Done at Brussels, 22 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 22 October 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	134,42 (°) (°)
0712 90 19	134,42 (°) (°)
1001 10 10	167,09 (°) (°) (10)
1001 10 90	167,09 (°) (°) (10)
1001 90 91	137,42
1001 90 99	137,42 (11)
1002 00 00	154,76 (°)
1003 00 10	122,61
1003 00 90	122,61 (11)
1004 00 10	115,04
1004 00 90	115,04
1005 10 90	134,42 (°) (°)
1005 90 00	134,42 (°) (°)
1007 00 90	137,91 (°)
1008 10 00	48,97 (11)
1008 20 00	109,63 (°)
1008 30 00	46,58 (°)
1008 90 10	(°)
1008 90 90	46,58
1101 00 00	205,27 (°) (11)
1102 10 00	229,55 (°)
1103 11 10	271,70 (°) (10)
1103 11 90	221,20 (°)

- (1) Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.
- (2) In accordance with Regulation (EEC) No 715/90 the levies are not applied to products imported directly into the French overseas departments, originating in the African, Caribbean and Pacific States.
- (3) Where maize originating in the ACP is imported into the Community the levy is reduced by ECU 1,81/tonne.
- (4) 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.
- (5) Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.
- (6) The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 and Commission Regulation (EEC) No 2622/71.
- (7) The levy applicable to rye shall be charged on imports of the product falling within CN code 1008 90 10 (triticale).
- (8) On importation into Portugal the levy is increased by the amount specified in Article 2 (2) of Regulation (EEC) No 3808/90.
- (9) 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 3036/92

of 22 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 21 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 23 October 1992.

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

Done at Brussels, 22 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 22 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	0,27
0712 90 19	0	0	0	0,27
1001 10 10	0	0	0	0
1001 10 90	0	0	0	0
1001 90 91	0	0	0	11,61
1001 90 99	0	0	0	11,61
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	0,27
1005 90 00	0	0	0	0,27
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	16,26

## 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	20,67	20,67
1107 10 19	0	0	0	15,44	15,44
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 3037/92**  
of 22 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 19 and 20 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 23 October 1992.

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

Done at Brussels, 22 October 1992.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

## ANNEX I

Minimum import levies on olive oil <sup>(1)</sup>

*(ECU/100 kg)*

CN code	Non-member countries
1509 10 10	79,00 <sup>(2)</sup>
1509 10 90	79,00 <sup>(2)</sup>
1509 90 00	92,00 <sup>(2)</sup>
1510 00 10	77,00 <sup>(2)</sup>
1510 00 90	122,00 <sup>(4)</sup>

<sup>(1)</sup> 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.

<sup>(2)</sup> For imports of oil falling within this CN code and produced entirely in one of the countries listed below and transported directly from any of those countries to the Community, the levy to be collected is reduced by :

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

<sup>(3)</sup> For imports of oil falling within this CN code :

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

<sup>(4)</sup> For imports of oil falling within this CN code :

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

## ANNEX II

Import levies on other olive oil sector products <sup>(1)</sup>

*(ECU/100 kg)*

CN code	Non-member countries
0709 90 39	17,38
0711 20 90	17,38
1522 00 31	39,50
1522 00 39	63,20
2306 90 19	6,16

<sup>(1)</sup> 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 3038/92**

of 22 October 1992

**fixing the amount by which the variable component of the levy applicable to bran and sharps originating in Egypt must be reduced**

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

Having regard to Council Regulation (EEC) No 1030/77 of 17 May 1977 concluding the Interim Agreement between the European Economic Community and the Arab Republic of Egypt<sup>(1)</sup>, and in particular the second subparagraph of paragraph 3 of the exchange of letters relating to Article 13 of the Agreement,

Whereas the exchange of letters covered by Regulation (EEC) No 1030/77 provides that the variable component of the levy calculated in accordance with Article 2 of Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and rice<sup>(2)</sup>, as last amended by Regulation (EEC) No 1906/87<sup>(3)</sup>, is to be reduced by an amount fixed by the Commission each quarter; whereas this amount must be equal to 60 % of the average of the levies in force during the three months preceding the month during which the amount is fixed;

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

Done at Brussels, 22 October 1992.

Whereas the variable components applicable during July, August and September 1992 to the products falling within CN codes 2302 10, 2302 20, 2302 30 and 2302 40 are to be taken into consideration,

HAS ADOPTED THIS REGULATION:

*Article 1*

The amounts referred to in the second subparagraph of paragraph 3 of the exchange of letters covered by Regulation (EEC) No 1030/77 to be deducted from the variable component applicable to bran and sharps originating in Egypt shall be as shown in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 1 November 1992.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 126, 23. 5. 1977, p. 1.

<sup>(2)</sup> OJ No L 281, 1. 11. 1975, p. 65.

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

*ANNEX*

to the Commission Regulation of 22 October 1992 fixing the amount by which the variable component of the levy applicable to bran and sharps originating in Egypt must be reduced

<i>(ECU/tonne)</i>	
CN code	Amount
2302 10 10	34,98
2302 10 90	74,94
2302 20 10	34,98
2302 20 90	74,94
2302 30 10	34,98
2302 30 90	74,94
2302 40 10	34,98
2302 40 90	74,94

**COMMISSION REGULATION (EEC) No 3039/92**

of 22 October 1992

**fixing the amount by which the levy on imports of rice from the Arab Republic of Egypt must be reduced**

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 Article 11 thereof,

Having regard to Council Regulation (EEC) No 1250/77 of 17 May 1977 on imports of rice from the Arab Republic of Egypt <sup>(3)</sup>, and in particular Article 1 thereof,

Whereas Regulation (EEC) No 1250/77 provides that the levy calculated in accordance with Article 11 of Regulation (EEC) No 1418/76 is to be reduced by an amount to be fixed by the Commission each quarter; whereas this amount must be equal to 25 % of the average of the levies applied during a reference period;

Whereas, pursuant to Commission Regulation (EEC) No 2942/73 of 30 October 1973 laying down detailed rules for the application of Regulation (EEC) No 2412/73 <sup>(4)</sup>, as

last amended by Regulation (EEC) No 560/91 <sup>(5)</sup>, the reference period is to be the quarter preceding the month in which the amount is fixed;

Whereas the levies to be taken into consideration are therefore those applicable during July, August and September 1992,

HAS ADOPTED THIS REGULATION:

*Article 1*

The amount referred to in Article 1 of Regulation (EEC) No 1250/77 by which the levy on imports of rice originating in and coming from the Arab Republic of Egypt is to be reduced shall be as shown in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 1 November 1992.

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

Done at Brussels, 22 October 1992.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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

<sup>(2)</sup> OJ No L 177, 24. 6. 1989, p. 1.

<sup>(3)</sup> OJ No L 146, 14. 6. 1977, p. 9.

<sup>(4)</sup> OJ No L 302, 31. 10. 1973, p. 1.

<sup>(5)</sup> OJ No L 62, 8. 3. 1991, p. 26.

## ANNEX

to the Commission Regulation of 22 October 1992 fixing the amount by which the levy on imports of rice from the Arab Republic of Egypt must be reduced

(ECU/tonne)

CN code	Amounts to be deducted
1006 10 21	82,05
1006 10 23	83,27
1006 10 25	83,27
1006 10 27	83,27
1006 10 92	82,05
1006 10 94	83,27
1006 10 96	83,27
1006 10 98	83,27
1006 20 11	102,56
1006 20 13	104,09
1006 20 15	104,09
1006 20 17	104,09
1006 20 92	102,56
1006 20 94	104,09
1006 20 96	104,09
1006 20 98	104,09
1006 30 21	130,88
1006 30 23	152,92
1006 30 25	152,92
1006 30 27	152,92
1006 30 42	130,88
1006 30 44	152,92
1006 30 46	152,92
1006 30 48	152,92
1006 30 61	139,39
1006 30 63	163,94
1006 30 65	163,94
1006 30 67	163,94
1006 30 92	139,39
1006 30 94	163,94
1006 30 96	163,94
1006 30 98	163,94
1006 40 00	38,69

**COMMISSION REGULATION (EEC) No 3040/92**  
**of 22 October 1992**

**fixing the amount by which the variable component of the levy applicable to  
bran and sharps originating in Algeria, Morocco and Tunisia must be reduced**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1512/76 of 24 June 1976 concluding the Agreement in the form of an exchange of letters relating to Article 22 of the Cooperation Agreement and Article 15 of the Interim Agreement between the European Economic Community and the Republic of Tunisia and concerning the import into the Community of bran and sharps originating in Tunisia<sup>(1)</sup>, and in particular the second subparagraph of paragraph 3 of the exchange of letters,

Having regard to Council Regulation (EEC) No 1518/76 of 24 June 1976 concluding the Agreement in the form of an exchange of letters relating to Article 21 of the Cooperation Agreement and Article 14 of the Interim Agreement between the European Economic Community and the People's Democratic Republic of Algeria and concerning the import into the Community of bran and sharps originating in Algeria<sup>(2)</sup>, and in particular the second subparagraph of paragraph 3 of the exchange of letters,

Having regard to Council Regulation (EEC) No 1525/76 of 24 June 1976 concluding the Agreement in the form of an exchange of letters relating to Article 23 of the Cooperation Agreement and Article 16 of the Interim Agreement between the European Economic Community and the Kingdom of Morocco and concerning the import into the Community of bran and sharps originating in Morocco<sup>(3)</sup>, and in particular the second subparagraph of paragraph 3 of the exchange of letters,

Whereas the Agreement in the form of an exchange of letters annexed to Regulations (EEC) No 1512/76, (EEC)

No 1518/76 and (EEC) No 1525/76 provides that the variable component of the levy calculated in accordance with Article 2 of 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>, is to be reduced by an amount fixed by the Commission each quarter; whereas this amount must be equal to 60 % of the average of the variable components of the levies in force during the three months preceding the month during which the amount is fixed;

Whereas the variable components applicable to the products falling within CN codes 2302 30 and 2302 40 during July, August and September 1992 have been taken into consideration,

HAS ADOPTED THIS REGULATION:

*Article 1*

The amount referred to in the second subparagraph of paragraph 3 of the exchange of letters forming the Agreement annexed to Regulations (EEC) No 1512/76, (EEC) No 1518/76 and (EEC) No 1525/76 to be deducted from the variable component applicable to bran and sharps originating in Tunisia, Algeria and Morocco respectively, shall be as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 1 November 1992.

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

Done at Brussels, 22 October 1992.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 169, 28. 6. 1976, p. 19.

<sup>(2)</sup> OJ No L 169, 28. 6. 1976, p. 37.

<sup>(3)</sup> OJ No L 169, 28. 6. 1976, p. 53.

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

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



*ANNEX*

to the Commission Regulation of 22 October 1992 fixing the amount by which the variable component of the levy applicable to bran and sharps originating in Algeria, Morocco and Tunisia must be reduced

*(ECU/tonne)*

CN code	Amount
2302 30 10	34,98
2302 30 90	74,94
2302 40 10	34,98
2302 40 90	74,94

## COMMISSION REGULATION (EEC) No 3041/92

of 22 October 1992

fixing the amount by which the variable component of the levy applicable to bran and sharps originating in Argentina must be reduced

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

Having regard to Council Regulation (EEC) No 1058/88 of 28 March 1988 on the import of bran, sharps and other residues derived from the sifting, milling or other working of cereals other than maize and rice and amending Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff<sup>(1)</sup>, and in particular Article 2 (2) thereof,

Whereas Regulation (EEC) No 1058/88 provides that the variable component of the levy, calculated in accordance with Article 2 of 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>(2)</sup> as last amended by Regulation (EEC) No 1906/87<sup>(3)</sup>, is to be reduced by an amount equal to 40 % of the average of the variable components of the levies applicable to the product in question in the three months preceding the months during which that amount is fixed; whereas that reduction is applicable to products falling within CN codes 2302 30 10, 2302 30 90, 2302 40 10 and 2302 40 90 for up to a maximum of 550 000 tonnes per year on the import of the products in question originating in Argentina and from any other third country which applies to exports of those products a special tax of an amount equal to that by which the variable amount of the levy is

reduced and which provides satisfactory proof of payment of that tax;

Whereas Commission Regulation (EEC) No 1193/88<sup>(4)</sup>, as amended by Regulation (EEC) No 84/89<sup>(5)</sup>, lays down the detailed rules of application of the special arrangements for imports of bran, sharps and other residues, whether or not in the form of pellets, derived from the sifting, milling or other working of cereals other than maize and rice falling within CN codes 2302 30 and 2302 40,

HAS ADOPTED THIS REGULATION:

*Article 1*

The amount referred to in Article 1 of Regulation (EEC) No 1058/88 by which the variable amount of the levy applicable to imports of bran, sharps and other residues originating in Argentina and in any other third country meeting the conditions laid down in that Article must be reduced shall be as set out in the Annex.

*Article 2*

This Regulation shall enter into force on 1 November 1992.

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

Done at Brussels, 22 October 1992.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 104, 23. 4. 1988, p. 1.  
<sup>(2)</sup> OJ No L 281, 1. 11. 1975, p. 65.  
<sup>(3)</sup> OJ No L 182, 3. 7. 1987, p. 49.

<sup>(4)</sup> OJ No L 111, 30. 4. 1988, p. 87.  
<sup>(5)</sup> OJ No L 13, 17. 1. 1989, p. 13.

*ANNEX*

to the Commission Regulation of 22 October 1992 fixing the amount by which the variable component of the levy applicable to bran and sharps originating in Argentina must be reduced

<i>(ECU/tonne)</i>	
CN code	Amount
2302 30 10	23,32
2302 30 90	49,96
2302 40 10	23,32
2302 40 90	49,96

**COMMISSION REGULATION (EEC) No 3042/92**

of 22 October 1992

**amending Regulation (EEC) No 2819/92 fixing the refunds applicable to cereal and rice sector products supplied as Community and national 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 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,

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 11 (2) thereof,

Whereas Commission Regulation (EEC) No 2819/92 <sup>(5)</sup> fixed the refunds applicable to cereal and rice products supplied as Community and national food aid for the month of October 1992; whereas it follows from the information known to the Commission that the export refunds for rice at present in force should be altered to the amounts set out in the Annex hereto;

Whereas, in order to make it easier to draw up and manage the budget for Community food aid actions and to enable the Member States to know the extent of

Community participation in the financing of national food aid actions, the level of the refunds granted for these actions should be determined;

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

HAS ADOPTED THIS REGULATION :

*Article 1*

The Annex to Regulation (EEC) No 2819/92 is replaced by the Annex hereto.

*Article 2*

The refunds fixed in this Regulation shall not be regarded as refunds varying according to destination.

*Article 3*

This Regulation shall enter into force on 23 October 1992.

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

Done at Brussels, 22 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 166, 25. 6. 1976, p. 1.

<sup>(4)</sup> OJ No L 73, 19. 3. 1992, p. 7.

<sup>(5)</sup> OJ No L 284, 29. 9. 1992, p. 23.

## ANNEX

to the Commission Regulation of 22 October 1992 amending Regulation (EEC) No 2819/92 fixing the refunds applicable to cereal and rice sector products supplied as Community and national food aid

<i>(ECU/tonne)</i>	
Product code	Refund
1001 10 90 000	130,00
1001 90 99 000	77,00
1002 00 00 000	77,00
1003 00 90 000	76,00
1004 00 90 000	—
1005 90 00 000	90,00
1006 20 92 000	153,00
1006 20 94 000	153,00
1006 30 42 000	—
1006 30 44 000	—
1006 30 92 100	238,00
1006 30 92 900	238,00
1006 30 94 100	228,00
1006 30 94 900	228,00
1006 30 96 100	228,00
1006 30 96 900	228,00
1006 40 00 000	—
1007 00 90 000	90,00
1101 00 00 100	106,00
1101 00 00 130	106,00
1102 20 10 100	123,98
1102 20 10 300	106,27
1102 30 00 000	—
1102 90 10 100	104,34
1103 11 10 500	195,00
1103 11 90 100	106,00
1103 13 10 100	159,41
1103 14 00 000	—
1104 12 90 100	200,28
1104 21 50 100	139,12

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

## COMMISSION REGULATION (EEC) No 3043/92

of 21 October 1992

on arrangements for imports into the Community of certain textile products  
(category 22) originating in Brazil

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 4136/86 of 22 December 1986 on common rules for imports of certain textile products originating in third countries<sup>(1)</sup>, as last amended by Commission Regulation (EEC) No 1539/92<sup>(2)</sup>, and in particular Article 11 thereof,

Whereas Article 11 of Regulation (EEC) No 4136/86 lays down the conditions under which quantitative limits may be established; whereas imports into the Community of certain textile products (category 22) specified in the Annex hereto and originating in Indonesia have exceeded the level referred to in Article 11 (2);

Whereas, in accordance with Article 11 (5) of Regulation (EEC) No 4136/86, on 25 September 1992, Brazil was notified of a request for consultations; whereas, pending a mutually satisfactory solution, the Commission has requested Brazil for a provisional period of three months to limit its exports to the Community of products falling within category 22 to the provisional quantitative limits set out in the Annex with effect from the date of the request for consultations; whereas pending the outcome of the requested consultations quantitative limits identical to those requested of the supplier country should be applied provisionally to imports of the category of products in question;

Whereas Article 11 (13) ensures that the quantitative limits are observed by means of a double-checking system in accordance with Annex VI to Regulation (EEC) No 4136/86;

Whereas the products in question exported from Brazil between 25 September 1992 and the date of entry into force of this Regulation must be set off against the quantitative limits which have been introduced;

Whereas these quantitative limits should not prevent the importation of products covered by them shipped from Brazil before the date of entry into force of this Regulation;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

Without prejudice to the provisions of Article 2, imports into the Community of the category of products originating in Brazil and specified in the Annex hereto shall be subject to the provisional quantitative limits set out in that Annex.

*Article 2*

1. Products referred to in Article 1 shipped from Brazil to the Community before the date of entry into force of this Regulation and not yet released for free circulation, shall be so released subject to the presentation of a bill of lading or other transport document proving that shipment actually took place during that period.
2. Imports of products shipped from Brazil to the Community after the entry into force of this Regulation shall be subject to the double-checking system described in Annex VI to Regulation (EEC) No 4136/86.
3. All quantities of products shipped from Brazil to the Community on or after 25 September 1992 and released for free circulation shall be deducted from the quantitative limits laid down. These provisional limits shall not, however, prevent the importation of products covered by them but shipped from Brazil before the date of entry into force of this Regulation.

*Article 3*This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Communities*.

It shall apply until 24 December 1992.

<sup>(1)</sup> OJ No L 387, 31. 12. 1986, p. 42.<sup>(2)</sup> OJ No L 163, 17. 6. 1992, p. 9.

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

Done at Brussels, 21 October 1992.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

ANNEX

Category	CN code	Description	Third country	Unit	Member State	Quantitative limits from 25 September to 24 December 1992			
22	5508 10 11	Yarn of staple or waste synthetic fibres, not put up for retail sale	Brazil	tonnes	D	54			
	F				42				
	I				26				
	BNL				226				
	UK				31				
	IRL				2				
	DK				53				
	GR				3				
	ES				257				
	PT				1 485				
	EEC				2 179				
	5509 11 00								
	5509 12 00								
	5509 21 10								
	5509 21 90								
	5509 22 10								
	5509 22 90								
	5509 31 10								
	5509 31 90								
	5509 32 10								
	5509 32 90								
	5509 41 10								
	5509 41 90								
5509 42 10									
5509 42 90									
5509 51 00									
5509 52 10									
5509 52 90									
5509 53 00									
5509 59 00									
5509 61 10									
5509 61 90									
5509 62 00									
5509 69 00									
5509 91 10									
5509 91 90									
5509 92 00									
5509 99 00									

## COMMISSION REGULATION (EEC) No 3044/92

of 21 October 1992

on arrangements for imports into the Community of certain textile products  
(category 9) originating in India

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 4136/86 of 22 December 1986 on common rules for imports of certain textile products originating in third countries<sup>(1)</sup>, as last amended by Commission Regulation (EEC) No 1539/92<sup>(2)</sup>, and in particular Article 11 thereof,

Whereas Article 11 of Regulation (EEC) No 4136/86 lays down the conditions under which quantitative limits may be established; whereas imports into the Community of certain textile products (category 9) specified in the Annex hereto and originating in India have exceeded the level referred to in Article 11 (2);

Whereas, in accordance with Article 11 (5) of Regulation (EEC) No 4136/86, on 24 September 1992 India was notified of a request for consultations; whereas, pending a mutually satisfactory solution, the Commission has requested India for a provisional period of three months to limit its exports to the Community of products falling within category 9 to the provisional quantitative limits set out in the Annex with effect from the date of the request for consultations; whereas pending the outcome of the requested consultations quantitative limits identical to those requested of the supplier country should be applied provisionally to imports of the category of products in question;

Whereas Article 11 (13) ensures that the quantitative limits are observed by means of a double-checking system in accordance with Annex VI to Regulation (EEC) No 4136/86;

Whereas the products in question exported from India between 25 September 1992 and the date of entry into force of this Regulation must be set off against the quantitative limits which have been introduced;

Whereas these quantitative limits should not prevent the importation of products covered by them shipped from India before the date of entry into force of this Regulation;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

Without prejudice to the provisions of Article 2, imports into the Community of the category of products originating in India and specified in the Annex hereto shall be subject to the provisional quantitative limits set out in that Annex.

*Article 2*

1. Products referred to in Article 1 shipped from India to the Community before the date of entry into force of this Regulation and not yet released for free circulation, shall be so released subject to the presentation of a bill of lading or other transport document proving that shipment actually took place during that period.
2. Imports of products shipped from India to the Community after the entry into force of this Regulation shall be subject to the double-checking system described in Annex VI to Regulation (EEC) No 4136/86.
3. All quantities of products shipped from India to the Community on or after 25 September 1992 and released for free circulation shall be deducted from the quantitative limits laid down. These provisional limits shall not, however, prevent the importation of products covered by them but shipped from India before the date of entry into force of this Regulation.

*Article 3*This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Communities*.

It shall apply until 24 December 1992.

<sup>(1)</sup> OJ No L 387, 31. 12. 1986, p. 42.<sup>(2)</sup> OJ No L 163, 17. 6. 1992, p. 9.



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

Done at Brussels, 21 October 1992.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

*ANNEX*

Category	CN code	Description	Third country	Unit	Member State	Quantitative limits from 25 September to 24 December 1992
9	5802 11 00 5802 19 00 6302 60 00	Terry towelling and similar woven terry fabrics of cotton; toilet linen and kitchen linen, other than knitted or crocheted, of terry towelling and woven terry fabrics, of cotton	India	tonnes	D	59
					F	78
					I	51
					BNL	72
					UK	414
					IRL	66
					DK	18
					GR	7
					ES	33
					PT	7
	EEC	805				

**COMMISSION REGULATION (EEC) No 3045/92**

of 22 October 1992

**on the sale by the procedure laid down in Regulation (EEC) No 2539/84 of beef held by certain intervention agencies and intended for export to Georgia under Regulation (EEC) No 1897/92 and amending Regulation (EEC) No 569/88**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 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 Article 7 (3) thereof,

Whereas certain intervention agencies hold large stocks of intervention meat; whereas an extension of the period of storage for the meat bought in should be avoided on account of the ensuing high costs; whereas part of that meat should be put up for sale for import into Georgia under Commission Regulation (EEC) No 1897/92 of 9 July 1992 laying down detailed rules for the implementation of a medium-term loan to the Soviet Union and its constituent Republics, established by Council Decision 91/658/EEC <sup>(3)</sup>;

Whereas Commission Regulation (EEC) No 2539/84 of 5 September 1984 laying down detailed rules for certain sales of frozen beef held by the intervention agencies <sup>(4)</sup>, as amended by Regulation (EEC) No 1809/87 <sup>(5)</sup>, provides for the possibility of applying a two-stage procedure when selling beef from intervention stocks;

Whereas Commission Regulation (EEC) No 1897/92 lays down certain provisions governing the recognition of delivery contracts; whereas provision should be made for sales contracts covering intervention meat to be authorized only after recognition as referred to above has been verified;

Whereas quarters from intervention stocks may in certain cases have been handled a number of times; whereas in order to help with the presentation and marketing of such meat, its repackaging should be authorized, subject to the observance of clear conditions;

Whereas a time limit must be laid down for export of the said meat; whereas this time limit should be fixed by

taking into account Article 5 (b) 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 <sup>(6)</sup>, as last amended by Regulation (EEC) No 815/91 <sup>(7)</sup>;

Whereas in order to ensure that meat sold is exported to the destination laid down, a security as specified in Article 5 (2) (a) of Regulation (EEC) No 2539/84 should be required;

Whereas products held by intervention agencies and intended for export are subject to the provisions of Commission Regulation (EEC) No 569/88 <sup>(8)</sup>, as last amended by Regulation (EEC) No 3028/92 <sup>(9)</sup>; whereas the Annex to that 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 Management Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. A sale shall be organized of approximately 4 300 tonnes of bone-in beef held by the Irish intervention agency,
2. This meat shall be offered for sale under the terms of Regulation (EEC) No 1897/92 and must be imported into Georgia.
3. Subject to the provisions of this Regulation, the sale shall take place in accordance with the provisions of Regulations (EEC) No 2539/84 and (EEC) No 569/88.

The provisions of Commission Regulation (EEC) No 985/81 <sup>(10)</sup> shall not apply to this sale. However, the competent authorities may allow bone-in forequarters and hindquarters, the packaging material of which is torn or

<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 191, 10. 7. 1992, p. 22.

<sup>(4)</sup> OJ No L 238, 6. 9. 1984, p. 13.

<sup>(5)</sup> OJ No L 170, 30. 6. 1987, p. 23.

<sup>(6)</sup> OJ No L 241, 13. 9. 1980, p. 5.

<sup>(7)</sup> OJ No L 83, 3. 4. 1991, p. 6.

<sup>(8)</sup> OJ No L 55, 1. 3. 1988, p. 1.

<sup>(9)</sup> OJ No L 306, 22. 10. 1992, p. 32.

<sup>(10)</sup> OJ No L 99, 10. 4. 1981, p. 38.

soiled, to be placed in new packaging of the same type under their supervision before presentation for consignment at the customs office of departure.

4. The qualities and the minimum prices referred to in Article 3 (1) of Regulation (EEC) No 2539/84 are given in Annex I hereto.

5. Tenders or purchase applications shall be valid only if:

— they relate to an equal number of forequarters and hindquarters and quote a single price per tonne expressed in ecus for the whole quantity of bone-in beef specified in the tender,

— they are accompanied by a copy of a sales contract for a quantity of beef equal to the quantity applied for, concluded by the applicant with the competent Georgian authorities; the contract must contain a declaration in English by those authorities to the effect that the quantity mentioned will be delivered under the terms of Regulation (EEC) No 1897/92.

6. Immediately after submitting tenders or purchase applications, operators shall send a copy thereof by telex or fax to the Commission of the European Communities, Division VI/D.2, 130 rue de la Loi, B-1049 Brussels (telex 220 37 AGREC B; fax (02) 296 60 27).

The Irish intervention agency shall only conclude sales contracts after written authorization by the Commission, in particular in accordance with Articles 4 and 5 of Regulation (EEC) No 1897/92, has been received.

7. Tenders shall be considered only if they reach the intervention agencies concerned by 12 noon on 28 October 1992 at the latest.

No purchase applications shall be accepted after 31 December 1992.

8. Details of the quantities of the products and the places where they are stored must be made available to interested parties at the address given in Annex II.

#### Article 2

1. The products referred to in Article 1 must be exported within five months from the date of conclusion of the contract of sale with the intervention agency.

#### Article 3

1. The security provided for in Article 5 (1) of Regulation (EEC) No 2539/84 shall be ECU 30 per 100 kilograms. The security provided for in Article 5 (2) (a) of

Regulation (EEC) No 2539/84 shall be ECU 300 per 100 kilograms of bone-in beef.

#### Article 4

1. No export refund shall be granted on meat sold under this Regulation.

Removal orders as referred to in Article 3 of Regulation (EEC) No 569/88, export declaration and, where appropriate, T5 control copies shall bear the following:

Carne de intervención — Sin restitución — [Reglamento (CEE) n° 3045/92];

Interventionskød — Uden restitution — [Forordning (EØF) nr. 3045/92];

Interventionsfleisch — Ohne Erstattung — [Verordnung (EWG) Nr. 3045/92];

Κρέας παρεμβάσεως — Χωρίς επιστροφή — [κανονισμός (ΕΟΚ) αριθ. 3045/92];

Intervention meat — No refund — [Regulation (EEC) No 3045/92];

Viande d'intervention — Sans restitution — [Règlement (CEE) n° 3045/92];

Carni d'intervento — Senza restituzione — [Regolamento (CEE) n. 3045/92];

Vlees uit interventievoorraden — zonder restitutie — [Verordening (EEG) nr. 3045/92];

Carne de intervenção — Sem restituição — [Regulamento (CEE) n° 3045/92].

2. With regard to the security provided for in Article 3 (2), compliance with paragraph 1 shall constitute a primary requirement within the meaning of Article 20 of Commission Regulation (EEC) No 2220/85<sup>(1)</sup>.

#### Article 5

The following item 136 and footnote are hereby added to 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':

'136. Commission Regulation (EEC) No 3045/92 of 22 October 1992 on the sale by the procedure laid down in Regulation (EEC) No 2539/84 of beef held by certain intervention agencies and intended for export to Georgia under Council Regulation (EEC) No 1897/92<sup>(136)</sup>.

<sup>(136)</sup> OJ No L 307, 23. 10. 1992, p. 24.

#### Article 6

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

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

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

Done at Brussels, 22 October 1992.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

*ANEXO I — BILAG I — ANHANG I — ΠΑΡΑΡΤΗΜΑ I — ANNEX I — ANNEXE I — ALLEGATO I — BIJLAGE I — ANEXO I*

Estado miembro Medlemsstat Mitgliedstaat Κράτος μέλος Member State État membre Stato membro Lid-Staat Estado-membro	Productos Produkte Erzeugnisse Προϊόντα Products Produits Prodotti Produkten Produtos	Cantidades (toneladas) Mængde (tons) Mengen (Tonnen) Ποσότητες (τόνοι) Quantities (tonnes) Quantités (tonnes) Quantità (tonnellate) Hoeveelheid (ton) Quantidade (toneladas)	Precio mínimo expresado en ecus por tonelada Mindstepriser i ECU/ton Mindestpreise, ausgedrückt in ECU/Tonne Ελάχιστες τιμές πώλησεως εκφραζόμενες σε Ecu ανά τόνο Minimum prices expressed in ecus per tonne Prix minimaux exprimés en écus par tonne Prezzi minimi espressi in ecu per tonnellata Minimumprijzen uitgedrukt in ecu per ton Preço mínimo expresso em ecus por tonelada
Ireland	— Hindquarters and forequarters from Category C, classes U, R and O	4 300	485

*ANEXO II — BILAG II — ANHANG II — ΠΑΡΑΡΤΗΜΑ II — ANNEX II — ANNEXE II — ALLEGATO II — BIJLAGE II — ANEXO II*

**Direcciones de los organismos de intervención — Interventionsorganernes adresser — Anschriften der Interventionsstellen — Διευθύνσεις των οργανισμών παρεμβάσεως — Addresses of the intervention agencies — Adresses des organismes d'intervention — Indirizzi degli organismi d'intervento — Adressen van de interventiebureaus — Endereços dos organismos de intervenção**

**IRELAND:** Department of Agriculture and Food  
Agriculture House  
Kildare Street  
Dublin 2  
Tel. (01) 78 90 11, ext. 2278 and 3806  
Telex 93292 and 93607  
Telefax (01) 61 62 63, (01) 78 52 14 and (01) 662 01 98

**COMMISSION REGULATION (EEC) No 3046/92**  
of 22 October 1992

**laying down provisions implementing and amending Council Regulation (EEC) No 3330/91 on the statistics relating to the trading of goods between Member States**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3330/91 of 7 November 1991 on the statistics relating to the trading of goods between Member States<sup>(1)</sup>, and in particular Article 30 thereof,

Whereas, with a view to establishing the statistics relating to the trading of goods between Member States, the field of application of the Intrastat system should be precisely defined in relation to both the goods to be included and those to be excluded;

Whereas the date from which the intra-Community operator shall in practice comply with his obligations to supply information must be determined; whereas the extent of the obligations of the third party to whom the party responsible for providing the information may transfer that task should be defined;

Whereas certain of the rules to be complied with by the departments concerned must be specified in detail in particular with a view to efficient management of the registers of intra-Community operation; whereas it is useful to specify the provisions relating to certain fiscal aspects of statistical information;

Whereas there should be additions to the definition of the data to be reported and to the arrangements for reporting such data;

Whereas a list should be drawn up of the goods to be excluded from the statistical returns relating to the trading of goods;

Whereas account should be taken initially of existing simplified procedures and of the special requirements of certain sectors;

Whereas the amendments to Council Directive 77/388/EEC<sup>(2)</sup> by Directive 91/680/EEC<sup>(3)</sup> require certain provisions of Regulation (EEC) No 3330/91 to be adapted, pursuant to the first indent of Article 33 thereof;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Committee on the

statistics relating to the trading of goods between Member States,

HAS ADOPTED THIS REGULATION:

*Article 1*

With a view to establishing the statistics relating to the trading of goods between Member States, the Community and its Member States shall apply Regulation (EEC) No 3330/91, hereinafter referred to as the Basic Regulation, in accordance with the rules laid down in this Regulation.

*Article 2*

1. In connection with trade between the Community as constituted on 31 December 1985 and Spain or Portugal, and between those two last-mentioned Member States, the Intrastat system shall also apply to goods still liable to certain customs duties and charges having equivalent effect or which remain subject to other measures laid down by the Act of Accession.

2. The Intrastat system shall apply to the products referred to in Article 3 (1) of Council Directive 92/12/EEC<sup>(4)</sup>, regardless of the form and content of the document accompanying them, when they move between the territories of the Member States.

*Article 3*

1. The Intrastat system shall not apply:

- (a) to goods placed or obtained under the inward processing customs procedure (suspension system) or the procedure of processing under customs control;
- (b) to goods circulating between parts of the statistical territory of the Community, at least one of which is not part of the territory of the Community pursuant to Council Directive 77/388/EEC.

2. The Member States shall be responsible for collecting data on the goods referred to in paragraph 1 on the basis of the customs procedures applicable to such goods.

<sup>(1)</sup> OJ No L 316, 16. 11. 1991, p. 1.

<sup>(2)</sup> OJ No L 145, 13. 6. 1977, p. 1.

<sup>(3)</sup> OJ No L 376, 31. 12. 1991, p. 1.

<sup>(4)</sup> OJ No L 76, 23. 3. 1992, p. 1.

3. If the statistical copy of the Single Administrative Document containing the data listed in Article 23 of the Basic Regulation, with the exception of the information referred to in paragraph 2 (e) of that Article, is not available, the customs departments shall at least once a month send the relevant statistical departments a periodic list of those same data by type of goods, in accordance with the arrangements agreed upon by the said departments.

4. Articles 2, 4, 8, 9, 12 (1), (3), (4), (5), (6) and (7); 13, 14, 19, 21 and 22 (3) (a) and (b), first indent, shall not apply to the goods referred to in paragraph 1.

The other provisions of this Regulation shall apply to these goods without prejudice to any customs regulations which otherwise apply.

#### Article 4

1. Any natural or legal person carrying out an intra-Community operation for the first time, whether the goods are arriving or being dispatched, shall become responsible for providing the required information within the meaning of Article 20 (5) of the Basic Regulation.

2. The party referred to in paragraph 1 shall provide the data on his intra-Community operations via the periodic declarations referred to in Article 13 of the Basic Regulation as from the month during which the assimilation threshold is exceeded, in accordance with the provisions relating to the threshold which become applicable to him.

The Member States shall determine the deadline for transmission in line with their particular administrative organization.

3. When the VAT registration number of a party responsible for providing the information is amended as a result of a change of ownership, name, address, legal status or similar change which does not affect his intra-Community operations to a significant extent, the rule defined in paragraph 1 need not be applied to the party in question at the time of the change. It shall remain subject to the statistical obligations to which it was subject before the change.

#### Article 5

1. The third party referred to in Article 9 (1) of the Basic Regulation is hereinafter referred to as the declaring third party.

2. The declaring third party shall provide the competent national departments with the following information:

(a) in accordance with Article 6 (1), the information necessary:

- to identify himself,
- to identify each of the parties responsible for providing the information who have transferred this task to him;

(b) for each of the parties responsible for providing information, the data required by the Basic Regulation and in implementation thereof.

#### Article 6

1. The information necessary to identify an intra-Community operator within the meaning of Article 10 of the Basic Regulation shall be the following:

- full name of the person or firm,
- full address including post code,
- under the circumstances laid down in Article 10 (6) of the Basic Regulation, the VAT registration number.

However, the statistical departments referred to in Article 10 (1) of the Basic Regulation may dispense with one or more of the abovementioned items of information or, under circumstances to be determined by them, exempt the intra-Community operators from providing them.

In the Member States referred to in Article 10 (3) of the Basic Regulation, the information which serves to identify an intra-Community operator shall be supplied to the abovementioned statistical departments by the tax authorities referred to in the said Article as and when it becomes available to the latter, unless there is an agreement to the contrary between the departments concerned.

2. The minimum of list data to be recorded in the register of intra-Community operators, within the meaning of Article 10 of the Basic Regulation, shall contain, for each intra-Community operator, the following:

- (a) the year and month of entry in the register;
- (b) the information necessary to identify the operator as laid down in paragraph 1;
- (c) where applicable, whether the operator is the consignor, consignee or declarant, or, as from 1 January 1993, a party responsible for providing information or a declaring third party, upon either consignment or receipt; in the Member States referred to in Article 10 (3) of the Basic Regulation, the information stipulated in paragraph 1 of the present Article shall show whether each operator in question is a consignor or a consignee;
- (d) in the case of a consignor or consignee or, as from 1 January 1993, a party responsible for providing information, the total value of his intra-Community operations, by month and by flow, together with, as from that same date, the value referred to in Article 11 (3) of the Basic Regulation; however, this information need not be recorded:
  - prior to 1993, in those Member States referred to in Article 10 (3) of the Basic Regulation,

- if the checking of the information recorded as statistics using the information referred to in Article 11 (3) of the Basic Regulation and the functioning of the statistical thresholds referred to in Article 28 of the said Regulation are organized separately from the management of the register of intra-Community operators.

The competent national departments may record other data in the register in accordance with their requirements.

#### Article 7

With a view to implementing Article 10 (6) of the Basic Regulation, the case where responsibility for the information, for given operations, lies not with the operator as a legal entity *per se* but with a constituent part of this entity, such as a branch office, a kind-of-activity unit or local unit, may be considered a justified exception.

#### Article 8

In the lists referred to in Article 11 (1) of the Basic Regulation, the tax authorities responsible shall mention intra-Community operators who, as a result of a scission, merger or cessation of activity during the period under review, will no longer appear on the said lists.

#### Article 9

1. The party responsible for providing information shall transmit the data required under the Basic Regulation and in implementation thereof:

- (a) in accordance with the Community provision in force;
- (b) direct to the competent national departments or via the collection offices which the Member States have set up for this or for other statistical or administrative purposes;
- (c) for a given reference period, at his discretion:
  - either by means of a single declaration, within a time limit which the competent national departments shall lay down in their instructions to the parties responsible for providing information and which shall be between the fifth and the tenth working day following the end of that period,
  - or by means of several part-declarations; in this case, the competent national departments may require agreement to be reached with them on the frequency of transmission and deadlines, but the last part-declaration must be transmitted within the time limit laid down under the first indent above.

2. By way of derogation from paragraph 1, a party responsible for providing information who benefits from exemption by virtue of application of the assimilation

threshold provided for in Article 28 (4) of the Basic Regulation must, when transmitting the information, conform only to the regulations of the tax authorities responsible.

3. Pursuant to Article 34 of the Basic Regulation, the provisions of this Article relating to the periodicity of the declaration shall not prevent the conclusion of an agreement providing for the supply of data in real time, when the data are transmitted electronically.

4. By way of derogation to paragraph 1 above, in those Member States where the periodic statistical declaration is the same as the periodic tax declaration, the provisions relating to the transmission of the statistical declaration shall be drawn up in line with Community or national tax regulations.

#### Article 10

In the medium for the information, the Member States whose statistical territory is described in the nomenclature of countries annexed to Council Regulation (EEC) No 1736/75<sup>(1)</sup> shall be designated by either alphabetical or numerical codes, as follows:

France :	FR or	001,
Belgium and Luxembourg :	BL or	002,
Netherlands :	NI or	003,
Germany :	DE or	004,
Italy :	IT or	005,
United Kingdom :	GB or	006,
Ireland :	IE or	007,
Denmark :	DK or	008,
Greece :	GR or	009,
Portugal :	PT or	010,
Spain :	ES or	011.

#### Article 11

When the quantity of goods to be mentioned on the data medium is determined:

- (a) 'net mass' shall mean the actual mass of the good excluding all packaging; it must be given in kilograms;
- (b) 'supplementary units' shall mean the units measuring quantity, other than the units measuring mass expressed in kilograms; they must be mentioned in accordance with the information set out in the current version of the combined nomenclature, opposite the sub-headings concerned, the list of which is published in Part I 'Preliminary provisions' of the said nomenclature.

#### Article 12

1. The value of the goods, as referred to in Article 23 (1) (d) of the Basic Regulation, shall be given as follows:

- by type of goods, the statistical value,
- by statistical declaration, the amount invoiced.

<sup>(1)</sup> OJ No L 183, 14. 7. 1975, p. 3.

2. The statistical value shall be fixed :

- upon dispatch, on the basis of the taxable amount to be determined the taxation purposes in accordance with Directive 77/388/EEC for deliveries of goods specified under section A (1) (a) and, where appropriate, for the operations specified under section A (1) (b) of Article 11 of the same Directive, minus, however, any taxes deductible because of the dispatch ; it shall, on the other hand, include transport and insurance costs relating to that part of the journey which takes place on the statistical territory of the Member State of dispatch,
- upon arrival, on the basis of the taxable amount to be determined for taxation purposes, in accordance with Article 28e of the Directive referred to above, for acquisition of goods, minus, however, taxes due because of the release for consumption and transport and insurance costs relating to that part of the journey which takes place on the statistical territory of the Member State of arrival.

The statistical value must be declared in accordance with the first subparagraph, even if the taxable amount does not have to be determined for taxation purposes.

For goods resulting from processing operations, the statistical value shall be established as if those goods had been produced entirely in the Member State of processing.

3. The amount invoiced shall be the total amount (excluding VAT) of invoices or documents serving as invoices relating to all the goods included in a statistical declaration.

4. The party responsible for providing information may indicate the invoiced amount broken down by type of goods.

By way of derogation to paragraph 1, the Member States may require the invoiced amount to be broken down by type of goods. In this case, they shall calculate the statistical value and exempt the party responsible for providing the statistical information from the need to mention it. However, those responsible for providing the information may be required to supply information on ancillary costs on a sample basis.

The second subparagraph shall apply either to all parties required to transmit the periodic declaration referred to in Article 13 (1) of the Basic Regulation or solely to those parties who benefit from the application of simplification thresholds.

5. The Member States may exercise the option laid down in the second subparagraph of paragraph 4, even if their particular administrative organization prevents them from taking the simplification measure which, by virtue of this subparagraph, must accompany the exercise of this

option, namely, exemption from the requirement to mention the statistical value.

In the instructions relating to the statistical declaration to the parties responsible for providing information, the technical reasons why both the statistical value and the invoiced amount must be mentioned, by type of goods, shall be indicated in advance.

The Member States shall transmit a copy of these instructions to the Commission before 1 November 1992 and, thereafter, whenever they are updated.

6. In the case of work under contract, the amount invoiced shall be the amount entered in the accounts for the work, including any ancillary costs. It shall be mentioned only in the case of the dispatch and the arrival which follow the contract work.

7. 'Ancillary costs' means the costs incurred in the movement of goods between the Member State of dispatch and the Member State of arrival, such as transport and insurance costs.

#### Article 13

1. For the purposes of this Regulation :

- (a) 'transaction' shall mean any operation, whether commercial or not, which leads to a movement of goods covered by statistics on the trading of goods between Member States ;
- (b) 'nature of the transaction' shall mean all those characteristics which distinguish one transaction from another.

2. A distinction shall be made between transactions which differ in nature, in accordance with the list in Annex I.

The nature of the transaction shall be specified, on the information medium, by the code number corresponding to the appropriate category of column A in the above-mentioned list.

3. Within the limits of the list referred to in paragraph 2, the Member States may prescribe the collection of data on the nature of the transaction up to the level which they use for the collection of data on trade third countries, regardless of whether they collect them in this connection as data on the nature of the transaction or as data on customs procedures.

#### Article 14

1. For the purposes of this Regulation, 'delivery terms' shall mean those provisions of the sales contract which lay down the obligations of the seller and the buyer respectively, in accordance with the Incoterms of the International Chamber of Commerce listed in Annex II.

2. Within the limits of the list referred to in paragraph 1 and without prejudice to paragraph 3 :



- (a) those Member States which apply the second subparagraph of Article 12 (4) shall stipulate that data on delivery terms shall be collected on the information medium and shall give details of how they are to be mentioned ;
- (b) the other Member States may stipulate that data on delivery terms shall be collected on the information medium up to the level at which they collect data on trade with third countries.
3. The delivery terms shall be indicated, for each type of goods, by one of the abbreviations in the list referred to in paragraph 1.

#### Article 15

1. 'Presumed mode of transport' shall indicate, upon dispatch, the mode of transport determined by the active means of transport by which the goods are presumed to be going to leave the statistical territory of the Member State of dispatch and, upon arrival, the mode of transport determined by the active means of transport by which the goods are presumed to have entered the statistical territory of the Member State of arrival.
2. The modes of transport to be mentioned on the information medium are as follows :

Code	Title
1	Transport by sea
2	Transport by rail
3	Transport by road
4	Transport by air
5	Consignments by post
7	Fixed transport installations
8	Transport by inland waterway
9	Own propulsion

The mode of transport shall be designated on the said medium by the corresponding code number.

#### Article 16

1. 'Country of origin' shall mean the country where the goods originate.

Goods which are entirely obtained in a country originate in that country.

An item in the production of which two or more countries are involved originates in the country where the last significant processing or working, economically justified and carried out in an enterprise equipped for this purpose and leading to the manufacture of a new product or representing an important stage of manufacture, takes place.

2. The country of origin shall be designated by the code number given to it in the current version of the country nomenclature annexed to Regulation (EEC) No

1736/75, without prejudice to the last sentence of Article 47 of the said Regulation.

#### Article 17

1. 'Region of origin' shall mean the region of the Member State of dispatch where the goods were produced or were erected, assembled, processed, repaired or maintained ; failing this, the region of origin shall be replaced either by the region where the commercial process took place or by the region where the goods were dispatched.

2. 'Region of destination' shall mean the region of the Member State of arrival where the goods are to be consumed or erected, assembled, processed, repaired or maintained ; failing this, the region of destination shall be replaced either by the region where the commercial process is to take place or by the region to which the goods are to be dispatched.

3. Each Member State exercising the option provided for in Article 23 (2) (b) of the Basic Regulation shall draw up a list of its regions and determine the code, which shall have a maximum of two characters, by which those regions shall be indicated on the information medium.

#### Article 18

1. 'Port or airport of loading' shall mean the port or airport situated on the statistical territory of the Member State of dispatch at which the goods are loaded onto the active means of transport on or in which they are presumed to be going to leave that territory.

2. 'Port or airport of unloading' shall mean the port or airport situated on the statistical territory of the Member State of arrival at which the goods are unloaded from the active means of transport on or in which they are presumed to have entered that territory.

3. Each Member State exercising the option provided for in Article 23 (2) (c) or (d) of the Basic Regulation shall draw up a list of ports and airports to be mentioned on the information medium and shall fix the code by which they are to be indicated on that medium.

#### Article 19

1. 'Statistical procedure' shall mean the category of dispatch or arrival within which a given intra-Community operation takes place and which is not adequately referred to in column A or column B of the list of transactions in Annex I.

2. Any Member State wishing to exercise the option provided for in Article 23 (2) (e) of the Basic Regulation shall draw up a list of the statistical procedures to be mentioned on the information medium and shall fix the code by which they are to be indicated on that medium.

*Article 20*

Data relating to the goods listed in Annex III shall be excluded from compilation and, consequently, pursuant to Article 25 (4) of the Basic Regulation, from collection.

*Article 21*

1. For the purposes of this Regulation, 'specific movements of goods' shall mean movements of goods having specific features which have some significance for the interpretation of the information and stem either from the movement as such or from the nature of the goods or from the transaction which results in the movement of the goods or from the consignor or consignee of the goods.

2. In the absence of provisions drawn up under Article 33 of the Basic Regulation, the Member States may apply, as regards data to specific movements of goods, the simplified procedures which were applied, under Regulation (EEC) No 1736/75, prior to the date referred to in the second paragraph of Article 35 of the Basic Regulation.

3. Those Member States wishing to have more detailed information than that resulting from the application of Article 21 of the Basic Regulation may, by way of derogation from that Article, organize the collection of that information, for one or more specific product groups, provided that the party responsible for providing the information is allowed to elect to supply it in accordance with either the combined nomenclature or the additional subdivisions.

Those Member States exercising that option shall notify the Commission that they are doing so. At the same time, they shall state the reasons for their decision, supply the list of relevant combined nomenclature subheadings and describe the collection method they are using.

*Article 22*

1. The references to Directive 77/388/EEC in the Basic Regulation are amended as follows:

— in the second paragraph of Article 5, 'pursuant to Article 28 (7) of the abovementioned Directive' is replaced by 'pursuant to Council Directive 91/680/EEC<sup>(1)</sup>,

<sup>(1)</sup> OJ No L 376, 31. 12. 1991, p. 1..

— in Article 10 (3) (b), 'within the meaning of Directive 77/388/EEC, in compliance with Article 28 (7) of that Directive' is replaced by 'within the meaning of Directive 91/680/EEC',

— in Article 11 (3) and (7), 'Article 28 (7) of Directive 77/388/EEC' is replaced by 'Directive 91/680/EEC',

— in Article 20, points 3 and 4, 'first indent and — in so far as the provisions of Article 28 (7) of Directive

77/388/EEC apply to them — second indent' is deleted.

2. 'Institutional parties not liable to account for VAT' and 'parties exempt from VAT' which appear in the second paragraph of Article 5, Article 10 (3) (6), and Article 11 (2) (6) and (7) of the Basic Regulation are replaced respectively by 'legal persons not liable to account for VAT' and 'parties liable to account who carry out only transactions not entitling them to any deduction of VAT'.

3. In Article 20 of the Basic Regulation:

(a) in point 5 (a) and (b), 'residing' is replaced by 'registered for value-added tax';

(b) point 7 is replaced by the following:

'(7) the reference period referred to in the first indent of Article 13 (2) shall be:

— for goods to which the Intrastat system applies, the calendar month during which the value-added tax becomes due on intra-Community deliveries or acquisitions of goods, the movements of which are to be recorded pursuant to this Article; when the period to which the periodic fiscal declaration of a party liable to account for VAT refers does not correspond with a calendar month, quarter, half-year or year, the Member States may adapt the periodicity of the obligations relating to the statistical declarations of that party to the periodicity of his obligations relating to fiscal declarations,

— for goods to which the Intrastat system does not apply, according to the circumstances:

— the calendar month during which the goods are either placed or maintained under the inward processing customs procedure (suspension system) or the procedure of processing under customs control or placed in free circulation as a result of one of these procedures,

— the calendar month during which the goods, circulating between parts of the statistical territory of the Community, at least one of which is not part of the territory of the Community pursuant to Council Directive 77/388/EEC, have been subject to dispatch or arrival procedures.'

*Article 23*

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

Those of its provisions which relate to the Articles referred to in the second paragraph of Article 35 of the Basic Regulation shall apply from the same date as those said Articles.

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

Done at Brussels, 22 October 1992.

*For the Commission*  
Henning CHRISTOPHERSEN  
*Vice-President*

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## ANNEX I

## List of transactions referred to in Article 13 (2)

Column A	Column B
1. Transactions involving actual or intended transfer of ownership against compensation (financial or otherwise) (except the transactions listed under 2, 7, 8) <sup>(a)</sup> <sup>(b)</sup> <sup>(c)</sup>	1. Outright/purchase/sale <sup>(b)</sup> 2. Supply for sale on approval or after trial, for consignment or with the intermediation of a commission agent 3. Barter trade (compensation in kind) 4. Personal purchases by travellers 5. Financial leasing <sup>(c)</sup>
2. Return of goods after registration of the original transaction under code 1 <sup>(d)</sup> ; replacement of goods free of charge <sup>(d)</sup>	1. Return of goods 2. Replacement for returned goods 3. Replacement (e.g. under warranty) for goods not being returned
3. Transactions (not temporary) involving transfer of ownership but without compensation (financial or other)	1. Goods delivered under aid programmes operated or financed partly or wholly 2. Other general government-aid deliveries 3. Other aid deliveries (individuals, non-governmental organizations)
4. Operations with a view to processing under contract <sup>(e)</sup> or repair <sup>(f)</sup> (except those recorded under 7)	1. Processing under contract 2. Repair and maintenance against payment 3. Repair and maintenance free of charge
5. Operations following processing under contract <sup>(e)</sup> or repair <sup>(f)</sup> (except those recorded under 7)	1. Processing under contract 2. Repair and maintenance against payment 3. Repair and maintenance free of charge
6. Transactions not involving transfer of ownership, e.g. hire, loan, operational leasing <sup>(g)</sup> and other temporary uses <sup>(h)</sup> except processing under contract or repair (delivery or return)	1. Hire, loan, operational leasing 2. Other goods for temporary uses
7. Operations under joint defence projects or other joint intergovernmental production programs (e.g. Airbus)	
8. Supply of building materials and equipment for works that are part of a general construction or engineering contract <sup>(i)</sup>	
9. Other transactions	

<sup>(a)</sup> This item covers most dispatches and arrivals, i.e. transactions in respect of which :

- ownership is transferred from resident to non-resident, and
- payment or compensation in kind is or will be made.

It should be noted that this also applies to goods sent between related enterprises or from/to central distribution depots, even if no immediate payments is made.

<sup>(b)</sup> Including spare parts and other replacements made against payment.

<sup>(c)</sup> Including financial leasing : the lease instalments are calculated in such a way as to cover all or virtually all of the value of the goods. The risks and rewards of ownership are transferred to the lessee. At the end of the contract the lessee becomes the legal owner of the goods.

<sup>(d)</sup> Return and replacement dispatches of goods originally recorded under items 3 to 9 of column A should be registered under the corresponding items.

<sup>(e)</sup> Processing operations (whether or not under customs supervision) should be recorded under items 4 and 5 of column A. Processing activities on processor's own account are not covered by this item, they should be registered under item 1 of column A.

<sup>(f)</sup> Repair entails the restoration of goods to their original function ; this may involve some rebuilding or enhancements.

<sup>(g)</sup> Operational leasing : leasing contracts other than financial leasing (see note (c)).

<sup>(h)</sup> This item covers goods that are exported/imported with the intention of subsequent re-import/re-export without any change of ownership taking place.

<sup>(i)</sup> The transactions recorded under item 8 of column A involve goods which are not separately invoiced, but for which a single invoice is made covering the total value of the works. Where this is not the case, the transactions should be recorded under item 1.

## ANNEX II

## List of delivery terms referred to in Article 14

First sub-box	Meaning	Place to be indicated (1)
Incotem code	Incoterm ICC/ECE Geneva	
EXW	ex-works	location of works
FCA	franco carrier	... agreed place
FAS	free alongside ship	agreed port of loading
FOB	free on board	agreed port of loading
CFR	cost and freight (C & F)	agreed port of destination
CIF	cost, insurance, freight	agreed port of destination
CPT	carriage paid to	agreed place of destination
CIP	carriage and insurance paid to	agreed place of destination
DAF	delivered at frontier	agreed place of delivery at frontier
DES	delivered ex-ship	agreed port of destination
DEQ	delivered ex-quay	after customs clearance, agreed port
DDU	delivered duty unpaid	agreed place of destination in importing country
DDP	delivered duty paid	agreed place of delivery in importing country
XXX	delivery terms other than the above	precise statement of terms specified in the contract (1)

(1) Provide details in box 6 if necessary (form Intrastat N only)

*Second sub-division*

- 1: place located in the territory of the Member State concerned,
- 2: place located in another Member State,
- 3: other (place located outside the Community).

*ANNEX III***List of exceptions referred to in Article 20**

Data shall not be required for the following goods :

- (a) means of payment which are legal tender, and securities ;
- (b) emergency aid for disaster areas ;
- (c) because of the diplomatic or similar nature of their intended use :
  - 1. goods benefiting from diplomatic and consular or similar immunity ;
  - 2. gifts to a Head of State or to members of a government or parliament ;
  - 3. items being circulated within the framework of administrative mutual aid ;
- (d) provided that the trade is temporary, amongst other things :
  - 1. goods intended for fairs and exhibitions ;
  - 2. theatrical scenery ;
  - 3. merry-go-rounds and other fairground attractions ;
  - 4. professional equipment within the meaning of the International Customs Convention of 8 June 1968 ;
  - 5. cinematographic films ;
  - 6. apparatus and equipment for experimental purposes ;
  - 7. animals for show, breeding, racing, etc ;
  - 8. commercial samples ;
  - 9. means of transport, containers and equipment connected with transport ;
  - 10. packaging ;
  - 11. goods on hire ;
  - 12. plant and equipment for civil engineering works ;
  - 13. goods destined for examination, analysis or test purposes ;
- (e) provided that they are not the subject of a commercial transaction :
  - 1. decorations, honorary distinctions prizes, commemorative badges and metals ;
  - 2. travel equipment, provisions and other items, including sports equipment, intended for personal use or consumption which accompany, precede or follow the traveller ;
  - 3. bridal outfits, items involved in moving house, or heirlooms ;
  - 4. coffins, funerary urns, ornamental funerary articles and items for the upkeep of graves and funeral monuments ;
  - 5. printed advertising material, instructions for use, price lists and other advertising items ;
  - 6. goods which have become unusable, or which cannot be used for industrial purposes ;
  - 7. ballast ;
  - 8. photographs, exposed and developed films, drafts, drawings, copies of plans, manuscripts, files and records, official printed matter and printing proofs, as well as all information media used for an intra-Community exchange of information ;
  - 9. postage stamps ;
  - 10. pharmaceutical products used at international sport events ;
- (f) products used under agreements providing for common measures for the protection of persons or of the environment ;
- (g) goods which are the subject of non-commercial traffic between persons resident in the adjacent zones of the Member States ; products obtained by agricultural producers on properties located outside, but adjacent to, the statistical territory within which they have their principal undertaking ;
- (h) goods leaving a given statistical territory to return after crossing a foreign territory, either directly, or with halts inherent in the transport.

COMMISSION REGULATION (EEC) No 3047/92  
of 22 October 1992

determining the extent to which application lodged in October 1992 for import licences for certain pigmeat products under the regime provided for by the Intermediate Agreements concluded by the Community with the Republic of Poland, the Republic of Hungary and the Czech and Slovak Federal Republic can be accepted

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

Having regard to Commission Regulation (EEC) No 564/92 of 5 March 1992, laying down detailed rules for the application in the pigmeat sector of the regime provided for by the Intermediate Agreements concluded by the Community with the Republic of Poland, the Czech and Slovak Federal Republic<sup>(1)</sup>, and the Republic of Hungary and in particular Article 4 (5) thereof,

Whereas applications for import licences lodged under the said Regulation are for total quantities in excess of those available under Article 2 for products named against group No 1 in the said Regulation; whereas in order to ensure a fair distribution of these quantities those applied for should be reduced by a fixed percentage;

Whereas the applications made for licences for products named against group Nos 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11 in Regulation (EEC) No 564/92 are for quantities lower than those available; whereas these applications can therefore be met in full;

Whereas it is appropriate to draw the attention of operators to the fact that licences may only be used for products which comply with all veterinary rules currently in force in the Community,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. Applications for import licences for the period 1 October to 31 December 1992 submitted under Regulation (EEC) No 564/92 shall be met as referred to in the Annex.
2. Licences may only be used for products which comply with all veterinary rules currently in force in the Community.

*Article 2*

This Regulation shall enter into force on 23 October 1992.

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

Done at Brussels, 22 October 1992.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 61, 6. 3. 1992, p. 9.

*ANNEX*

Group No	Percentage of acceptance of import licences submitted
1	19,5
2	100,0
3	100,0
4	100,0
5	100,0
6	100,0
7	100,0
8	100,0
9	100,0
10	100,0
11	100,0



**COMMISSION REGULATION (EEC) No 3048/92**  
of 22 October 1992

**determining the extent to which applications lodged in October 1992 for import licences for certain eggs and poultrymeat products under the regime provided for by the Intermediate Agreements concluded by the Community with the Republic of Poland, the Republic of Hungary and the Czech and Slovak Federal Republic can be accepted**

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

Having regard to Commission Regulation (EEC) No 579/92 of 5 March 1992<sup>(1)</sup> laying down detailed rules for the application in the eggs and poultrymeat sector of the regime provided for by the Intermediate Agreements concluded by the Community with the Republic of Poland, the Czech and Slovak Federal Republic, and the Republic of Hungary and in particular Article 4 (5),

Whereas applications for import licences lodged under the said Regulation are for total quantities in excess of those available under Article 2 for products named against group Nos 1, 2, 12 and 19 in the said Regulation; whereas in order to ensure a fair distribution of these quantities those applied for should be reduced by a fixed percentage;

Whereas the applications made for licences for products named against group Nos 4, 5, 6, 7, 8, 9, 10, 11, 14, 15,

16, 17, 18, 21, 22, 23, 24, 25, 26 and 27 in Regulation (EEC) No 579/92 are for quantities lower than those available; whereas these applications can therefore be met in full,

HAS ADOPTED THIS REGULATION:

*Article 1*

Applications for import licences for the period 1 October to 31 December 1992 submitted under Regulation (EEC) No 579/92 shall be met as referred to in Annex I.

*Article 2*

This Regulation shall enter into force on 23 October 1992.

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

Done at Brussels, 22 October 1992.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 62, 7. 3. 1992, p. 15.

## ANNEX

Group No	Percentage of acceptance of import licences submitted
1	8,5
2	31,7
4	100,0
5	100,0
6	100,0
7	100,0
8	100,0
9	100,0
10	100,0
11	100,0
12	14,2
14	100,0
15	100,0
16	100,0
17	100,0
18	100,0
19	23,5
21	100,0
22	100,0
23	100,0
24	100,0
25	100,0
26	100,0
27	100,0

**COMMISSION REGULATION (EEC) No 3049/92**

of 22 October 1992

**determining the extent to which applications lodged in October 1992 for import  
licences for certain pigmeat products can be accepted**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3834/90 of 20 December 1990 reducing for 1991 the levies on certain agricultural products originating in developing countries<sup>(1)</sup>, as last amended by Regulation (EEC) No 1509/92<sup>(2)</sup>,

Whereas Commission Regulation (EEC) No 1732/92<sup>(3)</sup> set the quantities of pigmeat products that can be imported at a reduced levy for the period 1 October to 31 December 1992;

Whereas Article 4 (5) of Commission Regulation (EEC) No 3745/91<sup>(4)</sup> stipulates that the quantities applied for can be reduced; whereas applications for import licences lodged under the said Regulation are for total quantities in excess of those available under Article 2 for products named against order number 59.0010 in Regulation (EEC) No 3834/90; whereas in order to ensure a fair distribution of these quantities those applied for should be reduced by a fixed percentage;

Whereas the applications made for licences for products named against order number 59.0080 in Regulation (EEC) No 3834/90 are for quantities lower than those available; whereas these applications can therefore be met in full;

Whereas for the products named against order number 59.0040, 59.0060 and 59.0070 and no applications were lodged;

Whereas it is appropriate to draw the attention of operators to the fact that licences may only be used for products which comply with all veterinary rules currently in force in the Community,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. Applications for import licences for the period 1 October to 31 December 1992 submitted under Regulations (EEC) No 3745/91 and (EEC) No 1732/92 shall be met:

- (a) for 65,8112 % of the quantity applied for, in the case of products named against order number 59.0010 in Regulation (EEC) No 3834/90;
- (b) in full, for products named against order number 59.0080 in Regulation (EEC) No 3834/90.

2. Licences may only be used for products which comply with all veterinary rules currently in force in the Community.

*Article 2*

This Regulation shall enter into force on 23 October 1992.

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

Done at Brussels, 22 October 1992.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 370, 31. 12. 1990, p. 121.

<sup>(2)</sup> OJ No L 159, 12. 6. 1992, p. 1.

<sup>(3)</sup> OJ No L 179, 1. 7. 1992, p. 116.

<sup>(4)</sup> OJ No L 352, 21. 12. 1991, p. 48.

## COMMISSION REGULATION (EEC) No 3050/92

of 22 October 1992

**determining the extent to which applications lodged in October 1992 for import licences for certain poultrymeat products can be accepted**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3834/90 of 20 December 1990 reducing for 1991 the levies on certain agricultural products originating in developing countries<sup>(1)</sup>, as last amended by Regulation (EEC) No 1509/92<sup>(2)</sup>,Whereas Commission Regulation (EEC) No 1733/92<sup>(3)</sup> set the quantity of poultrymeat that can be imported at a reduced levy for the period 1 October to 31 December 1992;Whereas Article 4 (5) of Commission Regulation (EEC) No 3809/91<sup>(4)</sup>, as amended by Regulation (EEC) No 581/92<sup>(5)</sup>, stipulates that the quantities applied for can be reduced; whereas applications for import licences for duckmeat lodged pursuant to that Regulation are for total quantities in excess of those available under Regulation (EEC) No 1733/92; whereas in order to ensure a fair allocation of those quantities those applied for should be reduced proportionately,

HAS ADOPTED THIS REGULATION:

*Article 1*

Applications for import licences for the period 1 October to 31 December 1992 submitted pursuant to Regulations (EEC) No 3809/91 and (EEC) No 1733/92 shall be granted:

- (a) for 2,4336 % of the quantity applied for, in the case of products covered by No 59.0020 in Regulation (EEC) No 3834/90;
- (b) for 58,9963 % of the quantity applied for, in the case of products covered by No 59.0025 in Regulation (EEC) No 3834/90.

*Article 2*

This Regulation shall enter into force on 23 October 1992.

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

Done at Brussels, 22 October 1992.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*<sup>(1)</sup> OJ No L 370, 31. 12. 1990, p. 121.<sup>(2)</sup> OJ No L 159, 12. 6. 1992, p. 1.<sup>(3)</sup> OJ No L 179, 1. 7. 1992, p. 118.<sup>(4)</sup> OJ No L 357, 28. 12. 1991, p. 48.<sup>(5)</sup> OJ No L 62, 7. 3. 1992, p. 28.

**COMMISSION REGULATION (EEC) No 3051/92**  
**of 22 October 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 3030/92 <sup>(4)</sup>;

Whereas it follows from applying the detailed rules contained in Commission Regulation (EEC) No 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 21 October 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 23 October 1992.

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

Done at Brussels, 22 October 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 306, 22. 10. 1992, p. 37.

<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 22 October 1992 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy (1)
1701 11 10	39,10 (1)
1701 11 90	39,10 (1)
1701 12 10	39,10 (1)
1701 12 90	39,10 (1)
1701 91 00	46,34
1701 99 10	46,34
1701 99 90	46,34 (2)

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

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

(3) 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 3052/92

of 22 October 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 2827/92<sup>(7)</sup>, as amended by Regulation (EEC) No 2872/92<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 285, 30. 9. 1992, p. 12.  
 (<sup>8</sup>) OJ No L 286, 1. 10. 1992, p. 63.  
 (<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 21 October 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 2525/92 are hereby altered to the amounts set out in the Annex.

*Article 2*

This Regulation shall enter into force on 23 October 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, 22 October 1992.

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

**ANNEX**

**to the Commission Regulation of 22 October 1992 altering the import levies on products processed from cereals and rice**

(ECU/tonne)

CN code	Import levies (°)	
	ACP	Third countries (other than ACP) (°)
1102 90 30	209,66	215,70
1103 12 00	209,66	215,70
1103 29 30	209,66	215,70
1104 12 10	118,81	121,83
1104 12 90	232,96	239,00
1104 22 10 10 (*)	118,81	121,83
1104 22 10 90 (°)	209,66	212,68
1104 22 30	209,66	212,68
1104 22 50	186,37	189,39
1104 22 90	118,81	121,83

(\*) Taric code: clipped oats.

(°) Taric code: CN code 1104 22 10, other than 'clipped oats'.

(°) 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.



**COMMISSION REGULATION (EEC) No 3053/92**

of 22 October 1992

**prolonging the second 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>, as amended by Regulation (EEC) No 2991/92 <sup>(4)</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 temporarily;

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*

Advance fixing of the import levy for certain cereals falling within CN code 1007 00 90 is suspended from 23 October 1992.

*Article 2*

This Regulation shall enter into force on 23 October 1992.

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

Done at Brussels, 22 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.

<sup>(4)</sup> OJ No L 300, 16. 10. 1992, p. 15.

## COMMISSION REGULATION (EEC) No 3054/92

of 22 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 <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 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 550 000 tonnes of soft wheat flour to certain destinations; whereas the procedure laid down in Article 9 <sup>(4)</sup> of Commission Regulation (EEC) No 891/89 <sup>(5)</sup>, as last amended by Regulation (EEC) No 2804/92 <sup>(6)</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>(7)</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 <sup>(1)</sup> 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>(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.

<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.

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 23 October 1992.

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

Done at Brussels, 22 October 1992.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

## ANNEX

to the Commission Regulation of 22 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	70,00
	02	0
1001 90 99 000	04	70,00
	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	66,00
	02	0
1003 00 90 000	04	66,00
	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	110,00
1101 00 00 130	01	103,00
1101 00 00 150	01	94,00
1101 00 00 170	01	87,00
1101 00 00 180	01	81,00
1101 00 00 190	—	—
1101 00 00 900	—	—
1102 10 00 500	01	110,00
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	110,00
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 Poland,
  - 06 Romania,
  - 07 Tunisia,
  - 08 Algeria,
  - 09 Morocco.
- (<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.
- (<sup>3</sup>) Refund fixed under the procedure laid down in Article 9 (4) of amended Regulation (EEC) No 891/89 in respect of a quantity of 100 000 tonnes of soft wheat destined for Morocco.
- (<sup>4</sup>) Refund fixed under the procedure laid down in Article 9 (4) of amended Regulation (EEC) No 891/89 in respect of a quantity of 300 000 tonnes of soft wheat flour destined for Algeria.
- (<sup>5</sup>) Refund fixed under the procedure laid down in Article 9 (4) of amended Regulation (EEC) No 891/89 in respect of a quantity of 150 000 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).

## COMMISSION REGULATION (EEC) No 3055/92

of 22 October 1992

fixing the corrective amount applicable to the refund on 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 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>,

Having regard to 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>,

Whereas Article 16 (4) of Regulation (EEC) No 2727/75 provides that the export refund applicable to cereals on the day on which application for an export licence is made, adjusted for the threshold price in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the export licence; whereas, in this case, a corrective amount must be applied to the refund;

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>, made possible the fixing of a corrective amount for certain products listed in Article 1 (c) of Regulation (EEC) No 2727/75;

Whereas Commission Regulation (EEC) No 1281/75 <sup>(6)</sup> laid down detailed rules for the advance fixing of export refunds for cereals and certain products processed from cereals;

Whereas, pursuant to that Regulation, when the corrective amount is 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 possibilities and conditions for the sale of cereals and cereal products on the world market on the other; whereas the same Regulation 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 exports and the need to avoid disturbances on the Community market;

Whereas for the products listed in Article 1 (c) of Regulation (EEC) No 2727/75 account should be taken of the specific criteria laid down in Article 2 (2) of Regulation (EEC) No 1281/75;

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

Whereas the corrective amount must be fixed at the same time as the refund and according to the same procedure; whereas it may be altered in the period between fixings;

Whereas, if the system of corrective amounts is to operate normally, corrective amounts 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 the provisions set out above that the corrective amount must be as set out in the Annex hereto;

<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 281, 1. 11. 1975, p. 65.

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

<sup>(6)</sup> OJ No L 131, 22. 5. 1975, p. 15.

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

export refunds fixed in advance in respect of cereals shall be as set out in the Annex hereto.

HAS ADOPTED THIS REGULATION :

*Article 2*

*Article 1*

The corrective amount referred to in Article 16 (4) of Regulation (EEC) No 2727/75 which is applicable to

This Regulation shall enter into force on 23 October 1992.

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

Done at Brussels, 22 October 1992.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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## ANNEX

to the Commission Regulation of 22 October 1992 fixing the corrective amount applicable to the refund on cereals

Product code	Destination (1)	(ECU/tonne)						
		Current 10	1st period 11	2nd period 12	3rd period 1	4th period 2	5th period 3	6th period 4
0709 90 60 000	—	—	—	—	—	—	—	—
0712 90 19 000	—	—	—	—	—	—	—	—
1001 10 10 000	—	—	—	—	—	—	—	—
1001 10 90 000	01	0	0	0	0	0	—	—
1001 90 91 000	01	0	0	0	0	0	—	—
1001 90 99 000	01	0	0	0	0	0	—	—
1002 00 00 000	01	0	0	0	0	0	—	—
1003 00 10 000	01	0	0	0	0	0	—	—
1003 00 90 000	01	0	0	0	0	0	—	—
1004 00 10 000	—	—	—	—	—	—	—	—
1004 00 90 000	—	—	—	—	—	—	—	—
1005 10 90 000	—	—	—	—	—	—	—	—
1005 90 00 000	01	0	0	0	0	0	—	—
1007 00 90 000	—	—	—	—	—	—	—	—
1008 20 00 000	—	—	—	—	—	—	—	—
1101 00 00 100	01	0	0	0	0	0	—	—
1101 00 00 130	01	0	0	0	0	0	—	—
1101 00 00 150	01	0	0	0	0	0	—	—
1101 00 00 170	01	0	0	0	0	0	—	—
1101 00 00 180	01	0	0	0	0	0	—	—
1101 00 00 190	—	—	—	—	—	—	—	—
1101 00 00 900	—	—	—	—	—	—	—	—
1102 10 00 500	01	0	0	0	0	0	—	—
1102 10 00 700	01	0	0	0	0	0	—	—
1102 10 00 900	—	—	—	—	—	—	—	—
1103 11 10 200	01	0	0	0	0	0	0	0
1103 11 10 400	01	0	0	0	0	0	0	0
1103 11 10 900	01	0	0	0	0	0	0	0
1103 11 90 200	01	0	0	0	0	0	0	0
1103 11 90 800	—	—	—	—	—	—	—	—

(1) For the following destinations:  
01 all third countries.

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



## II

(Acts whose publication is not obligatory)

## COMMISSION

## COMMISSION DECISION

of 14 October 1992

amending Commission Decision 92/25/EEC concerning the animal health conditions and veterinary certification of imports of fresh meat from Zimbabwe

(92/503/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine, ovine, caprine animals and swine and fresh meat or meat products from third countries<sup>(1)</sup>, as last amended by Regulation 3763/91/EEC<sup>(2)</sup>, and in particular Articles 14 and 15 thereof,

Whereas Commission Decision 92/25/EEC<sup>(3)</sup>, as last amended by Decision 92/348/EEC<sup>(4)</sup>, lays down the animal health conditions and veterinary certification of imports of fresh meat from Zimbabwe; whereas this decision provides that Member States shall authorize imports of boned carcase meat of bovine animals from the regions of Mashonaland West, Mashonaland East and Makoni in Zimbabwe;

Whereas the situation has improved in relation to foot-and-mouth disease and now it is possible to amend further the regionalization in Zimbabwe thereby allowing importation into the Community of fresh boned meat from Midlands Province, excluding the districts of Gokwe, Zvishavane and Mberengwa;

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

HAS ADOPTED THIS DECISION:

*Article 1*

Decision 92/25/EEC is amended as follows:

in Article 1 (1) the words 'the veterinary regions of Mashonaland West, Mashonaland East and Makoni' are replaced by 'the veterinary regions of Mashonaland West, Mashonaland East, Makoni and Midlands Province, excluding the districts of Gokwe, Zvishavane and Mberengwa.'

*Article 2*

The Annex to Decision 92/25/EEC is replaced by the Annex to this Decision.

*Article 3*

This Decision is addressed to the Member States.

Done at Brussels, 14 October 1992.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 302, 31. 12. 1972, p. 28.

<sup>(2)</sup> OJ No L 356, 24. 12. 1991, p. 1.

<sup>(3)</sup> OJ No L 10, 16. 1. 1992, p. 52.

<sup>(4)</sup> OJ No L 189, 9. 7. 1992, p. 41.

ANNEX

ANIMAL HEALTH CERTIFICATE

for boned fresh meat <sup>(1)</sup> of domestic animals of the bovine species, excluding offal, intended for consignment to the European Economic Community

Country of destination : .....

Reference number of the public health certificate <sup>(2)</sup> : .....

Exporting country : Zimbabwe (veterinary regions of Mashonaland West, Mashonaland East, Makoni and Midlands Province, excluding the districts Gokwe, Zvishavane and Mberengwa)

Ministry : .....

Department : .....

Reference : .....

(Optional)

I. Identification of meat

Meat of: domestic animals of the bovine species

Nature of cuts <sup>(3)</sup> : .....

Nature of packaging : .....

Number of cuts or packages : .....

Net weight : .....

II. Origin of meat

Address(es) and veterinary approval number(s) of the approved slaughterhouse(s) <sup>(2)</sup> : .....

Address(es) and veterinary approval number(s) of the approved cutting plant(s) <sup>(2)</sup> : .....

Address(es) and veterinary approval number(s) of the approved cold store(s) <sup>(2)</sup> : .....

III. Destination of meat

The meat will be sent from : .....

(Place of loading)

to : .....

(Country and place of destination)

by the following means of transport <sup>(4)</sup> : .....

Name and address of consignor : .....

Name and address of consignee : .....

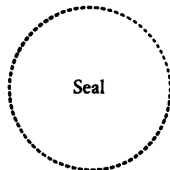
(1) Fresh meat means all parts fit for human consumption from domestic bovine animals, excluding offal, which have not undergone any preserving process; however, chilled and frozen meat shall be considered as fresh meat.
(2) Optional when the country of destination authorizes the importation of fresh meat for uses other than human consumption in application of Article 19 (a) of Directive 72/462/EEC.
(3) Only boned fresh meat from bovine animals, from which all bones and the major accessible lymphatic glands have been removed is authorized for importation.
(4) For railway wagons or lorries the registration number should be given, for aircraft the flight number and for ships the name.

IV. Attestation of health

I, the undersigned, official veterinarian, certify that :

- 1. the boned fresh meat described above is obtained from :
  - (a) animals which were born and reared in the Republic of Zimbabwe and have remained in the veterinary region of Mashonaland West, Mashonaland East, Makoni and Midlands Province, excluding the districts Gokwe, Zvishavane and Mberengwa for at least 12 months preceding slaughter or since birth in the case of animals less than 12 months old ;
  - (b) animals which bore, in accordance with the legal provisions, a mark indicating their region of origin that is for the veterinary region of Mashonaland West, northern part brand 'L' and for Mashonaland West, southern part, brand 'HL' for Mashonaland East brand 'H' and Makoni brand 'UM', for Midlands Province, excluding the districts Gokwe, Zvishavane and Mberengwa the brand 'J' or 'JJ' ;
  - (c) animals which have not been vaccinated against foot-and-mouth disease during the preceding 12 months ;
  - (d) animals which on the way to the slaughterhouse and while awaiting slaughter therein have not come into contact with animals not satisfying the requirements laid down in the decisions of the European Economic Community currently in force as regards export of their meat to a Member State, and if they were conveyed by vehicle or container the latter was cleaned and disinfected before loading ;
  - (e) animals which when subjected to an ante-mortem health inspection at the slaughterhouse during the 24 hours preceding slaughter which included examination of the mouth and feet showed no symptoms of foot-and-mouth disease ;
  - (f) animals which have been slaughtered on different days from those on which animals which do not comply with the conditions required for export of their meat to the European Economic Community were slaughtered ;
  - (g) animals which were slaughtered between ..... and ..... (dates of slaughter) ;
- 2. the boned fresh meat described above :
  - (a) originates from carcasses which have matured at a room temperature of more than + 2 °C for at least 24 hours after slaughter and before the bones were removed ;
  - (b) has had the major lymphatic glands removed ;
  - (c) has, during all stages of its production, boning, and storage been kept strictly separate from meat not conforming to the requirements laid down in the decisions of the European Economic Community currently in force as regards export of meat to a Member State (with the exception of meat packed in boxes or cartons and kept in special storage areas).

Done at ..... , on .....  
(Place) (Date)



.....  
(Signature of official veterinarian)  
(Name in capital letters, title and qualification of signatory)