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(Acts whose publication is obligatory)

**COUNCIL REGULATION (EEC) No 738/93
of 17 March 1993**

amending the transitional measures governing common organization of the market as provided for by Regulation (EEC) No 3653/90

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 234 (3) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament⁽¹⁾,

Whereas the achievement of the Single Market requires the removal of all barriers to trade, not only between the Member States of the Community as constituted on 31 December 1985 but also, to the greatest possible extent, between those Member States and Spain and Portugal;

Whereas this will mean abolition for the supplementary trade mechanism applicable to cereals and rice, and where cereals are concerned makes it appropriate, in order to enable Portuguese farmers to meet increased competition for the other Member States, to reduce over a longer period the aid provided for by Council Regulation (EEC) No 3653/90 of 11 December 1990 introducing transitional measures governing the common organization of the market in cereals and rice in Portugal⁽²⁾;

Whereas, under the reform of the common agricultural policy, provision was made for a reduction in intervention prices by Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽³⁾; whereas the resulting loss of income is compensated for by direct support on a per hectare basis introduced by Council Regulation (EEC) No 1765/92 of 30 June 1992 establishing a support system for producers

of certain arable crops⁽⁴⁾; whereas the method of calculating Portuguese aid should be adapted so as to avoid a double compensation;

Whereas accession compensatory amounts are due to be applied in trade in rice between Portugal and the other Member States until the end of the 1994/95 marketing year since Regulation (EEC) No 3653/90 provides for the price of the said product to be aligned on the common price only with effect from that date;

Whereas price alignment for this product can be brought forward and all accession compensatory amounts can therefore be abolished on that date if the loss of earnings of Portuguese rice producers is offset by a similar aid scheme to that already provided for cereals by Regulation (EEC) No 3653/90; whereas the arrangements provided for in that Regulation should therefore be amended accordingly;

Whereas to offset the difficulties that elimination of the supplementary trade mechanism for rice would otherwise involve for Portuguese producers the initial amount of the said aid should be set at more than the simple price difference of ECU 17,45 per tonne and it should be made depressive to the end of the 1997/98 marketing year;

Whereas, at the same time, the fixed components applicable to products processed from cereals and rice until 31 December 1999 at the latest pursuant to the above-mentioned Regulation should be abolished; whereas, in the case of most products, following attainment of the single market the difficulties and cost of the monitoring required in connection with the components would be out of proportion to their size and they will not in fact be really necessary to protect the processing industry in

⁽¹⁾ OJ No C 21, 25. 1. 1993.

⁽²⁾ OJ No L 362, 27. 12. 1990, p. 28.

⁽³⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽⁴⁾ OJ No L 181, 1. 7. 1992, p. 12. Regulation as amended by Commission Regulation (EEC) No 2467/92 (OJ No L 246, 27. 8. 1992, p. 1).

Portugal ; whereas any difficulties that this may engender in the rice sector, particularly sensitive in Portugal, can be resolved within the framework of the transitional measures laid down ;

Whereas this dismantling of the fixed components makes it appropriate to abolish the variations indicated in Article 287 (2) of the Act of Accession,

HAS ADOPTED THIS REGULATION :

Article 1

1. Notwithstanding Articles 2, 3 and 9 of Regulation (EEC) No 3653/90 :

- (a) the aid specified in Article 3 of that Regulation
- shall be granted to the end of the 2002/03 marketing year,
 - shall be for each marketing year, fixed as set out in the Annex ;
- (b) the common intervention price for paddy rice shall apply in Portugal ;
- (c) aid shall be granted to producers of paddy rice for the 1992/93, 1993/94, 1994/95, 1995/96, 1996/97 and 1997/98 marketing years. This aid, to which Article 5

and the first paragraph of Article 10 shall apply, shall be :

- fixed at ECU 25 per tonne for the 1992/93 marketing year,
 - reduced by 1/6, 1/5, 1/4, 1/3 and 1/2 for the 1993/94, 1994/95, 1995/96, 1996/97 and 1997/98 marketing years respectively ;
- (d) the fixed components in respect of the products referred to in Article 286 (3) of the Act of Accession are abolished.

2. The variations indicated in Article 287 (2) of the Act of Accession are also abolished.

Article 2

The measures needed to ensure a smooth transition from the arrangements provided for in Regulation (EEC) No 3653/90 to those provided for in this Regulation, particularly in respect of compensation for stocks of rice in Portugal on 31 March 1993, shall be adopted in accordance with the procedure laid down in Article 26 of Regulation (EEC) No 2727/75 ⁽¹⁾ or Article 27 of Regulation (EEC) No 1418/76 ⁽²⁾.

Article 3

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

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

Done at Brussels, 17 March 1993.

For the Council

The President

B. WESTH

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1. Regulation as last amended by Regulation (EEC) No 1738/92 (OJ No L 180, 1. 7. 1990, p. 1).

⁽²⁾ OJ No L 166, 25. 6. 1976, p. 7. Regulation as last amended by Regulation (EEC) No 674/92 (OJ No L 73, 19. 3. 92, p. 7).

ANNEX

Aid to Portuguese cereal producers

(ECU/tonne)

	1993/1994	1994/1995	1995/1996	1996/1997	1997/1998	1998/1999	1999/2000	2000/2001	2001/2002	2002/2003
Common wheat	97,97	89,58	81,00	72,25	63,26	54,02	44,46	34,51	24,05	12,81
Maize	52,33	47,09	41,86	36,63	31,40	26,16	20,93	15,70	10,47	5,23
Tritical, barley, rye	66,26	59,64	53,01	46,38	39,76	33,13	26,51	19,88	13,25	6,63
Grain sorghum	45,48	40,93	36,39	31,84	27,29	22,74	18,19	13,64	9,10	4,55

COUNCIL REGULATION (EEC) No 739/93

of 17 March 1993

on application of the common price for milk powder in Portugal

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 234 (3) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament⁽¹⁾,

Whereas the achievement of the Single Market requires the removal of all barriers to trade, not only between the Member States of the Community as constituted on 31 December 1985 but also, to the greatest possible extent, between these Member States and Spain and Portugal;

Whereas, where skimmed milk powder is concerned, the difference existing between the prices applicable in Portugal and the common prices ought, in accordance with the Act of Accession, to occasion an extension of the price alignment period and as a result application of accession compensatory amounts until 1995; whereas, however, if Portuguese producers were to be given a temporary degressive aid such a long extension could be avoided and the prices aligned;

Whereas to offset the difficulties that elimination of the supplementary trade mechanism for milk products would otherwise involve for Portuguese producers the initial amount of the said aid should be set at more than the simple price difference for protein content of ECU 1,57 and it should be made degressive to the end of the 1997/98 marketing year,

HAS ADOPTED THIS REGULATION:

Article 1

The common price for skimmed milk powder shall be applied in Portugal.

Article 2

1. Aid shall be granted to milk producers in Portugal until the end of the 1997/98 marketing year.

It shall amount to ECU 2,50 per 100 kg of milk in the period between the entry into force of this Regulation and the beginning of the 1993/94 marketing year and shall be reduced by 1/6, 1/5, 1/4, 1/3 and 1/2 for the 1993/94, 1994/95, 1995/96, 1996/97 and 1997/98 marketing years respectively.

2. The aid specified in paragraph 1 shall count as intervention for the purposes of Article 1 (2) of Regulation (EEC) No 729/70⁽²⁾.

Article 3

Detailed rules of application covering the aid scheme specified in Article 2 shall be adopted in accordance with the procedure laid down in Article 30 of Regulation (EEC) No 804/68⁽³⁾.

The same procedure shall be used for adoption of any transitional measures required for smooth implementation of the arrangements provided for in this Regulation.

Article 4

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

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

Done at Brussels, 17 March 1993.

For the Council

The President

B. WESTH

⁽¹⁾ OJ No C 21, 25. 1. 1993.

⁽²⁾ OJ No L 94, 28. 4. 1970, p. 13. Regulation as last amended by Regulation (EEC) No 2048/88 (OJ No L 185, 15. 7. 1988, p. 1).

⁽³⁾ OJ No L 148, 28. 6. 1968, p. 13. Regulation as last amended by Regulation (EEC) No 2071/92 (OJ No L 215, 30. 7. 1992, p. 64).

COUNCIL REGULATION (EEC) No 740/93

of 17 March 1993

setting Community compensation for definitive discontinuation of milk production in Portugal

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

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

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament⁽¹⁾,

Whereas the completion of the Single Market presupposes the abolition of trade barriers not only between the Member States of the Community in its composition at 31 December 1985 but also, as far as possible, between those Member States and Spain and Portugal;

Whereas the abolition of such barriers makes it appropriate to step up efforts to restructuring the milk sector in Portugal to enable that sector to face the increased competition from other Member States; whereas this intensification of effort may be achieved by facilitating the buying-up of reference quantities with a view to their reallocation in accordance with Council Regulation (EEC) No 3950/92 of 28 December 1992 establishing an additional levy in the milk and milk products sector⁽²⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The Portuguese Republic shall grant to any producer as defined in Article 9 (c) of Regulation (EEC) No 3950/92 who undertakes before 1 June 1993 to discontinue milk production totally and permanently before 1 September 1993 compensation of ECU 17 per 100 kg a year paid over three years.

Article 2

Producers shall be eligible for compensation if they:

- have a reference quantity under Article 4 of Regulation (EEC) No 3950/92 either for deliveries or for direct sales, and

⁽¹⁾ OJ No C 21, 25. 1. 1993.

⁽²⁾ OJ No L 405, 31. 12. 1992, p. 1.

— satisfy objective criteria determined by the Portuguese Republic in agreement with the Commission.

Article 3

1. Compensation shall be granted for the reference quantity to which the producer is entitled when this Regulation enters into force.

2. If the holding is held on a lease the application for compensation shall be made by the lessee.

The Portuguese Republic shall determine the terms on which the lessee may make the application and on which compensation may be granted.

Article 4

Reference quantities released pursuant to this Regulation shall be added to the national reserve referred to in Article 5 of Regulation (EEC) No 3950/92.

Article 5

Community financing of this programme is limited to a quantity of 75 000 tonnes and a total amount of ECU 38,5 million, to be paid in three annual instalments.

The financing provided for in the first paragraph shall be considered as intervention within the meaning of Article 3 of Regulation (EEC) No 729/70⁽³⁾.

Article 6

The Commission, in accordance with the procedure laid down in Article 30 of Regulation (EEC) No 804/68⁽⁴⁾, shall adopt, if necessary, measures for the application of this Regulation.

Article 7

This Regulation shall enter into force on 1 April 1993.

⁽³⁾ OJ No L 94, 28. 4. 1970, p. 13. Regulation last amended by Regulation (EEC) No 2048/88 (OJ No L 185, 15. 7. 1988, p. 1.).

⁽⁴⁾ OJ No L 148, 28. 6. 1968, p. 13. Regulation last amended by Regulation (EEC) No 2071/92 (OJ No L 215, 30. 7. 1992, p. 64).

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

Done at Brussels, 17 March 1993.

For the Council

The President

B. WESTH

COUNCIL REGULATION (EEC) No 741/93

of 17 March 1993

on application of the common intervention price for olive oil in Portugal

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 234 (3) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament⁽¹⁾,

Whereas the achievement of the Single Market makes it desirable to remove all barriers to trade, not only between the Member States of the Community as constituted on 31 December 1985 but also, as far as possible, between those Member States and the new Member States;

Whereas, under the Act of Accession, alignment on the common price of the Portuguese olive oil price is to be gradually achieved in a period up to the beginning of the 1995/96 marketing year; whereas, until that date, accession compensatory amounts therefore are applicable to trade between those countries and the other Member States;

Whereas, however, while maintaining the production aid and consumption aid at the level laid down by the Act of Accession, early alignment may be envisaged, of the Portuguese price on the common price, in view of the rebalancing provided for in Council Regulation (EEC)

No 2047/92 of 30 June 1992 fixing the prices, aids and percentages of aid to be retained in the olive-oil sector for the 1992/93 marketing year⁽²⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The common intervention price for olive oil shall be applicable in Portugal.

Article 2

Transitional measures required to ensure a smooth changeover from the arrangements specified in Article 290 of the Act of Accession to those of this Regulation, in particular to prevent a deflection of normal trade flows between Portugal and the other Member States, shall be adopted in accordance with the procedure laid down in Article 38 of Regulation (EEC) No 136/66/EEC⁽³⁾.

Article 3

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

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

Done at Brussels, 17 March 1993.

For the Council

The President

B. WESTH

⁽¹⁾ OJ No C 21, 25. 1. 1993.

⁽²⁾ OJ No L 215, 30. 7. 1992, p. 3.

⁽³⁾ OJ No 172, 30. 9. 1966, p. 3025. Regulation as last amended by Regulation (EEC) No 2046/92 (OJ No L 215, 30. 7. 1992, p. 1).

COUNCIL REGULATION (EEC) No 742/93

of 17 March 1993

providing for, in the fruit and vegetables sector, the abolition of the compensation mechanism in trade between Portugal and the other Member States

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 234 (3) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament⁽¹⁾,

Whereas the achievement of the internal market makes it desirable to remove all barriers to trade, not only between the Member States of the Community as constituted on 31 December 1985 but also, as far as possible, between those Member States and the new Member States;

Whereas the compensation mechanisms for fruit and vegetables instituted by Article 318 (1) of the Act of Accession, application and monitoring of which would, moreover, be very difficult once the Community no longer has internal frontiers, should therefore be discontinued;

Whereas experience shows that no effective use has been made of the measures to protect the Portuguese market provided for by Article 318 (2) of the Act of Accession;

Whereas the applicability of the above measures should therefore be terminated and, for reasons of clarity, Council Regulation (EEC) No 3648/90 of 11 December 1990 laying down general rules for implementing the Act of Accession of Spain and Portugal as regards the compensation mechanism on imports of fruit and vegetables originating in Portugal⁽²⁾ and Council Regulation

(EEC) No 3649/90 of 11 December 1990 laying down general rules for the mechanism for the protection of the Portuguese market in fruit and vegetables provided for in Article 318 (2) of the Act of Accession of Spain and Portugal⁽³⁾ should therefore be repealed;

Whereas the full integration of the Portuguese market into the Community market which will thus be brought about makes it appropriate to apply to Portugal the common level of institutional prices,

HAS ADOPTED THIS REGULATION:

Article 1

The mechanism instituted by Article 318 (1) of the Act of Accession and the provisions of Article 318 (2) shall no longer be applicable.

Article 2

Regulations (EEC) No 3648/90 and (EEC) No 3649/90 are hereby repealed.

Article 3

The common basic and buying-in prices shall be applicable in Portugal in the fruit and vegetables sector.

Article 4

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

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

Done at Brussels, 17 March 1993.

For the Council

The President

B. WESTH

⁽¹⁾ OJ No C 21, 25. 1. 1993.

⁽²⁾ OJ No L 362, 27. 12. 1990, p. 16.

⁽³⁾ OJ No L 362, 27. 12. 1990, p. 19.

COUNCIL REGULATION (EEC) No 743/93

of 17 March 1993

**on the list of products subject to the supplementary trade mechanism as regards
consignment to Portugal**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

classic transition without any risk of disturbing the Portuguese market ;

Having regard to the Treaty establishing the European Economic Community,

Whereas Council Regulation (EEC) No 3659/90 of 11 December 1990 on products subject to the supplementary trade mechanism during the second stage of Portuguese accession⁽²⁾, sets out the list of products subject to transition by stages to which the STM applies ; whereas experience indicates that maintaining that mechanism is essential to balance on the Portuguese market only in the case of those products covered by this Regulation ;

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 234 thereof,

Having regard to the proposal from the Commission,

Whereas given these facts a new list of products consigned to Portugal and subject to the mechanism in question should be drawn up and Regulation (EEC) No 3659/90 to be repealed,

Having regard to the opinion of the European Parliament⁽¹⁾,

Whereas the achievement of the Single Market requires the removal of all barriers to trade not only between the Member States of the Community as constituted on 31 December 1985 but also to the greatest possible extent between those Member States and Spain and Portugal ; whereas, to that end, the supplementary trade mechanism must be abolished in all cases where it is not absolutely necessary ;

HAS ADOPTED THIS REGULATION :

Article 1

Whereas experience of operating that mechanism indicates that it can be abolished for products subject to

As regards consignments to Portugal, the supplementary trade mechanism provided for in Article 249 of the Act of Accession shall apply, in accordance with the requirements of Articles 250, 251 and 252 of that Act, to the following products only :

1. Beef and veal

CN code	Description
0102 90	Live bovine animals of domestic species other than pure-bred breeding animals

2. Fruit and vegetables

CN code	Description
ex 0805 10	Oranges
ex 0808 10	Apples other than cider apples

⁽¹⁾ OJ No C 21, 25. 1. 1993.

⁽²⁾ OJ No L 362, 27. 12. 1990, p. 38. Regulation as last amended by Regulation (EEC) No 831/92 (OJ No L 88, 3. 4. 1992, p. 14).

3. Pigs and pigmeat

CN code	Description
0103	Live swine
	– other :
ex 0103 91	– – Weighing less than 50 kg
0103 91 10	– – – Domestic species
ex 0103 92	– – Weighing 50 kg or more :
	– – – Domestic species
0103 92 11	– – – – Some having farrowed at least once, of a weight not less than 160 kg
0103 92 19	– – – – Other

However, with regard to the products referred to in point 3, the supplementary trade mechanism shall only apply up to the date on which Portugal is declared free of African swine fever.

Article 2

The Commission shall keep under review the possibility of modification of the list of products in Article 1 in line with changes in trade and shall submit the necessary proposals to the Council.

Article 3

Regulation (EEC) No 3659/90 is hereby repealed.

Article 4

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

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

Done at Brussels, 17 March 1993.

For the Council

The President

B. WESTH

COUNCIL REGULATION (EEC) No 744/93
of 17 March 1993

laying down general rules for applying the supplementary trade mechanism to deliveries in Portugal of products other than fruit and vegetables

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 232 (1) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament⁽¹⁾,

Whereas Regulation (EEC) No 569/86⁽²⁾ lays down general rules for the application of the supplementary mechanism applicable to trade;

Whereas, pursuant to that Regulation, trade is monitored at the border by means of a system of licences; whereas the realization of a Single Market without internal borders, of which Portugal will form a major integral part, calls for the institution of a new system of monitoring carried out in the countries of destination;

Whereas deliveries between Portugal and the remainder of the Community should be made subject to the provisions of Council Regulation (EEC) No 3817/92 of 28 December

1992 laying down general rules for applying the supplementary trade mechanism to imports into Spain of products other than fruit and vegetables⁽³⁾;

Whereas the extension of the application of the said Regulation to trade with Portugal leads to the repeal of Regulation (EEC) No 569/86,

HAS ADOPTED THIS REGULATION:

Article 1

The provisions of Regulation (EEC) No 3817/92 shall also apply to deliveries in Portugal of products other than fruit and vegetables.

Article 2

Regulation (EEC) No 569/86 is hereby repealed.

Article 3

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

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

Done at Brussels, 17 March 1993.

For the Council

The President

B. WESTH

⁽¹⁾ OJ No C 21, 25. 1. 1993.

⁽²⁾ OJ No L 55, 1. 3. 1986, p. 106. Regulation as last amended by Regulation (EEC) No 3296/88 (OJ No L 293, 27. 10. 1988, p. 7).

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 12.

COUNCIL REGULATION (EEC) No 745/93

of 17 March 1993

amending Regulation (EEC) No 3651/90 laying down general rules for applying the supplementary trade mechanism to movement of fresh fruit and vegetables between Portugal and the other Member States

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 234 (2) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament⁽¹⁾,

Whereas Regulation (EEC) No 3651/90⁽²⁾ provided that during sensitive periods the supplementary trade mechanism (STM) was to be operated using licences issued by the Portuguese authorities for fruit and vegetables imported from other Member States;

Whereas hitherto checks on compliance with this scheme have been made at the frontier; whereas the achievement of a Single Market without internal frontiers necessitates the introduction of a new system of checks applied in the country of destination;

Whereas the requirement to indicate the number of the STM licence used on commercial documents relating to products imported into Portugal from other Member States, together with on-the-spot checks in those countries and the application, in case of failure to comply with the provisions, of severe penalties is such as to ensure satisfactory operation of the supplementary trade mechanism; whereas on-the-spot checks may, in particular, be facilitated by the indications as to origin or provenance which, under the terms of the Community provisions, must appear on the packaging of products subject to the supplementary trade mechanism;

Whereas in cases of serious market disturbance which persists in spite of application of the measures provided for in Article 7 of Regulation (EEC) No 3651/90, it should be possible for additional measures to be applied, if necessary derogating for local or regional markets from those laid down in the provisions on common organization of markets;

Whereas preceding factors taken together lead to the conclusion that Regulation (EEC) No 3651/90 should therefore be amended,

Article 1

Regulation (EEC) No 3651/90 is amended as follows:

1. in Article 4 (1) shall be replaced by the following:

'1. During sensitive market periods movement within Portugal and release for consumption in that country of the products referred to in Article 1 shall be subject to presentation of an STM licence.

The provisions of the first subparagraph, as far as movement within Portugal is concerned, shall not apply if the holder of the products can prove that they are not intended for the Portuguese market.'

2. in Article 7,

— the present text becomes paragraph 1,

— a paragraph 2 shall be added, as follows:

'2. If all or part of the Portuguese market is affected by serious disturbances which persist in spite of the application of the measures provided for in paragraph 1, appropriate measures, differing from those provided for there and in addition to them, may be adopted according to the procedure provided for in Article 252 of the Act of Accession. These measures may include derogations for local or regional markets from the provisions on common organization of markets.'

3. the following Articles shall be inserted:

Article 7a

1. Sales invoices and other commercial documents, apart from retail sale documents, to be determined relating to products coming from other Member States and imported into Portugal during those periods when presentation of an STM licence is required in application of Article 6, shall indicate the number of the licence used for purposes of release for consumption in Portugal together with any other necessary information.

2. The Portuguese authorities shall, using the commercial documents indicated in paragraph 1 and the information shown on packages, make checks, in wholesale markets in particular, on whether products coming from other Member States have been released for consumption on presentation of an STM licence during the periods when presentation of such a licence is required in application of Article 6.

⁽¹⁾ OJ No C 21, 25. 1. 1993.

⁽²⁾ OJ No L 362, 27. 12. 1990, p. 24.

3. None of the checks indicated in paragraphs 1 and 2 may take place at the borders between Member States.

Article 7b

In case of failure to observe the provisions laid down by this Regulation or rules adopted pursuant thereto, the Portuguese authorities and those of other Member States shall apply penalties commensurate with the seriousness of the offence. In the case of operators who have placed on the market into Portugal, without an

STM licence, products subject to the STM during periods when presentation of a licence is required pursuant to Article 6, the penalties referred to may not be less than twice the value of the products placed on the market without an STM licence.'

Article 2

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

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

Done at Brussels, 17 March 1993.

For the Council

The President

B. WESTH

COUNCIL REGULATION (EEC) No 746/93
of 17 March 1993

**on the granting of aid to encourage the formation and facilitate the operation of
producer organizations as provided for in Regulations (EEC) No 1035/72 and
(EEC) No 1360/78 in Portugal**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 42 and 43 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament⁽¹⁾,

Whereas the achievement of the Single Market requires the removal of all barriers to trade not only between the Member States of the Community as constituted on 31 December 1985 but also, to the greatest possible extent, between those Member States and Spain and Portugal; whereas it consequently involves the prior abolition of a large number of mechanisms protecting the Spanish and Portuguese market on a temporary basis;

Whereas, in view of the situation, the particular delay observed in Portugal in setting up producer organizations makes it appropriate to reinforce measures to encourage their formation and facilitate their operation as provided for in Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽²⁾ and by Council Regulation (EEC) No 1360/78 of 19 June 1978 on producer groups and associations thereof⁽³⁾; whereas such an intensification of measures is likely, on the one hand, to facilitate endeavours to organize Portuguese agriculture to meet the increased competition from other Member States and, on

the other hand, to facilitate, in Portugal, the exercise of duties allocated by the common agricultural policy to the producer organizations,

HAS ADOPTED THIS REGULATION:

Article 1

Aid intended to encourage the setting up and to facilitate the functioning of producer organizations provided for in Article 13 of Regulation (EEC) No 1035/72 on producer groups and associations thereof provided for in Regulation (EEC) No 1360/78 shall be granted to Portugal in compliance with the following specific provisions:

- (a) the percentages set out in Regulation (EEC) No 1035/72, Article 14 (1), first indent, and (EEC) No 1360/78, Article 10 (a) (2) first indent shall be increased to: 10, 10, 8, 6 and 4 %;
- (b) the percentages set out in Regulation (EEC) No 1360/78, Article 10 (3) (a) shall be increased to 100, 80 and 40 %;
- (c) the global amount set out in Article 10 (3) (b) of Regulation (EEC) No 1360/78 shall be increased to ECU 120 000.

Article 2

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

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

Done at Brussels, 17 March 1993.

For the Council

The President

B. WESTH

⁽¹⁾ OJ No C 21, 25. 1. 1993.

⁽²⁾ OJ No L 118, 20. 5. 1972, p. 1. Regulation as last amended by Regulation (EEC) No 1754/92 (OJ No L 180, 1. 7. 1992, p. 3).

⁽³⁾ OJ No L 166, 23. 6. 1978, p. 1. Regulation as last amended by Regulation (EEC) No 3763/91 (OJ No L 356, 24. 12. 1991, p. 1).

COUNCIL REGULATION (EEC) No 747/93

of 17 March 1993

**derogating, with regard to the granting to Portugal of the suckler cow premium,
from Regulation (EEC) No 805/68 on the common organization of the market in
beef and veal**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION :

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament⁽¹⁾,

Whereas the achievement of the Single Market requires the abolition of all barriers to trade not only between the Member States of the Community as constituted on 31 December 1985 but also, to the greatest possible extent, between those Member States and the new Member States ;

Whereas this approach means abolishing the only mechanism still protecting the Portuguese market in the beef and veal sector at this time, namely the supplementary trade mechanism licences ; whereas it could consequently exert pressure on prices and the incomes of Portuguese producers ; whereas appropriate support of the above incomes may be ensured by increasing for these producers for a period of three years the amount paid in respect of the suckler cow premium provided for by Council Regulation (EEC) No 805/68 of 27 June 1968, on the common organization of the market in beef and veal⁽²⁾, and if the first impact of the abovementioned pressure is reduced by advances that the Portuguese Government would be authorized to grant ; whereas the increase of the reserve laid down in Article 4f of Regulation (EEC) No 805/68 may favour the structural improvement of Portuguese production and thus its adaptation to the situation created by the elimination of the accession mechanisms,

Article 1

1. By way of derogation to Article 4b (6) of Regulation (EEC) No 805/68, the Portuguese Republic, for 1993, on the basis of national funds and in accordance with the detailed rules provided for under Article 27 of the said Regulation, may, as from the entry into force of this Regulation, grant advances equal to 50 % of the applicable suckler cow premium.

2. By way of derogation from or additional to Article 4d of Regulation (EEC) No 805/68 :

— 12 000 rights in addition to those provided for in paragraph 6 of the said Article shall be added to the Portuguese national reserve,

— the suckler cow premium provided for in paragraph 7 of the said Article shall be, for Portugal, fixed for the years 1993 to 1998 as follows :

1993 : ECU 160,
1994 : ECU 160,
1995 : ECU 160,
1996 : ECU 130,
1997 : ECU 130,
1998 : ECU 130.

Article 2

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

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

Done at Brussels, 17 March 1993.

For the Council

The President

B. WESTH

⁽¹⁾ OJ No C 21, 25. 1. 1993.

⁽²⁾ OJ No L 148, 28. 6. 1968, p. 24. Regulation as last amended by Regulation (EEC) No 125/93 (OJ No L 18, 27. 1. 1993, p. 7).

COUNCIL REGULATION (EEC) No 748/93**of 17 March 1993****amending Regulation (EEC) No 3950/92 establishing an additional levy in the milk and milk products sector**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas, on 28 December 1992, the Council adopted Regulation (EEC) No 3950/92 establishing an additional levy in the milk and milk products sector⁽¹⁾;

Whereas it is imperative for the guaranteed total quantities for the Member States to be laid down as from 1 April 1993 so that the absence of rules does not render the provisions of Regulation (EEC) No 3950/92 inoperative;

Whereas, pending a subsequent decision, the total guaranteed quantities in force on 31 March 1993 should be rolled over and increased by the amounts from the Community reserve existing on that date;

Whereas the total guaranteed quantities laid down by this Regulation will be adjusted where necessary when all the

problems connected with price setting for the 1993/94 marketing year are being reconsidered,

HAS ADOPTED THIS REGULATION:

Article 1

The following shall be added to Article 3 of Regulation (EEC) No 3950/92:

'The total guaranteed quantities for the Member States for the 12 month period 1 April 1993 to 31 March 1994 shall be fixed at the same level as those set out in Article 5c (3) (g) of Regulation (EEC) No 804/68, increased by the amounts from the Community reserve as allocated on 31 March 1993, and those set out in the Annex to Regulation (EEC) No 857/84.'

Article 2

This Regulation shall enter into force on 1 April 1993.

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

Done at Brussels, 17 March 1993.

For the Council

The President

B. WESTH

⁽¹⁾ OJ No L 405, 31. 12. 1992, p. 1.

COMMISSION REGULATION (EEC) No 749/93
of 30 March 1993
fixing the import levies on cereals and on wheat or rye flour, groats and meal

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

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1738/92⁽²⁾, and in particular Article 13 (5) thereof,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy⁽³⁾, and in particular Article 5 thereof,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 3873/92⁽⁴⁾ and subsequent amending Regulations;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market

rate established during the reference period from 29 March 1993, as regards floating currencies, should be used to calculate the levies;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 3873/92 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 31 March 1993.

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

Done at Brussels, 30 March 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 390, 31. 12. 1992, p. 118.

ANNEX

to the Commission Regulation of 30 March 1993 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Third countries ^(*)
0709 90 60	139,98 ^(*) ⁽²⁾
0712 90 19	139,98 ^(*) ⁽²⁾
1001 10 00	175,55 ⁽¹⁾ ⁽²⁾ ⁽¹⁰⁾
1001 90 91	144,24
1001 90 99	144,24 ⁽¹¹⁾
1002 00 00	150,45 ⁽⁶⁾
1003 00 10	134,41
1003 00 20	134,41
1003 00 80	134,41 ⁽¹¹⁾
1004 00 00	113,05
1005 10 90	139,98 ^(*) ⁽²⁾
1005 90 00	139,98 ^(*) ⁽²⁾
1007 00 90	145,72 ⁽⁴⁾
1008 10 00	48,34 ⁽¹¹⁾
1008 20 00	89,71 ⁽⁴⁾
1008 30 00	52,47 ⁽⁷⁾
1008 90 10	(7)
1008 90 90	52,47
1101 00 00	214,61 ⁽⁸⁾ ⁽¹¹⁾
1102 10 00	223,31 ⁽⁸⁾
1103 11 30	285,10 ⁽⁸⁾ ⁽¹⁰⁾
1103 11 50	285,10 ⁽⁸⁾ ⁽¹⁰⁾
1103 11 90	230,46 ⁽⁸⁾

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

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

(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 (OJ No L 142, 9. 6. 1977, p. 10), as last amended by Regulation (EEC) No 1902/92 (OJ No L 192, 11. 7. 1992, p. 3), and Commission Regulation (EEC) No 2622/71 (OJ No L 271, 10. 12. 1971, p. 22), as amended by Regulation (EEC) No 560/91 (OJ No L 62, 8. 3. 1991, p. 26).

(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 (OJ No L 166, 28. 6. 1991, p. 42) 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 750/93
of 30 March 1993

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

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1738/92 ⁽²⁾, and in particular Article 15 (6) thereof,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy ⁽³⁾, and in particular Article 5 thereof,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EEC) No 3874/92 ⁽⁴⁾ and subsequent amending Regulations;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 29

March 1993, as regards floating currencies, should be used to calculate the levies;

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 31 March 1993.

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

Done at Brussels, 30 March 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 390, 31. 12. 1992, p. 121.

ANNEX

to the Commission Regulation of 30 March 1993 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(ECU/tonne)

CN code	Current 3	1st period 4	2nd period 5	3rd period 6
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 00	0	0	0	0
1001 90 91	0	0	0	0
1001 90 99	0	0	0	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 20	0	0	0	0
1003 00 80	0	0	0	0
1004 00 00	0	0	0	0
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	0

B. Malt

(ECU/tonne)

CN code	Current 3	1st period 4	2nd period 5	3rd period 6	4th period 7
1107 10 11	0	0	0	0	0
1107 10 19	0	0	0	0	0
1107 10 91	0	0	0	0	0
1107 10 99	0	0	0	0	0
1107 20 00	0	0	0	0	0

**COMMISSION REGULATION (EEC) No 751/93
of 30 March 1993**

providing for the grant of compensation to producers' organizations in respect of yellowfin tuna, delivered to the canning industry during the period 1 April to 30 September 1992

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3759/92 of 17 December 1992 on the common organization of the market in fishery products⁽¹⁾, and in particular Article 18 (8) thereof,

Whereas the compensation referred to in Article 18 of Regulation (EEC) No 3759/92 is granted, under certain conditions, to Community tuna producers' organizations in respect of quantities of tuna delivered to the canning industry, during the calendar quarter for which prices were recorded, where the average quarterly price recorded on the Community market and the free-at-frontier price, plus, if necessary, the countervailing charge, are both lower than 93 % of the Community producer price for the product in question ;

Whereas Article 1 (2) of Commission Regulation (EEC) No 575/92, which applies a reference price⁽²⁾ to yellowfin tuna, imposes a countervailing charge where importation at a free-at-frontier price lower than a reference price fixed for yellowfin tuna, examination of the Community market situation for this species should take into account any countervailing charge imposed ; this information not being available, it was deemed advisable to dissociate the compensatory allowance to be granted for this species from that granted in respect of other species ;

Whereas, on the occasion that this information became available, an examination of the situation of the Community market for yellowfin tuna showed that for one presentation of the product in question, for the period 1 April to 30 June 1992 and for two presentations of the product for the period 1 July to 30 September 1992, both the average quarterly market price and the free-at-frontier price referred to in Article 18 of Regulation (EEC) No 3759/92 were lower than 93 % of the Community producer price in force as laid down in Council Regulation (EEC) No 3570/91 of 28 November 1991 fixing, in

respect of the 1992 fishing year, the Community producer price for tuna intended for the industrial manufacture of products falling within CN code 1604⁽³⁾ ;

Whereas the quantities eligible for compensation, within the meaning of Article 18 (2) of Regulation (EEC) No 3759/92, shall not under any circumstances exceed, for the quarter concerned, the limits laid down in paragraph 4 of that Article ;

Whereas the quantities of yellowfin tuna sold and delivered to canning industries established in Community territory during the second quarter of 1992 do not exceed these limits ;

Whereas during the third quarter of 1992 the quantities sold and delivered to canning industries established in the Community customs territory are, in the case of two presentations of yellowfin tuna, higher than those sold and delivered during the same quarter of the last three fishing years ; whereas these quantities exceed the limits set in the first indent Article 18 (4) of (EEC) No 3759/92, the total quantities of these products should therefore be limited to those eligible for compensation and the quantities granted to each producers' organization concerned should be determined in accordance with their respective output during the same quarter of the 1984-86 fishing years ;

Whereas, the granting of compensation for the products in question should be decided for the period from 1 April to 30 September 1992 ;

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

HAS ADOPTED THIS REGULATION :

Article 1

The compensation referred to in Article 18 of Regulation (EEC) No 3759/92, relating to yellowfin tuna, shall be granted for the periods, in respect of the products and within the limits set out below :

⁽¹⁾ OJ No L 388, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 62, 7. 3. 1992, p. 9.

⁽³⁾ OJ No L 338, 10. 12. 1991, p. 6.

(ECU/tonne)

Period Products	Maximum amount of allowance within the meaning of the first and second indents of Article 18 (3) of Regulation (EEC) No 3759/92
1 April to 30 June 1992 Yellowfin tuna, larger than 10 kg	119
1 July to 30 September 1992 Yellowfin tuna, larger than 10 kg Yellowfin tuna, 10 kg or less	119 96

Article 2

1. The total quantities of products set out below that may be eligible for the allowance are hereby limited for the period 1 July to 30 September 1992, as follows :

- yellowfin tuna, larger than 10 kg : 17 062 tonnes,
- yellowfin tuna, 10 kg or less : 3 105 tonnes.

2. The allocation of the total quantities amongst the producers' organizations concerned is specified in the Annex hereto.

Article 3

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

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

Done at Brussels, 30 March 1993.

For the Commission

Yannis PALEOKRASSAS

Member of the Commission

ANNEX

Allocation amongst the producers' organizations of the quantities of yellowfin tuna, which may be eligible, during the period 1 July to 30 September 1992 for compensation, in accordance with Article 18 (5) of Regulation (EEC) No 3759/92, showing quantities by segment of compensation percentage

— Yellowfin tuna, larger than 10 kg

(tonnes)

Producers' organization	Quantities that may be eligible for the allowance			Total quantities
	100 % Article 18 (5), (first indent)	95 % Article 18 (5), (second indent)	90 % Article 18 (5), (third indent)	
Organización de Productores Asociados de Grandes Congeladores (Opagac)	4 731	473	36	5 240
Organización de Productores de Túnidos Congelados (Optuc)	5 691	569	21	6 281
Organisation de producteurs de thon congelé (Orthongel)	5 434	107	—	5 541
Total	15 856	1 149	57	17 062

— Yellowfin tuna, 10 kg or less

(tonnes)

Producers' organization	Quantities that may eligible for the allowance			Total quantities
	100 % Article 18 (5), (first indent)	95 % Article 18 (5), (second indent)	90 % Article 18 (5), (third indent)	
Organización de Productores Asociados de Grandes Congeladores (Opagac)	1 711	171	230	2 112
Organización de Productores de Túnidos Congelados (Optuc)	744	74	175	993
Total	2 455	245	405	3 105

COMMISSION REGULATION (EEC) No 752/93
of 30 March 1993

laying down provisions for the implementation of Council Regulation (EEC) No 3911/92 on the export of cultural goods

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3911/92 of 9 December 1992⁽¹⁾ on the export of cultural goods, and in particular Article 7 thereof,

After consulting the Advisory Committee on Cultural Goods,

Whereas it is necessary to adopt provisions for the implementation of Regulation (EEC) No 3911/92, which provides, *inter alia*, for the establishment of an export licensing system for certain categories of cultural goods defined in the Annex to that Regulation;

Whereas in order to ensure that the export licences provided for by the said Regulation are uniform it is necessary to lay down rules governing the drawing up, issuing and use of the form; whereas to that end a specimen licence should be drawn up;

Whereas export licences must be made out in one of the official languages of the Community,

HAS ADOPTED THIS REGULATION:

SECTION I

Form of licence

Article 1

1. Licences for the export of cultural goods shall be made out on a form conforming to the specimen shown in the Annex hereto.

Export licences shall be issued and used in accordance with Regulation (EEC) No 3911/92, hereinafter referred to as 'the basic Regulation', and with this implementing Regulation.

2. Use of the export licence shall in no way affect obligations connected with export formalities or related documents.

⁽¹⁾ OJ No L 395, 31. 12. 1992, p. 1.

Article 2

Export licence forms shall be provided on request by the competent authority or authorities referred to in Article 2 (2) of the basic Regulation.

Article 3

1. The form shall be printed on white paper without mechanical pulp, dressed for writing purposes and weighing not less than 55 grams per square metre.

2. Forms shall measure 210 × 297 mm.

3. Forms shall be printed and filled out in an official language of the Communities designated by the competent authorities of the issuing Member State. The competent authorities of the Member State in which the form is presented may ask for it to be translated into the language, or one of the official languages, of that Member State. In this case, the translation costs shall be met by the licence holder.

4. Member States shall be responsible:

- for having the forms printed, bearing the printer's name and address or identifying mark,
- for taking any measure necessary in order to avoid the forging of forms. The means of identification adopted by Member States for this purpose shall be notified to the Commission, for communication to the competent authorities of the other Member States.

5. Forms shall preferably be filled in by mechanical or electronic means. However, the application may be filled in legibly by hand; in the latter case it shall be written in ink and in block capitals. Whatever the process used, forms shall not contain erasures, overwritten words or other alterations.

SECTION II

Use of licences

Article 4

1. Without prejudice to paragraph 3, a separate export licence shall be issued for each consignment of cultural goods.

2. For the purposes of paragraph 1 a consignment shall mean either a single cultural object or a number of cultural objects.

3. Where a consignment comprises of a number of cultural objects, it is for the competent authorities to determine whether one or several export licences should be issued for the consignment in question.

Article 5

The form shall comprise three sheets :

- one sheet, marked as No 1, which shall constitute the application,
- one sheet, marked as No 2, for the holder,
- one sheet, marked as No 3, which shall be returned to the issuing authority.

Article 6

1. The applicant shall complete boxes 1, 3 to 19 A and 21 and, if necessary, 23 of the application and the other sheets. However, Member States may provide that only the application need be completed.

2. The application shall be accompanied by :

- documentation providing all relevant information on the cultural object(s) and its (their) legal status at the time when the application is made, by means of any supporting documents (invoices, expert appraisals etc.) where appropriate,
- a duly authenticated photograph or, where appropriate and at the discretion of the competent authorities, photographs in black and white or in colour (measuring at least 8 cm by 12 cm) of the cultural goods in question.

This requirement may be replaced, where appropriate and at the discretion of the competent authorities, by a detailed list of the cultural goods.

3. The competent authorities may require, for the purposes of issuing an export licence, the physical presentation of the cultural goods to be exported.

4. Any costs incurred by the application of paragraphs 2 and 3 shall be met by the applicant requesting the export licence.

5. In order that an export licence may be granted, the duly completed form shall be presented to the competent authorities designated by the Member States pursuant to Article 2 (2) of the basic Regulation. When the authority has granted the export licence, copy 1 shall be kept by that authority and the remaining copies shall be returned to the holder of the export licence or to his authorized representative.

Article 7

The following shall be presented in support of the export declaration :

- the sheet for the holder,
- the sheet to be returned to the issuing authority.

Article 8

1. The customs office authorized to accept the export declaration shall ensure that the items of information

given on the export declaration are in conformity with those given on the export licence and that reference is made to that licence in box 44 of the export declaration.

It shall take suitable measures for identification purposes. The measures may consist in the affixation of a seal or stamp of the customs office. The export licence form, a copy of which is attached to sheet 3 of the single administrative document, shall be returned to the issuing authority.

2. After completing box 19B the customs office authorized to accept the export declaration shall return to the declarant or to his authorized representative the sheet intended for the holder.

3. The authorization form, which shall be returned to the issuing authority, must accompany the consignment to the customs office at the point of exit from the Community. The customs office shall, if necessary, fill in box 5 of the form and affix its stamp to box 22, and return it to the holder of the export licence or his authorized representative in order that the form may be sent back to the issuing authority.

Article 9

1. The period of validity of export licences shall not exceed twelve months from the date of issue.

2. In the case of an application for temporary exportation, the competent authorities may specify the time limit within which the cultural goods must be reimported into the issuing Member State.

3. Where an export licence expires without having been used, the holder shall immediately return to the issuing authority the sheets in his possession.

Article 10

The provisions of Title IX of Commission Regulation (EEC) No 1214/92⁽¹⁾ and Article 22 (6) of Appendix I to the Convention on a common transit procedure concluded on 20 May 1987⁽²⁾ between the Community and the EFTA countries shall apply when goods covered by this Regulation pass through the territory of an EFTA country in the course of their movement within the Community.

Article 11

This Regulation shall enter into force on 1 April 1993.

⁽¹⁾ OJ No L 132, 16. 5. 1992, p. 1.

⁽²⁾ OJ No L 226, 13. 8. 1987, p. 2, as amended by Decision No 1/91 of the EEC-EFTA Joint Committee on Common Transit of 19 September 1991, (OJ No L 402, 31. 12. 1992).

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

Done at Brussels, 30 March 1993.

For the Commission
Christiane SCRIVENER
Member of the Commission

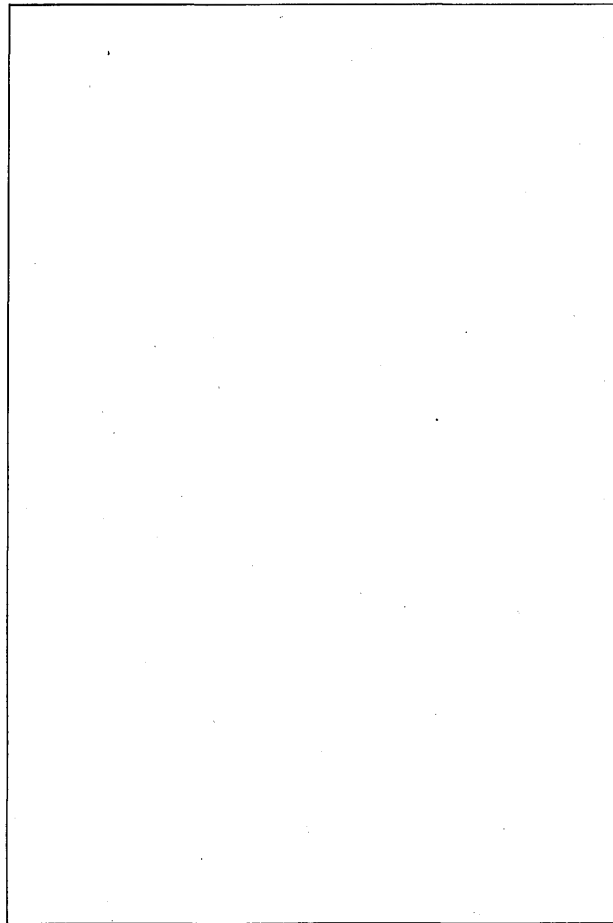
ANNEX

EUROPEAN COMMUNITY — CULTURAL GOODS

1 APPLICATION	1. APPLICANT (Name and address)		2. EXPORT LICENCE No Valid until: Definitive <input type="checkbox"/> Temporary <input type="checkbox"/> Date for reimportation	
	3. APPLICANT'S REPRESENTATIVE (Name and address)		4. ISSUING AUTHORITY (Name and address)	
	5.A. COUNTRY OF DESTINATION OR OF TEMPORARY STAY		6. MEMBER STATE OF CONSIGNMENT	
	5.B. CONSIGNEE			
1	7. DESCRIPTION IN TERMS OF THE ANNEX TO REGULATION (EEC) No 3911/92. CATEGORY OF THE CULTURAL GOODS			
	8. DESCRIPTION OF CULTURAL OBJECT OR OBJECTS		9. COMMODITY CODE	
			10. MASS	
If this space is insufficient you may continue on one or more supplementary pages which should be copied in triplicate and should contain the information required in boxes 8 to 18 (see note in box 23)			11. ESTIMATED VALUE	
Criteria to be used for identification				
12. MEASUREMENTS		13. TITLE OR SUBJECT	14. DATING	15. OTHER CHARACTERISTICS
16. ARTIST, PERIOD OR WORKSHOP			17. MEDIUM OR TECHNIQUE	
18. DOCUMENTS SUBMITTED / SPECIFIC INDICATIONS RELATING TO IDENTIFICATION Photograph <input type="checkbox"/> List <input type="checkbox"/> Identification marks <input type="checkbox"/> Bibliography <input type="checkbox"/> Catalogue <input type="checkbox"/>				
19. A. APPLICATION I hereby apply for an export licence in respect of the cultural object described above and declare in good faith that the information in this application and the supporting documents is true. Place and date :			20. Signature and stamp of issuing authority Place and date :	
			Signature :	

21. PHOTOGRAPH OF CULTURAL OBJECT

(minimum 8 cm x 12 cm)



22. CUSTOMS OFFICE OF EXIT:

Stamp:

23. This form is accompanied by ... supplementary pages

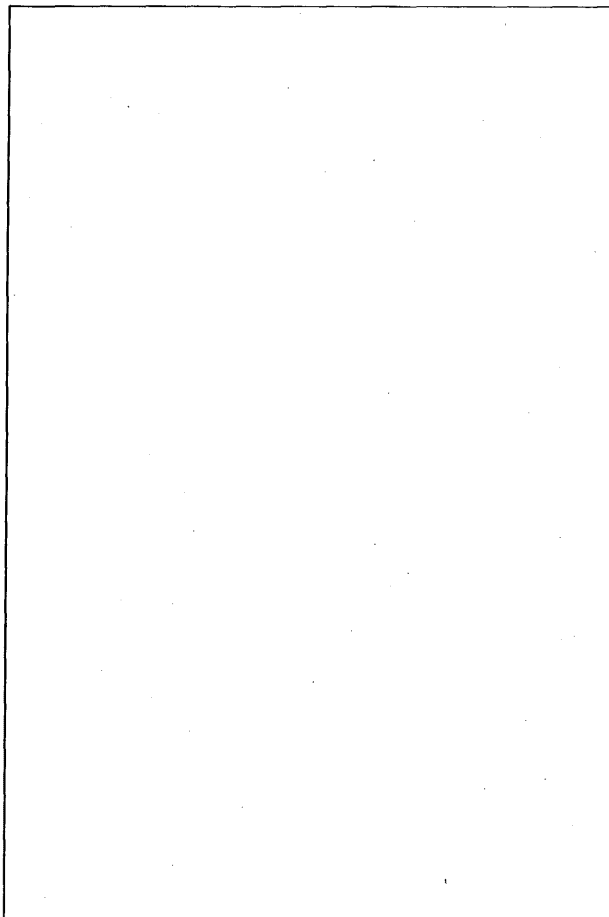
Note

Any unused space in box 8 or on accompanying supplementary pages shall be duly barred by the competent authorities

2	1. APPLICANT (Name and address)			2. EXPORT LICENCE			
				No Valid until:			
				Definitive <input type="checkbox"/> Temporary <input type="checkbox"/>			
				Date for reimportation			
HOLDER'S SHEET	3. APPLICANT'S REPRESENTATIVE (Name and address)			4. ISSUING AUTHORITY (Name and address)			
	5.A. COUNTRY OF DESTINATION OR OF TEMPORARY STAY			6. MEMBER STATE OF CONSIGNMENT			
	5.B. CONSIGNEE						
	7. DESCRIPTION IN TERMS OF THE ANNEX TO REGULATION (EEC) No 3911/92 CATEGORY OF THE CULTURAL GOODS						
2	8. DESCRIPTION OF CULTURAL OBJECT OR OBJECTS				9. COMMODITY CODE		
					10. MASS		
					11. ESTIMATED VALUE		
	If this space is insufficient you may continue on one or more supplementary pages which should be copied in triplicate and should contain the information required in boxes 8 to 18 (see note in box 23)						
	Criteria to be used for identification						
12. MEASUREMENTS		13. TITLE OR SUBJECT		14. DATING		15. OTHER CHARACTERISTICS	
16. ARTIST, PERIOD OR WORKSHOP				17. MEDIUM OR TECHNIQUE			
18. DOCUMENTS SUBMITTED / SPECIFIC INDICATIONS RELATING TO IDENTIFICATION							
Photograph <input type="checkbox"/> List <input type="checkbox"/> Identification marks <input type="checkbox"/> Bibliography <input type="checkbox"/> Catalogue <input type="checkbox"/>							
19. B. ENDORSEMENT BY COMPETENT CUSTOMS OFFICE						20. Signature and stamp of the issuing authority:	
Customs office:		SAD No:					
Member State:		Date of issue:					
Signature and stamp:						Place and date:	

21. PHOTOGRAPH OF CULTURAL OBJECT

(minimum 8 cm x 12 cm)



22. CUSTOMS OFFICE OF EXIT :

Stamp :

23. This form is accompanied by ... supplementary pages

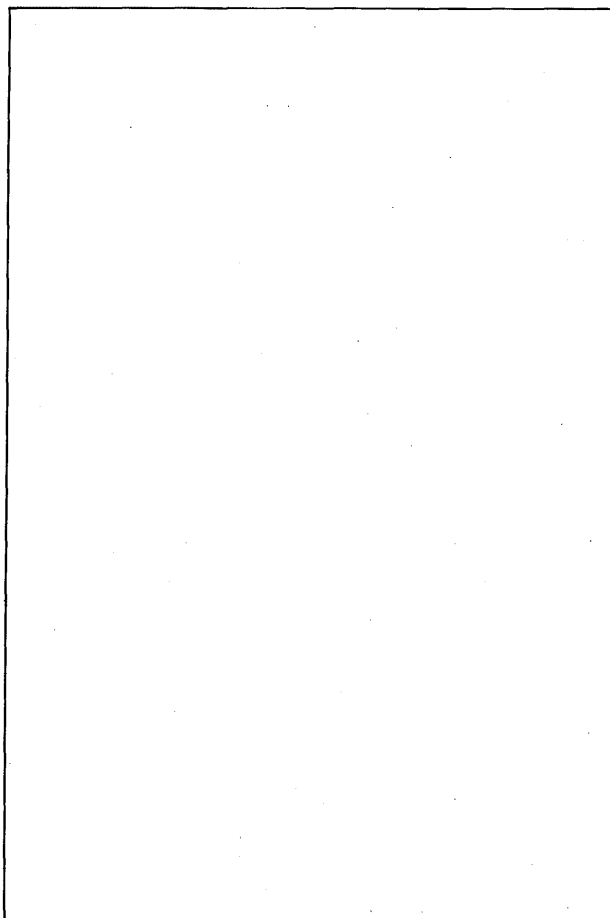
Note

Any unused space in box 8 or on accompanying supplementary pages shall be duly barred by the competent authorities

3 SHEET FOR OFFICE OF CLEARANCE	1. APPLICANT (Name and address)		2. EXPORT LICENCE No Valid until: Definitive <input type="checkbox"/> Temporary <input type="checkbox"/> Date for reimportation	
	3. APPLICANT'S REPRESENTATIVE (Name and address)		4. ISSUING AUTHORITY (Name and address)	
	5.A. COUNTRY OF DESTINATION OR OF TEMPORARY STAY		6. MEMBER STATE OF CONSIGNMENT	
	5.B. CONSIGNEE			
3	7. DESCRIPTION IN TERMS OF THE ANNEX TO REGULATION (EEC) No 3911/92 CATEGORY OF THE CULTURAL GOODS			
	8. DESCRIPTION OF CULTURAL OBJECT OR OBJECTS		9. COMMODITY CODE	
			10. MASS	
If this space is insufficient you may continue on one or more supplementary pages which should be copied in triplicate and should contain the information required in boxes 8 to 18 (see note in box 23)			11. ESTIMATED VALUE	
Criteria to be used for identification				
12. MEASUREMENTS		13. TITLE OR SUBJECT	14. DATING	15. OTHER CHARACTERISTICS
16. ARTIST, PERIOD OR WORKSHOP			17. MEDIUM OR TECHNIQUE	
18. DOCUMENTS SUBMITTED / SPECIFIC INDICATIONS RELATING TO IDENTIFICATION Photograph <input type="checkbox"/> List <input type="checkbox"/> Identification marks <input type="checkbox"/> Bibliography <input type="checkbox"/> Catalogue <input type="checkbox"/>				
19. B. ENDORSEMENT BY COMPETENT CUSTOMS OFFICE Customs office: SAD No: Member State: Date of issue: Signature and stamp:			20. Signature and stamp of the issuing authority: Place and date:	

21. PHOTOGRAPH OF CULTURAL OBJECT

(minimum 8 cm x 12 cm)



22. CUSTOMS OFFICE OF EXIT:

Stamp:

23. This form is accompanied by ... supplementary pages

Note

Any unused space in box 8 or on accompanying supplementary pages shall be duly barred by the competent authorities

COMMISSION REGULATION (EEC) No 753/93

of 30 March 1993

fixing for the 1993 marketing year the reference prices for courgettes

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 638/93⁽²⁾, and in particular Article 27 (1) thereof,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy⁽³⁾, and in particular Article 9 (1) thereof,

Having regard to Commission Regulation (EEC) No 3824/92 of 28 December 1992 amending the prices and amounts fixed in ecus as a result of the monetary realignments of September and November 1992⁽⁴⁾, and in particular Article 2 thereof,

Whereas, pursuant to Article 23 (1) of Regulation (EEC) No 1035/72, reference prices valid for the whole Community are to be fixed at the beginning of the marketing year;

Whereas courgettes are produced in such quantities in the Community that reference prices should be fixed for them;

Whereas courgettes harvested during a given crop year are marketed from January to December; whereas the quantities harvested from 1 January to 20 April and in October, November and December are so small that there is no need to fix reference prices for these periods; whereas reference prices should be fixed only for the period 21 April up to and including 30 September;

Whereas Article 23 (2) (b) of Regulation (EEC) No 1035/72 stipulates that reference prices are to be fixed at the same level as for the preceding marketing year, adjusted, after deducting the standard cost of transporting Community products between production areas and Community consumption centres in the preceding year, by:

— the increase in production costs for fruit and vegetables, less productivity growth, and

— the standard rate of transport costs in the current marketing year;

Whereas the resulting figure may nevertheless not exceed the arithmetic mean of producer prices in each Member State plus transport costs for the current year, after this amount has been increased by the rise in production costs less productivity growth; whereas the reference price may, however, not be lower than in the preceding marketing year;

Whereas, to take seasonal price variations into account, the marketing year should be divided into several periods and a reference price fixed for each of these periods;

Whereas producer prices are to correspond to the average of the prices recorded on the representative market or markets situated in the production areas where prices are lowest, during the three years prior to the date on which the reference price is fixed, for a home-grown product with defined commercial characteristics, being a product or variety representing a substantial proportion of the production marketed over the year or over part thereof and satisfying specified requirements as regards market preparation; whereas, when the average of prices recorded on each representative market is being calculated, prices which could be considered excessively high or excessively low in relation to normal price fluctuations on that market are to be disregarded;

Whereas Article 1 of Commission Regulation (EEC) No 3820/92 of 28 December 1992 on transitional measures for the application of the agrimonetary arrangements laid down in Council Regulation (EEC) No 3813/92⁽⁵⁾ establishes a correspondence between the provisions of the agrimonetary arrangements applicable from 1 January 1993 and those applicable before that date;

Whereas Regulation (EEC) No 3824/92 establishes a list of prices and amounts for the fruit and vegetables sector which are to be divided by a coefficient of 1,010561, fixed by Regulation (EEC) No 3387/92⁽⁶⁾, as from the beginning of the 1993/94 marketing year, under the system for the automatic dismantlement of negative monetary gaps; whereas Article 2 of Regulation (EEC) No 3824/92 lays down that the resulting reduction in the prices and amounts for each sector concerned shall be specified and

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 69, 20. 3. 1993, p. 7.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 387, 31. 12. 1992, p. 29.

⁽⁵⁾ OJ No L 387, 31. 12. 1992, p. 22.

⁽⁶⁾ OJ No L 344, 26. 11. 1992, p. 27.

the level of such reduced prices fixed ; whereas, however, this adjustment may not result in a reference price level below that of the preceding marketing year, in accordance with Article 23 (2) of Regulation (EEC) No 1035/72 ;

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

HAS ADOPTED THIS REGULATION :

Article 1

For the 1993 marketing year, the reference prices for courgettes falling within CN code 0709 90 70, expressed

in ecu per 100 kilograms net of packed products of class I, of all sizes, shall be as follows :

— April (21 to 30) :	71,79,
— May :	63,12,
— June :	42,18,
— July :	38,56,
— August :	44,91,
— September :	49,60.

Article 2

This Regulation shall enter into force on 21 April 1993.

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

Done at Brussels, 30 March 1993.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EEC) No 754/93
of 30 March 1993
fixing the import levies on live sheep and goats and on sheepmeat and goatmeat
other than frozen meat

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

Having regard to Council Regulation (EEC) No 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat⁽¹⁾, as last amended by Regulation (EEC) No 363/93⁽²⁾, and in particular the Article 10 thereof,

Whereas the import levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat were fixed by Commission Regulation (EEC) No 3857/92⁽³⁾, as amended by Regulation (EEC) No 455/93⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 3857/92 to the quota-

tions and other information 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 on live sheep and goats and on sheepmeat and goatmeat other than frozen meat shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 5 April 1993.

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

Done at Brussels, 30 March 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 42, 19. 2. 1993, p. 1.

⁽³⁾ OJ No L 390, 31. 12. 1992, p. 73.

⁽⁴⁾ OJ No L 49, 27. 2. 1993, p. 51.

ANNEX

to the Commission Regulation of 30 March 1993 fixing the import levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat (*)

(ECU/100 kg)

CN code	Week No 14 from 5 to 11 April 1993	Week No 15 from 12 to 18 April 1993	Week No 16 from 19 to 25 April 1993	Week No 17 from 26 April to 2 May 1993
0104 10 30 (1)	79,247	78,382	77,151	76,239
0104 10 80 (1)	79,247	78,382	77,151	76,239
0104 20 90 (1)	79,247	78,382	77,151	76,239
0204 10 00 (2)	168,610	166,770	164,150	162,210
0204 21 00 (2)	168,610	166,770	164,150	162,210
0204 22 10 (2)	118,027	116,739	114,905	113,547
0204 22 30 (2)	185,471	183,447	180,565	178,431
0204 22 50 (2)	219,193	216,801	213,395	210,873
0204 22 90 (2)	219,193	216,801	213,395	210,873
0204 23 00 (2)	306,870	303,521	298,753	295,222
0204 50 11 (2)	168,610	166,770	164,150	162,210
0204 50 13 (2)	118,027	116,739	114,905	113,547
0204 50 15 (2)	185,471	183,447	180,565	178,431
0204 50 19 (2)	219,193	216,801	213,395	210,873
0204 50 31 (2)	219,193	216,801	213,395	210,873
0204 50 39 (2)	306,870	303,521	298,753	295,222
0210 90 11 (3)	219,193	216,801	213,395	210,873
0210 90 19 (3)	306,870	303,521	298,753	295,222

(1) The levy applicable is limited in the conditions laid down by Council Regulations (EEC) No 3643/85, (EEC) No 715/90 and (EEC) No 3842/92 and Commission Regulations (EEC) No 19/82 and (EEC) No 3943/92.

(2) The levy applicable is limited to the amount bound under GATT or in the conditions laid down in Council Regulations (EEC) No 1985/82, (EEC) No 3643/85, (EEC) No 715/90 and (EEC) No 3842/92 and Commission Regulations (EEC) No 19/82 and (EEC) No 3943/92.

(3) The levy applicable is limited in the conditions laid down in Council Regulation (EEC) No 715/90 and Commission Regulation (EEC) No 19/82.

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

COMMISSION REGULATION (EEC) No 755/93
of 30 March 1993
fixing the import levies on frozen sheepmeat and goatmeat

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

Having regard to Council Regulation (EEC) No 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat⁽¹⁾, as last amended by Regulation (EEC) No 363/93⁽²⁾, and in particular the Article 10 thereof,

Whereas the import levies on frozen sheepmeat and goatmeat were fixed by Commission Regulation (EEC) No 3858/92⁽³⁾, as amended by Regulation (EEC) No 456/93⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 3858/92 to the quota-

tions and other information known to the Commission that the levies should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION :

Article 1

The import levies on frozen sheepmeat and goatmeat shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 5 April 1993.

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

Done at Brussels, 30 March 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 42, 19. 2. 1993, p. 1.

⁽³⁾ OJ No L 390, 31. 12. 1992, p. 76.

⁽⁴⁾ OJ No L 49, 27. 2. 1993, p. 53.

ANNEX

to the Commission Regulation of 30 March 1993 fixing the import levies on frozen
sheepmeat and goatmeat ⁽¹⁾ ⁽²⁾

(ECU/100 kg)

CN code	Week No 14 from 5 to 11 April 1993	Week No 15 from 12 to 18 April 1993	Week No 16 from 19 to 25 April 1993	Week No 17 from 26 April to 2 May 1993
0204 30 00	166,458	165,078	163,113	161,658
0204 41 00	166,458	165,078	163,113	161,658
0204 42 10	116,521	115,555	114,179	113,161
0204 42 30	183,104	181,586	179,424	177,824
0204 42 50	216,395	214,601	212,047	210,155
0204 42 90	216,395	214,601	212,047	210,155
0204 43 10	302,954	300,442	296,866	294,218
0204 43 90	302,954	300,442	296,866	294,218
0204 50 51	166,458	165,078	163,113	161,658
0204 50 53	116,521	115,555	114,179	113,161
0204 50 55	183,104	181,586	179,424	177,824
0204 50 59	216,395	214,601	212,047	210,155
0204 50 71	216,395	214,601	212,047	210,155
0204 50 79	302,954	300,442	296,866	294,218

⁽¹⁾ The levy applicable is limited to the amount bound under GATT or in the conditions laid down in Council Regulations (EEC) No 1985/82, (EEC) No 3643/85, (EEC) No 715/90 and (EEC) No 3842/92 and Commission Regulations (EEC) No 19/82 and (EEC) No 3943/92.

⁽²⁾ No import levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.

COMMISSION REGULATION (EEC) No 756/93

of 30 March 1993

fixing 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 Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1738/92⁽²⁾, 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⁽³⁾, as last amended by Regulation (EEC) No 674/92⁽⁴⁾, and in particular Article 12 (4) thereof,

Whereas the rules to be applied in calculating the variable component of the import levy on products processed from cereals and rice are laid down in Article 14 (1) (A) of Regulation (EEC) No 2727/75 and Article 12 (1) (a) of Regulation (EEC) No 1418/76; whereas 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⁽⁵⁾, as last amended by Regulation (EEC) No 1906/87⁽⁶⁾, provides that the incidence on the prime costs of these products of the levies applicable to their basic products should be calculated on the basis of the average of the levies applicable to these basic products for the first 25 days of the month preceding that of importation; whereas this average, adjusted on the basis of the threshold price valid for the basic products in question during the month of importation is calculated on the basis of the quantities of basic products considered to have been used in the manufacture of the processed product or the competing product which serves as a reference for processed products not containing cereals;

Whereas Commission Regulation (EEC) No 1579/74 of 24 June 1974 on the procedure for calculating the import levy on products processed from cereals and from rice and for the advance fixing of this levy for these products and for compound feedstuffs manufactured from cereals⁽⁷⁾, as last amended by Regulation (EEC) No

1740/78⁽⁸⁾, provides that the levy thus determined, increased by the fixed component, is valid in general for one month but is altered where the levy applicable to the basic product concerned differs by not less than ECU 3,02 per tonne from the average of the levies calculated as described above;

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States, the levy relating to them in respect of certain products processed from cereals must be reduced by the amount of the fixed component and, in respect of some of these products, by part of the variable component; whereas this reduction must be made in accordance with Article 14 of Council Regulation (EEC) No 715/90 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the ACP States⁽⁹⁾, extended by Regulation (EEC) No 444/92⁽¹⁰⁾;

Whereas Article 3 (4) of Council Regulation (EEC) No 3763/91⁽¹¹⁾, as amended by Regulation (EEC) No 3714/92⁽¹²⁾, allows that within the limit of an annual quantity of 8 000 tonnes, the levy shall not be applied to imports into the French department of Réunion of wheat bran falling within CN code 2302 30 from the African, Caribbean and Pacific (ACP) States;

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⁽¹³⁾ no levies shall apply on imports of products originating in the overseas countries and territories;

Whereas Council Regulation (EEC) No 3834/90 of 20 December 1990 reducing for 1991 the levies on certain agricultural products originating in developing countries⁽¹⁴⁾, as last amended by Regulation (EEC) No 3917/92⁽¹⁵⁾, reduces by 50 % the levy on importation into the Community of products of CN code 1108 13 00, within the limit of a fixed amount of 5 000 tonnes a year;

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 73, 19. 3. 1992, p. 7.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁶⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁷⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽⁸⁾ OJ No L 202, 26. 7. 1978, p. 8.

⁽⁹⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽¹⁰⁾ OJ No L 52, 27. 2. 1992, p. 7.

⁽¹¹⁾ OJ No L 356, 24. 12. 1991, p. 1.

⁽¹²⁾ OJ No L 378, 23. 12. 1992, p. 23.

⁽¹³⁾ OJ No L 263, 19. 9. 1991, p. 1.

⁽¹⁴⁾ OJ No L 370, 31. 12. 1990, p. 121.

⁽¹⁵⁾ OJ No L 396, 31. 12. 1992, p. 1.

Whereas Council Regulations (EEC) No 518/92⁽¹⁾, (EEC) No 519/92⁽²⁾ and (EEC) No 520/92⁽³⁾ of 27 February 1992 on certain procedures for applying the Interim Agreements on trade and trade-related matters between the European Economic Community and the European Coal and Steel Community, of the one part, and the Republic of Poland, the Republic of Hungary and the Czech and Slovak Federal Republic respectively, of the other part, introduce arrangements for reducing import levies on certain products; whereas Commission Regulation (EEC) No 585/92⁽⁴⁾, as amended by Regulation (EEC) No 955/92⁽⁵⁾, lays down detailed rules for applying the arrangements provided for in these agreements as regards cereals;

Whereas Council Regulation (EEC) No 430/87 of 9 February 1987 concerning the import arrangements applicable to products falling within CN codes 0714 10 and 0714 90 originating in certain third countries⁽⁶⁾, as last amended by Regulation (EEC) No 3909/92⁽⁷⁾, lay down the terms on which the import levy is limited to 6 % *ad valorem*;

Whereas Council Regulation (EEC) No 2730/75 of 29 October 1975 on glucose and lactose⁽⁸⁾, as amended by Regulation (EEC) No 222/88⁽⁹⁾, stipulates that the treatment provided for glucose and glucose syrup falling within CN codes 1702 30 91, 1702 30 99 and 1702 40 90 by Regulation (EEC) No 2727/75 it is to be extended to glucose and glucose syrup falling within CN codes 1702 30 51 and 1702 30 59; whereas consequently the levy fixed for products falling within CN codes 1702 30 91, 1702 30 99 and 1702 40 90 also applies to products falling within CN codes 1702 30 51 and 1702 30 59; whereas, to ensure that the provision in question is properly applied, these products and the levy

thereon should be explicitly mentioned in the list of levies;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽¹⁰⁾ are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 3819/92⁽¹¹⁾;

Whereas, in accordance with Article 18 (1) of Regulation (EEC) No 2727/75, the nomenclature provided for in this Regulation is incorporated in the combined nomenclature,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the products listed in Article 1 (d) of Regulation (EEC) No 2727/75 and in Article 1 (1) (c) of Regulation (EEC) No 1418/76 and subject to Regulation (EEC) No 2744/75 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 April 1993.

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

Done at Brussels, 30 March 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 56, 29. 2. 1992, p. 3.

⁽²⁾ OJ No L 56, 29. 2. 1992, p. 6.

⁽³⁾ OJ No L 56, 29. 2. 1992, p. 9.

⁽⁴⁾ OJ No L 62, 7. 3. 1992, p. 40.

⁽⁵⁾ OJ No L 102, 16. 4. 1992, p. 26.

⁽⁶⁾ OJ No L 43, 13. 2. 1987, p. 9.

⁽⁷⁾ OJ No L 394, 31. 12. 1992, p. 23.

⁽⁸⁾ OJ No L 281, 1. 11. 1975, p. 20.

⁽⁹⁾ OJ No L 28, 1. 2. 1988, p. 1.

⁽¹⁰⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽¹¹⁾ OJ No L 387, 31. 12. 1992, p. 13.

ANNEX

to the Commission Regulation of 30 March 1993 fixing the import levies on products processed from cereals and rice

(ECU/tonne)

CN code	Import levies (°)	
	ACP	Third countries (other than ACP)
0714 10 10 (°)	127,40	134,05
0714 10 91	131,03 (°) (°)	131,03
0714 10 99	129,22	134,05
0714 90 11	131,03 (°) (°)	131,03
0714 90 19	129,22 (°)	134,05
1102 20 10	245,84	251,88
1102 20 90	139,31	142,33
1102 30 00	151,53	154,55
1102 90 10	235,85	241,89
1102 90 30	209,16	215,20
1102 90 90	142,31	145,33
1103 12 00	209,16	215,20
1103 13 10	245,84	251,88
1103 13 90	139,31	142,33
1103 14 00	151,53	154,55
1103 19 10	272,52	278,56
1103 19 30	235,85	241,89
1103 19 90	142,31	145,33
1103 21 00	255,26	261,30
1103 29 10	272,52	278,56
1103 29 20	235,85	241,89
1103 29 30	209,16	215,20
1103 29 40	245,84	251,88
1103 29 50	151,53	154,55
1103 29 90	142,31	145,33
1104 11 10	133,65	136,67
1104 11 90	262,06	268,10
1104 12 10	118,52	121,54
1104 12 90	232,40	238,44
1104 19 10	255,26	261,30
1104 19 30	272,52	278,56
1104 19 50	245,84	251,88
1104 19 91	257,31	263,35
1104 19 99	251,14	257,18
1104 21 10	209,65	212,67
1104 21 30	209,65	212,67
1104 21 50	327,58	333,62
1104 21 90	133,65	136,67
1104 22 10 10 (°)	118,52	121,54
1104 22 10 90 (°)	209,16	212,18
1104 22 30	209,16	212,18
1104 22 50	185,92	188,94
1104 22 90	118,52	121,54
1104 23 10	218,53	221,55
1104 23 30	218,53	221,55
1104 23 90	139,31	142,33
1104 29 11	188,61	191,63

(ECU/tonne)

CN code	Import levies (°)	
	ACP	Third countries (other than ACP)
1104 29 15	201,36	204,38
1104 29 19	223,23	226,25
1104 29 31	226,90	229,92
1104 29 35	242,24	245,26
1104 29 39	223,23	226,25
1104 29 91	144,65	147,67
1104 29 95	154,43	157,45
1104 29 99	142,31	145,33
1104 30 10	106,36	112,40
1104 30 90	102,44	108,48
1106 20 10	127,40 (°)	134,05
1106 20 90	216,26 (°)	240,44
1107 10 11	252,42	263,30
1107 10 19	188,61	199,49
1107 10 91	233,23	244,11 (°)
1107 10 99	174,27	185,15 (1°)
1107 20 00	203,10	213,98 (°)
1108 11 00	311,98	332,53
1108 12 00	219,89	240,44
1108 13 00	219,89	240,44 (°)
1108 14 00	109,94	240,44
1108 19 10	217,28	248,11
1108 19 90	109,94 (°)	240,44
1109 00 00	567,24	748,58
1702 30 51	286,82	383,54
1702 30 59	219,89	286,38
1702 30 91	286,82	383,54
1702 30 99	219,89	286,38
1702 40 90	219,89	286,38
1702 90 50	219,89	286,38
1702 90 75	300,48	397,20
1702 90 79	208,97	275,46
2106 90 55	219,89	286,38
2302 10 10	57,32	63,32
2302 10 90	122,83	128,83
2302 20 10	57,32	63,32
2302 20 90	122,83	128,83
2302 30 10	57,32 (°)	63,32
2302 30 90	122,83 (°)	128,83
2302 40 10	57,32	63,32
2302 40 90	122,83	128,83
2303 10 11	273,16	454,50

(1) 6 % *ad valorem*, subject to certain conditions.

(°) In accordance with Council Regulation (EEC) No 1180/77 this levy is reduced by ECU 5,44 per tonne for products originating in Turkey.

(°) In accordance with Regulation (EEC) No 715/90 the levy shall not be charged on the following products originating in the African, Caribbean and Pacific States:

- products falling within CN code ex 0714 10 91,
- products falling within CN code 0714 90 11 and arrow-root falling within CN code 0714 90 19,
- flours and meal of arrow-root falling within CN code 1106 20,
- arrow-root starch falling within CN code 1108 19 90.

(°) Taric code: clipped oats.

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

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- (6) Pursuant to Regulation (EEC) No 3834/90, the levy on importation into the Community of products of CN code 1108 13 00 is reduced by 50 % within the limit of a fixed quantity of 5 000 tonnes.
 - (7) 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.
 - (8) No import levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.
 - (9) Under the terms of Regulation (EEC) No 3763/91 the levy does not apply to wheat bran originating in the African, Caribbean and Pacific States (ACP) and directly imported into the French department of Réunion.
 - (10) Products falling within this code, imported from Poland, the Czech and Slovak Federal Republic 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.
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COMMISSION REGULATION (EEC) No 757/93
of 30 March 1993
fixing the import levies on compound feedingstuffs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1738/92⁽²⁾, and in particular Article 14 (4) thereof,

Whereas the rules to be applied in calculating the variable component of the import levy on compound feedingstuffs are laid down in Article 14 (1) (A) of Regulation (EEC) No 2727/75; whereas Article 4 of Council Regulation (EEC) No 2743/75 of 29 October 1975 on the system to be applied to cereal-based compound feedingstuffs⁽³⁾, as last amended by Regulation (EEC) No 944/87⁽⁴⁾, provides that the incidence on the prime costs of these feedingstuffs of the levies applicable to their basic products should be calculated on the basis of the average of the levies applicable during the first 25 days of the month preceding that month of importation to the quantities of basic products considered to have been used in the manufacture of such compound feedingstuffs, this average being adjusted on the basis of the threshold price for the basic products in question ruling during the month of importation;

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States, the levy relating to them in respect of certain products processed from cereals must be reduced by the amount of the fixed component and, in respect of some of these products, by part of the variable component; whereas this reduction must be made in accordance with Article 14 of Council Regulation (EEC) No 715/90 of 5 March 1990 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific

States or in the overseas countries and territories⁽⁵⁾, extended by Regulation (EEC) No 444/92⁽⁶⁾;

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⁽⁷⁾, no levies shall apply on imports of products originating in the overseas countries and territories;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁸⁾ are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 3819/92⁽⁹⁾;

Whereas, in accordance with Article 18 (1) of Regulation (EEC) No 2727/75, the nomenclature provided for in this Regulation is incorporated in the combined nomenclature,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the compound feedingstuffs covered by Regulation (EEC) No 2727/75 and subject to Regulation (EEC) No 2743/75 shall be as set out in the Annex.

Article 2

This Regulation shall enter into force on 1 April 1993.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 60.

⁽⁴⁾ OJ No L 90, 2. 4. 1987, p. 2.

⁽⁵⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽⁶⁾ OJ No L 52, 27. 2. 1992, p. 7.

⁽⁷⁾ OJ No L 263, 19. 9. 1991, p. 1.

⁽⁸⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁹⁾ OJ No L 387, 31. 12. 1992, p. 17.

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

Done at Brussels, 30 March 1993.

For the Commission
René STEICHEN
Member of the Commission

ANNEX

to the Commission Regulation of 30 March 1993 fixing the import levies on compound feedingstuffs

(ECU/tonne)

CN code	Levies (1)	
	ACP	Third countries (other than ACP)
2309 10 11	21,85	32,73
2309 10 13	506,50	517,38
2309 10 31	68,29	79,17
2309 10 33	552,94	563,82
2309 10 51	136,58	147,46
2309 10 53	621,23	632,11
2309 90 31	21,85	32,73
2309 90 33	506,50	517,38
2309 90 41	68,29	79,17
2309 90 43	552,94	563,82
2309 90 51	136,58	147,46
2309 90 53	621,23	632,11

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

COMMISSION REGULATION (EEC) No 758/93
of 30 March 1993
fixing the import levies on white sugar and raw sugar

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 3814/92 ⁽²⁾, and in particular Article 16 (8) thereof,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy ⁽³⁾, and in particular Article 5 thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 29/93 ⁽⁴⁾, as last amended by Regulation (EEC) No 737/93 ⁽⁵⁾;

Whereas it follows from applying the detailed rules contained in Commission Regulation (EEC) No 29/93 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, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 29 March 1993, as regards floating currencies, should be used to calculate the levies,

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 31 March 1993.

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

Done at Brussels, 30 March 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 7.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 5, 9. 1. 1993, p. 14.

⁽⁵⁾ OJ No L 75, 30. 3. 1993, p. 19.

ANNEX

to the Commission Regulation of 30 March 1993 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy (1)
1701 11 10	34,11 (1)
1701 11 90	34,11 (1)
1701 12 10	34,11 (1)
1701 12 90	34,11 (1)
1701 91 00	42,90
1701 99 10	42,90
1701 99 90	42,90 (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 is to be levied in accordance with Article 101 (4) of the abovementioned Decision.

COMMISSION REGULATION (EEC) No 759/93
of 30 March 1993
fixing the import levies on milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 2071/92 ⁽²⁾, and in particular Article 14 (8) thereof,

Whereas Article 14 of Regulation (EEC) No 804/68 provides for charging a levy on imports of the products listed in Article 1 of that Regulation; whereas these products may be divided into groups; whereas the product groups and the pilot groups and the pilot product for each of these groups are set out in Annex I to Council Regulation (EEC) No 2915/79 of 18 December 1979 determining the groups of products and the special provisions for calculating levies on milk and milk products ⁽³⁾, as last amended by Regulation (EEC) No 3798/91 ⁽⁴⁾;

Whereas the levy on the products in any one group must be equal to the threshold price for the pilot product less the free-at-frontier price; whereas these threshold prices were fixed for the 1992/93 milk year by Council Regulation (EEC) No 1375/92 ⁽⁵⁾; whereas Council Regulation (EEC) No 660/93 ⁽⁶⁾ has extended the 1992/93 marketing year for milk until 30 June 1993;

Whereas, however, Regulation (EEC) No 2915/79 lays down special provisions for calculating the levy on certain assimilated products; whereas these products are listed and the method of calculating the levy on them described in Annex II and in Articles 2 to 12 of that Regulation respectively;

Whereas, as provided for in Regulation (EEC) No 2915/79, the component of the levy established using

a factor expressing the weight ratio existing between the milk components contained in the product on the one hand and the product itself on the other is, for products containing sugar or other sweeteners, calculated by multiplying the basic amount by the quantity of milk components contained in the product;

Whereas Article 12 of Regulation (EEC) No 2915/79 provides that for certain products originating in or coming from certain third countries a specific levy is to be applied; whereas the levy applicable to those products is fixed in Annex I to Commission Regulation (EEC) No 1767/82 ⁽⁷⁾, as last amended by Regulation (EEC) No 3648/92 ⁽⁸⁾;

Whereas, for as long as it is found that on importation into the Community the price of an assimilated product for which the levy is not equal to the levy on its pilot product is considerably lower than the price which would obtain if the ratio to the price of the pilot product were normal, the levy must be equal to the sum of two components:

- one component equal to the amount resulting from the provisions of Articles 2 to 7 of Regulation (EEC) No 2915/79 applicable to the assimilated product in question,
- an additional component fixed at a level which, the composition and quality of the assimilated product being taken into account, makes it possible to re-establish normal price ratios for imports into the Community;

Whereas Article 14(3) of Regulation (EEC) No 804/68 provides that the levy on products in respect of which the customs duty has been bound within GATT must be limited to the amount resulting from that binding;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 215, 30. 7. 1992, p. 64.

⁽³⁾ OJ No L 329, 24. 12. 1979, p. 1.

⁽⁴⁾ OJ No L 357, 28. 12. 1991, p. 3.

⁽⁵⁾ OJ No L 147, 29. 5. 1992, p. 4.

⁽⁶⁾ OJ No L 71, 24. 3. 1993, p. 1.

⁽⁷⁾ OJ No L 196, 5. 7. 1982, p. 1.

⁽⁸⁾ OJ No L 369, 18. 12. 1992, p. 15.

Whereas Commission Regulation (EEC) No 1073/68 ⁽¹⁾, as amended by Regulation (EEC) No 222/88 ⁽²⁾, provides that a free-at-frontier price must be established for each of the pilot products defined in Annex I to Regulation (EEC) No 2915/79; whereas these prices must be determined for products of good marketable quality;

Whereas the free-at-frontier prices must be established on the basis of the most favourable purchasing opportunities in international trade for the products listed in Article 1 of Regulation (EEC) No 804/68 other than assimilated products for which the levy is not equal to the levy on the related pilot products; whereas, when recording these purchasing opportunities, the Commission must take account of all information obtained direct or through the Member States concerning prices for delivery of third-country products free-at-Community-frontier and prices on third-country markets;

Whereas Commission Regulation (EEC) No 788/86 ⁽³⁾, as last amended by Regulation (EEC) No 1525/90 ⁽⁴⁾, specifies the free-at-Spanish-frontier values of certain cheeses imported from and originating in Switzerland;

Whereas, however, no account should be taken of information relating to small quantities which are not representative of trade in the products in question and quantities in respect of which price trends in general or other information available to it lead the Commission to believe that the price in question is unrepresentative of the real trend of the market;

Whereas the prices used must be adjusted where they are not quoted free-at-Community-frontier or where they do not apply to products of good marketable quality; whereas the adjustment in respect of an assimilated product the levy on which is equal to the levy on its pilot product must be effected in such a way as to allow, in particular, for differences in composition, maturity, quality and presentation between the assimilated product and the related pilot product; whereas adjustments relating to composition must be calculated by multiplying the difference between the milk component content of the pilot product and that of the assimilated product in question by the value attributed in international trade to one unit of weight of the milk component in question; whereas, when the other adjustments are being effected, the difference between the value attributed on the Community market to each of the relevant characteristics of the pilot product and the value attributed on that market to the corresponding characteristics of the assimilated product in question must be taken into account;

Whereas, if no information on prices is available, the free-at-frontier price may, by way of exception, be

established on the basis of the value of the raw materials contained in the pilot product in question (calculated on the basis of the prices of milk products for which prices are available), average processing costs and average yields;

Whereas, in exceptional circumstances, a free-at-frontier price may remain unchanged for a limited period where the new level of the price for a given quality or a specific origin, used as a basis for establishing the previous free-at-frontier price, has not reached the Commission to enable it to establish the next free-at-frontier price and if the Commission considers that the prices which are available could lead to sudden and considerable changes in the free-at-frontier price because they are not sufficiently representative of real market trends;

Whereas, in accordance with Article 19 (1) of Regulation (EEC) No 804/68, the nomenclature provided for in this Regulation is incorporated in the combined nomenclature;

Whereas Article 8 of Regulation (EEC) No 1073/68 provides that the levies are fixed every fortnight; whereas they may be altered in the intervening period if necessary; whereas the levy remains valid until another becomes applicable;

Whereas Council Regulation (EEC) No 2730/75 of 29 October 1975 on glucose and lactose ⁽⁵⁾, as amended by Regulation (EEC) No 222/88, stipulates that the treatment provided for lactose and lactose syrup falling within CN code 1702 10 90 by Regulation (EEC) No 804/68 and by the provisions adopted for the application of that Regulation is to be extended to lactose and lactose syrup falling within CN code 1702 10 10; whereas consequently the levy fixed for products falling within CN code 1702 10 90 also applies to products falling within CN code 1702 10 10; whereas to ensure that the provision in question is properly applied these products and the levy thereon should be explicitly mentioned in the list of levies;

Whereas Council Regulations (EEC) No 518/92 ⁽⁶⁾, (EEC) No 519/92 ⁽⁷⁾ and (EEC) No 520/92 ⁽⁸⁾ of 27 February 1992 on certain procedures for applying the Interim Agreements on trade and trade-related matters between the European Economic Community and the European Coal and Steel Community, of the one part, and the Republic of Poland, the Republic of Hungary and the Czech and Slovak Federal Republic respectively, of the other part, introduce arrangements for reducing import levies on certain products; whereas Commission Regulation (EEC) No 584/92 ⁽⁹⁾ lays down detailed rules for applying the arrangements provided for in these agreements as regards milk and milk products;

⁽¹⁾ OJ No L 180, 26. 7. 1968, p. 25.

⁽²⁾ OJ No L 28, 1. 2. 1988, p. 1.

⁽³⁾ OJ No L 74, 19. 3. 1986, p. 20.

⁽⁴⁾ OJ No L 144, 7. 6. 1990, p. 15.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 20.

⁽⁶⁾ OJ No L 56, 29. 2. 1992, p. 3.

⁽⁷⁾ OJ No L 56, 29. 2. 1992, p. 6.

⁽⁸⁾ OJ No L 56, 29. 2. 1992, p. 9.

⁽⁹⁾ OJ No L 62, 7. 3. 1992, p. 34.

Whereas Council Regulation (EEC) No 715/90 ⁽¹⁾, as amended by Regulation (EEC) No 297/91 ⁽²⁾, lays down the arrangements applicable to agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories;

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 ⁽³⁾, no levies shall apply on products originating in the overseas countries and territories;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽⁴⁾ are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' curren-

cies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 3819/92 ⁽⁵⁾;

Whereas it follows from applying these provisions that the levies on milk and milk products should be as set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies referred to in Article 14 of Regulation (EEC) No 804/68 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 April 1993.

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

Done at Brussels, 30 March 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽²⁾ OJ No L 36, 8. 2. 1991, p. 9.

⁽³⁾ OJ No L 263, 19. 9. 1991, p. 1.

⁽⁴⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁵⁾ OJ No L 387, 31. 12. 1992, p. 17.

ANNEX

to the Commission Regulation of 30 March 1993 fixing the import levies on milk and milk products

(ECU/100 kg net weight, unless otherwise indicated)

CN code	Note (°)	Import levy	CN code	Note (°)	Import levy
0401 10 10		15,62	0403 10 16	(°)	2,0226/kg + 29,27
0401 10 90		14,41	0403 10 22		24,22
0401 20 11		21,81	0403 10 24		29,69
0401 20 19		20,60	0403 10 26		73,17
0401 20 91		27,28	0403 10 32	(°)	0,1818/kg + 28,06
0401 20 99		26,07	0403 10 34	(°)	0,2365/kg + 28,06
0401 30 11		70,76	0403 10 36	(°)	0,6713/kg + 28,06
0401 30 19		69,55	0403 90 11		104,95
0401 30 31		136,92	0403 90 13		171,18
0401 30 39		135,71	0403 90 19		209,51
0401 30 91		230,64	0403 90 31	(°)	0,9770/kg + 29,27
0401 30 99		229,43	0403 90 33	(°)	1,6393/kg + 29,27
0402 10 11	(°)	104,95	0403 90 39	(°)	2,0226/kg + 29,27
0402 10 19	(°)(°)	97,70	0403 90 51		24,22
0402 10 91	(°)(°)	0,9770/kg + 29,27	0403 90 53		29,69
0402 10 99	(°)(°)	0,9770/kg + 22,02	0403 90 59		73,17
0402 21 11	(°)	171,18	0403 90 61	(°)	0,1818/kg + 28,06
0402 21 17	(°)	163,93	0403 90 63	(°)	0,2365/kg + 28,06
0402 21 19	(°)(°)	163,93	0403 90 69	(°)	0,6713/kg + 28,06
0402 21 91	(°)(°)	209,51	0404 10 02		21,45
0402 21 99	(°)(°)	202,26	0404 10 04		171,18
0402 29 11	(°)(°)(°)	1,6393/kg + 29,27	0404 10 06		209,51
0402 29 15	(°)(°)	1,6393/kg + 29,27	0404 10 12		104,95
0402 29 19	(°)(°)	1,6393/kg + 22,02	0404 10 14		171,18
0402 29 91	(°)(°)	2,0226/kg + 29,27	0404 10 16		209,51
0402 29 99	(°)(°)	2,0226/kg + 22,02	0404 10 26	(°)	0,2145/kg + 22,02
0402 91 11	(°)	35,73	0404 10 28	(°)	1,6393/kg + 29,27
0402 91 19	(°)	35,73	0404 10 32	(°)	2,0226/kg + 29,27
0402 91 31	(°)	44,66	0404 10 34	(°)	0,9770/kg + 29,27
0402 91 39	(°)	44,66	0404 10 36	(°)	1,6393/kg + 29,27
0402 91 51	(°)	136,92	0404 10 38	(°)	2,0226/kg + 29,27
0402 91 59	(°)	135,71	0404 10 48	(°)	0,2145/kg
0402 91 91	(°)	230,64	0404 10 52	(°)	1,6393/kg + 6,04
0402 91 99	(°)	229,43	0404 10 54	(°)	2,0226/kg + 6,04
0402 99 11	(°)	49,23	0404 10 56	(°)	0,9770/kg + 6,04
0402 99 19	(°)	49,23	0404 10 58	(°)	1,6393/kg + 6,04
0402 99 31	(°)(°)	1,3329/kg + 25,65	0404 10 62	(°)	2,0226/kg + 6,04
0402 99 39	(°)(°)	1,3329/kg + 24,44	0404 10 72	(°)	0,2145/kg + 22,02
0402 99 91	(°)(°)	2,2701/kg + 25,65	0404 10 74	(°)	1,6393/kg + 28,06
0402 99 99	(°)(°)	2,2701/kg + 24,44	0404 10 76	(°)	2,0226/kg + 28,06
0403 10 02		104,95	0404 10 78	(°)	0,9770/kg + 28,06
0403 10 04		171,18	0404 10 82	(°)	1,6393/kg + 28,06
0403 10 06		209,51	0404 10 84	(°)	2,0226/kg + 28,06
0403 10 12	(°)	0,9770/kg + 29,27	0404 90 11		104,95
0403 10 14	(°)	1,6393/kg + 29,27	0404 90 13		171,18

CN code	Note (°)	Import levy	CN code	Note (°)	Import levy
0404 90 19		209,51	0406 90 31	(°)(°)(°)	185,08
0404 90 31		104,95	0406 90 33	(°)(°)	185,08
0404 90 33		171,18	0406 90 35	(°)(°)(°)	185,08
0404 90 39		209,51	0406 90 37	(°)(°)(°)	185,08
0404 90 51	(°)	0,9770/kg + 29,27	0406 90 39	(°)(°)(°)	185,08
0404 90 53	(°)(°)	1,6393/kg + 29,27	0406 90 50	(°)(°)(°)	185,08
0404 90 59	(°)	2,0226/kg + 29,27	0406 90 61	(°)(°)	393,93
0404 90 91	(°)	0,9770/kg + 29,27	0406 90 63	(°)(°)	393,93
0404 90 93	(°)(°)	1,6393/kg + 29,27	0406 90 69	(°)(°)	393,93
0404 90 99	(°)	2,0226/kg + 29,27	0406 90 73	(°)(°)	185,08
0405 00 11	(°)	237,61	0406 90 75	(°)(°)	185,08
0405 00 19	(°)	237,61	0406 90 77	(°)(°)	185,08
0405 00 90		289,88	0406 90 79	(°)(°)	185,08
0406 10 20	(°)(°)	227,85	0406 90 81	(°)(°)	185,08
0406 10 80	(°)(°)	281,80	0406 90 85	(°)(°)	185,08
0406 20 10	(°)(°)(°)	393,93	0406 90 89	(°)(°)(°)	185,08
0406 20 90	(°)(°)	393,93	0406 90 93	(°)(°)	227,85
0406 30 10	(°)(°)(°)	180,16	0406 90 99	(°)(°)	281,80
0406 30 31	(°)(°)(°)	172,03	1702 10 10		26,86
0406 30 39	(°)(°)(°)	180,16	1702 10 90		26,86
0406 30 90	(°)(°)(°)	276,88	2106 90 51		26,86
0406 40 00	(°)(°)(°)	150,96	2309 10 15		75,70
0406 90 11	(°)(°)(°)	225,35	2309 10 19		98,17
0406 90 13	(°)(°)(°)	171,25	2309 10 39		92,54
0406 90 15	(°)(°)(°)	171,25	2309 10 59		77,64
0406 90 17	(°)(°)(°)	171,25	2309 10 70		98,17
0406 90 19	(°)(°)(°)	393,93	2309 90 35		75,70
0406 90 21	(°)(°)(°)	225,35	2309 90 39		98,17
0406 90 23	(°)(°)(°)	185,08	2309 90 49		92,54
0406 90 25	(°)(°)(°)	185,08	2309 90 59		77,64
0406 90 27	(°)(°)(°)	185,08	2309 90 70		98,17
0406 90 29	(°)(°)(°)	185,08			

(°) The levy on 100 kg of product falling within this code is equal to the sum of the following :

- (a) the amount per kilogram shown, multiplied by the weight of lactic matter contained in 100 kg of product ; and
(b) the other amount indicated.

(°) The levy on 100 kg of product falling within this code is equal to :

- (a) the amount per kilogram shown, multiplied by the weight of the dry lactic matter contained in 100 kg of product plus, where appropriate,
(b) the other amount indicated.

(°) Products falling within this code imported from a third country under special arrangements concluded between that country and the Community for which an IMA 1 certificate issued under the conditions provided for in Regulation (EEC) No 1767/82 is issued are subject to the levies in Annex I to that Regulation.

(°) The levy applicable is limited under the conditions laid down in Regulation (EEC) No 715/90.

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

(°) Products falling within this code, imported from Poland, Czechoslovakia or Hungary under the Interim Agreements concluded between those countries and the Community, and in respect of which EUR.1 certificates issued in accordance with Regulation (EEC) No 584/92 have been presented, are subject to the levies set out in the Annex to that Regulation.

COMMISSION REGULATION (EEC) No 760/93
of 30 March 1993
fixing the agricultural conversion rates

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy⁽¹⁾, and in particular Article 3 (1) thereof,

Whereas the agricultural conversion rates were fixed by Commission Regulation (EEC) No 468/93⁽²⁾;

Whereas Article 4 (3) of Regulation (EEC) No 3813/92 stipulates that if, over a reference period, the absolute value of the difference in the gaps between the currencies of any two Member States exceeds four points, any monetary gaps for the Member States concerned that exceed two points shall immediately be reduced to two points; whereas, in Article 1 (f) of Regulation (EEC) No 3813/92, the term 'monetary gap' is defined as the percentage of the agricultural conversion rates representing the difference between that rate and the representative market rate;

Whereas the representative market rates are determined on the basis of reference periods determined in accordance with Commission Regulation (EEC) No 3819/92 of 28 December 1992 on detailed rules for determining and applying the agricultural conversion rates⁽³⁾;

Whereas, however, Article 2 of Regulation (EEC) No 3819/92 provides that, in cases where the absolute value of the difference between the monetary gaps in two Member States, calculated from the average on the ecu rates for three consecutive working days, exceeds six points:

— the representative market rates for the currencies in question shall be adjusted on the basis of the three working days in question,

and

— the basic reference period concerned begins the day following these three working days;

Whereas, as a consequence of the exchange rates recorded during the reference period 26 to 30 March 1993, it is necessary to fix a new agricultural conversion rate for the Italian lira;

Whereas Article 11 (2) of Regulation (EEC) No 3819/92 provides that an agricultural conversion rate fixed in advance shall be adjusted if the gap between that rate and the agricultural conversion rate in force at the time of the operative event applicable for the currency concerned exceeds four points; whereas, in that event, the agricultural conversion rate fixed in advance is brought more closely into line with the rate in force, up to the level of a gap of four points with that rate; whereas the rate which replaces the agricultural conversion rate fixed in advance should be specified,

HAS ADOPTED THIS REGULATION:

Article 1

The agricultural conversion rates are fixed in Annex I hereto.

Article 2

In the case referred to in Article 11 (2) of Regulation (EEC) No 3819/92, the agricultural conversion rate fixed in advance shall be replaced by the ecu rate for the currency concerned, shown in Annex II:

— Table A, where the latter rate is higher than the rate fixed in advance,

or

— Table B, where the latter rate is lower than the rate fixed in advance.

Article 3

Regulation (EEC) No 468/93 is hereby repealed.

Article 4

This Regulation shall enter into force on 31 March 1993.

⁽¹⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 49, 27. 2. 1993, p. 84.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 17.

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

Done at Brussels, 30 March 1993.

For the Commission
René STEICHEN
Member of the Commission

ANNEX I

Agricultural conversion rates

ECU 1 =	48,5563	Belgian and Luxembourg francs
	8,97989	Danish kroner
	2,35418	German marks
	310,351	Greek drachmas
	166,075	Spanish pesetas
	7,89563	French francs
	0,957268	Irish punt
	2 262,06	Italian lire
	2,65256	Dutch guldens
	212,128	Portuguese escudos
	0,980715	Pound sterling

ANNEX II

Agricultural conversion rates fixed in advance and adjusted

Table A			Table B		
ECU 1 =	46,6888	Belgian and Luxembourg francs	ECU 1 =	50,5795	Belgian and Luxembourg francs
	8,63451	Danish kroner		9,35405	Danish kroner
	2,26363	German marks		2,45227	German marks
	298,414	Greek drachmas		323,282	Greek drachmas
	159,688	Spanish pesetas		172,995	Spanish pesetas
	7,59195	French francs		8,22461	French francs
	0,920450	Irish punt		0,997154	Irish punt
	2 175,06	Italian lire		2 356,31	Italian lire
	2,55054	Dutch guldens		2,76308	Dutch guldens
	203,969	Portuguese escudos		220,967	Portuguese escudos
	0,942995	Pound sterling		1,02157	Pound sterling