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## I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EEC) No 1267/92**

of 19 May 1992

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

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

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals<sup>(1)</sup>, as last amended by Regulation (EEC) No 674/92<sup>(2)</sup>, and in particular Article 13 (5) thereof,

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

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 986/92<sup>(5)</sup> and subsequent amending Regulations;

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

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

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

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

Whereas these exchange rates being those recorded on 18 May 1992;

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

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 986/92 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 20 May 1992.

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

Done at Brussels, 19 May 1992.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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

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

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

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

<sup>(5)</sup> OJ No L 105, 23. 4. 1992, p. 1.

## ANNEX

to the Commission Regulation of 19 May 1992 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Levy (°)
0709 90 60	141,76 <sup>(2)</sup> <sup>(3)</sup>
0712 90 19	141,76 <sup>(2)</sup> <sup>(3)</sup>
1001 10 10	173,29 <sup>(1)</sup> <sup>(3)</sup> <sup>(10)</sup>
1001 10 90	173,29 <sup>(1)</sup> <sup>(3)</sup> <sup>(10)</sup>
1001 90 91	161,82
1001 90 99	161,82 <sup>(11)</sup>
1002 00 00	168,43 <sup>(9)</sup>
1003 00 10	149,42
1003 00 90	149,42 <sup>(11)</sup>
1004 00 10	124,81
1004 00 90	124,81
1005 10 90	141,76 <sup>(2)</sup> <sup>(3)</sup>
1005 90 00	141,76 <sup>(2)</sup> <sup>(3)</sup>
1007 00 90	149,79 <sup>(4)</sup>
1008 10 00	65,89 <sup>(11)</sup>
1008 20 00	120,90 <sup>(4)</sup>
1008 30 00	66,59 <sup>(5)</sup>
1008 90 10	(7)
1008 90 90	66,59
1101 00 00	239,55 <sup>(8)</sup> <sup>(11)</sup>
1102 10 00	248,81 <sup>(8)</sup>
1103 11 10	282,23 <sup>(8)</sup> <sup>(10)</sup>
1103 11 90	257,03 <sup>(8)</sup>

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

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

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

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

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

(6) The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 and Commission Regulation (EEC) No 2622/71.

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

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

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

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

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

## COMMISSION REGULATION (EEC) No 1268/92

of 19 May 1992

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals <sup>(1)</sup>, as last amended by Regulation (EEC) No 674/92 <sup>(2)</sup>, and in particular Article 15 (6) thereof,Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy <sup>(3)</sup>, as last amended by Regulation (EEC) No 2205/90 <sup>(4)</sup>, and in particular Article 3 thereof,Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EEC) No 1845/91 <sup>(5)</sup> and subsequent amending Regulations;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85,

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

Whereas these exchange rates being those recorded on 18 May 1992;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 20 May 1992.

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

Done at Brussels, 19 May 1992.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.<sup>(2)</sup> OJ No L 73, 19. 3. 1992, p. 7.<sup>(3)</sup> OJ No L 164, 24. 6. 1985, p. 1.<sup>(4)</sup> OJ No L 201, 31. 7. 1990, p. 9.<sup>(5)</sup> OJ No L 168, 29. 6. 1991, p. 4.

**ANNEX**

**to the Commission Regulation of 19 May 1992 fixing the premiums to be added to the import levies on cereals, flour and malt**

**A. Cereals and flour***(ECU/tonne)*

CN code	Current 5	1st period 6	2nd period 7	3rd period 8
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 10	0	0	0	0
1001 10 90	0	0	0	0
1001 90 91	0	0	0	0
1001 90 99	0	0	0	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 10	0	0	0	0
1004 00 90	0	0	0	0
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	0

**B. Malt***(ECU/tonne)*

CN code	Current 5	1st period 6	2nd period 7	3rd period 8	4th period 9
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 1269/92**  
**of 19 May 1992**  
**amending Regulation (EEC) No 2315/76 on the sale of butter from public storage**

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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 816/92 <sup>(2)</sup>, and in particular Article 6 (7) thereof,

Whereas Article 1 of Commission Regulation (EEC) No 2315/76 <sup>(3)</sup>, as last amended by Regulation (EEC) No 3175/91 <sup>(4)</sup>, lays down that the product put up for sale must have been put into storage by the intervention agency before 1 September 1990;

Whereas, in view of the development of stocks, these sales should be extended to butter taken into storage before 1 October 1990;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

In Article 1 of Regulation (EEC) No 2315/76, '1 September 1990' is hereby replaced by '1 October 1990'.

*Article 2*

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

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

Done at Brussels, 19 May 1992.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 13.

<sup>(2)</sup> OJ No L 86, 1. 4. 1992, p. 83.

<sup>(3)</sup> OJ No L 261, 25. 9. 1976, p. 12.

<sup>(4)</sup> OJ No L 300, 31. 10. 1991, p. 30.

**COMMISSION REGULATION (EEC) No 1270/92****of 19 May 1992****amending Regulation (EEC) No 1609/88 as regards the latest date by which butter must have been taken into storage in order to be sold under Regulations (EEC) No 3143/85 and (EEC) No 570/88**

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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 816/92 <sup>(2)</sup>, and in particular Article 6 <sup>(7)</sup> thereof,

Having regard to Council Regulation (EEC) No 985/68 of 15 July 1968 laying down general rules for intervention on the market in butter and cream <sup>(3)</sup>, as last amended by Regulation (EEC) No 2045/91 <sup>(4)</sup>, and in particular Article 7a thereof,

Whereas, pursuant to Article 1 of Commission Regulation (EEC) No 3143/85 of 11 November 1985 on the sale at reduced prices of intervention butter intended for direct consumption in the form of concentrated butter <sup>(5)</sup>, as last amended by Regulation (EEC) No 3683/91 <sup>(6)</sup>, the butter put up for sale must have been taken into storage before a date to be determined; whereas the same applies to butter sold under the arrangements laid down in Commission Regulation (EEC) No 570/88 of 16 February 1988 on the sale of butter at reduced prices and the granting of aid for creamy butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other food stuffs <sup>(7)</sup>, as last amended by Regulation (EEC) No 124/92 <sup>(8)</sup>;

Whereas, in view of butter stocks and quantities available, the dates in Article 1 of Council Regulation (EEC) No

1609/88 of 9 June 1988 setting the latest time of entry into storage for butter sold under Regulations (EEC) No 3143/85 and (EEC) No 570/88 <sup>(9)</sup>, as last amended by Regulation (EEC) No 3397/91 <sup>(10)</sup>, should be amended;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

Article 1 of Regulation (EEC) No 1609/88 is hereby replaced by the following:

*'Article 1*

The butter referred to in Article 1 (1) of Regulation (EEC) No 3143/85 must have been taken into storage before 1 October 1990.

The butter referred to in Article 1 of Regulation (EEC) No 570/88 must have been taken into storage before 1 October 1990.'

*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, 19 May 1992.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 13.

<sup>(2)</sup> OJ No L 86, 1. 4. 1992, p. 83.

<sup>(3)</sup> OJ No L 169, 18. 7. 1968, p. 1.

<sup>(4)</sup> OJ No L 187, 13. 7. 1991, p. 1.

<sup>(5)</sup> OJ No L 298, 12. 11. 1985, p. 9.

<sup>(6)</sup> OJ No L 349, 18. 12. 1991, p. 37.

<sup>(7)</sup> OJ No L 55, 1. 3. 1988, p. 31.

<sup>(8)</sup> OJ No L 14, 21. 1. 1992, p. 28.

<sup>(9)</sup> OJ No L 143, 10. 6. 1988, p. 23.

<sup>(10)</sup> OJ No L 320, 22. 11. 1991, p. 15.



**COMMISSION REGULATION (EEC) No 1271/92**  
**of 19 May 1992**  
**amending Regulation (EEC) No 3846/87 as regards the product nomenclature for**  
**export refunds on pigmeat**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organization of the market in pigmeat<sup>(1)</sup>, as last amended by Regulation (EEC) No 1249/89<sup>(2)</sup>, and in particular Article 15 (6) thereof,

Whereas a nomenclature for refunds was introduced by Commission Regulation (EEC) No 3846/87<sup>(3)</sup>, as last amended by Regulation (EEC) No 934/92<sup>(4)</sup>, whereas that nomenclature should be amended to take account of new technical developments regarding preparation and packing of primary cuts and parts thereof which are eligible for refunds;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

Sector 7 of the Annex to Regulation (EEC) No 3846/87 is hereby amended as follows:

Footnote (') is replaced by the following:

'(1) The products and parts thereof may be classified in this subheading only if the size and the characteristics of the coherent muscle tissue enable them to be identified as coming from the primary cuts mentioned. The expression "parts thereof" applies to products with a net unit weight of at least 100 grams or to products cut into uniform slices which can be clearly identified as coming from the primary cut mentioned and which are packed together with a net overall weight of at least 100 grams.';

*Article 2*

This Regulation shall enter into force on 1 June 1992.

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

Done at Brussels, 19 May 1992.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 282, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 129, 11. 5. 1989, p. 12.

<sup>(3)</sup> OJ No L 366, 24. 12. 1987, p. 1.

<sup>(4)</sup> OJ No L 101, 15. 4. 1992, p. 5.

**COMMISSION REGULATION (EEC) No 1272/92**  
**of 19 May 1992**  
**fixing the export refunds on fruit and vegetables**

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 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables<sup>(1)</sup>, as last amended by Regulation (EEC) No 1156/92<sup>(2)</sup>, and in particular Article 30 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 30 of Regulation (EEC) No 1035/72 provides that, to the extent necessary to allow economically significant quantities to be exported, the difference between prices in international trade for the products referred to in that Article and prices for the products within the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 2518/69 of 9 December 1969 laying down general rules for the granting of refunds on exports of fruit and vegetables and criteria for fixing their amounts<sup>(3)</sup>, as amended by Regulation (EEC) No 2455/72<sup>(4)</sup>, provides that when refunds are being fixed, account must be taken of the existing situation and future trends with regard to prices and availabilities of fruit and vegetables on the Community market on the one hand and prices in international trade on the other; whereas account must also be taken of the costs indicated in (b) of that Article and of the economic aspects of the proposed exports;

Whereas, pursuant to Article 3 of Regulation (EEC) No 2518/69, when prices on the Community market are being determined account must be taken of the prices which are most favourable from the exportation point of view; whereas, when prices in international trade are being determined, the quotations and prices referred to in paragraph 2 of that Article must be taken into account;

Whereas the situation with regard to international trade or the specific requirements of certain markets may make it necessary to vary the refund for a given product according to the destination of that product;

Whereas tomatoes, fresh lemons, fresh sweet oranges, apples, peaches and nectarines of the common quality standards 'Extra' Class, Class I and Class II, 'Extra' Class and Class I table grapes, almonds and hazelnuts, and

unshelled walnuts may at present be exported in economically significant quantities;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the correcting factor provided for in the last indent of Article 3 (1) of Council Regulation (EEC) No 1676/85<sup>(5)</sup> as last amended by Regulation (EEC) No 2205/90<sup>(6)</sup>,
- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the factor referred to in the preceding indent;

Whereas it follows from applying these detailed rules to the present market situation and to its future trends, and in particular to quotations and prices for fruit and vegetables in the Community and in international trade that the refunds should be as set out in the Annex hereto;

Whereas, for Spain and Portugal, the Act of Accession introduced transitional measures by phases and stages respectively;

Whereas where Spain and, from the beginning of the second stage of transition on 1 January 1990, Portugal are concerned when refunds are fixed, account is to be taken for each product in accordance with Articles 87 and 255 of the Act of Accession, of economically justified price differences;

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*

The export refunds on fruit and vegetables shall be as set out in column I of the Annex hereto. However, the refunds applicable on products harvested on the one part in Spain and on the other part in Portugal shall be those given in columns II and III of the Annex.

*Article 2*

This Regulation shall enter into force on 21 May 1992.

<sup>(1)</sup> OJ No L 118, 20. 5. 1972, p. 1.

<sup>(2)</sup> OJ No L 122, 7. 5. 1992, p. 3.

<sup>(3)</sup> OJ No L 318, 18. 12. 1969, p. 17.

<sup>(4)</sup> OJ No L 266, 25. 11. 1972, p. 7.

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

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

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

Done at Brussels, 19 May 1992.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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## ANNEX

to the Commission Regulation of 19 May 1992 fixing the export refunds on fruit and vegetables

(ECU/100 kg net)

Product code	Destination of refund (I)	Amounts of refunds		
		Community as constituted on 31 December 1985 (I)	Spain (II)	Portugal (III)
0702 00 10 100	05	4,50	—	1,19
0702 00 10 900	—	—	—	—
0702 00 90 100	05	4,50	—	1,19
0702 00 90 900	—	—	—	—
0802 12 90 000	05	9,67	9,67	9,67
0802 21 00 000	05	11,30	11,30	11,30
0802 22 00 000	05	21,80	21,80	21,80
0802 31 00 000	05	14,00	14,00	14,00
0805 10 11 100	01	11,00	8,78	5,99
	04	11,00	8,78	5,99
0805 10 11 300	01	11,00	8,78	5,99
	04	11,00	8,78	5,99
0805 10 11 900	—	—	—	—
0805 10 15 100	01	11,00	8,78	5,99
	04	11,00	8,78	5,99
0805 10 15 300	01	11,00	8,78	5,99
	04	11,00	8,78	5,99
0805 10 15 900	—	—	—	—
0805 10 19 100	01	11,00	8,78	5,99
	04	11,00	8,78	5,99
0805 10 19 300	01	11,00	8,78	5,99
	04	11,00	8,78	5,99
0805 10 19 900	—	—	—	—
0805 10 21 100	01	11,00	8,78	5,99
	04	11,00	8,78	5,99
0805 10 21 300	01	11,00	8,78	5,99
	04	11,00	8,78	5,99
0805 10 21 900	—	—	—	—
0805 10 25 100	01	11,00	8,78	5,99
	04	11,00	8,78	5,99
0805 10 25 300	01	11,00	8,78	5,99
	04	11,00	8,78	5,99
0805 10 25 900	—	—	—	—
0805 10 29 100	01	11,00	8,78	5,99
	04	11,00	8,78	5,99
0805 10 29 300	01	11,00	8,78	5,99
	04	11,00	8,78	5,99
0805 10 29 900	—	—	—	—
0805 10 31 100	01	11,00	8,78	5,99
	04	11,00	8,78	5,99
0805 10 31 300	01	11,00	8,78	5,99
	04	11,00	8,78	5,99
0805 10 31 900	—	—	—	—
0805 10 35 100	01	11,00	8,78	5,99
	04	11,00	8,78	5,99
0805 10 35 300	01	11,00	8,78	5,99
	04	11,00	8,78	5,99
0805 10 35 900	—	—	—	—

(ECU/100 kg net)

Product code	Destination of refund (1)	Amounts of refunds		
		Community as constituted on 31 December 1985 (I)	Spain (II)	Portugal (III)
0805 10 39 100	01	11,00	8,78	5,99
	04	11,00	8,78	5,99
0805 10 39 300	01	11,00	8,78	5,99
	04	11,00	8,78	5,99
0805 10 39 900	—	—	—	—
0805 10 41 100	01	11,00	8,78	5,99
	04	11,00	8,78	5,99
0805 10 41 300	01	11,00	8,78	5,99
	04	11,00	8,78	5,99
0805 10 41 900	—	—	—	—
0805 10 45 100	01	11,00	8,78	5,99
	04	11,00	8,78	5,99
0805 10 45 300	01	11,00	8,78	5,99
	04	11,00	8,78	5,99
0805 10 45 900	—	—	—	—
0805 10 49 100	01	11,00	8,78	5,99
	04	11,00	8,78	5,99
0805 10 49 300	01	11,00	8,78	5,99
	04	11,00	8,78	5,99
0805 10 49 900	—	—	—	—
0805 20 50 100	—	—	—	—
0805 20 50 900	—	—	—	—
0805 30 10 100	05	13,50	7,62	5,92
0805 30 10 900	—	—	—	—
0806 10 11 100	05	4,84	4,84	0,40
0806 10 11 300	05	4,84	4,84	0,40
0806 10 11 900	—	—	—	—
0806 10 15 100	05	4,84	4,84	0,40
0806 10 15 300	05	4,84	4,84	0,40
0806 10 15 900	—	—	—	—
0806 10 19 100	05	4,84	4,84	0,40
0806 10 19 300	05	4,84	4,84	0,40
0806 10 19 900	—	—	—	—
0808 10 91 100	—	—	—	—
0808 10 91 910	02	6,50	—	1,58
0808 10 91 990	—	—	—	—
0808 10 93 100	—	—	—	—
0808 10 93 910	02	6,50	—	1,58
0808 10 93 990	—	—	—	—
0808 10 99 100	—	—	—	—
0808 10 99 910	02	6,50	—	1,58
0808 10 99 990	—	—	—	—
0809 30 00 110	03	5,00	3,79	5,00
0809 30 00 190	—	—	—	—
0809 30 00 900	03	5,00	5,00	5,00

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

- 01 Poland, Czechoslovakia, Hungary, Romania, Bulgaria, Albania, Estonia, Latvia, Lithuania, Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine, Uzbekistan and Yugoslavia as constituted on 1 January 1991,
  - 02 Sweden, Norway, Iceland, Austria, the Faroe Islands, Finland, Greenland, Malta, Syria, Poland, Czechoslovakia, Hungary, Romania, Bulgaria, Albania, Estonia, Latvia, Lithuania, Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine, Uzbekistan, Yugoslavia as constituted at 1 January 1991, Bolivia, Brazil, Venezuela, Peru, Panama, Equador, Colombia, the countries and territories of Africa other than South Africa, countries of the Arabian peninsula (Saudi Arabia, Bahrein, Qatar, Oman, the United Arab Emirates (Abu Dhabi, Dubai, Sharjah, Ajman, Umm, al Qaiwain, Fujairah and Ras al Khaimah), Yemen), Iran and Jordan,
  - 03 all destinations excluding Switzerland, Austria and that part of Community territory located outside the customs territory of the Community,
  - 04 Austria, Switzerland, Finland, Sweden, Greenland, Norway, Iceland and Malta,
  - 05 All destinations excepting that part of Community territory located outside the customs territory of the Community.
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## COMMISSION REGULATION (EEC) No 1273/92

of 19 May 1992

## abolishing the countervailing charge on fresh lemons originating in Cyprus

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 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables<sup>(1)</sup>, as last amended by Regulation (EEC) No 1156/92<sup>(2)</sup>, and in particular the second subparagraph of Article 27 (2) thereof,Whereas Commission Regulation (EEC) No 1053/92<sup>(3)</sup>, as amended by Regulation (EEC) No 1200/92<sup>(4)</sup>, introduced a countervailing charge on fresh lemons originating in Cyprus;

Whereas for this product originating in Cyprus there were no prices for six consecutive working days; whereas the

conditions specified in Article 26 (1) of Regulation (EEC) No 1035/72 are therefore fulfilled and the countervailing charge on imports of fresh lemons originating in Cyprus can be abolished,

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EEC) No 1053/92 is hereby repealed.

*Article 2*

This Regulation shall enter into force on 20 May 1992.

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

Done at Brussels, 19 May 1992.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*<sup>(1)</sup> OJ No L 118, 20. 5. 1972, p. 1.<sup>(2)</sup> OJ No L 122, 7. 5. 1992, p. 3.<sup>(3)</sup> OJ No L 111, 29. 4. 1992, p. 14.<sup>(4)</sup> OJ No L 124, 9. 5. 1992, p. 35.

**COMMISSION REGULATION (EEC) No 1274/92****of 19 May 1992****abolishing a countervailing charge on tomatoes originating in Bulgaria**

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 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables <sup>(1)</sup>, as last amended by Regulation (EEC) No 1156/92 <sup>(2)</sup>, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 1139/92 <sup>(3)</sup> introduced a countervailing charge on tomatoes originating in Bulgaria;

Whereas for tomatoes originating in Bulgaria there were no prices for six consecutive working days; whereas the

conditions specified in Article 26 (1) of Regulation (EEC) No 1035/72 are therefore fulfilled and the countervailing charge on imports of tomatoes originating in Bulgaria can be abolished,

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EEC) No 1139/92 is hereby repealed.

*Article 2*

This Regulation shall enter into force on 20 May 1992.

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

Done at Brussels, 19 May 1992.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 118, 20. 5. 1972, p. 1.

<sup>(2)</sup> OJ No L 122, 7. 5. 1992, p. 3.

<sup>(3)</sup> OJ No L 120, 5. 5. 1992, p. 33.



## COMMISSION REGULATION (EEC) No 1275/92

of 19 May 1992

## fixing the import levies on white sugar and raw sugar

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector<sup>(1)</sup>, as last amended by Regulation (EEC) No 61/92<sup>(2)</sup>, and in particular Article 16 (8) thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 366/92<sup>(3)</sup>, as last amended by Regulation (EEC) No 1251/92<sup>(4)</sup>;

Whereas it follows from applying the detailed rules contained in Commission Regulation (EEC) 366/92 to the information known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto;

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

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

the last subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85<sup>(5)</sup>, as last amended by Regulation (EEC) No 2205/90<sup>(6)</sup>,

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

Whereas these exchange rates being those recorded on 18 May 1992,

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 20 May 1992.

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

Done at Brussels, 19 May 1992.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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

<sup>(2)</sup> OJ No L 6, 11. 1. 1992, p. 19.

<sup>(3)</sup> OJ No L 39, 15. 2. 1992, p. 28.

<sup>(4)</sup> OJ No L 131, 16. 5. 1992, p. 8.

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

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

## ANNEX

to the Commission Regulation of 19 May 1992 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy <sup>(1)</sup>
1701 11 10	38,44 <sup>(1)</sup>
1701 11 90	38,44 <sup>(1)</sup>
1701 12 10	38,44 <sup>(1)</sup>
1701 12 90	38,44 <sup>(1)</sup>
1701 91 00	44,74
1701 99 10	44,74
1701 99 90	44,74 <sup>(2)</sup>

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

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

<sup>(3)</sup> No import levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC. However, an amount equal to the amount fixed by Regulation (EEC) No 1870/91 B to be levied in accordance with Article 101 (4) of the abovementioned Decision.

## II

*(Acts whose publication is not obligatory)*

## COUNCIL

## COUNCIL DIRECTIVE 92/38/EEC

of 11 May 1992

on the adoption of standards for satellite broadcasting of television signals

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 100a thereof,

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

In cooperation with the European Parliament <sup>(2)</sup>,

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

Whereas Article 3 of Council Directive 86/529/EEC of 3 November 1986 on the adoption of common technical specifications of the MAC/packet family of standards for direct satellite television broadcasting <sup>(4)</sup> made provision for the adoption of measures to replace that Directive ;

Whereas the Community, through Decision 89/337/EEC <sup>(5)</sup> and Decision 89/630/EEC <sup>(6)</sup>, recognized the strategic importance of high-definition television (HDTV) for the European consumer electronics industry and for the European television and film industries, and established the strategy framework for the introduction of HDTV services in Europe ;

Whereas Directive 86/529/EEC, in particular in Article 2, established a dual regime by limiting the application of the Directive to one type of satellite, and, as a result, a dual market appeared with the use of MAC standards in broadcasting satellite service (BSS) and mainly PAL and Secam in fixed satellite service (FSS) ; whereas this should be avoided in the future in order to prevent a split in the satellite market ;

Whereas, in order to reach Community goals as set out in the abovementioned Decisions and to contribute to the achievement of an internal market, as provided for in Article 8 (a) of the Treaty, in satellite broadcasting of television signals, it is necessary to take steps to create a convergence of standards, using in parallel a regulatory instrument and an agreement between major actors in the market ;

Whereas it is in the best interests of European consumers to follow a path towards HDTV based on the criteria of compatibility and evolution, in order to avoid discontinuities and duplication of investments ;

Whereas HD-MAC has been developed as the European transmission standard for HDTV services based on those criteria of compatibility and evolution and D2-MAC offers the best available path towards the development of HDTV with wide-screen 16 : 9 D2-MAC as the main step in that direction ;

Whereas there is a need to establish common standards for satellite transmission as an enabling element for effective free-market competition, taking into account the fact that standards promote competitiveness by lowering costs for producers, shaping customer preferences for products by their familiarity and giving rise to the emergence of new markets, particularly for developing technologies, where they are becoming a pre-condition for industrial production or marketing ;

Whereas services for satellite television broadcasting using 4 : 3 aspect ratio format should not be forced to a compulsory stop or change so as not to jeopardize the present market or inconvenience users ; whereas, however, incentives may be provided, through a parallel legal instrument, in order to support, in addition, the use of the D2-MAC standard, in particular in 16 : 9 format, *inter alia* through simultaneous transmissions ('simulcast') ;

Whereas it is important that, from a certain date on, new services, that is to say services that are not extensions of existing services, will transmit in the D2-MAC norm ;

<sup>(1)</sup> OJ No C 194, 25. 7. 1991, p. 20 and OJ No C 332, 21. 12. 1991, p. 13.

<sup>(2)</sup> OJ No C 326, 16. 12. 1991, p. 71 and OJ No C 94, 13. 4. 1992.

<sup>(3)</sup> OJ No C 40, 17. 2. 1992, p. 101.

<sup>(4)</sup> OJ No L 311, 6. 11. 1986, p. 28.

<sup>(5)</sup> OJ No L 142, 25. 5. 1989, p. 1.

<sup>(6)</sup> OJ No L 363, 13. 12. 1989, p. 30.

Whereas it is vital to ensure that audiovisual programmes adapted to the new 16 : 9 format are available in sufficient quantity and quality and provide therefore, where appropriate, through a parallel legal instrument, for Community financial incentives ;

Whereas, in the medium term, the capacity of satellite systems is limited and, as a result, the scope for the simulcast transmissions of programmes in different standards is also limited ; it will be necessary to make a selection of programmes for such transmissions ;

Whereas satellite television transmissions not receivable within the Community by domestic satellite receiving equipment and occasional transmissions are not covered by the obligations of this Directive ;

Whereas, in the interests of the consumer, it is necessary to establish a common conditional access system compatible with D2-MAC and HD-MAC, without hampering the technological development of these systems ; whereas, therefore, the best solution is a system consisting of a common-access unit to which one or more smart cards can be added ;

Whereas the Commission has expressed its intention to issue a mandate to a European standardization organization for the development of a European standard for conditional access to encrypted satellite broadcasts ;

Whereas the said standard shall in principle allow for the use of more than one conditional-access encryption system, subject to the following objectives :

- that the standard shall incorporate, or refer to, a standard for a consumer conditional-access unit,
- that any conditional-access encryption system conforming to the standard shall be fully compatible with the abovementioned consumer access unit,
- that the standard shall be backwards compatible with equipment placed on the market prior to the adoption of this Directive for use with any system fully compatible with D2-MAC,
- that the standards shall allow for the updating of encryption methods from time to time without replacement or modification of the consumer conditional-access unit ;

Whereas cable TV networks and their technical capabilities as defined by the Member States are a relevant feature in the television infrastructure of many Member States and will be of crucial importance to the future of HDTV services ;

Whereas master antenna systems as defined by Member States are not affected by this Directive ;

Whereas Decision 89/337/EEC called for an action plan for the introduction of HDTV to be prepared in close

coordination at Community level between the Commission, the Member States and the European industry ;

Whereas it is essential that there should be complete agreement between broadcasters, satellite operators, manufacturers and cable operators on the introduction, as soon as possible, of 16 : 9 D2-MAC services in conformity with the objectives set out in Decision 89/337/EEC ; whereas such agreement might be reached by means of a Memorandum of Understanding ;

Whereas the said Memorandum of Understanding will set out the obligations of the respective parties for the development and promotion of 16 : 9 D2-MAC services in Europe in accordance with the terms and provisions of this Directive and will constitute an integral part of the overall strategy for the introduction of HDTV ;

Whereas European research efforts must remain in the forefront of all new significant developments, such as a trend towards digital television broadcasting emissions ; whereas Europe has to consolidate its research efforts through collaboration and in the framework of Community research programmes ;

Whereas a strategy for the introduction of HDTV has been laid down at Community level and European undertakings have made significant investments involving many jobs ;

Whereas, in view of the foreseeable technical progress in this sector, account should now be taken of any subsequent developments of the existing systems and provision made for an eventual review of this Directive ;

Whereas it is in the general interest, as well as in the interest of the major actors in the market, that this Directive should be put into application at the earliest possible date ;

Whereas it is necessary to evaluate this Directive at regular intervals ; whereas such evaluation should take into account all relevant market factors, including the services at the time of the evaluation,

HAS ADOPTED THIS DIRECTIVE :

#### *Article 1*

Member States shall take all appropriate measures to promote and support the introduction and development of advanced satellite broadcasting services for television programmes, using the HD-MAC standard for not completely digital high-definition television transmission and the D2-MAC standard for other not completely digital transmission in the 16 : 9 aspect ratio format.

*Article 2*

1. For any transmission of a television service in the high-definition television format that is not completely digital, only the HD-MAC standard may be used.

Completely digital transmissions receivable by viewers using domestic satellite receiving equipment, even if such transmissions are intended to be redistributed by cable networks, may use only a system standardized by the European Telecommunications Standards Institute (ETSI) but are otherwise not covered by this Directive.

2. For any not completely digital transmission of a 625 line satellite television service receivable by viewers using domestic satellite receiving equipment, even if such transmissions are intended to be redistributed by cable networks :

- in respect of any service in the 16:9 aspect ratio format, only the D2-MAC standard may be used,
- in respect of any other service starting after 1 January 1995, the D2-MAC standard must be used. These services may also be transmitted simultaneously in PAL, SECAM or D-MAC. This provision will take effect only three months after adoption by the Council of a proposal from the Commission, based on the appropriate Article of the Treaty, to provide financial support for the said services.

*Article 3*

As regards services other than those referred to in Article 2, efforts geared to the widespread introduction up to 1 January 1995 of transmissions using the D2-MAC standard, with an increasing share of 16:9, will be made as from 1992 by means of appropriate measures. Without prejudice to Article 7, the Commission will submit proposals as from 30 June 1992, and not later than 31 December 1993, in order to implement all the appropriate measures required for the widest possible broadcasting in D2-MAC.

*Article 4*

Member States shall take all measures to ensure that, as from 1 January 1994, all new television sets and all new domestic satellite receivers and video-recorders for sale or rent in the Community :

- in respect of all television sets with 16:9 format, possess a D2-MAC decoder,
- in respect of all other such equipment except miniature television sets, possess at least a standardized socket as standardized by Cenelec by means of which a D2-MAC decoder may be connected to the equipment permitting an open interface standard.

*Article 5*

Member States shall take appropriate measures to ensure that :

- any new TV cable redistribution system, or any existing TV cable redistribution system having the necessary technical capability, shall be configured in such a way that HD-MAC signals can be transmitted through the network from head-end to individual homes,
- if cable operators decide the redistribution by cable of programmes received by them using the 16:9 aspect ratio format and the D2-MAC standard or the HD-MAC standard, operators shall distribute these programmes using the 16:9 aspect ratio format and the D2-MAC or HD-MAC standard.

*Article 6*

In the case of all services using the D2-MAC standard, which are encrypted and employ a conditional access system, Member States shall take all the necessary measures to ensure that only a conditional access system fully compatible with D2-MAC and standardized as such by a European standardization organization by 1 July 1993 is used.

*Article 7*

1. This Directive shall apply until 31 December 1998.

2. Before 1 January 1994 and every two years thereafter, the Commission shall submit to the European Parliament, to the Council and to the Economic and Social Committee a report on the effects of the application of this Directive, on the evolution of the market, in particular on market penetration measured by objective criteria, and the use of the Community funding. If necessary, the Commission shall make proposals to the Council to adapt this Directive to these developments.

3. Before 1 January 1995 the Commission shall submit, if necessary, proposals to the Council on a policy of standardization for HDTV, in accordance with the objective of achieving total harmonization of all television broadcasting media, whether analogue or digital, by satellite, cable or terrestrial redistribution. These proposals should take into account the results of European collaboration in research and development and the work of the relevant standardizing organizations in Europe and relevant interest groups.

*Article 8*

The rules laid down in this Directive shall be accompanied by commercial measures based on the signing, by the parties concerned, of a Memorandum of Understanding coordinating the actions of the various signatories and, where appropriate, by simultaneous measures designed to support the creation of a European market for the D2-MAC, 16:9 and HD-MAC standards.

*Article 9*

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive no later than six months after the date of its notification except for the obligations in the second indent of Article 2 (2). They shall forthwith inform the Commission thereof.

2. When Member States adopt these provisions, they shall contain a reference to this Directive or shall be accompanied by such reference at the time of their official publication. The procedure for such reference shall be adopted by Member States.

3. Member States shall communicate to the Commission the texts of the provisions of national law which they adopt in the field governed by this Directive.

*Article 10*

This Directive is addressed to the Member States.

Done at Brussels, 11 May 1992.

*For the Council*

*The President*

João PINHEIRO

**COUNCIL DECISION**

of 11 May 1992

**on the introduction of a standard international telephone access code in the Community**

(92/264/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 100a thereof,

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

In cooperation with the European Parliament <sup>(2)</sup>,

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

Whereas the telephone service is the most important telecommunications means in the Community and easy access to international telephone services is vital for European citizens and European businesses;

Whereas at present different telephone access codes are required in the Member States for access to public international telephone services;

Whereas this situation complicates unduly use of these services in a professional or private capacity for citizens travelling in the Member States;

Whereas access to telephone services is provided for in all Member States by law, regulation, or administrative action; whereas continuing divergent developments in access to international telephone services due to different international telephone access codes must be avoided;

Whereas, therefore, the harmonization of the international telephone access code in the Community would promote the establishment and functioning of the internal market;

Whereas the European Conference of Postal and Telecommunications Administrations (CEPT) has advocated in its recommendation T/SF 1 of 1976 the use of the prefix 00 as the standard international telephone access code;

Whereas this recommendation has been followed by only six Member States;

Whereas all Member States will find it possible to devise a plan to make the 00 code available;

Whereas several Member States have already introduced 00 as the international telephone access code or could do so by the end of 1992;

Whereas the introduction of this code could cause serious difficulties for other Member States, since they would need to make unplanned changes or to advance plans already made; whereas, therefore, a certain measure of flexibility is needed in the time schedule to allow these Member States to carry out the necessary adjustments;

Whereas the introduction of the 00 code will, however, be possible by 1998, even in Member States where difficulties exist;

Whereas these Member States should, nevertheless, do their best to introduce the 00 code by a date which is as close as possible to 1992;

Whereas special arrangements for making calls between adjacent locations across borders between Member States may be established or continued,

HAS ADOPTED THIS DECISION:

*Article 1*

Member States shall ensure that the 00 code is introduced in public telephone networks as the standard international telephone access code.

*Article 2*

The standard international telephone access code shall be introduced by 31 December 1992 at the latest, except as provided for in Article 3.

*Article 3*

Should a telecommunications organization in a Member State experience particular technical, financial or organizational difficulties in introducing the standard international telephone access code by the date laid down in Article 2, the Member State in question shall inform the Commission accordingly.

The Member State concerned shall communicate to the Commission, within the three months following notification of this Decision, with adequate explanations and justification, a new date for the introduction of the standard international telephone access code which, however, shall not be later than 31 December 1998.

<sup>(1)</sup> OJ No C 157, 15. 6. 1991, p. 6.

<sup>(2)</sup> OJ No C 326, 16. 11. 1991, p. 120 and  
OJ No C 94, 13. 4. 1992.

<sup>(3)</sup> OJ No C 269, 14. 10. 1991, p. 33.

*Article 4*

1. Special arrangements for making calls between adjacent locations across borders between Member States may be established or continued.

2. The telephone subscribers in the locations concerned shall be fully informed of the arrangements referred to in paragraph 1.

*Article 5*

This Decision is addressed to the Member States.

Done at Brussels, 11 May 1992.

*For the Council*

*The President*

João PINHEIRO

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# COMMISSION

## COMMISSION DECISION

of 18 May 1992

concerning the importation into the Community of live pigs, porcine semen, fresh pigmeat and pigmeat products from Austria and repealing Decision 90/90/EEC

(92/265/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 90/675/EEC of 10 December 1990 laying down the principles governing the organization of veterinary checks on products entering the Community from third countries<sup>(1)</sup>, as last amended by Directive 91/496/EEC<sup>(2)</sup>, and in particular Article 19 thereof,

Having regard to Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organization of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC, as last amended by Council Directive 91/628/EEC<sup>(3)</sup>, and in particular Article 18 thereof,

Having regard to Council Directive 90/429/EEC of 26 June 1990 laying down the animal health requirements applicable to intra-Community trade in and imports of semen of domestic animals of the porcine species<sup>(4)</sup> and in particular Article 15 thereof,

Whereas imports from Austria into the Member States of live pigs, fresh pigmeat and certain pigmeat products are suspended in accordance with Commission Decision 90/90/EEC<sup>(5)</sup>, as last amended by Decision 92/40/EEC<sup>(6)</sup>;

Whereas the abovementioned imports from Vorarlberg, Tyrol, Salzburg, Upper Austria, Kärnten and Burgenland are no longer suspended in accordance with Decision 92/40/EEC;

Whereas an outbreak of classical swine fever has been declared in the Land Kärnten; whereas such imports should be temporarily suspended from this Land;

Whereas the occurrence of classical swine fever is liable to endanger the herds of Member States, in view of trade in live pigs, porcine semen, fresh pigmeat and certain meat-based pork products;

Whereas in the interest of clarity Decision 90/90/EEC should therefore be repealed and a consolidated text adopted;

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

HAS ADOPTED THIS DECISION:

### Article 1

1. Imports from Austria into Member States of live animals of porcine species, of fresh meat from these animals and of pigmeat products other than those meat products which have undergone one of the following treatments:

- (a) heat treatment carried out in hermetically sealed container with an Fc value of 3,00 or more;
- (b) heat treatment of a type different from that referred to in (a) in which the centre temperature is raised to at least 70 °C;
- (c) treatment consisting in natural fermentation and maturation of not less than nine months for hams weighing not less than 5,5 kilograms and having the following characteristics:

- aW value of not more than 0,93,
- pH value of not more than 6.

are hereby prohibited.

<sup>(1)</sup> OJ No L 373, 31. 12. 1990, p. 1.

<sup>(2)</sup> OJ No L 268, 24. 9. 1991, p. 56.

<sup>(3)</sup> OJ No L 340, 11. 12. 1991, p. 17.

<sup>(4)</sup> OJ No L 224, 18. 8. 1990, p. 62.

<sup>(5)</sup> OJ No L 61, 10. 3. 1990, p. 21.

<sup>(6)</sup> OJ No L 16, 23. 1. 1992, p. 19.

2. Imports from Austria into Member States of porcine semen is hereby prohibited;

*Article 2*

Decision 90/90/EEC is hereby repealed.

3. The model certificate as laid down in Annex A of Commission Decision 91/449/EEC<sup>(1)</sup> should be annotated in according to paragraph 1 above as regards importation of pig meat products;

*Article 3*

This Decision is addressed to the Member States.

Done at Brussels, 18 May 1992.

4. The prohibition on imports referred to in paragraphs 1 and 2 shall not apply to the Länder Vorarlberg, Tirol, Salzburg, Upper Austria and Burgenland.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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<sup>(1)</sup> OJ No L 240, 29. 8. 1991, p. 28.