

Official Journal

of the European Communities

ISSN 0378-6978

L 375

Volume 33

31 December 1990

English edition

Legislation

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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EURATOM, ECSC, EEC) No 3911/90

of 21 December 1990

adapting the representation and special-duty allowances for the President and Members of the Commission, the President, Judges, Advocates-General and Registrar of the Court of Justice and the President, Members and Registrar of the Court of First Instance

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

— President: Bfrs 53 095,
— Vice-President: Bfrs 34 120,
— Other Members: Bfrs 22 750;

Having regard to Council Regulation No 422/67/EEC, No 5/67/Euratom of 25 July 1967 determining the emoluments of the President and Members of the Commission, of the President, Judges, Advocates-General and Registrar of the Court of Justice and of the President, Members and Registrar of the Court of First Instance⁽¹⁾, as last amended by Regulation (EEC/Euratom/ECSC) No 3777/89⁽²⁾, and in particular Article 4 (4) thereof,

(b) the amounts listed in the first subparagraph of Article 4 (3) of Regulation No 422/67/EEC, No 5/67/Euratom shall be as follows:

— President: Bfrs 53 095,
— Judge or Advocate-General: Bfrs 22 750,
— Registrar: Bfrs 20 750;

Having regard to Council Regulation (ECSC/EEC/Euratom) No 4045/88 of 19 December 1988 laying down the emoluments of the President, Members and Registrar of the Court of First Instance of the European Communities⁽³⁾, and amending accordingly Regulation No 422/67/EEC, No 5/67/Euratom,

(c) the amount listed in the second subparagraph of Article 4 (3) of Regulation No 422/67/EEC, No 5/67/Euratom shall be replaced by Bfrs 30 355.

Whereas the representation and special-duty allowances provided for under Article 4 (2) and (3) and Article 21a (3) of Regulation No 422/67/EEC, No 5/67/Euratom should be increased,

Article 2

With effect from 1 July 1990:

(a) the amounts listed in the first subparagraph of Article 21a (3) of Regulation No 422/67/EEC, No 5/67/Euratom shall be as follows:

— President: Bfrs 22 750,
— Members: Bfrs 20 750,
— Registrar: Bfrs 17 645;

(b) the amount listed in the second subparagraph of Article 21a (3) shall be replaced by Bfrs 27 685.

HAS ADOPTED THIS REGULATION:

Article 1

With effect from 1 July 1990:

(a) the amounts listed in Article 4 (2) of Regulation No 422/67/EEC, No 5/67/Euratom shall be as follows:

Article 3

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

⁽¹⁾ OJ No L 187, 8. 8. 1967, p. 1.

⁽²⁾ OJ No L 367, 16. 12. 1989, p. 1.

⁽³⁾ OJ No L 356, 24. 12. 1988, p. 1.

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

Done at Brussels, 21 December 1990.

For the Council

The President

A. RUBERTI

COUNCIL REGULATION (EURATOM, ECSC, EEC) No 3912/90

of 21 December 1990

fixing the weightings applicable to the remuneration of officials posted in third countries

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Whereas a specific weighting should be fixed for New York,

Having regard to the Treaty establishing a Single Council and a Single Commission of the European Communities,

HAS ADOPTED THIS REGULATION:

Having regard to the Staff Regulations of officials and the conditions of employment of other servants of the European Communities laid down by Regulation (EEC, Euratom, ECSC) No 259/68 ⁽¹⁾, as last amended by Regulation (Euratom, ECSC, EEC) No 2258/90 ⁽²⁾, and in particular Article 13 of Annex X thereto,

Article 1

With effect from 1 July 1990, the weightings applicable to remuneration payable in the currency of the country of employment shall be fixed as shown in the Annex.

Having regard to the proposal from the Commission,

The exchange rates for the payment of such remuneration shall be those used for implementation of the general budget of the European Communities during the month preceding the date mentioned in the first subparagraph.

Whereas, to take account of changes in the cost of living in third countries, weightings applicable to the remuneration payable in the currency of the country of employment to the officials posted in third countries should be fixed with effect from 1 July 1990;

Article 2

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

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

Done at Brussels, 21 December 1990.

*For the Council**The President*

A. RUBERTI

⁽¹⁾ OJ No L 56, 4. 3. 1968, p. 1.

⁽²⁾ OJ No L 204, 2. 8. 1990, p. 1.

ANNEX

Country of employment	Weightings applicable with effect from 1 July 1990	Country of employment	Weightings applicable with effect from 1 July 1990
Algeria	72,9100000	Mauritania	120,8200000
Angola	90,4700000	Mauritius	52,8000000
Antigua and Barbuda	87,8800000	Mexico	48,1800000
Australia	97,8800000	Morocco	60,9000000
Austria	110,6600000	Mozambique	12,8600000
Bahamas	97,0800000	Namibia (*)	0,0000000
Bangladesh	48,9000000	Netherlands Antilles	104,5600000
Barbados	87,3200000	New Caledonia	139,1300000
Belize	85,4600000	Niger	103,8700000
Benin	89,5000000	Nigeria	52,8000000
Botswana	55,3000000	Norway	139,9800000
Brazil	109,2700000	Pakistan	36,3300000
Burkina Faso	86,9600000	Papua New Guinea	79,4400000
Burundi	65,1900000	Peru	170,4200000
Cameroon	105,5800000	Philippines	77,6500000
Canada	84,6800000	Poland	11,8300000
Central African Republic	148,9900000	Republic of Cape Verde	84,2000000
Chad	140,2100000	Rwanda	102,6200000
Chile	45,2500000	Sao Tome and Principe (*)	0,0000000
China	53,8100000	Senegal	113,7700000
Comoros	133,4200000	Seychelles	153,3000000
Congo	125,8200000	Sierra Leone	52,3700000
Costa Rica	59,7100000	Solomon Islands	70,8000000
Cyprus	70,7400000	Somalia	24,3700000
Djibouti	139,0800000	South Korea	90,6000000
Dominican Republic	35,2600000	Sudan	233,1900000
Egypt	53,7700000	Surinam	132,3000000
Equatorial Guinea	119,8600000	Swaziland	44,0500000
Ethiopia	73,7400000	Sweden	125,6500000
Fiji	55,0700000	Switzerland	139,3200000
Gabon	147,8200000	Syria	155,9900000
Gambia	60,4000000	Tanzania	27,8100000
Ghana	30,1700000	Thailand	51,9600000
Grenada	88,5300000	Togo	101,3800000
Guinea	36,7100000	Tonga	95,7300000
Guinea Bissau	37,5900000	Trinidad and Tobago	74,3300000
Guyana	12,6600000	Tunisia	48,1200000
Haiti	77,8700000	Turkey	59,4300000
Hungary	54,2900000	Uganda	89,0800000
India	30,6800000	United States of America (New York)	91,1200000
Indonesia	70,4500000	United States of America (Washington)	84,5500000
Israel	78,4900000	Uruguay	45,4600000
Ivory Coast	128,9900000	USSR (*)	0,0000000
Jamaica	59,9300000	Vanuatu	77,6400000
Japan	137,9700000	Venezuela	64,2400000
Jordan	62,1700000	Western Samoa	61,7700000
Kenya	50,2100000	Yugoslavia	104,4300000
Lebanon	30,2900000	Zaire	65,1600000
Lesotho	55,0000000	Zambia	40,4700000
Liberia	82,5600000	Zimbabwe	43,1700000
Madagascar	40,3100000		
Malawi	57,9600000		
Mali	98,4100000		
Malta	71,2300000		

(*) Not available

COUNCIL REGULATION (EEC) No 3913/90

of 21 December 1990

opening and providing for the administration of Community tariff quotas for certain chemical products (1991)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 28 thereof,

Having regard to the proposal from the Commission,

Whereas production in the Community of certain chemical products will remain insufficient in the course of 1991 to meet the specific requirements of the user industries in the Community; whereas, consequently, Community supplies of products of this type will depend to a considerable extent on imports from third countries; whereas the most urgent Community requirements for the products in question should be met immediately on the most favourable terms; whereas Community tariff quotas at zero duty should therefore be opened within the limits of appropriate volumes for a period up to 30 June or 31 December 1991 taking account of the need not to disturb the markets for such products nor the starting out or development of Community production;

Whereas it is necessary, in particular, to ensure for all Community importers equal and uninterrupted access to the said quotas and to ensure the uninterrupted application of the rates laid down for the quotas to all imports of the

products concerned into all Member States until the quotas have been used up;

Whereas it is appropriate to take the necessary measures to ensure efficient Community administration of these tariff quotas while offering the Member States the opportunity to draw from the quota volumes the necessary quantities corresponding to actual imports; whereas this method of administration requires close cooperation between the Member States and the Commission and the latter must in particular be able to monitor the rate at which the quotas are used up and inform the Member States accordingly;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, all transactions concerning the administration of the quantities drawn by that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. The customs duties applicable to imports of the following products shall be suspended during the periods, at the levels and within the limits of the Community tariff quotas shown below:

Order No	CN code (a)	Description	Quota period	Quota volume	Rate of duty (%)
09.2803	ex 3004 50 90	Calcium folinate (INN)	from 1 January to 31 December 1991	32 kg	0
09.2805	ex 3004 90 99	Methotrexate (INN)	from 1 January to 31 December 1991	37 kg	0
09.2807	ex 2930 90 80	Blend of isomers and 3,5 dimethyl-thiotoluenediamine	from 1 January to 30 June 1991	65 tonnes	0
09.2809	ex 3802 90 00	Acid-activated montmorillonite for the manufacture of self-copy paper ⁽¹⁾	from 1 January to 31 December 1991	8 500 tonnes	0
09.2811	ex 2902 90 90	4-Benzylbiphenyl	from 1 January to 31 December 1991	75 tonnes	0
09.2813	ex 3815 90 00	Catalyst, in the form of small cylindrical pellets, having a length of not less than 5 mm and not more than 8 mm, consisting of a mixture of oxides of molybdenum and bismuth, for use in the manufacture of acrylic acid ⁽¹⁾	from 1 January to 31 December 1991	50 tonnes	0
09.2815	ex 3823 90 98	Mixtures of sucrose stearate	from 1 January to 31 December 1991	51 tonnes	0

(a) See Taric codes in the Annex.

⁽¹⁾ Checks on their prescribed end-use shall be carried out pursuant to the relevant Community provisions.

2. Within the limits of these tariff quotas the Kingdom of Spain and the Portuguese Republic shall apply customs duties calculated in accordance with the relevant provisions of the 1985 Act of Accession.

Article 2

The tariff quotas referred to in Article 1 shall be managed by the Commission, which may take any appropriate administrative measures to ensure that they are managed efficiently.

Article 3

Where an importer presents a product covered by this Regulation for release for free circulation in a Member State, applying to take advantage of the preferential arrangements, and the entry is accepted by the customs authorities, the Member State concerned shall, by notifying the Commission, draw an amount corresponding to its requirements from the appropriate quota volume.

Requests for drawings, indicating the date on which the entries were accepted, must be sent to the Commission without delay.

Drawings shall be granted by the Commission in chronological order of the dates on which the customs authorities of the Member States concerned accepted the

entries for release for free circulation, to the extent that the available balance so permits.

If a Member State does not use a drawing in full it shall return any unused portion to the corresponding quota volume as soon as possible.

If the quantities requested are greater than the available balance of the quota volume, the balance shall be allocated among applicants pro rata. The Commission shall inform the Member States of the drawings made.

Article 4

Each Member State shall ensure that importers of the products in question have equal and continuous access to the quotas for as long as the balance of the relevant quota volume so permits.

Article 5

The Member States and the Commission shall cooperate closely to ensure that this Regulation is complied with.

Article 6

This Regulation shall enter into force on 1 January 1991.

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

Done at Brussels, 21 December 1990.

For the Council

The President

A. RUBERTI

ANNEX

Taric codes

Order No	CN code	Taric code
09.2803	ex 3004 50 90	*10
09.2805	ex 3004 90 99	*25
09.2807	ex 2930 90 80	*12
09.2809	ex 3802 90 00	*10
09.2811	ex 2902 90 90	*50
09.2813	ex 3815 90 00	*55
09.2815	ex 3823 90 98	*41

COUNCIL REGULATION (EEC) No 3914/90

of 21 December 1990

amending Regulation (EEC) No 3164/76 concerning access to the market in the international carriage of goods by road

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Community quota should be allocated to the Member States on a linear basis,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 75 thereof,

HAS ADOPTED THIS REGULATION:

Having regard to the proposal from the Commission ⁽¹⁾,Having regard to the opinion of the European Parliament ⁽²⁾,Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas under Article 3 (3) of Regulation (EEC) No 3164/76 ⁽⁴⁾, as last amended by Regulation (EEC) No 1053/90 ⁽⁵⁾, the Council is required to take a decision on the increase, from 1990, in the Community quota for the carriage of goods by road between Member States;

Whereas Article 4a of Regulation (EEC) No 3164/76 provides for abolition of all quotas, including the Community quota, from 1 January 1993;

Whereas, by Regulation (EEC) No 1053/90, the Council increased the Community quota by 40 % for 1990;

Whereas to ensure that the changeover to the new system applicable from 1993 is as smooth as possible and does not disturb the market, and to achieve freedom to provide road haulage services between Member States, the Community quota should be increased by 40 % both in 1991 and 1992;

Whereas, as in 1989 and 1990, the number of authorizations resulting from the increase in the

Article 1

Article 3 (1) and (2) of Regulation (EEC) No 3164/76 is hereby replaced by the following:

'1. For 1991 and 1992 the total number of Community authorizations allocated to the Member States as a whole in the context of the Community quota shall be 47 094 and 65 936 respectively.

The number of Community authorizations allocated to each of the Member States shall be as follows:

	1991	1992
Belgium	4 086	5 721
Denmark	3 964	5 550
Germany	6 516	9 123
Greece	1 808	2 532
Spain	4 237	5 932
France	5 540	7 756
Ireland	1 843	2 581
Italy	5 550	7 770
Luxembourg	1 904	2 666
Netherlands	5 775	8 085
Portugal	2 399	3 359
United Kingdom	3 472	4 861

Article 2

This Regulation shall enter into force on 1 January 1991.

⁽¹⁾ OJ No C 316, 16. 12. 1989, p. 6.

⁽²⁾ OJ No C 96, 17. 4. 1990, p. 333.

⁽³⁾ OJ No C 112, 7. 5. 1990, p. 14.

⁽⁴⁾ OJ No L 357, 29. 12. 1976, p. 1.

⁽⁵⁾ OJ No L 108, 28. 4. 1990, p. 5.

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

Done at Brussels, 21 December 1990.

For the Council

The President

A. RUBERTI

COUNCIL REGULATION (EEC) No 3915/90

of 21 December 1990

amending Regulation (EEC) No 3164/76 on access to the market in the international carriage of goods by road

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community, and in particular Article 75 thereof,

Having regard to the proposal from the Commission,

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

Having regard to the opinion of the Economic and Social Committee ⁽²⁾,

Whereas the enlargement of the Community through the unification of Germany is reflected in an extension of the market in the carriage of goods by road;

Whereas the number of additional Community authorizations and their allocation amongst the Member States must be fixed, with effect from 1 January 1991; whereas that allocation must afford carriers established in the former German Democratic Republic access to the Community market under the same conditions as those applicable to other carriers;

Whereas it is necessary for this purpose to amend Regulation (EEC) No 3164/76 ⁽³⁾ as last amended by Regulation (EEC) No 1053/90 ⁽⁴⁾,

Article 1

The following subparagraph is hereby added to Article 3 (1) of Regulation (EEC) No 3164/76:

'In view of the enlargement of the Community through the unification of Germany, Member States shall receive the following additional allocations of Community authorizations in 1991 and 1992:

	1991	1992
Belgium	47	66
Denmark	46	64
Germany	470	658
Greece	21	29
Spain	49	69
France	64	90
Ireland	22	30
Italy	64	90
Luxembourg	22	31
Netherlands	67	94
Portugal	28	39
United Kingdom	40	56.

Article 2

This Regulation shall enter into force on 1 January 1991.

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

Done at Brussels, 21 December 1990.

For the Council

The President

A. RUBERTI

⁽¹⁾ Opinion delivered on 14 December 1990 (not yet published in the Official Journal).

⁽²⁾ Opinion delivered on 18 December 1990 (not yet published in the Official Journal).

⁽³⁾ OJ No L 357, 29. 12. 1976, p. 1.

⁽⁴⁾ OJ No L 108, 28. 4. 1990, p. 5.

COUNCIL REGULATION (EEC) No 3916/90

of 21 December 1990

on measures to be taken in the event of a crisis in the market in the carriage of goods by road

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 75 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas under Article 3 (3) of Regulation (EEC) No 3164/76 ⁽⁴⁾, as last amended by Regulation (EEC) No 1841/88 ⁽⁵⁾, the Council is required to decide on the measures to be taken in the event of a crisis in the sector of carriage of goods by road;

Whereas it is therefore essential to introduce a Community safeguard mechanism to deal with any severe disturbances in the market for the carriage of goods by road and to remedy them;

Whereas provision should accordingly be made for taking action to resolve a crisis, to specify the nature of such action, to set up an appropriate decision-making procedure and to ensure that the data needed for the application of the safeguard clause are available,

HAS ADOPTED THIS REGULATION:

Article 1

This Regulation shall apply to the market for international carriage of goods by road on Community territory, between Member States, for hire or reward.

⁽¹⁾ OJ No C 87, 5. 4. 1990, p. 4 and OJ No C 294, 24. 11. 1990, p. 11.

⁽²⁾ Opinion delivered on 26 October 1990 (not yet published in the Official Journal).

⁽³⁾ Opinion delivered on 19 September 1990 (not yet published in the Official Journal).

⁽⁴⁾ OJ No L 357, 29. 12. 1976, p. 1.

⁽⁵⁾ OJ No L 163, 30. 6. 1988, p. 1.

Article 2

For the purposes of this Regulation, a crisis means the existence of problems specific to the market defined in Article 1, such that there is a serious and potentially enduring excess of supply over demand implying a serious threat to the financial stability and survival of a significant number of road haulage undertakings provided that the short-term and medium-term forecasts for the market in question do not indicate any substantial and lasting improvements.

Article 3

The Commission shall collect the data necessary to monitor the market and to detect a possible crisis.

For this purpose, Member States shall cooperate with the Commission in the communication and processing of data which are available or can be readily obtained.

Article 4

1. Where a Member State believes a crisis exists, it may request the Commission to investigate.

2. To enable the situation to be assessed by the Commission, the Member State concerned shall provide quantified substantive information.

3. Following such a request from a Member State the Commission shall immediately consult the Committee referred to in Article 5.

4. If, following consultation of the Committee, the Commission concludes that a crisis exists, it may, by decision, take measures to prevent any further increase in the supply of capacity in the market affected through limits on the increase in the activity of existing hauliers and restrictions on access to the market for new hauliers.

The said decision shall be taken within 30 days of receipt of the request from a Member State.

The measures introduced in accordance with this Article may remain in force for a period up to but not exceeding six months, renewable once with the same period of validity.

5. The Commission shall without delay notify the Member States and the Council of any decision taken pursuant to paragraph 4 or, where appropriate, of its decision not to take measures.

6. A Member State or States may submit a Commission decision as referred to in paragraph 5 to the Council within 30 days of its notification. The Council, acting by a qualified majority, may, within the period of validity laid down in the third subparagraph of paragraph 4, take a different decision within 30 days following referral by the Member State or States concerned.

7. Where the Commission considers that:

- the measures referred to in paragraph 4 need to be prolonged, and/or
- additional separate measures need to be taken,

it shall submit a proposal to the Council, which will take a decision by qualified majority.

Article 5

The Commission shall be assisted by an Advisory Committee composed of representatives of the Member States and chaired by a representative of the Commission.

The tasks of the Committee shall be:

- to follow the situation on the transport market referred to in Article 1 and advise the Commission on the subject,
- to advise the Commission, at its request, on the collection of data referred to in Article 3,
- to advise the Commission, at its request, on any request from a Member State under Article 4 (1),

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

Done at Brussels, 21 December 1990.

- to advise the Commission on the measures proposed to resolve a crisis, in particular on the practical application of such measures.

In addition, the Committee may, within the framework of this Regulation, be consulted by the Commission on any other matter relating to the implementation of this Regulation.

The Committee shall draw up its rules of procedure.

Article 6

Where the procedure defined in this Article is used, the Commission shall submit to the Committee a draft of the interim to be taken to resolve a crisis. The Committee shall deliver its opinion on the draft within a time limit which the Chairman may lay down according to the urgency of the matter, if necessary by taking a vote.

The opinion shall be recorded in the minutes; in addition, each Member State shall have the right to ask to have its position recorded in the minutes.

The Commission shall take the utmost account of the opinion delivered by the Committee. It shall inform the Committee of the manner in which its opinion has been taken into account.

Article 7

The Commission shall submit to the European Parliament and to the Council by no later than 31 December 1995 a report on the application of this Regulation, accompanied by any necessary proposals.

Article 8

This Regulation shall enter into force on 1 January 1991.

For the Council

The President

A. RUBERTI

COUNCIL REGULATION (EEC) No 3917/90

of 21 December 1990

amending Regulation (EEC) No 2990/82 on the sale of butter at reduced prices to persons receiving social assistance

THE COUNCIL 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 3879/89 ⁽²⁾, and in particular Article 12 (2) thereof,

Having regard to the proposal from the Commission,

Whereas Council Regulation (EEC) No 2990/82 ⁽³⁾, as last amended by Regulation (EEC) No 4109/88 ⁽⁴⁾, introduces arrangements, expiring on 31 December 1990 for the sale of butter at reduced prices to persons receiving social assistance; whereas, as provided for in Article 3a (3) thereof, the Council is to examine before that date and on

the basis of a report from the Commission the possibility of renewing the arrangements laid down; whereas, as a result of the report submitted by the Commission and the results obtained, the abovementioned arrangements should be extended for a period of two years,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 and Article 3a (3) of Regulation (EEC) No 2990/82, the date '31 December 1990' is replaced by '31 December 1992'.

Article 2

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

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

Done at Brussels, 21 December 1990.

*For the Council**The President*

A. RUBERTI

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 378, 27. 12. 1989, p. 1.

⁽³⁾ OJ No L 314, 10. 11. 1982, p. 26.

⁽⁴⁾ OJ No L 361, 29. 12. 1988, p. 3.

COUNCIL REGULATION (EEC) No 3918/90

of 21 December 1990

on transfer to Greece of 150 000 tonnes of feed grain held by the German intervention agency

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1340/90 ⁽²⁾, and in particular Article 7 (5) thereof,

Having regard to Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy ⁽³⁾, as last amended by Regulation (EEC) No 2048/88 ⁽⁴⁾, and in particular Article 3 (2) thereof,

Having regard to the proposal from the Commission,

Whereas severe drought in Greece in recent months has brought about a shortage of animal feed that threatens to lead to premature sales of livestock to the detriment of farmers' incomes;

Whereas this shortage can be offset by the use by farmers of 150 000 tonnes of feed grain; whereas such an amount of Community feed grain is held by the German intervention agencies; whereas the Greek intervention agency has no feed grain available;

Whereas, moreover, following the good harvest in 1990 and unification, Germany is faced with difficulty in finding storage space for cereals and might well be forced to seek space outside its territory; whereas for reasons of sound management Greek farmers should be supplied from the German intervention stocks and part of these should be transferred;

Whereas the Greek intervention agency will in reselling the transferred stocks observe the requirements of Commission Regulation (EEC) No 1836/82 of 7 July 1982 laying down the procedure and conditions for the disposal of cereals held by intervention agencies ⁽⁵⁾, as last amended by Regulation (EEC) No 2691/90 ⁽⁶⁾; whereas in view of the specific nature of the transfer operation, which will result in the feed grain being made available in the Greek ports where it is landed, it should be specified that the minimum selling price be set at a level permitting disposal within the interior regions of Greece on satisfactory price terms;

Whereas certain detailed provisions on the taking over of the grain and transfer of responsibility for it should be laid down;

Whereas provisions on the accounting treatment of the operation should be laid down in line with the mechanisms specified by Council Regulation (EEC) No 1883/78 of 2 August 1978 laying down general rules for the financing of interventions by the European Agricultural Guidance and Guarantee Fund, Guarantee Section ⁽⁷⁾, as last amended by Regulation (EEC) No 2050/88 ⁽⁸⁾,

HAS ADOPTED THIS REGULATION:

Article 1

1. The German intervention agency shall make available 150 000 tonnes of feed grain to the Greek intervention agency.

2. The Greek intervention agency shall take the products referred to in paragraph 1 over before 1 February 1991 and arrange for them to be transported before 1 May 1991 to the storage place designated by the Greek intervention agency situated in Greek ports to be determined under the procedure referred to in paragraph 5, or within a radius, that is also to be determined under the same procedure,

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 134, 28. 5. 1990, p. 1.

⁽³⁾ OJ No L 98, 28. 4. 1970, p. 3.

⁽⁴⁾ OJ No L 185, 15. 7. 1988, p. 1.

⁽⁵⁾ OJ No L 202, 9. 7. 1982, p. 23.

⁽⁶⁾ OJ No L 249, 12. 9. 1990, p. 8.

⁽⁷⁾ OJ No L 216, 5. 8. 1978, p. 1.

⁽⁸⁾ OJ No L 185, 15. 7. 1988, p. 6.

around the ports in question. It shall ensure that they are disposed of for use as animal feed before 30 June 1991.

3. The grain shall be resold as it arrives in Greece in accordance with the provisions of Regulation (EEC) No 1836/82; a derogation may, however, be introduced from Article 5 (1) of that Regulation under the procedure laid down in Article 26 of Regulation (EEC) No 2727/75.

4. Contracts for transport of the grain as mentioned in paragraph 2 shall be awarded by tendering procedure. Mobilization must be under the most favourable transport conditions.

5. Detailed rules for application of this Regulation, in particular provisions required to ensure that the cereal is used as animal feed in Greece and the timetable for tendering procedures and transport of the grain, shall be adopted using a procedure laid down in Article 26 of Regulation (EEC) No 2727/75.

Article 2

1. The German intervention agency shall debit the account referred to in Article 4 of Regulation (EEC) No 1883/78 with the quantities of feed grain transferred, valued at zero.

2. The Greek intervention agency shall credit the account referred to in Article 4 of Regulation (EEC) No 1883/78 with the quantities of feed grain of which it has taken delivery, valued at zero, and shall value them at the end of each month at ECU 43 per tonne, to be converted into national currency at the agricultural rate applying at the beginning of the 1990/91 marketing year.

3. Transport costs for the feed grain indicated in Article 1 (1) shall be entered in the account referred to in paragraph 2.

Article 3

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

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

Done at Brussels, 21 December 1990.

For the Council

The President

A. RUBERTI

COUNCIL REGULATION (EEC) 3919/90

of 21 December 1990

laying down general rules for the application of Regulation (EEC) No 1198/90 establishing
a Community register of citrus cultivation

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,Having regard to Council Regulation (EEC) No 1198/90
of 7 May 1990 establishing a Community register of citrus
cultivation ⁽¹⁾, and in particular Article 5 thereof,

Having regard to the Commission proposal,

Whereas under Article 1 of Regulation (EEC) No 1198/90
the register is to cover all holdings cultivating citrus fruit;
whereas, however, it does not appear necessary to include
in the register holdings with very limited production;
whereas therefore the holdings to be included in the register
should be defined, having regard in particular to their
area;

Whereas, to ensure uniform implementation of the register
of citrus cultivation in the Community, certain basic
elements concerning the methodology to be applied should
be defined; whereas special provisions should be laid down
for certain regions which do not as yet have a land register
which can serve as a basis for the citrus register;

Whereas it should be laid down that the Commission and
the Member States are to make arrangements guaranteeing
the protection of those concerned; whereas, in that
connection, information gathered for putting into effect
Community legislation and checking its application on that
gathered for statistical purposes should not be used for
purposes other than those specifically provided for,

HAS ADOPTED THIS REGULATION:

Article 1

1. The register of citrus cultivation referred to in Article 1
of Regulation (EEC) No 1198/90 shall cover all parcels
planted with citrus fruit trees on holdings with an area
under citrus crops of at least 5 ares.

2. For the purposes of this Regulation:

- (a) 'agricultural holding' means any technico-economic unit
under a single management and producing agricultural
products;
- (b) 'farmer' means any natural or legal person or group of
such persons for whose account and on whose behalf
the holding is operated;
- (c) 'area under citrus fruit' means all areas planted with
citrus fruit trees, whether alone or with other crops,
whether already or not yet in production, normally
intended for the production of fruit or propagating
material, whether or not subject to cultivation
operations to obtain a marketable product;
- (d) 'parcel' means a continuous plot of land as delimited in
the land register.

However, in the absence of a land register, a parcel
shall be deemed to be a continuous portion of land,
within one and the same holding, which constitutes a
distinct entity as regards the type of tenure, the type of
crop and the nature of production;

(e) 'citrus fruit' means the following:

- bergamots:
fruit of varieties (cultivars) of the species *Citrus
aurantium* L. ssp. *bergamia* (Risso and Poit.)
Engler.
- lemons:
fruit of varieties (cultivars) of the species *Citrus
limon* (L.) Burmf.
- limes:
fruit of varieties of the species *Citrus aurantifolia*
(Christin and Panz.) Sw.
- mandarins, tangerines, satsumas, clementines,
wilkins and the like:
fruit of varieties (cultivars) of the species *Citrus
reticulata* (Blanco) or hybrids thereof
- bitter oranges (Seville oranges):
fruit of varieties (cultivars) of the species *Citrus
aurantium* (L.)
- sweet oranges:
fruit of varieties (cultivars) of the species *Citrus
sinensis* (Osbeck)

(¹) OJ No L 119, 11. 5. 1990, p. 59.

- grapefruit:
fruit of varieties (cultivars) of the species *Citrus paradisi* (Mac Farlane)
- pomelos:
fruit of varieties (cultivars) of the species *Citrus maxima* (Burm.f.) Merr.

Article 2

1. The Commission shall inform the Member States in good time of all the essential elements to be included in the specifications of the tender referred to in Article 3 of Regulation (EEC) No 1198/90. These essential elements shall relate in particular to:

- the principles of methodology and the minimum technical requirements to be met by the successful tenderer in establishing the register,
- the details to be supplied by tenderers,
- details concerning the submission of tenders, in particular as regards the financial aspect,
- the securities to be provided by tenderers and the rules for their release,
- the schedule for the tendering procedure and in particular the deadline for the submission of tenders.

2. For the application of Article 3 (1) of Regulation (EEC) No 1198/90 the Commission may be assisted by one or more consultants.

Article 3

1. Member States shall ensure that:

- the data contained in the register is kept for at least five years following the year to which it relates,
- farmers have access without delay or excessive costs to the data relating to them,
- farmers have the right to have any justified amendment taken into account.

2. The Commission and Member States shall ensure that:

- the register is used only for putting into effect Community legislation and checking its application or for statistical purposes,
- the data is protected, in particular against theft and tampering.

3. Farmers must:

- not obstruct the collection of data in any way, and
- supply all the requisite information for the compilation and updating of the register.

Article 4

At the end of the trial period referred to in Article 3 (2) of Regulation (EEC) No 1198/90 the Commission shall submit to the Council a communication on the work programme and the costs of the measure.

Article 5

The detailed rules of application referred to in Article 6 of Regulation (EEC) No 1198/90 shall relate in particular to the following:

- the list of information to be included in the register,
- the delimitation of the Community regions for which the undertakings selected pursuant to Article 3 of Regulation (EEC) No 1198/90 are to undertake trials to test the methodologies proposed. At least one of the methodological trials shall relate to a region for which there is no computerized land register.

Article 6

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, 21 December 1990.

For the Council

The President

A. RUBERTI

COUNCIL REGULATION (EEC) No 3920/90

of 21 December 1990

amending Regulation (EEC) No 1035/72 on the common organization of the market in fruit and vegetables

THE COUNCIL 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 1193/90⁽²⁾, and in particular Article 2 thereof,

Having regard to the proposal from the Commission,

Whereas Article 2 (2) of Regulation (EEC) No 1035/72 provides for the establishment of quality standards for a number of products to be delivered fresh to the consumer; whereas these products are listed in Annex I to the said Regulation; whereas these standards also apply to imports and exports;

Whereas melons are already the subject of extensive trade both within the Community and with third countries;

whereas it is therefore desirable that common quality standards be laid down for this product; whereas application of these standards should have the effect of keeping products of unsatisfactory quality off the market, guiding production to meet consumers' requirements and facilitating trade under fair competitive conditions, so helping to improve the profitability of production; whereas, to this effect, melons should be added to the list in Annex I to Regulation (EEC) No 1035/72,

HAS ADOPTED THIS REGULATION:

Article 1

In Annex I to Regulation (EEC) No 1035/72 the word 'melons' is added under the heading 'Fruit'.

Article 2

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

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

Done at Brussels, 21 December 1990.

*For the Council**The President*

A. RUBERTI

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 119, 11. 5. 1990, p. 43.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 21 December 1990

granting a second tranche of medium-term financial assistance to Hungary

(90/681/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 235 thereof,

Having regard to the proposal from the Commission ⁽¹⁾, submitted following consultation with the Monetary Committee,

Having regard to the opinion of the European Parliament ⁽²⁾,

Whereas, by Decision 90/83/EEC ⁽³⁾, the Council decided to provide medium-term financial assistance for Hungary in the form of a medium-term loan facility of a maximum amount of ECU 870 million in principal, with a maximum duration of five years, in order to permit that country to overcome the difficulties of structural adjustment of its economy;

Whereas by Decision 90/83/EEC, the Council empowered the Commission to borrow, on behalf of the European Economic Community, as the first tranche of the loan an amount of ECU 350 million; whereas a decision on subsequent tranches was to be decided at a later stage;

Whereas the Commission should be empowered to borrow, as a second tranche, the amount of ECU 260 million;

Whereas the Treaty does not provide, for the adoption of this Decision, powers other than those of Article 235,

HAS DECIDED AS FOLLOWS:

Article 1

The Commission is hereby empowered to borrow on behalf of the European Economic Community the amount of ECU 260 million and to onlend the proceeds of the borrowing to Hungary as the second tranche of the medium-term financial assistance provided for by the Council in Decision 90/83/EEC.

Article 2

The borrowing and lending operations, referred to in Article 1, shall be carried out in accordance with the procedures laid down in Decision 90/83/EEC.

Done at Brussels, 21 December 1990.

For the Council

The President

A. RUBERT

⁽¹⁾ OJ No C 20, 27. 1. 1990, p. 9.

⁽²⁾ OJ No C 38, 19. 2. 1990, p. 137.

⁽³⁾ OJ No L 58, 7. 3. 1990, p. 7.