

Official Journal

of the European Communities

ISSN 0378-6978

L 52

Volume 34

27 February 1991

English edition

Legislation

Contents

I *Acts whose publication is obligatory*

Commission Regulation (EEC) No 437/91 of 26 February 1991 fixing the import levies on cereals and on wheat or rye flour, groats and meal	1
Commission Regulation (EEC) No 438/91 of 26 February 1991 fixing the premiums to be added to the import levies on cereals, flour and malt	3
* Commission Regulation (EEC) No 439/91 of 25 February 1991 repealing certain Regulations classifying goods in the nomenclature of the Common Customs Tariff which was in force on 31 December 1987	5
* Commission Regulation (EEC) No 440/91 of 25 February 1991 concerning the classification of certain goods in the combined nomenclature	7
* Commission Regulation (EEC) No 441/91 of 25 February 1991 concerning the classification of certain goods in the codes 1704 10 19, 1704 10 99, and 9502 10 10 of the combined nomenclature and repealing Regulation (EEC) No 1287/83	9
* Commission Regulation (EEC) No 442/91 of 25 February 1991 concerning the classification of certain goods in the combined nomenclature	11
* Commission Regulation (EEC) No 443/91 of 26 February 1991 on import and export licences issued for certain products covered by Article 259 of the Act of Accession of Spain and Portugal	14
Commission Regulation (EEC) No 444/91 of 26 February 1991 fixing the import levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat	16
Commission Regulation (EEC) No 445/91 of 26 February 1991 fixing the import levies on frozen sheepmeat and goatmeat	19
Commission Regulation (EEC) No 446/91 of 26 February 1991 fixing the import levies on live cattle and on beef and veal other than frozen	22

Contents (continued)

Commission Regulation (EEC) No 447/91 of 26 February 1991 fixing the import levies on frozen beef and veal	26
Commission Regulation (EEC) No 448/91 of 26 February 1991 adjusting the corrective amount on the import of cucumbers into the Community of Ten from Spain (except the Canary Islands)	30
Commission Regulation (EEC) No 449/91 of 26 February 1991 fixing the import levies on white sugar and raw sugar	31
Commission Regulation (EEC) No 450/91 of 26 February 1991 altering the import levies on products processed from cereals and rice	33
Commission Regulation (EEC) No 451/91 of 26 February 1991 fixing the amount of the subsidy on oil seeds	35
Commission Regulation (EEC) No 452/91 of 26 February 1991 fixing for Great Britain the level of the variable slaughter premium for sheep and the amounts to be charged on products leaving region 1	38
Commission Regulation (EEC) No 453/91 of 26 February 1991 fixing the import levies on products processed from cereals and rice	41
Commission Regulation (EEC) No 454/91 of 26 February 1991 fixing the import levies on compound feedingstuffs	46

II *Acts whose publication is not obligatory*

Commission

91/100/EEC:

- * **Commission Decision of 15 February 1991 approving the German programme of agricultural income aid for farmers in general in Baden Württemberg** 48

91/101/EEC:

- * **Commission Decision of 18 February 1991 concerning the areas referred to in Article 3 (2) of Council Regulation (EEC) No 2506/88 instituting a Community programme to assist the conversion of shipbuilding areas (Renaval programme)** 49

91/102/EEC:

- * **Commission Directive of 18 February 1991 amending Directive 88/272/EEC amending certain Annexes to Council Directive 77/93/EEC on protective measures against the introduction into the Member States of organisms harmful to plants or plant products** 50

91/103/EEC:

- * **Commission Directive of 18 February 1991 amending Directive 86/547/EEC amending Annex III B to Council Directive 77/93/EEC on protective measures against the introduction into the Member States of organisms harmful to plants or plant products** 51

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 437/91

of 26 February 1991

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 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 3577/90 ⁽²⁾, 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 ⁽³⁾, as last amended by Regulation (EEC) No 2205/90 ⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 322/91 ⁽⁵⁾ 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 25 February 1991 ;

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 322/91 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 27 February 1991.

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

Done at Brussels, 26 February 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁵⁾ OJ No L 38, 12. 2. 1991, p. 1.

ANNEX

to the Commission Regulation of 26 February 1991 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CN code	Levy
0709 90 60	140,26 ⁽²⁾ ⁽³⁾
0712 90 19	140,26 ⁽²⁾ ⁽³⁾
1001 10 10	200,06 ⁽¹⁾ ⁽³⁾
1001 10 90	200,06 ⁽¹⁾ ⁽³⁾
1001 90 91	192,10
1001 90 99	192,10
1002 00 00	158,20 ⁽⁴⁾
1003 00 10	159,49
1003 00 90	159,49
1004 00 10	147,90
1004 00 90	147,90
1005 10 90	140,26 ⁽²⁾ ⁽³⁾
1005 90 00	140,26 ⁽²⁾ ⁽³⁾
1007 00 90	147,24 ⁽⁴⁾
1008 10 00	65,16
1008 20 00	135,64 ⁽⁴⁾
1008 30 00	74,42 ⁽⁵⁾
1008 90 10	⁽⁷⁾
1008 90 90	74,42
1101 00 00	283,13 ⁽⁶⁾
1102 10 00	235,67 ⁽⁶⁾
1103 11 10	323,54 ⁽⁶⁾
1103 11 90	304,51 ⁽⁶⁾

⁽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 or in the 'overseas countries and territories'.

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

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

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

⁽⁶⁾ The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 (OJ No L 142, 9. 6. 1977, p. 10) and Commission Regulation (EEC) No 2622/71 (OJ No L 271, 10. 12. 1971, p. 22).

⁽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.

COMMISSION REGULATION (EEC) No 438/91

of 26 February 1991

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

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 3577/90 ⁽²⁾, 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 ⁽³⁾, as last amended by Regulation (EEC) No 2205/90 ⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EEC) No 3845/90 ⁽⁵⁾ 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 25 February 1991;

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 27 February 1991.

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

Done at Brussels, 26 February 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁵⁾ OJ No L 367, 29. 12. 1990, p. 10.

ANNEX

to the Commission Regulation of 26 February 1991 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(ECU/tonne)

CN code	Current 2	1st period 3	2nd period 4	3rd period 5
0709 90 60	0	0	0	3,98
0712 90 19	0	0	0	3,98
1001 10 10	0	0	0	1,20
1001 10 90	0	0	0	1,20
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	3,98
1005 90 00	0	0	0	3,98
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 2	1st period 3	2nd period 4	3rd period 5	4th period 6
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 439/91

of 25 February 1991

repealing certain Regulations classifying goods in the nomenclature of the
Common Customs Tariff which was in force on 31 December 1987

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, as last amended by Regulation (EEC) No 53/91⁽²⁾, and in particular Article 9 thereof,Whereas Council Regulation (EEC) No 950/68 of 28 June 1968 on the Common Customs Tariff⁽³⁾, repealed by Regulation (EEC) No 2658/87, established the nomenclature of the Common Customs Tariff on the basis of the Convention of 15 December 1950 on Nomenclature for the Classification of Goods in Customs Tariffs;Whereas the Commission adopted a number of Regulations classifying goods in the nomenclature of the Common Customs Tariff on the basis of Council Regulation (EEC) No 97/69 of 16 January 1969 on measures to be taken for the uniform application of the nomenclature of the Common Customs Tariff⁽⁴⁾, repealed by Regulation (EEC) No 2658/87;

Whereas some of the said Regulations are redundant as a result in particular of the changes resulting from the replacement of the Common Customs Tariff based on the Convention of 15 December 1950 by the Combined Nomenclature; whereas, for reasons of clarity and legal certainty, the said Regulations should be formally repealed;

Whereas the provisions of this Regulation are in accordance with the opinion of the nomenclature Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The Regulations listed in the Annex are hereby repealed.

*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, 25 February 1991.

For the Commission

Christiane SCRIVENER

Member of the Commission⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.⁽²⁾ OJ No L 7, 10. 1. 1991, p. 14.⁽³⁾ OJ No L 172, 22. 7. 1968, p. 1.⁽⁴⁾ OJ No L 14, 21. 1. 1969, p. 1.

ANNEX

1. Commission Regulation (EEC) No 2622/78 ⁽¹⁾
2. Commission Regulation (EEC) No 341/81 ⁽²⁾
3. Commission Regulation (EEC) No 3414/85 ⁽³⁾
4. Commission Regulation (EEC) No 1285/80 ⁽⁴⁾
5. Commission Regulation (EEC) No 1286/80 ⁽⁵⁾
6. Commission Regulation (EEC) No 300/81 ⁽⁶⁾
7. Commission Regulation (EEC) No 3225/84 ⁽⁷⁾
8. Commission Regulation (EEC) No 663/69 ⁽⁸⁾
9. Commission Regulation (EEC) No 1536/83 ⁽⁹⁾
10. Commission Regulation (EEC) No 495/69 ⁽¹⁰⁾
11. Commission Regulation (EEC) No 1387/83 ⁽¹¹⁾
12. Commission Regulation (EEC) No 803/80 ⁽¹²⁾
13. Commission Regulation (EEC) No 496/69 ⁽¹³⁾
14. Commission Regulation (EEC) No 241/70 ⁽¹⁴⁾
15. Commission Regulation (EEC) No 107/70 ⁽¹⁵⁾
16. Commission Regulation (EEC) No 1688/78 ⁽¹⁶⁾
17. Commission Regulation (EEC) No 498/83 ⁽¹⁷⁾
18. Commission Regulation (EEC) No 1386/83 ⁽¹⁸⁾
19. Commission Regulation (EEC) No 3616/83 ⁽¹⁹⁾
20. Commission Regulation (EEC) No 1668/85 ⁽²⁰⁾
21. Commission Regulation (EEC) No 1434/69 ⁽²¹⁾
22. Commission Regulation (EEC) No 954/70 ⁽²²⁾
23. Commission Regulation (EEC) No 1352/76 ⁽²³⁾

⁽¹⁾ OJ No L 316, 10. 11. 1978, p. 9.

⁽²⁾ OJ No L 38, 11. 2. 1981, p. 7.

⁽³⁾ OJ No L 324, 5. 12. 1985, p. 11.

⁽⁴⁾ OJ No L 132, 29. 5. 1980, p. 13.

⁽⁵⁾ OJ No L 132, 29. 5. 1980, p. 15.

⁽⁶⁾ OJ No L 33, 5. 2. 1981, p. 19.

⁽⁷⁾ OJ No L 301, 20. 11. 1984, p. 11.

⁽⁸⁾ OJ No L 86, 10. 4. 1969, p. 9.

⁽⁹⁾ OJ No L 155, 14. 6. 1983, p. 7.

⁽¹⁰⁾ OJ No L 67, 19. 3. 1969, p. 6.

⁽¹¹⁾ OJ No L 141, 1. 6. 1983, p. 45.

⁽¹²⁾ OJ No L 87, 1. 4. 1980, p. 55.

⁽¹³⁾ OJ No L 67, 19. 3. 1969, p. 7.

⁽¹⁴⁾ OJ No L 32, 10. 2. 1970, p. 6.

⁽¹⁵⁾ OJ No L 16, 22. 1. 1970, p. 9.

⁽¹⁶⁾ OJ No L 194, 19. 7. 1978, p. 5.

⁽¹⁷⁾ OJ No L 56, 3. 3. 1983, p. 11.

⁽¹⁸⁾ OJ No L 141, 1. 6. 1983, p. 44.

⁽¹⁹⁾ OJ No L 358, 22. 12. 1983, p. 20.

⁽²⁰⁾ OJ No L 160, 20. 6. 1985, p. 30.

⁽²¹⁾ OJ No L 183, 25. 7. 1969, p. 19.

⁽²²⁾ OJ No L 114, 27. 5. 1970, p. 15.

⁽²³⁾ OJ No L 153, 12. 6. 1976, p. 33.

COMMISSION REGULATION (EEC) No 440/91

of 25 February 1991

concerning the classification of certain goods in the combined nomenclature

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

Having regard to Council Regulation (EEC) No 2658/87 ⁽¹⁾ on the tariff and statistical nomenclature and on the Common Customs Tariff, as last amended by Regulation (EEC) No 53/91 ⁽²⁾, and in particular Article 9,

Whereas in order to ensure uniform application of the combined nomenclature annexed to the said Regulation, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation ;

Whereas Regulation (EEC) No 2658/87 has set down the general rules for the interpretation of the combined nomenclature and these rules also apply to any other nomenclature which is wholly or partly based on it or which adds any additional subdivisions to it and which is established by specific Community provisions, with a view to the application of tariff or other measures relating to trade in goods ;

Whereas, pursuant to the said general rules, the goods described in column 1 of the table annexed to the present

Regulation must be classified under the appropriate CN codes indicated in column 2, by virtue of the reasons set out in column 3 ;

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

HAS ADOPTED THIS REGULATION :

Article 1

The goods described in column 1 of the annexed table are now classified within the combined nomenclature under the appropriate CN codes indicated in column 2 of the said table.

Article 2

This Regulation shall enter into force on the 21st day after 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, 25 February 1991.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽²⁾ OJ No L 7, 10. 1. 1991, p. 14.

ANNEX

Description of the goods	Classification CN code	Reasons
(1)	(2)	(3)
1. Deep-frozen ready-mixed dough of goods primarily made of wheat flour to which has been added margarine, fat, water, yeast, eggs and filled with marzipan, sugar, maize starch, water and margarine. After thawing, the product in the form as presented is ready for baking.	1901 20 20	Classification is determined by the provisions of general rules 1 and 6 for the interpretation of the combined nomenclature and by the wording of CN codes 1901 and 1901 20 00 (see also the explanatory notes to CN code 1901 20 00 and CN code 1905).
2. Product, in the form of powder, consisting of sodium caseinate 30 %, skimmed milk 69 % and hydrolized vegetable oil 1 % with the following analytical results (percentage by weight): Proteins 50,5 Lactose 34,6 Cendre cheese 7,4 Milkfats 1,5 Hydrolized vegetable oil 1,0 Moisture content 5	1901 90 90	Classification is determined by the provisions of general rules 1 and 6 for the interpretation of the combined nomenclature and by the wording of CN codes 1901, 1901 90 and 1901 90 90. Chapter 4 must be excluded because of the presence of hydrolized vegetable oil and sodium caseinate.
3. Preparation in the form of gelatine capsules packed for retail sale. Each capsule contains 1 222 mg lecithin and 28 mg glycerine.	2106 90 91	Classification is determined by the provisions of general rules 1 and 6 for the interpretation of the combined nomenclature, note 1a to Chapter 30 and by the wording of CN codes 2106, 2106 90 and 2106 90 91. The product which is not prepared for therapeutic nor prophylactic purposes is considered to be a food supplement as mentioned in the explanatory notes to the Harmonized System, code 2106.

COMMISSION REGULATION (EEC) No 441/91

of 25 February 1991

**concerning the classification of certain goods in the codes 1704 10 19, 1704 10 99,
and 9502 10 10 of the combined nomenclature and repealing Regulation (EEC)
No 1287/83**

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

Having regard to Council Regulation (EEC) No 2658/87
of 23 July 1987 on the tariff and statistical nomenclature
and on the Common Customs Tariff⁽¹⁾, as last amended
by Regulation (EEC) No 53/91⁽²⁾, and in particular
Article 9 thereof,

Whereas in order to ensure uniform application of the
combined nomenclature annexed to that Regulation, it is
necessary to adopt measures concerning the classification
of the goods referred to in the annex to the present Regu-
lation;

Whereas Regulation (EEC) No 2658/87 has set down the
general rules for the interpretation of the combined
nomenclature and these rules also apply to any other
nomenclature which is wholly or partly based on it or
which adds any additional subdivisions to it and which is
established by specific Community provisions, with a
view to the application of tariff or other measures relating
to trade in goods;

Whereas, pursuant to the said general rules, the goods
described in column 1 of the table annexed to this Regu-
lation must be classified under the appropriate CN codes
indicated in column 2, by virtue of the reasons set out in
column 3;

Whereas this Regulation concerns also the products
referred to in Commission Regulations (EEC) No
1278/83⁽³⁾; whereas, therefore, the latter Regulation
should be repealed;

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

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column 1 of the annexed table are
now classified within the combined nomenclature under
the appropriate CN codes indicated in column 2 of the
table.

Article 2

Regulation (EEC) No 1287/83 is hereby repealed.

Article 3

This Regulation shall enter into force on the 21st 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, 25 February 1991.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽²⁾ OJ No L 7, 10. 1. 1991, p. 14.

⁽³⁾ OJ No L 137, 26. 5. 1983, p. 11.

ANNEX

Description of the goods	Classification CN code	Reasons
(1)	(2)	(3)
Plastic dolls with movable limbs, 140 mm tall, with transparent plastic chests filled with about 10 grams of small sweets (chewing-gum) containing sucrose, which can be removed through an aperture under the belt-buckle of the doll.	1704 10 19 } 1704 10 99 } chewing gum 9502 10 10 dolls	Classification is determined by the provisions of general rules 1, 5 b and 6 for the interpretation of the combined nomenclature and the texts of CN codes 1704, 1704 10, 1704 10 19, 1704 10 99 (depending on the sucrose content), 9502, 9502 10 and 9502 10 10. These dolls are not the normal method of packaging for chewing gum, hence they should be classified separately.

COMMISSION REGULATION (EEC) No 442/91

of 25 February 1991

concerning the classification of certain goods in the combined nomenclature

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

Having regard to Council Regulation (EEC) No 2658/87⁽¹⁾ on the tariff and statistical nomenclature and on the Common Customs Tariff, as last amended by Regulation (EEC) No 53/91⁽²⁾, and in particular Article 9,

Whereas in order to ensure uniform application of the combined nomenclature annexed to the said Regulation, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation;

Whereas Regulation (EEC) No 2658/87 has set down the general rules for the interpretation of the combined nomenclature and these rules also apply to any other nomenclature which is wholly or partly based on it or which adds any additional subdivisions to it and which is established by specific Community provisions, with a view to the application of tariff or other measures relating to trade in goods;

Whereas, pursuant to the said general rules, the goods described in column 1 of table annexed to the present Regulation must be classified under the appropriate CN

codes indicated in column 2, by virtue of the reasons set out in column 3;

Whereas the nomenclature Committee has not delivered an opinion within the time limit set by its chairman, as regards product Nos 1 and 4 in the annexed table;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the nomenclature Committee as regards product Nos 2, 3 and 5 in the annexed table,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column 1 of the annexed table are now classified within the combined nomenclature under the appropriate CN codes indicated in column 2 of the said table.

Article 2

This Regulation shall enter into force on the 21st day after 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, 25 February 1991.

For the Commission

Christiane SCRIVENER

Member of the Commission

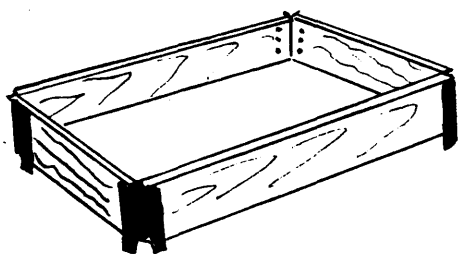
⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽²⁾ OJ No L 7, 10. 1. 1991, p. 14.

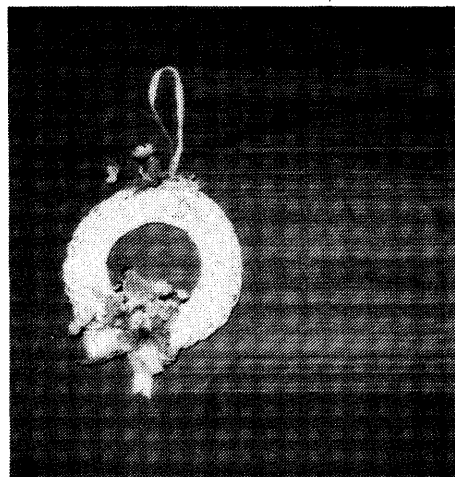
ANNEX

Description of the goods	Classification CN code	Reasons
(1)	(2)	(3)
1. Round coniferous timber, milled to a constant diameter along the entire length, cut across the grain, one end of which has been pointed, of the kind used in horticultural landscaping, for constructing garden fences, enclosures, screens, etc.	4407 10 99	Classification is determined by the provisions of general rules 1 and 6 for the interpretation of the combined nomenclature, as well as the texts of CN codes 4407, 4407 10 and 4407 10 99. The goods cannot be classified under headings 4403 or 4404, because they have been milled; 4409, not having been profiled; 4421, given that they are not sufficiently worked.
2. Collapsible pallet collars consisting of four pieces of wood (2 x 2 pieces of the same length) with hinges on the ends to form a frame that is placed over the palette itself. (see photograph, case No 2) ⁽¹⁾	4421 90 99	Classification is determined by the provisions of general rules 1 and 6 for the interpretation of the combined nomenclature, as well as the texts of CN codes 4421, 4421 90 and 4421 90 99. The goods have to be considered as parts of a pallet which cannot be classified in heading 4415 (see Harmonized System explanatory notes to headings 4415, section III and 4421, paragraph 2).
3. Crown-shaped articles consisting of osier canes, partly decorated with artificial flowers, artificial leaves, ribbons, small representations of animals (such as a butterfly and a chicken). (See by way of example the photograph of case No 3) ⁽¹⁾	4602 10 91	Classification is determined by the provisions of general rules 1, 3b and 6 for the interpretation of the combined nomenclature, note 1 to chapter 6 as well as the texts of CN codes 4602, 4602 10 and 4602 10 91. The essential character of these articles is conferred by the woven osier.
4. Portable radio transmitters-receivers, of the walkie-talkie type, of plastics, whether or not incorporating a morse system, of a maximum power output not exceeding 5 milliwatts ERP (effective radiated power), battery-operated, and containing neither noise suppressors, channel selectors or voltmeters.	9503 90 31	Classification is determined by the provisions of general rules 1 and 6 for the interpretation of the combined nomenclature, as well as the texts of CN codes 9503, 9503 90 and 9503 90 31. These apparatus cannot be classified under CN code 8525 20 90 because they do not have a power output greater than 5 milliwatts ERP and do not incorporate either noise suppressors, channel selectors or voltmeters, they must be classified as toys.
5. Bird's nest-shaped articles consisting of tressed osier canes, decorated with six chickens, artificial flowers and artificial leaves. (See photograph case No 5)	9505 90 00	Classification is determined by the provisions of general rules 1 and 6 for the interpretation of the combined nomenclature, as well as the texts of CN codes 9505, 9505 90 and 9505 90 00, as it consists of a decorative article; the presence of chickens clearly links it to the Easter festivities.

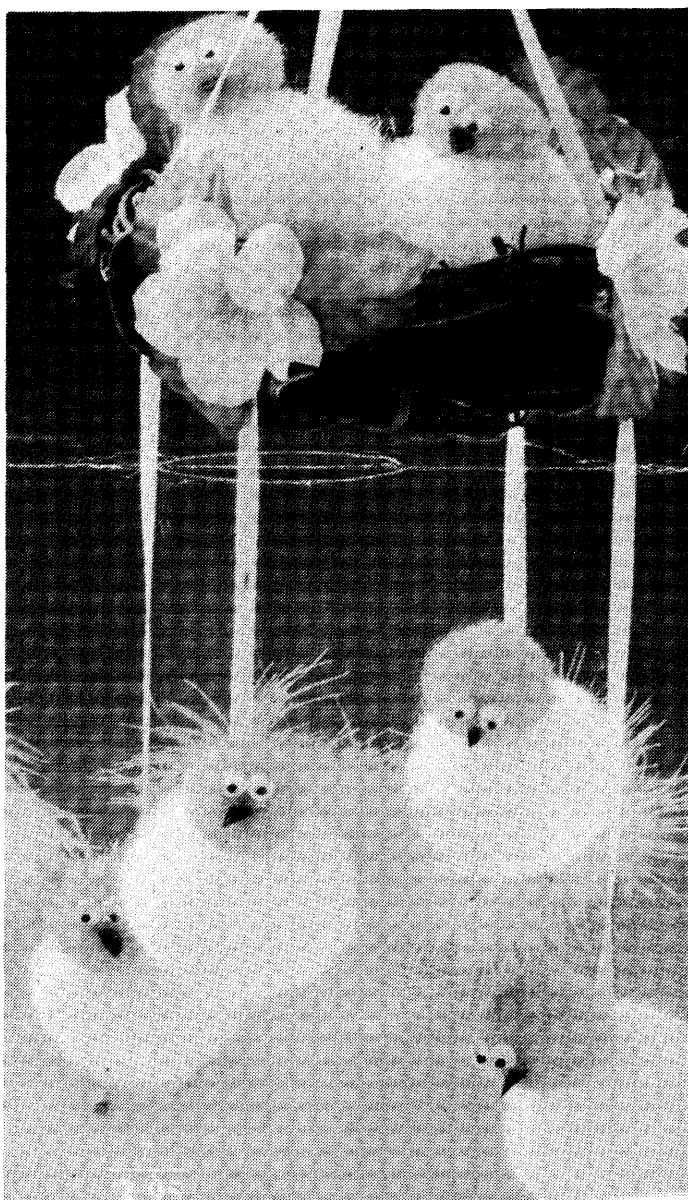
⁽¹⁾ The photographs are purely for information.



Photograph of case No 2



Photograph, by way of example, of case No 3



Photograph of case No 5

COMMISSION REGULATION (EEC) No 443/91

of 26 February 1991

on import and export licences issued for certain products covered by Article 259
of the Act of Accession of Spain and Portugal

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 804/88 of
27 June 1968 on the common organization of the market
in milk and milk products ⁽¹⁾, as last amended by Regula-
tion (EEC) No 3641/90 ⁽²⁾, and in particular Article 13 (3)
thereof,

Having regard to Council Regulation (EEC) No 805/68 of
27 June 1968 on the common organization of the market
in beef and veal ⁽³⁾, as last amended by Regulation (EEC)
No 3577/90 ⁽⁴⁾, and in particular Article 15 (2) thereof,

Having regard to Council Regulation (EEC) No 2727/75
of 29 October 1975 on the common organization of the
market in cereals ⁽⁵⁾, as last amended by Regulation (EEC)
No 3577/90, and in particular Article 12 (2) thereof,

Having regard to Council Regulation (EEC) No 1418/76
of 21 June 1976 on the common organization of the
market in rice ⁽⁶⁾, as last amended by Regulation (EEC)
No 1806/90 ⁽⁷⁾, and in particular Article 10 (2) thereof,

Having regard to Council Regulation (EEC) No 822/87 of
16 March 1987 on the common organization of the
market in wine ⁽⁸⁾, as last amended by Regulation (EEC)
No 3577/90, and in particular Article 52 (3) thereof,

Whereas up to the end of the first stage of the transition
period, namely up to 31 December 1990, all trade
between the Community of Ten and Portugal or between
Spain and Portugal in the products referred to in Article
259 of the Act of Accession and covered by the above-

mentioned Regulations was conditional upon the presen-
tation of an import or export licence; whereas, since the
commencement of the second stage, these licences are no
longer required;

Whereas the abovementioned Regulations provide that
failure to comply with the undertakings relating to the
licences issued for such products and expiring after
31 December 1990 should entail the loss of the security
lodged; whereas, since those undertakings have become
pointless, it should be possible to waive them and to
release the securities lodged;

Whereas the measures provided for in this Regulation are
in accordance with the opinion of the relevant manage-
ment committees,

HAS ADOPTED THIS REGULATION:

Article 1

Securities lodged for import and export licences and for
advance-fixing licences or certificates:

- which have been issued for products referred to in
Regulations (EEC) No 804/68; (EEC) No 805/68;
(EEC) No 2727/75; (EEC) No 1418/76 and (EEC) No
822/87 for trade between the Community of Ten and
Portugal on the one hand, and between Spain and
Portugal on the other,
- for which proof has been provided that their destina-
tion is Portugal or that they come from Portugal,
- which expire after 1 January 1991, and
- which have been used only partly or not at all at that
date,

shall be released on application by the parties concerned.

Article 2

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

It shall apply with effect from 1 January 1991.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 362, 27. 12. 1990, p. 5.

⁽³⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽⁴⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽⁶⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁷⁾ OJ No L 367, 28. 12. 1990, p. 16.

⁽⁸⁾ OJ No L 84, 27. 3. 1987, p. 1.

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

Done at Brussels, 26 February 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 444/91

of 26 February 1991

fixing the import levies on live sheep and goats and on sheepmeat and goatmeat
other than frozen meat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat ⁽¹⁾, as amended by Regulation (EEC) No 3577/90 ⁽²⁾, Article 10 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, under Article 9 (2) of Regulation (EEC) No 3013/89, a levy is applicable to the products falling within CN codes 0204 10 00, 0204 21 00, 0204 22 10, 0204 22 30, 0204 22 50, 0204 22 90, 0204 23 00, 0204 50 11, 0204 50 13, 0204 50 15, 0204 50 19, 0204 50 31 and 0204 50 39 listed in Annex II of that Regulation;

Whereas, in accordance with Article 11 of Regulation (EEC) No 3013/89, the levy on fresh or chilled carcasses and half-carcasses is to be equal to the difference between the seasonally adjusted basic price and the Community free-at-frontier offer price;

Whereas the seasonally-adjusted basic price is fixed in Article 2 of Council Regulation (EEC) No 1248/89 ⁽³⁾ for the 1990 marketing year;

Whereas the Community free-at-frontier offer price is determined in the light of the most representative purchasing possibilities, as regard quality and quantity, recorded over the period from the 21st day of the preceding month to the 20th day of the month during which the levies are determined, taking particular account of the supply and demand situation for fresh or chilled meat, the world market price for frozen meat of a category which is competitive with fresh or chilled meat and of past experience;

Whereas the free-at-frontier offer price is to be determined, if necessary, on the basis of the most representative purchasing possibilities recorded for live sheep;

Whereas, pursuant to Article 3 of Regulation (EEC) No 2668/80 ⁽⁴⁾, as amended by Regulation (EEC) No 3939/87 ⁽⁵⁾, the free-at-frontier offer prices are to be based

inter alia on the prices shown in the customs documents which accompany products imported from non-member countries or on other information concerning the export prices applied by those non-member countries; whereas offer prices which do not correspond to actual purchasing possibilities or which relate to unrepresentative quantities and offer prices which, in view of general price movements or other information available, may be considered not to be representative of actual price trends in the country of origin are to be disregarded;

Whereas a special levy may be fixed for products originating in or coming from one or more non-member countries if exports of the said products are made at abnormally low prices;

Whereas the levy on live animals within CN codes 0104 10 90 and 0104 20 90 and on the meat falling within CN codes 0204 10 00, 0204 21 00, 0204 22 10, 0204 22 30, 0204 22 50, 0204 22 90, 0204 23 00, 0204 50 11, 0204 50 13, 0204 50 15, 0204 50 19, 0204 50 31, 0204 50 39, 0210 90 11 and 0210 90 19 listed in Annex II to Regulation (EEC) No 3013/89 is to be equal to the levy determined for carcasses, multiplied by a standard coefficient fixed for each of the products in question; whereas these coefficients are fixed in Annex I to Regulation (EEC) No 2668/80;

Whereas the levies should be so fixed that the obligations arising from international agreements concluded by the Community continue to be fulfilled; whereas, moreover, account should be taken of the voluntary restraint arrangements made by the Community with certain non-member countries;

Whereas Council Regulation (EEC) No 715/90 ⁽⁶⁾, as amended by Regulation (EEC) No 297/91 ⁽⁷⁾, lays down the arrangements applicable on agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories;

Whereas the levies are fixed before the 27th day of each month for each week during the following month; whereas they are applicable from Monday to Sunday; whereas they can be altered within that period if necessary;

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 129, 11. 5. 1989, p. 10.

⁽⁴⁾ OJ No L 276, 20. 10. 1980, p. 39.

⁽⁵⁾ OJ No L 373, 31. 12. 1987, p. 1.

⁽⁶⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽⁷⁾ OJ No L 36, 8. 2. 1991, p. 9.

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 the Council Regulation (EEC) No 1676/85⁽¹⁾, as last amended by Regulation (EEC) No 2205/90⁽²⁾,
- 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, having regard to the provisions of the above-mentioned Regulations and, in particular, to the information and quotations known to the Commission, the levies

on live sheep and goats and on sheepmeat and goatmeat other than frozen meat should be as set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 4 March 1991.

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

Done at Brussels, 26 February 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽²⁾ OJ No L 201, 31. 7. 1990, p. 9.

ANNEX

to the Commission Regulation of 26 February 1991 fixing the import levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat

(ECU/100 kg)

CN code	Week No 9 from 4 to 10 March 1991	Week No 10 from 11 to 17 March 1991	Week No 11 from 18 to 24 March 1991	Week No 12 from 25 to 31 March 1991
0104 10 90 ⁽¹⁾	117,853	119,004	119,709	119,709
0104 20 90 ⁽¹⁾	117,853	119,004	119,709	119,709
0204 10 00 ⁽²⁾	250,750	253,200	254,700	254,700
0204 21 00 ⁽²⁾	250,750	253,200	254,700	254,700
0204 22 10 ⁽²⁾	175,525	177,240	178,290	178,290
0204 22 30 ⁽²⁾	275,825	278,520	280,170	280,170
0204 22 50 ⁽²⁾	325,975	329,160	331,110	331,110
0204 22 90 ⁽²⁾	325,975	329,160	331,110	331,110
0204 23 00 ⁽²⁾	456,365	460,824	463,554	463,554
0204 50 11 ⁽²⁾	250,750	253,200	254,700	254,700
0204 50 13 ⁽²⁾	175,525	177,240	178,290	178,290
0204 50 15 ⁽²⁾	275,825	278,520	280,170	280,170
0204 50 19 ⁽²⁾	325,975	329,160	331,110	331,110
0204 50 31 ⁽²⁾	325,975	329,160	331,110	331,110
0204 50 39 ⁽²⁾	456,365	460,824	463,554	463,554
0210 90 11 ⁽²⁾	325,975	329,160	331,110	331,110
0210 90 19 ⁽²⁾	456,365	460,824	463,554	463,554

⁽¹⁾ The levy applicable is limited in the conditions laid down by Council Regulations (EEC) No 3643/85, (EEC) No 715/90 and (EEC) No 1373/90 and Commission Regulations (EEC) No 19/82, (EEC) No 1249/90, (EEC) No 1580/90 and (EEC) No 2085/90.

⁽²⁾ The levy applicable is limited to the amount bound under GATT or in the conditions laid down in Council Regulations (EEC) No 1985/82, (EEC) No 3643/85, (EEC) No 715/90 and (EEC) No 753/90 and Commission Regulations (EEC) No 19/82, (EEC) No 3652/89, (EEC) No 3989/89, (EEC) No 479/90 and (EEC) No 952/90.

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

COMMISSION REGULATION (EEC) No 445/91

of 26 February 1991

fixing the import levies on frozen sheepmeat and goatmeat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat ⁽¹⁾, as amended by Regulation (EEC) No 3577/90 ⁽²⁾, and in particular Article 10 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, pursuant to Article 9 (2) of Regulation (EEC) No 3013/89, a levy is applicable to the products falling within CN codes 0204 30 00, 0204 41 00, 0204 42 10, 0204 42 30, 0204 42 50, 0204 42 90, 0204 43 00, 0204 50 51, 0204 50 53, 0204 50 55, 0204 50 59, 0204 50 71 and 0204 50 79 listed in Annex II to that Regulation;

Whereas, pursuant to Article 12 of Regulation (EEC) No 3013/89, the levy on frozen carcasses and halfcarcasses is to be equal to the difference between:

- (a) the basic price multiplied by a coefficient representing the relationship existing in the Community between the price of fresh meat of a category competitive with the frozen meat in question, presented in the same form, and the average price of fresh and chilled sheep carcasses, and
- (b) the Community free-at-frontier offer price for the said frozen meat;

Whereas the seasonally-adjusted basic price for the 1990 marketing year is fixed in Article 2 of Council Regulation (EEC) No 1248/89 ⁽³⁾; whereas the coefficient referred to in Article 2 (1) (a) of Regulation (EEC) No 3013/89 is fixed in Article 2 (2) of Regulation (EEC) No 2668/80 ⁽⁴⁾, as amended by Regulation (EEC) No 3939/87 ⁽⁵⁾;

Whereas the Community free-at-frontier offer price is determined in the light of the most representative purchasing possibilities, as regards quality and quantity, recorded over the period from the 21st day of the preceding month to the 20th day of the month during

which the levies are determined, taking particular account of the supply and demand situation for fresh or chilled meat, the world market price for frozen meat of a category which is competitive with fresh or chilled meat and of past experience;

Whereas, pursuant to Article 3 of Regulation (EEC) No 2668/80, the free-at-frontier offer prices are to be based *inter alia* on the prices shown in the customs documents which accompany products imported from non-member countries or on other information concerning the export prices applied by those non-member countries; whereas offer prices which do not correspond to actual purchasing possibilities or which relate to unrepresentative quantities and offer prices which, in view of general price movements or other information available, may be considered not to be representative of actual price trends in the country of origin are to be disregarded;

Whereas a special levy may be fixed for products originating in or coming from one or more non-member countries if exports of the said products are made at abnormally low prices;

Whereas the levy on the meat falling within CN codes 0204 30 00, 0204 41 00, 0204 42 10, 0204 42 30, 0204 42 50, 0204 42 90, 0204 43 00, 0204 50 51, 0204 50 53, 0204 50 55, 0204 50 59, 0204 50 71 and 0204 50 79 listed in Annex II to Regulation (EEC) No 3013/89 is to be equal to the levy determined for frozen carcasses, multiplied by a standard coefficient fixed for each of the products in question; whereas these coefficients are fixed in Annex II to Regulation (EEC) No 2668/80;

Whereas the levies should be so fixed that the obligations arising from international agreements concluded by the Community continue to be fulfilled; whereas, moreover, account should be taken of the voluntary restraint arrangements made by the Community with certain non-member countries;

Whereas Council Regulation (EEC) No 715/90 ⁽⁶⁾, as amended by Regulation (EEC) No 297/91 ⁽⁷⁾, lays down the arrangements applicable on agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories;

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 129, 11. 5. 1989, p. 10.

⁽⁴⁾ OJ No L 276, 20. 10. 1980, p. 39.

⁽⁵⁾ OJ No L 373, 31. 12. 1987, p. 1.

⁽⁶⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽⁷⁾ OJ No L 36, 8. 2. 1991, p. 9.

Whereas the levies are fixed before the 27th day of each month for each week during the following month; whereas they are applicable from Monday to Sunday; whereas they can be altered within that period if necessary;

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 Council Regulation (EEC) No 1676/85 ⁽¹⁾, as last amended by Regulation (EEC) No 2205/90 ⁽²⁾,
- 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, having regard to the provisions of the above-mentioned Regulations and, in particular, to the information and quotations known to the Commission, the levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat should be as set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 4 March 1991.

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

Done at Brussels, 26 February 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽²⁾ OJ No L 201, 31. 7. 1990, p. 9.

ANNEX

to the Commission Regulation of 26 February 1991 fixing the import levies on frozen
sheepmeat and goatmeat⁽¹⁾

(ECU/100 kg)

CN code	Week No 9 from 4 to 10 March 1991	Week No 10 from 11 to 17 March 1991	Week No 11 from 18 to 24 March 1991	Week No 12 from 25 to 31 March 1991
0204 30 00	227,063	228,900	230,025	230,025
0204 41 00	227,063	228,900	230,025	230,025
0204 42 10	158,944	160,230	161,018	161,018
0204 42 30	249,769	251,790	253,028	253,028
0204 42 50	295,182	297,570	299,033	299,033
0204 42 90	295,182	297,570	299,033	299,033
0204 43 00	413,255	416,598	418,646	418,646
0204 50 51	227,063	228,900	230,025	230,025
0204 50 53	158,944	160,230	161,018	161,018
0204 50 55	249,769	251,790	253,028	253,028
0204 50 59	295,182	297,570	299,033	299,033
0204 50 71	295,182	297,570	299,033	299,033
0204 50 79	413,255	416,598	418,646	418,646

⁽¹⁾ The levy applicable is limited to the amount bound under GATT or in the conditions laid down in Council Regulations (EEC) No 1985/82, (EEC) No 3643/85, (EEC) No 715/90 and (EEC) No 753/90 and Commission Regulations (EEC) No 19/82, (EEC) No 3652/89, (EEC) No 3989/89, (EEC) No 479/90 and (EEC) No 952/90.

COMMISSION REGULATION (EEC) No 446/91

of 26 February 1991

fixing the import levies on live cattle and on beef and veal other than frozen

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EEC) No 3577/90⁽²⁾, and in particular Article 12 (8) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas under Article 9 of Regulation (EEC) No 805/68 a levy is applicable to the products specified in Article 1 (1) (a) of that Regulation; whereas Article 12 fixes the amount of the levy applicable by reference to a percentage of the basic levy;

Whereas in respect of bovine animals the basic levy is determined on the basis of the difference between the guide price and the Community free-at-frontier offer price plus the amount of the customs duty; whereas the Community free-at-frontier offer price is determined in the light of the most representative purchasing possibilities, as regards quality and quantity, recorded over a certain period for bovine animals and for the fresh or chilled meat specified in section (a) of the Annex to the said Regulation under CN codes 0201 10 10, 0201 10 90, 0201 20 11 and 0201 20 19, account being taken in particular of the position with respect to supply and demand, of world market prices for frozen meat of a category which is competitive with fresh or chilled meat and of past experience;

Whereas if it is found that the price of adult bovine animals on representative Community markets is higher than the guide price, the levy applicable equals the following percentage of the basic levy:

- (a) 75 % where the market price is less than or equal to 102 % of the guide price;
- (b) 50 % where the market price is more than 102 % and less than or equal to 104 % of the guide price;
- (c) 25 % where the market price is more than 104 % and less than or equal to 106 % of the guide price;
- (d) 0 % where the market price is more than 106 % of the guide price;

Whereas if it is found that the price of adult bovine animals on representative Community markets is equal to

or less than the guide price, the levy applicable equals the following percentage of the basic levy:

- (a) 100 % where the market price is more than or equal to 98 % of the guide price;
- (b) 105 % where the market price is less than 98 % and more than or equal to 96 % of the guide price;
- (c) 110 % where the market price is less than 96 % and more than or equal to 90 % of the guide price;
- (d) 114 % where the market price is less than 90 % of the guide price;

Whereas pursuant to Article 10 (4) of Regulation (EEC) No 805/68 the basic levy on the meat specified in sections (a), (c) and (d) of the Annex hereto is equal to the basic levy determined for bovine animals, multiplied by a standard coefficient fixed for each of the products in question; whereas these coefficients are fixed by Commission Regulation (EEC) No 586/77 of 18 March 1977 laying down rules for the application of levies on beef and veal and amending Regulation (EEC) No 950/68 on the Common Customs Tariff⁽³⁾, as last amended by Regulation (EEC) No 3988/87⁽⁴⁾;

Whereas the guide prices for adult bovine animals to be applied from 14 May 1990 were fixed by Council Regulation (EEC) No 1188/90⁽⁵⁾;

Whereas the prices fixed by the Council are to be reduced in accordance with Commission Regulation (EEC) No 1252/90 of 11 May 1990 establishing the prices and amounts fixed in ecus by the Council in the beef and veal sector and reduced as a result of the monetary realignment of 5 January 1990⁽⁶⁾;

Whereas Regulation (EEC) No 586/77 stipulates that the basic levy is to be calculated according to the method set out in its Article 3 and on the basis of all the representative free-at-frontier offer prices of the Community determined for the products of each of the categories and cuts specified in Article 2 and established principally by reference to the prices specified in the customs documents accompanying products imported from third countries or from other information concerning export prices obtaining in those third countries;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 75, 23. 3. 1977, p. 10.

⁽⁴⁾ OJ No L 376, 31. 12. 1987, p. 31.

⁽⁵⁾ OJ No L 119, 11. 5. 1990, p. 36.

⁽⁶⁾ OJ No L 121, 12. 5. 1990, p. 30.

Whereas, however, offer prices that do not correspond to real purchasing possibilities or that relate to unrepresentative quantities should not be taken into account; whereas offer prices should also be excluded when the movement of prices in general or the information available suggests that they are unrepresentative of the true trend of prices in the country of origin;

Whereas in cases where for one or more categories of bovine animals or cuts of meat a free-at-frontier offer price cannot be established, the most recent available price should be used for the calculation;

Whereas if the free-at-frontier offer price differs by less than ECU 0,60 per 100 kilograms of live weight from that previously used for the calculation of the levy, the latter price should be retained;

Whereas pursuant to Article 10 (3) of Regulation (EEC) No 805/68 a special basic levy is determined for certain third countries on the basis of the difference between the guide price and the average price recorded over a certain period plus the amount of the customs duty;

Whereas Commission Regulation (EEC) No 611/77 ⁽¹⁾, as amended by Regulation (EEC) No 925/77 ⁽²⁾, provides that the special levy on products originating in and coming from Austria, Sweden and Switzerland should be determined on the basis of the weighted average of the prices of adult bovine animals recorded on the representative markets of those third countries; whereas the weighting coefficients and representative markets are specified in the Annexes to Regulation (EEC) No 611/77;

Whereas the average price is not to be used for calculating the special levy unless it is at least ECU 1,21 per 100 kilograms of live weight more than the free-at-frontier offer price determined in accordance with Article 10 (2) of Regulation (EEC) No 805/68;

Whereas if the average price differs by less than ECU 0,60 per 100 kilograms of live weight from that previously used to calculate the levy, the latter may be retained;

Whereas in cases where one or more of the abovementioned third countries adopt, for reasons of health for

example, measures affecting the prices recorded on their markets, the Commission may use the latest prices recorded before the entry into force of such measures;

Whereas pursuant to Article 12 (6) of Regulation (EEC) No 805/68 the price of adult bovine animals on representative Community markets is the price established on the basis of prices recorded over a period to be determined on the representative market or markets of each Member State in respect of the various categories of adult bovine animals or of meat from such animals, after taking into account the size of each of these categories and the relative size of the bovine herd of each Member State;

Whereas the representative markets, categories and qualities of products and weighting coefficients are fixed in Annex II to Commission Regulation (EEC) No 610/77 of 18 March 1977 on the determination of prices of adult bovine animals on representative Community markets and the survey of prices of certain other cattle in the Community ⁽³⁾, as last amended by Regulation (EEC) No 3784/90 ⁽⁴⁾;

Whereas, for Member States with several representative markets, the price of each category and quality is equal to the arithmetic mean of the prices recorded on each of those markets; whereas, for representative markets held several times in one period of seven days, the price of each category and quality is equal to the arithmetic mean of the prices recorded on each market day; whereas in respect of Italy the price of each category and quantity is equal to the average, weighted by the special weighting coefficients fixed in Annex II to Regulation (EEC) No 610/77, of the prices recorded in the surplus and deficit zones; whereas the price recorded in the surplus zone is equal to the arithmetic mean of the prices recorded on each of the markets within that zone; whereas in respect of the United Kingdom the weighted average prices of adult bovine animals recorded on the representative markets of Great Britain on the one hand and Northern Ireland on the other are adjusted by the coefficient fixed in the abovementioned Annex II;

Whereas prices for the different categories and qualities not obtained from prices which are 'live weight excluding tax' are multiplied by the live weight conversion coefficients fixed in Annex II to the said Regulation and, in the case of Italy, are first increased or reduced by the corrective amounts fixed in the said Annex;

⁽¹⁾ OJ No L 77, 25. 3. 1977, p. 14.

⁽²⁾ OJ No L 109, 30. 4. 1977, p. 1.

⁽³⁾ OJ No L 77, 25. 3. 1977, p. 1.

⁽⁴⁾ OJ No L 364, 28. 12. 1990, p. 21.

Whereas if one or more Member States, for veterinary or health reasons for example, adopt measures affecting the normal trend of prices recorded on their markets the Commission may disregard the prices recorded on the market or markets in question, or use the latest prices recorded on the market or markets in question before the entry into force of such measures;

Whereas, in the absence of information, prices recorded on representative Community markets are determined mainly by reference to the most recently recorded prices;

Whereas for such period as the price of adult bovine animals recorded on representative Community markets differs by less than 0,24 ECU per 100 kilograms of live weight from the price previously used, the latter is retained;

Whereas levies must be fixed having regard to the obligations arising from international agreements concluded by the Community; whereas account should also be taken of Council Regulation (EEC) No 314/83 of 24 January 1983 on the conclusion of the Cooperation Agreement between the European Economic Community and the Socialist Federal Republic of Yugoslavia⁽¹⁾, and of Council Decision 87/605/EEC of 21 December 1987 on the conclusion of the additional Protocol to the Cooperation Agreement between the European Economic Community and the Socialist Federal Republic of Yugoslavia⁽²⁾, anticipating a reduction in the levy applicable on imports into the Community of certain products in the beef and veal sector originating in and coming from Yugoslavia;

Whereas Council Regulation (EEC) No 715/90⁽³⁾, as amended by Regulation (EEC) No 297/91⁽⁴⁾, lays down the arrangements applicable on agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories;

Whereas the various cuts of beef and veal are defined in Regulation (EEC) No 586/77;

Whereas, pursuant to Article 33 (2) of Regulation (EEC) No 805/68, the nomenclature provided for in this Regulation is incorporated in the combined nomenclature;

Whereas the levies and special levies are fixed before the 27th day of each month and are applicable from the first Monday of the following month; whereas these levies may be altered in the period between two fixings where the basic levy or special basic levy is altered, or in the case of changes in the prices recorded on Community representative markets;

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 coefficient provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁵⁾, as last amended by Regulation (EEC) No 2205/90⁽⁶⁾,
- for the other currencies, an exchange rate based on 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, having regard to the provisions of the aforementioned Regulation, and in particular to the information and quotations known to the Commission, the levies on live cattle and beef and veal other than frozen meat should be as set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on live cattle and beef and veal other than frozen meat shall be as set out in the Annex to the present Regulation.

Article 2

This Regulation shall enter into force on 4 March 1991.

⁽¹⁾ OJ No L 41, 14. 2. 1983, p. 1.

⁽²⁾ OJ No L 389, 31. 12. 1987, p. 72.

⁽³⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽⁴⁾ OJ No L 36, 8. 2. 1991, p. 9.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ 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, 26 February 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 26 February 1991 fixing the import levies on live cattle and on beef and veal other than frozen

(ECU/100 kg)

CN code	Yugoslavia ⁽²⁾	Austria/Sweden/ Switzerland	Other third countries
— Live weight —			
0102 90 10	—	25,286	⁽¹⁾ 124,192
0102 90 31	21,788	⁽¹⁾ 25,286	⁽¹⁾ 124,192
0102 90 33	—	25,286	⁽¹⁾ 124,192
0102 90 35	21,788	25,286	⁽¹⁾ 124,192
0102 90 37	21,788	25,286	⁽¹⁾ 124,192
— Net weight —			
0201 10 10	—	48,044	⁽¹⁾ 235,964
0201 10 90	41,397	48,044	⁽¹⁾ 235,964
0201 20 21	—	48,044	⁽¹⁾ 235,964
0201 20 29	41,397	48,044	⁽¹⁾ 235,964
0201 20 31	—	38,435	⁽¹⁾ 188,771
0201 20 39	33,118	38,435	⁽¹⁾ 188,771
0201 20 51	49,677	57,653	⁽¹⁾ 283,157
0201 20 59	49,677	57,653	⁽¹⁾ 283,157
0201 20 90	—	72,066	⁽¹⁾ 353,946
0201 30 00	—	82,433	⁽¹⁾ 404,864
0206 10 95	—	82,433	⁽¹⁾ 404,864
0210 20 10	—	72,066	353,946
0210 20 90	—	82,433	404,864
0210 90 41	—	82,433	404,864
0210 90 90	—	82,433	404,864
1602 50 10	—	82,433	404,864
1602 90 61	—	82,433	404,864

⁽¹⁾ In accordance with amended Regulation (EEC) No 715/90, levies are not applied to products imported directly into the French overseas departments, originating in the African, Caribbean and Pacific States or in the overseas countries and territories.

⁽²⁾ This levy is applicable only to products complying with the provisions of the Commission Regulation (EEC) No 1368/88 (OJ No L 126, 20. 5. 1988, p. 26).

COMMISSION REGULATION (EEC) No 447/91

of 26 February 1991

fixing the import levies on frozen beef and veal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EEC) No 3577/90⁽²⁾, and in particular Article 12 (8) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas under Article 9 of Regulation (EEC) No 805/68 a levy is applicable to the products specified in Article 1 (1) (a) of that Regulation; whereas Article 12 fixes the amount of the levy applicable by reference to a percentage of the basic levy;

Whereas, in respect of the types of frozen meat listed in section (b) of the Annex to the said Regulation under CN codes 0202 10 00 and 0202 20 10, the basic levy is determined on the basis of the difference between:

- the guide price multiplied by a coefficient representing the ratio existing in the Community between the price of fresh meat of a category competitive with the frozen meat in question, presented in the same form, and the average price of adult bovine animals, and
- the Community free-at-frontier offer price for frozen meat, plus the amount of the customs duty and a standard amount representing the specific costs of the import operations;

Whereas, by Commission Regulation (EEC) No 586/77 of 18 March 1977 laying down rules for the application of the levies on beef and veal and amending Regulation (EEC) No 950/68 on the Common Customs Tariff⁽³⁾, as last amended by Regulation (EEC) No 3988/87⁽⁴⁾, the abovementioned coefficient, calculated in accordance with the rules laid down in Article 11 (2) (a) of Regulation (EEC) No 805/68, has been fixed at 1,69 units of account and the standard amount referred to in Article 11 (2) (b) of the said Regulation has been fixed at ECU 6,65;

Whereas, if it is found that the price of adult bovine animals on representative Community markets is higher than the guide price, the levy applicable equals the following percentage of the basic levy:

- (a) 75 % where the market price is less than or equal to 102 % of the guide price;
- (b) 50 % where the market price is more than 102 % and less than or equal to 104 % of the guide price;

- (c) 25 % where the market price is more than 104 % and less than or equal to 106 % of the guide price;
- (d) 0 % where the market price is more than 106 % of the guide price;

Whereas, if it is found that the price of adult bovine animals on representative Community markets is equal to or less than the guide price, the levy applicable equals the following percentage of the basic levy:

- (a) 100 % where the market price is more than or equal to 98 % of the guide price;
- (b) 105 % where the market price is less than 98 % and more than or equal to 96 % of the guide price;
- (c) 110 % where the market price is less than 96 % and more than or equal to 90 % of the guide price;
- (d) 114 % where the market price is less than 90 % of the guide price;

Whereas the guide prices for adult bovine animals to be applied from 14 May 1990 have been fixed by Council Regulation (EEC) No 1188/90⁽⁵⁾;

Whereas the prices fixed by the Council are to be reduced in accordance with Commission Regulation (EEC) No 1252/90 of 11 May 1990 establishing the prices and amounts fixed in ecus by the Council in the beef and veal sector and reduced as a result of the monetary realignment of 5 January 1990⁽⁶⁾;

Whereas the Community free-at-frontier offer price for frozen meat is determined by reference to the world market price based on the most representative purchasing possibilities, as regards quality and quantity, recorded over a certain period preceding the fixing of the basic levy, taking into account in particular:

- foreseeable developments on the market in frozen meat,
- the most representative prices on third country markets for fresh and chilled meat of a category which is competitive with frozen meat,
- past experience;

Whereas the basic levy on the types of frozen meat listed in section (b) of the Annex to Regulation (EEC) No 805/68 under CN codes 0202 20 50, 0202 20 90, 0202 30 10, 0202 30 50 and 0202 30 90 is equal to the basic levy fixed for the products falling within CN codes 0202 10 00 and 0202 20 10, multiplied by a standard

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 75, 23. 3. 1977, p. 10.

⁽⁴⁾ OJ No L 376, 31. 12. 1987, p. 31.

⁽⁵⁾ OJ No L 119, 11. 5. 1990, p. 36.

⁽⁶⁾ OJ No L 121, 12. 5. 1990, p. 30.

coefficient fixed for each of the products in question ; whereas these coefficients were fixed in Annex II to Regulation (EEC) No 586/77 ;

Whereas, for the purpose of fixing the free-at-frontier offer prices, offer prices that do not correspond to real purchasing possibilities or that relate to unrepresentative quantities should not be taken into account ; whereas offer prices should also be excluded when the movement of prices in general or the information available gives reason to believe that they are unrepresentative of the true trend of prices in the country of origin ;

Whereas, where the free-at-frontier offer price for frozen meat differs by less than one unit of account per 100 kilograms from that previously used for the calculation of the levy, the latter price should be retained ;

Whereas pursuant to Article 12 (6) of Regulation (EEC) No 805/68 the price of adult bovine animals on representative Community markets is the price established on the basis of prices recorded over a period to be determined on the representative market or markets of each Member State for the various categories of adult bovine animals or of meat from such animals, taking into account the size of each of these categories and the relative size of the bovine herd of each Member State ;

Whereas the representative markets, categories and qualities of products and weighting coefficients are fixed in Annex II to Commission Regulation (EEC) No 610/77 of 18 March 1977 on the determination of prices of adult bovine animals on representative Community markets and the survey of prices of certain other cattle in the Community ⁽¹⁾, as last amended by Regulation (EEC) No 3784/90 ⁽²⁾ ;

Whereas, for Member States with several representative markets, the price of each category and quality is equal to the arithmetic mean of the prices recorded on each of those markets ; for representative markets held several times in one period of seven days, the price of each category and quality is equal to the arithmetic mean of the prices recorded on each market day ; whereas in respect of Italy the price of each category and quality is equal to the average, weighted by the special weighting coefficients fixed in Annex II to Regulation (EEC) No 610/77, of the

prices recorded in the surplus and deficit zones ; whereas the price recorded in the surplus zone is equal to the arithmetic mean of the prices recorded on each of the markets within that zone ; whereas in respect of the United Kingdom the weighted average prices of adult bovine animals recorded on the representative markets of Great Britain on the one hand and Northern Ireland on the other are adjusted by the coefficient fixed in the abovementioned Annex II ;

Whereas prices for the different categories and qualities not obtained from prices which are 'live weight excluding tax', are multiplied by the live weight conversion coefficients fixed in Annex II to the said Regulation and, in the case of Italy, are first increased or reduced by the corrective amounts fixed in the said Annex ;

Whereas if one or more Member States, for veterinary or health reasons for example, adopt measures affecting the normal trend of prices recorded on their markets, the Commission may disregard the prices recorded on the market or markets in question, or use the latest prices recorded on the market or markets in question before the entry into force of such measures ;

Whereas, in the absence of information, prices recorded on representative Community markets are determined mainly by reference to the most recently recorded prices ;

Whereas, for such period as the price of adult bovine animals recorded on representative Community markets differs by less than ECU 0,24 per 100 kilograms of live weight from the price previously used, the latter is retained ;

Whereas the levies must be so fixed that obligations arising from international agreements concluded by the Community continue to be fulfilled ;

Whereas Council Regulation (EEC) No 715/90 ⁽³⁾, as amended by Regulation (EEC) No 297/91 ⁽⁴⁾, lays down the arrangements applicable on agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories ;

Whereas the various cuts of frozen meat are defined in Regulation (EEC) No 586/77 ;

⁽¹⁾ OJ No L 77, 25. 3. 1977, p. 1.

⁽²⁾ OJ No L 364, 28. 12. 1990, p. 21.

⁽³⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽⁴⁾ OJ No L 36, 8. 2. 1991, p. 9.

Whereas, pursuant to Article 33 (2) of Regulation (EEC) No 805/68, the nomenclature provided for in this Regulation is incorporated in the combined nomenclature;

Whereas the levies are fixed before the 27th day of each month and are applicable from the first Monday of the following month; whereas these levies may be altered in the period between two fixings where the basic levy is altered, or in these case of changes in the prices recorded on Community representative markets;

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 Council Regulation (EEC) No 1676/85 ⁽¹⁾, as last amended by Regulation (EEC) No 2205/90 ⁽²⁾,
- 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, having regard to the provisions of the aforementioned Regulations, and in particular to the information and quotations known to the Commission, the levies on frozen beef and veal should be as set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on frozen beef and veal shall be as set out in the Annex.

Article 2

This Regulation shall enter into force on 4 March 1991.

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

Done at Brussels, 26 February 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽²⁾ OJ No L 201, 31. 7. 1990, p. 9.

ANNEX

to the Commission Regulation of 26 February 1991 fixing the import levies on frozen beef and veal ⁽¹⁾

<i>(ECU/100 kg)</i>	
CN code	Levy
	— Net weight —
0202 10 00	(¹) 208,791
0202 20 10	(¹) 208,791
0202 20 30	(¹) 167,033
0202 20 50	(¹) 260,989
0202 20 90	(¹) 313,187
0202 30 10	(¹) 260,989
0202 30 50	(¹) 260,989
0202 30 90	(¹) 359,121
0206 29 91	(¹) 359,121

⁽¹⁾ In accordance with amended Regulation (EEC) No 715/90, levies are not applied to products imported directly into the French overseas departments, originating in the African, Caribbean and Pacific States or in the overseas countries and territories.

COMMISSION REGULATION (EEC) No 448/91

of 26 February 1991

adjusting the corrective amount on the import of cucumbers into the Community of Ten from Spain (except the Canary Islands)

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 3709/89 of 4 December 1989 laying down general rules for implementing the Act of Accession of Spain and Portugal as regards the compensatory mechanism for imports of fruit and vegetables from Spain⁽¹⁾, and in particular Article 4 (2) thereof,

Whereas Article 152 of the Act of Accession introduces from 1 January 1990 a compensatory mechanism for imports into the Community as constituted on 31 December 1985, hereinafter called 'the Community of Ten', of fruit and vegetables from Spain (except the Canary Islands) for which a reference price is fixed with regard to third countries;

Whereas Regulation (EEC) No 3709/89 lays down general rules for applying the said compensatory mechanism and Commission Regulation (EEC) No 3815/89⁽²⁾ lays down detailed rules for applying the said compensatory mechanism;

Whereas Commission Regulation (EEC) No 351/91⁽³⁾, as amended by Regulation (EEC) No 408/91⁽⁴⁾, introduces a corrective amount on imports of cucumbers into the Community of Ten from Spain (except the Canary Islands);

Whereas Article 3 (4) of Regulation (EEC) No 3709/89 lays down the conditions under which a corrective amount introduced pursuant to Article 3 (1) of the said Regulation, is to be adjusted; whereas the said conditions require that the corrective amount on imports of cucumbers from Spain (except the Canary Islands) into the Community of Ten be adjusted,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of amended Regulation (EEC) No 351/91 'ECU 53,49' is replaced by 'ECU 70,86'.

Article 2

This Regulation shall enter into force on 27 February 1991.

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

Done at Brussels, 26 February 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 363, 13. 12. 1989, p. 3.
⁽²⁾ OJ No L 371, 20. 12. 1989, p. 28.

⁽³⁾ OJ No L 41, 14. 2. 1991, p. 26.
⁽⁴⁾ OJ No L 48, 21. 2. 1991, p. 29.

COMMISSION REGULATION (EEC) No 449/91

of 26 February 1991

fixing the import levies on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EEC) No 305/91⁽²⁾, and in particular Article 16 (8) thereof,Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 3608/90⁽³⁾, as last amended by Regulation (EEC) No 435/91⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Commission Regulation (EEC) No 3608/90 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⁽⁵⁾, as last amended by Regulation (EEC) No 2205/90⁽⁶⁾,

- 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 25 February 1991,

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 27 February 1991.

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

Done at Brussels, 26 February 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.⁽²⁾ OJ No L 37, 9. 2. 1991, p. 1.⁽³⁾ OJ No L 350, 14. 12. 1990, p. 68.⁽⁴⁾ OJ No L 51, 26. 2. 1991, p. 12.⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 9.

ANNEX

to the Commission Regulation of 26 February 1991 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	41,15 ⁽¹⁾
1701 11 90	41,15 ⁽¹⁾
1701 12 10	41,15 ⁽¹⁾
1701 12 90	41,15 ⁽¹⁾
1701 91 00	45,31
1701 99 10	45,31
1701 99 90	45,31 ⁽²⁾

⁽¹⁾ The levy applicable is calculated in accordance with the provisions of Article 2 or 3 of Commission Regulation (EEC) No 837/68 (OJ No L 151, 30. 6. 1968, p. 42).

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

COMMISSION REGULATION (EEC) No 450/91

of 26 February 1991

altering the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 3577/90⁽²⁾, and in particular Article 14 (4) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EEC) No 1806/89⁽⁴⁾, and in particular Article 12 (4) thereof,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽⁵⁾, as last amended by Regulation (EEC) No 2205/90⁽⁶⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on products processed from cereals and rice were fixed by Commission Regulation (EEC) No 205/91⁽⁷⁾, as last amended by Regulation (EEC) No 436/91⁽⁸⁾;

Whereas Council Regulation (EEC) No 1906/87⁽⁹⁾ amended Council Regulation (EEC) No 2744/75⁽¹⁰⁾ as regards products falling within CN codes 2302 10, 2302 20, 2302 30 and 2302 40;

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

— 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 25 February 1991;

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

Whereas the levy on the basic product as last fixed differs from the average levy by more than ECU 3,02 per tonne of basic product; whereas, pursuant to Article 1 of Commission Regulation (EEC) No 1579/74⁽¹¹⁾, as last amended by Regulation (EEC) No 1740/78⁽¹²⁾, the levies at present in force must therefore be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products processed from cereals and rice covered by Regulation (EEC) No 2744/75 as fixed in the Annex to amended Regulation (EEC) No 205/91 are hereby altered to the amounts set out in the Annex.

Article 2

This Regulation shall enter into force on 27 February 1991.

⁽¹¹⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽¹²⁾ OJ No L 202, 26. 7. 1978, p. 8.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁷⁾ OJ No L 23, 29. 1. 1991, p. 24.

⁽⁸⁾ OJ No L 51, 26. 2. 1991, p. 14.

⁽⁹⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽¹⁰⁾ OJ No L 281, 1. 11. 1975, p. 65.

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

Done at Brussels, 26 February 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 26 February 1991 altering the import levies on products processed from cereals and rice

(ECU / tonne)

CN code	Import levies	
	ACP or OCT	Third countries (other than ACP or OCT) ^(*)
2302 10 10	69,17	75,17
2302 10 90	148,22	154,22
2302 20 10	69,17	75,17
2302 20 90	148,22	154,22
2302 30 10	69,17	75,17
2302 30 90	148,22	154,22
2302 40 10	69,17	75,17
2302 40 90	148,22	154,22

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

COMMISSION REGULATION (EEC) No 451/91
of 26 February 1991
fixing the amount of the subsidy on oil seeds

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

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

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 3577/90⁽²⁾, and in particular Article 27 (4) thereof,

Having regard to Council Regulation (EEC) No 1678/85 of 11 June 1985 fixing the conversion rates to be applied in agriculture⁽³⁾, as last amended by Regulation (EEC) No 354/91⁽⁴⁾,

Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza, rape and sunflower seed⁽⁵⁾, as last amended by Regulation (EEC) No 2206/90⁽⁶⁾, and in particular Article 2 (3) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the amount of the subsidy referred to in Article 27 of Regulation No 136/66/EEC was fixed by Commis-

sion Regulation (EEC) No 3866/90⁽⁷⁾, as last amended by Regulation (EEC) No 429/91⁽⁸⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 3866/90 to the information known to the Commission that the amount of the subsidy at present in force should be altered to the amount set out in the Annexes hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The amount of the subsidy and the exchange rate referred to in Article 33 (2) and (3) of Commission Regulation (EEC) No 2681/83⁽⁹⁾ are as set out in the Annexes hereto.

Article 2

This Regulation shall enter into force on 27 February 1991.

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

Done at Brussels, 26 February 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

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

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁴⁾ OJ No L 44, 18. 2. 1991, p. 48.

⁽⁵⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 11.

⁽⁷⁾ OJ No L 367, 29. 12. 1990, p. 80.

⁽⁸⁾ OJ No L 50, 23. 2. 1991, p. 21.

⁽⁹⁾ OJ No L 266, 28. 9. 1983, p. 1.

ANNEX I

Aids to colza and rape seed other than 'double zero'

(amounts per 100 kg)

	Current 2	1st period 3	2nd period 4	3rd period 5	4th period 6	5th period 7
1. Gross aids (ECU):						
— Spain	0,000	0,000	0,000	0,000	0,000	—
— Portugal	27,948	27,976	27,984	27,972	27,964	—
— Other Member States	20,978	21,006	21,014	21,002	20,994	—
2. Final aids:						
Seed harvested and processed in:						
— Federal Republic of Germany (DM)	49,39	49,45	49,47	49,44	49,42	—
— Netherlands (Fl)	55,65	55,72	55,74	55,71	55,69	—
— BLEU (Bfrs/Lfrs)	1 018,61	1 019,97	1 020,36	1 019,78	1 019,39	—
— France (FF)	165,63	165,86	165,92	165,82	165,76	—
— Denmark (Dkr)	188,38	188,63	188,70	188,60	188,52	—
— Ireland (£ Irl)	18,435	18,460	18,467	18,456	18,449	—
— United Kingdom (£)	16,065	16,082	16,084	16,058	16,051	—
— Italy (Lit)	36 952	37 001	37 015	36 994	36 980	—
— Greece (Dr)	4 298,53	4 275,97	4 232,96	4 183,50	4 181,43	—
— Spain (Pta)	0,00	0,00	0,00	0,00	0,00	—
— Portugal (Esc)	5 842,24	5 848,27	5 846,27	5 833,05	5 831,38	—

ANNEX II

Aids to colza and rape seed 'double zero'

(amounts per 100 kg)

	Current 2	1st period 3	2nd period 4	3rd period 5	4th period 6	5th period 7
1. Gross aids (ECU):						
— Spain	1,288	1,316	1,324	1,312	1,304	—
— Portugal	30,448	30,476	30,484	30,472	30,464	—
— Other Member States	23,478	23,506	23,514	23,502	23,494	—
2. Final aids:						
Seed harvested and processed in:						
— Federal Republic of Germany (DM)	55,27	55,34	55,36	55,33	55,31	—
— Netherlands (Fl)	62,28	62,35	62,37	62,34	62,32	—
— BLEU (Bfrs/Lfrs)	1 140,00	1 141,36	1 141,75	1 141,17	1 140,78	—
— France (FF)	185,37	185,59	185,66	185,56	185,50	—
— Denmark (Dkr)	210,83	211,08	211,15	211,05	210,97	—
— Ireland (£ Irl)	20,632	20,657	20,664	20,653	20,646	—
— United Kingdom (£)	18,014	18,031	18,032	18,007	18,000	—
— Italy (Lit)	41 355	41 405	41 419	41 398	41 384	—
— Greece (Dr)	4 855,79	4 833,23	4 790,22	4 740,76	4 738,69	—
— Spain (Pta)	286,05	291,53	291,10	283,47	282,28	—
— Portugal (Esc)	6 363,93	6 369,96	6 367,96	6 354,74	6 353,07	—

ANNEX III

Aids to sunflower seed

(amounts per 100 kg)

	Current 2	1st period 3	2nd period 4	3rd period 5	4th period 6
1. Gross aids (ECU):					
— Spain	30,829	30,685	30,703	31,202	30,893
— Portugal	39,738	39,603	39,627	40,123	39,819
— Other Member States	27,498	27,363	27,387	27,883	27,579
2. Final aids:					
(a) Seed harvested and processed in (1):					
— Federal Republic of Germany (DM)	64,74	64,42	64,47	65,64	64,93
— Netherlands (Fl)	72,94	72,58	72,65	73,96	73,15
— BLEU (Bfrs/Lfrs)	1 335,20	1 328,65	1 329,81	1 353,90	1 339,13
— France (FF)	217,11	216,05	216,24	220,15	217,75
— Denmark (Dkr)	246,93	245,72	245,93	250,39	247,66
— Ireland (£ Irl)	24,165	24,046	24,067	24,503	24,236
— United Kingdom (£)	21,134	21,019	21,032	21,412	21,168
— Italy (Lit)	48 436	48 199	48 241	49 115	48 579
— Greece (Dr)	5 732,76	5 666,32	5 623,44	5 701,47	5 622,68
— Portugal (Esc)	8 302,51	8 274,69	8 276,00	8 368,75	8 305,22
(b) Seed harvested in Spain and processed:					
— in Spain (Pta)	4 789,62	4 770,07	4 771,80	4 840,88	4 795,08
— in another Member State (Pta)	4 844,00	4 825,73	4 828,37	4 897,17	4 852,20

(1) For seed harvested in Member States other than Spain and processed in Spain, the amounts shown in 2 (a) to be multiplied by 1,0186140.

ANNEX IV

Exchange rate of the ecu to be used for converting final aids into the currency of the processing country when the latter is a country other than the country of production

(value of ECU 1)

	Current 2	1st period 3	2nd period 4	3rd period 5	4th period 6	5th period 7
DM	2,047880	2,045480	2,043040	2,040820	2,040820	—
Fl	2,306230	2,303650	2,301080	2,298490	2,298490	—
Bfrs/Lfrs	42,151400	42,119899	42,082300	42,051400	42,051400	—
FF	6,977200	6,971890	6,966610	6,963090	6,963090	—
Dkr	7,874260	7,871280	7,868770	7,867800	7,867800	—
£Irl	0,768798	0,768946	0,769497	0,769593	0,769593	—
£	0,704299	0,705880	0,707297	0,708531	0,708531	—
Lit	1 539,50	1 541,55	1 544,16	1 546,11	1 546,11	—
Dr	219,36600	222,14300	224,89100	227,63600	227,63600	—
Esc	180,19000	180,69300	181,35600	182,08700	182,08700	—
Pta	128,09500	128,48600	128,88700	129,24900	129,24900	—

COMMISSION REGULATION (EEC) No 452/91

of 26 February 1991

fixing for Great Britain the level of the variable slaughter premium for sheep
and the amounts to be charged on products leaving region 1

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 3013/89
of 25 September 1989 on the common organization of
the market in sheepmeat and goatmeat⁽¹⁾, as amended by
Regulation (EEC) No 3577/90⁽²⁾,

Having regard to Commission Regulation (EEC) No
1633/84 of 8 June 1984 laying down detailed rules for
applying the variable slaughter premium for sheep and
repealing Regulation (EEC) No 2661/80⁽³⁾, as last
amended by Regulation (EEC) No 1075/89⁽⁴⁾, and in
particular Articles 3 (1) and 4 (1) thereof,

Whereas the United Kingdom is the only country which
grants the variable slaughter premium, in region 5, within
the meaning of Article 22 (2) of Regulation (EEC) No
3013/89 whereas it is necessary therefore for the Commis-
sion to fix, for the week beginning 4 February 1991, the
level of the premium and the amount to be charged on
products leaving that region;

Whereas Article 3 (1) of Regulation (EEC) No 1633/84
stipulates that the level of the variable slaughter premium
is to be fixed each week by the Commission;

Whereas Article 4 (1) of Regulation (EEC) No 1633/84
lays down that the amount to be charged on products
leaving region 1 shall be fixed weekly by the Commis-
sion;

Whereas in the Annex to Commission Regulation (EEC)
No 3618/89 of 1 December 1989 on the application of
the guarantee limitation arrangements for sheepmeat and
goatmeat⁽⁵⁾ the weekly amounts of the guide level are set
out pursuant to Article 25 of Regulation (EEC) No
3013/89;

Whereas, pursuant to the provisions of Article 24 (2) and
(3) of Regulation (EEC) No 3013/89, for the week begin-
ning 4 February 1991, the variable slaughter premium for
sheep certified as eligible in the United Kingdom is to be
in accordance with the amounts fixed in the Annexes
hereto; whereas, for that week, in the light of the Judg-
ment of the Court of Justice of 9 February 1988 in Case
61/86, the provisions of Article 9 (5) of Regulation (EEC)
No 3013/89 and of Article 4 of Regulation (EEC) No
1633/84 lead to the amounts to be charged on products,
leaving region 1, being fixed in accordance with those
Annexes;

Whereas, as regards the controls necessary for the appli-
cation of the provisions relating to the said amounts, the
system of controls provided for by Regulation (EEC) No
1633/84 should be maintained without prejudice to the
preparation of any more specific provisions;

HAS ADOPTED THIS REGULATION:

Article 1

For sheep or sheepmeat certified as eligible in the United
Kingdom in region 1, within the meaning of Article 22
(2) of Regulation (EEC) No 3013/89, for the variable
slaughter premium during the week beginning 4 February
1991, the level of the premium is fixed at ECU 102,049
per 100 kilograms of estimated or actual dressed carcase
weight within the limits laid down by Article 1 (1) (b) of
Regulation (EEC) No 1633/84.

Article 2

For products referred to in Article 1 (a) and (c) of Regula-
tion (EEC) No 3013/89 which left the territory of region 1
during the week beginning 4 February 1991, the amounts
to be charged shall be equivalent to those fixed in the
Annexes hereto.

Article 3

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

It shall apply with effect from 4 February 1991.

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 154, 9. 6. 1984, p. 27.

⁽⁴⁾ OJ No L 114, 27. 4. 1989, p. 13.

⁽⁵⁾ OJ No L 351, 2. 12. 1989, p. 18.

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

Done at Brussels, 26 February 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 26 February 1991 fixing for Great Britain the level of the variable slaughter premium for sheep and the amounts to be charged on products leaving region 1

(ECU/100 kg)

CN code	Amounts	
	A. Products qualifying for the premium specified in Article 24 of Regulation (EEC) No 3013/89	B. Products specified in Article 4 (4) of Regulation (EEC) No 1633/84 ⁽¹⁾
	Live weight	Live weight
0104 10 90	47,963	0
0104 20 90		0
	Net weight	Net weight
0204 10 00	102,049	0
0204 21 00	102,049	0
0204 50 11		0
0204 22 10	71,434	
0204 22 30	112,254	
0204 22 50	132,664	
0204 22 90	132,664	
0204 23 00	185,729	
0204 30 00	76,537	
0204 41 00	76,537	
0204 42 10	53,576	
0204 42 30	84,191	
0204 42 50	99,498	
0204 42 90	99,498	
0204 43 00	139,297	
0204 50 13		0
0204 50 15		0
0204 50 19		0
0204 50 31		0
0204 50 39		0
0204 50 51		0
0204 50 53		0
0204 50 55		0
0204 50 59		0
0204 50 71		0
0204 50 79		0
0210 90 11	132,664	
0210 90 19	185,729	
1602 90 71 :		
— unboned (bone-in)	132,664	
— boned or boneless	185,729	

⁽¹⁾ Eligibility for these reduced amounts is subject to compliance with the conditions laid down in the second subparagraph of Article 5 (3) of Regulation (EEC) No 1633/84.

COMMISSION REGULATION (EEC) No 453/91

of 26 February 1991

fixing the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 3577/90⁽²⁾, and in particular Article 14 (4) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EEC) No 1806/89⁽⁴⁾, and in particular Article 12 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the rules to be applied in calculating the variable component of the import levy on products processed from cereals and rice are laid down in Article 14 (1) (A) of Regulation (EEC) No 2727/75 and Article 12 (1) (a) of Regulation (EEC) No 1418/76; whereas Article 2 of Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and rice⁽⁵⁾, as last amended by Regulation (EEC) No 1906/87⁽⁶⁾, provides that the incidence on the prime costs of these products of the levies applicable to their basic products should be calculated on the basis of the average of the levies applicable to these basic products for the first 25 days of the month preceding that of importation; whereas this average, adjusted on the basis of the threshold price valid for the basic products in question during the month of importation is calculated on the basis of the quantities of basic products considered to have been used in the manufacture of the processed product or the competing product which serves as a reference for processed products not containing cereals;

Whereas Commission Regulation (EEC) No 1579/74 of 24 June 1974 on the procedure for calculating the import levy on products processed from cereals and from rice and for the advance fixing of this levy for these products and for compound feedingstuffs manufactured from cereals⁽⁷⁾, as last amended by Regulation (EEC) No 1740/78⁽⁸⁾, provides that the levy thus determined, increased by the fixed component, is valid in general for one month but is altered where the levy applicable to the basic product concerned differs by not less than ECU 3,02 per tonne from the average of the levies calculated as described above;

Whereas the fixed component of the levy is specified in Regulation (EEC) No 2744/75; on importation into Portugal of products listed in Annex XXIV to the Act of Accession an additional amount is added to the levy; whereas these amounts were set by Commission Regulation (EEC) No 3808/90⁽⁹⁾;

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States and of the overseas countries and territories, the levy relating to them in respect of certain products processed from cereals must be reduced by the amount of the fixed component and, in respect of some of these products, by part of the variable component; whereas this reduction must be made in accordance with Article 14 of Council Regulation (EEC) No 715/90 of 5 March 1990 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the ACP States or in the overseas countries and territories (OCT)⁽¹⁰⁾, as amended by Regulation (EEC) No 297/91⁽¹¹⁾;

Whereas Council Regulation (EEC) No 3834/90 of 20 December 1990 reducing for 1991 the levies on certain agricultural products originating in developing countries⁽¹²⁾ reduces by 50 % the levy on importation into the Community of products of CN code 1108 13 00, within the limit of a fixed amount of 5 000 tonnes a year;

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁶⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁷⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽⁸⁾ OJ No L 202, 26. 7. 1978, p. 8.

⁽⁹⁾ OJ No L 366, 29. 12. 1990, p. 1.

⁽¹⁰⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽¹¹⁾ OJ No L 36, 8. 2. 1991, p. 9.

⁽¹²⁾ OJ No L 370, 31. 12. 1990.

Whereas Council Regulation (EEC) No 430/87 of 9 February 1987 concerning the import arrangements applicable to products falling within CN codes 0714 10 and 0714 90 originating in certain third countries⁽¹⁾, as last amended by Regulation (EEC) No 3842/90⁽²⁾, lay down the terms on which the import levy is limited to 6 % *ad valorem*;

Whereas Council Regulation (EEC) No 2730/75 of 29 October 1975 on glucose and lactose⁽³⁾, as amended by Regulation (EEC) No 222/88⁽⁴⁾, stipulates that the treatment provided for glucose and glucose syrup falling within CN codes 1702 30 91, 1702 30 99 and 1702 40 90 by Regulation (EEC) No 2727/75 it is to be extended to glucose and glucose syrup falling within CN codes 1702 30 51 and 1702 30 59; whereas consequently the levy fixed for products falling within CN codes 1702 30 91, 1702 30 99 and 1702 40 90 also applies to products falling within CN codes 1702 30 51 and 1702 30 59; whereas, to ensure that the provision in question is properly applied, these products and the levy thereon should be explicitly mentioned in the list of levies;

Whereas, 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 Council Regulation (EEC) No 1676/85⁽⁵⁾, as last amended by Regulation (EEC) No 2205/90⁽⁶⁾,

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 March 1991.

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

Done at Brussels, 26 February 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 43, 13. 2. 1987, p. 9.

⁽²⁾ OJ No L 367, 29. 12. 1990, p. 8.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 20.

⁽⁴⁾ OJ No L 28, 1. 2. 1988, p. 1.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 9.

ANNEX

to the Commission Regulation of 26 February 1991 fixing the import levies on products processed from cereals and rice

(ECU/tonne)

CN code	Import levies	
	ACP or OCT	Third countries (other than ACP or OCT) (*)
0714 10 10 (1)	160,44	167,09
0714 10 91	164,07 (2) (?)	164,07
0714 10 99	162,26	167,09
0714 90 11	164,07 (2) (?)	164,07
0714 90 19	162,26 (2)	167,09
1102 20 10	258,88	264,92
1102 20 90	146,70	149,72
1102 30 00	188,67	191,69
1102 90 10	295,33	301,37
1102 90 30	271,87	277,91
1102 90 90	154,19	157,21
1103 12 00	271,87	277,91
1103 13 11	258,88	264,92
1103 13 19	258,88	264,92
1103 13 90	146,70	149,72
1103 14 00	188,67	191,69
1103 19 10	290,32	296,36
1103 19 30	295,33	301,37
1103 19 90	154,19	157,21
1103 21 00	355,27	361,31
1103 29 10	290,32	296,36
1103 29 20	295,33	301,37
1103 29 30	271,87	277,91
1103 29 40	258,88	264,92
1103 29 50	188,67	191,69
1103 29 90	154,19	157,21
1104 11 10	167,35	170,37
1104 11 90	328,14	334,18
1104 12 10	154,06	157,08
1104 12 90	302,08	308,12
1104 19 10	355,27	361,31
1104 19 30	290,32	296,36
1104 19 50	258,88	264,92
1104 19 91	320,38	326,42
1104 19 99	272,11	278,15
1104 21 10	262,51	265,53
1104 21 30	262,51	265,53
1104 21 50	410,18	416,22
1104 21 90	167,35	170,37
1104 22 10 10 (*)	154,06	157,08
1104 22 10 90 (*)	271,87	274,89
1104 22 30	271,87	274,89
1104 22 50	241,66	244,68
1104 22 90	154,06	157,08
1104 23 10	230,11	233,13
1104 23 30	230,11	233,13

CN code	Import levies (ECU/tonne)	
	ACP or OCT	Third countries (other than ACP or OCT) ^(*)
1104 23 90	146,70	149,72
1104 29 11	262,50	265,52
1104 29 15	214,52	217,54
1104 29 19	241,87	244,89
1104 29 31	315,79	318,81
1104 29 35	258,06	261,08
1104 29 39	241,87	244,89
1104 29 91	201,32	204,34
1104 29 95	164,52	167,54
1104 29 99	154,19	157,21
1104 30 10	148,03	154,07
1104 30 90	107,87	113,91
1106 20 10	160,44 ^(*)	167,09
1106 20 91	227,92 ^(*)	252,10
1106 20 99	227,92 ^(*)	252,10
1107 10 11	351,32	362,20
1107 10 19	262,50	273,38
1107 10 91	292,04	302,92 ^(*)
1107 10 99	218,21	229,09
1107 20 00	254,31	265,19 ^(*)
1108 11 00	434,21	454,76
1108 12 00	231,55	252,10
1108 13 00	231,55	252,10 ^(*)
1108 14 00	115,77	252,10
1108 19 10	270,54	301,37
1108 19 90	115,77 ^(*)	252,10
1109 00 00	789,48	970,82
1702 30 51	302,02	398,74
1702 30 59	231,55	298,04
1702 30 91	302,02	398,74
1702 30 99	231,55	298,04
1702 40 90	231,55	298,04
1702 90 50	231,55	298,04
1702 90 75	316,40	413,12
1702 90 79	220,04	286,53
2106 90 55	231,55	298,04
2302 10 10	70,74	76,74
2302 10 90	151,58	157,58
2302 20 10	70,74	76,74
2302 20 90	151,58	157,58
2302 30 10	70,74	76,74
2302 30 90	151,58	157,58
2302 40 10	70,74	76,74
2302 40 90	151,58	157,58
2303 10 11	287,64	468,98

-
- (1) 6 % *ad valorem*, subject to certain conditions.
- (2) In accordance with Council Regulation (EEC) No 1180/77 (OJ No L 142, 9. 6. 1977, p. 10) this levy is reduced by ECU 5,44 per tonne for products originating in Turkey.
- (3) In accordance with Regulation (EEC) No 715/90 the levy shall not be charged on the following products originating in the African, Caribbean and Pacific States and in the overseas countries and territories :
- products falling within CN code ex 0714 10 91,
 - products falling within CN code 0714 90 11 and arrow-root falling within CN code 0714 90 19,
 - flours and meal of arrow-root falling within CN code 1106 20,
 - arrow-root starch falling within CN code 1108 19 90.
- (4) Taric code : clipped oats.
- (5) Taric code : CN code 1104 22 10, other than 'clipped oats'.
- (6) Pursuant to Regulation (EEC) No 3834/90, the levy on importation into the Community of products of CN code 1108 13 00 is reduced by 50 % within the limit of a fixed quantity of 5 000 tonnes.
- (7) In accordance with Regulation (EEC) No 715/90 the levies are not applied to products imported directly into the French overseas departments originating in the African, Caribbean and Pacific States or in the overseas countries and territories.
- (8) On importation into Portugal, the levy is increased by the amount specified in Article 2 (2) of Regulation (EEC) No 3808/90.
-

COMMISSION REGULATION (EEC) No 454/91

of 26 February 1991

fixing the import levies on compound feedingstuffs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 3577/90⁽²⁾, and in particular Article 14 (4) thereof,

Having regard to the opinion of the Monetary Committee,

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

Whereas the levy thus determined, increased by the fixed component, is valid for one month; whereas the amount of the fixed component of the levy is laid down in Article 6 of Regulation (EEC) No 2743/75; whereas on importation into Portugal of products listed in Annex XXIV to the Act of Accession an additional amount is added to the levy; whereas these amounts were set by Commission Regulation (EEC) No 3808/90⁽⁵⁾;

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States and of the overseas countries and territories, the levy relating to them in respect of certain products processed from cereals

must be reduced by the amount of the fixed component and, in respect of some of these products, by part of the variable component; whereas this reduction must be made in accordance with Article 14 of Council Regulation (EEC) No 715/90 of 5 March 1990 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories⁽⁶⁾, as amended by Regulation (EEC) No 297/91⁽⁷⁾;

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 Council Regulation (EEC) No 1676/85⁽⁸⁾, as last amended by Regulation (EEC) No 2205/90⁽⁹⁾,
- 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, in accordance with Article 18 (1) of Regulation (EEC) No 2727/75, the nomenclature provided for in this Regulation is incorporated in the combined nomenclature,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 March 1991.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 60.

⁽⁴⁾ OJ No L 90, 2. 4. 1987, p. 2.

⁽⁵⁾ OJ No L 366, 29. 12. 1990, p. 1.

⁽⁶⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽⁷⁾ OJ No L 36, 8. 2. 1991, p. 9.

⁽⁸⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁹⁾ 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, 26 February 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 26 February 1991 fixing the import levies on compound feedingstuffs

(ECU/tonne)

CN code	Levies	
	ACP and OCT	Third countries (other than ACP and OCT) ⁽¹⁾
2309 10 11	23,01	33,89
2309 10 13	678,68	689,56
2309 10 31	71,91	82,79
2309 10 33	727,58	738,46
2309 10 51	143,82	154,70
2309 10 53	799,49	810,37
2309 90 31	23,01	33,89
2309 90 33	678,68	689,56
2309 90 41	71,91	82,79
2309 90 43	727,58	738,46
2309 90 51	143,82	154,70
2309 90 53	799,49	810,37

⁽¹⁾ On importation into Portugal the levy is increased by the amount specified in Article 2 (2) of Regulation (EEC) No 3808/90.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 15 February 1991

approving the German programme of agricultural income aid for farmers in general in Baden Württemberg

(91/100/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 768/89 of 21 March 1989 establishing a system of transitional aids to agricultural income⁽¹⁾, and in particular Article 7 (3) thereof,

Having regard to Commission Regulation (EEC) No 3813/89 of 19 December 1989 laying down detailed rules for the application of the system of transitional aids to agricultural income⁽²⁾, as amended by Regulation (EEC) No 1279/90⁽³⁾, and in particular Article 10 (3) thereof,

Whereas on 18 September 1990 the Federal Republic of Germany notified the Commission of its intention to introduce a programme of agricultural income aid for farmers in general in Baden-Württemberg; whereas the Commission received additional information concerning this programme from the German authorities on 24 January 1991;

Whereas on 23 January 1991 the Management Committee for Agricultural Income Aids was consulted on the measures provided for in this Decision;

Whereas on 23 January 1991 the EAGGF Committee was consulted on the maximum amounts that may be charged annually to the Community budget as a result of approving the programme,

Article 1

The programme of agricultural income aid for farmers in general in Baden-Württemberg notified to the Commission by the German authorities on 18 September 1990 is hereby approved.

Article 2

The maximum amounts that may be charged annually to the Community budget as a result of this Decision shall be as follows:

	(in ecus)
1991	5 336 000
1992	6 670 000
1993	5 550 000
1994	4 429 000
1995	3 308 000
1996	854 000

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 15 February 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 84, 29. 3. 1989, p. 8.

⁽²⁾ OJ No L 371, 20. 12. 1989, p. 17.

⁽³⁾ OJ No L 126, 16. 5. 1990, p. 20.

COMMISSION DECISION

of 18 February 1991

concerning the areas referred to in Article 3 (2) of Council Regulation (EEC) No 2506/88 instituting a Community programme to assist the conversion of shipbuilding areas (Renaval programme)

(Only the Dutch and French texts are authentic)

(91/101/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2506/88 of 26 July 1988 instituting a Community programme to assist the conversion of shipbuilding areas (Renaval programme)⁽¹⁾, and in particular Article 3 (2) thereof,

Whereas Article 3 (2) of Regulation (EEC) No 2506/88 stipulates that the Community programme shall apply to areas which satisfy the criteria specified in Article 3 (1) of that Regulation;

Whereas the Member States concerned must submit an application for approval of the areas to which the Community programme is to apply; whereas Belgium has submitted such an application to the Commission;

Whereas the St Niklaas-Antwerpen area, comprising the communes of Antwerpen, Hemiksem, Boom, Willebroek, Puurs, Kruibeke and Temse in the districts of St Niklaas,

Antwerpen and Mechelen satisfy the abovementioned criteria,

HAS ADOPTED THIS DECISION:

Article 1

The St Niklaas-Antwerpen area, comprising the communes of Antwerpen, Hemiksem, Boom, Willebroek, Puurs, Kruibeke and Temse in the districts of St Niklaas, Antwerpen and Mechelen in Belgium is hereby found to satisfy the criteria in Article 3 (1) of Council Regulation (EEC) No 2506/88. The Community programme instituted by that Regulation shall therefore apply to this area.

Article 2

This Decision is addressed to the Kingdom of Belgium.

Done at Brussels, 18 February 1991.

For the Commission

Bruce MILLAN

Member of the Commission

⁽¹⁾ OJ No L 225, 15. 8. 1988, p. 24.

COMMISSION DIRECTIVE

of 18 February 1991

amending Directive 88/272/EEC amending certain Annexes to Council Directive 77/93/EEC on protective measures against the introduction into the Member States of organisms harmful to plants or plant products

(91/102/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Member States of organisms harmful to plants or plant products⁽¹⁾, as last amended by Directive 91/27/EEC⁽²⁾, and in particular the second indent of Article 13 (2) thereof,

Having regard to the requests made by Greece, Spain, France, Ireland, Italy, Portugal and the United Kingdom,

Whereas Directive 77/93/EEC laid down protective measures against the introduction into the Member States of organisms harmful to plants or plant products; whereas those measures include measures to be taken by Member States in respect of plants, plant products and other objects coming from third countries;

Whereas certain Member States have stricter measures in respect of those plants and plant products;

Whereas those stricter measures include, in the requesting Member States, certain restrictions applicable to certain products originating in a third country;

Whereas, by Commission Directive 88/272/EEC⁽³⁾, the Annexes to Directive 77/93/EEC were amended so that the Member States concerned could also impose the relevant restrictions where the products concerned, originating in a third country, come from other Member States; whereas these amendments were only interim protective measures for a limited period to enable the Commission to study the phytosanitary basis of the restrictions case by case;

Whereas it appeared impossible to finalize this study within the limited period originally allowed by Directive 88/272/EEC;

Whereas Commission Directive 90/113/EEC⁽⁴⁾ extended the originally limited period for one year;

Whereas it appears impossible to finalize this study despite the one year extension on the original period;

whereas this period should be further extended accordingly;

Whereas the measures provided for in this Directive are in accordance with the opinion of the Standing Committee on Plant Health,

HAS ADOPTED THIS DIRECTIVE:

Article 1

In Article 4 of Directive 88/272/EEC, '31 December 1990', is replaced by '31 December 1991'.

Article 2

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith inform the Commission thereof.

When Member States adopt these measures, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods of making such a reference shall be laid down by the Member States.

Article 3

This Directive is addressed to the Member States.

Done at Brussels, 18 February 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 26, 31. 1. 1977, p. 20.

⁽²⁾ OJ No L 16, 22. 1. 1991, p. 29.

⁽³⁾ OJ No L 116, 4. 5. 1988, p. 19.

⁽⁴⁾ OJ No L 67, 15. 3. 1990, p. 51.

COMMISSION DIRECTIVE

of 18 February 1991

amending Directive 86/547/EEC amending Annex III B to Council Directive 77/93/EEC on protective measures against the introduction into the Member States of organisms harmful to plants or plant products

(91/103/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Member States of organisms harmful to plants or plant products⁽¹⁾, as last amended by Directive 91/27/EEC⁽²⁾, and in particular the first indent of Article 13 (2) thereof,

Having regard to the requests made by Greece, Spain, France, Ireland, Italy, Portugal and the United Kingdom,

Whereas Directive 77/93/EEC laid down protective measures against the introduction into the Member States of organisms harmful to plants or plant products; whereas those measures include measures to be taken by Member States in respect of plants, plant products and other objects coming from third countries;

Whereas certain Member States have stricter measures in respect of those plants and plant products;

Whereas those stricter measures include, in the requesting Member States, certain restrictions applicable to certain products originating in a third country;

Whereas, by Commission Directive 86/547/EEC⁽³⁾, Annex III B to Directive 77/93/EEC was amended so that the Member States concerned could also impose the relevant prohibitions where the products concerned, originating in a third country, come from other Member States; whereas these amendments were only interim protective measures lasting for a period of three years;

Whereas that period was allotted for the Commission to study these protective measures in relation to the plant health situation existing in the various third countries concerned, in order to arrive, at the end of the period, at more permanent provisions;

Whereas it appeared impossible to finalize this study within the period originally allotted by Directive 86/547/EEC;

Whereas Commission 90/80/EEC⁽⁴⁾ extended the said period for one year;

Whereas it appears impossible to finalize this study despite the one year extension to the original period; whereas this period should be further extended accordingly;

Whereas the measures provided for in this Directive are in accordance with the opinion of the Standing Committee on Plant Health,

HAS ADOPTED THIS DIRECTIVE:

Article 1

In Article 3 of Directive 86/547/EEC, '31 December 1990' is hereby replaced by '31 December 1991'.

Article 2

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith inform the Commission thereof.

When Member States adopt these measures, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods of making such a reference shall be laid down by the Member States.

Article 3

This Directive is addressed to the Member States.

Done at Brussels, 18 February 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 26, 31. 1. 1977, p. 20.

⁽²⁾ OJ No L 16, 22. 1. 1991, p. 29.

⁽³⁾ OJ No L 323, 18. 11. 1986, p. 21.

⁽⁴⁾ OJ No L 51, 27. 2. 1990, p. 34.