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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 831/91

of 4 April 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 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 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 533/91⁽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 3 April 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 533/91 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 5 April 1991.

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

Done at Brussels, 4 April 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 59, 6. 3. 1991, p. 1.

ANNEX

to the Commission Regulation of 4 April 1991 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CN code	Levy
0709 90 60	136,01 ^(?) ^(?)
0712 90 19	136,01 ^(?) ^(?)
1001 10 10	197,26 ⁽¹⁾ ^(?)
1001 10 90	197,26 ⁽¹⁾ ^(?)
1001 90 91	176,82
1001 90 99	176,82
1002 00 00	154,95 ⁽⁶⁾
1003 00 10	151,40
1003 00 90	151,40
1004 00 10	141,26
1004 00 90	141,26
1005 10 90	136,01 ^(?) ^(?)
1005 90 00	136,01 ^(?) ^(?)
1007 00 90	142,17 ⁽⁴⁾
1008 10 00	49,48
1008 20 00	137,20 ⁽⁴⁾
1008 30 00	62,62 ⁽⁵⁾
1008 90 10	⁽⁷⁾
1008 90 90	62,62
1101 00 00	262,08 ⁽⁸⁾
1102 10 00	231,46 ⁽⁸⁾
1103 11 10	319,33 ⁽⁸⁾
1103 11 90	281,41 ⁽⁸⁾

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

⁽²⁾ In accordance with Regulation (EEC) No 715/90 the levies are not applied to products imported directly into the French overseas departments, originating in the African, Caribbean and Pacific States 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 832/91

of 4 April 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 3 April 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 5 April 1991.

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

Done at Brussels, 4 April 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 4 April 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 4	1st period 5	2nd period 6	3rd period 7
0709 90 60	0	1,08	1,08	0
0712 90 19	0	1,08	1,08	0
1001 10 10	0	0	0	0
1001 10 90	0	0	0	0
1001 90 91	0	0	0	0
1001 90 99	0	0	0	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 10	0	0	0	0
1004 00 90	0	0	0	0
1005 10 90	0	1,08	1,08	0
1005 90 00	0	1,08	1,08	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	0

B. Malt

(ECU/tonne)

CN code	Current 4	1st period 5	2nd period 6	3rd period 7	4th period 8
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 833/91

of 4 April 1991

fixing the minimum levies on the importation of olive oil and levies on the importation of other olive oil sector products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 3577/90⁽²⁾, and in particular Article 16 (2) thereof,Having regard to Council Regulation (EEC) No 1514/76 of 24 June 1976 on imports of olive oil originating in Algeria⁽³⁾, as last amended by Regulation (EEC) No 728/91⁽⁴⁾, and in particular Article 5 thereof,Having regard to Council Regulation (EEC) No 1521/76 of 24 June 1976 on imports of olive oil originating in Morocco⁽⁵⁾, as last amended by Regulation (EEC) No 729/91⁽⁶⁾, and in particular Article 5 thereof,Having regard to Council Regulation (EEC) No 1508/76 of 24 June 1976 on imports of olive oil originating in Tunisia⁽⁷⁾, as last amended by Regulation (EEC) No 413/86⁽⁸⁾, and in particular Article 5 thereof,Having regard to Council Regulation (EEC) No 1180/77 of 17 May 1977 on imports into the Community of certain agricultural products originating in Turkey⁽⁹⁾, as last amended by Regulation (EEC) No 730/91⁽¹⁰⁾, and in particular Article 10 (2) thereof,Having regard to Council Regulation (EEC) No 1620/77 of 18 July 1977 laying down detailed rules for the importation of olive oil from Lebanon⁽¹¹⁾;Whereas by Regulation (EEC) No 3131/78⁽¹²⁾, as amended by the Act of Accession of Greece, the Commission decided to use the tendering procedure to fix levies on olive oil;Whereas Article 3 of Council Regulation (EEC) No 2751/78 of 23 November 1978 laying down general rules for fixing the import levy on olive oil by tender⁽¹³⁾ specifies that the minimum levy rate shall be fixed for each of the products concerned on the basis of the situation on the world market and the Community market and of the levy rates indicated by tenderers;

Whereas, in the collection of the levy, account should be taken of the provisions in the Agreements between the Community and certain third countries; whereas in particular the levy applicable for those countries must be fixed, taking as a basis for calculation the levy to be collected on imports from the other third countries;

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 1 and 2 April 1991 leads to the minimum levies being fixed as indicated in Annex I to this Regulation;

Whereas the import levy on olives falling within 29 codes 0709 90 39 and 0711 20 90 and on products falling within CN codes 1522 00 31, 1522 00 39 and 2306 90 19 must be calculated from the minimum levy applicable on the olive oil contained in these products; whereas, however, the levy charged for olive oil may not be less than an amount equal to 8 % of the value of the imported product, such amount to be fixed at a standard rate; whereas application of these provisions leads to the levies being fixed as indicated in Annex II to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The minimum levies on olive oil imports are fixed in Annex I.

Article 2

The levies applicable on imports of other olive oil sector products are fixed in Annex II.

Article 3

This Regulation shall enter into force on 5 April 1991.

⁽¹³⁾ OJ No L 331, 28. 11. 1978, p. 6.⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.⁽³⁾ OJ No L 169, 28. 6. 1976, p. 24.⁽⁴⁾ OJ No L 80, 27. 3. 1991, p. 1.⁽⁵⁾ OJ No L 169, 28. 6. 1976, p. 43.⁽⁶⁾ OJ No L 80, 27. 3. 1991, p. 2.⁽⁷⁾ OJ No L 169, 28. 6. 1976, p. 9.⁽⁸⁾ OJ No L 48, 26. 2. 1986, p. 1.⁽⁹⁾ OJ No L 142, 9. 6. 1977, p. 10.⁽¹⁰⁾ OJ No L 80, 27. 3. 1991, p. 3.⁽¹¹⁾ OJ No L 181, 21. 7. 1977, p. 4.⁽¹²⁾ OJ No L 370, 30. 12. 1978, p. 60.

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

Done at Brussels, 4 April 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX I

Minimum import levies on olive oil

(ECU/100 kg)

CN code	Non-member countries
1509 10 10	77,00 ⁽¹⁾
1509 10 90	77,00 ⁽¹⁾
1509 90 00	89,00 ⁽²⁾
1510 00 10	77,00 ⁽¹⁾
1510 00 90	122,00 ⁽²⁾

⁽¹⁾ For imports of oil falling within this CN code and produced entirely in one of the countries listed below and transported directly from any of those countries to the Community, the levy to be collected is reduced by :

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

⁽²⁾ For imports of oil falling within this CN code :

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

⁽³⁾ For imports of oil falling within this CN code :

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

ANNEX II

Import levies on other olive oil sector products

(ECU/100 kg)

CN code	Non-member countries
0709 90 39	16,94
0711 20 90	16,94
1522 00 31	38,50
1522 00 39	61,60
2306 90 19	6,16

COMMISSION REGULATION (EEC) No 834/91

of 4 April 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 11 March 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 11 March 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 11 March
1991, the level of the premium is fixed at ECU 87,827 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 11 March 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 11 March 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, 4 April 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 4 April 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	41,278	0
0104 20 90		0
	Net weight	Net weight
0204 10 00	87,825	0
0204 21 00	87,825	0
0204 50 11		0
0204 22 10	61,478	
0204 22 30	96,608	
0204 22 50	114,173	
0204 22 90	114,173	
0204 23 00	159,842	
0204 30 00	65,869	
0204 41 00	65,869	
0204 42 10	46,108	
0204 42 30	72,456	
0204 42 50	85,630	
0204 42 90	85,630	
0204 43 00	119,882	
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	114,173	
0210 90 19	159,842	
1602 90 71 :		
— unboned (bone-in)	114,173	
— boned or boneless	159,842	

(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 835/91

of 4 April 1991

suspending the preferential customs duties and re-introducing the Common Customs Tariff duty on imports of small-flowered roses originating in Israel

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 4088/87 of 21 December 1987 fixing conditions for the application of preferential customs duties on imports of certain flowers originating in Cyprus, Israel, Jordan and Morocco⁽¹⁾, as amended by Regulation (EEC) No 3551/88⁽²⁾, and in particular Article 5 (2) (b) thereof,

Whereas Regulation (EEC) No 4088/87 lays down the conditions for applying a preferential duty on large-flowered roses, small-flowered roses, uniflorous (bloom) carnations and multiflorous (spray) carnations within the limit of tariff quotas opened annually for imports into the Community of fresh cut flowers;

Whereas Council Regulation (EEC) No 728/90⁽³⁾ opens and provides for the administration of Community tariff quotas for cut flowers and flower buds, fresh, originating in Cyprus, Jordan, Morocco and Israel respectively;

Whereas Article 2 of Regulation (EEC) No 4088/87 provides, on the one hand, that for a given product of a given origin, the preferential customs duty is to be applicable only if the price of the imported product is at least equal to 85 % of the Community producer price; whereas, on the other hand, the preferential customs duty is, except in exceptional cases, suspended and the Common Customs Tariff duty introduced for a given product of a given origin:

(a) if, on two successive market days, the prices of the imported product are less than 85 % of the Community producer price in respect of at least 30 % of the quantities for which prices are available on representative import markets;

or

(b) if, over a period of five to seven successive market days, the prices of the imported product are alternatively above and below 85 % of the Community producer price in respect of at least 30 % of the quantities for which prices are available on the representative import markets and if, for three days during that period, the prices of the import product have been below that level;

Whereas Commission Regulation (EEC) No 3129/90⁽⁴⁾ fixes the Community producer prices for carnations and roses for the application of the import arrangements;

Whereas Commission Regulation (EEC) No 700/88⁽⁵⁾, as amended by Regulation (EEC) No 3556/88⁽⁶⁾, lays down the detailed rules for the application of the arrangements;

Whereas, in order to enable the arrangements to operate normally, the following should be used for the calculation of the import prices:

- for the currencies which are maintained against one another within a maximum spread at any given moment for spot rate transactions of 2,25 %, a conversion rate based on their central rate adjusted by the correcting factor provided for in the last subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁷⁾, as last amended by Regulation (EEC) No 2205/90⁽⁸⁾,
- 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, on the basis of prices recorded pursuant to Regulations (EEC) No 4088/87 and (EEC) No 700/88, it must be concluded that the conditions laid down in Article 2 (2) of Regulation (EEC) No 4088/87 for suspension of the preferential customs duty are met for small-flowered roses originating in Israel; whereas the Common Customs Tariff duty should be reintroduced,

HAS ADOPTED THIS REGULATION:

Article 1

For imports of small-flowered roses (CN codes ex 0603 10 11 and ex 0603 10 51) originating in Israel, the preferential customs duty fixed by Council Regulation (EEC) No 728/90 is hereby suspended and the Common Customs Tariff duty is hereby reintroduced.

Article 2

This Regulation shall enter into force on 6 April 1991.

⁽¹⁾ OJ No L 382, 31. 12. 1987, p. 22.

⁽²⁾ OJ No L 311, 17. 11. 1988, p. 1.

⁽³⁾ OJ No L 81, 28. 3. 1990, p. 7.

⁽⁴⁾ OJ No L 299, 30. 10. 1990, p. 26.

⁽⁵⁾ OJ No L 72, 18. 3. 1988, p. 16.

⁽⁶⁾ OJ No L 311, 17. 11. 1988, p. 8.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁸⁾ 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, 4 April 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 836/91**of 4 April 1991**

reintroducing the levying of the customs duties applicable to certain products of the CN codes 8527, 8528 and 8529, originating in China, to which the preferential arrangements of Council Regulation (EEC) No 3831/90 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3831/90 of 20 December 1990 applying generalized tariff preferences for 1991 in respect of certain industrial products originating in developing countries⁽¹⁾, and in particular Article 9 thereof,

Whereas, in pursuance of Articles 1 and 6 of Regulation (EEC) No 3831/90, suspension of customs duties is accorded to each of the countries or territories listed in Annex III other than those listed in column 4 of Annex I, within the framework of the preferential tariff ceilings fixed in column 6 of Annex I; whereas Article 7 of that Regulation provides that the levying of customs duties on imports of the products in question originating in each of the countries and territories concerned may at any time be reintroduced as soon as the individual ceilings in question are reached at Community level;

Whereas, in the case of certain products of the CN codes 8527, 8528 and 8529, originating in China, the individual ceiling amounts to ECU 4 410 000; whereas that ceiling was reached on 21 February 1991, by charges of imports into the Community of the products in question originating in China;

Whereas, it is appropriate to reintroduce the levying of customs duties for the products in question with regard to China,

HAS ADOPTED THIS REGULATION:

Article 1

As from 8 April 1991, the levying of customs duties, suspended in pursuance of Regulation (EEC) No 3831/90, shall be reintroduced on imports into the Community of the following products, originating in China:

⁽¹⁾ OJ No L 370, 31. 12. 1990, p. 1.

Order No	CN code	Description
10.1060	8527 11 10	Reception apparatus for radio-telephony, radio-telegraphy or radio-broadcasting, whether or not combined in the same housing with recording or reproducing apparatus or a clock
	8527 11 90	
	8527 21 10	
	8527 21 90	
	8527 29 00	
	8527 31 10	
	8527 31 91	
	8527 31 99	
	8527 32 90	
	8527 39 10	
	8527 39 91	
	8527 39 99	
	8527 90 91	
	8527 90 99	
	8528 10 61	Television receivers (including video monitors and video projectors), whether or not combined in the same housing, with radio-broadcast receivers or sound or video recording or reproduction apparatus, excluding video recording or reproducing apparatus incorporating a video tuner and goods of subheadings 8528 10 40, 8528 10 50, 8528 10 71, 8528 10 73, 8528 10 75, 8528 10 78
	8528 10 69	
	8528 10 80	
	8528 10 91	
	8528 10 98	
	8528 20 20	
	8528 20 71	
	8528 20 73	
	8528 20 79	
	8528 20 91	
	8528 20 99	
	8529 10 20	
	8529 10 31	
	8529 10 39	
	8529 10 40	
	8529 10 50	
	8529 10 70	
	8529 10 90	
	8529 90 99	

Article 2

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

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

Done at Brussels, 4 April 1991.

For the Commission

Christiane SCRIVENER

Member of the Commission

COMMISSION REGULATION (EEC) No 837/91

of 4 April 1991

amending Regulation (EEC) No 2742/90 laying down detailed rules for the application of Council Regulation (EEC) No 2204/90

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2204/90 of 24 July 1990 laying down additional general rules on the common organization of the market in milk and milk products as regards cheese⁽¹⁾, and in particular the second paragraph of Article 1 and the second subparagraph of Article 3 (3) thereof,

Whereas Article 4 (1) of Commission Regulation (EEC) No 2742/90⁽²⁾ fixes the sum due for quantities of casein and/or caseinates used without authorization having regard to the prices for casein and caseinates recorded on the markets in the second quarter of 1990; whereas the downward trend in those prices during the second half of 1990 requires that sum to be increased;

Whereas the Annex to Regulation (EEC) No 2742/90 gives the maximum percentages of casein and/or caseinates to be incorporated in cheese; whereas Article 2 (2) of that Regulation provides that the Annex may be amended to take account of reasoned applications providing evidence that there is a technical need for the addition of casein or caseinates; whereas the examination of two applications has enabled such a need to be demonstrated as regards powdered processed cheese and grated processed cheese; whereas that Annex should be supplemented accordingly;

Whereas the Management Committee for Milk and Milk Products has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2742/90 is hereby amended as follows:

1. Article 4 (1) is replaced by the following:

'1. The sum due in accordance with Article 3 (3) of Regulation (EEC) No 2204/90 shall be ECU 350 per 100 kilograms of casein and/or caseinates, having regard to the price for casein and caseinates recorded on the markets in the fourth quarter of 1990.'

2. The following is added to the Annex:

— grated processed cheese covered by CN code ex 0406 20 : 5 %⁽¹⁾

— processed cheese in powdered form covered by CN code ex 0406 20 : 5 %⁽¹⁾.

⁽¹⁾ Manufactured by a continuous process, without addition of already manufactured processed cheese.'

Article 2

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

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

Done at Brussels, 4 April 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 201, 31. 7. 1990, p. 7.

⁽²⁾ OJ No L 264, 27. 9. 1990, p. 20.

COMMISSION REGULATION (EEC) No 838/91

of 4 April 1991

amending Regulations (EEC) No 1727/70, (EEC) No 1728/70, (EEC) No 2603/71, (EEC) No 410/76 and (EEC) No 2501/87 in respect of certain varieties of tobacco

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 727/70 of 21 April 1970 on the common organization of the market in raw tobacco ⁽¹⁾, as last amended by Regulation (EEC) No 3577/90 ⁽²⁾, and in particular Article 2 (6), the first subparagraph of Article 3 (3) and Articles 5 (6), 6 (10) and 7 (4) thereof,

Whereas Council Regulation (EEC) No 1331/90 ⁽³⁾ provides in particular for the variety 'Hybrids of Badischer Geudertheimer' to be transferred to serial number 11; whereas as a consequence of that transfer it is appropriate to amend the Regulations whose provisions refer to the various tobacco varieties, namely:

- Commission Regulation (EEC) No 1727/70 of 25 August 1970 on intervention procedure for raw tobacco ⁽⁴⁾, as last amended by Regulation (EEC) No 2570/90 ⁽⁵⁾,
- Commission Regulation (EEC) No 1728/70 of 25 August 1970 fixing the scales of price increases and reductions for raw tobacco ⁽⁶⁾, as amended by Regulation (EEC) No 2131/86 ⁽⁷⁾,
- Commission Regulation (EEC) No 2603/71 of 6 December 1971 on detailed rules for conclusion of contracts for first processing and market preparation of tobacco held by intervention agencies ⁽⁸⁾, as last amended by Regulation (EEC) No 2131/86,
- Commission Regulation (EEC) No 410/76 of 23 February 1976 fixing the maximum permissible weight losses in connection with the supervision of the first processing and market preparation of tobacco ⁽⁹⁾, as last amended by Regulation (EEC) No 2131/86,

— Commission Regulation (EEC) No 2501/87 of 24 June 1987 fixing the characteristics of each variety of tobacco grown in the Community ⁽¹⁰⁾, as last amended by Regulation (EEC) No 2071/88 ⁽¹¹⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

In Annexes IV and V to Regulation (EEC) No 1727/70, Annexes I and II to Regulation (EEC) No 1728/70 and in the Annex to Regulation (EEC) No 2603/71 and the Annex to Regulation (EEC) No 410/76, the terms used to designate the varieties classified under serial number 11 are hereby replaced by the following terms:

- '11 (a) Forchheimer Havanna Ilc
- (b) Nostrano del Brento
- (c) Resistente 142
- (d) Gojano
- (e) Hybrids of Badischer Geudertheimer'.

Article 2

The descriptions of the varieties classified under serial number 11, set out in Annexes I and II to Regulation (EEC) No 1727/70, and in the Annex to Regulation (EEC) No 2501/87, are hereby supplemented by those given in Annexes I, II and III respectively to this Regulation.

Article 3

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

It shall be applicable for the first time to raw tobacco from the 1990 harvest.

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 1.
⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.
⁽³⁾ OJ No L 132, 23. 5. 1990, p. 28.
⁽⁴⁾ OJ No L 191, 27. 8. 1970, p. 5.
⁽⁵⁾ OJ No L 243, 6. 9. 1990, p. 16.
⁽⁶⁾ OJ No L 191, 27. 8. 1970, p. 18.
⁽⁷⁾ OJ No L 187, 9. 7. 1986, p. 9.
⁽⁸⁾ OJ No L 269, 8. 12. 1971, p. 11.
⁽⁹⁾ OJ No L 50, 26. 2. 1976, p. 11.

⁽¹⁰⁾ OJ No L 237, 20. 8. 1987, p. 1.
⁽¹¹⁾ OJ No L 182, 13. 7. 1988, p. 7.

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

Done at Brussels, 4 April 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

*ANNEX I***'Variety 11 (e) Hybrids of Badischer Geudertheimer****CATEGORY A**

Leaf from various positions on stalk, ripe, disease-free, well-cured, fine texture with stems (midribs) not prominent, lively uniform colour, ranging from light brown to mouse grey, undamaged, typical aroma, with some tolerance for slight tears or the occasional presence of leaves with grey-green tinges.

CATEGORY B

Leaf from various positions on stalk, reasonably ripe, of light to average and not heavy or coarse texture, light to dark brown or yellowish-greenish in colour, with occasional green-brown leaves, some lack of uniformity due to slight curing defects, midribs may be prominent, largely undamaged, some tolerance for traces of disease and grey-green leaves⁽¹⁾.

CATEGORY C

Leaf from various positions on stalk, sufficiently ripe, with tolerable defects due to tears or disease, not necessarily uniform, dark brown to greenish yellow in colour, of heavy, coarse texture or particularly thin, fragile texture, but having the minimum qualities required for intervention.

⁽¹⁾ Reference quality.'

*ANNEX II***'Variety 11 (e) Hybrids of Badischer Geudertheimer****CATEGORY A**

Leaf from various positions on stalk, ripe, disease-free, without curing defects, lively uniform colour, predominantly light brown to mouse grey, typical aroma, excellent combustibility and well fermented with minimal presence of leaves with grey-green or yellowish-greenish tinges.

CATEGORY B

Leaf from various positions on stalk, reasonably ripe, of light to average and not heavy or coarse texture, predominantly light to dark brown or yellowish-greenish in colour, not always uniform due to slight curing defects, midribs prominent maybe, some tolerance for leaves green-dark brown in colour or with traces of disease and curing defects; good aroma, good combustibility and good fermentation⁽¹⁾.

CATEGORY C

Leaf from various positions on stalk, sufficiently ripe, with tolerable curing defects and disease, not necessarily uniform, dark brown in colour, although this may be markedly non-uniform due to the presence of greenish areas, of heavy, coarse texture or particularly thin, fragile texture, possibly with aroma, combustibility and fermentation defects, but having the minimum qualities required for intervention.

⁽¹⁾ Reference quality.'

ANNEX III

Variety 11 (e) Hybrids of Badischer Geudertheimer

CHARACTERISTICS OF VARIETY

1. *Special characteristics*

1.1. Genetic :

Range of stable hybrids derived from crossing or original Badischer Geudertheimer with Havanna or Paraguay or with Havanna and Paraguay and vice versa in succession (backcrossing), with only slightly variable morphological characteristics due to prolonged selection with a view to increasing productivity and creating resistance to pests and adverse weather conditions.

1.2. Botanical and morphological :

Under normal growing conditions the plants grow to about 170 to 180 cm at flowering, with fairly short internodes, the habit tending to the cylindrical but also conical.

Average number of leaves for harvesting 25 to 30, oblique, secondary veins not prominent, good leaf surface, medium firm texture, oval or elliptical shape, bright light green in colour, edges slightly drooping and sometimes undulating.

Inflorescence fairly open.

Upper edge of the corolla of the flowers bright red in colour.

Roots very extensive.

Erect, well developed pale green stalk.

Leaves from suckers fairly prominent at the top of the plant.

1.3. Soil and climate :

Medium to loose soil, deep, cool and highly fertile, with well distributed rainfall from germination to flowering.

2. *Conditions of production*

2.1. Plan population :

From 18 000 to 32 000 plants per hectare.

2.2. Topping :

Not always carried out in the south of Italy, but almost always in the north.

2.3. Harvesting :

Usually leaf by leaf according to position on the stalk.

2.4. Yield :

From 2 500 to 3 500 kilograms per hectare.

2.5. Curing :

Air curing under permanent or temporary structures with plastic roofing.

2.6. Grading and packing :

Generally unstrung and tied in bundles according to position on the stalk but also according to quality category and packed in planters bales with jute fabric or blocks of a net weight varying from 20 to 60 kilograms.

COMMISSION REGULATION (EEC) No 839/91

of 4 April 1991

fixing the number of young male bovine animals which may be imported on special terms in the first and second quarters of 1991 derogating from Regulation (EEC) No 2377/80 in respect of those quarters and repealing Regulation (EEC) No 3883/90

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 Articles 13 (4), 15 (2) and 25 thereof,

Whereas the Council has drawn up an estimated supply balance of 198 000 head under the new import arrangements applicable to young male bovine animals for fattening for the period 1 January to 31 December 1991; whereas, pursuant to Article 13 (4) (a) of Regulation (EEC) No 805/68, the number which may be imported each quarter and the rate of reduction in the import levy on such animals must be determined;

Whereas detailed rules for the application of these special arrangements were laid down in Commission Regulation (EEC) No 612/77 ⁽³⁾, as last amended by Regulation (EEC) No 1121/87 ⁽⁴⁾, and in Commission Regulation (EEC) No 2377/80 ⁽⁵⁾, as last amended by Regulation (EEC) No 625/91 ⁽⁶⁾;

Whereas the supply requirements of certain regions of the Community which have a serious shortfall in bovine animals for fattening must be taken into account; whereas those requirements are apparent in Italy and Greece and may be estimated for the first and second quarters of 1991 at 56 160 head and 8 580 head respectively in those Member States;

Whereas the supply requirements in young bovine animals for fattening justify, for the first and second quarters of 1991, a higher rate of reduction in the levy on animals weighing from 220 to 300 kilograms per head, originating in and coming from Yugoslavia, Hungary or Poland;

Whereas the quantities available must be shared between the traditional trade and other potential applicants;

Whereas, in order to simplify the procedure for allocating the quantities available it is necessary to derogate from Regulation (EEC) No 2377/80; whereas in the case of the traditional trade the quantities available should be allocated directly in proportion to the number of head imported during the last three years; whereas in the case of other applicants the quantities available should be allocated directly in proportion to the number of head for which application is made;

Whereas, in the case of other applicants, the maximum quantity which each application for an import licence may cover must be limited in order to permit a more equitable distribution of the quantities available; whereas for financial reasons a minimum number of head should be set for these applications;

Whereas this estimated supply balance was only decided in March 1991 in respect of 1991 and a derogation must therefore be provided for from Regulation (EEC) No 2377/80 as regards the time limits for the submission of applications and the issue of import licences under these special arrangements;

Whereas, in order to permit regular imports, the term of validity of licences as referred to in Article 4 (b) of Regulation (EEC) No 2377/80 should be extended;

Whereas, owing to the implementation of these special import arrangements, Commission Regulation (EEC) No 3883/90 ⁽⁷⁾ must be repealed;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. For the period 1 January to 30 June 1991, the maximum number referred to in Article 13 (4) (a) of Regulation (EEC) No 805/68 shall be 68 520 head of young male bovine animals for fattening comprising:

⁽⁷⁾ OJ No L 367, 29. 12. 1990, p. 128.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 77, 25. 3. 1977, p. 18.

⁽⁴⁾ OJ No L 109, 24. 4. 1987, p. 12.

⁽⁵⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁶⁾ OJ No L 68, 15. 3. 1991, p. 29.

(a) 8 910 of a live weight of not more than 300 kilograms per head and subject to a 65 % reduction in the levy, and

(b) 59 610 of a live weight of 220 to 300 kilograms per head, originating in and coming from Yugoslavia, Hungary or Poland and subject to a 75 % reduction in the levy.

2. The reductions referred to in point 1 shall be in respect of the levy applicable on the day of acceptance of the declaration of release for free circulation.

3. The quantities referred to in paragraph 1 shall be distributed as follows:

	Italy	Greece	Other Member States
(a) 8 910 head	7 300	1 120	490
(b) 59 610 head	48 860	7 460	3 290

4. Applications for licences and licences shall, in accordance with Article 9 (1) (c) of Regulation (EEC) No 2377/80, relate to:

- either young bovine animals weighing not more than 300 kilograms per head,
- or young bovine animals weighing from 220 to 300 kilograms per head, originating in and coming from Yugoslavia, Hungary or Poland.

In the latter case, Sections 7 and 8 of applications for licences and licences shall include one of the following entries:

- Yugoslavia y/o Hungria y/o Polonia,
- Jugoslaven og/eller Ungarn og/eller Polen,
- Jugoslawien und/oder Ungarn und/oder Polen,
- Γιουγκοσλαβία ή/και Ουγγαρία ή/και Πολωνία,
- Yugoslavia and/or Hungary and/or Poland,
- Yougoslavie et/ou Hongrie et/ou Pologne,
- Jugoslavia e/o Ungheria e/o Polonia,
- Joegoslavië en/of Hongarije en/of Polen,
- Jugoslávia e/ou Hungria e/ou Polónia.

Licences shall carry with them an obligation to import from one or more of the countries indicated.

5. In the information referred to in Article 15 (4) (a) of Regulation (EEC) No 2377/80, Member States shall specify the category of live weight and the origin of the products in the case referred to in the second indent of the first subparagraph of paragraph 4.

6. Of the number of head reserved for Italy and Greece for each category notwithstanding Article 15 (6) (a) of Regulation (EEC) No 2377/80:

(a) 90 % may be allocated directly to applicants who provide proof of having imported animals qualifying

under this scheme during the last three calendar years. Numbers covered by licences shall be allocated in proportion to the number of head imported in the three years concerned.

(b) 10 % may be allocated to other applicants.

7. The proof referred to in paragraph 6 shall be provided by the customs document of release for free circulation.

8. Import licences shall only be issued for a number equal to or more than 10 head.

Article 2

1. As regards the quantities referred to in Article 1 (6) (b) and the quantities for Member States other than Italy and Greece applications for import licences shall:

- (a) relate to a number equal to or more than 50 head, and
- (b) relate to a quantity not exceeding 10 % of the quantities available except where the said 10 % results in a figure less than 50 head.

2. In cases where applications for import licences state quantities in excess of those provided for by this Regulation, those applications shall only be considered within the limits of the said quantities.

3. Numbers shall be allocated in proportion to the number of head for which application is made. If, because of the numbers for which application is made, the percentage reduction results in fewer than 10 head per import licence, the Member States shall, by drawing lots, allocate licences covering 10 head.

Article 3

In the case of quantities imported under the terms of Article 8 (4) of Commission Regulation (EEC) No 3719/88 ⁽¹⁾, the levy shall be collected in full in respect of quantities in excess of those stated on the import licence.

Article 4

For the purposes of Article 15 (3) of Regulation (EEC) No 2377/80, all applications from one applicant which relate to the same category of weight and the same rate of reduction in the levy shall be treated as one application.

Article 5

For the first and second quarters of 1991, notwithstanding Article 15 of Regulation (EEC) No 2377/80, as regards the arrangements referred to in Article 9 of that Regulation:

⁽¹⁾ OJ No L 331, 2. 12. 1988, p. 1.

- (a) applications may only be lodged from 8 to 12 April 1991 ;
- (b) the information referred to in Article 15 (4) (a) of that Regulation shall be communicated on 23 April 1991 ;
- (c) licences as provided for in Article 15 (5) (a) of that Regulation shall be issued on 2 May 1991.

Article 6

By way of derogation from Article 4 (b) of Regulation (EEC) No 2377/80, the term of validity of licences issued under this Regulation shall extend for four months from their actual date of issue.

Article 7

Three weeks at the latest after import of the livestock referred to in this Regulation, importers shall inform the

competent authorities which issued the import licences, of the number and origin of the animals imported. Those authorities shall forward that information to the Commission at the beginning of each month.

Article 8

Regulation (EEC) No 3883/90 is hereby repealed.

Article 9

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, 4 April 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 840/91**of 4 April 1991****amending Regulations (EEC) No 4026/89 and (EEC) No 3815/90 laying down detailed rules for the application of the supplementary trade mechanism to beef and veal sector exports to 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, and in particular Articles 83 and 251 thereof,

Having regard to Council Regulation (EEC) No 569/86 of 25 February 1986 laying down general rules for the application of the supplementary mechanism applicable to trade ⁽¹⁾, as last amended by Regulation (EEC) No 3296/88 ⁽²⁾, and in particular Article 7 (1) thereof,

Having regard to Council Regulation (EEC) No 3792/85 of 20 December 1985 laying down the arrangements applying to trade in agricultural products between Spain and Portugal ⁽³⁾, as last amended by Regulation (EEC) No 3296/88, and in particular Article 13 thereof,

Whereas Commission Regulation (EEC) No 4026/89 ⁽⁴⁾, as last amended by Regulation (EEC) No 587/91 ⁽⁵⁾, and Commission Regulation (EEC) No 3815/90 ⁽⁶⁾, as last amended by Regulation (EEC) No 327/91 ⁽⁷⁾, made rights deriving from beef and veal sector STM licences non-transferable; whereas experience indicates that entitlement to a transfer, as provided for in Article 2 (2) of Regulation (EEC) No 574/86 ⁽⁸⁾, as last amended by Regulation (EEC) No 3296/88, should be granted; whereas the

provisions at present in force should therefore be modified;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 5 (2) of Regulation (EEC) No 4026/89 is hereby deleted.

Article 2

Article 2 (2) of Regulation (EEC) No 3815/90 is hereby deleted.

Article 3

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

It shall apply to STM licences issued from 1 April 1991 onwards.

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

Done at Brussels, 4 April 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 55, 1. 3. 1986, p. 106.

⁽²⁾ OJ No L 293, 27. 10. 1988, p. 7.

⁽³⁾ OJ No L 367, 31. 12. 1985, p. 7.

⁽⁴⁾ OJ No L 382, 30. 12. 1989, p. 62.

⁽⁵⁾ OJ No L 65, 12. 3. 1991, p. 37.

⁽⁶⁾ OJ No L 366, 29. 12. 1990, p. 30.

⁽⁷⁾ OJ No L 38, 12. 2. 1991, p. 15.

⁽⁸⁾ OJ No L 57, 1. 3. 1986, p. 1.

COMMISSION REGULATION (EEC) No 841/91
of 4 April 1991

**extending Regulation (EEC) No 3714/90 on transitional measures on trade in
certain fishery products with the USSR after the unification of Germany**

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

Having regard to Council Regulation (EEC) No 3571/90
of 4 December 1990 introducing various measures
concerning the implementation of the common fisheries
policy in the former German Democratic Republic⁽¹⁾,
and in particular Article 4 thereof,

Whereas Commission Regulation (EEC) No 3714/90 of
19 December 1990 on transitional measures on trade in
certain fishery products with the USSR after the unifica-
tion of Germany⁽²⁾ authorized Germany, subject to
certain conditions, to continue to pay a refund on the
export of 7 651 tonnes of freshwater fish to the Soviet
Union from 3 October to 31 December 1990;

Whereas, however, as a result of storage and transport
problems in the Soviet Union, a large proportion of that
quantity could not be delivered;

Whereas, in order to maintain the stability of the
Community market, extension of the measure for a period
of five months should be authorized;

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

HAS ADOPTED THIS REGULATION:

Article 1

Without prejudice to the conditions laid down in Article
1 of Commission Regulation (EEC) No 3714/90, the
authorization referred to therein is extended until 31 May
1991.

Article 2

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

It shall apply from 1 January 1991.

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

Done at Brussels, 4 April 1991.

For the Commission

Manuel MARÍN

Vice-President

⁽¹⁾ OJ No L 353, 17. 12. 1990, p. 10.

⁽²⁾ OJ No L 358, 21. 12. 1990, p. 36.

COMMISSION REGULATION (EEC) No 842/91

of 4 April 1991

amending Regulation (EEC) No 2566/90 on the sale at a price fixed in advance of unprocessed dried grapes (sultanas) from the 1989 harvest held by Greek storage agencies

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

Having regard to Council Regulation (EEC) No 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables ⁽¹⁾, as last amended by Regulation (EEC) No 2201/90 ⁽²⁾, and in particular Article 8 (7) thereof,

Having regard to Council Regulation (EEC) No 1206/90 of 7 May 1990 laying down general rules for the system of production aid for processed fruit and vegetables ⁽³⁾, as amended by Regulation (EEC) No 2202/90 ⁽⁴⁾, and in particular Article 6 (2) thereof,

Whereas, pursuant to Commission Regulation (EEC) No 626/85 of 12 March 1985 on the purchasing, selling and storage of unprocessed dried grapes and figs by storage

agencies ⁽⁵⁾, as last amended by Regulation (EEC) No 3601/90 ⁽⁶⁾, dried grapes (sultanas) from the 1989 harvest have been purchased by Greek storage agencies and offered for sale at prices fixed in advance for processing for consumption, pursuant to Commission Regulation (EEC) No 2566/90 ⁽⁷⁾, as amended by Regulation (EEC) No 346/91 ⁽⁸⁾;

Whereas the selling price of those products should be revised in order to take account of their qualitative depreciation, more pronounced at present and the need to dispose of 1989 harvest stocks;

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

HAS ADOPTED THIS REGULATION:

Article 1

Annex II of Commission Regulation (EEC) No 2566/90 is hereby replaced by the following:

*'ANNEX II***Qualities and prices of the dried grapes referred to in Article 1**

	(ECU/100 kg)
Sultana No 1	46,882
Sultana No 2	45,903
Sultana No 4	44,401
Sultana No 5	42,442'

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, 4 April 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.
⁽²⁾ OJ No L 201, 31. 7. 1990, p. 1.
⁽³⁾ OJ No L 119, 11. 5. 1990, p. 74.
⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 4.

⁽⁵⁾ OJ No L 72, 13. 3. 1985, p. 7.
⁽⁶⁾ OJ No L 350, 14. 12. 1990, p. 54.
⁽⁷⁾ OJ No L 243, 6. 9. 1990, p. 8.
⁽⁸⁾ OJ No L 41, 14. 2. 1991, p. 19.

COMMISSION REGULATION (EEC) No 843/91
of 4 April 1991

laying down the detailed rules for the free supply of beef to Bulgaria as provided for in Council Regulation (EEC) No 597/91 on urgent action for the supply of agricultural and medical products intended for the people of Romania and Bulgaria and amending Regulation (EEC) No 569/88

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 597/91 of 5 March 1991 on urgent action for the supply of agricultural and medical products intended for the people of Romania and Bulgaria⁽¹⁾, and in particular Article 5 (2) thereof,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the conversion rate to be applied for the purposes of the common agricultural policy⁽²⁾, as last amended by Regulation (EEC) No 2205/90⁽³⁾, and in particular Article 2 (4) thereof,

Whereas Regulation (EEC) No 597/91 provides for an emergency measure for the free supply of agricultural products to Bulgaria; whereas the delivery costs of these goods are to be paid by the European Community; whereas, with a view to implementing that emergency measure, detailed rules of application should be laid down for the beef sector;

Whereas in view of the size and location of the Community intervention stocks of beef it is appropriate to release a total of 5 000 tonnes of forequarters and hindquarters stored in Italy for the purpose of the emergency measure referred to above;

Whereas, in order to ensure that the meat reaches its destination at the lowest possible cost, an invitation to tender should be opened; whereas, in the light of the urgency of the operation, it should be provided that the meat is delivered in Bulgaria before 11 June 1991;

Whereas appropriate arrangements governing the lodging of securities and contracts should ensure the proper execution of the delivery operation;

Whereas products held by intervention agencies and intended for export are subject to the provisions of

Commission Regulation (EEC) No 569/88⁽⁴⁾, as last amended by Regulation (EEC) No 673/91⁽⁵⁾; whereas the Annex to the said Regulation setting out the entries to be made should be expanded; whereas, furthermore, proof that the beef concerned has been taken over by the Bulgarian Government shall be provided by way of a special certificate;

Whereas the conversion rate to be used for the delivery costs referred to in Article 2 (2) (e) as well as for the securities referred to in Article 2 (2) (c) and in Article 4 (2) must be determined; whereas, with a view to an approach which is more balanced and more in line with the economic facts determining such costs, the exchange rates published in the Annex to Commission Regulation (EEC) No 610/91 of 18 March 1991 fixing the representative market rates to be applied for certain amounts in the context of the common agricultural policy and, in particular, for the calculation of the monetary compensatory amounts⁽⁶⁾ should be applied;

Whereas, according to the non-commercial character of this delivery operation no export refund and no monetary compensatory amounts should be paid on the exported meat;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. An invitation to tender is opened for fixing the delivery costs of 2 500 tonnes of forequarters and 2 500 tonnes of hindquarters taken over before 1 February 1991 by the Italian intervention agency and held in the cold stores mentioned in Annex I.

2. The meat shall be delivered in Bulgaria to 'Rodopa Messokombinat/Abattoir/Sofia', rue Malachevska 1, Orlan-dovizi, Sofia, in accordance with Regulations (EEC) No 597/91, (EEC) No 569/88 and the provisions of this Regulation.

⁽¹⁾ OJ No L 67, 14. 3. 1991, p. 17.

⁽²⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽³⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁴⁾ OJ No L 55, 1. 3. 1988, p. 1.

⁽⁵⁾ OJ No L 75, 21. 3. 1991, p. 24.

⁽⁶⁾ OJ No L 70, 18. 3. 1991, p. 41.

Article 2

1. Tenders shall arrive in writing at the Italian intervention agency, the address of which is given in Annex II, before 12 noon on 12 April 1991. Tenders submitted on or before that date shall be considered as having been submitted simultaneously.

2. In order to be deemed valid for consideration the tender must:

- (a) specify the name and address of the tenderer;
- (b) relate to the total quantity referred to in Article 1 (1);
- (c) be supported by a security of ECU 100 per tonne in favour of the intervention agency;
- (d) be accompanied by a written commitment from the tenderer to deliver before 11 June 1991 to the Bulgarian cold store referred to in Article 1 (2) all the meat in the same state as taken over from the intervention cold store;
- (e) specify the amount in ecus required for delivering the meat from loading bay of the Community stores to the Bulgarian cold store concerned, delivered at the unloading bay of that cold store. Except in cases of *force majeure* the successful tenderer shall bear all risk related to the transport and delivery of the meat, in particular in respect of loss and deterioration of the products.

The amount in ecus referred to in subparagraph (e) shall include any veterinary charges directly related to the destocking operations as well as the handling costs for loading the transport means concerned.

3. By way of derogation from Article 2 of Regulation (EEC) No 1676/85 the ecu amounts referred to in paragraph 2 as well as in Article 4 (2) shall be converted into national currencies by applying the conversion rates published in the Annex to Regulation (EEC) No 610/91.

Article 3

1. The Italian intervention agency shall forward to the Commission by telex, not later than 24 hours after the expiry of the deadline fixed for the submission of tenders, all the tenders which meet the requirements laid down in Article 2.

2. On the basis of the tenders forwarded, the Commission may decide

- to make no award, or
- to fix a maximum amount for the delivery costs.

3. Where a maximum amount is fixed for delivery costs, only the tender specifying the lowest amount under Article 2 (2) (e) shall be accepted. Where several tenders specify the same lowest amount, lots shall be drawn in order to determine the tender to be accepted.

4. As soon as possible after the adoption of the Decision, pursuant to paragraphs 2 and 3, the intervention agency shall inform all tenderers by written telecommunication of the outcome of their participation in the tendering procedure and shall notify the successful tenderer of the award to him of the contract to deliver the meat.

Article 4

1. The security specified in Article 2 (2) (c) shall be released forthwith, if the tender is not accepted. The primary requirements within the meaning of Article 20 of Commission Regulation (EEC) No 2220/85⁽¹⁾ shall be:

- (a) a requirement not to withdraw the tender;
- (b) lodging of the delivery security referred to in paragraph 2 for the quantity provided in Article 1 (1) of this Regulation by the stipulated time limit;
- (c) taking over of the quantity for which the security under (b) has been lodged.

2. Before the meat is taken over the successful tenderer shall lodge with the Italian intervention agency and in respect of each quantity which he takes over, a security of an amount equal to ECU 3 000 per tonne.

The primary requirements within the meaning of Article 20 of Regulation (EEC) No 2220/85 shall be the delivery of all the meat as specified in paragraph 5.

3. The successful tenderer shall take delivery of the goods in accordance with intervention agency rules for release from storage.

4. The intervention agency shall take all necessary steps to verify the quality of the commodity before the meat is taken over by the successful tenderer.

5. The security specified in paragraph 2 shall be released and the amount specified in Article 2 (2) (e) shall be paid to the successful tenderer on presentation of proof that all the meat referred to in Article 1 (1) has been delivered according to this Regulation at the Bulgarian cold store mentioned in Article 1 (2) before 11 June 1991 in the same state as taken over from the intervention cold store.

6. The transport document together with the taking over certificate given in Annex III duly filled in, stamped and signed by a person representing 'l'Agence de l'Assistance Internationale'⁽²⁾ shall constitute the proof referred to in paragraph 5.

The proof must be presented to the Italian intervention agency not later than 11 July 1991.

⁽¹⁾ OJ No L 205, 3. 8. 1985, p. 5.

⁽²⁾ L'Agence de l'Assistance Internationale, 2. Blvd. Dondoukov, 1000 Sofia (tel. 88 73 04; fax 80 33 26).

Article 5

Neither export refunds nor monetary compensatory amounts are applicable on meat delivered under this Regulation. The removal order referred to in Article 3 of Regulation (EEC) No 569/88 and the export declaration shall bear the following additional words:

'Emergency action for Bulgaria. Products on which no refunds or monetary compensatory amounts shall be paid (Regulation (EEC) No 843/91)'.

Article 6

In part I of the Annex to Regulation (EEC) No 569/88 'Products to be exported in the same state as that in which they were removed from intervention stock', the following item and footnote are added:

'83. Commission Regulation (EEC) No 843/91 of 4 April 1991 laying down the detailed rules for the free supply of beef to Bulgaria as provided in Council Regulation (EEC) No 597/91 ⁽⁸³⁾.

⁽⁸³⁾ OJ No L 85, 5. 4. 1991, p. 26.'

Article 7

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, 4 April 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

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

Lista de las partidas de carne de vacuno almacenadas en los depósitos indicados a continuación

Fortegnelse over partier af frosset oksekød, der er oplagret følgende steder

Aufstellung der Partien von Rindfleisch, die in den nachfolgenden Kühllhäusern lagern

Πίνακας παρτίδων βοείου κρέατος υποκειμένου στους ακόλουθους χώρους

List of lots of frozen beef stored in the following warehouses

Liste des lots de viande bovine stockée dans les entrepôts suivants

Elenco delle partite di carni bovine immagazzinate nei seguenti depositi

Lijst van de partijen rundvlees in de onderstaande vrieshuizen

Lista dos lotes de carne de bovino armazenada nos entrepostos seguintes

Nombre y dirección del depósito Oplagringsstedets navn og adresse Name und Anschrift des Kühlhauses Όνομα και διεύθυνση του αποθηκευτικού χώρου Name and address of storage place Nom et adresse de l'entrepôt Nome e indirizzo del deposito Plaats en naam van opslag Nome e endereço do entreposto	Cuartos traseros (toneladas) Bagfjerdinger (tons) Hinterviertel (Tonnen) Οπίσθια τέταρτα (τόνοι) Hindquarters (tonnes) Quartiers arrière (tonnes) Quarti posteriori (tonnellate) Achtervoeten (ton) Quartos traseiros (toneladas)	Cuartos delanteros (toneladas) Forfjerdinger (tons) Vorderviertel (Tonnen) Εμπρόσθια τέταρτα (τόνοι) Forequarters (tonnes) Quartiers avant (tonnes) Quarti anteriori (tonnellate) Voorvoeten (ton) Quartos dianteiros (toneladas)
(1)	(2)	(3)
1. Generalfrigo SpA Viale Germania, 10 20066 Melzo (MI)	750	750
2. F.lli Schellino SpA SS Vercelli-Biella 13030 Formigliana (VC)	200	200
3. Saval Srl Via Togliatti, 15 20038 Seregno (MI)	100	100
4. La Mamianese Via Pedemontana 43030 Mamiano di Traversetolo (PR)	1 050	1 050
5. Frigoriferi di Tavazzano SpA Via Matteotti, 16 20080 Tavazzano (MI)	100	100
6. Sicpa Scrl Via Kennedy 25028 Verolanuova (BS)	150	150
7. C. N. A. Scrl Via Fabio Filzi, 4 û31036 Istrana (TV)	150	150

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

Dirección del organismo de intervención — Interventionsorganets adresse — Anschrift der Interventionsstelle — Διευθύνσεις των οργανισμών παρεμβάσεως — Address of the intervention agency — Adresse de l'organisme d'intervention — Indirizzo dell'organismo d'intervento — Adres van het interventiebureau — Endereço do organismo de intervenção

ITALIA:

Azienda di Stato per gli interventi nel mercato agricolo (AIMA)
Via Palestro 81
I-00185 Roma
Tel. 47 49 91
Telex 61 30 03

ANNEX III

TAKING-OVER CERTIFICATE

I, the undersigned :

(surname, first name, business name)

acting for 'l'Agence de l'Assistance Internationale' on behalf of the Bulgarian Government, hereby certify that the goods listed below, having been delivered under Commission Regulation (EEC) No 843/91, have been taken over :

— Place and date of take-over :

.....

— Type of product :

.....

— Tonnage, weight taken over (gross) :

.....

— Packaging :

.....

— Number of quarters :

.....

Observations :

.....

.....

.....

.....

COMMISSION REGULATION (EEC) No 844/91

of 4 April 1991

introducing a corrective amount on the import of artichokes 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 imple-
menting 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;Whereas Commission Regulation (EEC) No 3542/90 ⁽²⁾
fixed, for the 1990/1991 marketing year, the Community
offer price for artichokes applicable with regard to Spain
(except Canary Islands);Whereas Commission Regulation (EEC) No 3815/89 ⁽³⁾
lays down detailed rules for applying the compensatory
mechanism on imports of fruit and vegetables from Spain
(except the Canary Islands);Whereas, in the case of artichokes, the offer price for the
Spanish product as calculated in accordance with the
provisions of Council Regulation (EEC) No 3709/89 hasremained for two consecutive market days at a level at
least ECU 0,6 below the Community offer price; whereas
a corrective amount equal to the difference between the
Community offer price and the Spanish offer price must
therefore be introduced for these products from Spain
(except the Canary Islands);Whereas if the system is to operate normally the offer
price of the Spanish product should be calculated on the
following basis:

- in the case of currencies the spot market rates for
which are maintained in relationship to each other
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 ⁽⁴⁾, as last
amended by Regulation (EEC) No 2205/90 ⁽⁵⁾;
- 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 coeffi-
cient referred to in the preceding indent;

HAS ADOPTED THIS REGULATION:

*Article 1*On import into the Community of Ten of artichokes (CN
code 0709 10 00) from Spain (except the Canary Islands) a
corrective amount of ECU 2,15 per 100 kilograms net
shall be levied.*Article 2*

This Regulation shall enter into force on 6 April 1991.

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

Done at Brussels, 4 April 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 344, 8. 12. 1990, p. 17.⁽³⁾ OJ No L 371, 20. 12. 1989, p. 28.⁽⁴⁾ OJ No L 164, 24. 6. 1985, p. 1.⁽⁵⁾ OJ No L 201, 31. 7. 1990, p. 9.

COMMISSION REGULATION (EEC) No 845/91

of 4 April 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 464/91 ⁽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 826/91 ⁽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 3 April 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 5 April 1991.

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

Done at Brussels, 4 April 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 54, 28. 2. 1991, p. 22.⁽³⁾ OJ No L 350, 14. 12. 1990, p. 68.⁽⁴⁾ OJ No L 84, 4. 4. 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 4 April 1991 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	38,75 ⁽¹⁾
1701 11 90	38,75 ⁽¹⁾
1701 12 10	38,75 ⁽¹⁾
1701 12 90	38,75 ⁽¹⁾
1701 91 00	42,94
1701 99 10	42,94
1701 99 90	42,94 ⁽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.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DIRECTIVE

of 21 March 1991

amending for the ninth time Directive 76/769/EEC on the approximation of the laws, regulations and administrative provisions of the Member States relating to restrictions on the marketing and use of certain dangerous substances and preparations

(91/173/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

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

In cooperation with the European Parliament ⁽²⁾,

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

Whereas measures should be adopted with the aim of progressively establishing the internal market over a period expiring on 31 December 1992; whereas the internal market comprises an area without internal frontiers on which the free movement of goods, persons, services and capital is ensured;

Whereas both pentachlorophenol (CAS No 87-86-5) and its compounds are substances that are dangerous to man and the environment, and in particular the aquatic environment; whereas the use of those substances should be regulated;

Whereas restrictions which have already been imposed by certain Member States on the use of marketing of the abovementioned substances or of preparations containing

those substances directly affect the establishment and operation of the internal market; whereas it is therefore necessary to approximate the laws of the Member States in this field and, consequently, to amend Annex I to Directive 76/769/EEC ⁽⁴⁾, as last amended by Directive 89/678/EEC ⁽⁵⁾;

Whereas the Commission will be developing a coordinated Community strategy regarding the placing on the market and use of chemical products used for the preservation of wood; whereas this strategy will be based on information supplied to it by the Member States and in particular on the assessment of the risks for man and the environment while taking into account the various problems posed by wood preservation in the Member States;

Whereas currently Community legislation concerning the possible adoption by Member States of more stringent restrictions on the use of the substances and preparations in question at the workplace remains unaffected by this Directive,

HAS ADOPTED THIS DIRECTIVE:

Article 1

The following point is hereby added to Annex I to Directive 76/769/EEC:

⁽¹⁾ OJ No C 117, 4. 5. 1988, p. 14.

⁽²⁾ OJ No C 291, 20. 11. 1989, p. 58 and OJ C 48, 25. 2. 1991.

⁽³⁾ OJ No C 208, 8. 8. 1988, p. 55.

⁽⁴⁾ OJ No L 262, 27. 9. 1976, p. 201.

⁽⁵⁾ OJ No L 398, 30. 12. 1989, p. 24.

23. Pentachlorophenol
(CAS No 87-86-5)
and its salts and esters

shall not be used in a concentration equal to or greater than 0,1 % by mass in substances or preparations placed on the market.

By way of exception, this provision shall not apply to substances and preparations intended for use in industrial installations not permitting the emission and/or discharge of pentachlorophenol (PCP) in quantities greater than those prescribed by existing legislation :

(a) in the treatment of wood.

However, treated wood may not be used :

- inside buildings whether for decorative purposes or not whatever their purpose (residence, employment, leisure) ;
- for the manufacture of containers intended for growing purposes and any re-treatment and the manufacture of packaging which may come into contact with or other materials which may contaminate raw, intermediate and/or finished products intended for human and/or animal consumption and any re-treatment ;

(b) in the impregnation of fibres and heavy-duty textiles not intended in any case for clothing or for decorative furnishings ;

(c) as a synthesizing and/or processing agent in industrial processes ;

(d) by way of special exception, Member States may on a case-by-case basis, authorize on their territory specialized professionals to carry out in situ and for buildings of cultural, artistic and historical interest, or in emergencies, a remedial treatment of timber and masonry infected by dry rot fungus (*Serpula lacrymans*) and cubic rot fungi.

These exceptions shall be re-examined in the light of developments in knowledge and techniques not more than three years after the implementation of the Directive.

In any case :

(a) Pentachlorophenol used alone or as a component of preparations employed within the framework of the above exceptions must have a total hexachlorodibenzoparadioxin (H_6CDD) content below four parts per million (ppm) ;

(b) these substances and preparations may not :

- be placed on the market except in packages of 20 litres or more ;
- be sold to the general public.

Without prejudice to the implementation of other Community provisions concerning the classification, packaging and labelling of dangerous substances and preparations, the packaging of such preparations should be marked clearly and indelibly:

"Reserved for industrial and professional use".

In addition, this provision shall not apply to waste covered by Directives 75/442/EEC and 78/319/EEC.

Article 2

1. Member States shall communicate to the Commission before 31 December 1991 the text of the main provisions of national law which they adopt in the field covered by this Directive.
2. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive before 1 July 1992. They shall inform the Commission thereof.

Article 3

This Directive is addressed to the Member States.

Done at Brussels, 21 March 1991.

For the Council

The President

G. WOHLFART

COUNCIL DIRECTIVE**of 25 March 1991****laying down zootechnical and pedigree requirements for the marketing of pure-bred animals and amending Directives 77/504/EEC and 90/425/EEC****(91/174/EEC)**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

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

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

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

Whereas pure-bred animals, being 'live animals', are included in the list in Annex II to the Treaty;

Whereas pure-bred animals are generally reared in the context of farming activities; whereas the rearing of such animals constitutes a source of income for part of the farming population and should therefore be encouraged;

Whereas specific rules for the harmonization of zootechnical legislation have been laid down at Community level for cattle, swine, sheep, goats and equidae;

Whereas, to ensure the rational development of the rearing of pure-bred animals and thus increase productivity in that sector, rules for the marketing of such animals should be laid down at Community level;

Whereas, in principle, intra-Community trade must not be prohibited, restricted or impeded;

Whereas it is appropriate that the provisions applicable to pure-bred breeding cattle should be extended to pure-bred breeding buffalo and that Directive 77/504/EEC ⁽⁴⁾ should be amended as a result;

Whereas it should be stipulated that the provisions of Directive 90/425/EEC ⁽⁵⁾ apply to this sector;

Whereas provisions should be introduced preventing pure-bred animals from being imported from third countries on terms which are more favourable than those applied within the Community,

HAS ADOPTED THIS DIRECTIVE:

Article 1

For the purposes of this Directive 'pure-bred animal' shall mean any animal for breeding covered by Annex II to the Treaty the trade in which has not yet been the subject of more specific Community zootechnical legislation and which is entered or registered in a register or pedigree record kept by a recognized breeders' organization or association.

Article 2

Member States shall ensure that:

- the marketing of pure-bred animals and of the semen, ova and embryos thereof is not prohibited, restricted or impeded on zootechnical or pedigree grounds,
- in order to ensure that the requirement provided for in the first indent is satisfied, the criteria for approval and recognition of breeders' organizations or associations, the criteria for entry or registration in pedigree records or registers, the criteria for approval for reproduction of pure-bred animals and for the use of their semen, ova and embryos, and the certificate to be required for their marketing should be established in a non-discriminatory manner, with due regard for the principles laid down by the organization or association which maintains the register or pedigree record of the breed in question.

Pending the implementation of detailed rules for application as provided for in Article 6, national laws shall remain applicable with due regard for the general provisions of the Treaty.

Article 3

In Article 1 (a) of Directive 77/504/EEC the words, 'including buffalo' shall be inserted after the term 'bovine species'.

⁽¹⁾ OJ No C 304, 29. 11. 1988, p. 6.

⁽²⁾ OJ No C 12, 16. 1. 1989, p. 365.

⁽³⁾ OJ No C 56, 6. 3. 1989, p. 25.

⁽⁴⁾ OJ No L 206, 12. 8. 1977, p. 8. Directive last amended by Regulation (EEC) No 3768/85 (OJ No L 362, 31. 12. 1985, p. 8).

⁽⁵⁾ OJ No L 224, 18. 8. 1990, p. 29. Directive last amended by Directive 90/675/EEC (OJ No L 373, 31. 12. 1990, p. 1).

Article 4

The following text shall be added in Section II of Annex A to Directive 90/425/EEC:

'Council Directive 91/174/EEC of 25 March 1991 laying down zootechnical and pedigree requirements for the marketing of pure-bred animals

OJ No L 85, 9. 4. 1991, p. 37.'

Article 5

Until Community rules on the subject are implemented, the conditions applicable to imports of pure-bred animals and to the semen, ova and embryos thereof from third countries shall not be more favourable than those governing intra-Community trade.

Article 6

The detailed rules for the application of this Directive shall be adopted in accordance with the procedure laid down in Article 11 of Directive 88/661/EEC⁽¹⁾.

Article 7

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive before 1 January 1992. They shall forthwith inform the Commission thereof.

When the said measures are adopted by the Member States, 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 8

This Directive is addressed to the Member States.

Done at Brussels, 25 March 1991.

For the Council

The President

R. STEICHEN

⁽¹⁾ OJ No L 382, 31. 12. 1988, p. 36.