

Official Journal

of the European Communities

ISSN 0378-6978

L 89

Volume 34

10 April 1991

English edition

Legislation

Contents

I *Acts whose publication is obligatory*

Commission Regulation (EEC) No 865/91 of 9 April 1991 fixing the import levies on cereals and on wheat or rye flour, groats and meal	1
Commission Regulation (EEC) No 866/91 of 9 April 1991 fixing the premiums to be added to the import levies on cereals, flour and malt	3
Commission Regulation (EEC) No 867/91 of 9 April 1991 adopting definitive measures on the issuing of STM licences for milk and milk products in regard to Spain	5
* Commission Regulation (EEC) No 868/91 of 9 April 1991 fixing the storage aid for unprocessed dried grapes and dried figs from the 1990/91 marketing year	7
* Commission Regulation (EEC) No 869/91 of 9 April 1991 establishing the list of flint maize varieties on which production aid can be granted	9
* Commission Regulation (EEC) No 870/91 of 9 April 1991 amending Council Regulation (EEC) No 3878/87 on the production aid for certain varieties of rice	11
Commission Regulation (EEC) No 871/91 of 9 April 1991 altering the corrective amount applicable to the refund on cereals	12
Commission Regulation (EEC) No 872/91 of 9 April 1991 fixing the import levies on white sugar and raw sugar	14
Commission Regulation (EEC) No 873/91 of 9 April 1991 fixing the amount of the subsidy on oil seeds	16
Commission Regulation (EEC) No 874/91 of 9 April 1991 abolishing the corrective amount on the import of artichokes into the Community of Ten from Spain (except the Canary Islands)	19

Contents (continued)

Commission Regulation (EEC) No 875/91 of 9 April 1991 fixing the amount by which the levy on imports of rice from the Arab Republic of Egypt must be reduced	20
Commission Regulation (EEC) No 876/91 of 9 April 1991 fixing the amount by which the variable component of the levy applicable to bran and sharps originating in Argentina must be reduced	22
Commission Regulation (EEC) No 877/91 of 9 April 1991 fixing the amount by which the variable component of the levy applicable to bran and sharps originating in Egypt must be reduced	24
Commission Regulation (EEC) No 878/91 of 9 April 1991 fixing the amount by which the variable component of the levy applicable to bran and sharps originating in Algeria, Morocco and Tunisia must be reduced	26
* Commission Regulation (EEC) No 879/91 of 9 April 1991 laying down detailed rules for urgent action for the supply of butter and skimmed-milk powder to Bulgaria and Romania and amending Regulation (EEC) No 569/88	28

II *Acts whose publication is not obligatory*

Council

91/178/EEC :

- * **Council Decision of 25 March 1991 on acceptance of the terms of reference of the International Tin Study Group** 33

91/179/EEC :

- * **Council Decision of 25 March 1991 on acceptance of the terms of reference of the International Copper Study Group** 39

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 865/91

of 9 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 8 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 10 April 1991.

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

Done at Brussels, 9 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 9 April 1991 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Levy
0709 90 60	135,76 ⁽²⁾ ⁽³⁾
0712 90 19	135,76 ⁽²⁾ ⁽³⁾
1001 10 10	193,61 ⁽¹⁾ ⁽⁵⁾
1001 10 90	193,61 ⁽¹⁾ ⁽⁵⁾
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	135,76 ⁽²⁾ ⁽³⁾
1005 90 00	135,76 ⁽²⁾ ⁽³⁾
1007 00 90	142,17 ⁽⁴⁾
1008 10 00	48,28
1008 20 00	137,20 ⁽⁴⁾
1008 30 00	61,47 ⁽⁵⁾
1008 90 10	(7)
1008 90 90	61,47
1101 00 00	261,29 ⁽⁸⁾
1102 10 00	231,46 ⁽⁸⁾
1103 11 10	313,67 ⁽⁸⁾
1103 11 90	280,56 ⁽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 866/91

of 9 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 8 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 10 April 1991.

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

Done at Brussels, 9 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 9 April 1991 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CN code	(ECU/tonne)			
	Current 4	1st period 5	2nd period 6	3rd period 7
0709 90 60	0	0,54	0,54	0
0712 90 19	0	0,54	0,54	0
1001 10 10	0	0	0	0
1001 10 90	0	0	0	0
1001 90 91	0	0	0	0
1001 90 99	0	0	0	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 10	0	0	0	0
1004 00 90	0	0	0	0
1005 10 90	0	0,54	0,54	0
1005 90 00	0	0,54	0,54	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

CN code	(ECU/tonne)				
	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 867/91

of 9 April 1991

adopting definitive measures on the issuing of STM licences for milk and milk products in regard to Spain

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

in Spain, an increase in indicative ceilings cannot be contemplated at present;

Having regard to the Treaty establishing the European Economic Community,

Whereas, as part of the definitive measures referred to in Article 85 (3) of the Act, the suspension of the issuing of STM licences provided for in Articles 1 (2) of Regulations (EEC) Nos 74/91, 169/91, 414/91 and 561/91 until the end of the first quarter of 1991 should be confirmed;

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 85 (3) thereof,

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

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,

HAS ADOPTED THIS REGULATION:

Whereas Commission Regulation (EEC) No 606/86 of 28 February 1986 laying down detailed rules for applying the supplementary trade mechanism to milk products imported into Spain from the Community of Ten ⁽³⁾, as last amended by Regulation (EEC) No 334/91 ⁽⁴⁾, fixes the indicative ceiling for imports into Spain of certain products in the milk and milk products sector for 1991;

Article 1

1. The issuing of STM licences applied for in the Community of Ten for products in the milk and milk products sector as referred to in Regulations (EEC) Nos 74/91, 169/91 and 414/91 is hereby definitively suspended for the first quarter of 1991.

Whereas applications for STM licences lodged solely in the Community of Ten during the periods 1 to 4 January 1991 for cheese categories 5 and 6, 14 to 19 January 1991 for category 3, 11 to 15 February 1991 for category 2 and, as regards the Community of Ten and Portugal, 25 February to 1 March 1991 for milk in containers of a net content not exceeding two litres, relate to quantities in excess of that fraction of the indicative ceiling set aside for in the first quarter of 1991;

2. The issuing of STM licences applied for in the Community of Ten and Portugal for the products referred to in Regulation (EEC) No 561/91 is hereby definitively suspended for the first quarter of 1991.

Whereas the Commission accordingly adopted, by an emergency procedure, suitable interim protective measures by Regulations (EEC) Nos 74/91 ⁽⁵⁾, 169/91 ⁽⁶⁾, 414/91 ⁽⁷⁾ and 561/91 ⁽⁸⁾; whereas definitive measures must be adopted; whereas, in view of the market situation

3. Further applications for STM licences may be lodged from 25 March 1991 for all products in respect of that fraction of the indicative ceiling set aside for the second quarter of 1991.

Article 2

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

⁽¹⁾ OJ No L 55, 1. 3. 1986, p. 106.

⁽²⁾ OJ No L 293, 27. 10. 1988, p. 7.

⁽³⁾ OJ No L 58, 1. 3. 1986, p. 28.

⁽⁴⁾ OJ No L 39, 13. 2. 1991, p. 15.

⁽⁵⁾ OJ No L 9, 12. 1. 1991, p. 14.

⁽⁶⁾ OJ No L 19, 25. 1. 1991, p. 10.

⁽⁷⁾ OJ No L 49, 22. 2. 1991, p. 13.

⁽⁸⁾ OJ No L 62, 8. 3. 1991, p. 28.

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

Done at Brussels, 9 April 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 868/91

of 9 April 1991

fixing the storage aid for unprocessed dried grapes and dried figs from the
1990/91 marketing year

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 (8) thereof,Whereas Article 1 (1) of Commission Regulation (EEC) No 627/85 of 12 March 1985 on storage aid and financial compensation for unprocessed dried grapes and figs ⁽³⁾, as amended by Regulation (EEC) No 3602/90 ⁽⁴⁾ provides that storage aid shall be fixed per day and per 100 kilograms net of sultanas of category 4 and figs of category C; whereas paragraph 2 of the same Article provides that one rate of storage aid for dried grapes shall apply until the end of February of the year following that in which the products were bought and another rate shall apply to storage beyond that period;

Whereas the storage aid shall be calculated taking into consideration the technical cost of storage and the financing of the purchase price paid for the products;

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

The storage aid referred to in Article 1 of Regulation (EEC) No 627/85 shall, for products from the 1990/91 marketing year, be as set out in the Annex.

*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, 9 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 72, 13. 3. 1985, p. 17.⁽⁴⁾ OJ No L 350, 14. 12. 1990, p. 56.

ANNEX

STORAGE AID FOR UNPROCESSED DRIED GRAPES AND DRIED FIGS FROM THE
1990/91 MARKETING YEAR

A. DRIED GRAPES

(ECU per day per 100 kilograms net)

	Until the end of February 1992	From 1 March 1992
Sultanas of category 4	0,0454	0,0061

B. DRIED FIGS

(ECU per day per 100 kilograms net)

Dried figs of category C	0,0292
--------------------------	--------

COMMISSION REGULATION (EEC) No 869/91**of 9 April 1991****establishing the list of flint maize varieties on which production aid can be granted**

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

Having regard to Council Regulation (EEC) No 1835/89 of 19 June 1989 setting general rules on the production aid for high-quality flint maize ⁽¹⁾, and in particular Article 3 (2) thereof,

Whereas the production aid is intended to encourage production of high-quality flint maize ; whereas Article 3 (1) of Regulation (EEC) No 1835/89 sets out the qualifying requirements for high-quality varieties ;

Whereas Commission Regulation (EEC) No 3771/89 of 14 December 1989 laying down detailed rules for the production aid for high-quality flint maize ⁽²⁾, as amended by Regulation (EEC) No 548/90 ⁽³⁾, sets out the procedure for inclusion of flint maize varieties on the list provided for in Article 3 (2) of Regulation (EEC) No 1835/89 ; whereas the Commission has received all the test results for the varieties for which an application for inclusion on

the list was made ; whereas the list of varieties on which the production aid referred to in Regulation (EEC) No 1835/89 can be granted should be adopted on the basis of these results ;

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

HAS ADOPTED THIS REGULATION :

Article 1

The list of varieties provided for in Article 3 (2) of Regulation (EEC) No 1835/89 is annexed to this Regulation.

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, 9 April 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 180, 27. 6. 1989, p. 3.

⁽²⁾ OJ No L 365, 15. 12. 1989, p. 41.

⁽³⁾ OJ No L 56, 3. 3. 1990, p. 28.

*ANNEX***List of varieties provided for in Article 3 (2) of Regulation (EEC) No 1835/89**

Alfire	Hibisco
Asti	Koala Adour 160
Astico	Monarque 282
Capac M-788	Pampa
Celtic Pau 230	Platex
Colom 92	Platone
DK-4-F-37	Ranuncolo
Erica	Samson
Freccia	

COMMISSION REGULATION (EEC) No 870/91

of 9 April 1991

amending Council Regulation (EEC) No 3878/87 on the production aid for certain varieties of rice

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

Having regard to Council Regulation (EEC) No 3878/87 of 18 December 1987 on the production aid for certain varieties of rice ⁽¹⁾, as last amended by Regulation (EEC) No 832/90 ⁽²⁾, and in particular Article 2 (3) thereof,

Whereas, in accordance with the abovementioned Regulation and Commission Regulation (EEC) No 2580/88 of 17 August 1988 laying down the rules for amending the list of rice varieties set out in Annex B to Regulation (EEC) No 3878/87 ⁽³⁾, from the 1988/89 marketing year, only those varieties of rice meeting the morphological characteristics set out in Article 2 (1) of that Regulation and certain qualitative characteristics may be listed in Annex B to Regulation (EEC) No 3878/87;

Whereas the analyses of samples of the varieties which are the subject of applications for inclusion in the abovementioned

list have been conducted and whereas the findings result in changes in the list in question;

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

HAS ADOPTED THIS REGULATION:

Article 1

Annex B to Regulation (EEC) No 3878/87 is hereby replaced by the Annex hereto.

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, 9 April 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

List of varieties

Artiglio	Lemont
Bluebelle E	Pegaso
Dedalo	Puntal
Graldo	Rea
Icaro	Star
Idra	Thaibonnet = L 202

⁽¹⁾ OJ No L 365, 24. 12. 1987, p. 3.

⁽²⁾ OJ No L 86, 31. 3. 1990, p. 46.

⁽³⁾ OJ No L 230, 19. 8. 1988, p. 8.

COMMISSION REGULATION (EEC) No 871/91**of 9 April 1991****altering the corrective amount applicable to the refund on cereals**

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 the fourth sentence of the second subparagraph of Article 16 (4) thereof,

Having regard to Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds ⁽³⁾,

Whereas the corrective amount applicable to the refund on cereals was fixed by Commission Regulation (EEC) No 695/91 ⁽⁴⁾, as amended by Regulation (EEC) No 776/91 ⁽⁵⁾;

Whereas, on the basis of today's cif prices and cif forward delivery prices, taking foreseeable developments on the

market into account, the corrective amount at present applicable to the refund on cereals should be altered,

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 16 (4) of Regulation (EEC) No 2727/75, fixed in the Annex to amended Regulation (EEC) No 695/91 which is applicable to the export refunds fixed in advance in respect of cereals, is hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 10 April 1991.

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

Done at Brussels, 9 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 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 76, 22. 3. 1991, p. 21.

⁽⁵⁾ OJ No L 81, 28. 3. 1991, p. 78.

ANNEX

to the Commission Regulation of 9 April 1991 altering the corrective amount applicable to the refund on cereals

(ECU/tonne)

Product code	Destination (1)	Current 4	1st period 5	2nd period 6	3rd period 7	4th period 8	5th period 9	6th period 10
0709 90 60 000	—	—	—	—	—	—	—	—
0712 90 19 000	—	—	—	—	—	—	—	—
1001 10 10 000	—	—	—	—	—	—	—	—
1001 10 90 000	01	0	0	- 40,00	- 40,00	- 40,00	- 40,00	- 40,00
1001 90 91 000	—	—	—	—	—	—	—	—
1001 90 99 000	01	0	0	0	- 30,00	- 30,00	- 30,00	- 30,00
1002 00 00 000	01	0	0	0	- 30,00	- 30,00	- 30,00	- 30,00
1003 00 10 000	01	0	0	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00
1003 00 90 000	01	0	0	0	- 30,00	- 30,00	- 30,00	- 30,00
1004 00 10 000	—	—	—	—	—	—	—	—
1004 00 90 000	—	—	—	—	—	—	—	—
1005 10 90 000	—	—	—	—	—	—	—	—
1005 90 00 000	01	0	0	0	0	—	—	—
1007 00 90 000	—	—	—	—	—	—	—	—
1008 20 00 000	—	—	—	—	—	—	—	—
1101 00 00 100	01	0	0	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00
1101 00 00 130	01	0	0	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00
1101 00 00 150	01	0	0	0	- 30,00	- 30,00	- 30,00	- 30,00
1101 00 00 170	01	0	0	0	- 30,00	- 30,00	- 30,00	- 30,00
1101 00 00 180	01	0	0	0	- 30,00	- 30,00	- 30,00	- 30,00
1101 00 00 190	—	—	—	—	—	—	—	—
1101 00 00 900	—	—	—	—	—	—	—	—
1102 10 00 600	01	0	0	0	- 30,00	- 30,00	- 30,00	- 30,00
1102 10 00 900	—	—	—	—	—	—	—	—
1103 11 10 100	01	0	0	- 50,00	- 50,00	- 50,00	- 50,00	- 50,00
1103 11 10 200	01	0	0	- 50,00	- 50,00	- 50,00	- 50,00	- 50,00
1103 11 10 500	01	0	0	- 50,00	- 50,00	- 50,00	- 50,00	- 50,00
1103 11 10 900	01	0	0	- 50,00	- 50,00	- 50,00	- 50,00	- 50,00
1103 11 90 100	01	0	0	0	- 30,00	- 30,00	- 30,00	- 30,00
1103 11 90 900	—	—	—	—	—	—	—	—

(1) For the following destinations:

01 All third countries.

NB: The zones are those defined in Commission Regulation (EEC) No 1124/77 (OJ No L 134, 28. 5. 1977, p. 53), as last amended by Regulation (EEC) No 3049/89 (OJ No L 292, 11. 10. 1989, p. 10).

COMMISSION REGULATION (EEC) No 872/91

of 9 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 864/91 ⁽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 8 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 10 April 1991.

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

Done at Brussels, 9 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 88, 9. 4. 1991, p. 15.

⁽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 9 April 1991 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	38,54 ⁽¹⁾
1701 11 90	38,54 ⁽¹⁾
1701 12 10	38,54 ⁽¹⁾
1701 12 90	38,54 ⁽¹⁾
1701 91 00	42,74
1701 99 10	42,74
1701 99 90	42,74 ⁽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 873/91

of 9 April 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 830/91 ⁽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 Commission Regulation (EEC) No 772/91 ⁽⁷⁾, as last amended by Regulation (EEC) No 858/91 ⁽⁸⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 772/91 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

1. The amounts of the subsidy and the exchange rates referred to in Article 33 (2) and (3) of Commission Regulation (EEC) No 2681/83 ⁽⁹⁾ shall be as set out in the Annexes hereto.

2. However, the amount of the aid fixed in advance for the 1991/92 marketing year for colza, rape and sunflower seed shall be confirmed or replaced with effect from 10 April 1991 to take account of the prices and related measures for the 1991/92 marketing year and of the consequences of the maximum guaranteed quantity arrangements.

Article 2

This Regulation shall enter into force on 10 April 1991.

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

Done at Brussels, 9 April 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 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 87, 8. 4. 1991, p. 51.

⁽⁵⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 11.

⁽⁷⁾ OJ No L 81, 28. 3. 1991, p. 62.

⁽⁸⁾ OJ No L 86, 6. 4. 1991, p. 20.

⁽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 4	1st period 5	2nd period 6	3rd period 7 (1)	4th period 8 (1)	5th period 9 (1)
1. Gross aids (ECU):						
— Spain	0,000	0,000	0,000	9,759	10,099	10,099
— Portugal	26,390	26,196	26,165	16,729	17,069	17,069
— Other Member States	19,420	19,226	19,195	9,759	10,099	10,099
2. Final aids:						
Seed harvested and processed in:						
— Federal Republic of Germany (DM)	45,72	45,26	45,19	22,97	23,77	23,77
— Netherlands (Fl)	51,51	51,00	50,92	25,89	26,79	26,79
— BLEU (Bfrs/Lfrs)	942,96	933,54	932,04	473,86	490,37	490,37
— France (FF)	153,33	151,80	151,56	77,05	79,74	79,74
— Denmark (Dkr)	174,39	172,65	172,37	87,63	90,69	90,69
— Ireland (£ Irl)	17,066	16,895	16,868	8,576	8,875	8,849
— United Kingdom (£)	14,936	14,778	14,754	7,343	7,613	7,577
— Italy (Lit)	34 207	33 866	33 811	17 190	17 789	17 765
— Greece (Dr)	3 842,68	3 774,28	3 733,01	1 438,95	1 527,51	1 416,16
— Spain (Pta)	0,00	0,00	0,00	1 597,50	1 647,65	1 631,68
— Portugal (Esc)	5 531,19	5 491,45	5 485,03	3 513,82	3 584,35	3 541,93

ANNEX II

Aids to colza and rape seed 'double zero'

(amounts per 100 kg)

	Current 4	1st period 5	2nd period 6	3rd period 7 (1)	4th period 8 (1)	5th period 9 (1)
1. Gross aids (ECU):						
— Spain	0,000	0,000	0,000	12,259	12,599	12,599
— Portugal	28,890	28,696	28,665	19,229	19,569	19,569
— Other Member States	21,920	21,726	21,695	12,259	12,599	12,599
2. Final aids:						
Seed harvested and processed in:						
— Federal Republic of Germany (DM)	51,60	51,15	51,07	29,86	29,66	29,66
— Netherlands (Fl)	58,14	57,63	57,55	32,52	33,42	33,42
— BLEU (Bfrs/Lfrs)	1 064,35	1 054,93	1 053,43	595,25	611,76	611,76
— France (FF)	173,07	171,54	171,30	96,79	99,48	99,48
— Denmark (Dkr)	196,84	195,10	194,82	110,08	113,14	113,14
— Ireland (£ Irl)	19,263	19,092	19,065	10,773	11,072	11,046
— United Kingdom (£)	16,884	16,727	16,703	9,292	9,562	9,526
— Italy (Lit)	38 611	38 269	38 215	21 594	22 193	22 169
— Greece (Dr)	4 399,94	4 331,54	4 290,28	1 996,21	2 084,77	1 973,42
— Spain (Pta)	59,27	32,05	27,49	1 979,74	2 029,89	2 013,92
— Portugal (Esc)	6 052,88	6 013,14	6 006,72	4 035,51	4 106,04	4 063,62

(1) Amount fixed provisionally, pending and subject to the setting of the prices and related measures and of the application of the maximum guaranteed quantity arrangements for the 1991/92 marketing year, on the basis in particular:

- of the Commission's proposals for the 1991/92 marketing year as regards the target price, the monthly increases, the reduction for rape seed other than 'double zero' and the arrangements applying to rape seed harvested in Spain;
- the adjustment resulting from the maximum guaranteed quantity arrangements and the agricultural conversion rates applied for the 1990/91 marketing year.

ANNEX III

Aids to sunflower seed

(amounts per 100 kg)

	Current 4	1st period 5	2nd period 6	3rd period 7	4th period 8 (1)
1. Gross aids (ECU):					
— Spain	29,846	29,813	29,658	29,426	22,862
— Portugal	38,785	38,759	38,607	38,379	29,969
— Other Member States	26,545	26,519	26,367	26,139	17,729
2. Final aids:					
(a) Seed harvested and processed in (2):					
— Federal Republic of Germany (DM)	62,49	62,43	62,07	61,54	41,74
— Netherlands (Fl)	70,41	70,34	69,94	69,34	47,03
— BLEU (Bfrs/Lfrs)	1 288,93	1 287,66	1 280,28	1 269,21	860,85
— France (FF)	209,59	209,38	208,18	206,38	139,98
— Denmark (Dkr)	238,37	238,14	236,77	234,73	159,20
— Ireland (£ Irl)	23,327	23,304	23,171	22,970	15,580
— United Kingdom (£)	20,488	20,463	20,343	20,162	13,540
— Italy (Lit)	46 758	46 712	46 444	46 043	31 229
— Greece (Dr)	5 426,15	5 399,11	5 326,57	5 228,95	3 171,29
— Portugal (Esc)	8 116,80	8 111,91	8 080,46	8 026,29	6 277,29
(b) Seed harvested in Spain and processed:					
— in Spain (Pta)	4 648,05	4 644,85	4 622,05	4 584,27	3 605,96
— in another Member State (Pta)	4 706,86	4 704,64	4 682,25	4 645,20	3 678,82

(1) Amount fixed provisionally, pending and subject to the setting of the prices and related measures and of the application of the maximum guaranteed quantity arrangements for the 1991/92 marketing year, on the basis in particular:

— of the Commission's proposals for the 1991/92 marketing year as regards the target price, the monthly increases, the reduction for rape seed other than 'double zero' and the arrangements applying to rape seed harvested in Spain;

— the adjustment resulting from the maximum guaranteed quantity arrangements and the agricultural conversion rates applied for the 1990/91 marketing year.

(2) 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 4	1st period 5	2nd period 6	3rd period 7	4th period 8	5th period 9
DM	2,056590	2,054680	2,053240	2,051890	2,051890	2,048620
Fl	2,321130	2,319350	2,317570	2,316120	2,316120	2,311720
Bfrs/Lfrs	42,387100	42,352500	42,321800	42,291500	42,291500	42,207900
FF	6,982600	6,977550	6,972310	6,967960	6,967960	6,956820
Dkr	7,903260	7,898750	7,894570	7,892860	7,892860	7,885240
£Irl	0,770587	0,771000	0,771960	0,772536	0,772536	0,775595
£	0,692057	0,693484	0,694589	0,695511	0,695511	0,697177
Lit	1 533,34	1 534,98	1 536,39	1 537,59	1 537,59	1 542,08
Dr	223,00000	224,83100	226,97800	229,41800	229,41800	235,20200
Esc	180,77400	181,14000	181,54700	182,10000	182,10000	184,10200
Pta	127,74100	128,05500	128,33500	128,56800	128,56800	129,26100

COMMISSION REGULATION (EEC) No 874/91**of 9 April 1991****abolishing the 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 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 of the Council 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 844/91⁽³⁾ introduces a corrective amount on imports of artichokes 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 abolished; adjusted; whereas the said conditions require abolition of the corrective amount on imports of artichokes into the Community of Ten from Spain (except the Canary Islands),

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 844/91 is hereby repealed.

Article 2

This Regulation shall enter into force on 10 April 1991.

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

Done at Brussels, 9 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 371, 20. 12. 1989, p. 28.

⁽³⁾ OJ No L 85, 5. 4. 1991, p. 31.

COMMISSION REGULATION (EEC) No 875/91
of 9 April 1991

**fixing the amount by which the levy on imports of rice from the Arab Republic
of Egypt must be reduced**

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

Having regard to Council Regulation (EEC) No 1418/76
of 21 June 1976 on the common organization of the
market in rice ⁽¹⁾, as last amended by Regulation (EEC)
No 1806/89 ⁽²⁾, and in particular Article 11 thereof,

Having regard to Council Regulation (EEC) No 1250/77
of 17 May 1977 on imports of rice from the Arab Repub-
lic of Egypt ⁽³⁾, and in particular Article 1 thereof,

Whereas Regulation (EEC) No 1250/77 provides that the
levy calculated in accordance with Article 11 of Regula-
tion (EEC) No 1418/76 is to be reduced by an amount to
be fixed by the Commission each quarter; whereas this
amount must be equal to 25 % of the average of the
levies applied during a reference period;

Whereas, pursuant to Commission Regulation (EEC) No
2942/73 of 30 October 1973 laying down detailed rules
for the application of Regulation (EEC) No 2412/73 ⁽⁴⁾, as

amended by Regulation (EEC) No 560/91 ⁽⁵⁾, the
reference period is to be the quarter preceding the month
in which the amount is fixed;

Whereas the levies to be taken into consideration are
therefore those applicable during January, February and
March 1991,

HAS ADOPTED THIS REGULATION:

Article 1

The amount referred to in Article 1 of Regulation (EEC)
No 1250/77 by which the levy on imports of rice origina-
ting in and coming from the Arab Republic of Egypt is to
be reduced shall be as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 May 1991.

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

Done at Brussels, 9 April 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽³⁾ OJ No L 146, 14. 6. 1977, p. 9.

⁽⁴⁾ OJ No L 302, 31. 10. 1973, p. 1.

⁽⁵⁾ OJ No L 62, 8. 3. 1991, p. 26.

ANNEX

to the Commission Regulation of 9 April 1991 fixing the amount by which the levy on imports of rice from the Arab Republic of Egypt must be reduced

(ECU/tonne)

CN code	Amounts to be deducted
1006 10 21	80,72
1006 10 23	78,24
1006 10 25	78,24
1006 10 27	78,24
1006 10 92	80,72
1006 10 94	78,24
1006 10 96	78,24
1006 10 98	78,24
1006 20 11	100,90
1006 20 13	97,80
1006 20 15	97,80
1006 20 17	97,80
1006 20 92	100,90
1006 20 94	97,80
1006 20 96	97,80
1006 20 98	97,80
1006 30 21	128,84
1006 30 23	146,69
1006 30 25	146,69
1006 30 27	146,69
1006 30 42	128,84
1006 30 44	146,69
1006 30 46	146,69
1006 30 48	146,69
1006 30 61	137,21
1006 30 63	157,25
1006 30 65	157,25
1006 30 67	157,25
1006 30 92	137,21
1006 30 94	157,25
1006 30 96	157,25
1006 30 98	157,25
1006 40 00	43,91

COMMISSION REGULATION (EEC) No 876/91

of 9 April 1991

fixing the amount by which the variable component of the levy applicable to
bran and sharps originating in Argentina must be reduced

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

Having regard to Council Regulation (EEC) No 1058/88
of 28 March 1988 on the import of bran, sharps and other
residues derived from the sifting, milling or other working
of cereals other than maize and rice and amending
Regulation (EEC) No 2658/87 on the tariff and statistical
nomenclature and on the Common Customs Tariff⁽¹⁾,
and in particular Article 2 (2) thereof,

Whereas Regulation (EEC) No 1058/88 provides that the
variable component of the levy, calculated in accordance
with 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 from rice⁽²⁾ as last
amended by Regulation (EEC) No 1906/87⁽³⁾, is to be
reduced by an amount equal to 40 % of the average of
the variable components of the levies applicable to the
product in question in the three months preceding the
months during which that amount is fixed; whereas that
reduction is applicable to products falling within CN
codes 2302 30 10, 2302 30 90, 2302 40 10 and 2302 40 90
for up to a maximum of 550 000 tonnes per year on the
import of the products in question originating in
Argentina and from any other third country which applies
to exports of those products a special tax of an amount

equal to that by which the variable amount of the levy is
reduced and which provides satisfactory proof of payment
of that tax;

Whereas Commission Regulation (EEC) No 1193/88⁽⁴⁾,
as amended by Regulation (EEC) No 84/89⁽⁵⁾, lays down
the detailed rules of application of the special
arrangements for imports of bran, sharps and other
residues, whether or not in the form of pellets, derived
from the sifting, milling or other working of cereals other
than maize and rice falling within CN codes 2302 30 and
2302 40,

HAS ADOPTED THIS REGULATION:

Article 1

The amount referred to in Article 1 of Regulation (EEC)
No 1058/88 by which the variable amount of the levy
applicable to imports of bran, sharps and other residues
originating in Argentina and in any other third country
meeting the conditions laid down in that Article must be
reduced shall be as set out in the Annex.

Article 2

This Regulation shall enter into force on 1 May 1991.

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

Done at Brussels, 9 April 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 104, 23. 4. 1988, p. 1.

⁽²⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽³⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁴⁾ OJ No L 111, 30. 4. 1988, p. 87.

⁽⁵⁾ OJ No L 13, 17. 1. 1989, p. 13.

ANNEX

to the Commission Regulation of 9 April 1991 fixing the amount by which the variable component of the levy applicable to bran and sharps originating in Argentina must be reduced

<i>(ECU/tonne)</i>	
CN code	Amount
2302 30 10	27,69
2302 30 90	54,64
2302 40 10	27,69
2302 40 90	54,64

COMMISSION REGULATION (EEC) No 877/91**of 9 April 1991****fixing the amount by which the variable component of the levy applicable to
bran and sharps originating in Egypt must be reduced**

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

Having regard to Council Regulation (EEC) No 1030/77
of 17 May 1977 concluding the Interim Agreement
between the European Economic Community and the
Arab Republic of Egypt⁽¹⁾, and in particular the second
subparagraph of paragraph 3 of the exchange of letters
relating to Article 13 of the Agreement,

Whereas the exchange of letters covered by Regulation
(EEC) No 1030/77 provides that the variable component
of the levy calculated in accordance with 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⁽²⁾, as last amended by
Regulation (EEC) No 1906/87⁽³⁾, is to be reduced by an
amount fixed by the Commission each quarter; whereas
this amount must be equal to 60 % of the average of the
levies in force during the three months preceding the
month during which the amount is fixed;

Whereas the variable components applicable during
January, February and March 1991 to the products falling
within CN codes 2302 10, 2302 20, 2302 30 and 2302 40
are to be taken into consideration,

HAS ADOPTED THIS REGULATION:

Article 1

The amounts referred to in the second subparagraph of
paragraph 3 of the exchange of letters covered by Regula-
tion (EEC) No 1030/77 to be deducted from the variable
component applicable to bran and sharps originating in
Egypt shall be as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 May 1991.

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

Done at Brussels, 9 April 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 126, 23. 5. 1977, p. 1.

⁽²⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽³⁾ OJ No L 182, 3. 7. 1987, p. 49.

ANNEX

to the Commission Regulation of 9 April 1991 fixing the amount by which the variable component of the levy applicable to bran and sharps originating in Egypt must be reduced

<i>(ECU/tonne)</i>	
CN code	Amount
2302 10 10	41,53
2302 10 90	81,96
2302 20 10	41,53
2302 20 90	81,96
2302 30 10	41,53
2302 30 90	81,96
2302 40 10	41,53
2302 40 90	81,96

COMMISSION REGULATION (EEC) No 878/91

of 9 April 1991

fixing the amount by which the variable component of the levy applicable to bran and sharps originating in Algeria, Morocco and Tunisia must be reduced

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1512/76 of 24 June 1976 concluding the Agreement in the form of an exchange of letters relating to Article 22 of the Cooperation Agreement and Article 15 of the Interim Agreement between the European Economic Community and the Republic of Tunisia and concerning the import into the Community of bran and sharps originating in Tunisia⁽¹⁾, and in particular the second subparagraph of paragraph 3 of the exchange of letters,Having regard to Council Regulation (EEC) No 1518/76 of 24 June 1976 concluding the Agreement in the form of an exchange of letters relating to Article 21 of the Cooperation Agreement and Article 14 of the Interim Agreement between the European Economic Community and the People's Democratic Republic of Algeria and concerning the import into the Community of bran and sharps originating in Algeria⁽²⁾, and in particular the second subparagraph of paragraph 3 of the exchange of letters,Having regard to Council Regulation (EEC) No 1525/76 of 24 June 1976 concluding the Agreement in the form of an exchange of letters relating to Article 23 of the Cooperation Agreement and Article 16 of the Interim Agreement between the European Economic Community and the Kingdom of Morocco and concerning the import into the Community of bran and sharps originating in Morocco⁽³⁾, and in particular the second subparagraph of paragraph 3 of the exchange of letters,

Whereas the Agreement in the form of an exchange of letters annexed to Regulations (EEC) No 1512/76, (EEC) No 1518/76 and (EEC) No 1525/76 provides that the variable component of the levy calculated in accordance with 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 from rice⁽⁴⁾, as last amended by Regulation (EEC) No 1906/87⁽⁵⁾, is to be reduced by an amount fixed by the Commission each quarter; whereas this amount must be equal to 60 % of the average of the variable components of the levies in force during the three months preceding the month during which the amount is fixed;

Whereas the variable components applicable to the products falling within CN codes 2302 30 and 2302 40 during January, February and March 1991 have been taken into consideration,

HAS ADOPTED THIS REGULATION:

Article 1

The amount referred to in the second subparagraph of paragraph 3 of the exchange of letters forming the Agreement annexed to Regulations (EEC) No 1512/76, (EEC) No 1518/76 and (EEC) No 1525/76 to be deducted from the variable component applicable to bran and sharps originating in Tunisia, Algeria and Morocco respectively, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 May 1991.

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

Done at Brussels, 9 April 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 169, 28. 6. 1976, p. 19.

⁽²⁾ OJ No L 169, 28. 6. 1976, p. 37.

⁽³⁾ OJ No L 169, 28. 6. 1976, p. 53.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 182, 3. 7. 1987, p. 49.

ANNEX

to the Commission Regulation of 9 April 1991 fixing the amount by which the variable component of the levy applicable to bran and sharps originating in Algeria, Morocco and Tunisia must be reduced

<i>(ECU/tonne)</i>	
CN code	Amount
2302 30 10	41,53
2302 30 90	81,96
2302 40 10	41,53
2302 40 90	81,96

COMMISSION REGULATION (EEC) No 879/91**of 9 April 1991****laying down detailed rules for urgent action for the supply of butter and skimmed-milk powder to Bulgaria and Romania 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 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 rates 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 urgent action for the free supply of agricultural products to Bulgaria and Romania; whereas the costs of supplying these products are to be met by the Community; whereas, for the purposes of implementing the urgent action, detailed rules of application should be laid down for the milk and milk products sector;

Whereas, in order to effect these supplies, products available as a result of intervention measures should be released; whereas, in view of the quantity and location of intervention stocks, a total of 2 000 tonnes of butter and 5 300 tonnes of skimmed-milk powder stored in France and Germany should be mobilized; whereas, in order to allow competition under fair conditions, it should be made possible for tenderers to take over products from the German intervention agency or from the French agency and, consequently, to submit their tenders to either of these agencies;

Whereas, pursuant to Regulation (EEC) No 597/91, suppliers are to be chosen by tendering procedure; whereas this procedure must enable the following expenses to be determined for products made available by the abovementioned intervention agencies: in the case of butter, the processing and packaging costs and the costs of transport to the required destination and, in the case of skimmed-milk powder, solely the costs of transporting the product without further processing; whereas, pursuant to the same Regulation, no export refund is to be granted,

or monetary compensatory amounts applied, in respect of the products supplied;

Whereas, in order to ensure that the supplies are effected properly, the conditions for lodging securities should be determined together with the necessary detailed rules for the implementation of both Commission Regulation (EEC) No 2220/85 of 22 July 1985 laying down common detailed rules for the application of the system of securities for agricultural products⁽⁴⁾, as last amended by Regulation (EEC) No 3745/89⁽⁵⁾, and Commission Regulation (EEC) No 569/88 of 16 February 1988 laying down common detailed rules for verifying the use and/or destination of products from intervention⁽⁶⁾, as last amended by Regulation (EEC) No 863/91⁽⁷⁾;

Whereas, for the purposes of determining the supply costs and the securities to be lodged, and in order to adopt a balanced approach in line with actual economic conditions, provision should be made for the use of the representative market rates referred to in Article 3a of Commission Regulation (EEC) No 3152/85 of 11 November 1985 laying down detailed rules for the application of Council Regulation (EEC) No 1676/85 on the value of the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy⁽⁸⁾, as last amended by Regulation (EEC) No 3237/90⁽⁹⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

The costs of the following supplies shall be determined in accordance with Regulation (EEC) No 597/91, this Regulation and by tendering procedure:

1. the supply to Bulgaria of 2 000 tonnes of butter with a fat content not less than 82 % held by the intervention agencies referred to in Annex I.

⁽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 205, 3. 8. 1985, p. 5.

⁽⁵⁾ OJ No L 364, 14. 12. 1989, p. 54.

⁽⁶⁾ OJ No L 55, 1. 3. 1988, p. 1.

⁽⁷⁾ OJ No L 88, 9. 4. 1991, p. 11.

⁽⁸⁾ OJ No L 310, 21. 11. 1985, p. 1.

⁽⁹⁾ OJ No L 310, 9. 11. 1990, p. 18.

Supply shall comprise :

- processing of the products made available by the abovementioned intervention agencies into 250-gram blocks wrapped in aluminium-based paper,
- packaging into 10-kilogram boxes, i.e. 40 blocks per box,
- delivery by refrigerated lorry free at destination to the following address : Meekokombinat Serdika 'Ohridsko ezero' Street 5, Sofia, Bulgaria ;

2. the supply to Bulgaria of 3 300 tonnes of skimmed-milk powder held by the intervention agencies referred to in Annex I.

Supply shall comprise delivery, without further processing, of the product made available by the abovementioned agencies, to the address given under point 1 ;

3. the supply to Romania of 2 000 tonnes of skimmed-milk powder held by the intervention agencies referred to in Annex I.

Supply shall comprise delivery, without further processing, of the product made available by the abovementioned agencies, free at destination to the following address :

Buftea milk products company, Bucharest.

Article 2

1. Interested parties shall submit their tenders, by 12 noon on 16 April 1991 at the latest, either to the German intervention agency or the French intervention agency, the addresses of which are given in Annex II.

2. Tenders shall indicate the name and address of the tenderer and shall be acceptable only if :

- (a) they refer clearly to one of the three supplies provided for in Article 1 ;
- (b) they cover the total quantity laid down for the supply in question referred to in Article 1 ;
- (c) they specify an amount in ecus per tonne for effecting the entire supply ;
- (d) they are accompanied by proof that the tenderer has lodged a tendering security of ECU 20 per tonne in favour of the intervention agency ;
- (e) they are accompanied by a written undertaking by the tenderer to effect supply to the destinations indicated in Article 1 under the conditions laid down by 1 June 1991.

Article 3

1. The German and French intervention agencies shall inform the Commission of the tenders received 24 hours after the final date for submission of tenders at the latest.

2. On the basis of the tenders received, the Commission :

- shall fix the maximum amount for the supply costs,
- or shall reject the tenders ; in this case, it may be decided to issue a new invitation to tender.

If a maximum amount for the supply costs is fixed, the supply contract shall be awarded to the tenderer whose tender quotes the lowest amount.

3. Within 48 hours of the Member State being notified of the decision referred to in paragraph 2, the intervention agencies shall inform all tenderers by written telecommunication of the outcome of the tendering procedure and shall inform the successful tenderer that the supply contract has been awarded to him.

Article 4

1. The tendering security provided for in Article 2 (2) (d) shall be released without delay if a tender is not accepted or if all tenders are rejected.

2. The primary requirements within the meaning of Article 20 of Regulation (EEC) No 2220/85 shall be :

- (a) for tenderers : the maintenance of their tender until the decision provided for in Article 3 (2) has been adopted ;
- (b) for the successful tenderer :
 - the lodging of the supply security provided for in Article 5 (1),
 - taking over from the intervention agency of the products made available for supply.

Article 5

1. Before removal of the butter or skimmed-milk powder, the successful tenderer shall lodge a supply security of ECU 3 400 per tonne of butter and ECU 1 900 per tonne of skimmed-milk powder for each quantity removed, in favour of the intervention agency holding the product.

The successful tenderer shall take over the products in accordance with the provisions applicable to the removal of intervention stocks.

2. The intervention agency shall take all measures necessary to check the quality of the products made available for supply.

3. The primary requirements within the meaning of Article 20 of Regulation (EEC) No 2220/85 shall be the delivery of the full quantity under the conditions laid down.

4. The supply security shall be released and the amount of the tender shall be paid when the successful tenderer provides proof that supply has been effected in accordance with the conditions laid down. Such proof shall be provided by the submission, by 1 July 1991 at the latest, of the transport document and the take-over certificate drawn up as shown in Annex III and issued by :

- a representative of the International Aid Agency, as regards Bulgaria,
- a representative of the Prodexport agency, as regards Romania.

Article 6

The conversion rate to be used for tenders and for tendering and supply securities shall be the representative market rates referred to in Article 3 a of Regulation (EEC) No 3152/85, applicable on the final date for submission of tenders.

Article 7

The withdrawal order referred to in Article 3 of Regulation (EEC) No 569/88 and in the export declaration shall bear the following additional information :

'Urgent action for Bulgaria/Romania. Non-application of export refunds and monetary compensatory amounts, Council Regulation (EEC) No 597/91.'

Article 8

Regulation (EEC) No 569/88 is hereby amended as follows :

1. Under I 'Products to be exported in the same state as that in which they were removed from intervention

stock' in the Annex, the following point 85. and the relevant footnote are added :

'85. Commission Regulation (EEC) No 879/91 of 9 April 1991 laying down detailed rules for urgent action for the supply of butter and skimmed-milk powder to Bulgaria and Romania and amending Regulation (EEC) No 569/88 ⁽⁸⁵⁾'.

⁽⁸⁵⁾ OJ No L 89, 10. 4. 1991, p. 28.'

2. Under II 'Products subject to a use and/or destination other than that mentioned under I', the following point 38. and the relevant footnote are added :

'38. Commission Regulation (EEC) No 879/91 of 9 April 1991 laying down detailed rules for urgent action for the supply of butter and skimmed milk powder to Bulgaria and Romania and amending Regulation (EEC) No 569/88 ⁽³⁸⁾'.

⁽³⁸⁾ OJ No L 89, 10. 11. 1991, p. 28.'

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, 9 April 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX I

List of lots of butter and skimmed-milk powder stored in the following warehouses

	Product	Quantity (tonnes)	Address
Germany BALM	Butter	500	Nordfrost Wischhofstr. 1-3 2300 Kiel 14
		500	Kühl- + Lagerhaus R. Thomsen Bösterredder 23 2355 Wankendord
		200	MZO Wilhelmshavener Heerstr. 35 2900 Oldenburg
		300	Frigotransit Magdeburger Str. 6 2000 Hamburg 11
		500	Arus GmbH Am Freistein 54 4300 Essen 1
	Skimmed-milk powder	3 300	Nordfrost GmbH & Co. KG Kühl- und Lagerhaus Im Gewerbegebiet 1 2948 Schortens 1 Lager : Nordfrost (tel. : 04461/89020 telex : 254813 fax : 04461/89 02 50)
		2 000	Clausen Lager- und Handelskontor GmbH Alte Marktstr. 5 2267 Medelby Lager : Büdelsdorf (tel. : 04605/202 fax : 04605/205)
France ONILAIT	Butter	250	Cie Française des Entrepôts Frigorifiques 63530 Sayat
		242	UCANEL Petit Fayt 59244 Contignies
		286	Entrepôt Frigo d'Andaine 25 rue de Donfront 61140 La Chapelle d'Andaine
		648	Messageries Laitières Route d'Aunay-sur-Odon 14500 Vire
		574	Entrepôt Frigo Centre-Bretagne Kerdonauff 29246 Paullaouen
	Skimmed-milk powder	5 300	Transports Louis Gélén ZAC La Guenaudière BP 67 35302 Fougères Cedex

*ANNEX II***Adresses of the intervention agencies**

- Bundesanstalt für landwirtschaftliche
Marktordnung (BALM)
Adickesallee 40
D-6000 Frankfurt am Main
(telephone : 49 691 56 40 ; telex : 411 727 og 411 156 ; fax : 1564651 ; teletex : 699 07 32)
- Office national interprofessionnel
du lait (Onilait)
2, rue Saint-Charles
F-75740 Paris Cedex 15
(telephone : 33 1 40 58 70 00 ; telex : 200745 ; fax : 33 1 40 59 04 58)

*ANNEX III***TAKE-OVER CERTIFICATE**

I, the undersigned, :

.....
(name, first name, business name)

acting on behalf offor the account of the
Government, hereby certify that the goods referred to below, delivered pursuant to Commission Regulation
(EEC) No 879/91, have been taken over :

- Place and date of taking-over :
- Type of product :
- Tonnage, weight taken over (gross) :
- Packaging :

Comments :

.....
.....
.....
.....
.....
.....

Signature :

Date :

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 25 March 1991

on acceptance of the terms of reference of the International Tin Study Group

(91/178/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 and 116 thereof,

Having regard to the proposal from the Commission,

Whereas the terms of reference of the International Tin Study Group were adopted at Geneva on 7 April 1989 by the United Nations Conference on Tin;

Whereas the States and international organizations which participated in the Conference have been asked to notify the United Nations Secretary-General of their acceptance of the terms of reference in accordance with paragraph 21 (b) thereof;

Whereas the Study Group will carry out an important activity of analysis and surveillance of the market and of trade in tin;

Whereas the institutional structure of the International Tin Study Group as laid down in its terms of reference, implies joint participation by the Community and those Member States which have agreed to the terms of reference;

Whereas certain Member States have indicated their intention to participate in the Study Group;

Whereas, the Community and those Member States which have decided to participate in the proceedings of the Study Group should therefore, on the basis of a common

position, lodge their instruments of acceptance at the same time,

HAS DECIDED AS FOLLOWS:

Article 1

The terms of reference of the International Tin Study Group are hereby accepted by the European Economic Community.

The Community and those Member States which at this stage have decided to participate in the proceedings of the Study Group shall simultaneously lodge their instruments of acceptance with the Secretary-General of the United Nations as soon as the necessary internal procedures have been completed.

The text of the terms of reference is attached hereto.

Article 2

The President of the Council is hereby authorized to designate the persons empowered to lodge the instrument of acceptance on behalf of the Community.

Done at Brussels, 25 March 1991.

For the Council

The President

R. STEICHEN

ANNEX

TERMS OF REFERENCE OF THE INTERNATIONAL TIN STUDY GROUP

Establishment

1. The International Tin Study Group is hereby established to administer the provisions and supervise the operation of these terms of reference.

Objective

2. The objective of the Group shall be to ensure enhanced international cooperation on issues concerning tin, by improving the information available on the international tin economy and by providing a forum for intergovernmental consultations on tin.

Definitions

3. (a) 'The Group' means the International Tin Study Group as constituted in these terms of reference.
- (b) 'Tin' means tin metal, any other refined tin, secondary tin, or the tin content of concentrates or of tin ore which has been extracted from its natural occurrence, and of such tin products as the Group may determine. For the purposes of this definition, 'ore' shall be deemed to exclude (i) material which has been extracted from the ore body for a purpose other than that of being dressed, and (ii) material which is discarded in the process of dressing.
- (c) 'Members' means all States and intergovernmental organizations as provided for in paragraph 5 which have notified their acceptance pursuant to paragraph 21.

Functions

4. The Group shall have the following functions:
 - (a) to establish the capacity for and to undertake the continued monitoring of the world tin economy and its trends, particularly by establishing, maintaining and continuously updating a statistical system on world production, stocks, trade and consumption of all forms of tin, as well as disseminating, as appropriate, the information thus generated;
 - (b) to conduct consultations and exchanges of information on developments and trends related to the production, stocks, trade and consumption of all forms of tin;

- (c) to undertake studies as appropriate on a broad range of important issues concerning tin, in accordance with the decisions of the Group.

Membership

5. Membership of the Group shall be open to all States which are interested in the production or consumption of, or international trade in, tin, and to any intergovernmental organization having responsibilities in respect of the negotiation, conclusion and application of international agreements, in particular commodity agreements.

Powers of the Group

6. (a) The Group shall exercise such powers and take action or arrange for action to be taken as may be necessary to carry out and ensure the application of the provisions of these terms of reference.
- (b) The Group shall not have the power, directly or indirectly, to enter into any contract for the purposes of trade in tin or in any other commodity or product, or any contract for futures transactions; nor shall it have the power to enter into any financial obligations for such purposes.
- (c) The Group shall adopt such rules as are considered necessary to carry out its functions and which shall be subject to, and not inconsistent with, these terms of reference.
- (d) The Group shall not have the power and shall not be taken to have been authorized by its members to incur any obligation outside the scope of these terms of reference or the rules of procedure.

Headquarters

7. The headquarters of the Group shall be at a location selected by it in the territory of a Member State, unless the Group decides otherwise. The Group shall negotiate a headquarters agreement with the host government to be concluded as soon as possible after these terms of reference have entered into force.

Decision-making

8. (a) The highest authority of the Group established under these terms of reference shall be vested in the General Session.

(b) The Group, the Standing Committee referred to in paragraph 9, and such committees and subsidiary bodies as may be established, shall take decisions by consensus and without a vote, except in the case of decisions for which a specific voting majority is specified in these terms of reference or in the rules of procedure.

(c) Each member State shall be entitled to one vote.

Standing Committee

9. (a) The Group shall establish a Standing Committee which shall consist of those members of the Group which have indicated their desire to participate in its work.

(b) The Standing Committee shall undertake such tasks as may be assigned to it by the Group and shall report to the Group on completion, or on the progress, of its work.

Committees and subsidiary bodies

10. The Group may establish an industry advisory committee to monitor the evolution of the tin industry. The Group may also establish other committees or subsidiary bodies, in addition to the Standing Committee, on such terms and conditions as it may determine.

Secretariat

11. (a) The Group shall have a secretariat consisting of a Secretary-General and such staff as may be required.

(b) The Secretary-General shall be the chief administrative officer of the Group and shall be responsible to it for the administration and operation of these terms of reference in accordance with the decisions of the Group.

Cooperation with others

12. (a) The Group may make arrangements for consultations or cooperation with the United Nations, its organs or specialized agencies, and with other intergovernmental institutions, as appropriate.

(b) The Group may also make arrangements as it considers appropriate for maintaining contact with interested non-participating Governments, with other international non-governmental organizations, or with private sector institutions, as appropriate.

(c) The Group may invite any non-member State and any appropriate intergovernmental or non-governmental organization substantially interested in tin problems to be represented at its meetings by an observer, on the understanding that such organization will extend similar rights to the Group.

Unless the Group decides otherwise, such observers may attend all meetings of the Group in respect of the whole or any part of a particular meeting or series of meetings, but may not attend meetings of the Standing Committee or of any committee or sub-committee on which not all members of the Group are represented.

(d) The chairman may invite observers to participate in the Group's discussions, but they shall not have the right to vote or to submit proposals.

Relationship with the Common Fund

13. The Group may apply to be designated as an International Commodity Body (ICB) under Article 7 (9) of the Agreement establishing the Common Fund for Commodities, for the purpose of sponsoring, on such terms and conditions as the Group may determine only by consensus, projects on tin to be financed by the Fund through its Second Account. The Group shall not, however, incur any financial obligations in respect of such projects; nor shall it act as executing agency for any such project.

Legal status

14. (a) The Group shall have international legal personality.

(b) The status of the Group in the territory of the host government shall be governed by a Headquarters Agreement between the host government and the Group.

(c) The Group shall have the legal capacity to exercise its functions and, in particular, but subject to paragraph 6 (b) above, the capacity to enter into contracts, to acquire and to dispose of movable property, and to institute legal proceedings.

Budget contributions

15. (a) Each member shall contribute to an annual budget approved by the Group. The contribution of each member to the budget shall consist of an equal share of 50 % of the budget, the balance to be apportioned among member States in proportion to their shares in the total trade of member States in primary tin metal and tin-in-concentrates, consisting for producing countries of total exports less total imports and, for consuming countries, of total imports. For this purpose, countries whose production of tin-in-concentrates exceeds their reported consumption of primary tin metal shall be classified as producing countries, and countries whose reported consumption of primary tin metal exceeds their production of tin-in-concentrates shall be classified as consuming countries. The calculation shall be on the basis of the latest three calendar years for which statistics are available.

- (b) The Group shall determine the contribution of each member for each financial year in a single currency to be decided by the Group and in accordance with the provisions for contributions specified in the rules of procedure. The payment of the contribution by each member shall be made in accordance with its constitutional procedures.

Statistics and information

16. (a) The Group shall collect, collate and make available to members such statistical information on production, trade, stocks and consumption of tin as it deems appropriate for the effective operation of these terms of reference, as well as the information referred to in subparagraph (b) below.
- (b) The Group shall make such arrangements as it considers appropriate by which information may be exchanged with interested non-participating Governments and with appropriate non-governmental and intergovernmental organizations in order to ensure the availability of recent and reliable data on production, consumption, stocks, international trade, internationally recognized published prices of tin, and on other factors that influence the demand for and supply of tin.
- (c) The Group shall endeavour to ensure that no information published by it shall prejudice the confidentiality of the operations of governments or of persons or enterprises producing, processing, marketing or consuming tin.

Annual assessment and reports

17. (a) The Group shall undertake an annual assessment of the world tin situation and related matters in the light of information supplied by members and supplemented by information from all other relevant sources. The annual assessment shall include a review of anticipated tin production capacity for future years and an outlook for tin production, consumption and trade for the following calendar year, for the purpose of assisting members in their individual assessments of the evolution of the international tin economy.
- (b) The Group shall prepare a report incorporating the results of the annual assessment and distribute it to members. If the Group deems it appropriate, this report, as well as other reports and studies distributed to members, may be made available to other interested parties in accordance with the rules of procedure.

Studies

18. (a) The Group shall undertake or make appropriate arrangements to undertake *ad hoc* studies related

to the international tin economy, including studies on special problems or difficulties which exist or may be expected to arise.

- (b) The studies may contain general recommendations or suggestions, but such recommendations or suggestions shall not derogate from the right of every member to manage all aspects of its domestic tin economy and shall be without prejudice to the competence of other international organizations in matters falling within their jurisdiction.

Obligations of members

19. Members shall use their best endeavours to cooperate and to promote the attainment of the objective of the Group, in particular by providing the data on the tin economy referred to in paragraph 16 (a).

Amendment

20. These terms of reference may be amended only by consensus of the Group.

Entry into force

21. (a) These terms of reference shall enter into force when States together accounting for at least 70 % of trade in tin, as set out in the Annex to these terms of reference, have notified the Secretary-General of the United Nations (hereinafter referred to as 'the depositary') pursuant to subparagraph (b) below of their acceptance of these terms of reference.
- (b) Any State or any intergovernmental organization referred to in paragraph 5 which desires to become a member of the Group shall notify the depositary that it accepts these terms of reference either provisionally, pending the conclusion of its internal procedures, or definitively. Any State or intergovernmental organization which has notified its provisional acceptance of these terms of reference shall endeavour to complete its procedures as quickly as possible and shall notify the depositary of their completion.
- (c) If the requirements for entry into force of these terms of reference have not been met on 31 December 1989, the depositary shall invite those States and intergovernmental organizations that have notified their acceptance of these terms of reference pursuant to subparagraph (b) above to decide whether or not to put these terms of reference into force among themselves.
- (d) When these terms of reference enter into force, the depositary shall convene an inaugural meeting of the Group as soon as possible thereafter. Members shall be notified at least one month, where possible, prior to that meeting.

Withdrawal

22. (a) A member may withdraw from the Group at any time by giving written notice of withdrawal to the depositary and to the Secretary-General of the Group.

(b) Withdrawal shall be without prejudice to any financial obligations already incurred by the withdrawing member and shall not entitle it to any rebate of its contribution for the year in which the withdrawal occurs.

(c) Withdrawal shall become effective 30 days after the notice is received by the depositary.

(d) The Secretary-General of the Group shall promptly notify each member of any notification received under this paragraph.

Termination

23. (a) The Group may at any time decide by a two-thirds majority vote of Member States to terminate these terms of reference. Such termination shall take effect on such date as the Group shall decide.

(b) Notwithstanding the termination of these terms of reference, the Group shall continue in being for as long as it is necessary to carry out its liquidation, including the settlement of accounts.

Reservations

24. No reservations may be made to any of the provisions of these terms of reference.

ANNEX

Trade in tin⁽¹⁾

Country	Exports	Imports	Trade	Share (%)
	(1 000 tonnes)			
Argentina	0,1	0,9	1,0	0,27
Australia	6,5	0,4	6,9	1,84
Belgium-Luxembourg	2,9	3,2	6,1	1,63
Bolivia	12,9	—	12,9	3,44
Brazil	20,1	—	20,1	5,36
Canada	1,7	3,8	5,5	1,47
China	17,2	—	17,2	4,59
Denmark	0,9	0,9	1,8	0,48
Egypt	—	0,3	0,3	0,08
Finland	—	0,1	0,1	0,03
France	0,2	7,7	7,9	2,11
Federal Republic of Germany	3,1	19,4	22,5	6,00
Greece	—	0,4	0,4	0,11
India	—	2,7	2,7	0,72
Indonesia	25,3	—	25,3	6,74
Ireland	—	0,1	0,1	0,03
Italy	0,1	6,2	6,3	1,68
Japan	—	32,1	32,1	8,56
Malaysia	49,2	13,1	62,3	16,61
Mexico	—	4,7	4,7	1,25
Netherlands	2,6	8,5	11,1	2,96
Nigeria	0,6	—	0,6	0,16
Norway	—	0,5	0,5	0,13
Peru	3,8	0,4	4,2	1,12
Philippines	—	0,5	0,5	0,13
Poland	—	3,1	3,1	0,83
Portugal	—	0,6	0,6	0,16
Republic of Korea	—	5,1	5,1	1,36
Spain	0,1	3,3	3,4	0,91
Sweden	0,1	0,6	0,7	0,19
Thailand	16,5	—	16,5	4,40
Turkey	—	1,1	1,1	0,29
Union of Soviet Socialist Republics	—	13,8	13,8	3,68
United Kingdom of Great Britain and Northern Ireland	16,8	14,1	30,9	8,24
United States of America	1,4	41,4	42,8	11,41
Yugoslavia	—	1,4	1,4	0,37
Zaire	2,6	—	2,6	0,69
TOTAL	184,7	190,4	375,1	100,00

⁽¹⁾ Annual average for the period 1985 to 1987 of imports and exports of tin-in-concentrates and primary tin metal for countries which participated in the United Nations Tin Conference, 1988.

COUNCIL DECISION**of 25 March 1991****on acceptance of the terms of reference of the International Copper Study Group****(91/179/EEC)**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 and 116 thereof,

Having regard to the proposal from the Commission,

Whereas the terms of reference of the International Copper Study Group were adopted at Geneva on 24 February 1989 by the United Nations Conference on Copper;

Whereas the States and international organizations which participated in the Conference have been asked to notify the United Nations Secretary-General of their acceptance of the terms of reference in accordance with paragraph 22 (b) thereof;

Whereas the Study Group will carry out an important activity of analysis and surveillance of the market and of trade in copper;

Whereas the institutional structure of the International Copper Study Group as laid down in its terms of reference, implies joint participation by the Community and those Member States which have agreed to the terms of reference;

Whereas certain Member States have indicated their intention to participate in the Study Group;

Whereas the Community and those Member States which have decided to participate in the proceedings of the Study Group should therefore, on the basis of a common

position, lodge their instruments of acceptance at the same time,

HAS DECIDED AS FOLLOWS:

Article 1

The terms of reference of the International Copper Study Group are hereby accepted by the European Economic Community.

The Community and those Member States which at this stage have decided to participate in the proceedings of the Study Group shall simultaneously lodge their instruments of acceptance with the Secretary-General of the United Nations as soon as the necessary internal procedures have been completed.

The text of the terms of reference is attached hereto.

Article 2

The President of the Council is hereby authorized to designate the persons empowered to lodge the instrument of acceptance on behalf of the Community.

Done at Brussels, 25 March 1991.

For the Council

The President

R. STEICHEN

ANNEX

TERMS OF REFERENCE OF THE INTERNATIONAL COPPER STUDY GROUP

Establishment

1. The International Copper Study Group is hereby established to administer the provisions and supervise the operation of these terms of reference.

Objective

2. To ensure enhanced international cooperation on issues concerning copper, by improving the information available on the international copper economy and by providing a forum for intergovernmental consultations on copper.

Definitions

3. (a) 'The Group' means the International Copper Study Group as constituted in these terms of reference.
(b) 'Copper' means ores and concentrates of copper: unrefined and refined copper metal, including secondary copper; copper alloys; scrap, wastes and residues of copper; semi-manufactured products and such other products of copper as the Group may determine.
(c) 'Members' means all States and intergovernmental organizations as provided for in paragraph 5 which have notified their acceptance pursuant to paragraph 22.

Functions

4. In pursuance of its objective, the Group shall have the following functions:
 - (a) to conduct consultations and exchanges of information on the international copper economy;
 - (b) to improve statistics on copper;
 - (c) to undertake regular assessments of the market situation and outlook for the world copper industry;
 - (d) to undertake studies on issues of interest to the Group;
 - (e) to undertake activities related to efforts pursued by other organizations aimed at developing the market for copper and contributing to the demand for copper;
 - (f) to consider special problems or difficulties which exist or may arise in the international copper economy.

The Group shall carry out the above functions without derogating from the right of every member to manage all aspects of its domestic copper economy and without prejudice to the competence of other international organizations in matters falling within their jurisdiction.

Membership

5. Membership of the Group shall be open to all States which are interested in the production or consumption of, or international trade in, copper, and to any intergovernmental organization having responsibilities in respect of the negotiation, conclusion and application of international agreements, in particular commodity agreements.

Powers of the Group

6. (a) The Group shall exercise such powers and take action or arrange for action to be taken as may be necessary to carry out and ensure the application of the provisions of these terms of reference.
(b) The Group shall not have the power, directly or indirectly, to enter into any contract for the purposes of trade in copper or in any other commodity or product, or any contract for futures transactions; nor shall it have the power to enter into any financial obligations for such purposes.
(c) The Group shall adopt such rules of procedure as are considered necessary to carry out its functions and which shall be subject to, and not inconsistent with, these terms of reference.
(d) The Group shall not have the power and shall not be taken to have been authorized by its members to incur any obligation outside the scope of these terms of reference or the rules of procedure.

Headquarters

7. The headquarters of the Group shall be at a location selected by it in the territory of a member State, unless the Group decides otherwise. The Group shall negotiate a Headquarters Agreement with the host government to be concluded as soon as possible after these terms of reference have entered into force.

Decision-making

8. (a) The highest authority of the Group established under these terms of reference shall be vested in the General Session.

- (b) The Group, the Standing Committee referred to in paragraph 9, and such committees and subsidiary bodies as may be established, shall take decisions by consensus and without a vote, except in the case of decisions for which a specific voting majority is specified in these terms of reference or in the rules of procedure.
- (c) Each member State shall be entitled to one vote.

Standing Committee

- 9. (a) The Group shall establish a Standing Committee, which shall consist of these members of the Group which have indicated their desire to participate in its work.
- (b) The Standing Committee shall undertake such tasks as may be assigned to it by the Group and shall report to the Group on completion, or on the progress, of its work.

Committees and subsidiary bodies

- 10. The Group may establish committees or other subsidiary bodies, in addition to the Standing Committee, on such terms and conditions as it may determine.

Secretariat

- 11. (a) The Group shall have a Secretariat consisting of a Secretary-General and such staff as may be required.
- (b) The Secretary-General shall be the chief administrative officer of the Group and shall be responsible to it for the administration and operation of these terms of reference in accordance with the decisions of the Group.

Cooperation with others

- 12. (a) The Group may make arrangements for consultations or cooperation with the United Nations, its organs or specialized agencies, and with other intergovernmental institutions, as appropriate.
- (b) The Group may also make arrangements as it considers appropriate for maintaining contact with interested non-participating governments, with other international non-governmental organizations, or with private sector institutions, as appropriate.
- (c) Observers may be invited to attend meetings of the Group or its subsidiary bodies on such terms and conditions as the Group or those bodies may decide.

Relationship with the Common Fund

- 13. The Group may apply to be designated as an International Commodity Body (ICB) under Article 7 (9) of the Agreement establishing the Common Fund for Commodities, for the purpose of sponsoring, in accordance with the provisions of these terms of reference, projects on copper to be financed by the Fund through its Second Account. Decisions on the sponsoring of such projects shall normally be taken by consensus. If consensus cannot be reached, decisions shall be taken by a two-thirds majority vote. The Group shall not incur any financial obligations in respect of such projects; nor shall it act as executing agency for any such project.

Legal status

- 14. (a) The Group shall have legal personality. It shall, in particular, but subject to paragraph 6 (b), have the capacity to enter into contracts, to acquire and to dispose of movable and immovable property, and to institute legal proceedings.
- (b) The status of the Group in the territory of the host government shall be governed by a Headquarters Agreement between the host government and the Group.

Budget contributions

- 15. (a) Each member shall contribute to an annual budget which shall be approved by the Group in accordance with the provisions of the rules of procedure. For the purpose of assessing the contributions of members, 50 % of the budget shall be apportioned equally among them; 25 % shall be apportioned among member States in proportion to their shares in the total exports and imports of member States of copper ores and concentrates, measured in copper metal content, and unrefined and refined copper; and the remaining 25 % shall be apportioned among member States in proportion to their shares in a total which shall consist of the mine production or refined consumption of copper of each member State, whichever is the higher. The calculation of these shares shall be based on the latest three calendar years for which statistics are available.
- (b) The Group shall determine the contribution of each member for each financial year in a currency to be decided by the Group and in accordance with the provisions for contributions specified in the rules of procedure. the payment of the contribution by each member shall be made in accordance with its constitutional procedures.
- (c) In addition to the budget contributions, the Group may accept donations from external sources.

Statistics and information

16. (a) The Group shall collect, collate and make available to members such statistical information on production, trade, stocks and consumption of copper, including consumption by specific markets and end-use industries, as it deems appropriate for the effective operation of these terms of reference, as well as the information referred to in subparagraph (b) below.
- (b) The Group shall make such arrangements as it considers appropriate by which information may be exchanged with interested non-participating governments and with appropriate non-governmental and intergovernmental organizations in order to avoid duplication of work and to ensure the availability of recent, reliable and complete information on production, consumption, stocks, international trade, internationally recognized published prices of copper, technology, research and development activities relating to copper and other factors that influence the demand for and supply of copper.
- (c) The Group shall endeavour to ensure that information made available by it does not prejudice the confidentiality of the operations of governments or persons or enterprises producing, processing, marketing or consuming copper.

Annual assessment and reports

17. (a) The Group shall undertake an annual assessment of the world copper situation and related matters in the light of information supplied by members and supplemented by information from all other relevant sources. The annual assessment shall include a review of anticipated copper production capacity for future years and an outlook for copper production, consumption and trade for the following calendar year, for the purpose of assisting members in their individual assessments of the evolution of the international copper economy.
- (b) The Group shall prepare a report incorporating the results of the annual assessment and distribute it to members. If the Group deems it appropriate, this report, as well as other reports and studies distributed to members, may be made available to other interested parties in accordance with the rules of procedure.

Market development

18. (a) The Group shall hold discussions among members and between members and third parties, such as copper research and market development organizations, on ways and means of increasing the demand and developing the market for

copper. Within this framework the studies done by the Group in support of market development will be disseminated to copper development organizations for their use in preparing market development project proposals to be submitted to the Group for consideration. Execution of these projects will be undertaken by market development organizations. The Group may select and sponsor projects to be financed by the Common Fund through its Second Account.

- (b) The Group shall offer to facilitate coordination between market development organizations and support the extension of market development activities.

Studies

19. (a) The Group shall undertake or make appropriate arrangements to undertake *ad hoc* studies related to the international copper economy as may be agreed by the Group.
- (b) The studies may contain general recommendations or suggestions to the Group but such recommendations or suggestions shall not derogate from the right of every member to manage all aspects of its domestic copper economy and shall be without prejudice to the competence of other international organizations in matters falling within their jurisdiction.

Obligations of members

20. Members shall use their best endeavours to cooperate and to promote the attainment of the objective of the Group, in particular by providing the data referred to in paragraph 16 (a).

Amendment

21. These terms of reference may be amended only by consensus of the Group.

Entry into force

22. (a) These terms of reference shall enter into force definitively when States together accounting for at least 80 % of trade in copper, as set out in the Annex to these terms of reference, have notified the Secretary-General of the United Nations (hereinafter referred to as 'the depositary') pursuant to subparagraph (c) below of their definitive acceptance of these terms of reference.
- (b) These terms of reference shall enter into force provisionally when States together accounting for at least 60 % of trade in copper, as set out in the Annex to these terms of reference, have notified the depositary pursuant to subparagraph (c) below of their provisional or definitive acceptance of these terms of reference.

- (c) Any State or any intergovernmental organization referred to in paragraph 5 which desires to become a member of the Group shall notify the depositary that it accepts these terms of reference either provisionally, pending the conclusion of its internal procedures, or definitively. Any State or intergovernmental organization which has notified its provisional acceptance of these terms of reference shall endeavour to complete its procedures within 36 months of the date of entry into force of these terms of reference or the date of its notification of provisional acceptance, whichever is the later, and shall notify the depositary accordingly. Where a State or intergovernmental organization is not able to complete its procedures within the time limit referred to above, the Group may grant an extension of time to the State or intergovernmental organization concerned.
- (d) If the requirements for entry into force of these terms of reference have not been met on 30 June 1990, the depositary shall invite those States and intergovernmental organizations that have notified their provisional or definitive acceptance of these terms of reference to decide whether or not to put these terms of reference into force provisionally or definitively among themselves.
- (e) When these terms of reference enter into force, the depositary shall convene an inaugural meeting of the Group as soon as possible thereafter. Members shall be notified at least one month, where possible, prior to that meeting.

Withdrawal

23. (a) A member may withdraw from the Group at any time by giving written notice of withdrawal to the

depositary and to the Secretary-General of the Group.

- (b) Withdrawal shall be without prejudice to any financial obligations already incurred by the withdrawing member and shall not entitle it to any rebate of its contribution for the year in which the withdrawal occurs.
- (c) Withdrawal shall become effective 60 days after the notice is received by the depositary.
- (d) The Secretary-General of the Group shall promptly notify each member of any notification received under this paragraph.

Termination

24. (a) The Group may at any time decide by a two-thirds majority vote of member States to terminate these terms of reference. Such termination shall take effect on such date as the Group shall decide.
- (b) Notwithstanding the termination of these terms of reference, the Group shall continue in being for as long as it is necessary to carry out its liquidation, including the settlement of accounts.

Reservations

25. No reservations may be made to any of the provisions of these terms of reference.

ANNEX

Trade in copper⁽¹⁾

Country	Exports	Imports	Total trade	Share (%)
	(1 000 tonnes)			
Australia	150,7	—	150,7	1,41
Austria	24,2	13,3	37,5	0,35
Belgium-Luxembourg	222,6	430,9	653,5	6,12
Bolivia	1,0	—	1,0	0,01
Brazil	2,3	153,8	156,1	1,46
Bulgaria	1,0	2,0	3,0	0,03
Canada	635,1	78,7	713,8	6,69
Chile	1 308,0	—	1 308,0	12,26
China	7,0	358,9	365,9	3,43
Cuba	2,7	6,5	9,2	0,09
Denmark	2,5	1,8	4,3	0,04
Finland	21,9	54,5	76,4	0,72
France	15,1	358,7	373,8	3,50
German Democratic Republic	13,5	62,5	76,0	0,71
Federal Republic of Germany	70,7	713,0	783,7	7,34
Greece	—	23,7	23,7	0,22
Hungary	—	34,0	34,0	0,32
India	—	64,6	64,6	0,61
Indonesia	90,4	17,4	107,8	1,01
Iran (Islamic Republic of)	41,7	—	41,7	0,39
Ireland	0,9	0,2	1,1	0,01
Italy	13,1	355,7	368,8	3,46
Japan	55,4	1 217,1	1 272,5	11,92
Madagascar	—	—	—	—
Mexico	122,0	5,0	127,0	1,19
Netherlands	7,6	23,1	30,7	0,29
Norway	53,5	12,0	65,5	0,61
Panama	—	—	—	—
Papua New Guinea	171,5	—	171,5	1,61
Peru	343,4	—	343,4	3,22
Philippines	217,1	—	217,1	2,03
Poland	177,1	18,4	195,5	1,83
Portugal	3,1	16,7	19,8	0,19
Republic of Korea	4,2	177,9	182,1	1,71
Spain	86,4	97,0	183,4	1,72
Sweden	81,6	81,9	163,5	1,53
Thailand	—	17,6	17,6	0,16
Turkey	—	46,3	46,3	0,43
Union of Soviet Socialist Republics	103,3	23,6	126,9	1,19
United Kingdom of Great Britain and Northern Ireland	32,1	324,5	356,6	3,34
United States of America	187,9	529,1	717,0	6,72
Yugoslavia	16,5	34,5	51,0	0,48
Zaire	508,4	—	508,4	4,76
Zambia	500,5	20,0	520,5	4,88
TOTAL	5 296,0	5 374,9	10 670,9	100,00

(1) Annual average for the period 1981 to 1986 of imports and exports of ores and concentrates, measured in copper metal content, and unrefined and refined copper for countries which participated in the United Nations Conference on Copper, 1988.