

Official Journal

of the European Communities

ISSN 0378-6978

L 110

Volume 34

1 May 1991

English edition

Legislation

Contents

I *Acts whose publication is obligatory*

Commission Regulation (EEC) No 1086/91 of 30 April 1991 fixing the import levies on cereals and on wheat or rye flour, groats and meal	1
Commission Regulation (EEC) No 1087/91 of 30 April 1991 fixing the premiums to be added to the import levies on cereals, flour and malt	3
Commission Regulation (EEC) No 1088/91 of 30 April 1991 fixing the import levies on rice and broken rice	5
Commission Regulation (EEC) No 1089/91 of 30 April 1991 fixing the premiums to be added to the import levies on rice and broken rice	7
Commission Regulation (EEC) No 1090/91 of 30 April 1991 fixing the import levies on syrups and certain other products in the sugar sector	9
Commission Regulation (EEC) No 1091/91 of 30 April 1991 fixing the export refunds on syrups and certain other sugar products exported in the natural state	11
Commission Regulation (EEC) No 1092/91 of 30 April 1991 altering the export refunds on white sugar and raw sugar exported in the natural state	14
Commission Regulation (EEC) No 1093/91 of 30 April 1991 fixing the reduced levy on imports into Portugal of certain quantities of raw sugar intended for Portuguese refineries	16
Commission Regulation (EEC) No 1094/91 of 30 April 1991 fixing the production refund for olive oil used in the manufacture of certain preserved fish and vegetables	17
Commission Regulation (EEC) No 1095/91 of 30 April 1991 fixing the export refunds on oil seeds	18

Price : ECU 12

(Continued overleaf)

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other Acts are printed in bold type and preceded by an asterisk.

Contents (continued)

Commission Regulation (EEC) No 1096/91 of 30 April 1991 fixing the amount of the subsidy on oil seeds	21
Commission Regulation (EEC) No 1097/91 of 30 April 1991 fixing the amount of aid for peas, field beans and sweet lupins	24
Commission Regulation (EEC) No 1098/91 of 30 April 1991 fixing the rate of the aid for dried fodder	31
Commission Regulation (EEC) No 1099/91 of 30 April 1991 fixing the aid for soya beans	34
Commission Regulation (EEC) No 1100/91 of 30 April 1991 fixing the aid for cotton	35
Commission Regulation (EEC) No 1101/91 of 30 April 1991 fixing the import levies on products processed from cereals and rice	37
Commission Regulation (EEC) No 1102/91 of 30 April 1991 fixing the import levies on compound feedingstuffs	42
Commission Regulation (EEC) No 1103/91 of 29 April 1991 amending Regulation (EEC) No 1207/90 as regards certain coefficients to be applied to the monetary compensatory amounts for milk products	44
Commission Regulation (EEC) No 1104/91 of 30 April 1991 fixing the rates of the refunds applicable to certain products from the sugar sector exported in the form of goods not covered by Annex II to the Treaty	54
Commission Regulation (EEC) No 1105/91 of 30 April 1991 fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty	57
Commission Regulation (EEC) No 1106/91 of 30 April 1991 fixing the rates of the refunds applicable to certain cereal and rice products exported in the form of goods not covered by Annex II to the Treaty	60
* Commission Regulation (EEC) No 1107/91 of 30 April 1991 amending the Annex to Regulation (EEC) No 3596/90 laying down quality standards for peaches and nectarines	63
* Commission Regulation (EEC) No 1108/91 of 30 April 1991 laying down quality standards for apricots	67
* Commission Regulation (EEC) No 1109/91 of 30 April 1991 laying down special measures for the 1990/91 and 1991/92 marketing years for the grant of production aid for olive oil in Portugal	71
* Commission Regulation (EEC) No 1110/91 of 30 April 1991 amending Regulation (EEC) No 3813/89 laying down detailed rules for the application of the system of transitional aids to agricultural income	72
Commission Regulation (EEC) No 1111/91 of 30 April 1991 fixing the refunds applicable to cereal and rice sector products supplied as Community and national food aid	73
Commission Regulation (EEC) No 1112/91 of 30 April 1991 adjusting the corrective amount on the import of courgettes into the Community of Ten from Spain (except the Canary Islands)	75

(Continued on inside back cover)

Contents (continued)

Commission Regulation (EEC) No 1113/91 of 30 April 1991 fixing the import levies on white sugar and raw sugar	76
Commission Regulation (EEC) No 1114/91 of 30 April 1991 fixing for Great Britain the level of the variable slaughter premium for sheep and the amounts to be charged on products leaving region 1	78

Corrigenda

Corrigendum to Commission Regulation (EEC) No 1062/91 of 26 April 1991 fixing the export refunds on rice and broken rice (OJ No L 107 of 27.4.1991)	81
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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 1086/91

of 30 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 29 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 1 May 1991.

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

Done at Brussels, 30 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 30 April 1991 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CN code	Levy
0709 90 60	130,52 ⁽¹⁾ ⁽²⁾
0712 90 19	130,52 ⁽²⁾ ⁽³⁾
1001 10 10	190,15 ⁽¹⁾ ⁽³⁾
1001 10 90	190,15 ⁽¹⁾ ⁽³⁾
1001 90 91	158,23
1001 90 99	158,23
1002 00 00	151,93 ⁽⁴⁾
1003 00 10	145,18
1003 00 90	145,18
1004 00 10	135,85
1004 00 90	135,85
1005 10 90	130,52 ⁽²⁾ ⁽³⁾
1005 90 00	130,52 ⁽²⁾ ⁽³⁾
1007 00 90	135,43 ⁽⁴⁾
1008 10 00	42,17
1008 20 00	132,05 ⁽⁴⁾
1008 30 00	50,07 ⁽⁵⁾
1008 90 10	⁽⁷⁾
1008 90 90	50,07
1101 00 00	236,05 ⁽⁶⁾
1102 10 00	227,40 ⁽⁶⁾
1103 11 10	308,31 ⁽⁶⁾
1103 11 90	253,30 ⁽⁶⁾

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

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

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

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

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

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

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

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

COMMISSION REGULATION (EEC) No 1087/91

of 30 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 29 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 1 May 1991.

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

Done at Brussels, 30 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 30 April 1991 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(ECU/tonne)

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

B. Malt

(ECU/tonne)

CN code	Current 5	1st period 6	2nd period 7	3rd period 8	4th period 9
1107 10 11	0	0	0	0	0
1107 10 19	0	0	0	0	0
1107 10 91	0	0	0	0	0
1107 10 99	0	0	0	0	0
1107 20 00	0	0	0	0	0

COMMISSION REGULATION (EEC) No 1088/91
of 30 April 1991
fixing the import levies on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 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 (2) thereof,

Having regard to Commission Regulation (EEC) No 883/87 of 23 March 1987 laying down detailed rules for the application of Council Regulation (EEC) No 3877/86 on imports rice of the long-grain aromatic Basmati variety falling within CN codes 1006 10, 1006 20 and 1006 30 ⁽³⁾, as last amended by Regulation (EEC) No 674/91 ⁽⁴⁾, and in particular Article 8 thereof,

Whereas the import levies on rice 230/91 broken rice were fixed by Commission Regulation (EEC) No 915/91 ⁽⁵⁾, as last amended by Regulation (EEC) No 1054/91 ⁽⁶⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the products listed in Article 1 (1) (a) and (b) of Regulation (EEC) No 1418/76 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, 30 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 80, 24. 3. 1987, p. 20.

⁽⁴⁾ OJ No L 75, 21. 3. 1991, p. 29.

⁽⁵⁾ OJ No L 92, 13. 4. 1991, p. 5.

⁽⁶⁾ OJ No L 107, 27. 4. 1991, p. 6.

ANNEX

to the Commission Regulation of 30 April 1991 fixing the import levies on rice and broken rice

(ECU/tonne)

CN code	Arrangement in Regulation (EEC) No 3877/86	ACP or OCT (⁽¹⁾) (⁽²⁾) (⁽³⁾) Bangladesh	Third countries (except ACP or OCT) (⁽⁴⁾)
1006 10 21	—	153,34	313,89
1006 10 23	218,99	142,39	291,99
1006 10 25	218,99	142,39	291,99
1006 10 27	218,99	142,39	291,99
1006 10 92	—	153,34	313,89
1006 10 94	218,99	142,39	291,99
1006 10 96	218,99	142,39	291,99
1006 10 98	218,99	142,39	291,99
1006 20 11	—	192,58	392,36
1006 20 13	273,74	178,89	364,99
1006 20 15	273,74	178,89	364,99
1006 20 17	273,74	178,89	364,99
1006 20 92	—	192,58	392,36
1006 20 94	273,74	178,89	364,99
1006 20 96	273,74	178,89	364,99
1006 20 98	273,74	178,89	364,99
1006 30 21	—	238,26	500,37 (⁽⁵⁾)
1006 30 23	434,97 (⁽⁵⁾)	278,09	579,96 (⁽⁵⁾)
1006 30 25	434,97 (⁽⁵⁾)	278,09	579,96 (⁽⁵⁾)
1006 30 27	434,97 (⁽⁵⁾)	278,09	579,96 (⁽⁵⁾)
1006 30 42	—	238,26	500,37 (⁽⁵⁾)
1006 30 44	434,97 (⁽⁵⁾)	278,09	579,96 (⁽⁵⁾)
1006 30 46	434,97 (⁽⁵⁾)	278,09	579,96 (⁽⁵⁾)
1006 30 48	434,97 (⁽⁵⁾)	278,09	579,96 (⁽⁵⁾)
1006 30 61	—	254,10	532,90 (⁽⁵⁾)
1006 30 63	466,29 (⁽⁵⁾)	298,51	621,72 (⁽⁵⁾)
1006 30 65	466,29 (⁽⁵⁾)	298,51	621,72 (⁽⁵⁾)
1006 30 67	466,29 (⁽⁵⁾)	298,51	621,72 (⁽⁵⁾)
1006 30 92	—	254,10	532,90 (⁽⁵⁾)
1006 30 94	466,29 (⁽⁵⁾)	298,51	621,72 (⁽⁵⁾)
1006 30 96	466,29 (⁽⁵⁾)	298,51	621,72 (⁽⁵⁾)
1006 30 98	466,29 (⁽⁵⁾)	298,51	621,72 (⁽⁵⁾)
1006 40 00	—	71,98	149,96

(⁽¹⁾) Subject to the application of the provisions of Articles 12 and 13 of Regulation (EEC) No 715/90.

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

(⁽³⁾) The import levy on rice entering the overseas department of Réunion is specified in Article 11a of Regulation (EEC) No 1418/76.

(⁽⁴⁾) The levy on imports of rice, not including broken rice (CN code 1006 40 00), originating in Bangladesh is applicable under the arrangements laid down in Regulation (EEC) Nos 3491/90 and 862/91.

(⁽⁵⁾) The levy on imports into Portugal is increased by the amount specified in Article 2 (2) of Regulation (EEC) No 3808/90.

**COMMISSION REGULATION (EEC) No 1089/91
of 30 April 1991**

fixing the premiums to be added to the import levies on rice and broken rice

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

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

Having regard to Council Regulation (EEC) No 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 13 (6) thereof,

Whereas the premiums to be added to the levies on rice
and broken rice were fixed by Commission Regulation
(EEC) No 3847/90 ⁽³⁾, as last amended by Regulation
(EEC) No 1055/91 ⁽⁴⁾;

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 shown in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The premiums to be added to the import levies fixed in
advance in respect of rice and broken rice originating in
third countries 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, 30 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 367, 29. 12. 1990, p. 19.

⁽⁴⁾ OJ No L 107, 27. 4. 1991, p. 8.

ANNEX

to the Commission Regulation of 30 April 1991 fixing the premiums to be added to the import levies on rice and broken rice

CN code	(ECU/tonne)			
	Current 5	1st period 6	2nd period 7	3rd period 8
1006 10 21	0	0	0	—
1006 10 23	0	0	0	—
1006 10 25	0	0	0	—
1006 10 27	0	0	0	—
1006 10 92	0	0	0	—
1006 10 94	0	0	0	—
1006 10 96	0	0	0	—
1006 10 98	0	0	0	—
1006 20 11	0	0	0	—
1006 20 13	0	0	0	—
1006 20 15	0	0	0	—
1006 20 17	0	0	0	—
1006 20 92	0	0	0	—
1006 20 94	0	0	0	—
1006 20 96	0	0	0	—
1006 20 98	0	0	0	—
1006 30 21	0	0	0	—
1006 30 23	0	0	0	—
1006 30 25	0	0	0	—
1006 30 27	0	0	0	—
1006 30 42	0	0	0	—
1006 30 44	0	0	0	—
1006 30 46	0	0	0	—
1006 30 48	0	0	0	—
1006 30 61	0	0	0	—
1006 30 63	0	0	0	—
1006 30 65	0	0	0	—
1006 30 67	0	0	0	—
1006 30 92	0	0	0	—
1006 30 94	0	0	0	—
1006 30 96	0	0	0	—
1006 30 98	0	0	0	—
1006 40 00	0	0	0	0

COMMISSION REGULATION (EEC) No 1090/91

of 30 April 1991

fixing the import levies on syrups and certain other products in the sugar sector

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,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 (1) of Regulation (EEC) No 1785/81 provides for charging a levy on imports of the products listed in Article 1 (1) of that Regulation;

Whereas the levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 must be calculated, where appropriate, at a standard rate on the basis of the sucrose content (including other sugars expressed as sucrose) of the product concerned and of the levy on white sugar; whereas, however, the levies on maple sugar and maple syrup are limited to the amount resulting from application of the rate of duty bound within GATT;

Whereas Article 7 of Commission Regulation (EEC) No 837/68 of 28 June 1968 on detailed rules for the application of levies on sugar ⁽³⁾, as last amended by Regulation (EEC) No 1428/78 ⁽⁴⁾, provides that the basic amount of the levy for 100 kilograms of product must be fixed per percentage point of sucrose content;

Whereas the basic amount of the levy must be equal to one-hundredth of the average of the levies applicable to 100 kilograms of white sugar during the first 20 days of the month preceding the month for which the basic amount of the levy is fixed; whereas, however, the levy applicable to white sugar on the day of the fixing of the basic amount must be substituted for the average of the levies, where that levy differs by at least ECU 0,73 from that average;

Whereas the basic amount must be fixed each month; whereas it must, however, be altered during the period between the day on which it is fixed and the first day of

the month following the month for which the basic amount is applicable, if the levy on white sugar differs by at least ECU 0,73 from the average referred to above or from the levy on white sugar used to fix the basic amount; whereas, in this case, the basic amount must be equal to one-hundredth of the levy on white sugar used to calculate the alteration;

Whereas the basic amount thus fixed must be adjusted on the basis of variations in the threshold price for white sugar occurring between the month in which the basic amount is fixed and the period of application; whereas this adjustment, equal to one-hundredth of the difference between these two threshold prices, must be deducted from or added to the basic amount in the circumstances provided for in Article 7 (6) of Regulation (EEC) No 837/68;

Whereas the levy on the products referred to in Article 1 (1) (f) and (g) of Regulation (EEC) No 1785/81 comprises, under Article 16 (6) of that Regulation, a variable element and a fixed element, with the latter, per 100 kilograms of dry matter, being equal to one-tenth of the fixed element established pursuant to point B of Article 14 (1) of Council Regulation (EEC) No 2727/75 ⁽⁵⁾, as last amended by Regulation (EEC) No 3577/90 ⁽⁶⁾, for the fixing of the import levy on the products falling within CN codes 1702 30 91, 1702 30 99, 1702 40 90 and 1702 90 50, and the variable element, per 100 kilograms of dry matter, being equal to 100 times the basic import levy applicable as from the first of each month in the case of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81; whereas the levy must be fixed each month;

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 ⁽⁷⁾, as last amended by Regulation (EEC) No 2205/90 ⁽⁸⁾,

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 54, 28. 2. 1991, p. 22.

⁽³⁾ OJ No L 151, 30. 6. 1968, p. 42.

⁽⁴⁾ OJ No L 171, 28. 6. 1978, p. 34.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽⁶⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁸⁾ OJ No L 201, 31. 7. 1990, p. 9.

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

Whereas it follows from the application of these provisions that the import levies on the products concerned should be as indicated in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on the products listed in Article 1 (1) (d), (f) and (g) of Regulation (EEC) No 1785/81 shall be as indicated 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, 30 April 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 30 April 1991 fixing the import levies on syrups and certain other products in the sugar sector

(ECU)

CN code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question	Amount of levy per 100 kg of dry matter
1702 20 10	0,4331	—
1702 20 90	0,4331	—
1702 30 10	—	52,98
1702 40 10	—	52,98
1702 60 10	—	52,98
1702 60 90	0,4331	—
1702 90 30	—	52,98
1702 90 60	0,4331	—
1702 90 71	0,4331	—
1702 90 90	0,4331	—
2106 90 30	—	52,98
2106 90 59	0,4331	—

COMMISSION REGULATION (EEC) No 1091/91**of 30 April 1991****fixing the export refunds on syrups and certain other sugar products exported in the natural state**

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 19 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 19 of Regulation (EEC) No 1785/81 provides that the difference between quotations or prices on the world market for the products listed in Article 1 (1) (d) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Article 8 of Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar⁽³⁾, as last amended by Regulation (EEC) No 1489/76⁽⁴⁾, provides that the export refund on 100 kilograms of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 is equal to the basic amount multiplied by the sucrose content, including, where appropriate, other sugars expressed as sucrose; whereas the sucrose content of the product in question is determined in accordance with Article 13 of Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar⁽⁵⁾, as last amended by Regulation (EEC) No 1714/88⁽⁶⁾;

Whereas Article 7 of Regulation (EEC) No 766/68 provides that the basic amount of the refund on sorbose exported in the natural state must be equal to the basic amount of the refund less one-hundredth of the production refund applicable, pursuant to Council Regulation

(EEC) No 1400/78 of 20 June 1978 laying down general rules for the production refund on sugar used in the chemical industry⁽⁷⁾, to the products listed in the Annex to the last mentioned Regulation;

Whereas the basic amount of the refund on the other products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 exported in the natural state must be equal to one-hundredth of an amount which takes account, on the one hand, of the difference between the intervention price for white sugar for the Community areas without deficit for the month for which the basic amount is fixed and quotations or prices for white sugar on the world market and, on the other, of the need to establish a balance between the use of Community basic products in the manufacture of processed goods for export to third countries and the use of third country products brought in under inward processing arrangements;

Whereas the application of the basic amount may be limited to some of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81;

Whereas Article 19 of Regulation (EEC) No 1785/81 makes provision for setting refunds for export in the natural state of products referred to in Article 1 (1) (f) and (g) of that Regulation; whereas the refund must be fixed per 100 kilograms of dry matter, taking account of the export refund for products falling within CN code 1702 30 91 and for products referred to in Article 1 (1) (d) of Regulation (EEC) No 1785/81 and of the economic aspects of the intended exports; whereas the refund is to be granted only for products complying with the conditions in Article 3 of Commission Regulation (EEC) No 1469/77 of 30 June 1977 laying down rules for applying the levy and the refund in respect of isoglucose and amending Regulation (EEC) No 192/75⁽⁸⁾, as amended by Regulation (EEC) No 1714/88;

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

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 54, 28. 2. 1991, p. 22.

⁽³⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁴⁾ OJ No L 167, 26. 6. 1976, p. 13.

⁽⁵⁾ OJ No L 50, 4. 3. 1970, p. 1.

⁽⁶⁾ OJ No L 152, 18. 6. 1988, p. 23.

⁽⁷⁾ OJ No L 170, 27. 6. 1978, p. 9.

⁽⁸⁾ OJ No L 162, 1. 7. 1977, p. 9.

- 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 ⁽¹⁾, as last amended by Regulation (EEC) No 2205/90 ⁽²⁾,
- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

Whereas the refunds referred to above must be fixed every month; whereas they may be altered in the intervening period;

Whereas application of these quotas results in fixing refunds for the products in question at the levels given in the Annex to this Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (d), (f) and (g) of Regulation (EEC) No 1785/81, exported in the natural state, shall be 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, 30 April 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽²⁾ OJ No L 201, 31. 7. 1990, p. 9.

ANNEX

to the Commission Regulation of 30 April 1991 fixing the export refunds on syrups and certain other sugar products exported in the natural state

(ECU)

Product code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question ⁽¹⁾	Amount of refund per 100 kg of dry matter ⁽²⁾
1702 40 10 100		37,58
1702 60 10 000		37,58
1702 60 90 000	0,3758	
1702 90 30 000		37,58
1702 90 60 000	0,3758	
1702 90 71 000	0,3758	
1702 90 90 900	0,3758	
2106 90 30 000		37,58
2106 90 59 000	0,3758	

⁽¹⁾ The basic amount is not applicable to syrups which are less than 85 % pure (Regulation (EEC) No 394/70). Sucrose content is determined in accordance with Article 13 of Regulation (EEC) No 394/70.

⁽²⁾ Applicable only to products referred to in Article 3 of Regulation (EEC) No 1469/77.

NB: The product codes and the footnotes are defined in amended Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1).

COMMISSION REGULATION (EEC) No 1092/91**of 30 April 1991****altering the export refunds on white sugar and raw sugar exported in the natural state**

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 the second subparagraph of Article 19 (4) thereof,Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EEC) No 1007/91 ⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1007/91 to the infor-

mation known to the Commission that the export refunds at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, as fixed in the Annex to Regulation (EEC) No 1007/91 are hereby altered to the amounts 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, 30 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 105, 25. 4. 1991, p. 10.

ANNEX

to the Commission Regulation of 30 April 1991 altering the export refunds on white sugar
and raw sugar exported in the natural state

(ECU)

Product code	Amount of refund	
	per 100 kg	per percentage point of sucrose content and per 100 kg net of the product in question
1701 11 90 100	34,57 ⁽¹⁾	
1701 11 90 910	34,57 ⁽¹⁾	
1701 11 90 950	⁽²⁾	
1701 12 90 100	34,57 ⁽¹⁾	
1701 12 90 910	34,57 ⁽¹⁾	
1701 12 90 950	⁽²⁾	
1701 91 00 000		0,3758
1701 99 10 100	37,58	
1701 99 10 910	37,58	
1701 99 10 950	37,58	
1701 99 90 100		0,3758

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the refund applicable is calculated in accordance with the provisions of Article 5 (3) of Regulation (EEC) No 766/68.

⁽²⁾ Fixing suspended by Commission Regulation (EEC) No 2689/85 (OJ No L 255, 26. 9. 1985, p. 12), as amended by Regulation (EEC) No 3251/85 (OJ No L 309, 21. 11. 1985, p. 14).

COMMISSION REGULATION (EEC) No 1093/91

of 30 April 1991

fixing the reduced levy on imports into Portugal of certain quantities of raw sugar intended for Portuguese refineries

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 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, in accordance with Article 303 of the Act of Accession, a reduced levy is applied during the period of seven years following accession on imports into Portugal of certain quantities of raw sugar originating in certain third countries ;

Whereas Commission Regulation (EEC) No 599/86⁽³⁾, as last amended by Regulation (EEC) No 760/91⁽⁴⁾, fixes the reduced levy applicable on imports into Portugal of certain quantities of raw sugar intended for Portuguese refineries ;

Whereas the levy should, in the light of the application of the detailed rules and arrangements specified in Regulation (EEC) No 599/86 to the data available to the Commission, be fixed as shown in Article 1 of this Regulation ;

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,

HAS ADOPTED THIS REGULATION :

Article 1

The reduced levy on imports into Portugal of raw sugar intended for refining (CN codes 1701 11 10 and 1701 12 10) is fixed for this quality type at ECU 28,06 per 100 kilograms.

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, 30 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 58, 1. 3. 1986, p. 18.

⁽⁴⁾ OJ No L 81, 28. 3. 1991, p. 24.

⁽⁵⁾ OJ No L 164, 24. 6. 1990, p. 1.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 9.

COMMISSION REGULATION (EEC) No 1094/91

of 30 April 1991

fixing the production refund for olive oil used in the manufacture of certain preserved fish and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation 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⁾,Having regard to Council Regulation (EEC) No 591/79 of 26 March 1979 laying down general rules relating to the production refund for olive oil used in the manufacture of certain preserved foods⁽³⁾, as last amended by Regulation (EEC) No 2903/89⁽⁴⁾, and in particular Articles 3 and 5 thereof,

Whereas Article 2 of Council Regulation (EEC) No 591/79 provides for the granting of a production refund for olive oil used in the manufacture of certain preserved fish and vegetables;

Whereas under Article 3 of the abovementioned Regulation, without prejudice to the second subparagraph of Article 7 of the said Regulation, the Commission shall fix this refund every two months;

Whereas, by virtue of Article 5 of the Regulation cited above, where the tender system is employed for fixing the levy, the production refund shall be fixed on the basis of the minimum levies determined under the said system for oils falling within subheading 1509 90 00 of the combined nomenclature; whereas, however, if the oil employed for manufacture of the preserves was produced within the Community, the amount referred to above

shall be increased by a sum equal to the consumption aid in force on the day the said refund is applied;

Whereas Council Regulation (EEC) No 3416/90⁽⁵⁾ set the rates of consumption aid applicable in Spain and Portugal;

Whereas application of the above criteria results in the refund being fixed as shown below,

HAS ADOPTED THIS REGULATION:

Article 1

For the months of May and June 1991, the amount of the production refund referred to in Article 2 of Regulation (EEC) No 591/79 shall be:

— ECU 101,46 per 100 kilograms for olive oil produced in the Community and utilized in Member States other than Spain and Portugal,

— ECU 43,00 per 100 kilograms for olive oil other than that referred to in the preceding indent, utilized in the Member States other than Spain and Portugal,

— ECU 59,08 per 100 kilograms for olive oil produced in the Community and utilized in Spain,

— ECU 17,87 per 100 kilograms for olive oil, other than that referred to in the preceding indent, utilized in Spain,

— ECU 92,84 per 100 kilograms for olive oil produced in the Community and utilized in Portugal,

— ECU 46,84 per 100 kilograms for olive oil, other than that referred to in the preceding indent, utilized in Portugal.

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, 30 April 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.⁽³⁾ OJ No L 78, 30. 3. 1979, p. 2.⁽⁴⁾ OJ No L 280, 29. 9. 1989, p. 3.⁽⁵⁾ OJ No L 330, 29. 11. 1990, p. 6.

COMMISSION REGULATION (EEC) No 1095/91

of 30 April 1991

fixing the export refunds 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⁾,

Having regard to Council Regulation No 142/67/EEC of 21 June 1967 on export refunds on colza, rape and sunflower seeds⁽³⁾, as last amended by the Act of Accession of Greece, and in particular the second sentence of Article 2 (3) thereof,

Having regard to Council Regulation (EEC) No 1678/85 of 11 June 1985 fixing the conversion rates to be applied in agriculture⁽⁴⁾, as last amended by Regulation (EEC) No 1042/91⁽⁵⁾,

Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza, rape and sunflower seed⁽⁶⁾, as last amended by Regulation (EEC) No 2206/90⁽⁷⁾, and in particular Article 2 (3) thereof,

Having regard to Commission Regulation (EEC) No 2041/75 of 25 July 1975 on special detailed rules for the application of the system of import and export licences and advance fixing certificates for oils and fats⁽⁸⁾, as last amended by Regulation (EEC) No 557/91⁽⁹⁾, and in particular Article 13 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, the target price and the monthly increases in the target price for colza, rape and sunflower seed for the

1990/91 marketing year were fixed by Regulations (EEC) No 1317/90⁽¹⁰⁾ and (EEC) No 1318/90⁽¹¹⁾;

Whereas the prices fixed by the Council are to be reduced in accordance with Article 2 of Commission Regulation (EEC) No 784/90 of 29 March 1990 fixing the reducing coefficient for agricultural prices in the 1990/91 marketing year as a result of the monetary realignment of 5 January 1990 and amending the prices and amounts fixed in ecus for that marketing year⁽¹²⁾;

Whereas Article 28 of Regulation No 136/66/EEC provides that a refund may be granted on exports to third countries of oil seeds harvested within the Community; whereas the amount of this refund may not exceed the difference between prices within the Community and prices on the world market where the former are higher than the latter; whereas Article 21 of Regulation No 136/66/EEC provides that, at present, Article 28 of that Regulation applies only to colza, rape and sunflower seeds;

Whereas the refund for colza and rape seeds produced in Spain or Portugal is adjusted in accordance with Council Regulation (EEC) No 478/86⁽¹³⁾;

Whereas Article 3 of Regulation No 142/67/EEC provides that when the refund is being calculated account must be taken of prices ruling on the various Community markets which are representative from the point of view of processing and exportation; the most favourable quotations recorded on the various markets of importing third countries and costs incurred in placing the goods on the world market; whereas, when the amount of the refund is being fixed, account must also be taken of the level of market prices within the Community for the oil seeds referred to in Article 21 of Regulation No 136/66/EEC and the future trend of these prices; whereas, furthermore, account should be taken of the economic aspect of the proposed exports and the situation in the Community regarding the supply of and demand for these seeds;

Whereas the abatement of the subsidy for colza and rape seed which arises from the system of maximum guaranteed quantities for the 1990/91 marketing year has been fixed by Commission Regulation (EEC) No 2509/90⁽¹⁴⁾;

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

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No 125, 26. 6. 1967, p. 2461/67.

⁽⁴⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁵⁾ OJ No L 106, 26. 4. 1991, p. 34.

⁽⁶⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁷⁾ OJ No L 201, 31. 7. 1990, p. 11.

⁽⁸⁾ OJ No L 213, 11. 8. 1975, p. 1.

⁽⁹⁾ OJ No L 62, 8. 3. 1991, p. 23.

⁽¹⁰⁾ OJ No L 132, 23. 5. 1990, p. 9.

⁽¹¹⁾ OJ No L 132, 23. 5. 1990, p. 11.

⁽¹²⁾ OJ No L 83, 30. 3. 1990, p. 102.

⁽¹³⁾ OJ No L 53, 1. 3. 1986, p. 55.

⁽¹⁴⁾ OJ No L 237, 1. 9. 1990, p. 7.

Whereas Article 1 of Commission Regulation (EEC) No 651/71 of 29 March 1971 on certain detailed rules for the application of export refunds on oil seeds⁽¹⁾, as last amended by Regulation (EEC) No 1815/84⁽²⁾, provides that the amount of the refund must be calculated on the basis of the weight of exported seeds; whereas this weight must be adjusted to take account of any differences between the percentages of moisture and impurities found to exist and those used to define the standard quality for which the target price is fixed; whereas, when this adjustment is being made, the weight of the exported seeds must be increased by the amount of the difference between the actual moisture and impurities content and that used to define the standard quality if the former is lower than the latter; whereas, if the opposite applies, the weight of the exported seeds must be reduced by the same amount;

Whereas the standard quality referred to above was defined in Article 2 of Council Regulation (EEC) No 1102/84⁽³⁾;

Whereas Article 2 of Regulation No 142/67/EEC provides that the refund may be varied according to destination where the world market situation or the specific requirements of certain markets make this necessary;

Whereas Article 4 of Regulation (EEC) No 651/71 provides for the publication of the amount of the final refund obtained from the conversion into each of the national currencies of the amount of the refund in ecus plus or minus the differential amount; whereas Article 1 of Commission Regulation (EEC) No 1813/84⁽⁴⁾, as last amended by Regulation (EEC) No 1539/90⁽⁵⁾, defined the elements which determine the differential amounts; whereas these elements are equal to the incidence on the target price reduced by 7,5 % or the refund of the coefficient derived from the percentage referred to in Article 2 (1) of Regulation (EEC) No 1569/72; whereas, according to these provisions, this percentage represents:

(a) for those Member States whose currencies are maintained as between themselves within a spread at any given moment of 2,25 %, the difference between:

- the conversion rate used under the common agricultural policy, and
- the conversion rate resulting from the central rate of the correcting factor referred to in Article 6 (1) of Regulation (EEC) No 1677/85⁽⁶⁾ as last amended by Regulation (EEC) No 2205/90⁽⁷⁾.

(b) In the case of Member States other than those referred to in (a), the difference between:

- the agricultural conversion rate, and
- the average rate of the ecu as published in the C Series of the *Official Journal of the European*

Communities during a period to be determined, multiplied by the factor referred to in the second indent of (a).

Whereas pursuant to Article 2 (2) of Regulation (EEC) No 1569/72 forward differential amounts are to be determined where the forward exchange rate for one or more currencies differs from the spot rate by at least a given percentage; whereas this percentage has been fixed at 0,5 by Regulation (EEC) No 1813/84;

Whereas Regulation (EEC) No 1813/84 specifies the spot and forward exchange rates and the period to be used for calculating the differential amounts; whereas in cases where, for one or more months, quotations of forward exchange rates are not available, the rates adopted for the previous months or the following months, as the case may be, must be used;

Whereas it follows from applying these provisions to the current situation of the oil seeds market and to the rates or prices of these products that, pursuant to Article 4 of Regulation (EEC) No 651/71, the amount of the refund in ecus and the amount of the final refund in each of the national currencies must, in the case of colza and rape seed, be fixed in accordance with the Annex to this Regulation; whereas it is not necessary to fix a refund for sunflower seed;

Whereas Article 13 of Regulation (EEC) No 2041/75 makes provision for the period of validity of certificates fixing refunds in advance to be reduced if the market situation warrants; whereas in the interests of sound market management a reduction should be made;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. In the case of colza and rape seed, the amounts of the refund referred to in Article 4 (1) of Regulation (EEC) No 651/71 shall be as set out in the Annex hereto.

2. There shall be no refund on sunflower seed.

3. Certificates fixing the export refund in advance shall be valid from their date of issue until the end of the following month.

Article 2

This Regulation shall enter into force on 1 May 1991.

⁽¹⁾ OJ No L 75, 30. 3. 1971, p. 16.

⁽²⁾ OJ No L 170, 29. 6. 1984, p. 46.

⁽³⁾ OJ No L 113, 28. 4. 1984, p. 8.

⁽⁴⁾ OJ No L 170, 29. 6. 1984, p. 41.

⁽⁵⁾ OJ No L 145, 8. 6. 1990, p. 20.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 6.

⁽⁷⁾ OJ No L 201, 31. 7. 1990, p. 9.

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

Done at Brussels, 30 April 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 30 April 1991 fixing the export refunds on oil seeds

(amounts per 100 kilograms)

	Current 5	1st period 6	2nd period 7	3rd period 8	4th period 9	5th period 10
1. Gross refunds (ECU):						
— Spain	0,000	0,000	—	—	—	—
— Portugal	21,970	21,970	—	—	—	—
— other Member States	15,000	15,000	—	—	—	—
2. Final refunds:						
Seeds harvested and exported from:						
— Federal Republic of Germany (DM)	35,31	35,31	—	—	—	—
— Netherlands (Fl)	39,79	39,79	—	—	—	—
— BLEU (Bfrs/Lfrs)	728,34	728,34	—	—	—	—
— France (FF)	118,43	118,43	—	—	—	—
— Denmark (Dkr)	134,70	134,70	—	—	—	—
— Ireland (£ Irl)	13,182	13,182	—	—	—	—
— United Kingdom (£)	11,349	11,349	—	—	—	—
— Italy (Lit)	26 422	26 422	—	—	—	—
— Greece (Dr)	2 698,84	2 681,19	—	—	—	—
— Spain (Pta)	115,38	115,38	—	—	—	—
— Portugal (Esc)	4 689,46	4 689,46	—	—	—	—

COMMISSION REGULATION (EEC) No 1096/91
of 30 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 1042/91⁽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 1001/91⁽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 1 May 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 1 May 1991.

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

Done at Brussels, 30 April 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

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

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁴⁾ OJ No L 106, 26. 4. 1991, p. 34.

⁽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 104, 24. 4. 1991, p. 33.

⁽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 5	1st period 6	2nd period 7 (¹)	3rd period 8 (¹)	4th period 9 (¹)	5th period 10 (¹)
1. Gross aids (ECU):						
— Spain	0,000	0,000	9,000	9,000	9,000	9,000
— Portugal	25,748	25,657	15,970	15,970	15,970	15,970
— Other Member States	18,778	18,687	9,000	9,000	9,000	9,000
2. Final aids:						
Seed harvested and processed in:						
— Federal Republic of Germany (DM)	44,21	43,99	21,19	21,19	21,19	21,19
— Netherlands (Fl)	49,81	49,57	23,87	23,87	23,87	23,87
— BLEU (Bfrs/Lfrs)	911,79	907,37	437,01	437,01	437,01	437,01
— France (FF)	148,26	147,55	71,06	71,06	71,06	71,06
— Denmark (Dkr)	168,62	167,81	80,82	80,82	80,82	80,82
— Ireland (£ Irl)	16,502	16,422	7,909	7,909	7,909	7,885
— United Kingdom (£)	14,363	14,291	6,665	6,665	6,665	6,643
— Italy (Lit)	33 077	32 916	15 853	15 853	15 853	15 763
— Greece (Dr)	3 671,05	3 633,66	1 289,79	1 249,09	1 249,09	1 129,61
— Spain (Pta)	0,00	0,00	1 524,68	1 517,69	1 517,69	1 500,37
— Portugal (Esc)	5 455,68	5 437,19	3 439,49	3 432,41	3 432,41	3 393,73

ANNEX II

Aids to colza and rape seed 'double zero'

(amounts per 100 kg)

	Current 5	1st period 6	2nd period 7 (¹)	3rd period 8 (¹)	4th period 9 (¹)	5th period 10 (¹)
1. Gross aids (ECU):						
— Spain	0,000	0,000	11,500	11,500	11,500	11,500
— Portugal	28,248	28,157	18,470	18,470	18,470	18,470
— Other Member States	21,278	21,187	11,500	11,500	11,500	11,500
2. Final aids:						
Seed harvested and processed in:						
— Federal Republic of Germany (DM)	50,09	49,88	27,07	27,07	27,07	27,07
— Netherlands (Fl)	56,44	56,20	30,50	30,50	30,50	30,50
— BLEU (Bfrs/Lfrs)	1 033,18	1 028,76	558,40	558,40	558,40	558,40
— France (FF)	168,00	167,28	90,80	90,80	90,80	90,80
— Denmark (Dkr)	191,07	190,26	103,27	103,27	103,27	103,27
— Ireland (£ Irl)	18,699	18,619	10,106	10,106	10,106	10,082
— United Kingdom (£)	16,312	16,240	8,614	8,614	8,614	8,592
— Italy (Lit)	37 480	37 320	20 257	20 257	20 257	20 167
— Greece (Dr)	4 228,32	4 190,92	1 847,05	1 806,35	1 806,35	1 686,87
— Spain (Pta)	0,00	0,00	1 906,92	1 899,93	1 899,93	1 882,61
— Portugal (Esc)	5 977,37	5 958,88	3 961,18	3 954,10	3 954,10	3 915,42

(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, conforming in particular:

- to 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;
- to the adjustment resulting from the maximum guaranteed quantity arrangements and that of the agricultural conversion rates applied for the 1990/91 marketing year.

ANNEX III

Aids to sunflower seed

(amounts per 100 kg)

	Current 5	1st period 6	2nd period 7	3rd period 8	4th period 9 (1)
1. Gross aids (ECU):					
— Spain	28,833	28,528	28,324	21,616	21,609
— Portugal	37,797	37,497	37,297	28,746	28,746
— Other Member States	25,557	25,257	25,057	16,506	16,506
2. Final aids:					
(a) Seed harvested and processed in (2):					
— Federal Republic of Germany (DM)	60,17	59,46	58,99	38,86	38,86
— Netherlands (Fl)	67,79	67,00	66,47	43,78	43,78
— BLEU (Bfrs/Lfrs)	1 240,95	1 226,39	1 216,68	801,47	801,47
— France (FF)	201,79	199,42	197,84	130,33	130,33
— Denmark (Dkr)	229,50	226,81	225,01	148,22	148,22
— Ireland (£ Irl)	22,459	22,195	22,019	14,505	14,505
— United Kingdom (£)	19,639	19,400	19,240	12,488	12,488
— Italy (Lit)	45 017	44 489	44 137	29 074	29 074
— Greece (Dr)	5 164,75	5 073,36	4 987,62	2 861,20	2 861,20
— Portugal (Esc)	7 969,21	7 908,26	7 867,62	6 103,37	6 103,37
(b) Seed harvested in Spain and processed:					
— in Spain (Pta)	4 529,42	4 484,95	4 454,26	3 456,61	3 455,54
— in another Member State (Pta)	4 591,10	4 547,44	4 517,32	3 532,00	3 530,94

(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, conforming in particular with:

- 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 5	1st period 6	2nd period 7	3rd period 8	4th period 9	5th period 10
DM	2,063390	2,061640	2,059960	2,058720	2,058720	2,055210
Fl	2,325260	2,323380	2,321660	2,320110	2,320110	2,315800
Bfrs/Lfrs	42,451600	42,412200	42,378799	42,347000	42,347000	42,256000
FF	6,971920	6,967070	6,962160	6,957020	6,957020	6,943800
Dkr	7,893710	7,893490	7,891440	7,889850	7,889850	7,883060
£Irl	0,772005	0,772414	0,773387	0,774012	0,774012	0,776885
£	0,690468	0,691443	0,692373	0,693138	0,693138	0,694861
Lit	1 526,31	1 528,28	1 530,28	1 531,95	1 531,95	1 537,77
Dr	223,23300	225,23400	227,27000	229,27200	229,27200	235,14900
Esc	178,40600	178,71700	179,11300	179,60900	179,60900	181,30900
Pta	127,39600	127,76800	128,08400	128,37000	128,37000	129,07900

COMMISSION REGULATION (EEC) No 1097/91

of 30 April 1991

fixing the amount of aid for peas, field beans and sweet lupins

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 1431/82 of 18 May 1982 laying down special measures for peas, field beans and sweet lupins⁽¹⁾, as last amended by Regulation (EEC) No 3577/90⁽²⁾, and in particular Article 3 (6) (a) thereof,

Having regard to Commission Regulation (EEC) No 3540/85 of 5 December 1985 laying down detailed rules for the application of the special measures for peas, field beans and sweet lupins⁽³⁾, as last amended by Regulation (EEC) No 2249/90⁽⁴⁾, and in particular Article 26a (7) thereof,

Whereas, as provided for in Article 3 (1) of Regulation (EEC) No 1431/82, aid is granted for peas, field beans and sweet lupins harvested in the Community and used in the manufacture of feedingstuffs where the world market price of soya cake is lower than the activating price; whereas this aid is equal to a proportion of the difference between these prices; whereas this proportion of the price difference was fixed in Article 3a of Council Regulation (EEC) No 2036/82⁽⁵⁾, as last amended by Regulation (EEC) No 2206/90⁽⁶⁾;

Whereas, in accordance with Article 3 (2) of Regulation (EEC) No 1431/82, aid is granted for peas and field beans harvested in the Community where the world market price for these products is lower than the guide price; whereas this aid is equal to the difference between the two prices;

Whereas the threshold price activating the aid for peas, field beans and sweet lupins for the 1990/91 marketing year was fixed by Council Regulation (EEC) No 1189/90⁽⁷⁾; whereas, as provided for in Article 2a of Regulation (EEC) No 1431/82, the activating price for the aid for peas, field beans and sweet lupins is increased monthly as from the beginning of the third month of the marketing year; whereas the amount of the monthly increases in the threshold price was fixed by Council Regulation (EEC) No 1191/90⁽⁸⁾;

Whereas the abatement of the subsidy which arises, where appropriate, from the system of maximum guaranteed quantities for the 1990/91 year, has been fixed by Commission Regulation (EEC) No 2510/90⁽⁹⁾;

Whereas the threshold price activating the aid and the minimum price fixed by the Council are to be reduced in accordance with Commission Regulation (EEC) No 1755/90 of 27 June 1990 establishing the activating threshold price for aid, the guide price and the minimum price for peas, field beans and sweet lupins fixed in ecus by the Council and reduced as a result of the monetary realignment of 5 January 1990⁽¹⁰⁾;

'Whereas, owing to the lack of an activating threshold price, a guide price for peas, field beans and sweet lupins and of the adjustment in the rate of aid resulting from the maximum guaranteed quantity arrangements for the 1991/92 marketing year, the amount of the aid fixed in advance for this marketing year has only been able to be calculated provisionally conforming to the Commission's price proposals to the Council; whereas this amount should, therefore, only be applied provisionally and should be confirmed or replaced once the prices and related measures and the consequences of the maximum guaranteed quantity arrangements for the 1991/92 marketing year are known';

Whereas, pursuant to Article 4 of Regulation (EEC) No 1431/82, the world market price for soya cake must be determined on the basis of the most favourable purchase possibilities, excepting offers and quotations which cannot be considered representative of the real market trend; whereas account must be taken both of all offers on the world market and of the prices quoted on exchanges that are important for international trade;

Whereas, pursuant to Article 1 of Commission Regulation (EEC) No 2049/82⁽¹¹⁾, as last amended by Regulation (EEC) No 1238/87⁽¹²⁾, the price must be determined per 100 kilograms of bulk soya cake of the standard quality defined in Article 1 (2) of Council Regulation (EEC) No 1464/86⁽¹³⁾ delivered to Rotterdam; whereas the necessary adjustments, notably those referred to in Article 2 of Regulation (EEC) No 2049/82, must be made for offers and quotations not of the type referred to above;

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

⁽¹⁾ OJ No L 162, 12. 6. 1982, p. 28.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 342, 19. 12. 1985, p. 1.

⁽⁴⁾ OJ No L 203, 1. 8. 1990, p. 56.

⁽⁵⁾ OJ No L 219, 28. 7. 1982, p. 1.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 11.

⁽⁷⁾ OJ No L 119, 11. 5. 1990, p. 37.

⁽⁸⁾ OJ No L 119, 11. 5. 1990, p. 40.

⁽⁹⁾ OJ No L 237, 1. 9. 1990, p. 8.

⁽¹⁰⁾ OJ No L 162, 28. 6. 1990, p. 18.

⁽¹¹⁾ OJ No L 219, 28. 7. 1982, p. 36.

⁽¹²⁾ OJ No L 117, 5. 5. 1987, p. 9.

⁽¹³⁾ OJ No L 133, 21. 5. 1986, p. 21.

- in the case of currencies which are maintained in relation to each other at any moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the correcting factor provided for in Article 6 (1) of Council Regulation (EEC) No 1677/85 ⁽¹⁾, as last amended by Regulation (EEC) No 2205/90 ⁽²⁾,
- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

Whereas pursuant to Articles 121 (2) and 307 (2) of the Act of Accession the amount of the aid for products harvested and processed in either of these Member States should be reduced by the customs duty charged on importation of products from third countries;

Whereas the world market price for peas and field beans and the amount of aid referred to in Article 3 (2) of Regulation (EEC) No 1431/82 were fixed by Commission Regulation (EEC) No 1834/90 ⁽³⁾; whereas in terms of Article 2a of Regulation (EEC) No 1431/82 the guide price is increased monthly as from the beginning of the third month of the marketing year;

Whereas, pursuant to Article 26a of Regulation (EEC) No 3540/85, the gross aid expressed in ecus that results from

Article 3 of Regulation (EEC) No 1431/82 shall be weighted by the differential amount referred to in Article 12a of Regulation (EEC) No 2036/82 and then converted into the final aid in the currency of the Member State in which the products are harvested using the agricultural conversion rate of that Member State,

HAS ADOPTED THIS REGULATION:

Article 1

1. The amounts of aid provided for in Article 3 (1) of Regulation (EEC) No 1431/82 is indicated in the Annexes hereto.

2. However, the amount of the aid fixed in advance for the 1991/92 marketing year for peas, field beans and sweet lupins shall be confirmed or replaced with effect from 1 May 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 1 May 1991.

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

Done at Brussels, 30 April 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 6.

⁽²⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽³⁾ OJ No L 167, 30. 6. 1990, p. 94.

ANNEX I

Gross aid

Products intended for human consumption :

(ECU per 100 kg)

	Current 5	1st period 6	2nd period 7 (1)	3rd period 8 (1)	4th period 9 (1)	5th period 10 (1)	6th period 11 (1)
Peas used :							
— in Spain	6,681	6,681	4,537	4,537	4,695	4,853	5,011
— in Portugal	6,699	6,699	4,555	4,555	4,713	4,871	5,029
— in another Member State	6,834	6,834	4,690	4,690	4,848	5,006	5,164
Field beans used :							
— in Spain	6,834	6,834	4,690	4,690	4,848	5,006	5,164
— in Portugal	6,699	6,699	4,555	4,555	4,713	4,871	5,029
— in another Member State	6,834	6,834	4,690	4,690	4,848	5,006	5,164

Products used in animal feed :

(ECU per 100 kg)

	Current 5	1st period 6	2nd period 7 (1)	3rd period 8 (1)	4th period 9 (1)	5th period 10 (1)	6th period 11 (1)
A. Peas used :							
— in Spain	8,812	8,778	6,419	6,248	6,406	6,563	6,550
— in Portugal	8,866	8,833	6,478	6,308	6,466	6,623	6,611
— in another Member State	8,866	8,833	6,478	6,308	6,466	6,623	6,611
B. Field beans used :							
— in Spain	8,812	8,778	6,419	6,248	6,406	6,563	6,550
— in Portugal	8,866	8,833	6,478	6,308	6,466	6,623	6,611
— in another Member State	8,866	8,833	6,478	6,308	6,466	6,623	6,611
C. Sweet lupins harvested in Spain and used :							
— in Spain	10,397	10,351	8,916	8,688	8,688	8,688	8,460
— in Portugal	10,468	10,423	8,994	8,767	8,767	8,767	8,541
— in another Member State	10,468	10,423	8,994	8,767	8,767	8,767	8,541
D. Sweet lupins harvested in another Member State and used :							
— in Spain	10,397	10,351	8,916	8,688	8,688	8,688	8,460
— in Portugal	10,468	10,423	8,994	8,767	8,767	8,767	8,541
— in another Member State	10,468	10,423	8,994	8,767	8,767	8,767	8,541

Final aid

(in national currency per 100 kg)

	Current 5	1st period 6	2nd period 7 (1)	3rd period 8 (1)	4th period 9 (1)	5th period 10 (1)	6th period 11 (1)
Products harvested in :							
— BLEU (Bfrs/Lfrs)	331,83	331,83	227,73	227,73	235,40	243,07	250,74
— Denmark (Dkr)	61,37	61,37	42,12	42,12	43,53	44,95	46,37
— Federal Republic of Germany (DM)	16,09	16,09	11,04	11,04	11,41	11,79	12,16
— Greece (Dr)	1 174,58	1 174,58	693,95	693,95	729,37	764,79	800,21
— Spain (Pta)	1 050,41	1 050,41	721,32	721,32	745,57	769,82	794,08
— France (FF)	53,96	53,96	37,03	37,03	38,28	39,53	40,77
— Ireland (£ Irl)	6,006	6,006	4,121	4,121	4,260	4,399	4,538
— Italy (Lit)	12 038	12 038	8 261	8 261	8 540	8 818	9 096
— Netherlands (Fl)	18,13	18,13	12,44	12,44	12,86	13,28	13,70
— Portugal (Esc)	1 426,09	1 426,09	978,69	978,69	1 011,66	1 044,63	1 077,60
— United Kingdom (£)	5,327	5,327	3,656	3,656	3,779	3,902	4,026

- Peas used in Spain (Pta): 23,49,
- Peas, and field beans used in Portugal (Esc): 28,17.

Partial aids

(in national currency per 100 kg)

[illegible]

[illegible]

[illegible]

ANNEX VIII

Corrective amount to be added to amounts in Annex VII

(in national currency per 100 kg)

Use of products :	BLEU	DK	DE	EL	ES	FR	IRL	IT	NL	PT	UK
Products harvested in :											
— BLEU (Bfrs/Lfrs)	0,00	0,00	0,00	26,92	0,17	0,00	0,00	0,00	0,00	0,00	0,00
— Denmark (Dkr)	0,00	0,00	0,00	4,98	0,03	0,00	0,00	0,00	0,00	0,00	0,00
— Federal Republic of Germany (DM)	0,00	0,00	0,00	1,31	0,01	0,00	0,00	0,00	0,00	0,00	0,00
— Greece (Dr)	0,00	0,00	0,00	135,30	0,87	0,00	0,00	0,00	0,00	0,00	0,00
— Spain (Pta)	0,00	0,00	0,00	85,06	0,54	0,00	0,00	0,00	0,00	0,00	0,00
— France (FF)	0,00	0,00	0,00	4,38	0,03	0,00	0,00	0,00	0,00	0,00	0,00
— Ireland (£ Irl)	0,000	0,000	0,000	0,487	0,003	0,000	0,000	0,000	0,000	0,000	0,000
— Italy (Lit)	0	0	0	977	6	0	0	0	0	0	0
— Netherlands (Fl)	0,00	0,00	0,00	1,47	0,01	0,00	0,00	0,00	0,00	0,00	0,00
— Portugal (Esc)	0,00	0,00	0,00	115,70	0,74	0,00	0,00	0,00	0,00	0,00	0,00
— United Kingdom (£)	0,000	0,000	0,000	0,432	0,003	0,000	0,000	0,000	0,000	0,000	0,000

ANNEX IX

Exchange rate of the ecu to be used

	BLEU	DK	DE	EL	ES	FR	IRL	IT	NL	PT	UK
In national currency, ECU 1 =	42,4032	7,84195	2,05586	222,838	127,270	6,89509	0,767417	1 538,24	2,31643	177,432	0,695831

(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, conforming in particular :

- to the Commission's proposals for the 1991/92 marketing year as regards the target price, the activating threshold prices and the monthly increases ;
- to the adjustment resulting from the maximum guaranteed quantity arrangements and that of the agricultural conversion rates applied for the 1990/91 marketing year.

COMMISSION REGULATION (EEC) No 1098/91
of 30 April 1991
fixing the rate of the aid for dried fodder

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 1117/78 of 22 May 1978 on the common organization of the market in dried fodder⁽¹⁾, as last amended by Regulation (EEC) No 2275/89⁽²⁾, and in particular Article 5 (3) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, under Article 5 (1) of Regulation (EEC) No 1117/78, when the guide price is higher than the average world market price, aid is granted for dried fodder as described under Article 1 (b) and (c) of that Regulation and obtained from fodder plants harvested in the Community; whereas that aid takes account of a percentage of the difference between these two prices;

Whereas the Council has not yet adopted the guide price for the 1991/92 marketing year commencing 1 May 1991; whereas the Commission, in virtue of the powers conferred on it by the Treaty, must take the necessary measures to ensure that the common agricultural policy continues to operate in the dried fodder sector and, in particular, that the abovementioned supplementary aid continues to be granted;

Whereas, owing to the lack of a guide price for dried fodder, an intervention price for barley and of the percentages referred to in Article 5 of Regulation (EEC) No 1117/78 for the 1991/92 marketing year the rate of aid in advance for this marketing year has only been able to be calculated provisionally to agree the Commission's price proposals to the Council; whereas this amount should, therefore, only be applied provisionally and should be confirmed or replaced once the target price for dried fodder, the intervention price for barley and the percentages referred to in Article 5 of Regulation (EEC) No 1117/78 for the 1991/92 marketing year are known;

Whereas the average world market price is determined for a bulk pelleted product, delivered to Rotterdam, of the standard quality for which the guide price has been fixed;

Whereas, under Council Regulation (EEC) No 1417/78 of 19 June 1978 on the aid system for dried fodder⁽³⁾, as last amended by Regulation (EEC) No 1110/89⁽⁴⁾, the average world market price for the products described in the first and third indents of Article 1 (b) of Regulation (EEC) No 1117/78 is to be determined on the basis of the most favourable actual purchase possibilities excepting those which cannot be considered representative of the real market trend; whereas offers and quotations recorded during the first 25 days of the month in question for quantities that can be delivered during the following calendar month are to be used; whereas the average world market price thus determined is used to fix the aid rate applicable on the following month;

Whereas the necessary adjustments must be made in the case of offers and quotations not of the type referred to above; whereas these adjustments were defined in Article 3 of Commission Regulation (EEC) No 1528/78 of 30 June 1978 laying down detailed rules for the application of the system of aid for dried fodder⁽⁵⁾, as last amended by Regulation (EEC) No 1757/90⁽⁶⁾;

Whereas, in accordance with Article 3 of Regulation (EEC) No 1417/78, when no offer or quotation can be used to determine the average world market price, that price is determined on the basis of the sum of the value of competing products; whereas those products are defined in Article 3 (3) of Regulation (EEC) No 1528/78;

Whereas, pursuant to Article 11 of Regulation (EEC) No 1417/78, when forward prices differ from that applying in the month when the application is lodged, the aid rate is adjusted by a correcting amount calculated from the trend of forward prices;

Whereas, where the average world market price is determined in accordance with Article 3 of Regulation (EEC) No 1417/78, the corrective amount must be equal to the difference between the average world market price and the average forward world market price determined by applying the criteria laid down in Article 3 (3) of Regulation (EEC) No 1528/78 and valid for delivery during a month other than that in which the aid is introduced,

⁽¹⁾ OJ No L 171, 28. 6. 1978, p. 1.

⁽²⁾ OJ No L 118, 29. 4. 1989, p. 1.

⁽³⁾ OJ No L 179, 1. 7. 1978, p. 10.

⁽⁴⁾ OJ No L 162, 28. 6. 1990, p. 21.

⁽¹⁾ OJ No L 142, 30. 5. 1978, p. 1.

⁽²⁾ OJ No L 218, 28. 7. 1989, p. 1.

adjusted by the percentage fixed under Article 5 (2) of Regulation (EEC) No 1117/78 ; whereas where the average forward world market price for one or more months cannot be determined by applying the criteria laid down in Article 3 (3) of Regulation (EEC) No 1528/78, the corrective amount must be fixed for the month or months in question at a level such that the aid is equal to zero ;

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

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

Whereas the rate of the additional aid must be fixed once per month so as to ensure application of the aid from the first day of the month following the date of its fixing ;

Whereas, pursuant to Articles 120 (2) and 306 (2) of the Act of Accession, the additional aid applicable in these two Member States is to be adjusted by an amount equal to the amount of customs duties on imports of these products from third countries ; whereas, in addition, in Spain the amount is to be adjusted by the difference, multiplied by the percentage referred to in Article 5 (2) of Regulation (EEC) No 1117/78, between the guide price applied in Spain and the common guide price ;

Whereas, as the result of the applications of all these provisions to the offers and quotations which the Commission has recorded, the rate of the additional aid for dried fodder must be fixed as indicated in the table annexed to this Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

1. The rate of the aid referred to in Article 5 (3) of Regulation (EEC) No 1117/78 is fixed in the Annex to this Regulation.
2. However, the rate of aid fixed in advance for the 1991/92 marketing year shall be confirmed or replaced with effect from 1 May 1991 to take account of the guide price for dried fodder, the intervention price for barley and the percentages referred to in Article 5 of Regulation (EEC) No 1117/78 for the 1991/92 marketing year.

Article 2

This Regulation shall enter into force on 1 May 1991.

It shall apply until 26 May 1991.

The provisions of this Regulation shall apply without prejudice to the decisions to be adopted by the Council in accordance with Article 5 of Regulation (EEC) No 1117/78.

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

Done at Brussels, 30 April 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽²⁾ OJ No L 201, 31. 7. 1990, p. 9.

ANNEX

to the Commission Regulation of 30 April 1991 fixing the rate of the aid for dried fodder

Aid applicable from 1 May 1991 to dried fodder :

(ECU/tonne)

	Fodder dehydrated by artificial heat drying Protein concentrates			Fodder otherwise dried	
	Spain	Portugal	Other Member States	Portugal	Other Member States
Aid 13,281	66,975	42,773	45,496	46,221	12,556
Aid in case of advance fixing for the month of :					
					(ECU/tonne)
June 1991 ⁽¹⁾	43,301	46,028	46,749	13,088	13,809
July 1991 ⁽¹⁾	62,023	64,891	65,471	31,951	32,531
August 1991 ⁽¹⁾	62,193	65,061	65,641	32,121	32,701
September 1991 ⁽¹⁾	61,568	64,432	65,016	31,492	32,076
October 1991 ⁽²⁾	0,000	0,000	0,000	0,000	0,000
November 1991 ⁽²⁾	0,000	0,000	0,000	0,000	0,000
December 1991 ⁽²⁾	0,000	0,000	0,000	0,000	0,000
January 1992 ⁽²⁾	0,000	0,000	0,000	0,000	0,000
February 1992 ⁽²⁾	0,000	0,000	0,000	0,000	0,000
March 1992 ⁽²⁾	0,000	0,000	0,000	0,000	0,000

⁽¹⁾ Rate fixed provisionally, pending and subject to the setting of the prices and related measures for the 1991/92 marketing year, on the basis in particular of the commission's proposals for the 1991/92 marketing year as regards :

(a) the guide price for dried fodder ;

(b) the percentage referred to in Article 5 of Regulation (EEC) No 1117/78 ;

(c) the intervention price for barley.

⁽²⁾ In accordance with Article 6 (b) of Regulation (EEC) No 1528/78.

COMMISSION REGULATION (EEC) No 1099/91
of 30 April 1991
fixing the aid for soya beans

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 1491/85 of 23 May 1985 laying down special measures in respect of soya beans ⁽¹⁾, as last amended by Regulation (EEC) No 3577/90 ⁽²⁾, and in particular Article 2(7) thereof,

Whereas the amount of the aid referred to in Article 2(1) of Regulation (EEC) No 1491/85 was fixed by Commission Regulation (EEC) No 771/91 ⁽³⁾, as last amended by Regulation (EEC) No 1003/91 ⁽⁴⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 771/91 to the information at present available to the Commission that the amount of the aid at present in force should be altered as set out in this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

1. The amount of the aid provided for in Article 2 of Regulation (EEC) No 1491/85 shall be as set out in the Annex hereto.

2. However, the amount of the aid fixed in advance for the 1991/92 marketing year for soya seed shall be confirmed or replaced with effect from 1 May 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 1 May 1991.

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

Done at Brussels, 30 April 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 30 April 1991 fixing the aid for soya beans

(ECU/100 kg)

	Current period 5	First period 6	Second period 7	Third period 8	Fourth period 9 ⁽¹⁾	Fifth period 10 ⁽¹⁾
Seed harvested:						
— Spain	15,067	15,049	15,030	15,030	15,011	15,011
— another Member State	20,611	20,593	20,574	20,574	18,735	18,735

⁽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, conforming in particular:

- to the Commission's proposals for the 1991/92 marketing year as regards the guide price,
- to the adjustment resulting from the maximum guaranteed quantity arrangements applied for the 1990/91 marketing year.

⁽¹⁾ OJ No L 151, 10. 6. 1985, p. 15.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 81, 28. 3. 1991, p. 60.

⁽⁴⁾ OJ No L 104, 24. 4. 1991, p. 43.

COMMISSION REGULATION (EEC) No 1100/91

of 30 April 1991

fixing the aid for cotton

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 the Act of Accession of Greece, and in particular paragraphs 3 and 10 of Protocol 4 on cotton annexed thereto, as amended by Protocol 14 annexed to the Act of Accession of Spain and of Portugal, and Regulation (EEC) No 4006/87 ⁽¹⁾,

Having regard to Council Regulation (EEC) No 2169/81 of 27 July 1981 laying down the general rules for the system of aid for cotton ⁽²⁾, as last amended by Regulation (EEC) No 791/89 ⁽³⁾, and in particular Article 5 (1) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, pursuant to Article 5 of Regulation (EEC) No 2169/81, aid must be granted for unginned cotton harvested in the Community when the world market price for unginned cotton is below the guide price;

Whereas the aid is equal to the difference between these two prices;

Whereas in the absence of the guide price for cotton applicable during the 1991/92 marketing year, the aid amount has been fixed conforming to the Commission's latest proposals to the Council; whereas this amount must be provisionally applied and confirmed or altered when the 1991/92 marketing year prices are known;

Whereas the abatement of the subsidy which arises, where appropriate, from the system of maximum guaranteed quantities for the 1991/92 marketing year, has not, to date, been fixed; whereas the amount of the subsidy for the 1991/92 marketing year has been provisionally calculated on the basis of an abatement of ECU 14,379 per 100 kilograms;

Whereas the world market price for unginned cotton is determined periodically on the basis of the world market prices recorded for ginned cotton and cotton seed, taking into account the estimated yield of the Community harvest in cotton seed and in ginned cotton and also the net cost of ginning;

Whereas the world market price for ginned cotton and cotton seed is determined in accordance with Article 4 of Regulation (EEC) No 2169/81;

Whereas, if the world market price for unginned cotton cannot be determined as described above, this price shall be established on the basis of the most recent price determined;

Whereas the world market price for unginned cotton is equal to the sum of the values for ginned cotton and cotton seed defined in Article 1 of Commission Regulation (EEC) No 1201/89 of 3 May 1989 laying down rules implementing the system of aid for cotton ⁽⁴⁾, as last amended by Regulation (EEC) No 2432/90 ⁽⁵⁾, minus the cost of ginning;

Whereas the above values are established on the basis of the prices determined in accordance with Articles 2 and 3 of Commission Regulation (EEC) No 1201/89; whereas the world market price is determined on the basis of the most favourable offers and quotations recorded, excluding offers and quotations which cannot be regarded as representative of the real market trend;

Whereas the necessary adjustments must be made in cases where the offers and quotations recorded do not satisfy the requirements indicated above;

Whereas, pursuant to Article 4 (4) of Regulation (EEC) No 2169/81, if there are no suitable offers or quotations for determining the world market price for cotton seed, that price shall be established on the basis of the most favourable offers and quotations for cotton seed recorded on the Community market or, if those offers and quotations cannot be established on the basis of the value of the products obtained from processing the seed in the Community, less the processing cost; whereas this value is determined in accordance with Article 4 of Regulation (EEC) No 1201/89;

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

— in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽⁶⁾, as last amended by Regulation (EEC) No 2205/90 ⁽⁷⁾,

⁽¹⁾ OJ No L 377, 31. 12. 1987, p. 49.

⁽²⁾ OJ No L 211, 31. 7. 1981, p. 2.

⁽³⁾ OJ No L 85, 30. 3. 1989, p. 7.

⁽⁴⁾ OJ No L 123, 4. 5. 1989, p. 23.

⁽⁵⁾ OJ No L 228, 22. 8. 1990, p. 23.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 201, 31. 7. 1990, p. 9.

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

Whereas the aid must be fixed once a month, and in such a way that it can be applied from the first day of the month following the date of fixing; whereas it may be altered between fixings;

Whereas it follows from applying these provisions to the offers and quotations known to the Commission that the aid for cotton should be as set out in this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

1. The aid for unginned cotton provided for in Article 5 of Regulation (EEC) No 2169/81 shall be 51,436 ECU per 100 kilograms.
2. However, the amount of the aid will be confirmed or replaced with effect from 1 May 1991 to take account of the guide price of cotton adopted in respect of the 1991/92 marketing year and which appear to have been offered in the largest quantities.

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, 30 April 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 1101/91

of 30 April 1991

fixing the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

Having regard to the opinion of the Monetary Committee,

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

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

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

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States and of the overseas countries and territories, the levy relating to them in respect of certain products processed from cereals must be reduced by the amount of the fixed component and, in respect of some of these products, by part of the variable component; whereas this reduction must be made in accordance with Article 14 of Council Regulation (EEC) No 715/90 of 5 March 1990 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the ACP States or in the overseas countries and territories (OCT)⁽¹⁰⁾, as last amended by Regulation (EEC) No 523/91⁽¹¹⁾;

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

(1) OJ No L 281, 1. 11. 1975, p. 1.
(2) OJ No L 353, 17. 12. 1990, p. 23.
(3) OJ No L 166, 25. 6. 1976, p. 1.
(4) OJ No L 177, 24. 6. 1989, p. 1.
(5) OJ No L 281, 1. 11. 1975, p. 65.
(6) OJ No L 182, 3. 7. 1987, p. 49.

(7) OJ No L 168, 25. 6. 1974, p. 7.
(8) OJ No L 202, 26. 7. 1978, p. 8.
(9) OJ No L 366, 29. 12. 1990, p. 1.
(10) OJ No L 84, 30. 3. 1990, p. 85.
(11) OJ No L 58, 5. 3. 1991, p. 1.
(12) OJ No L 370, 31. 12. 1990.

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 May 1991.

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

Done at Brussels, 30 April 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 43, 13. 2. 1987, p. 9.

⁽²⁾ OJ No L 367, 29. 12. 1990, p. 8.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 20.

⁽⁴⁾ OJ No L 28, 1. 2. 1988, p. 1.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 9.

ANNEX

to the Commission Regulation of 30 April 1991 fixing the import levies on products processed from cereals and rice

(ECU/tonne)

CN code	Import levies	
	ACP or OCT	Third countries (other than ACP or OCT) (*)
0714 10 10 (*)	148,32	154,97
0714 10 91	151,95 (*) (*)	151,95
0714 10 99	150,14	154,97
0714 90 11	151,95 (*) (*)	151,95
0714 90 19	150,14 (*)	154,97
1102 20 10	245,05	251,09
1102 20 90	138,86	141,88
1102 30 00	161,79	164,81
1102 90 10	273,51	279,55
1102 90 30	255,51	261,55
1102 90 90	145,13	148,15
1103 12 00	255,51	261,55
1103 13 11	245,05	251,09
1103 13 19	245,05	251,09
1103 13 90	138,86	141,88
1103 14 00	161,79	164,81
1103 19 10	280,53	286,57
1103 19 30	273,51	279,55
1103 19 90	145,13	148,15
1103 21 00	313,92	319,96
1103 29 10	280,53	286,57
1103 29 20	273,51	279,55
1103 29 30	255,51	261,55
1103 29 40	245,05	251,09
1103 29 50	161,79	164,81
1103 29 90	145,13	148,15
1104 11 10	154,99	158,01
1104 11 90	303,90	309,94
1104 12 10	144,79	147,81
1104 12 90	283,90	289,94
1104 19 10	313,92	319,96
1104 19 30	280,53	286,57
1104 19 50	245,05	251,09
1104 19 91	274,73	280,77
1104 19 99	256,10	262,14
1104 21 10	243,12	246,14
1104 21 30	243,12	246,14
1104 21 50	379,88	385,92
1104 21 90	154,99	158,01
1104 22 10 10 (*)	144,79	147,81
1104 22 10 90 (*)	255,51	258,53
1104 22 30	255,51	258,53
1104 22 50	227,12	230,14
1104 22 90	144,79	147,81
1104 23 10	217,82	220,84
1104 23 30	217,82	220,84

(ECU/tonne)

CN code	Import levies	
	ACP or OCT	Third countries (other than ACP or OCT) ^(*)
1104 23 90	138,86	141,88
1104 29 11	231,95	234,97
1104 29 15	207,28	210,30
1104 29 19	227,65	230,67
1104 29 31	279,04	282,06
1104 29 35	249,36	252,38
1104 29 39	227,65	230,67
1104 29 91	177,89	180,91
1104 29 95	158,97	161,99
1104 29 99	145,13	148,15
1104 30 10	130,80	136,84
1104 30 90	102,11	108,15
1106 20 10	148,32 ⁽¹⁾	154,97
1106 20 91	215,56 ⁽¹⁾	239,74
1106 20 99	215,56 ⁽¹⁾	239,74
1107 10 11	310,43	321,31
1107 10 19	231,95	242,83
1107 10 91	270,47	281,35 ⁽²⁾
1107 10 99	202,09	212,97
1107 20 00	235,52	246,40 ⁽²⁾
1108 11 00	383,68	404,23
1108 12 00	219,19	239,74
1108 13 00	219,19	239,74 ⁽⁶⁾
1108 14 00	109,59	239,74
1108 19 10	232,00	262,83
1108 19 90	109,59 ⁽¹⁾	239,74
1109 00 00	697,60	878,94
1702 30 51	285,89	382,61
1702 30 59	219,19	285,68
1702 30 91	285,89	382,61
1702 30 99	219,19	285,68
1702 40 90	219,19	285,68
1702 90 50	219,19	285,68
1702 90 75	299,51	396,23
1702 90 79	208,29	274,78
2106 90 55	219,19	285,68
2302 10 10	64,75	70,75
2302 10 90	138,75	144,75
2302 20 10	64,75	70,75
2302 20 90	138,75	144,75
2302 30 10	64,75	70,75
2302 30 90	138,75	144,75
2302 40 10	64,75	70,75
2302 40 90	138,75	144,75
2303 10 11	272,28	453,62

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

COMMISSION REGULATION (EEC) No 1102/91

of 30 April 1991

fixing the import levies on compound feedingstuffs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to the opinion of the Monetary Committee,

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

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

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

must be reduced by the amount of the fixed component and, in respect of some of these products, by part of the variable component; whereas this reduction must be made in accordance with Article 14 of Council Regulation (EEC) No 715/90 of 5 March 1990 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories⁽⁶⁾, as last amended by Regulation (EEC) No 523/91⁽⁷⁾;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁸⁾, as last amended by Regulation (EEC) No 2205/90⁽⁹⁾,
- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 May 1991.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 60.

⁽⁴⁾ OJ No L 90, 2. 4. 1987, p. 2.

⁽⁵⁾ OJ No L 366, 29. 12. 1990, p. 1.

⁽⁶⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽⁷⁾ OJ No L 58, 5. 3. 1991, p. 1.

⁽⁸⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁹⁾ OJ No L 201, 31. 7. 1990, p. 9.

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

Done at Brussels, 30 April 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 30 April 1991 fixing the import levies on compound feedingstuffs

(ECU/tonne)

CN code	Levies	
	ACP and OCT	Third countries (other than ACP and OCT) ⁽¹⁾
2309 10 11	21,78	32,66
2309 10 13	645,64	656,52
2309 10 31	68,07	78,95
2309 10 33	691,93	702,81
2309 10 51	136,14	147,02
2309 10 53	760,00	770,88
2309 90 31	21,78	32,66
2309 90 33	645,64	656,52
2309 90 41	68,07	78,95
2309 90 43	691,93	702,81
2309 90 51	136,14	147,02
2309 90 53	760,00	770,88

⁽¹⁾ 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 1103/91**of 29 April 1991****amending Regulation (EEC) No 1207/90 as regards certain coefficients to be applied to the monetary compensatory amounts for milk products**

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

Having regard to Council Regulation (EEC) No 1677/85 of 11 June 1985 on monetary compensatory amounts in agriculture ⁽¹⁾, as last amended by Regulation (EEC) No 2205/90 ⁽²⁾, and in particular Article 12 thereof,

Whereas the monetary compensatory amounts introduced by Regulation (EEC) No 1677/85 were fixed by Commission Regulation (EEC) No 1207/90 of 11 May 1990 fixing the monetary compensatory amounts applicable in the agricultural sector and certain coefficients and rates required for their application ⁽³⁾, as last amended by Regulation (EEC) No 950/91 ⁽⁴⁾;

Whereas Commission Regulation (EEC) No 992/91 of 23 April 1991 amending Regulations (EEC) No 1105/68 and (EEC) No 1634/85 as regards the amount of aid granted for skimmed milk and skimmed-milk powder for use as feed ⁽⁵⁾ provides for a decrease, with effect from 5 October 1990, of the aid granted for skimmed-milk powder as laid down in Commission Regulation (EEC) No 1634/85 of 17 June 1985 fixing the amount of the aid for skimmed milk and skimmed-milk powder for use as feed ⁽⁶⁾; whereas the refunds for products falling within CN code 2309 should therefore be adjusted from the above date; whereas the coefficients applied to these products should be adapted accordingly;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1207/90 is hereby amended as follows:

1. In Part 1 of Annex I, the amount opposite CN code 2309 is replaced by that set out in Annex I hereto,
2. In Part 5 of Annex I, the amounts opposite CN codes 0402 10 19, 0402 21 17, 0403 90 11, 0403 90 13 and 2309 are replaced by those set out in Annex I hereto,
3. In the Appendix to Annex I (additional codes), Tables 04-3, 04-5 and 04-6 are replaced by the tables in Annex II 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, 29 April 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 6.

⁽²⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽³⁾ OJ No L 122, 14. 5. 1990, p. 1.

⁽⁴⁾ OJ No L 101, 22. 4. 1991, p. 1.

⁽⁵⁾ OJ No L 104, 24. 4. 1991, p. 17.

⁽⁶⁾ OJ No L 158, 18. 6. 1985, p. 7.

ANNEX I

PART 1

SECTOR CEREALS

Monetary compensatory amounts

CN code	Table	Additional code	Notes	Positive				Negative						
				Germany	Netherlands	Spain	Portugal	United Kingdom	Belgium/Luxembourg	Denmark	Italy	France	Greece	Ireland
				DM	Fl	Pta	Esc	£	Bfrs/Lfrs	Dkr	Lit	FF	Dr	£ Irl
— 1 000 kg —														
2309 10 11	23-2	7624				—		—					—	
	23-2	7625				115,41		—					396,7	
2309 10 13	23-8	7541	(?)			—		—					—	
	23-8	7542	(?)			1 345,98		4,645					9 385,5	
	23-8	7543	(?)			2 691,95		9,290					18 771,0	
	23-8	7544	(?)			—		—					—	
	23-8	7545	(?)			210,32		0,726					1 466,6	
	23-8	7546	(?)			420,64		1,452					2 933,2	
	23-8	7547	(?)			—		—					—	
	23-8	7548	(?)			2 231,40		7,700					15 559,6	
	23-8	7549	(?)			4 462,80		15,401					31 119,1	
	23-8	7550	(?)			115,41		—					396,7	
	23-8	7551	(?)			1 461,39		4,645					9 782,2	
	23-8	7552	(?)			2 807,36		9,290					19 167,7	
	23-8	7626	(?)			115,41		—					396,7	
	23-8	7627	(?)			325,73		0,726					1 863,3	
	23-8	7628	(?)			536,05		1,452					3 329,9	
	23-8	7629	(?)			115,41		—					396,7	
	23-8	7630	(?)			2 346,81		7,700					15 956,3	
	23-8	7631	(?)			4 578,21		15,401					31 515,8	
2309 10 31	23-3	7624				—		—					—	
	23-3	7691				365,46		—					1 256,2	
2309 10 33	23-9	7541	(?)			—		—					—	
	23-9	7542	(?)			1 345,98		4,645					9 385,5	
	23-9	7543	(?)			2 691,95		9,290					18 771,0	
	23-9	7544	(?)			—		—					—	
	23-9	7545	(?)			210,32		0,726					1 466,6	
	23-9	7546	(?)			420,64		1,452					2 933,2	
	23-9	7547	(?)			—		—					—	
	23-9	7548	(?)			2 231,40		7,700					15 559,6	
	23-9	7549	(?)			4 462,80		15,401					31 119,1	
	23-9	7645	(?)			365,46		—					1 256,2	
	23-9	7646	(?)			1 711,44		4,645					10 641,7	
	23-9	7647	(?)			3 057,41		9,290					20 027,2	
	23-9	7648	(?)			365,46		—					1 256,2	
	23-9	7649	(?)			575,78		0,726					2 722,8	
	23-9	7650	(?)			786,10		1,452					4 189,4	
	23-9	7651	(?)			365,46		—					1 256,2	
	23-9	7652	(?)			2 596,86		7,700					16 815,8	
	23-9	7653	(?)			4 828,26		15,401					32 375,3	
2309 10 51	23-4	7624				—		—					—	
	23-4	7692				721,30		—					2 479,4	
2309 10 53	23-10	7541	(?)			—		—					—	
	23-10	7542	(?)			1 345,98		4,645					9 385,5	
	23-10	7543	(?)			2 691,95		9,290					18 771,0	
	23-10	7544	(?)			—		—					—	

CN code	Table	Additional code	Notes	Positive				Negative						
				Germany	Netherlands	Spain	Portugal	United Kingdom	Belgium/Luxembourg	Denmark	Italy	France	Greece	Ireland
				DM	Fl	Pta	Esc	£	Bfrs/Lfrs	Dkr	Lit	FF	Dr	£ Irl
								— 1 000 kg —						
	23-10	7545	(²)			210,32		0,726					1 466,6	
	23-10	7546	(²)			420,64		1,452					2 933,2	
	23-10	7547	(²)			—		—					—	
	23-10	7548	(²)			2 231,40		7,700					15 559,6	
	23-10	7549	(²)			4 462,80		15,401					31 119,1	
	23-10	7654	(²)			721,30		—					2 479,4	
	23-10	7655	(²)			2 067,28		4,645					11 864,9	
	23-10	7656	(²)			3 413,25		9,290					21 250,4	
	23-10	7657	(²)			721,30		—					2 479,4	
	23-10	7658	(²)			931,62		0,726					3 946,0	
	23-10	7659	(²)			1 141,94		1,452					5 412,6	
	23-10	7660	(²)			721,30		—					2 479,4	
	23-10	7661	(²)			2 952,70		7,700					18 039,0	
	23-10	7662	(²)			5 184,10		15,401					33 598,5	
2309 90 31	23-5	7624				—		—					—	
	23-5	7693				115,41		—					396,7	
2309 90 33	23-11	7541	(²)			—		—					—	
	23-11	7542	(²)			1 345,98		4,645					9 385,5	
	23-11	7543	(²)			2 691,95		9,290					18 771,0	
	23-11	7544	(²)			—		—					—	
	23-11	7545	(²)			210,32		0,726					1 466,6	
	23-11	7546	(²)			420,64		1,452					2 933,2	
	23-11	7547	(²)			—		—					—	
	23-11	7548	(²)			2 231,40		7,700					15 559,6	
	23-11	7549	(²)			4 462,80		15,401					31 119,1	
	23-11	7663	(²)			115,41		—					396,7	
	23-11	7664	(²)			1 461,39		4,645					9 782,2	
	23-11	7665	(²)			2 807,36		9,290					19 167,7	
	23-11	7666	(²)			115,41		—					396,7	
	23-11	7667	(²)			325,73		0,726					1 863,3	
	23-11	7668	(²)			536,05		1,452					3 329,9	
	23-11	7669	(²)			115,41		—					396,7	
	23-11	7670	(²)			2 346,81		7,700					15 956,3	
	23-11	7671	(²)			4 578,21		15,401					31 515,8	
2309 90 41	23-6	7624				—		—					—	
	23-6	7694				365,46		—					1 256,2	
2309 90 43	23-12	7541	(²)			—		—					—	
	23-12	7542	(²)			1 345,98		4,645					9 385,5	
	23-12	7543	(²)			2 691,95		9,290					18 771,0	
	23-12	7544	(²)			—		—					—	
	23-12	7545	(²)			210,32		0,726					1 466,6	
	23-12	7546	(²)			420,64		1,452					2 933,2	
	23-12	7547	(²)			—		—					—	
	23-12	7548	(²)			2 231,40		7,700					15 559,6	
	23-12	7549	(²)			4 462,80		15,401					31 119,1	
	23-12	7672	(²)			365,46		—					1 256,2	
	23-12	7673	(²)			1 711,44		4,645					10 641,7	
	23-12	7674	(²)			3 057,41		9,290					20 027,2	
	23-12	7675	(²)			365,46		—					1 256,2	
	23-12	7676	(²)			575,78		0,726					2 722,8	
	23-12	7677	(²)			786,10		1,452					4 189,4	
	23-12	7678	(²)			365,46		—					1 256,2	
	23-12	7679	(²)			2 596,86		7,700					16 815,8	
	23-12	7680	(²)			4 828,26		15,401					32 375,3	

CN code	Table	Additional code	Notes	Positive				Negative						
				Germany	Nether-lands	Spain	Portugal	United Kingdom	Belgium/Luxem-bourg	Denmark	Italy	France	Greece	Ireland
				DM	Fl	Pta	Esc	, £	Bfrs/Lfrs	Dkr	Lit	FF	Dr	£ Iré
								— 1 000 kg —						
2309 90 51	23-7	7624				—		—					—	
	23-7	7695				721,30		—					2 479,4	
2309 90 53	23-13	7541	(²)			—		—					—	
	23-13	7542	(²)			1 345,98		4,645					9 385,5	
	23-13	7543	(²)			2 691,95		9,290					18 771,0	
	23-13	7544	(²)			—		—					—	
	23-13	7545	(²)			210,32		0,726					1 466,6	
	23-13	7546	(²)			420,64		1,452					2 933,2	
	23-13	7547	(²)			—		—					—	
	23-13	7548	(²)			2 231,40		7,700					15 559,6	
	23-13	7549	(²)			4 462,80		15,401					31 119,1	
	23-13	7681	(²)			721,30		—					2 479,4	
	23-13	7682	(²)			2 067,28		4,645					11 864,9	
	23-13	7683	(²)			3 413,25		9,290					21 250,4	
	23-13	7684	(²)			721,30		—					2 479,4	
	23-13	7685	(²)			931,62		0,726					3 946,0	
	23-13	7686	(²)			1 141,94		1,452					5 412,6	
	23-13	7687	(²)			721,30		—					2 479,4	
	23-13	7688	(²)			2 952,70		7,700					18 039,0	
	23-13	7689	(²)			5 184,10		15,401					33 598,5	

(²) When completing customs formalities, the party concerned shall state in the declaration provided for this purpose, in particular, the actual content by weight per tonne of finished product of:

- milk powder or granules (other than whey),
- whey powder or granules,
- added casein and/or caseinate.

PART 5

SECTOR MILK AND MILK PRODUCTS

Monetary compensatory amounts

CN code	Table	Additional code	Notes	Positive				Negative						
				Germany	Nether-lands	Spain	Portugal	United Kingdom	Belgium/Luxem-bourg	Denmark	Italy	France	Greece	Ireland
				DM	Fl	Pta	Esc	£	Bfrs/Lfrs	Dkr	Lit	FF	Dr	£ Irl
— 1 000 kg —														
0402 10 19	04-3	7059				—		2,399					4 846,8	
	04-3	7074				694,78		—					—	
	04-3	7079				1 362,32		3,850					7 779,8	
	04-3	7222				—		—					—	
0402 21 17	04-6	7098				—		2,399					4 846,8	
	04-6	7099				694,78		—					—	
	04-6	7114				a + c		a + c					a + c	
	04-6	7224				—		—					—	
0403 90 11	04-5	7093				—		2,399					4 846,8	
	04-5	7094				694,78		—					—	
	04-5	7097				1 362,32		3,850					7 779,8	
	04-5	7223				—		—					—	
0403 90 13	04-6	7098				—		2,399					4 846,8	
	04-6	7099				694,78		—					—	
	04-6	7114				a + c		a + c					a + c	
	04-6	7224				—		—					—	
2309 10 15	23-14	7553				134,60		0,464					938,6	
	23-14	7554				269,20		0,929					1 877,1	
	23-14	7555				403,79		1,393					2 815,7	
	23-14	7556				504,74		1,742					3 519,6	
	23-14	7557				565,31		1,951					3 941,9	
	23-14	7558				605,69		2,090					4 223,5	
	23-14	7559				21,03		0,073					146,7	
	23-14	7569				42,06		0,145					293,3	
	23-14	7573				63,10		0,218					440,0	
	23-14	7574				78,87		0,272					550,0	
	23-14	7577				88,34		0,305					616,0	
	23-14	7578				94,64		0,327					660,0	
	23-14	7579				223,14		0,770					1 556,0	
	23-14	7580				446,28		1,540					3 111,9	
	23-14	7581				669,42		2,310					4 667,9	
	23-14	7582				836,77		2,888					5 834,8	
	23-14	7583				937,19		3,234					6 535,0	
	23-14	7584				1 004,13		3,465					7 001,8	
	23-14	7885				—		—					—	
2309 10 19	23-14	7553				134,60		0,464					938,6	
	23-14	7554				269,20		0,929					1 877,1	
	23-14	7555				403,79		1,393					2 815,7	
	23-14	7556				504,74		1,742					3 519,6	
	23-14	7557				565,31		1,951					3 941,9	
	23-14	7558				605,69		2,090					4 223,5	
	23-14	7559				21,03		0,073					146,7	
	23-14	7569				42,06		0,145					293,3	

CN code	Table	Additional code	Notes	Positive				Negative						
				Germany	Nether-lands	Spain	Portugal	United Kingdom	Belgium/Luxem-bourg	Denmark	Italy	France	Greece	Ireland
				DM	Fl	Pta	Esc	£	Bfrs/Lfrs	Dkr	Lit	FF	Dr	£ Irl
								— 1 000 kg —						
2309 10 39	23-14	7573				63,10		0,218					440,0	
	23-14	7574				78,87		0,272					550,0	
	23-14	7577				88,34		0,305					616,0	
	23-14	7578				94,64		0,327					660,0	
	23-14	7579				223,14		0,770					1 556,0	
	23-14	7580				446,28		1,540					3 111,9	
	23-14	7581				669,42		2,310					4 667,9	
	23-14	7582				836,77		2,888					5 834,8	
	23-14	7583				937,19		3,234					6 535,0	
	23-14	7584				1 004,13		3,465					7 001,8	
	23-14	7885				—		—					—	
	23-14	7553				134,60		0,464					938,6	
	23-14	7554				269,20		0,929					1 877,1	
	23-14	7555				403,79		1,393					2 815,7	
	23-14	7556				504,74		1,742					3 519,6	
	23-14	7557				565,31		1,951					3 941,9	
	23-14	7558				605,69		2,090					4 223,5	
	23-14	7559				21,03		0,073					146,7	
	23-14	7569				42,06		0,145					293,3	
	23-14	7573				63,10		0,218					440,0	
2309 10 59	23-14	7574				78,87		0,272					550,0	
	23-14	7577				88,34		0,305					616,0	
	23-14	7578				94,64		0,327					660,0	
	23-14	7579				223,14		0,770					1 556,0	
	23-14	7580				446,28		1,540					3 111,9	
	23-14	7581				669,42		2,310					4 667,9	
	23-14	7582				836,77		2,888					5 834,8	
	23-14	7583				937,19		3,234					6 535,0	
	23-14	7584				1 004,13		3,465					7 001,8	
	23-14	7885				—		—					—	
	23-14	7553				134,60		0,464					938,6	
	23-14	7554				269,20		0,929					1 877,1	
	23-14	7555				403,79		1,393					2 815,7	
	23-14	7556				504,74		1,742					3 519,6	
	23-14	7557				565,31		1,951					3 941,9	
	23-14	7558				605,69		2,090					4 223,5	
	23-14	7559				21,03		0,073					146,7	
	23-14	7569				42,06		0,145					293,3	
	23-14	7573				63,10		0,218					440,0	
	23-14	7574				78,87		0,272					550,0	
2309 10 70	23-14	7577				88,34		0,305					616,0	
	23-14	7578				94,64		0,327					660,0	
	23-14	7579				223,14		0,770					1 556,0	
	23-14	7580				446,28		1,540					3 111,9	
	23-14	7581				669,42		2,310					4 667,9	
	23-14	7582				836,77		2,888					5 834,8	
	23-14	7583				937,19		3,234					6 535,0	
	23-14	7584				1 004,13		3,465					7 001,8	
	23-14	7885				—		—					—	
	23-14	7553				134,60		0,464					938,6	
	23-14	7554				269,20		0,929					1 877,1	
	23-14	7555				403,79		1,393					2 815,7	
	23-14	7556				504,74		1,742					3 519,6	

CN code	Table	Additional code	Notes	Positive				Negative						
				Germany	Nether-lands	Spain	Portugal	United Kingdom	Belgium/Luxem-bourg	Denmark	Italy	France	Greece	Ireland
				DM	Fl	Pta	Esc	£	Bfrs/Lfrs	Dkr	Lit	FF	Dr	£ Irl
2309 90 35	23-14	7557				565,31		1,951						3 941,9
	23-14	7558				605,69		2,090						4 223,5
	23-14	7559				21,03		0,073						146,7
	23-14	7569				42,06		0,145						293,3
	23-14	7573				63,10		0,218						440,0
	23-14	7574				78,87		0,272						550,0
	23-14	7577				88,34		0,305						616,0
	23-14	7578				94,64		0,327						660,0
	23-14	7579				223,14		0,770						1 556,0
	23-14	7580				446,28		1,540						3 111,9
	23-14	7581				669,42		2,310						4 667,9
	23-14	7582				836,77		2,888						5 834,8
	23-14	7583				937,19		3,234						6 535,0
	23-14	7584				1 004,13		3,465						7 001,8
	23-14	7885				—		—						—
	23-14	7553				134,60		0,464						938,6
	23-14	7554				269,20		0,929						1 877,1
	23-14	7555				403,79		1,393						2 815,7
	23-14	7556				504,74		1,742						3 519,6
	23-14	7557				565,31		1,951						3 941,9
	23-14	7558				605,69		2,090						4 223,5
	23-14	7559				21,03		0,073						146,7
	23-14	7569				42,06		0,145						293,3
	23-14	7573				63,10		0,218						440,0
23-14	7574				78,87		0,272						550,0	
23-14	7577				88,34		0,305						616,0	
23-14	7578				94,64		0,327						660,0	
23-14	7579				223,14		0,770						1 556,0	
23-14	7580				446,28		1,540						3 111,9	
23-14	7581				669,42		2,310						4 667,9	
23-14	7582				836,77		2,888						5 834,8	
23-14	7583				937,19		3,234						6 535,0	
23-14	7584				1 004,13		3,465						7 001,8	
23-14	7885				—		—						—	
2309 90 39	23-14	7553				134,60		0,464						938,6
	23-14	7554				269,20		0,929						1 877,1
	23-14	7555				403,79		1,393						2 815,7
	23-14	7556				504,74		1,742						3 519,6
	23-14	7557				565,31		1,951						3 941,9
	23-14	7558				605,69		2,090						4 223,5
	23-14	7559				21,03		0,073						146,7
	23-14	7569				42,06		0,145						293,3
	23-14	7573				63,10		0,218						440,0
	23-14	7574				78,87		0,272						550,0
	23-14	7577				88,34		0,305						616,0
	23-14	7578				94,64		0,327						660,0
	23-14	7579				223,14		0,770						1 556,0
	23-14	7580				446,28		1,540						3 111,9
	23-14	7581				669,42		2,310						4 667,9
	23-14	7582				836,77		2,888						5 834,8
	23-14	7583				937,19		3,234						6 535,0
	23-14	7584				1 004,13		3,465						7 001,8
	23-14	7885				—		—						—

CN code	Table	Additional code	Notes	Positive				Negative						
				Germany	Nether-lands	Spain	Portugal	United Kingdom	Belgium/Luxem-bourg	Denmark	Italy	France	Greece	Ireland
				DM	Fl	Pta	Esc	£	Bfrs/Lfrs	Dkr	Lit	FF	Dr	£ Irl
				— 1 000 kg —										
2309 90 49	23-14	7553				134,60		0,464					938,6	
	23-14	7554				269,20		0,929					1 877,1	
	23-14	7555				403,79		1,393					2 815,7	
	23-14	7556				504,74		1,742					3 519,6	
	23-14	7557				565,31		1,951					3 941,9	
	23-14	7558				605,69		2,090					4 223,5	
	23-14	7559				21,03		0,073					146,7	
	23-14	7569				42,06		0,145					293,3	
	23-14	7573				63,10		0,218					440,0	
	23-14	7574				78,87		0,272					550,0	
	23-14	7577				88,34		0,305					616,0	
	23-14	7578				94,64		0,327					660,0	
	23-14	7579				223,14		0,770					1 556,0	
	23-14	7580				446,28		1,540					3 111,9	
	23-14	7581				669,42		2,310					4 667,9	
	23-14	7582				836,77		2,888					5 834,8	
	23-14	7583				937,19		3,234					6 535,0	
	23-14	7584				1 004,13		3,465					7 001,8	
	23-14	7885				—		—					—	
2309 90 59	23-14	7553				134,60		0,464					938,6	
	23-14	7554				269,20		0,929					1 877,1	
	23-14	7555				403,79		1,393					2 815,7	
	23-14	7556				504,74		1,742					3 519,6	
	23-14	7557				565,31		1,951					3 941,9	
	23-14	7558				605,69		2,090					4 223,5	
	23-14	7559				21,03		0,073					146,7	
	23-14	7569				42,06		0,145					293,3	
	23-14	7573				63,10		0,218					440,0	
	23-14	7574				78,87		0,272					550,0	
	23-14	7577				88,34		0,305					616,0	
	23-14	7578				94,64		0,327					660,0	
	23-14	7579				223,14		0,770					1 556,0	
	23-14	7580				446,28		1,540					3 111,9	
	23-14	7581				669,42		2,310					4 667,9	
	23-14	7582				836,77		2,888					5 834,8	
	23-14	7583				937,19		3,234					6 535,0	
	23-14	7584				1 004,13		3,465					7 001,8	
	23-14	7885				—		—					—	
2309 90 70	23-14	7553				134,60		0,464					938,6	
	23-14	7554				269,20		0,929					1 877,1	
	23-14	7555				403,79		1,393					2 815,7	
	23-14	7556				504,74		1,742					3 519,6	
	23-14	7557				565,31		1,951					3 941,9	
	23-14	7558				605,69		2,090					4 223,5	
	23-14	7559				21,03		0,073					146,7	
	23-14	7569				42,06		0,145					293,3	

CN code	Table	Additional code	Notes	Positive				Negative						
				Germany	Nether-lands	Spain	Portugal	United Kingdom	Belgium/Luxem-bourg	Denmark	Italy	France	Greece	Ireland
				DM	Fl	Pta	Esc	£	Bfrs/Lfrs	Dkr	Lit	FF	Dr	£ Irl
				— 1 000 kg —										
	23-14	7573				63,10		0,218					440,0	
	23-14	7574				78,87		0,272					550,0	
	23-14	7577				88,34		0,305					616,0	
	23-14	7578				94,64		0,327					660,0	
	23-14	7579				223,14		0,770					1 556,0	
	23-14	7580				446,28		1,540					3 111,9	
	23-14	7581				669,42		2,310					4 667,9	
	23-14	7582				836,77		2,888					5 834,8	
	23-14	7583				937,19		3,234					6 535,0	
	23-14	7584				1 004,13		3,465					7 001,8	
	23-14	7885				—		—					—	

Annex

For certain milk products, falling within CN codes 0401, 0402, 0403 and 0404, the applicant, when completing customs formalities, shall state on the declaration provided for this purpose: the weight of fat, the weight of non-fatty lactic dry matter and the weight of added sucrose, contained in 100 kg of product, as well as whether or not whey and/or lactose and/or casein and/or caseinates have been added, and where this is the case, the actual content by weight of these products and the lactose content of the added whey.

ANNEX II

TABLE 04-3

CN code	Description	Additional code
0402 10 19	– Skimmed-milk powder consigned to a Member State from another Member State in accordance with Regulation (EEC) No 1624/76 : – – In the Member State of dispatch or destination other than Spain and/or Portugal (coefficient 0,623) ... – – In Spain (coefficient 0,510) – – In Portugal (coefficient 0,512) – Other, excluding added whey and/or lactose and/or casein and/or caseinates	 7059 7074 7222 7079

TABLE 04-5

CN code	Description	Additional code
0403 90 11	– Butter-milk powder consigned to a Member State from another Member State in accordance with Regulation (EEC) No 1624/76 : – – In the Member State of dispatch or destination other than Spain and/or Portugal (coefficient 0,623) ... – – In Spain (coefficient 0,510) – – In Portugal (coefficient 0,512) – Other, excluding added whey and/or lactose and/or casein and/or caseinates	 7093 7094 7223 7097

TABLE 04-6

CN code	Description	Additional code
0402 21 17 0403 90 13	– Milk or butter-milk powder of a fat content, by weight, exceeding 1,5 % but not exceeding 11 %, consigned to a Member State from another Member State in accordance with Regulation (EEC) No 1624/76 : – – In the Member State of dispatch or destination other than Spain and/or Portugal (coefficient 0,623) ... – – In Spain (coefficient 0,510) – – In Portugal (coefficient 0,512) – Other : – – The monetary compensatory amount applicable is the sum of : – – – The amount indicated for each % milk fat multiplied by the percentage milk fat content (see (a)) – – – The amount indicated for each % non-fatty lactic dry matter multiplied by the percentage of the non-fatty lactic dry matter content other than added whey and/or lactose and/or casein and/or caseinate (see (c)) - per 100 kg net weight of the product	 7098 7099 7224 7114

COMMISSION REGULATION (EEC) No 1104/91

of 30 April 1991

fixing the rates of the refunds applicable to certain products from the sugar sector exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

which use third-country products under inward processing arrangements;

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 market in sugar⁽¹⁾, as last amended by Regulation (EEC) No 464/91⁽²⁾, and in particular Article 19 (4) (a) and (7) thereof,

Whereas Article 19 (1) and (2) of Regulation (EEC) No 1785/81 provides that, for the products listed in Article 1 (1)(a), (c), (d), (f) and (g) of that Regulation, an export refund may be granted when these goods are exported in the form of goods listed in Annex I to that same Regulation; whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds for certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds⁽³⁾, as last amended by Regulation (EEC) No 3381/90⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex I to Regulation (EEC) No 1785/81;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 3035/80, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month; and whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products on the Community market and the prices ruling on the world market;
- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions;
- (c) the need to ensure equality of competition for the industries which use Community products and those

Whereas Article 4 (3) of Regulation (EEC) No 3035/80 provides that, when the rate of the refund is being fixed, account should be taken, where appropriate, of refunds, aids or other measures having equivalent effect, applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question, to the basic products listed in Annex A to that Regulation or to assimilated products;

Whereas Council Regulation (EEC) No 1010/86 of 26 March 1986 laying down general rules for production refunds on certain products of the chemical industry⁽⁵⁾, as last amended by Regulation (EEC) 464/91, provides for the granting of production refunds of white sugar, raw sugar, certain sucrose syrups falling within CN codes ex 1702 60 90 and ex 1702 90 90 having a certain purity, and unprocessed isoglucose falling within CN codes 1702 30 10, 1702 40 10, 1702 60 10 and 1702 90 30, which are used in the manufacture of the chemical products listed in the Annex thereto; whereas this production refunds' scheme has been established in particular to bring the conditions under which Community processors operate progressively into line with those of processors employing sugar at world market prices; whereas, therefore, in the absence of proof that the basic product has not benefited from the production refund, the amount of the export refund must be reduced by the amount of the production refund applicable to the basic product on the day of acceptance of the export declaration; whereas this system is the only one which discards the risk of fraud;

Whereas Council Regulation (EEC) No 565/80 of 4 March 1980 on the advance payment of export refunds in respect of agricultural products⁽⁶⁾, as amended by Regulation (EEC) No 2026/83⁽⁷⁾, and Commission Regulation (EEC) No 3665/87 of 27 November 1987 laying down common detailed rules for the application of the system of export refunds on agricultural products⁽⁸⁾, as last amended by Regulation (EEC) No 1615/90⁽⁹⁾, lay down rules on the advance payment of export refunds that must be adhered to when these are adjusted;

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 54, 28. 2. 1991, p. 22.

⁽³⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁴⁾ OJ No L 327, 27. 11. 1990, p. 4.

⁽⁵⁾ OJ No L 94, 9. 4. 1986, p. 9.

⁽⁶⁾ OJ No L 62, 7. 3. 1980, p. 5.

⁽⁷⁾ OJ No L 199, 22. 7. 1983, p. 12.

⁽⁸⁾ OJ No L 351, 14. 12. 1987, p. 1.

⁽⁹⁾ OJ No L 152, 16. 6. 1990, p. 33.

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Without prejudice to paragraphs 2 and 3, the rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EEC) No 3035/80 and listed in Article 1 (1) and (2) of Regulation (EEC) No 1785/81, exported in the form of goods listed in Annex I to Regulation (EEC) No 1785/81, are fixed as shown in the Annex hereto.

2. For the chemical products listed in the Annex to Regulation (EEC) No 1010/86, the refunds given in the Annex to this Regulation shall be applied on presentation, at the acceptance of the export declaration and the request for obtaining the export refund, of proof that the basic products used in the manufacture of the chemical products to be exported have not benefited from the production refund provided for in that Regulation, and that such refund will not be applied for.

The proof referred to in the first subparagraph is provided by the presentation by the exporter of a declaration from the processor of the basic product in question attesting that the latter product has not benefited from a production refund as provided for in Regulation (EEC) No 1010/86, and that no application for such refund will be made.

3. When the proof referred to in paragraph 2 is not provided, the export refund:

- (a) applicable on the date of export of the goods, when the rate is not fixed in advance; or
- (b) of which the rate is fixed in advance,

will be reduced by the amount of the production refund applicable under Regulation (EEC) No 1010/86 to the basic product in question on the day of acceptance of the export declaration for the goods, or on the day specified in Article 3 (2) of Commission Regulation (EEC) No 3665/87, if the goods have been placed under the export refund advance payment arrangements.

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, 30 April 1991.

For the Commission

Martin BANGEMANN

Vice-President

ANNEX

to the Commission Regulation of 30 April 1991 fixing the rates of the refunds applicable to certain products in the sugar sector exported in the form of goods not covered by Annex II to the Treaty

Rate of refund in ECU/100 kg:

White sugar :	37,58	
Raw sugar :	34,57	
Syrups of beet sugar or cane sugar, other than the syrups obtained by dissolving white or raw sugar in the solid state, containing, in the dry state, 85 % or more by weight of sucrose (including invert sugar expressed as sucrose) :	$37,58 \times \frac{S^{(1)}}{100}$	or
For syrups obtained by dissolving white or raw sugar in the solid state, whether or not the dissolving is followed by inversion :	the rate fixed above for 100 kg of white or raw sugar used for the dissolution	
Molasses :	—	
Isoglucose ⁽²⁾ :	37,58 ⁽³⁾	

(¹) 'S' represents in 100 kilograms of syrup

- the sucrose content (including invert sugar expressed as sucrose) of the syrup in question, where the latter is not less than 98 % pure,
- the extractable sugar content of the syrup in question, where the latter is not less than 85 %, but less than 98 % pure.

(²) Products obtained by isomerization of glucose, which have a content by weight in the dry state of at least 41 % fructose and of which the total content by weight in the dry state of polysaccharides and oligosaccharides, including the di- or trisaccharides content, does not exceed 8,5 %.

(³) Amount of refund per 100 kilograms of dry matter.

COMMISSION REGULATION (EEC) No 1105/91

of 30 April 1991

fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by Regulation (EEC) No 3641/90⁽²⁾, and in particular Article 17 (4) thereof,

Whereas Article 17 (1) of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 (a), (b), (c) and (e) of that Regulation and prices within the Community may be covered by an export refund; whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and criteria for fixing the amount of such refunds⁽³⁾, as last amended by Regulation (EEC) No 3381/90⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 3035/80, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

Whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products in question on the Community market and the prices ruling on the world markets;
- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions;
- (c) the need to ensure equality of competition for the industries which use Community products and those which use third-country products under inward-processing arrangements;

Whereas Article 4 (3) of Regulation (EEC) No 3035/80 provides that, when the rate of the refund is being fixed, account should be taken, where necessary, of production refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question to the basic products listed in Annex A to that Regulation or to assimilated products;

Whereas Article 11 (1) of Regulation (EEC) No 804/68 provides for the payment of aid for Community-produced skimmed milk processed into casein if such milk and the casein manufactured from it fulfil certain conditions set out in Article 1 of Council Regulation (EEC) No 987/68 of 15 July 1968 laying down general rules for granting aid for skimmed milk processed into casein or caseinates⁽⁵⁾, as last amended by Regulation (EEC) No 1435/90⁽⁶⁾;

Whereas Commission Regulation (EEC) No 570/88 of 16 February 1988 on the sale of butter at reduced prices and the granting of aid for butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs⁽⁷⁾, as last amended by Regulation (EEC) No 1048/89⁽⁸⁾, lay down that butter at reduced prices should be made available to industries which manufacture certain goods;

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

1. The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EEC) No 3035/80 and listed in Article 1 of Regulation (EEC) No 804/68, exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68, are hereby fixed as shown in the Annex to this Regulation.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 362, 27. 12. 1990, p. 5.

⁽³⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁴⁾ OJ No L 327, 27. 11. 1990, p. 4.

⁽⁵⁾ OJ No L 169, 18. 7. 1968, p. 6.

⁽⁶⁾ OJ No L 138, 31. 5. 1990, p. 8.

⁽⁷⁾ OJ No L 55, 1. 3. 1988, p. 31.

⁽⁸⁾ OJ No L 111, 22. 4. 1989, p. 24.

2. No rates of refund are fixed for any of the products referred to in the preceding paragraph which are not listed in the Annex to this Regulation.

Article 2

Where Article 8 (2) of Regulation (EEC) No 3035/80 is applied to exports of one of the goods referred to in

Article 4 (1), (2) or (3) of Regulation (EEC) No 570/88, the rate of the refund on milk products shall be that applicable to the use of reduced price butter, unless the exporter provides proof that the product does not contain reduced-price butter.

Article 3

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, 30 April 1991.

For the Commission

Martin BANGEMANN

Vice-President

ANNEX

to the Commission Regulation of 30 April 1991 fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty

CN code	Description	(ECU/100 kg) Rate of refund
ex 0402 10 19	Powdered milk, obtained by the spray process, with a fat content of less than 1,5 % by weight and with a water content of less than 5 % by weight (PG 2): a) On exportation of goods of CN code 3501 b) On exportation of other goods	— 70,00
ex 0402 21 19	Powdered milk, obtained by the spray process, with a fat content of 26 % by weight and a water content of less than 5 % by weight (PG 3): a) Where goods containing reduced-price butter which have been manufactured in accordance with the conditions provided for in Regulation (EEC) No 570/88 are exported b) On exportation of other goods	55,41 115,00
ex 0405 00 10	Butter, with a fat content by weight of 82 % (PG 6): a) Where goods containing reduced-price butter which have been manufactured in accordance with the conditions provided for in Regulation (EEC) No 570/88 are exported b) On exportation of goods of CN code 2106 90 99 containing 40 % or more by weight of milk fat c) On exportation of other goods	11,40 176,00 170,00

COMMISSION REGULATION (EEC) No 1106/91

of 30 April 1991

fixing the rates of the refunds applicable to certain cereal and rice products
exported in the form of goods not covered by Annex II to the Treaty

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 first sentence of the
fourth subparagraph of Article 16 (2) thereof,

Having regard to Council Regulation (EEC) No 1418/76
of 21 June 1976 on the common organization of the
market in rice⁽³⁾, as last amended by Regulation (EEC)
No 1806/89⁽⁴⁾, and in particular the first sentence of the
fourth subparagraph of Article 17 (2) thereof,

Whereas Article 16 (1) of Regulation (EEC) No 2727/75
and Article 17 (1) of Regulation (EEC) No 1418/76
provides that the difference between quotations of prices
on the world market for the products listed in Article 1 of
each of those Regulations and the prices within the
Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 3035/80 of 11
November 1980 laying down general rules for granting
export refunds on certain agricultural products exported
in the form of goods not covered by Annex II to the
Treaty, and the criteria for fixing the amount of such
refunds⁽⁵⁾, as last amended by Regulation (EEC) No
3381/90⁽⁶⁾, specifies the products for which a rate of
refund should be fixed, to be applied where these
products are exported in the form of goods listed in
Annex B to Regulation (EEC) No 2727/75 or in Annex B
to Regulation (EEC) No 1418/76 as appropriate;

Whereas, in accordance with the first subparagraph of
Article 4 (1) of Regulation (EEC) No 3035/80, the rate of
the refund per 100 kilograms for each of the basic
products in question must be fixed for each month;

Whereas, in accordance with paragraph 2 of that Article,
that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in
obtaining supplies of the basic products in question
on the Community market and the prices ruling on
the world markets;
- (b) the level of the refunds on exports of processed agri-
cultural products covered by Annex II to the Treaty
which are manufactured under similar conditions;
- (c) the need to ensure equality of competition for the
industries which use Community products and those
which use third-country products under inward
processing arrangements;

Whereas in the absence of evidence that no production
refund was granted pursuant to Council Regulation (EEC)
No 1009/86 of 25 March 1986 establishing general rules
applying to production refunds in the cereals and rice
sector⁽⁷⁾, as last amended by Regulation (EEC) No
3655/90⁽⁸⁾, the export refund should be reduced by the
amount of the production refund applicable on the day of
acceptance of the export declaration; whereas this system
is the only one which avoids the risk of fraud;

Whereas Council Regulation (EEC) No 565/80 of 4
March 1980 on the advance payment of export refunds in
respect of agricultural products⁽⁹⁾, as amended by Regula-
tion (EEC) No 2026/83⁽¹⁰⁾, and Commission Regulation
(EEC) No 3665/87 of 27 November 1987 laying down
common detailed rules for the application of the system
of export refunds on agricultural products⁽¹¹⁾, as last
amended by Regulation (EEC) No 1615/90⁽¹²⁾, lay down
rules on the advance payment of export refunds that must
be adhered to when these are adjusted;

Whereas, now that a settlement has been reached between
the European Economic Community and the United
States of America on Community exports of pasta
products to the United States and has been approved by
Council Decision 87/482/EEC⁽¹³⁾, it is necessary to differ-
entiate the refund on goods falling within CN codes
1902 11 00 and 1902 19 according to their destination;

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽⁵⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁶⁾ OJ No L 327, 27. 11. 1990, p. 4.

⁽⁷⁾ OJ No L 94, 9. 4. 1986, p. 6.

⁽⁸⁾ OJ No L 362, 27. 12. 1990, p. 33.

⁽⁹⁾ OJ No L 62, 7. 3. 1980, p. 5.

⁽¹⁰⁾ OJ No L 199, 22. 7. 1983, p. 12.

⁽¹¹⁾ OJ No L 351, 14. 12. 1987, p. 1.

⁽¹²⁾ OJ No L 152, 16. 6. 1990, p. 33.

⁽¹³⁾ OJ No L 275, 29. 9. 1987, p. 36.

Whereas, in order to ensure equitable treatment between maize products exported in the form of pellets, rolled or flaked grains falling within CN code 1904 10 and other maize products, it is necessary to differentiate the refunds on those goods,

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

HAS ADOPTED THIS REGULATION :

Article 1

1. Without prejudice to paragraphs 2 and 3 the rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EEC) No 3035/80 and listed either in Article 1 of Regulation (EEC) No 2727/75 or in Article 1 (1) of Regulation (EEC) No 1418/76, exported in the form of goods listed in Annex B to Regulation (EEC) No 2727/75 or in Annex B to Regulation (EEC) No 1418/76 respectively, are hereby fixed as shown in the Annex to this Regulation.

2. For the products listed in the Annex to Regulation (EEC) No 1009/86, the refunds given in the Annex to this Regulation shall be applied on presentation, at the acceptance of the export declaration and the request for obtaining the export refund, of proof that the basic products used in the manufacture of the products to be exported

have not benefited from the production refund provided for in that Regulation, and that such refund will not be applied for.

The proof referred to in the first subparagraph is provided by the presentation by the exporter of a declaration from the processor of the basic product in question attesting that the latter product has not benefited from a production refund as provided for in Regulation (EEC) No 1009/86, and that no application for such refund will be made.

3. When the proof referred to in paragraph 2 is not provided, the export refund :

(a) applicable on the date of acceptance of the export declaration for the goods, or on the day specified in Article 26 (2) of Regulation (EEC) No 3665/87, where the rate is not fixed in advance ;

(b) of which the rate is fixed in advance,

will be reduced by the amount of the production refund applicable pursuant to Regulation (EEC) No 1009/86 to the basic product in question on the day of acceptance of the export declaration for the goods, or on the day specified in Article 26 (2) of Regulation (EEC) No 3665/87, if the goods have been placed under the export refund advance payment arrangements.

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, 30 April 1991.

For the Commission

Martin BANGEMANN

Vice-President

ANNEX

to the Commission Regulation of 30 April 1991 fixing the rates of the refunds applicable to certain cereal and rice products exported in the form of goods not covered by Annex II to the Treaty

CN code	Description	(ECU/100 kg) Rate of refund
1001 10 90	Durum wheat : — On exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America — In all other cases	7,972 13,286
1001 90 99	Common wheat, and meslin (mixed wheat and rye): — On exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America — In all other cases	6,834 11,390
1002 00 00	Rye	9,828
1003 00 90	Barley	10,027
1004 00 90	Oats	8,775
1005 90 00	Maize, other than hybrid maize for sowing): — Maize in pellets, rolled or flake grains with a fat content exceeding 1,5 % in the form of goods falling within CN code 1904 10 — In all other cases	7,258 12,808
1006 20	Round grain husked rice	20,976
	Medium grain husked rice	17,147
	Long grain husked rice	17,147
ex 1006 30	Round grain wholly milled rice	27,144
	Medium grain wholly milled rice	31,525
	Long grain wholly milled rice	31,525
1006 40 00	Broken rice	14,248
1007 00 90	Sorghum	6,082
1101 00 00	Wheat or meslin flour : — On exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America — In all other cases	8,141 13,568
1102 10 00	Rye flour	19,916
1103 11 10	Durum wheat groats and meal : — On exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America — In all other cases	12,356 20,593
1103 11 90	Common wheat groats and meal : — On exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America — In all other cases	8,141 13,568

COMMISSION REGULATION (EEC) No 1107/91
of 30 April 1991
amending the Annex to Regulation (EEC) No 3596/90 laying down quality
standards for peaches and nectarines

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 3920/90⁽²⁾, and in particular the second subparagraph of Article 2 (2) thereof,

Whereas the Annex to Commission Regulation (EEC) No 3596/90⁽³⁾ sets out quality standards for peaches and nectarines;

Whereas several errors appear in the published version of this quality standard;

Whereas the Annex should be corrected accordingly;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 3596/90 is replaced by the Annex to this Regulation.

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, 30 April 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 375, 31. 12. 1990, p. 17.

⁽³⁾ OJ No L 350, 14. 12. 1990, p. 38.

ANNEX

QUALITY STANDARD FOR PEACHES AND NECTARINES

I. DEFINITION OF PRODUCE

This standard applies to peaches and nectarines ⁽¹⁾ grown from varieties (cultivars) or *Prunus persica* Sieb. and Zucc., to be supplied fresh to the consumer, peaches and nectarines for industrial processing being excluded.

II. PROVISIONS CONCERNING QUALITY

The purpose of the standard is to define the quality requirements for peaches and nectarines after preparation and packaging.

A. Minimum requirements

In all classes, subject to the special provisions for each class and the tolerances allowed, the peaches and nectarines must be :

- intact,
- sound ; produce affected by rotting or deterioration such as to make it unfit for consumption is excluded,
- clean, practically free of any visible foreign matter,
- practically free from pests,
- practically free from damage caused by pests,
- free of abnormal external moisture,
- free of any foreign smell and/or taste.

The peaches and nectarines must have been carefully picked. The development and the state of ripeness of the peaches and the nectarines must be such as to enable them :

- to withstand transport and handling, and
- to arrive in satisfactory condition at the place of destination.

B. Classification

The peaches and the nectarines are classified into three classes defined below :

(i) 'Extra' class

The peaches and the nectarines in this class must be of a superior quality. In shape, development and colouring they must be typical of the variety allowing for the district in which they are grown. They must be free from defects with the exception of very slight superficial defects, provided that these do not affect the general appearance of the produce, the quality, the keeping quality and presentation in the package.

(ii) Class I

The peaches and the nectarines in this class must be of good quality. They must have the characteristics typical of the variety, allowing for the district in which the fruit is grown. However, a slight defect in shape, development or colouring may be allowed.

The flesh must be perfectly sound.

Peaches and nectarines spilt where the stem is joined to the fruit are excluded.

Slight skin defects however may be allowed provided that these do not affect the general appearance of the produce, the quality, the keeping quality and the presentation in the package and do not exceed :

- 1 cm in length for defects of elongated shape,
- 0,5 cm² of the total area for other defects.

⁽¹⁾ This text applies to all varieties grown from *Prunus persica* Sieb. and Zucc., being peaches or nectarines or similar with attached or unattached stone and smooth or rough skin.

(iii) *Class II*

This class includes peaches and nectarines which do not qualify for inclusion in the higher classes, but satisfy the minimum requirements specified above.

The flesh should not show any serious defects. Fruits spilt where the stem is jointed are allowed only in connection with the quality tolerances.

Skin defects may be allowed provided that the peaches and the nectarines retain their essential characteristics as regards the quality, the keeping quality and presentation and do not exceed :

- 2 cm in length for defects of elongated shape, and
- 1,5 cm² in total area for all other defects.

III. PROVISIONS CONCERNING SIZING

The size is determined by :

- circumference, or
- maximum diameter of the equatorial section.

The peaches and the nectarines must be graded according to the following scale :

Diameter	Size (code)	Circumference
90 mm and over	AAAA	28 cm and over
80 mm and over but under 90 mm	AAA	25 cm and over but under 28 cm
73 mm and over but under 80 mm	AA	23 cm and over but under 25 cm
67 mm and over but under 73 mm	A	21 cm and over but under 23 cm
61 mm and over but under 67 mm	B	19 cm and over but under 21 cm
56 mm and over but under 61 mm	C	17,5 cm and over but under 19 cm
51 mm and over but under 56 mm	D	16 cm and over but under 17,5 cm

The minimum size allowed for the 'Extra' class is 56 mm (diameter) and 17,5 cm (circumference).

Sizing is compulsory for all classes.

IV. PROVISIONS CONCERNING TOLERANCES

Tolerances in respect of quality and size shall be allowed in each package for produce not satisfying the requirements for the class indicated.

A. **Quality tolerances**(i) *'Extra' class*

5 % by number or weight of peaches or nectarines not satisfying the requirement for the class, but meeting the requirements for class I or, exceptionally, coming within the tolerances for that class.

(ii) *Class I*

10 % by number or weight of peaches or nectarines not satisfying the requirements for the class, but meeting the requirements for class II or, exceptionally, coming within the tolerances for that class.

(iii) *Class II*

10 % by number or weight of peaches or nectarines not satisfying the requirements for the class nor the minimum requirements, excluding, fruit affected by rotting, pronounced bruising or any other deterioration rendering it unfit for consumption.

B. **Size tolerances**

For all classes, 10 % by number or weight of peaches or nectarines up to 3 mm larger or smaller in the case of sizing by diameter and up to 1 cm larger or smaller than the size stated on the package in the case of sizing by circumference.

However, for fruit in the smallest class, this tolerance shall apply only to peaches or nectarines of a size smaller by not more than 2 mm (diameter) or 6 mm (circumference) than the specified minimum size.

V. PROVISIONS CONCERNING PRESENTATION**A. Uniformity**

The contents of each package must be uniform and contain only peaches or nectarines of the same origin, variety, quality, degree of ripeness and size, and for 'Extra' class, the contents must also be uniform in colour.

The visible part of the contents of each package must be representative of the entire contents.

B. Packaging

The peaches and nectarines must be packed in such a way as to ensure that they are suitably protected.

The materials used inside the package must be new, clean and of a quality such as to avoid causing any external or internal damage to the produce. The use of materials and particularly of paper or stamps bearing trade specifications is allowed provided that the printing or labelling has been done with a non-toxic ink or glue. Packages must be free from all foreign matter.

C. presentation

The peaches and the nectarines may be presented in one of the following ways:

- *in small packages,*
- *in a single layer, in the case of 'Extra' class;* each individual fruit in this category must be separated from its neighbours,
- in classes I and II
 - in one or two layers, or
 - not more than four layers where the fruit is placed in rigid pockets so arranged that they do not rest on the fruit in the layer immediately below.

VI. PROVISIONS CONCERNING MARKING

Each package must bear the following particulars in letters grouped on the same side, legibly and indelibly marked and visible from the outside:

A. Identification

Packer and/or Despatcher	}	Name and address or officially issued or accepted code mark.
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B. Nature of produce

- name of the product, if the contents of the package are not visible from the outside,
- name of the variety for classes 'Extra' and I.

C. Origin of produce

- country of origin and, optionally, district where grown, or national, regional or local place name.

D. Commercial specifications

- class,
- size expressed as minimum and maximum diameter or minimum and maximum circumference or according to the coding set out in Section III 'Sizing',
- Number of units (optional).

E. Official control mark (optional).

COMMISSION REGULATION (EEC) No 1108/91
of 30 April 1991
laying down quality standards for apricots

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION :

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 3920/90⁽²⁾, and in particular Article 2 (3) thereof,

Whereas Annex II/7 to Council Regulation No 23⁽³⁾, as last amended by Regulation (EEC) No 3596/90⁽⁴⁾, lays down common quality standards for apricots ;

Whereas there have been developments in the production and marketing of these products, particularly as regards the requirements of the wholesale and consumer markets ; whereas the quality standards must accordingly be amended to take account of these new requirements ;

Whereas these standards apply at all marketing stages ; whereas long-distance transport, storage over a certain period and the various processes which the products undergo may cause certain alterations owing to the biological development of the products or to their relatively perishable nature ; whereas such alterations should be taken into account when applying the standards to the marketing stages which follow the despatch stage ; whereas products of the 'Extra' class are particularly carefully sorted and packed and therefore the only factor that should be taken into account is a deterioration in their freshness and turgidity ;

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

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

Done at Brussels, 30 April 1991.

Article 1

The quality standards relating to apricots covered by CN code 0809 10 00 shall be as indicated in the Annex hereto.

Those standards shall apply at all stages of marketing, under the conditions laid down in Regulation (EEC) No 1035/72.

However, in the stages following that of despatch, the products may, by comparison with the requirements of the standards :

- show a slight reduction in freshness and turgidity,
- for products in classes other than 'Extra', exhibit slight alterations owing to their development and their relatively perishable nature.

Article 2

Regulation No 23 is hereby amended as follows :

1. The word 'apricots' in Article 2 is hereby deleted.
2. Annex II/7 is hereby deleted.

Article 3

This Regulation shall enter into force on 1 May 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 375, 31. 12. 1990, p. 17.

⁽³⁾ OJ No 30, 20. 4. 1962, p. 965/62.

⁽⁴⁾ OJ No L 350, 14. 12. 1990, p. 38.

ANNEX

QUALITY STANDARD FOR APRICOTS

I. DEFINITION OF PRODUCE

This standard applies to apricots of varieties (cultivars) of *Prunus armenaca* L to be supplied fresh to the consumer, apricots for industrial processing being excluded.

II. PROVISIONS CONCERNING QUALITY

The purpose of the standard is to define the quality requirements for apricots after preparation and packaging.

A. Minimum requirements :

In all classes, subject to the special provisions for each class and the tolerances allowed, the apricots must be :

- intact,
- sound ; produce affected by rotting or deterioration such as to make it unfit for consumption is excluded,
- clean, practically free of any visible foreign matter,
- practically free from pests,
- practically free from damage caused by pests,
- free of abnormal external moisture,
- free of foreign smell and/or taste.

The apricots must have been carefully picked. They must be suitably developed and their state of ripeness must be such as to enable them :

- to withstand transport and handling, and
- to arrive in satisfactory condition at the place of destination.

B. Classification :

The apricots are classified into three classes defined below :

(i) 'Extra' Class :

The apricots in this class must be of superior quality. In shape, development and colouring they must be typical of the variety allowing for the district in which they are grown. They must be free from defects with the exception of very slight superficial defects, provided that these do not affect the general appearance of the produce, the quality, the keeping quality and presentation in the package.

(ii) Class I :

The apricots in this class must be of good quality. They must have the characteristics typical of the variety, allowing for the district in which the fruit is grown. The flesh must be perfectly sound. The following defects, however, may be allowed provided that these do not affect the general appearance of the produce, the quality, the keeping quality, and presentation in the package :

- a slight defect in shape or development,
- a slight defect in colouring,
- slight rubbing,
- slight burning,
- slight skin defects, with a limit of 1 cm in length for defects of elongated shape, and 0,5 cm² of the total area for other defects.

(iii) Class II :

This class includes apricots which do not qualify for inclusion in the higher classes, but satisfy the minimum requirements specified above.

Skin defects may be allowed provided that the fruit retain their essential characteristics as regards the quality, the keeping quality and presentation, within a limit of 2 cm in length for defects of elongated shape and 1 cm² for other defects.

III. PROVISIONS CONCERNING SIZING

The size is determined by the maximum diameter of the equatorial section. Sizing is compulsory for Classes 'Extra' and 'I'.

The minimum size and the maximum permissible deviation for fruit of the same size is the following for each class :

Class	Minimum diameter (mm)	Maximum permissible deviation for fruit in the same package (mm)
Extra	35	5
I and II (sized)	30	10
II (not sized)	30	—

IV. PROVISIONS CONCERNING TOLERANCES

Tolerances in respect of quality and size shall be allowed in each package for produce not satisfying the requirements of the class indicated.

A. Quality tolerances :

(i) 'Extra' Class :

5 % by number or weight of apricots not satisfying the requirements for the class, but meeting the requirements for Class I or, exceptionally, coming within the tolerances for that class.

(ii) Class I :

10 % by number or weight of apricots not satisfying the requirements for the class, but meeting the requirements for Class II, or, exceptionally, coming within the tolerances for that class.

(iii) Class II :

10 % by number or weight of apricots not satisfying the requirements for the class nor the minimum requirements, excluding however, fruit affected by rotting, pronounced bruising or any other deterioration rendering it unfit for consumption.

B. Size tolerances :

For all classes, 10 % by number or weight of apricots deviating from the minimum size or the size stated on the package, the deviation not exceeding 3 mm.

V. PROVISIONS CONCERNING PRESENTATION

A. Uniformity :

The contents of each package must be uniform, comprising only apricots of the same origin, variety, quality and size (where sizing is compulsory) and, for the 'Extra' Class, uniform in colour.

The visible part of the contents of each package must be representative of the entire contents.

B. Packaging :

The apricots must be packed in such a way as to ensure that they are suitably protected.

The materials used inside the package must be new, clean and of a quality such as to avoid causing any external or internal damage to the produce. The use of materials, particularly of paper or stamps, bearing trade specifications is allowed provided that the printing or labelling has been done with a non-toxic ink or glue.

Packages must be free from all foreign matter.

C. Presentation :

The apricots may be presented in one of the following ways :

1. in small packages,
2. arranged in one or more layers separated from each other,
3. in bulk in the package, except for the 'Extra' Class.

VI. PROVISIONS CONCERNING MARKING

Each package must bear the following particulars, in letters grouped on the same side, legibly and indelibly marked and visible from the outside :

A. Identification :

Packer and or Dispatcher	}	Name and address, or officially issued or accepted code mark
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B. Nature of produce :

- 'Apricots', if the contents of the package are not visible from the outside,
- name of the variety for Classes 'Extra' and 'I'.

C. Origin of produce :

Country of origin and, optionally, district where grown, or national, regional or local place name.

D. Commercial specifications :

- Class,
- when sized, size expressed in maximum and minimum diameter.

E. Official control mark (optional)

COMMISSION REGULATION (EEC) No 1109/91

of 30 April 1991

laying down special measures for the 1990/91 and 1991/92 marketing years for the grant of production aid for olive oil in Portugal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 257 (1) thereof,

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 5 thereof,Whereas Council Regulation (EEC) No 3836/90⁽³⁾, extends the transitional period laid down in Article 257 of the Act of Accession until 31 December 1992;Whereas, in the case of Portugal, in order to facilitate the setting-up and recognition of producer organizations in time for the 1990/91 marketing year, provision should be made for transitional measures under which organizations which do not yet have the structure provided for in Article 4 of Council Regulation (EEC) No 2261/84⁽⁴⁾, as last amended by Regulation (EEC) No 3500/90⁽⁵⁾, can obtain provisional recognition;

Whereas, in order gradually to adapt olive oil producer organizations in Portugal to the Community system, the minimum number of members of organizations should be laid down for the 1991/92 marketing years;

Whereas the recognition of producer organizations must take effect from the beginning of the 1990/91 marketing year; whereas provision should therefore be made for this Regulation to apply from 1 December 1990;

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

HAS ADOPTED THIS REGULATION:

Article 1

In Portugal, for the 1990/91 marketing year, notwithstanding Article 4 (1) (a) and (b) of Regulation (EEC) No 2261/84, producer organizations may not be recognized under that Regulation unless:

- (a) they consist, in the case of organizations producing and increasing the market value of olives and olive oil, of at least 100 olive growers; or
- (b) they consist, in other cases, of at least 400 olive growers; should one or more organizations producing and increasing the market value of olives and olive oil be members of the organization in question, the growers concerned shall be considered individually for the purposes of calculating the minimum number of growers required.

Article 2

For the 1991/92 marketing year, the number of olive growers referred to in Article 1 (a) and (b) shall be 200 and 700 respectively.

*Article 3*This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*.

It shall apply with effect from 1 December 1990.

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

Done at Brussels, 30 April 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.⁽³⁾ OJ No L 367, 29. 12. 1990, p. 1.⁽⁴⁾ OJ No L 208, 3. 8. 1984, p. 3.⁽⁵⁾ OJ No L 338, 5. 12. 1990, p. 3.

COMMISSION REGULATION (EEC) No 1110/91

of 30 April 1991

amending Regulation (EEC) No 3813/89 laying down detailed rules for the application of the system of transitional aids to agricultural income

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 768/89 of 21 March 1989 establishing a system of transitional aids to agricultural income⁽¹⁾, and in particular Articles 6 (3) (a) and 12 thereof,

Whereas Commission Regulation (EEC) No 3813/89⁽²⁾, as amended by Regulation (EEC) No 1279/90⁽³⁾, and in particular Article 8 thereof, defines the conditions under which aid may be capitalized;

Whereas experience shows that the conditions set for capitalization in Regulation (EEC) No 3813/89 are too restrictive in that they do not include some systems of aid which reflect at least certain basic features already accepted as warranting treatment as capitalized systems; whereas it would seem to run counter to the objectives of Regulation (EEC) No 768/89 to exclude such systems from benefit under the capitalization facilities provided for in Regulation (EEC) No 3813/89;

Whereas it is therefore necessary to amend certain provisions of Regulation (EEC) No 3813/89;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 8 (2) of Regulation (EEC) No 3813/89 is hereby replaced by the following text:

- ‘2. (a) Where capitalization facilities are provided for in a given PAIA all potential beneficiaries fulfilling the conditions set out in Article 1 (2) (a) and (b) of Regulation (EEC) No 768/89 may be offered a choice between capitalized or non-capitalized payments. Where no such choice is granted the Member State concerned shall indicate in the draft PAIA the non-capitalized basis upon which the capitalized payments are to be made.
- (b) A capitalized aid may also include one which is partially capitalized where the payments are spread over a number of years provided the pattern of payments over the years in question reflects costs per work unit greater than ECU 1 000 in the first year. The degressivity of such payments shall comply with Article 6.’

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, 30 April 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 84, 29. 3. 1989, p. 8.

⁽²⁾ OJ No L 371, 20. 12. 1989, p. 17.

⁽³⁾ OJ No L 126, 16. 5. 1990, p. 20.

COMMISSION REGULATION (EEC) No 1111/91

of 30 April 1991

fixing the refunds applicable to cereal and rice sector products supplied as
Community and national food aid

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 subparagraph of Article 16 (2) thereof,Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EEC) No 1806/89⁽⁴⁾, and in particular Article 11 (2) thereof,Whereas Article 2 of Council Regulation (EEC) No 2681/74 of 21 October 1974 on Community financing of expenditure incurred in respect of the supply of agricultural products as food aid⁽⁵⁾ lays down that the portion of the expenditure corresponding to the export refunds on the products in question fixed under Community rules is to be charged to the European Agricultural Guidance and Guarantee Fund, Guarantee Section ;

Whereas, in order to make it easier to draw up and manage the budget for Community food aid actions and to enable the Member States to know the extent of Community participation in the financing of national food aid actions, the level of the refunds granted for these actions should be determined ;

Whereas the general and implementing rules provided for in Article 16 of Regulation (EEC) No 2727/75 and in Article 17 of Regulation (EEC) No 1418/76 on export refunds are applicable *mutatis mutandis* to the above-mentioned operations ;Whereas Article 3 of Council Regulation (EEC) No 2746/75⁽⁶⁾ and Article 6 of Council Regulation (EEC) No 2744/75⁽⁷⁾, as last amended by Regulation (EEC) No 1906/87⁽⁸⁾, lay down specific criteria to be taken into account for calculating the refunds on cereals and on products processed from cereals ; whereas specific criteria applying in the case of wheat flours are set out in Article 4 of Regulation (EEC) No 2746/75 ;Whereas the specific criteria to be used for calculating the export refund on rice are set out in Article 3 of Council Regulation (EEC) No 1431/76⁽⁹⁾ ;

Whereas the refunds fixed by this Regulation are applicable without any variations, for all destinations ;

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

HAS ADOPTED THIS REGULATION :

Article 1

For Community and national food aid operations the refunds applicable for May 1991 to cereals and rice sector products shall be as set out in the Annex.

Article 2

The refunds fixed in this Regulation shall not be regarded as refunds varying according to destination.

Article 3

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, 30 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 166, 25. 6. 1976, p. 1.
⁽⁴⁾ OJ No L 177, 24. 6. 1989, p. 1.
⁽⁵⁾ OJ No L 288, 25. 10. 1974, p. 1.

⁽⁶⁾ OJ No L 281, 1. 11. 1975, p. 78.
⁽⁷⁾ OJ No L 281, 1. 11. 1975, p. 65.
⁽⁸⁾ OJ No L 182, 3. 7. 1987, p. 49.
⁽⁹⁾ OJ No L 166, 25. 6. 1976, p. 36.

ANNEX

to the Commission Regulation of 30 April 1991 fixing the refunds applicable to cereal and rice sector products supplied as Community and national food aid

(ECU/tonne)	
Product code	Refund
1001 10 90 000	150,00
1001 90 99 000	105,00
1002 00 00 000	105,00
1003 00 90 000	96,50
1004 00 90 000	—
1005 90 00 000	96,50
1006 20 92 000	204,39
1006 20 94 000	204,39
1006 30 42 000	—
1006 30 44 000	—
1006 30 92 100	255,49
1006 30 92 900	255,49
1006 30 94 100	255,49
1006 30 94 900	255,49
1006 30 96 100	255,49
1006 30 96 900	255,49
1006 40 00 000	—
1007 00 90 000	96,50
1101 00 00 100	144,00
1101 00 00 130	144,00
1102 20 10 100	175,53
1102 20 10 300	150,46
1102 30 00 000	—
1102 90 10 100	138,87
1103 11 10 500	228,00
1103 11 90 100	147,00
1103 13 19 100	225,68
1103 14 00 000	—
1104 12 90 100	171,80
1104 21 50 100	185,16

NB: The product codes and the footnotes are defined in amended Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1).

COMMISSION REGULATION (EEC) No 1112/91

of 30 April 1991

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,Having regard to the Act of Accession of Spain and
Portugal,Having regard to Council Regulation (EEC) No 3709/89
of 4 December 1989 laying down general rules for imple-
menting the Act of Accession of Spain and Portugal as
regards the compensatory mechanism for imports of fruit
and vegetables from Spain ⁽¹⁾, and in particular Article 4
(2) thereof,Whereas Article 152 of the Act of Accession introduces
from 1 January 1990 a compensatory mechanism for
imports into the Community as constituted on 31
December 1985, hereinafter called 'the Community of
Ten', of fruit and vegetables from Spain (except the
Canary Islands) for which a reference price is fixed with
regard to third countries;Whereas Regulation (EEC) No 3709/89 lays down general
rules for applying the said compensatory mechanism and
Commission Regulation (EEC) No 3815/89 ⁽²⁾ lays down
detailed rules for applying the said compensatory
mechanism;Whereas Commission Regulation (EEC) No 1020/91 ⁽³⁾,
introduces a corrective amount on imports of courgettes
into the Community of Ten from Spain (except the
Canary Islands);Whereas Article 3 (4) of Regulation (EEC) No 3709/89
lays down the conditions under which a corrective
amount introduced pursuant to Article 3 (1) of the said
Regulation, is to be adjusted; whereas the said conditions
require that the corrective amount on imports of cour-
gettes from Spain (except the Canary Islands) into the
Community of Ten be adjusted,

HAS ADOPTED THIS REGULATION:

*Article 1*In Article 1 of Regulation (EEC) No 1020/91 'ECU 18,34'
is replaced by 'ECU 4,69'.*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, 30 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 105, 25. 4. 1991, p. 46.

COMMISSION REGULATION (EEC) No 1113/91

of 30 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 1083/91 ⁽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 29 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 1 May 1991.

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

Done at Brussels, 30 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 108, 30. 4. 1991, p. 30.

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

(ECU/100 kg)

CN code	Levy
1701 11 10	40,51 ⁽¹⁾
1701 11 90	40,51 ⁽¹⁾
1701 12 10	40,51 ⁽¹⁾
1701 12 90	40,51 ⁽¹⁾
1701 91 00	43,93
1701 99 10	43,93
1701 99 90	43,93 ⁽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 1114/91

of 30 April 1991

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

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

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

Whereas the United Kingdom is the only country which
grants the variable slaughter premium, in region 5, within
the meaning of Article 22 (2) of Regulation (EEC) No
3013/89 whereas it is necessary therefore for the Commis-
sion to fix, for the week beginning 8 April 1991, the level
of the premium and the amount to be charged on
products leaving that region;

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

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

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

Whereas, pursuant to the provisions of Article 24 (2) and
(3) of Regulation (EEC) No 3013/89, for the week begin-
ning 8 April 1991, the variable slaughter premium for
sheep certified as eligible in the United Kingdom is to be
in accordance with the amounts fixed in the Annexes
hereto; whereas, for that week, in the light of the Judg-
ment of the Court of Justice of 9 February 1988 in Case
61/86, the provisions of Article 9 (5) of Regulation (EEC)
No 3013/89 and of Article 4 of Regulation (EEC) No
1633/84 lead to the amounts to be charged on products,
leaving region 1, being fixed in accordance with those
Annexes;

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

HAS ADOPTED THIS REGULATION:

Article 1

For sheep or sheepmeat certified as eligible in the United
Kingdom in region 1, within the meaning of Article 22
(2) of Regulation (EEC) No 3013/89, for the variable
slaughter premium during the week beginning 8 April
1991, the level of the premium is fixed at ECU 69,579 per
100 kilograms of estimated or actual dressed carcass
weight within the limits laid down by Article 1 (1) (b) of
Regulation (EEC) No 1633/84.

Article 2

For products referred to in Article 1 (a) and (c) of Regu-
lation (EEC) No 3013/89 which left the territory of region 1
during the week beginning 8 April 1991, the amounts to
be charged shall be equivalent to those fixed in the
Annexes hereto.

Article 3

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

It shall apply with effect from 8 April 1991.

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 154, 9. 6. 1984, p. 27.

⁽⁴⁾ OJ No L 114, 27. 4. 1989, p. 13.

⁽⁵⁾ OJ No L 351, 2. 12. 1989, p. 18.

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

Done at Brussels, 30 April 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 30 April 1991 fixing for Great Britain the level of the variable slaughter premium for sheep and the amounts to be charged on products leaving region 1

(ECU/100 kg)

CN code	Amounts	
	A. Products qualifying for the premium specified in Article 24 of Regulation (EEC) No 3013/89	B. Products specified in Article 4 (4) of Regulation (EEC) No 1633/84 ⁽¹⁾
	Live weight	Live weight
0104 10 90	32,702	0
0104 20 90		0
	Net weight	Net weight
0204 10 00	69,579	0
0204 21 00	69,579	0
0204 50 11		0
0204 22 10	48,705	
0204 22 30	76,537	
0204 22 50	90,453	
0204 22 90	90,453	
0204 23 00	126,634	
0204 30 00	52,184	
0204 41 00	52,184	
0204 42 10	36,529	
0204 42 30	57,402	
0204 42 50	67,839	
0204 42 90	67,839	
0204 43 00	94,975	
0204 50 13		0
0204 50 15		0
0204 50 19		0
0204 50 31		0
0204 50 39		0
0204 50 51		0
0204 50 53		0
0204 50 55		0
0204 50 59		0
0204 50 71		0
0204 50 79		0
0210 90 11	90,453	
0210 90 19	126,634	
1602 90 71 :		
— unboned (bone-in)	90,453	
— boned or boneless	126,634	

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

CORRIGENDA

Corrigendum to Commission Regulation (EEC) No 1062/91 of 26 April 1991 fixing the export refunds on rice and broken rice

(Official Journal of the European Communities No L 107 of 27 April 1991)

On page 27, in footnote 1, at point 07:

for: 'Zone IV b)',

read: 'Bulgaria and Romania'.
