

Official Journal

of the European Communities

ISSN 0378-6978

L 191

Volume 34

16 July 1991

English edition

Legislation

Contents

I *Acts whose publication is obligatory*

Commission Regulation (EEC) No 2065/91 of 15 July 1991 fixing the import levies on cereals and on wheat or rye flour, groats and meal	1
Commission Regulation (EEC) No 2066/91 of 15 July 1991 fixing the premiums to be added to the import levies on cereals, flour and malt	3
Commission Regulation (EEC) No 2067/91 of 15 July 1991 fixing the export refunds on beef and veal	5
Commission Regulation (EEC) No 2068/91 of 15 July 1991 on the supply of various consignments of cereals as food aid	12
* Commission Regulation (EEC) No 2069/91 of 11 July 1991 laying down detailed rules for the application of the temporary set-aside scheme for arable land for the 1991/92 marketing year	19
* Commission Regulation (EEC) No 2070/91 of 15 July 1991 amending Regulation (EEC) No 441/88 laying down detailed rules for applying compulsory distillation as referred to in Article 39 of Council Regulation (EEC) No 822/87	25
* Commission Regulation (EEC) No 2071/91 of 15 July 1991 altering, for the 1991/92, marketing year, the adjustment aid and additional aid to the sugar refining industry	27
Commission Regulation (EEC) No 2072/91 of 15 July 1991 amending Regulation (EEC) No 1576/91 and increasing to 40 000 tonnes the amount of barley held by the Greek intervention agency for which a standing invitation to tender for resale on the internal market has been opened	28
Commission Regulation (EEC) No 2073/91 of 15 July 1991 amending Regulation (EEC) No 2064/91 fixing the maximum buying-in price and the quantities of beef bought in for the 49th partial invitation to tender under Regulation (EEC) No 1627/89	29

Contents (continued)

Commission Regulation (EEC) No 2074/91 of 15 July 1991 altering the import levies on products processed from cereals and rice	30
Commission Regulation (EEC) No 2075/91 of 15 July 1991 fixing the import levies on white sugar and raw sugar	32
Commission Regulation (EEC) No 2076/91 of 15 July 1991 fixing the amount of aid for peas, field beans and sweet lupins	34

II *Acts whose publication is not obligatory*

Commission

91/348/EEC :

- * **Commission Decision of 17 June 1991 approving the programme for the eradication of contagious bovine pleuropneumonia presented by Italy and fixing the level of the Community's financial contribution** 41

91/349/EEC :

- * **Commission Decision of 17 June 1991 modifying the Decision 91/211/EEC concerning the establishment of the addendum to the Community support framework for the Community structural assistance for Portugal concerning the improvement of conditions for the processing and marketing of fishery and aquaculture products** 43

91/350/EEC :

- * **Commission Decision of 15 July 1991 altering the adjustment aid to the Portuguese refining industry for raw sugar imported from third countries at a reduced levy for the 1991/92 marketing year into Portugal** 44

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2065/91

of 15 July 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 1844/91⁽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 12 July 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 1844/91 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 16 July 1991.

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

Done at Brussels, 15 July 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 168, 29. 6. 1991, p. 1.

ANNEX

to the Commission Regulation of 15 July 1991 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)	
CN code	Levy
0709 90 60	127,59 ⁽²⁾ ⁽³⁾
0712 90 19	127,59 ⁽²⁾ ⁽³⁾
1001 10 10	160,22 ⁽¹⁾ ⁽³⁾
1001 10 90	160,22 ⁽¹⁾ ⁽³⁾
1001 90 91	151,37
1001 90 99	151,37
1002 00 00	133,14 ⁽⁶⁾
1003 00 10	136,86
1003 00 90	136,86
1004 00 10	111,26
1004 00 90	111,26
1005 10 90	127,59 ⁽²⁾ ⁽³⁾
1005 90 00	127,59 ⁽²⁾ ⁽³⁾
1007 00 90	135,81 ⁽⁴⁾
1008 10 00	27,40
1008 20 00	111,43 ⁽⁴⁾
1008 30 00	22,12 ⁽⁵⁾
1008 90 10	⁽⁷⁾
1008 90 90	22,12
1101 00 00	224,92 ⁽⁸⁾
1102 10 00	200,30 ⁽⁸⁾
1103 11 10	261,37 ⁽⁸⁾
1103 11 90	242,91 ⁽⁸⁾

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

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

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

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

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

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

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

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

COMMISSION REGULATION (EEC) No 2066/91

of 15 July 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 1845/91 ⁽⁵⁾ and subsequent amending 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 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 12 July 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 16 July 1991.

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

Done at Brussels, 15 July 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 168, 29. 6. 1991, p. 4.

ANNEX

to the Commission Regulation of 15 July 1991 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CN code	(ECU/tonne)			
	Current 7	1st period 8	2nd period 9	3rd period 10
0709 90 60	0	3,36	3,36	2,51
0712 90 19	0	3,36	3,36	2,51
1001 10 10	0	0	0	4,91
1001 10 90	0	0	0	4,91
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	3,36	3,36	2,51
1005 90 00	0	3,36	3,36	2,51
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	0

B. Malt

CN code	(ECU/tonne)				
	Current 7	1st period 8	2nd period 9	3rd period 10	4th period 11
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 2067/91

of 15 July 1991

fixing the export refunds on beef and veal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EEC) No 1628/91⁽²⁾, and in particular Article 18 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 18 of Regulation (EEC) No 805/68 provides that the difference between prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 885/68⁽³⁾, as last amended by Regulation (EEC) No 427/77⁽⁴⁾, lays down general rules for granting export refunds and criteria for fixing the amount of such refunds;

Whereas Regulation (EEC) No 32/82⁽⁵⁾, as last amended by Regulation (EEC) No 3169/87⁽⁶⁾, Regulation (EEC) No 1964/82⁽⁷⁾, as amended by Regulation (EEC) No 3169/87, and Regulation (EEC) No 2388/84⁽⁸⁾, as last amended by Regulation (EEC) No 3988/87⁽⁹⁾, lay down the conditions for granting special export refunds for certain cuts of beef and veal and certain preserved beef and veal products;

Whereas it follows from applying those rules and criteria to the foreseeable situation on the market in beef and veal that the refund should be as set out below;

Whereas given the current market situation in the Community and the possibilities of disposal in certain third countries, in particular export refunds on adult male bovine animals of a live weight of at least 300 kilograms

and other bovines of a live weight of at least 250 kilograms should be granted; whereas experience gained in recent years has shown that it is advisable to treat live pure-bred breeding animals of a weight of at least 250 kilograms for females and 300 kilograms for males in an identical manner to other bovine animals, while subjecting them to certain special administrative formalities;

Whereas export refunds should be granted for certain destinations on certain fresh or chilled meat listed in Annex I under CN code 0201, on certain frozen meat listed in Annex I under CN code 0202, on certain meat or offal listed in Annex I under CN code 0206 and on certain other prepared or preserved meat or offal listed in Annex I under CN code 1602 50 10;

Whereas, in view of the wide differences in products covered by the CN codes 0201 20 90 700 and 0202 20 90 100 used for refund purposes, the refund should only be granted on cuts in which the weight of bone does not exceed one third;

Whereas a minimum content of lean bovine meat should be fixed for boneless cuts wrapped individually and covered by CN codes 0201 30 and 0202 30;

Whereas refunds should also be granted on fresh or frozen boned or boneless pieces, even where each piece is not individually wrapped, and on minced meat, and the wording of the tariff subheadings for fresh boned or boneless pieces specified;

Whereas, in the case of meat of bovine animals, boned or boneless, salted and dried, there are traditional trade flows to Switzerland; whereas to allow this trade to continue, the refund should be set to cover the difference between prices on the Swiss market and export prices in the Member States; whereas there are possibilities for exporting such meat and also salted, smoked and dried meat to certain African, Near and Middle Eastern countries; whereas a refund should accordingly be set;

Whereas, in the case of certain other cuts and preserves of meat or offal shown in Annex I under CN code 1602 50 90, Community participation in international trade may be maintained by granting a refund corresponding to that at present available;

(¹) OJ No L 148, 28. 6. 1968, p. 24.

(²) OJ No L 150, 15. 6. 1991, p. 16.

(³) OJ No L 156, 4. 7. 1968, p. 2.

(⁴) OJ No L 61, 5. 3. 1977, p. 16.

(⁵) OJ No L 4, 8. 1. 1982, p. 11.

(⁶) OJ No L 301, 24. 10. 1987, p. 21.

(⁷) OJ No L 212, 21. 7. 1982, p. 48.

(⁸) OJ No L 221, 18. 8. 1984, p. 28.

(⁹) OJ No L 376, 31. 12. 1987, p. 31.

Whereas, in the case of other beef and veal products, a refund need not be fixed since Community participation in world trade is not significant;

Whereas, if the refund 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 rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽¹⁾, as last amended by Regulation (EEC) No 2205/90 ⁽²⁾,
- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

Whereas Commission Regulation (EEC) No 3846/87 ⁽³⁾, as last amended by Regulation (EEC) No 1436/91 ⁽⁴⁾; establishes the agricultural product nomenclature for the purposes of export refunds;

Whereas, in order to simplify customs export formalities for operators, the refunds on all frozen cuts should be brought in line with those on fresh or chilled cuts other than those from adult male bovine animals, except in the case of certain frozen beef held by the intervention agencies that is to be exported under Commission Regulations (EEC) No 243/90 ⁽⁵⁾ and (EEC) No 676/90 ⁽⁶⁾;

Whereas experience has shown that in certain cases it is often difficult to determine the relevant quantities of bovine and other meat contained in prepared or preserved meat covered by CN code 1602 50; whereas products of the bovine species alone should accordingly be set apart and a new heading should be created for mixtures of meats or offals; whereas control over products other than mixtures of meat or offal should be reinforced by making the granting of refunds on these products conditional on manufacturer under the arrangements provided for in Article 4 of Council Regulation (EEC) No 565/80 of 4 March 1980 on the advance payment of export refunds in respect of agricultural products ⁽⁷⁾, as amended by Regulation (EEC) No 2026/83 ⁽⁸⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

The list of products on which the export refund referred to in Article 18 of Regulation (EEC) No 805/68 is granted and the amount of that refund shall be as set out in Annex hereto.

Article 2

This Regulation shall enter into force on 16 July 1991.

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

Done at Brussels, 15 July 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.

⁽³⁾ OJ No L 366, 24. 12. 1987, p. 1.

⁽⁴⁾ OJ No L 137, 31. 5. 1991, p. 21.

⁽⁵⁾ OJ No L 27, 31. 1. 1990, p. 8.

⁽⁶⁾ OJ No L 75, 21. 3. 1990, p. 8.

⁽⁷⁾ OJ No L 62, 7. 3. 1980, p. 5.

⁽⁸⁾ OJ No L 199, 22. 7. 1983, p. 12.

ANNEX

(ECU/100 kg)		
Product code	Destination (?)	Amount of refund (?)
		— Live weight —
0102 10 00 190	01	96,00
0102 10 00 390	01	96,00
0102 90 31 900	02	85,50
	03	55,50
	04	25,50
0102 90 33 900	02	85,50
	03	55,50
	04	25,50
0102 90 35 900	02	101,50
	03	73,00
	04	34,50
0102 90 37 900	02	101,50
	03	73,00
	04	34,50
		— Net weight —
0201 10 10 100	02	92,00
	03	65,00
	04	32,50
0201 10 10 900	02	126,50
	03	88,00
	04	44,00
0201 10 90 110 (1)	02	124,50
	03	85,00
	04	42,50
0201 10 90 190	02	92,00
	03	65,00
	04	32,50
0201 10 90 910 (1)	02	171,50
	03	115,00
	04	57,50
0201 10 90 990	02	126,50
	03	88,00
	04	44,00
0201 20 21 000	02	126,50
	03	88,00
	04	44,00

(ECU/100 kg)		
Product code	Destination (7)	Amount of refund (8)
		— Net weight —
0201 20 29 100 (1)	02	171,50
	03	115,00
	04	57,50
0201 20 29 900	02	126,50
	03	88,00
	04	44,00
0201 20 31 000	02	92,00
	03	65,00
	04	32,50
0201 20 39 100 (1)	02	124,50
	03	85,00
	04	42,50
0201 20 39 900	02	92,00
	03	65,00
	04	32,50
0201 20 51 100	02	161,00
	03	110,50
	04	56,00
0201 20 51 900	02	92,00
	03	65,00
	04	32,50
0201 20 59 110 (1)	02	218,50
	03	146,00
	04	73,00
0201 20 59 190	02	161,00
	03	110,50
	04	56,00
0201 20 59 910 (1)	02	124,50
	03	85,00
	04	42,50
0201 20 59 990	02	92,00
	03	65,00
	04	32,50
0201 20 90 700	02	92,00
	03	65,00
	04	32,50
0201 30 00 050 (4)	05	112,00
0201 30 00 100 (2)	02	312,00
	03	208,50
	04	104,50
	06	266,50
0201 30 00 150 (6)	02	165,00
	03	125,00
	04	62,50
	06	144,50
	07	90,00
0201 30 00 190 (6)	02	128,00
	03	84,00
	04	42,00
	06	102,50
	07	90,00

(ECU/100 kg)		
Product code	Destination (7)	Amount of refund (8)
		— Net weight —
0202 10 00 100	02	92,00
	03	65,00
	04	32,50
0202 10 00 900	02	126,50
	03	88,00
	04	44,00
0202 20 10 000	02	126,50 ⁽¹⁰⁾
	03	88,00
	04	44,00
0202 20 30 000	02	92,00 ⁽¹⁰⁾
	03	65,00
	04	32,50
0202 20 50 100	02	161,00 ⁽¹⁰⁾
	03	110,50
	04	56,00
0202 20 50 900	02	92,00
	03	65,00
	04	32,50
0202 20 90 100	02	92,00
	03	65,00
	04	32,50
0202 30 90 100 (*)	05	112,00
0202 30 90 400 (*)	02	165,00 ⁽¹⁰⁾
	03	125,00 ⁽¹⁰⁾
	04	62,50 ⁽¹⁰⁾
	06	144,50 ⁽¹⁰⁾
	07	90,00 ⁽¹⁰⁾
0202 30 90 500 (*)	02	128,00
	03	84,00
	04	42,00
	06	102,50
	07	90,00
0202 30 90 900	07	90,00
0206 10 95 000	02	128,00
	03	84,00
	04	42,00
	06	102,50
0206 29 91 000	02	128,00
	03	84,00
	04	42,00
	06	102,50
0210 20 90 100	08	102,50
	09	60,50
0210 20 90 300	02	128,00
0210 20 90 500 (*)	02	128,00
1602 50 10 120	02	134,50 (*)
	03	108,00 (*)
	04	108,00 (*)
1602 50 10 140	02	119,50 (*)
	03	96,00 (*)
	04	96,00 (*)

(ECU/100 kg)

Product code	Destination (7)	Amount of refund (6)
		— Net weight —
1602 50 10 160	02	96,00 (2)
	03	77,00 (2)
	04	77,00 (2)
1602 50 10 170	02	63,50 (2)
	03	51,00 (2)
	04	51,00 (2)
1602 50 10 190	02	63,50
	03	51,00
	04	51,00
1602 50 10 240	02	36,00
	03	36,00
	04	36,00
1602 50 10 260	02	26,00
	03	26,00
	04	26,00
1602 50 10 280	02	16,00
	03	16,00
	04	16,00
1602 50 90 120	01	116,00 (2)
1602 50 90 130	01	73,00 (2)
1602 50 90 190	01	36,00
1602 50 90 320	01	103,00 (2)
1602 50 90 330	01	65,00 (2)
1602 50 90 390	01	36,00
1602 50 90 520	01	77,00 (2)
1602 50 90 530	01	48,50 (2)
1602 50 90 590	01	36,00
1602 50 90 610	01	36,00
1602 50 90 620	01	16,00
1602 50 90 700	01	36,00
1602 50 90 800	01	26,00
1602 50 90 900	01	16,00

(1) Entry under this subheading is subject to the submission of the certificate appearing in the Annex to Commission Regulation (EEC) No 32/82.

(2) Entry under this subheading is subject to compliance with the condition laid down in Commission Regulation (EEC) No 1964/82.

(3) The refund on beef in brine is granted on the net weight of the meat, after deduction of the weight of the brine.

(4) OJ No L 336, 29. 12. 1979, p. 44.

(5) OJ No L 221, 19. 8. 1984, p. 28.

(6) The lean bovine meat content excluding fat is determined in accordance with the procedure described in the Annex to Commission Regulation (EEC) No 2429/86 (OJ No L 210, 1. 8. 1986, p. 39).

(7) The destinations are as follows:

01 Third countries.

02 North African, Near and Middle East third countries, West, Central East and South African third countries, except Cyprus, Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia.

03 European third countries, the Canary Islands, Ceuta, Melilla, Cyprus, Greenland, Pakistan, Sri Lanka, Burma, Thailand, Vietnam, Indonesia, the Philippines, China, North Korea and Hong Kong and the destinations referred to in Article 34 of Commission Regulation (EEC) No 3665/87 (OJ No L 351, 14. 12. 1987, p. 1), except Austria, Sweden and Switzerland.

04 Austria, Sweden and Switzerland.

05 The United States of America, carried out in accordance with Commission Regulation (EEC) No 2973/79 (OJ No L 336, 29. 12. 1979, p. 44).

06 French Polynesia and New Caledonia.

07 Canada.

08 North, West, Central, East and South African third countries, except Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia.

09 Switzerland.

- (⁹) Article 7 of Regulation (EEC) No 885/68 provides that no export refunds shall be granted on products imported from third countries and re-exported to third countries.
- (⁹) The refund is granted only on products manufactured under the arrangement provided for in Article 4 of Council Regulation (EEC) No 565/80.
- (¹⁰) Excluding frozen meat exported under Regulations (EEC) No 243/90, (EEC) No 676/90, (EEC) No 1680/90 and (EEC) No 1682/90. However, in the case of exports under Regulations (EEC) No 1680/90 and (EEC) No 1682/90, the export refunds set out in the Annex to Regulation (EEC) No 1309/90 should be applied.

NB: The countries are as defined in Commission Regulation (EEC) No 91/91 (OJ No L 11, 16. 1. 1991, p. 5). The descriptions corresponding to the product codes and the footnotes are set out in Commission Regulation (EEC) No 3846/87 as amended.

COMMISSION REGULATION (EEC) No 2068/91

of 15 July 1991

on the supply of various consignments of cereals as 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 3972/86 of 22 December 1986 on food-aid policy and food-aid management ⁽¹⁾, as last amended by Regulation (EEC) No 1930/90 ⁽²⁾, and in particular Article 6 (1)(c) thereof,

Whereas Council Regulation (EEC) No 1420/87 of 21 May 1987 laying down implementing rules for Regulation (EEC) No 3972/86 on food-aid policy and food-aid management ⁽³⁾ lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas following the taking of a number of decisions on the allocation of food aid the Commission has allocated to certain countries and beneficiary organizations 24 014 tonnes of cereals;

Whereas it is necessary to provide for the carrying out of this measure in accordance with the rules laid down by Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community

food aid ⁽⁴⁾, as amended by Regulation (EEC) No 790/91 ⁽⁵⁾; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

Article 1

Cereals shall be mobilized in the Community, as Community food aid for supply to the recipients listed in the Annexes in accordance with Regulation (EEC) No 2200/87 and under the conditions set out in the Annexes. Supplies shall be awarded by the tendering procedure.

The successful tenderer is deemed to have noted and accepted all the general and specific conditions applicable. Any other condition or reservation included in his tender is deemed unwritten.

Article 2

This Regulation shall enter into force on the 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, 15 July 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 174, 7. 7. 1990, p. 6.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

⁽⁵⁾ OJ No L 81, 28. 3. 1991, p. 108.

ANNEX I

LOT A

1. **Operation No⁽¹⁾**: 409/91
2. **Programme**: 1991
3. **Recipient⁽²⁾**: Euronaid, Rhijsgeesterstraatweg 40, PO Box 77, NL-2340 AB Oegstgeest
4. **Representative of the recipient⁽²⁾**: see OJ No C 103, 16. 4. 1987
5. **Place or country of destination**: Sudan
6. **Product to be mobilized**: common wheat
7. **Characteristics and quality of the goods⁽³⁾ (7) (10)**: see list published in OJ No C 114, 29. 4. 1991, p. 1 (under II.A.1 a)
8. **Total quantity**: 10 000 tonnes
9. **Number of lots**: one
10. **Packaging and marking⁽¹¹⁾**: In bulk, plus 210 000 sacks, see list published in OJ No C 114, 29. 4. 1991, p. 1 (under II.A.2.c and II.A.3), an 150 needles and sufficient twine (2 m/sack)
Markings in English
Supplementary markings on packaging:
'SUDAN / CONCERN 915407 / PORT SUDAN / FOR FREE DISTRIBUTION'
11. **Method of mobilization**: the Community market
12. **Stage of supply**: free at port of shipment — fob stowed⁽⁹⁾
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 1—30. 9. 1991
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 30. 7. 1991, at 12 noon
21. **A. In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 6. 8. 1991, at 12 noon
 - (b) period for making the goods available at the port of shipment: 8—30. 9. 1991
 - (c) deadline for the supply: —
21. **B. In the case of a third invitation to tender**:
 - (a) deadline for the submission of tenders: 13. 8. 1991, at 12 noon
 - (b) period for making the goods available at the port of shipment: 15—30. 9. 1991;
 - (c) deadline for the supply: —
22. **Amount of the tendering security**: ECU 5 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders⁽⁷⁾**: Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, bâtiment Loi 120, bureau 7/46, 200 rue de la Loi, B-1049 Bruxelles; telex AGREC 22037 B or 25670 B.
25. **Refund payable on request by the successful tenderer⁽⁹⁾**: refund applicable on 29. 7. 1991, fixed by Commission Regulation (EEC) No 1778/91 (OJ No L 158 of 22. 6. 1991, p. 69)

LOT B

1. **Operation No⁽¹⁾**: 410/91
2. **Programme**: 1991
3. **Recipient⁽⁸⁾**: Euronaid, Rhijsgeesterstraatweg 40, PO Box 77, NL-2340 AB Oegstgeest
4. **Representative of the recipient⁽²⁾**: see OJ No C 103, 16. 4. 1987
5. **Place or country of destination**: Sudan
6. **Product to be mobilized**: common wheat
7. **Characteristics and quality of the goods⁽³⁾ (7) (10)**: see list published in OJ No C 114, 29. 4. 1991, p. 1 (under II.A.1 a)
8. **Total quantity**: 10 000 tonnes
9. **Number of lots**: one
10. **Packaging and marking⁽¹¹⁾**: In bulk, plus 210 000 sacks, see list published in OJ No C 114, 29. 4. 1991, p. 1 (under II.A.2.c and II.A.3), an 150 needles and sufficient twine (2 m/sack)
Markings in English
Supplementary markings on packaging:
'SUDAN / CONCERN 915408 / PORT SUDAN / FOR FREE DISTRIBUTION'
11. **Method of mobilization**: the Community market
12. **Stage of supply**: free at port of shipment — fob stowed⁽⁹⁾
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 1—31. 10. 1991
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 30. 7. 1991, at 12 noon
21. **A. In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 6. 8. 1991, at 12 noon
 - (b) period for making the goods available at the port of shipment: 8—31. 10. 1991
 - (c) deadline for the supply: —
21. **B. In the case of a third invitation to tender**:
 - (a) deadline for the submission of tenders: 13. 8. 1991, at 12 noon
 - (b) period for making the goods available at the port of shipment: 15—31. 10. 1991;
 - (c) deadline for the supply: —
22. **Amount of the tendering security**: ECU 5 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders⁽⁵⁾**: Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, bâtiment Loi 120, bureau 7/46, 200 rue de la Loi, B-1049 Bruxelles; telex AGREC 22037 B or 25670 B.
25. **Refund payable on request by the successful tenderer⁽⁶⁾**: refund applicable on 29. 7. 1991, fixed by Commission Regulation (EEC) No 1778/91 (OJ No L 158 of 22. 6. 1991, p. 69)

LOTS C, D, E

1. **Operation No⁽¹⁾**: 210/91 — 222/91
2. **Programme**: 1991
3. **Recipient⁽²⁾**: Euronaid, Rhijngeesterstraatweg 40, PO Box 77, NL-2340 AB Oegstgeest
4. **Representative of the recipient⁽²⁾**: see OJ No C 103, 16. 4. 1987
5. **Place or country of destination**: see Annex II
6. **Product to be mobilized**: common wheat flour
7. **Characteristics and quality of the goods⁽³⁾ ⁽⁷⁾**: see OJ No C 114, 29. 4. 1991, p. 1 (under II.B.I.a)
8. **Total quantity**: 2 930 tonnes (4 014 tonnes of cereals)
9. **Number of lots**: 3 (C: 510 tonnes; D: 1 800 tonnes; E: 620 tonnes)
10. **Packaging and marking⁽⁴⁾ ⁽¹¹⁾ ⁽¹²⁾**: see OJ No C 114, 29. 4. 1991, p. 1 (under II.B.2.c and II.B.3)
Markings in French and Spanish
Supplementary markings on packaging: see Annex II
11. **Method of mobilization**: the Community market
12. **Stage of supply**: free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**:
lots C and E: 15. 8—15. 9. 1991
lot D: before 24. 8. 1991
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon on 30. 7. 1991
- 21 A. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon on 6. 8. 1991
 - (b) period for making the goods available at the port of shipment:
lots C and E: 22. 8—22. 9. 1991
lot D: before 31. 8. 1991
 - (c) deadline for the supply: —
- 21 B. **In the case of a third invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon on 13. 8. 1991
 - (b) period for making the goods available at the port of shipment:
lots C and E: 29. 8—29. 9. 1991
lot D: before 7. 9. 1991
 - (c) deadline for the supply: —
22. **Amount of the tendering security**: ECU 5 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders⁽⁵⁾**: Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, Bâtiment Loi 120, bureau 7/46, 200 rue de la Loi, B-1049 Brussels (telex 22037 AGREC B or 25670 AGREC B)
25. **Refund payable on request by the successful tenderer⁽⁶⁾**: refund applicable on 25. 7. 1991, fixed by Commission Regulation (EEC) No 1778/91 (OJ No L 158, 22. 6. 1991, p. 69)

Notes :

- (¹) The operation number is to be quoted in all correspondence.
- (²) Commission delegate to be contacted by the successful tenderer :
see list published in OJ No C 114, 29. 4. 1991 , p. 33.
- (³) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.
The radioactivity certificate must indicate the caesium-134 and -137 and iodine-131 levels.
- (⁴) Since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.
- (⁵) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of this Annex, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably :
— either by porter at the office referred to in point 24 of this Annex,
or by telecopier on one of the following numbers in Brussels :
— 235 01 32,
— 236 10 97,
— 235 01 30,
— 236 20 05.
- (⁶) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56) is applicable as regards the export refund and where appropriate, the monetary and accession compensatory amounts, the representative rate and the monetary coefficient. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 25 of this Annex.
- (⁷) The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following documents :
— phytosanitary certificate,
— certificate of origin.
— fumigation certificate (for Chile).
- (⁸) The successful tenderer shall contact the recipient as soon as possible to establish which consignment documents are required and how they are to be distributed.
- (⁹) By way of derogation from Articles 7 (3) (f) and 13 (2) of Regulation (EEC) No 2200/87, the price tendered must include the loading and stowage costs. The loading and stowage operations will be the responsibility of the successful tenderer.
- (¹⁰) Radiation certificate legalized by a consulate of Sudan.
- (¹¹) The supplier should send a duplicate of the original invoice to : M. De Keyzer and Schütz BV, Postbus 1438, Blaak 16, NL-3000 BK Rotterdam.
- (¹²) Shipment to take place in 20-foot containers, condition FLC/LCL. The supplier shall be responsible for the cost of making the containers available in the stack position at the container terminal at the port of shipment. The recipient shall be responsible for all subsequent loading costs, including the cost of moving the containers from the container terminal. The provision of Article 13 (2), second subparagraph, of Regulation (EEC) No 2200/87 shall not apply.

The successful tenderer has to seal each container with a numbered locktainer, the number of which is to be provided to the beneficiary's forwarder.

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

Designación de la partida Parti Bezeichnung der Partie Χαρακτηρισμός της παρτίδας Lot Désignation de la partie Designazione della partita Aanduiding van de partij Designação do lote	Cantidad total de la partida (en toneladas) Totalmængde (tons) Gesamtmenge der Partie (in Tonnen) Συνολική ποσότητα της παρτίδας (σε τόνους) Total quantity (in tonnes) Quantité totale de la partie (en tonnes) Quantità totale della partita (in tonnellate) Totale hoeveelheid van de partij (in ton) Quantidade total (em toneladas)	Cantidades parciales (en toneladas) Delmængde (tons) Teilmengen (in Tonnen) Μερικές ποσότητες (σε τόνους) Partial quantities (in tonnes) Quantités partielles (en tonnes) Quantitativi parziali (in tonnellate) Deelhoeveelheden (in ton) Quantidades parciais (em toneladas)	Beneficiario Modtager Empfänger Δικαιούχος Beneficiary Bénéficiaire Beneficiario Begunstigde Beneficiário	País destinatario Modtagerland Bestimmungsland Χώρα προορισμού Recipient country Pays destinataire Paese destinatario Bestemmingsland País destinatário	Inscripción en el embalaje Emballagens påtegnig Aufschrift auf der Verpackung Ένδειξη επί της συσκευασίας Markings on the packaging Inscription sur l'emballage Iscrizione sull'imballaggio Aanduiding op de verpakking Inscrição na embalagem
C	510	20	Prosalus	Bolivia	Acción nº 210/91 / Bolivia / Prosalus / 915510 / Sucre VÍA Arica / Destinado a la distribución gratuita
		250	AATM	Chile	Acción nº 211/91 / Chile / AATM / 911733 / Coyahique VÍA Valparaiso / Destinado a la distribución gratuita
		40	AATM	Perú	Acción nº 212/91 / Perú / AATM / 911730 / Lima VÍA Callao / Destinado a la distribución gratuita
		60	AATM	Perú	Acción nº 213/91 / Perú / AATM / 911731 / Arequipa VÍA Matarani / Destinado a la distribución gratuita
		20	Caritas Denmark	Perú	Acción nº 214/91 / Perú / Caritas Denmark / 915803 / Lima VÍA Callao / Destinado a la distribución gratuita
		120	Caritas Bélgica	Haiti	Action nº 215/91 / Haiti / Caritas B / 910235 / Port-au-Prince / Pour distribution gratuite
D	1 800	600	Caritas Belgica	Algérie	Action nº 216/91 / Algérie / Caritas B / 910234 / Arzew (option Oran) / Pour distribution gratuite
		600	WCC	Algérie	Action nº 217/91 / Algérie / WCC / 910703 / Tindouf VÍA Arzew (option Oran) / Pour distribution gratuite
		600	OXFAM Belgica	Algérie	Action nº 218/91 / Algérie / OXFAM B / 910814 / Tindouf VÍA Arzew (option Oran) / Pour distribution gratuite

Designación de la partida Parti Bezeichnung der Partie Χαρακτηρισμός της παρτίδας Lot Désignation de la partie Designazione della partita Aanduiding van de partij Designação do lote	Cantidad total de la partida (en toneladas) Totalmængde (tons) Gesamtmenge der Partie (in Tonnen) Συνολική ποσότητα της παρτίδας (σε τόνους) Total quantity (in tonnes) Quantité totale de la partie (en tonnes) Quantità totale della partita (in tonnellate) Totale hoeveelheid van de partij (in ton) Quantidade total (em toneladas)	Cantidades parciales (en toneladas) Delmængde (tons) Teilmengen (in Tonnen) Μερικές ποσότητες (σε τόνους) Partial quantities (in tonnes) Quantités partielles (en tonnes) Quantitativi parziali (in tonnellate) Deelhoeveelheden (in ton) Quantidades parciais (em toneladas)	Beneficiario Modtager Empfänger Δικαιούχος Beneficiary Bénéficiaire Beneficiario Begunstigde Beneficiário	País destinatario Modtagerland Bestimmungsland Χώρα προορισμού Recipient country Pays destinataire Paese destinatario Bestemmingsland País destinatário	Inscripción en el embalaje Emballagens påtegning Aufschrift auf der Verpackung Ένδειξη επί της συσκευασίας Markings on the packaging Inscription sur l'emballage Iscrizione sull'imballaggio Aanduiding op de verpakking Inscrição na embalagem
E	620	360	Caritas France	Congo	Action n° 219/91 / Congo / Caritas France / 910515 / Brazzaville VIA Pointe-Noire / Pour distribution gratuite
		120	Caritas France	Congo	Action n° 220/91 / Congo / Caritas France / 910516 / Pointe-Noire / Pour distribution gratuite
		80	Caritas France	Congo	Action n° 221/91 / Congo / Caritas France / 910517 / Nkayi VIA Pointe-Noire / Pour distribution gratuite
		60	PDF	République Centrafricaine	Action n° 222/91 / République Centrafricaine / PDF / 917103 / Bouar VIA Douala / Pour distribution gratuite
	2 930				

COMMISSION REGULATION (EEC) No 2069/91

of 11 July 1991

laying down detailed rules for the application of the temporary set-aside scheme
for arable land for the 1991/92 marketing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 1703/91
of 13 June 1991 introducing a temporary set-aside
scheme for arable land for the 1991/92 marketing year
and laying down special measures for that marketing year
under the set-aside scheme provided for in Regulation
(EEC) No 797/85 ⁽¹⁾, and in particular Article 8 thereof,

Whereas, in accordance with Article 1 (2) of Regulation
(EEC) No 1703/91, certain crops may be excluded from
the scheme in question; whereas by drawing up a list of
the major arable crops concerned, the scope of the
scheme in question can be clearly specified and
monitoring facilitated;

Whereas, in accordance with Article 3 of Regulation
(EEC) No 1703/91, the amounts of aid to be granted in
the regions where the set-aside scheme provided for in
Council Regulation (EEC) No 797/85 of 12 March 1985
on improving the efficiency of agricultural structures ⁽²⁾, as
last amended by Regulation (EEC) No 3577/90 ⁽³⁾, does
not apply, must be determined taking into account the
criteria set out in Article 1a of Regulation (EEC) No
797/85; whereas the amounts of the premium should be
fixed on the basis of those criteria;

Whereas fixing the minimum area to be set aside at 0,5
ha will ensure that the scheme is effective; whereas the
provisions on plant cover laid down in Article 1 (4) (a) of
Regulation (EEC) No 1703/91 granting the Member States
to a large extent the choice of cover to be used enable
account to be taken of differences in climatic and farming
conditions;

Whereas the detailed rules on monitoring must take
account of the differences arising from the options
granted to the Member States by Article 5 of the above-
mentioned Regulation; whereas, in particular as regards
the second of those options, the Member States must be

given the task of setting up, in cooperation with the
Commission, a suitable remote-sensing-assisted system for
verifying utilization plans and aid applications and provi-
sion should be made for the remote-sensing operations to
be carried out and financed by the Commission;

Whereas monitoring requirements make it necessary both
to specify the particulars which must appear in utilization
plans and aid applications and to determine the
minimum percentage of checks to be carried out and the
consequences to be drawn from any irregularities
recorded;

Whereas, for the purpose of the plausibility monitoring
provided for in Article 8 of Regulation (EEC) No 1703/91,
the utilization of the official documents submitted by the
producers under a specific scheme provides sufficient
guarantees by virtue of the checks normally conducted in
connection with such schemes;

Whereas detailed rules should be laid down on reimburse-
ment as provided for in Article 2 (b) of Regulation (EEC)
No 1703/91;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Any natural or legal person farming arable land may
qualify under the temporary set-aside scheme for arable
land provided for in Regulation (EEC) No 1703/91 on the
terms laid down herein.

2. For the purposes of this Regulation, 'arable land'
means all land given over, with a view to the 1991 harvest,
to production of the products listed in:

— Article 1 (a) and (b) of Council Regulation (EEC) No
2727/75 ⁽⁴⁾,

⁽¹⁾ OJ No L 162, 26. 6. 1991, p. 1.

⁽²⁾ OJ No L 93, 30. 3. 1985, p. 1.

⁽³⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 1.

- Article 1 of Council Regulation (EEC) No 1431/82⁽¹⁾,
- Article 1 (2) (a) of Council Regulation No 136/66/EEC⁽²⁾ and falling within CN codes 1201 00 90, 1205 00 90 and 1206 00 90,
- Annex I hereto.

In the five new *Länder* of Germany, arable land subject in 1991 to the national set-aside scheme shall be deemed arable land within the meaning of this Regulation.

3. The percentages specified in Article 1 (3) of Regulation (EEC) No 1703/91 shall apply to arable land farmed in preparation for the 1991 harvest.

TITLE I

Conditions relating to land set aside

Article 2

1. For the purposes of this Regulation, 'fallowing' means leaving uncultivated arable land as referred to in Article 1 (2). Arable land fallowed in accordance with this Regulation must cover an area of at least 0,5 ha in one plot.

2. Areas fallowed must, in accordance with Article 1 (4) (a) of Regulation (EEC) No 1703/91, be subject to maintenance by means of suitable plant cover. They may not be used for any agricultural or non-agricultural profit-making purpose.

3. At the reasoned request of a Member State, the Commission may, in accordance with the procedure provided for in Article 26 of Regulation (EEC) No 2727/75, authorize the obligation to maintain plant cover to be replaced by an obligation to carry out necessary mechanical work on the land, in particular to conserve water reserves and combat weeds or to prevent fire risk. Such authorization shall be granted in regions where weather conditions do not permit suitable plant cover to be maintained.

4. In accordance with Article 1 (4) (a) of Regulation (EEC) No 1703/91, plant cover shall consist, at the choice of the Member State, in:

- spontaneous cover; in that case, the last subparagraph of Article 1 (4) (a) of Regulation (EEC) No 1703/91 shall apply, and/or

- plant cover comprising one or more species; in this case, the plant species authorized shall be determined by the Member State.

Plant cover as referred to in this subparagraph must be cut in good time, in particular in order to prevent weeds from spreading. The cut plant matter must remain on the spot until 31 August 1992.

If weather conditions so require, the Member State may authorize the cut material to be ploughed in before 31 August 1992. In that case, the Member State concerned shall inform the Commission thereof immediately.

5. Suitable measures to protect the environment as referred to in Article 1 (4) (b) of Regulation (EEC) No 1703/91 may relate in particular to the protection of water and the safeguarding of wild flora and fauna. To that end a Member State may require specific plant cover and particular treatment of the latter.

TITLE II

1991 cultivation declaration and monitoring arrangements

Article 3

To qualify under the scheme provided for in Article 1, the producers concerned must submit a utilization plan for the total utilized agricultural area of their holdings in 1991 to the competent authorities before the deadline set by the Member State concerned, in accordance with Article 5 (2) of Regulation (EEC) No 1703/91. Such plans must indicate in particular:

- the first and family names and address of the farmer,
- the total utilized agricultural area of the holding with the land register reference or a document recognized as equivalent by the body responsible for monitoring, such as a map or aerial photograph, enabling the areas to be identified precisely,
- the use to which each parcel is to be put, with details, where applicable, of the successive crops.

Article 4

1. Member States which choose the option provided for in the first indent of Article 5 (2) of Regulation (EEC) No 1703/91 shall introduce a system of on-the-spot random checks covering at least 3 % of the utilization plans submitted.

2. The presence of the crops indicated in utilization plans shall be verified as a priority.

3. Verification of the areas concerned shall be carried out by any suitable means.

⁽¹⁾ OJ No L 162, 12. 6. 1982, p. 28.

⁽²⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

Article 5

1. Without prejudice to the provisions of Article 6, Member States which choose the option provided for in the second indent of Article 5 (2) of Regulation (EEC) No 1703/91 shall verify utilization plans submitted using aerial or satellite-borne means of remote sensing.

2. Member States shall inform the Commission before 31 December 1991 of the number of utilization plans per administrative or agricultural region.

3. The checks necessary shall be organized in accordance with Article 13.

Article 6

1. Member States which choose the option provided for in the second indent of Article 5 (2) of Regulation (EEC) No 1703/91 may fulfil the requirements on verification of utilization plans by conducting plausibility monitoring in accordance with the second indent of Article 8 of Regulation (EEC) No 1703/91.

2. Within the meaning of Article 8, second indent, of Regulation (EEC) No 1703/91, 'binding official document' means any document submitted before 31 July 1991 by a producer within the framework of a specific administrative system and providing at least the same details as those stipulated in Article 3.

The administrative system referred to above must provide for on-the-spot checks of the documents in question and for suitable penalties in the event of false declarations. Member States making use of the possibility provided for in this Article shall submit proof, at the request of the Commission, of the checks conducted.

Article 7

Declarants shall be excluded from the temporary set-aside scheme if:

- verification of their utilization plans shows a difference of more than 10 % in arable land eligible,
- part of a parcel declared as cultivated is found to have been fallow.

TITLE III

Applications for aid for the temporary set-aside of land and monitoring arrangements*Article 8*

All farmers of arable land who have submitted utilization plans for the agricultural area of their holdings as referred to in Article 3 shall submit aid applications before the

date set by the Member State and by 15 December 1991 at the latest.

Article 9

Aid applications shall contain at least the following particulars:

- the first and family names and address of the applicant,
- the total utilized agricultural area of the holding in hectares and ares, land farmed in owner occupation being distinguished from that utilized for tenant farming,
- the area in hectares and ares under the various crops,
- the area in hectares and ares per parcel of land fallowed and the type of plant cover chosen,
- unless such information has already been provided pursuant to the second indent of Article 3, the land register references of the areas referred to in the preceding indents or documents recognized as equivalent by the body responsible for monitoring the areas, such as maps or aerial photographs enabling the authorities responsible for monitoring to identify the areas precisely,
- a declaration by the applicant, failing which the application shall be inadmissible, to the effect that his aid application covers all the agricultural areas of the holding belonging to the categories referred to in the second, third and fourth indents.

Article 10

1. The Member States referred to in Articles 4 and 6 shall introduce a system of administrative on-the-spot checks ensuring that the conditions for granting the aid are met. They shall conduct random on-the-spot checks to verify the accuracy of applications submitted.

2. The on-the-spot checks shall cover at least 5 % of applications submitted in each competent administrative unit.

Article 11

When the checks referred to in Article 10 are conducted, all the areas of the applicant's holding must be inspected and the crops present must be verified.

The area of eligible arable land and the areas fallowed shall be determined by any appropriate means.

Article 12

The percentage in Article 10 (2) shall be increased to 10 % where, in an administrative unit, checks on aid applications indicate that 20 % of applications verified have resulted in a correction to the detriment of the recipients. Member States shall inform the Commission thereof immediately.

Article 13

1. The monitoring provided for in Article 5 shall be introduced by Member States in conjunction with the Commission and shall involve a remote-sensing-assisted combined system for verifying the 1991 utilization plans and the 1992 aid applications.

2. The system provided for in paragraph 1 shall involve at least, in each Member State :

- selecting a sample of at least 8 % of the total declarations to be verified,
- interpreting photographs or other images enabling plant cover in 1991 and 1992 to be recognized and the areas of all the parcels for checking to be estimated,
- on-the-spot verification by the competent authorities of all applications where photo-interpretation does not conclusively show that the declaration is accurate.

3. The Commission shall be responsible for carrying out and financing the operations referred to in the second indent of paragraph 2.

Article 14

The maximum amount of the aid referred to in Article 3 of Regulation (EEC) No 1703/91 is laid down in Annex II hereto. That amount shall be converted into national currency using the agricultural conversion rate applying to cereals on 1 July 1991.

Article 15

1. In accordance with Article 1 (3) of Regulation (EEC) No 1703/91, the area to be taken into account for the payment of the aid shall comprise fallowed parcels of the minimum size laid down in Article 2 (1).

2. The Member State shall pay the aid by 31 December 1992 at the latest.

Article 16

If checks show a significant excess of up to 10 % but not more than one hectare in aid applications between the area in respect of which the aid is applied for and that determined, the aid shall be calculated on the basis of the area determined minus the excess noted.

Where that excess is greater than these limits, applications shall be rejected.

Article 17

Each inspection visit must be described in a report indicating *inter alia* the reasons for the inspection in cases where Article 13 applies, the number of parcels inspected, those measured, the measurement methods used and any reasons which result in the rejection or partial acceptance of the application.

Article 18

Where checks cannot be conducted owing to the fault of the applicant, the application shall be rejected. In cases of *force majeure*, the grounds therefor must be given in

writing by the party concerned within 10 days of the date scheduled for the check.

TITLE IV

Reimbursement of the co-responsibility levy collected in respect of the 1991/92 marketing year

Article 19

Any farmer who has submitted an aid application as provided for in Article 8 shall be eligible for reimbursement of the co-responsibility levy payable during the 1991/92 marketing year under the conditions laid down in this Title

Article 20

1. Farmers referred to in Article 19 shall complement their applications with an application for reimbursement of the co-responsibility levy collected on their sales of cereals during the 1991/92 marketing year. Such applications must be accompanied by supporting documents certifying that the applicant has paid the co-responsibility levy provided for in Article 4 of Regulation (EEC) No 2727/75.

2. Applications as provided for in paragraph 1 shall cover all reimbursements to be made in respect of cereals sold in 1991/92. They shall be submitted by 31 August 1992 at the latest.

3. The co-responsibility levy shall be reimbursed by 31 December 1992 at the latest.

TITLE V

General provisions

Article 21

1. In the case of undue payment of the aid and/or undue reimbursement of the co-responsibility levy, the amounts concerned shall be recovered, plus interest calculated on the basis of the length of the period which has elapsed between the payment of those sums and their reimbursement by the recipient. Member States shall fix the interest rate to be applied for such calculation on the basis of the inter-bank interest rates applicable on the last working day of the month of payment to the applicants, plus two percentage points.

2. In cases of serious irregularities relating to the amount of the co-responsibility levy, the applicant concerned shall also be excluded from the scheme provided for in this Regulation.

3. The amounts referred to in paragraph 1 shall be paid to the paying agencies or departments and shall be deducted by the latter from the expenditure financed by the EAGGF Guarantee Section in proportion to the Community financing.

Article 22

Member States shall adopt any additional measures required for the application of this Regulation and in particular they shall conduct documentary checks and take steps to intercept more than one application in respect of the same area. To that end Member States shall, as far as possible, computerize data in aid applications and reimbursement applications.

Article 23

Member States shall notify the Commission of the measures adopted pursuant to this Regulation. In addition,

they shall send the Commission a full report on the application of this Regulation before 31 January 1993.

Article 24

This Regulation shall enter into force on the seventh 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, 11 July 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX I

Additional products eligible under the temporary set-aside scheme for arable land

Arable land sown in preparation for the 1991 harvest with the following products is also eligible :

CN code	Description
1001 90 10	Spelt for sowing
1005 10	Maize (corn) seed
1007 00 10	Grain sorghum, hybrids for sowing
1201 00 10	Soya beans for sowing
0713 10 11	Peas for sowing
0713 10 19	
0713 50 10	Broad beans and horse beans for sowing
1205 00 10	Rape or colza seeds for sowing
1206 00 10	Sunflower seeds for sowing

ANNEX II

Pursuant to Article 3 of Regulation (EEC) No 1703/91, the maximum amounts of the premium to be granted are as follows :

	(in ecus/ha)
— Spain : Regions covered by Regulation (EEC) No 777/89 ⁽¹⁾ :	
— unirrigated zones	
— in less favoured areas :	123,8
— in other areas :	143,3
— irrigated zones	
— extensive cropping :	228,8
— semi-intensive cropping :	260,6
— intensive cropping :	345,3
— France : regions covered by Regulation (EEC) No 778/89 ⁽²⁾ :	100,0
— Italy : the region covered by Regulation (EEC) No 2157/89 ⁽³⁾ :	380,0
— Portugal :	100,0

⁽¹⁾ OJ No L 84, 28. 3. 1989, p. 25.

⁽²⁾ OJ No L 84, 28. 3. 1989, p. 27.

⁽³⁾ OJ No L 207, 19. 7. 1989, p. 14.

COMMISSION REGULATION (EEC) No 2070/91

of 15 July 1991

amending Regulation (EEC) No 441/88 laying down detailed rules for applying compulsory distillation as referred to in Article 39 of Council Regulation (EEC) No 822/87

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine ⁽¹⁾, as last amended by Council Regulation (EEC) No 1734/91 ⁽²⁾, and in particular Article 39 ⁽⁹⁾ thereof,

Whereas there is a need to ensure that the obtaining of supplies of wine products from different production regions can be used as a means of evading obligations as regards distillation; whereas it is accordingly necessary to lay down rules for calculating production volumes, yields, and scales for compulsory distillation applicable to the producers concerned and to make provision for the communication of these data to the authorities responsible for receiving the production declaration referred to in Commission Regulation (EEC) No 3929/87 of 17 December 1987 on harvest, production and stock declarations relating to wine-sector products ⁽³⁾, as last amended by Regulation (EEC) No 2776/90 ⁽⁴⁾;

Whereas the consequences of exceeding certain time limits should be specified in a uniform manner for all distillation measures in the wine sector; whereas it is accordingly necessary to amend Commission Regulation (EEC) No 441/88 of 17 February 1988 laying down detailed rules for distillation as referred to in Article 39 of Council Regulation (EEC) No 822/87 ⁽⁵⁾, as last amended by Regulation (EEC) No 467/90 ⁽⁶⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 441/88 is hereby amended as follows:

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.
⁽²⁾ OJ No L 163, 26. 6. 1991, p. 6.
⁽³⁾ OJ No L 369, 29. 12. 1987, p. 59.
⁽⁴⁾ OJ No L 267, 29. 9. 1990, p. 30.
⁽⁵⁾ OJ No L 45, 18. 2. 1988, p. 15.
⁽⁶⁾ OJ No L 48, 24. 2. 1990, p. 29.

1. the following is added to Article 6:

'4. In the case of a producer who has purchased products upstream of wine from different production regions, a production volume shall be established separately for each of these regions from which supplies have been obtained. In such cases the producer concerned shall send, together with the production declaration which he is required to submit in accordance with Regulation (EEC) No 3929/87 and to the same authorities, the breakdown of the products declared by region of provenance.'

2. the following sentence is added to Article 7:

'In cases where the products purchased have come from different production regions, a yield shall be calculated for each production region.'

3. the second indent of Article 8 is replaced by the following:

— the rising scale established in accordance with Article 5 (2),

(a) for the production region in which the producer's holding is situated,

(b) and where necessary, for each of the production regions from which supplies have been obtained,';

4. the third and fourth subparagraphs of Article 16 (3), and Article 16 (4), are deleted;

5. the second subparagraph of Article 17 (2) is deleted;

6. the third subparagraph of Article 18 (6) is deleted;

7. the following paragraph is added to Article 22:

'2. Where a distiller does not fulfil his obligations within the time limits, the aid shall be reduced as follows:

(a) with regard to the payment of the buying-in price to the producer in accordance with Article 13, the aid shall be reduced by 1 % for each day's delay for a period of one month.

After one month, no further aid shall be paid;

(b) with regard to :

- the provision of proof of payment of the buying-in price in accordance with Article 16 (3),
- the submission of the application for aid in accordance with Articles 16 (2) and 18 (5),
- the delivery of the alcohol, in accordance with Article 17 (1),

the aid shall be reduced by 0,5 % for each day's delay for a period of two months;

At the end of the two-month period, no further aid shall be paid ;

(c) with regard to :

- the forwarding of a statement of the quantities distilled and the products obtained, in accordance with Article 12 (5),

- the forwarding of a statement of quantities delivered for fortification, in accordance with Article 18 (4),

the aid shall be reduced by 0,1 % for each day's delay.

If an advance has been granted, the relevant security shall be released in proportion to the amount of aid actually due. In cases where aid is not due, the security shall be forfeit.'

Article 2

This Regulation shall enter into force on 1 September 1991.

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

Done at Brussels, 15 July 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 2071/91

of 15 July 1991

altering, for the 1991/92, marketing year, the adjustment aid and additional aid to the sugar refining industry

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 seventh indent of Article 9 (6) thereof,

Whereas Article 9 (4b) of Regulation (EEC) No 1785/81 provides that during the 1991/92 to 1992/93 marketing years adjustment aid of ECU 0,08 per 100 kilograms of sugar expressed as white sugar is to be granted as an intervention measure to the Community's preferential raw cane sugar refining industry; whereas, as provided for in those provisions, additional aid equal to that amount is to be granted during the same period for the refining of raw cane sugar produced in the French overseas departments and for the refining of quantities of raw beet sugar harvested in the Community and qualifying for the refining aid pursuant to the second subparagraph of Article 9 (4) of Regulation (EEC) No 1785/81 and in accordance with Commission Regulation (EEC) No 737/91⁽³⁾, as amended by Regulation (EEC) No 1807/91⁽⁴⁾;

Whereas the fourth subparagraph of Article 9 (4b) of Regulation (EEC) No 1785/81 provides that the adjustment aid and the additional aid referred to above may be altered in respect of a given marketing year in the light in particular of the storage levy fixed for that year; whereas the storage levy for the 1991/92 marketing year was fixed by Commission Regulation (EEC) No 1867/91⁽⁵⁾ at ECU 2,50 per 100 kilograms of white sugar; whereas this amount is identical to that applicable for the 1990/91 marketing year;

Whereas account should, however, be taken of the alteration in the aid in question that has already been made for the 1990/91 marketing year in order to neutralize the effect of successive storage levy reductions on the refining margin for the 1991/92 marketing year;

Whereas these provisions must apply from the beginning of the 1991/92 marketing year on 1 July 1991;

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 amounts of the adjustment aid and of the additional aid provided for respectively in the second and third subparagraphs of Article 9 (4b) of Regulation (EEC) No 1785/81 shall be fixed at ECU 1,58 per 100 kilograms of sugar expressed as white sugar for the 1991/92 marketing year.

For the same marketing year, the amount referred to in the first subparagraph shall also be granted, as additional aid, for the refining of the quantity of raw beet sugar referred to in Article 1 of Regulation (EEC) No 737/91.

Article 2

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 July 1991.

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

Done at Brussels, 15 July 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 80, 27. 3. 1991, p. 14.

⁽⁴⁾ OJ No L 165, 27. 6. 1991, p. 14.

⁽⁵⁾ OJ No L 168, 29. 6. 1991, p. 53.

COMMISSION REGULATION (EEC) No 2072/91

of 15 July 1991

amending Regulation (EEC) No 1576/91 and increasing to 40 000 tonnes the amount of barley held by the Greek intervention agency for which a standing invitation to tender for resale on the internal market has been opened

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 7 (6) thereof,

Having regard to Council Regulation (EEC) No 1836/82 of 7 July 1982 laying down the procedure and conditions for the disposal of cereals held by intervention agencies ⁽³⁾, as last amended by Regulation (EEC) No 2619/90 ⁽⁴⁾,

Whereas Commission Regulation (EEC) No 1576/91 ⁽⁵⁾ opened a standing invitation to tender for the resale on the internal market of 20 000 tonnes of barley wheat held by the German intervention agency;

Whereas in the present situation on the market the quantity of barley held by the Greek intervention agency put

up for sale on the internal market of the Community should be increased to 40 000 tonnes;

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

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 1576/91 'of 20 000 tonnes' is replaced by 'of 40 000 tonnes'.

Article 2

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

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

Done at Brussels, 15 July 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 202, 9. 7. 1982, p. 23.

⁽⁴⁾ OJ No L 249, 12. 9. 1990, p. 8.

⁽⁵⁾ OJ No L 147, 12. 6. 1991, p. 5.

COMMISSION REGULATION (EEC) No 2073/91

of 15 July 1991

amending Regulation (EEC) No 2064/91 fixing the maximum buying-in price
and the quantities of beef bought in for the 49th partial invitation to tender
under Regulation (EEC) No 1627/89

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

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 90 thereof,

Having regard to Council Regulation (EEC) No 805/68 of
27 June 1968 on the common organization of the market
in beef and veal ⁽¹⁾, as last amended by Regulation (EEC)
No 1628/91 ⁽²⁾, and in particular Article 6 (7) thereof,

Whereas Commission Regulation (EEC) No 2064/91 ⁽³⁾
fixed the maximum buying-in price and the quantities of
beef bought in for the 49th partial invitation to tender
under Regulation (EEC) No 1627/89;

Whereas a check has shown that the Annex thereto does
not correspond to the measures submitted for an opinion
to the management committee; whereas the Regulation
in question should be corrected accordingly,

Article 1

The third subparagraph of Article 1 (b) of Regulation
(EEC) No 2064/91 shall read as follows:

— the maximum quantity of carcasses or half-carcasses
accepted is hereby fixed at 6 061 tonnes; the
quantities offered are hereby reduced by 50 %
pursuant to Article 11 (3) of Regulation (EEC) No
859/89'.

Article 2

This Regulation shall enter into force on 16 July 1991.

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

Done at Brussels, 15 July 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 150, 15. 6. 1991, p. 16.

⁽³⁾ OJ No L 187, 13. 7. 1991, p. 39.

COMMISSION REGULATION (EEC) No 2074/91

of 15 July 1991

altering the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

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

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on products processed from cereals and rice were fixed by Commission Regulation (EEC) No 1886/91⁽⁷⁾, as last amended by Regulation (EEC) No 2006/91⁽⁸⁾;

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

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

(¹) OJ No L 281, 1. 11. 1975, p. 1.
(²) OJ No L 353, 17. 12. 1990, p. 23.
(³) OJ No L 166, 25. 6. 1976, p. 1.
(⁴) OJ No L 177, 24. 6. 1989, p. 1.
(⁵) OJ No L 164, 24. 6. 1985, p. 1.
(⁶) OJ No L 201, 31. 7. 1990, p. 9.
(⁷) OJ No L 168, 29. 6. 1991, p. 88.
(⁸) OJ No L 184, 10. 7. 1991, p. 20.
(⁹) OJ No L 182, 3. 7. 1987, p. 49.
(¹⁰) OJ No L 281, 1. 11. 1975, p. 65.

— 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 12 July 1991;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products processed from cereals and rice covered by Regulation (EEC) No 2744/75 as fixed in the Annex to amended Regulation (EEC) No 1886/91 are hereby altered to the amounts set out in the Annex.

Article 2

This Regulation shall enter into force on 16 July 1991.

(¹¹) OJ No L 168, 25. 6. 1974, p. 7.
(¹²) OJ No L 202, 26. 7. 1978, p. 8.

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

Done at Brussels, 15 July 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 15 July 1991 altering the import levies on products processed from cereals and rice

(ECU/tonne)

CN code	Import levies	
	ACP or OCT	Third countries (other than ACP or OCT) ^(*)
1102 20 10	229,81	235,85
1102 20 90	130,22	133,24
1103 13 11	229,81	235,85
1103 13 19	229,81	235,85
1103 13 90	130,22	133,24
1103 29 40	229,81	235,85
1104 19 50	229,81	235,85
1104 23 10	204,27	207,29
1104 23 30	204,27	207,29
1104 23 90	130,22	133,24
1104 30 90	95,75	101,79
1106 20 91	201,92 ^(*)	226,10
1106 20 99	201,92 ^(*)	226,10
1108 12 00	205,55	226,10
1108 13 00	205,55	226,10 ^(*)
1108 14 00	102,77	226,10
1108 19 90	102,77 ^(*)	226,10
1702 30 51	268,11	364,83
1702 30 59	205,55	272,04
1702 30 91	268,11	364,83
1702 30 99	205,55	272,04
1702 40 90	205,55	272,04
1702 90 50	205,55	272,04
1702 90 75	280,87	377,59
1702 90 79	195,34	261,83
2106 90 55	205,55	272,04
2302 10 10	255,34	436,68

^(*) 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.

^(*) Pursuant to Regulation (EEC) No 3899/89, 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 amount of 5 000 tons.

^(*) 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 2075/91

of 15 July 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 1849/91 ⁽³⁾, as last amended by Regulation (EEC) No 2042/91 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Commission Regulation (EEC) No 1849/91 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 12 July 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 16 July 1991.

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

Done at Brussels, 15 July 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 177, 5. 7. 1991, p. 14.

⁽²⁾ OJ No L 54, 28. 2. 1991, p. 22.

⁽³⁾ OJ No L 168, 29. 6. 1991, p. 16.

⁽⁴⁾ OJ No L 186, 12. 7. 1991, p. 50.

⁽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 15 July 1991 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	32,87 ⁽¹⁾
1701 11 90	32,87 ⁽¹⁾
1701 12 10	32,87 ⁽¹⁾
1701 12 90	32,87 ⁽¹⁾
1701 91 00	38,80
1701 99 10	38,80
1701 99 90	38,80 ⁽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 2076/91

of 15 July 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 1624/91 ⁽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 1906/91 ⁽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 1991/92 marketing year was fixed by Council Regulation (EEC) No 1625/91 ⁽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 1626/91 ⁽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, owing to the lack 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 for this marketing year has only been able to be calculated provisionally on the basis of the abatement applicable for the 1990/91 marketing year; whereas this amount should, therefore, only be applied provisionally and should be confirmed or replaced once the consequences of the maximum guaranteed quantity arrangements 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 ⁽¹⁰⁾, as last amended by Regulation (EEC) No 1238/87 ⁽¹¹⁾, 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 ⁽¹²⁾ 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 150, 15. 6. 1991, p. 10.

⁽³⁾ OJ No L 342, 19. 12. 1985, p. 1.

⁽⁴⁾ See page 46 of this Official Journal.

⁽⁵⁾ OJ No L 219, 28. 7. 1982, p. 1.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 11.

⁽⁷⁾ OJ No L 150, 15. 6. 1991, p. 11.

⁽⁸⁾ OJ No L 150, 15. 6. 1991, p. 13.

⁽⁹⁾ OJ No L 237, 1. 9. 1990, p. 8.

⁽¹⁰⁾ OJ No L 219, 28. 7. 1982, p. 36.

⁽¹¹⁾ OJ No L 117, 5. 5. 1987, p. 9.

⁽¹²⁾ 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 1899/91⁽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 for the 1991/92 marketing year for peas, field beans and sweet lupins shall be confirmed or replaced with effect from 16 July 1991 to take account of the consequences of the maximum guaranteed quantity arrangements for the 1991/92 marketing year.

Article 2

This Regulation shall enter into force on 16 July 1991.

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

Done at Brussels, 15 July 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⁾ See page 29 of this Official Journal.

ANNEX I

Gross aid

Products intended for human consumption :

(ECU per 100 kg)

	Current 7 (')	1st period 8 (')	2nd period 9 (')	3rd period 10 (')	4th period 11 (')	5th period 12 (')	6th period 1 (')
Peas used :							
— in Spain	5,986	5,986	6,144	6,302	6,460	6,618	6,776
— in Portugal	6,003	6,003	6,161	6,319	6,477	6,635	6,793
— in another Member State	6,130	6,130	6,288	6,446	6,604	6,762	6,920
Field beans used :							
— in Spain	6,130	6,130	6,288	6,446	6,604	6,762	6,920
— in Portugal	6,003	6,003	6,161	6,319	6,477	6,635	6,793
— in another Member State	6,130	6,130	6,288	6,446	6,604	6,762	6,920

Products used in animal feed :

(ECU per 100 kg)

	Current 7 (')	1st period 8 (')	2nd period 9 (')	3rd period 10 (')	4th period 11 (')	5th period 12 (')	6th period 1 (')
A. Peas used :							
— in Spain	7,642	7,642	7,799	7,605	7,762	7,920	7,725
— in Portugal	7,693	7,693	7,850	7,659	7,816	7,974	7,782
— in another Member State	7,693	7,693	7,850	7,659	7,816	7,974	7,782
B. Field beans used :							
— in Spain	7,642	7,642	7,799	7,605	7,762	7,920	7,725
— in Portugal	7,693	7,693	7,850	7,659	7,816	7,974	7,782
— in another Member State	7,693	7,693	7,850	7,659	7,816	7,974	7,782
C. Sweet lupins harvested in Spain and used :							
— in Spain	10,534	10,534	10,534	10,065	10,065	10,065	9,595
— in Portugal	10,602	10,602	10,602	10,136	10,136	10,136	9,670
— in another Member State	10,602	10,602	10,602	10,136	10,136	10,136	9,670
D. Sweet lupins harvested in another Member State and used :							
— in Spain	10,534	10,534	10,534	10,065	10,065	10,065	9,595
— in Portugal	10,602	10,602	10,602	10,136	10,136	10,136	9,670
— in another Member State	10,602	10,602	10,602	10,136	10,136	10,136	9,670

Final aid

(in national currency per 100 kg)

	Current 7	1st period 8 (1)	2nd period 9 (1)	3rd period 10 (1)	4th period 11 (1)	5th period 12 (1)	6th period 1 (1)
Products harvested in :							
— BLEU (Bfrs/Lfrs)	297,65	297,65	305,32	312,99	320,67	328,34	336,01
— Denmark (Dkr)	55,05	55,05	56,47	57,88	59,30	60,72	62,14
— Federal Republic of Germany (DM)	14,43	14,43	14,80	15,18	15,55	15,92	16,29
— Greece (Dr)	1 545,50	1 545,50	1 585,34	1 625,17	1 665,01	1 704,84	1 744,68
— Spain (Pta)	924,58	924,58	948,41	972,24	996,07	1 019,90	1 043,73
— France (FF)	48,40	48,40	49,65	50,90	52,14	53,39	54,64
— Ireland (£ Irl)	5,387	5,387	5,526	5,665	5,803	5,942	6,081
— Italy (Lit)	10 798	10 798	11 076	11 354	11 633	11 911	12 189
— Netherlands (Fl)	16,26	16,26	16,68	17,10	17,52	17,94	18,36
— Portugal (Esc)	1 279,18	1 279,18	1 312,15	1 345,13	1 378,10	1 411,07	1 444,04
— United Kingdom (£)	4,876	4,876	5,002	5,127	5,253	5,379	5,504

- Peas used in Spain (Pta): 21,72,
- Peas, and field beans used in Portugal (Esc): 26,50.

Partial aids

(in national currency per 100 kg)

[illegible]

Corrective amount to be added to the amounts in Annex III

[illegible]

Partial aids

(in national currency per 100 kg)

[illegible]

Corrective amount to be added to the Amounts in Annex V

[illegible]

Partial aid

[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	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
— Denmark (Dkr)	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
— Federal Republic of Germany (DM)	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
— Greece (Dr)	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
— Spain (Pta)	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
— France (FF)	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
— Ireland (£ Irl)	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,000
— Italy (Lit)	0	0	0	0	0	0	0	0	0	0	0
— Netherlands (Fl)	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
— Portugal (Esc)	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
— United Kingdom (£)	0,000	0,000	0,000	0,000	0,000	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	224,504	128,903	6,89509	0,767417	1 538,24	2,31643	179,459	0,700718

(¹) Amount fixed provisionally, pending and subject to the application of the maximum guaranteed quantity arrangements for the 1991/92 marketing year, conforming to the adjustment resulting from the maximum guaranteed quantity arrangements applied for the 1990/91 marketing year.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 17 June 1991

approving the programme for the eradication of contagious bovine pleuropneumonia presented by Italy and fixing the level of the Community's financial contribution

(Only the Italian text is authentic)

(91/348/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field⁽¹⁾, as last amended by Decision 91/133/EEC⁽²⁾ and in particular Article 24 thereof,

Whereas Commission Decision 91/46/EEC⁽³⁾ has provided for a financial contribution from the Community under emergency measures for the eradication of outbreaks of contagious bovine pleuropneumonia that occurred in Italy in October 1990; whereas this action was prolonged by Decision 91/57/EEC⁽⁴⁾ until the 31 March 1991; whereas in the light of the evolution of the situation the Community financial aid must be in the framework of an eradication programme conforming with Article 24 of Decision 90/424/EEC;

Whereas by letter dated 26 March 1991, Italy has submitted a one year programme for the eradication of contagious bovine pleuropneumonia;

Whereas after examination of the programme it was found to comply with all Community criteria relating to the eradication of the disease in conformity with Council

Decision 90/638/EEC of 27 November 1990 on laying down Community criteria for the eradication and monitoring of certain animal diseases⁽⁵⁾;

Whereas a Community financial contribution will be given provided the above mentioned conditions are fulfilled, and the authorities will provide all necessary information in conformity with Article 24 (8) of Decision 90/424/EEC; whereas it is appropriate to fix the Community financial participation at the rate of 50 % of the costs of testing and those incurred by way of compensation to owners for the slaughter of cattle because of contagious bovine pleuropneumonia;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

The programme for the eradication of contagious bovine pleuropneumonia presented by Italy is hereby approved for a period of one year.

Article 2

Italy shall bring into force by 1 April 1991 the laws, regulations and administrative provisions for implementing the programme referred to in Article 1.

⁽¹⁾ OJ No L 224, 18. 8. 1990, p. 19.

⁽²⁾ OJ No L 66, 13. 3. 1991, p. 18.

⁽³⁾ OJ No L 23, 29. 1. 1991, p. 34.

⁽⁴⁾ OJ No L 35, 7. 2. 1991, p. 29.

⁽⁵⁾ OJ No L 347, 12. 12. 1990, p. 27.

Article 3

Financial participation by the Community shall be at the rate of 50 % of the costs of testing and those incurred in Italy by way of compensation for owners for the slaughter of cattle because of contagious bovine pleuropneumonia.

Article 4

The Community financial contribution shall be granted after the supporting documents have been supplied.

Article 5

This Decision is addressed to the Italian Republic.

Done at Brussels, 17 June 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION DECISION

of 17 June 1991

modifying the Decision 91/211/EEC concerning the establishment of the addendum to the Community support framework for the Community structural assistance for Portugal concerning the improvement of conditions for the processing and marketing of fishery and aquaculture products

(Only the Portuguese text is authentic)

(91/349/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2052/88 of 24 June 1988, on the tasks of the Structural Funds, their effectiveness, and on the coordination of their activities between themselves and with the operations of the European Investment Bank and other existing financial investments⁽¹⁾, and in particular Article 8(5),

Having consulted the Standing Committee for the Fishing Industry and the Committee for the development and reconversion of the regions,

Whereas the Commission approved on 11 March 1991 an addendum to the Community support framework for Community structural assistance for Portugal concerning the improvements of conditions for the processing and marketing of fishery and aquaculture products;

Whereas the indicative financial plan of the Community support framework for Community structural assistance for Portugal was modified on 3 May 1991 by the decision of the monitoring committee moving a supplementary amount of ECU 20 million in favour of actions under objective 5(a) for the processing and marketing of fishery and aquaculture products;

Whereas as a result it is necessary to adapt the addendum approved by the Commission on 11 March 1991,

HAS ADOPTED THIS DECISION:

Article 1

Article 2 of the Commission Decision 91/211/EEC of 11 March 1991⁽²⁾ is replaced by the following text:

Article 2

The addendum to the Community support framework contains the following essential information:

- (a) a statement of the main priorities for joint action:
1. processing of fishery and aquaculture products;
 2. marketing of fishery and aquaculture products;
- (b) an indicative financing plan specifying, at constant 1991 prices, the total cost of the priorities adopted for joint action by the Community and the Member State concerned, ECU 94 545 000 for the whole period, and financial arrangements envisaged for budgetary assistance from the Community, broken down as follows:

	(ECU millions)
1. processing of fishery and aquaculture products:	25 370
2. marketing of fishery and aquaculture products:	8 730

The resultant national financing requirement, approximately ECU 21 454 000 from the public sector and ECU 38 991 000 from the private sector, may be partially covered by Community loans from the European Investment Bank and the other loan instruments.

Article 2

This declaration of intent is addressed to the Portuguese Republic.

Done at Brussels, 17 June 1991.

For the Commission

Manuel MARÍN

Vice-President

⁽¹⁾ OJ No L 185, 15. 7. 1988, p. 9.

⁽²⁾ OJ No L 99, 19. 4. 1991, p. 27.

COMMISSION DECISION

of 15 July 1991

altering the adjustment aid to the Portuguese refining industry for raw sugar imported from third countries at a reduced levy for the 1991/92 marketing year into Portugal

(Only the Portuguese text is authentic)

(91/350/EEC)

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 seventh indent of Article 9 (6) thereof,

Whereas Article 9 (4) (c) of Regulation (EEC) No 1785/81 provides that, during the 1991 and 1992/93 marketing years, adjustment aid is to be granted as an intervention measure to the refining industry for raw sugar imported into Portugal at a reduced levy pursuant to Article 303 of the Act of Accession of Spain and Portugal and refined into white sugar in Portugal; whereas that aid amounts to ECU 0,08 per 100 kilograms of sugar expressed as white sugar for quantities of such sugar thus imported and refined in Portugal; whereas the quantities of raw sugar imported at a reduced levy are those referred to in the first paragraph of Article 303 of the Act of Accession as well as the quantities lacking referred to in the third paragraph of that Article, the import of which at a reduced levy is authorized for the marketing year under consideration;

Whereas the third subparagraph of Article 9 (4c) of Regulation (EEC) No 1785/81 provides that the abovementioned adjustment aid may be altered for a given marketing year, in the light in particular of the amount of the storage levy fixed for that year; whereas although sugar imported into Portugal at a reduced levy is not subject to the storage levy, in view of the quantities of such sugar refined that levy is a determining factor for the prices as a whole on the market for white sugar and therefore for the margin of the Portuguese refineries;

Whereas the amount of the storage levy for the 1991/92 marketing year was fixed by Commission Regulation (EEC) No 2071/91 ⁽³⁾ at ECU 2,50 per 100 kilograms of white sugar; whereas this amount is identical to that applicable for the 1990/91 marketing year;

Whereas account should however be taken of the alteration in the aid in question that has already been made for the 1990/91 marketing year in order to neutralize the effect of successive storage levy reductions on the refining margin for the 1991/92 marketing year;

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

HAS ADOPTED THIS DECISION:

Article 1

The adjustment aid provided for in the second subparagraph of Article 9 (4) (c) of Regulation (EEC) No 1785/81 shall be fixed at ECU 1,58 per 100 kilograms of sugar expressed as white sugar for the 1991/92 marketing year.

Article 2

This Decision is addressed to the Portuguese Republic.

Done at Brussels, 15 July 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⁾ See page 27 of this Official Journal.