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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2077/91

of 16 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 15 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 17 July 1991.

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

Done at Brussels, 16 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 16 July 1991 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CN code	Levy
0709 90 60	127,59 ⁽²⁾ ⁽³⁾
0712 90 19	127,59 ⁽²⁾ ⁽³⁾
1001 10 10	163,16 ⁽¹⁾ ⁽²⁾
1001 10 90	163,16 ⁽¹⁾ ⁽²⁾
1001 90 91	152,23
1001 90 99	152,23
1002 00 00	134,47 ⁽⁶⁾
1003 00 10	136,86
1003 00 90	136,86
1004 00 10	112,43
1004 00 90	112,43
1005 10 90	127,59 ⁽²⁾ ⁽³⁾
1005 90 00	127,59 ⁽²⁾ ⁽³⁾
1007 00 90	136,74 ⁽⁴⁾
1008 10 00	28,96
1008 20 00	112,34 ⁽⁴⁾
1008 30 00	24,57 ⁽⁵⁾
1008 90 10	⁽⁷⁾
1008 90 90	24,57
1101 00 00	226,12 ⁽⁶⁾
1102 10 00	201,26 ⁽⁶⁾
1103 11 10	265,90 ⁽⁸⁾
1103 11 90	244,21 ⁽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 2078/91

of 16 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 15 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 17 July 1991.

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

Done at Brussels, 16 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 16 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	2,63	2,63	2,51
0712 90 19	0	2,63	2,63	2,51
1001 10 10	0	0	0	5,08
1001 10 90	0	0	0	5,08
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	2,63	2,63	2,51
1005 90 00	0	2,63	2,63	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 2079/91

of 12 July 1991

concerning the stopping of fishing for cod by vessels flying the flag of Portugal

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

Having regard to Council Regulation (EEC) No 2241/87 of 23 July 1987 establishing certain control measures for fishing activities⁽¹⁾, as amended by Regulation (EEC) No 3483/88⁽²⁾, and in particular Article 11 (3) thereof,

Whereas Council Regulation (EEC) No 3926/90 of 20 December 1990 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1991 and certain conditions under which they may be fished⁽³⁾, as last amended by Regulation (EEC) No 793/91⁽⁴⁾, provides for cod quotas for 1991;

Whereas, in order to ensure compliance with the provisions relating to the quantitative limitations on catches of stocks subject to quotas, it is necessary for the Commission to fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated;

Whereas, according to the information communicated to the Commission, catches of cod in the waters of ICES division II b by vessels flying the flag of Portugal or regis-

tered in Portugal have reached the quota allocated for 1991,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of cod in the waters of ICES divisions II b by vessels flying the flag of Portugal or registered in Portugal are deemed to have exhausted the quota allocated to Portugal for 1991.

Fishing for cod in the waters of ICES division II b by vessels flying the flag of Portugal or registered in Portugal is prohibited, as well as the retention on board, the transshipment and the landing of such stock captured by the abovementioned vessels after the date of entry into force of this Regulation.

Article 2

This Regulation shall enter into force on the day following that 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, 12 July 1991.

For the Commission

Manuel MARÍN

Vice-President

⁽¹⁾ OJ No L 207, 29. 7. 1987, p. 1.

⁽²⁾ OJ No L 306, 11. 11. 1988, p. 2.

⁽³⁾ OJ No L 378, 31. 12. 1990, p. 1.

⁽⁴⁾ OJ No L 82, 28. 3. 1991, p. 2.

COMMISSION REGULATION (EEC) No 2080/91

of 16 July 1991

replacing the codes established on the basis of the Common Customs Tariff nomenclature in force on 31 December 1987 with those established on the basis of the combined nomenclature in certain Regulations concerning the classification of goods

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, as last amended by Commission Regulation (EEC) No 1056/91⁽²⁾, and in particular Article 15 thereof,

Whereas Council Regulation (EEC) No 950/68 of 28 June 1968 on the Common Customs Tariff⁽³⁾, repealed by Regulation (EEC) No 2658/87, established the nomenclature of the Common Customs Tariff on the basis of the Convention of 15 December 1950 on nomenclature for the classification of goods in customs tariffs;

Whereas the Commission has adopted a number of Regulations concerning the classification of goods in the nomenclature of the Common Customs Tariff on the basis of Regulation (EEC) No 97/69 of the Council of 16 January 1969 on measures to be taken for uniform application of the nomenclature of the Common Customs Tariff⁽⁴⁾, repealed by Regulation (EEC) No 2658/87;

Whereas Regulation (EEC) No 2658/87 established a goods nomenclature called the combined nomenclature, which simultaneously meets the requirements of the Common Customs Tariff and of the external trade statistics of the Community, and is based on the International Convention on the Harmonized Commodity Description and Coding System, replacing the Convention of 25 December 1950;

Whereas Article 15 (1) of Regulation (EEC) No 2658/87 lays down that the codes and descriptions of goods established on the basis of the combined nomenclature are to replace those established on the basis of the nomenclature of the Common Customs Tariff in force on 31 December 1987;

Whereas those Regulations which are still of practical significance and whose transposition will involve no changes of substance should be amended accordingly and so to complement an initial series of Regulations which has been adopted by Commission Regulation (EEC) No 646/89⁽⁵⁾ and Regulation (EEC) No 2723/90⁽⁶⁾,

HAS ADOPTED THIS REGULATION:

Article 1

In the Regulations listed in column 1 of the Annex, which refer to the goods described in column 2, the codes based on the nomenclature of the Common Customs Tariff in column 3 shall be replaced by the codes based on the combined nomenclature listed in column 4.

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, 16 July 1991.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽²⁾ OJ No L 107, 27. 4. 1991, p. 10.

⁽³⁾ OJ No L 172, 22. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 14, 21. 1. 1969, p. 1.

⁽⁵⁾ OJ No L 71, 15. 3. 1989, p. 20.

⁽⁶⁾ OJ No L 261, 25. 9. 1990, p. 24.

ANNEX

Regulation (EEC) No.	Description of the goods	CCT heading number	CN code
(1)	(2)	(3)	(4)
2257/87 ⁽¹⁾	1. Products of subheading 27.07 B of the Common Customs Tariff, destined to be submitted to a process from which products capable of being used as power or heating fuels are obtained, are classified in subheading 27.07 B II if this process is of the kind listed in Additional Note 5 to Chapter 27 of the Common Customs Tariff 2. Products of subheading 27.07 B are also classified in subheading 27.07 B II where they are to be submitted to a treatment of a different kind to that indicated in the preceding paragraph and from which products capable of being used as power or heating fuels are obtained if the latter are to be subjected to further industrial treatment If the abovementioned derived products are used as power or heating fuels, the products of subheading 27.07 B used are classified proportionally in subheading 27.07 B I	27.07 B II 27.07 B II 27.07 B I	2707 10 90 2707 20 90 2707 30 90 2707 50 91 2707 50 99 2707 10 90 2707 20 90 2707 30 90 2707 50 91 2707 50 99 2707 10 10 2707 20 10 2707 30 10 2707 50 10
2585/86 ⁽²⁾	Gas oil for undergoing sulphuric acid processing involving the addition to the basic products of 98 % sulphuric acid in a quantity of 10 litres per 100 m ³ , i.e. 0,01 % by volume, followed by neutralization with 20 % sodium hydroxide solution in a quantity of 38 litres per 100 m ³ , i.e. 0,038 % by volume, and subsequent treatment with activated carbon by forced percolation under pump pressure in a filter of about 5 m ³	27.10 C I c)	2710 00 69
810/83 ⁽³⁾	1. Ceramic money-box in the form of a pig, about 15 cm long and 9 cm high, with a floral motif, having a slot in the back for inserting coins and with a stopper made of soft rubber set into a round hole in the base through which the coins can be extracted 2. Ceramic money-box in the form of a figurine of an elderly man (beggar), about 18 cm high, with face and clothes painted on, having a slot for inserting coins and with a stopper made of soft rubber set into a round hole in the base through which the coins can be extracted 3. Ceramic money-box in the form of a penguin, about 30 cm high, with both a slot in the back for inserting coins and a padlock at the base 4. Plastic money-box in the form of a penguin, about 16 cm high, with a red scarf and a slot in the back for inserting coins 5. Money-box in the form of a stylized figure of a child in painted wood, about 16 cm high, consisting of a cylindrical container with a slot for inserting coins and surmounted by wooden peg, which can be taken out in order to extract the coins and which is secured to three spheres representing the arms and nodding head 6. Metal money-box in the form of a miniature letter-box (about 12 cm high, with a base approximately 5 × 6 cm), painted red, having a hole in the back for hanging on the wall, a slot in the front for inserting coins and a small door with a lock	69.13 69.13 69.13 39.07 B V d) 44.27 B 73.40 B	6913 6913 6913 3926 40 00 4420 10 7326 90 98
2858/86 ⁽⁴⁾	1. Binder consisting of a paperboard rectangle (approximately 530 × 310 mm and 1,84 mm thick), covered on each side with a sheet of artificial plastic material (approximately 0,23 mm thick) welded on all four edges; this covered paperboard is then folded in two places to form the spine of the binder. Inside, there is a binding mechanism	39.07	3926 10 00

Regulation (EEC) No	Description of the goods	CCT heading number	CN code
(1)	(2)	(3)	(4)
	2. Binder consisting of two paperboard rectangles (the covers, approximately 310 × 220 mm each and 1,64 mm thick), a paperboard strip (the spine, approximately 310 × 45 mm and 1,64 mm thick) and two narrow strips on either side of the spine (stiffeners, approximately 310 × 14 mm each and 1,64 mm thick), covered on each side with a sheet of artificial plastic material (approximately 0,42 mm thick) welded on all four edges, along the length of the strip forming the spine of the folder and along the length of the stiffeners. Inside, there is a binding mechanism 3. Binder consisting of two paperboard rectangles (the covers, approximately 255 × 310 mm each and 2,05 mm thick) and a paperboard strip (the spine, approximately 51 × 310 mm and 2,05 mm thick), covered on each side with a sheet of artificial plastic material (approximately 0,40 mm thick) welded on all four edges and along the length of the strip forming the spine of the binder. Inside, there is a binding mechanism 4. Binder consisting of a paperboard rectangle (approximately 520 × 310 mm) having in its central part, along the two folding lines, two rectangular slots (approximately 290 × 6 mm) approximately 18 mm apart. The paperboard is covered on each side with a sheet of artificial plastic material welded on all four edges and in the part corresponding to the slots. Inside, there is a binding mechanism	39.07 39.07 39.07	3926 10 00 3926 10 00 3926 10 00
3929/86 (*)	Seven-ply panel from 1 981 to 2 400 mm long, from 762 to 1 220 mm wide and about 44 mm thick, consisting of a blockboard-type core between two panels of three-ply plywood, this seven-ply panel, which has two long edges (possibly veneered) and one or both short edges (possibly veneered) consisting primarily of a single piece of timber known as a 'lipping', has not undergone any further working	44.15	4412
3557/81 (*)	Product put up in rolls, consisting of two sheets bonded one to the other, the one of semi-bleached kraftboard with a weight of 320 g/m ² and coated on both faces with a layer of polyethylene (14 and 18 g/m ² respectively), and the other of aluminium with a weight of 26 g/m ² and of a thickness of less than 0,20 mm, coated on the outer face with a layer of polyethylene (35 or 50 g/m ²)	48.07 D	4811 39 00
1592/71 (*)	Covering materials (for roofs in particular) in rolls or in the form of plates or sheets, whether or not cut to size or shape in a special manner (such as shingles or shingle-board), consisting of a base of paper or roofing felt, whether or not impregnated with asphalt or a similar product, but coated on both sides with a layer of that material or immersed in the same material, whether or not coated with mineral substances (sand, slate debris, stones, etc.), or with one side covered by a thin layer of metal (copper or aluminium in particular)	68.08	6807 10 11 6807 90 00
679/72 (*)	'Vitreous china' or 'semi-vitreous china' which are ceramic products that have been vitrified to a greater or lesser extent of slightly greyish-white or artificially coloured ceramic material which is smooth to the tongue, shall, as appropriate, be classified under headings or subheadings Nos 69.09 A, 69.11, 69.13 B or 69.14 A of the Common Customs Tariff where, simultaneously, they have the following properties : (a) a degree of porosity (coefficient of water absorption) not exceeding 3 %, measured according to the method set out in Annex I; (b) a density of 2,2 or more : (c) translucency, where the thickness is of not more than approximately 3 mm, measured according to the method set out in Annex II. The latter criterion shall not apply, however, where the ceramic material is coloured in the body or is coated with coloured or opaque varnish or enamel	69.09 A 69.11 69.13 b 69.14 A	5909 11 00 6911 6913 10 00 6914 10 00

Regulation (EEC) No	Description of the goods	CCT heading number	CN code
(1)	(2)	(3)	(4)
1220/84 ^(*)	1. Colourless glass rosettes ('strass'), octagonal (about 14 mm diameter), cut and polished, mechanically, and having several facets on both sides, fully pierced symmetrically in two places near the edge; they are normally mounted on electrical lighting fittings 2. Colourless glass pendants ('strass'), oval (e.g. about 50 × 29 mm), cut and polished, mechanically, and having several facets on both sides, fully pierced near the apex; they are normally mounted on electrical lighting fittings 3. Colourless glass balls ('strass'), (about 30 mm diameter), cut and polished, mechanically, and having many facets fitted with small, metal attachment hooks; they are normally mounted on electrical lighting fittings 4. Colourless glass beads ('strass'), (about 10 mm diameter), cut and polished, mechanically, and having many facets, fully pierced along a central axis; they are normally used in the manufacture of imitation jewellery	70.14 A I 70.14 A I 70.14 A I 70.19 A I a)	9405 91 11 9405 91 11 9405 91 11 7018 10 11
3558/81 ^(**)	Stud earrings, whether or not put up in sterile packaging, made of gold- or silver-plated steel, consisting of a shank with a decorative head and a 'butterfly' fastening, this shank being used to pierce the ear by means of a special device, which secures it in the ear lobe	71.16 A	7117 19 91
1030/86 ^(†)	Key-ring consisting of a small nickel-plated steel chain approximately 3 cm in length, with, at one end, a ring of the same metal that can be opened and closed and at the other a small protective cover of plastic material (approximately 5 × 2,5 cm) containing a miniature address book, the cover of which bears a promotional message	73.40 B	7326 20 90
1480/83 ^(‡)	Sets for children, consisting of: 1. a base-metal chain, a cameo-type pendant of base metal and plastic, two earrings, a brooch and a ring of base metal and plastic, put up in the same packing; 2. a base-metal chain, a pendant in the shape of a watch, two earrings, two bracelets and two rings of plastic, put up in the same packing	97.03 B	9503 70 00

(*) OJ No L 208, 30. 7. 1987, p. 8.

(†) OJ No L 232, 19. 8. 1986, p. 5.

(‡) OJ No L 90, 8. 4. 1983, p. 11.

(§) OJ No L 265, 17. 9. 1986, p. 5.

(||) OJ No L 356, 17. 12. 1986, p. 5.

(¶) OJ No L 356, 11. 12. 1981, p. 26.

(|||) OJ No L 166, 24. 7. 1971, p. 39.

(§§) OJ No L 81, 5. 4. 1972, p. 1.

(§§§) OJ No L 117, 3. 5. 1984, p. 20.

(|||) OJ No L 356, 11. 12. 1981, p. 28.

(|||) OJ No L 95, 10. 4. 1986, p. 13.

(|||) OJ No L 151, 9. 6. 1983, p. 27.

COMMISSION REGULATION (EEC) No 2081/91

of 16 July 1991

fixing the reference prices applicable to wine sector products for 1991/92

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 Regulation (EEC) No 1734/91 ⁽²⁾, and in particular Article 53 (6) thereof,

Whereas Article 53 (1) of Regulation (EEC) No 822/87 provides that a reference price for red wine and a reference price for white wine must be fixed annually; whereas those reference prices must be fixed on the basis of the guide price for the types of red and white table wine most representative of Community production plus the costs incurred in bringing Community wines to the same marketing stage as imported wines;

Whereas the types of table wine most representative of Community production are types R I and A I as defined in Annex III to Regulation (EEC) No 822/87; whereas the guide prices for those types of wine were fixed in Council Regulation (EEC) No 1736/91 ⁽³⁾, at the same levels as those adopted for the previous marketing year;

Whereas the third subparagraph of Article 53 (1) of Regulation (EEC) No 822/87 provides that reference prices are also to be fixed for grape juice (including grape must) covered by CN codes 2009 60 and 2204 30 91, for concentrated grape juice (including grape must) covered by CN codes 2009 60, 2204 30 91 and 2204 30 99 for fresh grape must with fermentation arrested by the addition of alcohol within the meaning of Additional Note 4 (a) of Chapter 22 of the combined nomenclature, for wine fortified for distillation within the meaning of Additional Note 4 (b) of Chapter 22 of the combined nomenclature and for liqueur wine within the meaning of Additional Note 4 (c) of Chapter 22 of the combined nomenclature;

Whereas, since special reference prices are to be fixed for products in accordance with their special characteristics or uses, such prices should be fixed for wines of the Riesling or Sylvaner variety and for liqueur wines to be used in the preparation of products other than those covered by CN code 2204; whereas, lastly, standard amounts corresponding to the normal costs of market

preparation must be established for addition to the reference prices for the various products in cases where they are put up either in containers of not more than two litres or in containers of more than two but not more than 20 litres;

Whereas the reference prices for liqueur wines, which are fixed per hectolitre, must be established having regard to the price levels ruling in the Community for the product in question; whereas a total dry extract exceeding the limits considered normal is a characteristic feature of certain liqueur wines covered by CN codes 2204 21 35, 2204 21 39, 2204 29 35 and 2204 29 39; whereas, pursuant to the rules in Additional Note 3 (b) to Chapter 22 of the combined nomenclature, the said liqueur wines are not classified in the category corresponding to their alcoholic strength but in the next higher category and are therefore subject to a higher reference price than that fixed for the category which corresponds to their alcoholic strength; whereas, moreover, the mechanism referred to above does not apply to certain competing liqueur wines covered by CN codes 2204 21 and 2204 29; whereas, in view of the quantity of imports of such wines, reference prices should be fixed for them so as to ensure equality of treatment between the various liqueur wines;

Whereas the fifth subparagraph of Article 53 (1) of Regulation (EEC) No 822/87 makes provision for the reference price to be adjusted for the non-European parts of the Community; whereas the market situation is such that an adjustment is necessary only for the French overseas department of Réunion;

Whereas the costs incurred in bringing Community wines to the same marketing stage as imported wines, to be established as specified in Article 4 of Council Regulation (EEC) No 344/79 ⁽⁴⁾, may be assessed at a standard rate; whereas there has been no substantial increase in those costs and the other factors taken into account since the last occasion on which prices were fixed;

Whereas the reference prices should be fixed in accordance with the criteria laid down in Regulation (EEC) No 344/79; whereas, having regard to the aims of the Community's wine-growing policy and the contribution which the Community intends to make to the harmonious development of world trade, the reference prices for the 1991/92 marketing year and the standard amount should be fixed at the same levels as those adopted for the previous marketing year;

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 163, 26. 6. 1991, p. 6.

⁽³⁾ OJ No L 163, 26. 6. 1991, p. 10.

⁽⁴⁾ OJ No L 84, 5. 3. 1979, p. 67.

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

For the 1991/92 wine year, the reference prices shall be as follows:

A. Products covered by CN codes 2204 21 and 2204 29:

1. red and rosé wine:
ECU 4,37 per % vol actual alcoholic strength per hectolitre;
2. white wine other than that specified in point 3 below:
ECU 4,37 per % vol actual alcoholic strength per hectolitre;
3. white wine put up for import under the name Riesling or Sylvaner:
ECU 88,76 per hectolitre;
4. wine fortified for distillation within the meaning of Additional Note 4 (b) to Chapter 22 of the combined nomenclature:
ECU 2,59 per % vol actual alcoholic strength per hectolitre;
5. fresh grape must with fermentation arrested by the addition of alcohol within the meaning of Additional Note 4 (a) of Chapter 22 of the combined nomenclature:
ECU 2,78 per % vol total alcoholic strength per hectolitre;
6. liqueur wine within the meaning of Additional Note 4 (c) of Chapter 22 of the combined nomenclature covered by the following CN codes:
 - (a) ex 2204 21 35, ex 2204 21 39, ex 2204 29 35 and ex 2204 29 39: ECU 60 per hectolitre;
 - (b) ex 22 04 21 41, ex 2204 21 49, ex 2204 29 41 and ex 2204 29 49:
 - (aa) 15 % vol with more than 130 grams but not more than 330 grams of total dry extract per litre: ECU 69 per hectolitre,
 - (bb) other: ECU 75,20 per hectolitre;
 - (c) ex 2204 21 51, ex 2204 21 59, ex 2204 29 51 and ex 2204 29 59: ECU 92 per hectolitre;
 - (d) ex 2204 21 90 and ex 2204 29 90: ECU 99,30 per hectolitre;

7. liqueur wine within the meaning of Additional Note 4 (c) to Chapter 22 of the combined nomenclature intended for processing into products other than those covered by CN code 2204:

- (a) ex 2204 21 35, ex 2204 21 39, ex 2204 29 35 and ex 2204 29 39: ECU 60,60 per hectolitre;
- (b) ex 2204 21 41, ex 2204 21 49, ex 2204 29 41 and ex 2204 29 49: ECU 64,80 per hectolitre;
- (c) ex 2204 21 51, ex 2204 21 45, ex 2204 29 51 and ex 2204 29 59: ECU 78,40 per hectolitre;
- (d) ex 2204 21 90, ex 2204 29 90: ECU 86,70 per hectolitre.

B. The reference prices for the products referred to under A(1) and A(2) shall be increased by ECU 1 per % vol actual alcoholic strength per hectolitre where the wine is imported into the French overseas department of Réunion.

C. Products covered by CN codes 2009 2009 60, 2204 30 91 and 2204 30 99:

1. grape juice (including grape must), concentrated or not, with an added sugar content not exceeding 30 % by weight, covered by CN codes ex 2009 60, ex 2204 30 91 and ex 2204 30 99:
 - (a) white: ECU 3,98 per % vol potential alcoholic strength per hectolitre;
 - (b) other: ECU 3,98 per % vol potential alcoholic strength per hectolitre;
2. grape juice (including grape must), concentrated or not, with an added sugar content of more than 30 % by weight, covered by CN codes ex 2009 60, ex 2204 30 91 and ex 2204 30 99:
 - (a) white: ECU 3,98 % vol potential alcoholic strength per hectolitre;
 - (b) other: ECU 3,98 per % vol potential alcoholic strength per hectolitre.

D. The standard amount per hectolitre to be added in the case of the products specified in A (1), A (2), A (3) and A (6) shall be:

- ECU 42,30 per hectolitre where they are put in containers of a content not exceeding two litres,
- ECU 21,15 per hectolitre where they are put up in containers of a content of more than two litres but not more than 20 litres.

Article 2

This Regulation shall enter into force on 1 September 1991.

It shall apply from 1 September 1991.

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

Done at Brussels, 16 July 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 2082/91

of 16 July 1991

amending Regulation (EEC) No 2814/91 laying down detailed rules for the definition of lambs fattened as heavy carcasses

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat⁽¹⁾, as last amended by Regulation (EEC) No 1741/91⁽²⁾, and in particular Article 5 (9) thereof,Having regard to Council Regulation (EEC) No 3901/89 of 12 December 1989 defining lambs fattened as heavy carcasses⁽³⁾, and in particular Article 1 (2) thereof,

Whereas detailed rules for the definition of lambs fattened as heavy carcasses were adopted by Commission Regulation (EEC) No 2814/90⁽⁴⁾, as last amended by Regulation (EEC) No 361/91⁽⁵⁾; whereas Article 1 thereof lays down the provisions applicable with regard to the fattening of lambs after weaning, in particular where fattening takes place away from the recipient's holding; whereas, with a view to sound management, provision should be made for such fattening to be carried out only by a single fatterer during the minimum period of 45 days referred to in Article 1 of Regulation (EEC) No 3901/89;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2814/90 is hereby amended as follows:

1. The last subparagraph of Article 2 (1) is replaced by the following:

'In addition, where fattening takes place away from the recipient's holding, it may only be carried out by a single fatterer during the minimum period of 45 days provided for in Regulation (EEC) No 3901/89. In that case, the declaration provided for in the first subparagraph shall be accompanied by an undertaking by the person in charge of the fattening premises to submit to the checks laid down with a view to verifying completion of the fattening operations.'

Article 2

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

It shall apply to premiums to be paid in respect of 1992 and subsequent marketing years.

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

Done at Brussels, 16 July 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 163, 26. 6. 1991, p. 41.

⁽³⁾ OJ No L 375, 23. 12. 1989, p. 4.

⁽⁴⁾ OJ No L 268, 29. 9. 1990, p. 35.

⁽⁵⁾ OJ No L 42, 15. 2. 1991, p. 13.

COMMISSION REGULATION (EEC) No 2083/91

of 16 July 1991

amending Regulation (EEC) No 3461/85 on the organization of campaigns to promote the consumption of grape juice

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 Regulation (EEC) No 1734/91 ⁽²⁾, and in particular Article 46 (4) thereof,

Whereas Commission Regulation (EEC) No 3641/85 of 9 December 1985 ⁽³⁾, as last amended by Regulation (EEC) No 2106/89 ⁽⁴⁾, lays down rules for the organization of campaigns to promote the consumption of grape juice ;

Whereas Article 1 of Regulation (EEC) No 3461/85 lays down that campaigns to promote the consumption of grape juice may only be carried out up to the 1989/90 wine year ; whereas it should be amended, given that Article 46 (4) of Regulation (EEC) No 822/87 extended the time for the implementation of these campaigns to 1991/92 ;

Whereas, in order to improve the results of the promotional campaigns, a more specific commitment must be obtained from those involved in the production and/or marketing of grape juice so as to give a greater impetus to the effort to fulfil the aims of the official campaign ;

Whereas the period of two weeks laid down in the first indent of Article 2 (2) of Regulation (EEC) No 3461/85 for the designation of the body competent to conclude the contract has proved to be too short to give the time necessary to consult the professional organizations ; whereas, as a result, it is necessary to extend it to four weeks ;

Whereas the campaigns to promote the consumption of grape juice are financed by the Community ; whereas, therefore, it would be appropriate for the Community symbol to appear on the material used in these promotional campaigns ;

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 3461/85 is hereby amended as follows :

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

'The campaigns to promote the consumption of grape juice produced in the Community provided for, up to the 1991/92 wine year, in Article 46 (4) of Regulation (EEC) No 822/87, shall be organized in those Member States in which :

- the prospects of increasing the disposal of grape juice are the most favourable,
- the existing marketing conditions allow a swift adjustment of supply to the expansion of demand engendered by the campaigns.

2. The period of two weeks in the first indent of Article 2 (2) is replaced by 'four weeks'.

3. The first indent of the first subparagraph of Article 3 (2) is replaced by the following :

'The detailed description of the commitment made by professional organizations with a view to giving extra impetus to the effort to fulfil the aims of the official campaign'.

4. The following subparagraph is added after the first subparagraph of Article 3 (2) :

'Furthermore, provision shall be made for the Community symbol, as officially described, to appear on the material used in the promotional campaigns.'

Article 2

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

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 163, 26. 6. 1991, p. 6.

⁽³⁾ OJ No L 332, 10. 12. 1985, p. 22.

⁽⁴⁾ OJ No L 201, 14. 7. 1989, p. 20.

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

Done at Brussels, 16 July 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 2084/91

of 12 July 1991

concerning the classification of certain goods in the combined nomenclature

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2658/87 ⁽¹⁾ on the tariff and statistical nomenclature and on the Common Customs Tariff, as last amended by Commission Regulation (EEC) No 2080/91 ⁽²⁾, and in particular Article 9 thereof,

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on the 21st day after its publication in the *Official Journal of the European Communities*.

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

Done at Brussels, 12 July 1991.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽²⁾ See page 6 of this Official Journal.

ANNEX

Description of goods	Classification CN Code	Reasons
(1)	(2)	(3)
1. Preparation consisting by weight of approximately 50 % choline chloride, 35 % colloidal silicon dioxide, 15 % water, used in animal feed (premix)	2309 90 99	Classification is determined by the provisions of general rules 1 and 6 for the interpretation of the combined nomenclature and by the wording of CN codes 2309, 2309 90 and 2309 90 99.
2. Tricobalt tetraoxide of a purity of approximately 96 % or more by weight obtained from cobalt hydroxide	2822 00 00	Classification is determined by the provisions of general rules 1 and 6 for the interpretation of the combined nomenclature, Note 1a to Chapter 28 and by the wording of CN code 2822 00 00.
3. Product consisting of cholic acid (over 95 % pure weight), fatty acids and inorganic salts resulting from the manufacturing process	2918 19 30	Classification is determined by the provisions of general rules 1 and 6 for the interpretation of the combined nomenclature and by the wording of CN codes 2918, 2918 19 and 2918 19 30.
4. Ox-bile extract, obtained by purifying the liquid bile with ethanol and animal black (to deodorize and remove colour) and evaporating to dryness This product is used therapeutically	3001 20 90	Classification is determined by the provisions of general rules 1 and 6 for the interpretation of the combined nomenclature and by the wording of CN codes 3001, 3001 20 and 3001 20 90. Having been treated in a way disallowed to products of heading 0510 and being used (directly) in therapy, products of this type must be classified under heading 3001 (see also explanatory notes to the HS, heading 30.01, letter B).
5. Product which is intermediate in the preparation of cholic acid from ox bile the basic constituents of which are mixed cholic and deoxycholic acids (about 80 % by weight), fatty acids and inorganic salts	3823 90 91	Classification is determined by the provisions of general rules 1 and 6 for the interpretation of the combined nomenclature and by the wording of CN codes 3823, 3823 90 and 3823 90 91.
6. Blend of adipic acid esters of alcohols having mainly 12 and 13 carbon atoms, principally used in manufacture of synthetic lubricants	3823 90 98	Classification is determined by the provisions of general rules 1 and 6 for the interpretation of the combined nomenclature and by the wording of CN codes 3823, 3823 90 and 3823 90 98.

COMMISSION REGULATION (EEC) No 2085/91

of 16 July 1991

fixing the minimum selling prices for beef put up for sale under the invitation
to tender referred to in Regulation (EEC) No 1787/91

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 7 (3) thereof,

Whereas tenders have been invited for certain quantities
of beef fixed by Commission Regulation (EEC) No
1787/91 ⁽³⁾;

Whereas, pursuant to Article 9 of Commission Regulation
(EEC) No 2173/79 ⁽⁴⁾, as amended by Regulation (EEC)
No 1809/87 ⁽⁵⁾, the minimum selling prices for meat put

up for sale by tender should be fixed, taking into account
tenders submitted;

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 minimum selling prices for beef for the invitation to
tender held in accordance with Regulation (EEC) No
1787/91 for which the time limit for the submission of
tenders was 3 July 1991 are as set out in the Annex
hereto.

Article 2

The Regulation shall enter into force on 18 July 1991.

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

Done at Brussels, 16 July 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

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

Estado miembro Medlemsstat Mitgliedstaat Κράτος Member State État membre Stato membro Lid-Staat Estado-membro	Productos Produkter Erzeugnisse Προϊόντα Products Produits Prodotti Produkten Produtos	Precio mínimo expresado en ecus por tonelada Mindstepriser i ECU/ton Mindestpreise, ausgedrückt in ECU/Tonne Ελάχιστες τιμές πώλησως εκφραζόμενες σε Ecu ανά τόνο Minimum prices expressed in ECU per tonne Prix minimaux exprimés en écus par tonne Prezzi minimi espressi in ecu per tonnellata Minimumprijzen uitgedrukt in ecu per ton Preço mínimo expresso em ecus por tonelada
UNITED KINGDOM	— Forequarters from : Category C, classes U, R and O	950
	— Hindquarters, from : Category C, classes U, R and O	1 302

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.⁽²⁾ OJ No L 150, 15. 6. 1991, p. 16.⁽³⁾ OJ No L 160, 25. 6. 1991, p. 21.⁽⁴⁾ OJ No L 251, 5. 10. 1979, p. 12.⁽⁵⁾ OJ No L 170, 30. 6. 1987, p. 23.

COMMISSION REGULATION (EEC) No 2086/91**of 16 July 1991****abolishing a countervailing charge on cherries originating in Bulgaria**

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 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1623/91⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 1972/91⁽³⁾ introduced a countervailing charge on cherries originating in Bulgaria;

Whereas for cherries originating in Bulgaria there were no prices for six consecutive working days; whereas the

conditions specified in Article 26 (1) of Regulation (EEC) No 1035/72 are therefore fulfilled and the countervailing charge on imports of cherries originating in Bulgaria can be abolished,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1972/91 is hereby repealed.

Article 2

This Regulation shall enter into force on 17 July 1991.

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

Done at Brussels, 16 July 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 150, 15. 6. 1991, p. 8.

⁽³⁾ OJ No L 177, 5. 7. 1991, p. 16.

COMMISSION REGULATION (EEC) No 2087/91

of 16 July 1991

introducing a corrective amount on the import of aubergines into the Community of Ten from Spain

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 3709/89 of 4 December 1989 laying down general rules for implementing the Act of Accession of Spain and Portugal as regards the compensatory mechanism for imports of fruit and vegetables from Spain⁽¹⁾, and in particular Article 4 (2) thereof,

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

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

Whereas Commission Regulation (EEC) No 808/91⁽²⁾ fixed, for the 1991 marketing year, the Community offer price for aubergines applicable with regard to Spain;Whereas Commission Regulation (EEC) No 3815/89⁽³⁾ lays down detailed rules for applying the compensatory mechanism on imports of fruit and vegetables from Spain;

Whereas, in the case of aubergines, the offer price for the Spanish product as calculated in accordance with the provisions of Council Regulation (EEC) No 3709/89 has

remained for two consecutive market days at a level at least ECU 0,6 below the Community offer price; whereas a corrective amount equal to the difference between the Community offer price and the Spanish offer price must therefore be introduced for these products from Spain;

Whereas if the system is to operate normally the offer price of the Spanish product should be calculated on the following basis:

- in the case of currencies the spot market rates for which are maintained in relationship to each other within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁴⁾, as last amended by Regulation (EEC) No 2205/90⁽⁵⁾;
- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent,

HAS ADOPTED THIS REGULATION:

Article 1

On import into the Community of Ten of aubergines (CN code ex 0709 30 00) from Spain a corrective amount of ECU 8,66 per 100 kilograms net shall be levied.

Article 2

This Regulation shall enter into force on 18 July 1991.

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

Done at Brussels, 16 July 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 363, 13. 12. 1989, p. 3.

⁽²⁾ OJ No L 82, 28. 3. 1991, p. 45.

⁽³⁾ OJ No L 371, 20. 12. 1989, p. 28.

⁽⁴⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁵⁾ OJ No L 201, 31. 7. 1990, p. 9.

COMMISSION REGULATION (EEC) No 2088/91

of 16 July 1991

altering the basic amount of the import levies on syrups and certain other products in the sugar sector

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EEC) No 464/91⁽²⁾, and in particular Article 16 (8) thereof,

Whereas the import levies on syrups and certain other sugar products were fixed by Commission Regulation (EEC) No 1852/91⁽³⁾, as last amended by Regulation (EEC) No 2019/91⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1852/91 to the information known to the Commission that the basic amount of the levy on syrups and certain other sugar products at present in force should be altered;

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

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

rate, multiplied by the corrective factor provided for in the last subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁵⁾, as last amended by Regulation (EEC) No 2205/90⁽⁶⁾,

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

HAS ADOPTED THIS REGULATION:

Article 1

The basic amounts of the import levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81, as fixed in the Annex to amended Regulation (EEC) No 1852/91 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 17 July 1991.

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

Done at Brussels, 16 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 168, 29. 6. 1991, p. 22.

⁽⁴⁾ OJ No L 185, 11. 7. 1991, p. 15.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 9.

ANNEX

to the Commission Regulation of 16 July 1991 altering the basic amount of the import
levies on syrups and certain other products in the sugar sector

(ECU)

CN code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question	Amount of levy per 100 kg of dry matter
1702 20 10	0,3944	—
1702 20 90	0,3944	—
1702 30 10	—	49,88
1702 40 10	—	49,88
1702 60 10	—	49,88
1702 60 90	0,3944	—
1702 90 30	—	49,88
1702 90 60	0,3944	—
1702 90 71	0,3944	—
1702 90 90	0,3944	—
2106 90 30	—	49,88
2106 90 59	0,3944	—

COMMISSION REGULATION (EEC) No 2089/91

of 16 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 2075/91⁽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 15 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 17 July 1991.

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

Done at Brussels, 16 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 191, 16. 7. 1991, p. 32.

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

(ECU/100 kg)

CN code	Levy
1701 11 10	33,54 ⁽¹⁾
1701 11 90	33,54 ⁽¹⁾
1701 12 10	33,54 ⁽¹⁾
1701 12 90	33,54 ⁽¹⁾
1701 91 00	39,44
1701 99 10	39,44
1701 99 90	39,44 ⁽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 2090/91**of 16 July 1991****altering the export refunds on cereals and on wheat or rye flour, groats and meal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 3577/90 ⁽²⁾, and in particular the fifth subparagraph of Article 16 (2) thereof,

Whereas the export refunds on cereals and on wheat or rye flour, groats and meal were fixed by Commission Regulation (EEC) No 2044/91 ⁽³⁾;

Whereas it follows from applying the detailed rules contained in Commission Regulation (EEC) No 2044/91

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 2727/75, exported in the natural state, as fixed in the Annex to Regulation (EEC) No 2044/91 are hereby altered as shown in the Annex to this Regulation in respect of the products set out therein.

Article 2

This Regulation shall enter into force on 17 July 1991.

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

Done at Brussels, 16 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 186, 12. 7. 1991, p. 55.

ANNEX

to the Commission Regulation of 16 July 1991 altering the export refunds on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)		
Product code	Destination (1)	Amount of refund
0709 90 60 000	—	—
0712 90 19 000	—	—
1001 10 10 000	08	120,00
1001 10 90 000	04	120,00
	06	30,00
	02	20,00
1001 90 91 000	08	76,00
1001 90 99 000	04	25,00
	05	24,00
	06	27,00
	07	26,00
	08	30,00
	09	32,00
	02	20,00
1002 00 00 000	03	25,00
	05	24,00
	02	20,00
1003 00 10 000	—	—
1003 00 90 000	04	25,00
	06	30,00
	02	20,00
1004 00 10 000	—	—
1004 00 90 000	—	—
1005 10 90 000	—	—
1005 90 00 000	03	65,00
	02	0
1007 00 90 000	—	—
1008 20 00 000	—	—
1101 00 00 100	01	119,00
1101 00 00 130	01	105,00
1101 00 00 150	01	97,00
1101 00 00 170	01	90,00
1101 00 00 180	01	80,00
1101 00 00 190	—	—
1101 00 00 900	—	—
1102 10 00 600	01	119,00
1102 10 00 900	—	—
1103 11 10 100	01	200,00
1103 11 10 200	01	200,00
1103 11 10 500	01	0
1103 11 10 900	01	0
1103 11 90 100	01	119,00
1103 11 90 900	—	—

(¹) The destinations are identified as follows :

- 01 All third countries,
- 02 Other third countries,
- 03 Switzerland, Austria and Liechtenstein,
- 04 Switzerland, Austria, Liechtenstein, Ceuta and Melilla,
- 05 Zone II (b),
- 06 The Soviet Union,
- 07 Korea,
- 08 Algeria,
- 09 The People's Republic of China.

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

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 29 April 1991

on aid from France to the coal industry in 1991

(Only the French text is authentic)

(91/355/ECSC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community,

Having regard to Commission Decision No 2064/86/ECSC of 30 June 1986 establishing Community rules for State aid to the coal industry⁽¹⁾,

Whereas :

In its letter of 4 January 1991, the French Government informed the Commission, pursuant to Article 9 (2) of Decision No 2064/86/ECSC, of a financial measure it intends to take to give direct support to the coal industry in 1991 ;

The following measure is submitted to the Commission for approval pursuant to the abovementioned Decision :

— aid of FF 1 153 000 000 to cover operating losses pursuant to Article 3 of the Decision ;

According to the notification from the French Government, the purpose of the aid is to facilitate the restructuring of the coal industry ;

The measure which the French Government intends to take to support the coal industry satisfies Article 1 (1) of the Decision. Consequently, pursuant to Article 10 of the

Decision, the Commission must determine whether the measure is compatible with the objectives and criteria laid down in the Decision and with the proper functioning of the common market.

The measures to rationalize and restructure the French coal industry which were necessary because some pits were not economically viable in the long term, have led since 1986 to a 40 % reduction in coal production and a marked improvement in both productivity and production costs. The restructuring programme involves the concentration of production in Lorraine in the pits most likely to be economically viable and the subsequent closure of underground mines in the Centre-Midi coal-field. As part of the restructuring, modernization and rationalization process, production capacity in the Nord-Pas-de-Calais coalfield was closed at the end of 1990.

The aid granted to the French coal industry has been substantially reduced. The amount of aid notified for 1991 will represent no more than 32 % of the aid granted in 1986.

Aid to cover operating losses facilitates rationalization and restructuring of the coal industry and thus improves the industry's competitiveness in the long term.

The proposed aid will cover only 52 % of the difference for each tonne produced between foreseeable average costs and foreseeable average returns, and therefore meets the criteria laid down in Article 3 (1) of Decision No 2064/86/ECSC.

⁽¹⁾ OJ No L 177, 1. 7. 1986, p. 1.

Since the measure contributes to the restructuring and rationalization of the industry and in view of its purpose, it satisfies the objectives and conditions laid down in Article 2 of the Decision.

Consequently, the aid to current production which the French Government plans to grant to the coal industry in 1991, pursuant to Article 3 of Decision No 2064/86/ECSC, is compatible with the proper functioning of the common market.

This Decision does not affect the compatibility with the Treaties of arrangements governing sales of coal mined in France to electricity producers,

HAS ADOPTED THIS DECISION :

Article 1

France is hereby authorized to grant to the coal industry for 1991 : aid totalling FF 1 153 000 000 to cover operating losses.

Article 2

France shall inform the Commission no later than 30 June 1992 of the amount of aid actually paid in 1991.

Article 3

This Decision is addressed to the French Republic.

Done at Brussels, 29 April 1991.

For the Commission

António CARDOSO E CUNHA

Member of the Commission

COMMISSION DIRECTIVE

of 13 June 1991

laying down the principles and guidelines of good manufacturing practice for medicinal products for human use

(91/356/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 75/319/EEC of 20 May 1975 on the approximation of provisions laid down by law, regulation or administrative action relating to proprietary medicinal products⁽¹⁾, as last amended by Directive 89/381/EEC⁽²⁾, and in particular Article 19a thereof,

Whereas all medicinal products for human use manufactured or imported into the Community, including medicinal products intended for export, should be manufactured in accordance with the principles and guidelines of good manufacturing practice;

Whereas, in accordance with national legislation, Member States may require compliance with these principles of good manufacturing practice during the manufacture of products intended for use in clinical trials;

Whereas the detailed guidelines mentioned in Article 19a of Directive 75/319/EEC have been published by the Commission after consultation with the pharmaceutical inspection services of the Member States in the form of a '*Guide to good manufacturing practice for medicinal products*';

Whereas it is necessary that all manufacturers should operate an effective quality management of their manufacturing operations, and that this requires the implementation of a pharmaceutical quality assurance system;

Whereas officials representing the competent authorities should report on whether the manufacturer complies with good manufacturing practice and that these reports should be communicated upon reasoned request to the competent authorities of another Member State;

Whereas the principles and guidelines of good manufacturing practice should primarily concern personnel, premises and equipment, documentation, production, quality control, contracting out, complaints and product recall, and self inspection;

Whereas the principles and guidelines envisaged by this Directive are in accordance with the opinion of the

Committee for the Adaptation to Technical Progress of the Directives on the Removal of Technical Barriers to Trade in the Proprietary Medicinal Products Sector set up by Article 2b of Council Directive 75/318/EEC of 20 May 1975 on the approximation of the laws of Member States relating to analytical, pharmaco-toxicological and clinical standards and protocols in respect of the testing of proprietary medicinal products⁽³⁾, as last amended by Directive 89/341/EEC⁽⁴⁾,

HAS ADOPTED THIS DIRECTIVE:

CHAPTER I

GENERAL PROVISIONS

Article 1

This Directive lays down the principles and guidelines of good manufacturing practice for medicinal products for human use whose manufacture requires the authorization referred to in Article 16 of Directive 75/319/EEC.

Article 2

For the purposes of this Directive, the definition of medicinal products set out in Article 1 (2) of Council Directive 65/65/EEC⁽⁵⁾, shall apply.

In addition,

- 'manufacturer' shall mean any holder of the authorization referred to in Article 16 of Directive 75/319/EEC,
- 'qualified person' shall mean the person referred to in Article 21 of Directive 75/319/EEC,
- 'pharmaceutical quality assurance' shall mean the sum total of the organized arrangements made with the object of ensuring that medicinal products are of the quality required for their intended use,
- 'good manufacturing practice' shall mean the part of quality assurance which ensures that products are consistently produced and controlled to the quality standards appropriate to their intended use.

⁽¹⁾ OJ No L 147, 9. 6. 1975, p. 13.

⁽²⁾ OJ No L 181, 28. 6. 1989, p. 44.

⁽³⁾ OJ No L 147, 9. 6. 1975, p. 1.

⁽⁴⁾ OJ No L 142, 25. 5. 1989, p. 11.

⁽⁵⁾ OJ No 22, 9. 2. 1965, p. 369/65.

Article 3

By means of the repeated inspections referred to in Article 26 of Directive 75/319/EEC, the Member States shall ensure that manufacturers respect the principles and guidelines of good manufacturing practice laid down by this Directive.

For the interpretation of these principles and guidelines of good manufacturing practice, the manufacturers and the agents of the competent authorities shall refer to the detailed guidelines referred to in Article 19a of Directive 75/319/EEC. These detailed guidelines are published by the Commission in the '*Guide to good manufacturing practice for medicinal products*' and in its Annexes (Office for Official Publications of the European Communities, *The rules governing medicinal products in the European Community*, Volume IV).

Article 4

The manufacturer shall ensure that the manufacturing operations are carried out in accordance with good manufacturing practice and with the manufacturing authorization.

For medicinal products imported from third countries, the importer shall ensure that the medicinal products have been manufactured by manufacturers duly authorized and conforming to good manufacturing practice standards, at least equivalent to those laid down by the Community.

Article 5

The manufacturer shall ensure that all manufacturing operations subject to an authorization for marketing are carried out in accordance with the information given in the application for marketing authorization as accepted by the competent authorities.

The manufacturer shall regularly review their manufacturing methods in the light of scientific and technical progress. When a modification to the marketing authorization dossier is necessary, the application for modification must be submitted to the competent authorities.

CHAPTER II

PRINCIPLES AND GUIDELINES OF GOOD MANUFACTURING PRACTICE

Article 6

Quality management

The manufacturer shall establish and implement an effective pharmaceutical quality assurance system, involving

the active participation of the management and personnel of the different services involved.

Article 7

Personnel

1. At each manufacturing site, the manufacturer shall have competent and appropriately qualified personnel at his disposal in sufficient number to achieve the pharmaceutical quality assurance objective.

2. The duties of managerial and supervisory staff, including the qualified person(s), responsible for implementing and operating good manufacturing practice shall be defined in job descriptions. Their hierarchical relationships shall be defined in an organization chart. Organization charts and job descriptions shall be approved in accordance with the manufacturer's internal procedures.

3. Staff referred to in paragraph 2 shall be given sufficient authority to discharge their responsibilities correctly.

4. Personnel shall receive initial and continuing training including the theory and application of the concept of quality assurance and good manufacturing practice.

5. Hygiene programmes adapted to the activities to be carried out shall be established and observed. These programmes include procedures relating to health, hygiene and clothing of personnel.

Article 8

Premises and equipment

1. Premises and manufacturing equipment shall be located, designed, constructed, adapted and maintained to suit the intended operations.

2. Lay out, design and operation must aim to minimize the risk of errors and permit effective cleaning and maintenance in order to avoid contamination, cross contamination and, in general, any adverse effect on the quality of the product.

3. Premises and equipment intended to be used for manufacturing operations which are critical for the quality of the products shall be subjected to appropriate qualification.

Article 9

Documentation

1. The manufacturer shall have a system of documentation based upon specifications, manufacturing formulae and processing and packaging instructions, procedures and records covering the various manufacturing operations that they perform. Documents shall be clear, free from errors and kept up to date. Pre-established procedures for general manufacturing operations and conditions shall be available, together with specific documents

for the manufacture of each batch. This set of documents shall make it possible to trace the history of the manufacture of each batch. The batch documentation shall be retained for at least one year after the expiry date of the batches to which it relates or at least five years after the certification referred to in Article 22 (2) of Directive 75/319/EEC whichever is the longer.

2. When electronic, photographic or other data processing systems are used instead of written documents, the manufacturer shall have validated the systems by proving that the data will be appropriately stored during the anticipated period of storage. Data stored by these systems shall be made readily available in legible form. The electronically stored data shall be protected against loss or damage of data (e.g. by duplication or back-up and transfer onto another storage system).

Article 10

Production

The different production operations shall be carried out according to pre-established instructions and procedures and in accordance with good manufacturing practice. Adequate and sufficient resources shall be made available for the in-process controls.

Appropriate technical and/or organizational measures shall be taken to avoid cross contamination and mix-ups.

Any new manufacture or important modification of a manufacturing process shall be validated. Critical phases of manufacturing processes shall be regularly revalidated.

Article 11

Quality control

1. The manufacturer shall establish and maintain a quality control department. This department shall be placed under the authority of a person having the required qualifications and shall be independent of the other departments.

2. The quality control department shall have at its disposal one or more quality control laboratories appropriately staffed and equipped to carry out the necessary examination and testing of starting materials, packaging materials and intermediate and finished products testing. Resorting to outside laboratories may be authorized in accordance with Article 12 of this Directive after the

authorization referred to in Article 5b of Directive 75/319/EEC has been granted.

3. During the final control of finished products before their release for sale or distribution, in addition to analytical results, the quality control department shall take into account essential information such as the production conditions, the results of in-process controls, the examination of the manufacturing documents and the conformity of the products to their specifications (including the final finished pack).

4. Samples of each batch of finished products shall be retained for at least one year after the expiry date. Unless in the Member States of manufacture a longer period is required, samples of starting materials (other than solvents, gases and water) used shall be retained for at least two years after the release of the product. This period may be shortened if their stability, as mentioned in the relevant specification, is shorter. All these samples shall be maintained at the disposal of the competent authorities.

For certain medicinal products manufactured individually or in small quantities, or when their storage could raise special problems, other sampling and retaining conditions may be defined in agreement with the competent authority.

Article 12

Work contracted out

1. Any manufacturing operation or operation linked with the manufacture which is carried out under contract, shall be the subject of a written contract between the contract giver and the contract acceptor.

2. The contract shall clearly define the responsibilities of each party and in particular the observance of good manufacturing practice by the contract acceptor and the manner in which the qualified person responsible for releasing each batch shall undertake his full responsibilities.

3. The contract acceptor shall not subcontract any of the work entrusted to him by the contract giver without the written authorization of the contract giver.

4. The contract acceptor shall respect the principles and guidelines of good manufacturing practice and shall submit to inspections carried out by the competent authorities as provided for by Article 26 of Directive 75/319/EEC.

*Article 13***Complaints and product recall**

The manufacturer shall implement a system for recording and reviewing complaints together with an effective system for recalling promptly and at any time the medicinal products in the distribution network. Any complaint concerning a defect shall be recorded and investigated by the manufacturer. The competent authority shall be informed by the manufacturer of any defect that could result in a recall or abnormal restriction on the supply. In so far as possible, the countries of destination shall also be indicated. Any recall shall be made in accordance with the requirements referred to in Article 33 of Directive 75/319/EEC.

*Article 14***Self-inspection**

The manufacturer shall conduct repeated self-inspections as part of the quality assurance system in order to monitor the implementation and respect of good manufacturing practice and to propose any necessary corrective measures. Records of such self-inspections and any subsequent corrective action shall be maintained.

CHAPTER III

FINAL PROVISIONS*Article 15*

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive not later than 1 January 1992. They shall forthwith inform the Commission thereof.

When Member States adopt these provisions, these shall contain a reference to this Directive or shall be accompanied by such reference at the time of their official publication. The procedure for such reference shall be adopted by Member States.

Article 16

This Directive is addressed to the Member States.

Done at Brussels, 13 June 1991.

For the Commission

Martin BANGEMANN

Vice-President

COMMISSION DIRECTIVE

of 13 June 1991

laying down the categories of ingredients which may be used for the purposes of
labelling compound feedingstuffs for animals other than pet animals

(91/357/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 79/373/EEC of 2 April 1979 on the marketing of compound feedingstuffs⁽¹⁾, as last amended by Directive 90/44/EEC⁽²⁾, and in particular Article 10 (a) thereof,

Whereas, as regards labelling, the purpose of Directive 79/373/EEC is to ensure that stock farmers are informed objectively and as accurately as possible as to the composition and use of feedingstuffs;

Whereas the quantitative determination of the ingredients in feedingstuffs for production animals currently raises verification difficulties, mainly because of the nature of the products used, of the complexity of the mixtures made or the manufacturing methods adopted;

Whereas it is accordingly appropriate at this stage to prefer, at least for feedingstuffs for production animals, a flexible declaration arrangement confined to the indication of the feedingstuff ingredients without stating their quantity; whereas it has furthermore proved necessary to provide for the establishment of categories making it possible to group several ingredients under a single name;

Whereas it is provided by Directive 79/373/EEC that in the light of advances in scientific knowledge categories grouping several ingredients shall be established not later than 22 January 1991;

Whereas, since categories of ingredients have already been established by Commission Directive 82/475/EEC⁽³⁾ for compound feedingstuffs intended for pets, similar provisions should be adopted for feedingstuffs intended for other animals, within the meaning of Directive 79/373/EEC, than pet animals;

Whereas, however, it is not possible to establish categories covering all the ingredients of compound feedingstuffs; whereas, therefore, the manufacturer should indicate in addition any ingredients not belonging to any of the categories listed in the Annex;

Whereas the ingredients in category 12 'Land animal products' must, moreover, comply with the provisions of

Council Directive 90/667/EEC of 27 November 1990 laying down the veterinary rules for the disposal and processing of animal waste, for its placing on the market and for the prevention of pathogens in feedingstuffs of animal or fish origin and amending Directive 90/425/EEC⁽⁴⁾;

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

HAS ADOPTED THIS DIRECTIVE:

Article 1

Where, pursuant to Article 5 (c) (3) of Directive 79/373/EEC, the indication of the specific name of the ingredient may be replaced by the name of the category to which the ingredient belongs, only the categories listed in the Annex hereto may be indicated on the packaging, container or label of compound feedingstuffs for animals other than pet animals.

Article 2

Member States shall bring into force not later than 22 January 1992 the laws, regulations and administrative provisions necessary to comply with the provisions of this Directive. They shall immediately inform the Commission thereof.

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

Article 3

This Directive is addressed to the Member States.

Done at Brussels, 13 June 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 86, 6. 4. 1979, p. 30.

⁽²⁾ OJ No L 27, 31. 1. 1990, p. 35.

⁽³⁾ OJ No L 213, 21. 7. 1982, p. 27.

⁽⁴⁾ OJ No L 363, 27. 12. 1990, p. 51.

ANNEX

CATEGORIES OF INGREDIENTS WHICH MAY BE INDICATED IN PLACE OF INDIVIDUAL INGREDIENTS WHEN LABELLING COMPOUND FEEDS INTENDED FOR ANIMALS OTHER THAN PETS

Category	Definition
1. Cereal grains	The whole of the grain from all cereal types (including buckwheat) regardless of their presentation, but from which no fraction other than hulls has been removed.
2. Cereal grain products and by-products	Fractional products and by-products of cereal grains other than oils included in category 15. These products and by-products shall contain not more than 25 % crude fibre in the dry matter.
3. Oil seeds	The whole of the seed or fruit from all types of oil seeds and oil fruits regardless of their presentation, but from which no fractions other than hulls or shells have been removed.
4. Oil seed products and by-products	Fractional products and by-products of oil seeds and oil fruits other than oils and fats included in category 15. These products and by-products shall contain not more than 25 % crude fibre in the dry matter unless they contain more than 5 % crude oils and fats in the dry matter, or more than 15 % crude protein in the dry matter.
5. Products and by-products of legume seeds	Whole and fractional products and by-products of legume seeds other than leguminous oil seeds included in categories 3 and 4. These products and by-products shall contain not more than 25 % crude fibre in the dry matter.
6. Products and by-products of tubers and roots	Products and by-products derived from tubers and roots other than sugar beet included in category 7. These products and by-products shall contain not more than 25 % crude fibre in the dry matter.
7. Products and by-products of sugar production	Products and by-products of sugar-beet and sugar-cane. These products and by-products shall contain not more than 25 % crude fibre in the dry matter.
8. Products and by-products of fruit processing	Products and by-products of fruit processing. These products and by-products shall not contain more than 25 % crude fibre in the dry matter, unless they contain more than 5 % crude oils and fats in the dry matter, or more than 15 % crude protein in the dry matter.
9. Dried forages	Aerial parts of forage plants, cut while green, artificially or naturally dried. These products shall contain not more than 25 % crude fibre in the dry matter unless they contain more than 15 % crude protein in the dry matter.
10. High fibre materials	Feed ingredients containing more than 25 % crude fibre in the dry matter, such as straw, hulls and chaff, other than products included in categories 5, 9 and 9.

Category	Definition
11. Milk products	Products derived from the processing of milk, other than separated milk fats included in category 15.
12. Land animal products	Products from the processing of warm blooded land animal waste as defined in Article 2 of Council Directive 90/667/EEC, excluding fat included in category 15, and which are substantially free of hooves, horn, bristle, unhydrolyzed hair and feathers, as well as mammalian digestive tract content. Also excluding products containing more than 50 % ash in the dry matter included in category 14.
13. Fish products	Whole or part of fish and other cold blooded marine animals, including products from fish processing other than fish oil and its derivations included in category 15. Also excluding products containing more than 50 % ash in the dry matter included in category 14.
14. Minerals	Inorganic or organic materials containing more than 50 % ash in the dry matter, other than materials containing more than 5 % of ash insoluble in hydrochloric acid in the dry matter.
15. Oils and fats	Oils and fats from animal and vegetable sources, and their derivatives.
16. Products from the bakery and pasta industries	Waste and surplus materials from the bakery and pasta industries.

COMMISSION DECISION

of 13 June 1991

authorizing methods for grading pig carcasses in Denmark

(Only the Danish text is authentic)

(91/358/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3220/84 of 13 November 1984 determining the Community scale for grading pig carcasses ⁽¹⁾, as last amended by Regulation (EEC) No 3577/90 ⁽²⁾, and in particular Article 5 (2) thereof,

Whereas Article 2 (3) of Regulation (EEC) No 3220/84 provides that the grading of pig carcasses must be determined by estimating the content of lean meat in accordance with statistically proven assessment methods based on the physical measurement of one or more anatomical parts of the pig carcass; whereas the authorization of grading methods is subject to compliance with a maximum tolerance for statistical error in assessment; whereas this tolerance has been defined in Article 3 of Commission Regulation (EEC) No 2967/85 of 24 October 1985 laying down detailed rules for the application of the Community scale for grading pig carcasses ⁽³⁾;

Whereas the use of the apparatus termed 'Klassificeringscenter' ('KC') and the apparatus termed 'Fat-O-Meater/Manuel Klassificering' ('FOM/MK') have been authorized for Denmark by Commission Decision 89/253/EEC ⁽⁴⁾;

Whereas the Danish Government has requested the Commission to authorize the use of one more method for grading pig carcasses on its territory and has submitted the information required in Article 3 of Regulation (EEC) No 2967/85; whereas an examination of this request has revealed that the conditions for authorizing the said grading method are fulfilled;

Whereas a new Decision should be adopted to include all three methods for the sake of clarity; whereas, as a consequence, Decision 89/253/EEC should be repealed;

Whereas Article 2 of Regulation (EEC) No 3220/84 lays down that Member States may be authorized to provide

for a presentation of pig carcasses different to the standard presentation defined in the same Article where commercial practice or technical requirements so warrant;

Whereas in Denmark the technical requirements relating to the use of the grading method and, consequently, commercial practice, necessitate the removal of the kidneys, the flare fat and the diaphragm; whereas this should be taken into account in adjusting to the weight for standard presentation;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The use of the following methods is hereby authorized for grading pig carcasses pursuant to Regulation (EEC) No 3220/84 in Denmark:

- the apparatus termed 'Klassificeringscenter' ('KC') and the assessment method related thereto, details of which are given in Part 1 of the Annex,
- the apparatus termed 'Fat-O-Meater/Manuel Klassificering' ('FOM/MK') and the assessment method related thereto, details of which are given in Part 2 of the Annex,
- the apparatus termed 'Ultra-FOM' and the assessment method related thereto, details of which are given in Part 3 of the Annex.

2. As regards the apparatus 'Ultra-FOM', it is laid down that after the end of the measurement procedure it must be possible to verify on the carcass that the apparatus measured the values of measurement X_1 , X_2 and X_3 on the site provided for in the Annex, Part 3, point 3. The corresponding marking of the measurement site must be made at the same time as the measurement procedure.

⁽¹⁾ OJ No L 301, 20. 11. 1984, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 285, 25. 10. 1985, p. 39.

⁽⁴⁾ OJ No L 105, 17. 4. 1989, p. 19.

Article 2

Notwithstanding the standard presentation referred to in Article 2 of Regulation (EEC) No 3220/84, the flare fat, the kidneys and the diaphragm shall be removed from pig carcasses before being weighed and, in the case when the 'KC' or 'FOM/MK' apparatus is used, before being graded. In order to establish quotations for pig carcasses on a comparable basis, the recorded hot weight shall be increased by 2,7 %.

Article 3

Modification of the apparatus or of the assessment methods (measurement sites or formulae) shall not be authorized.

Article 4

Decision 89/253/EEC is hereby repealed.

Article 5

This Decision is addressed to the Kingdom of Denmark.

Done at Brussels, 13 June 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

METHODS FOR GRADING PIG CARCASSES IN DENMARK

PART 1

Klassificeringscenter (KC)

1. Grading of pig carcasses shall be carried out by means of the apparatus termed 'Klassificeringscenter' ('KC').
2. The apparatus shall be equipped with 17 probes of six millimetres each containing a photodiode (Siemens SFH 950-LD242 II) and a photodetector (Siemens SFH 960-PB 103) and having an operating distance of between one and 180 millimetres.

The results of the measurements are converted into estimated lean meat content by means of a central unit.

3. The lean meat content of the carcass shall be calculated on the basis of at least seven measurements taken from 15 measuring-points as are indicated in paragraph 4 and according to one of the 10 formulae below:

$$\begin{aligned}\hat{y}_1 &= 62,7967 - 0,2420 \times S_2 - 0,1770 \times S_9 - 0,1806 \times S_{11} - 0,1915 \times S_{13} - 0,2164 \times S_{14} - 0,1644 \times S_{16} + 0,1080 \times K_{11} + 0,0826 \times V \\ \hat{y}_2 &= 62,2743 - 0,1353 \times S_3 - 0,1716 \times S_9 - 0,1750 \times S_{11} - 0,2105 \times S_{13} - 0,2104 \times S_{14} - 0,1832 \times S_{16} + 0,1147 \times K_{11} + 0,0825 \times V \\ \hat{y}_3 &= 63,5026 - 0,2409 \times S_2 - 0,2375 \times S_7 - 0,1609 \times S_{11} - 0,2156 \times S_{12} - 0,2742 \times S_{14} - 0,1001 \times S_{15} + 0,1271 \times K_{11} + 0,0615 \times V \\ \hat{y}_4 &= 61,8765 - 0,2622 \times S_2 - 0,1496 \times S_9 - 0,1669 \times S_{11} - 0,2109 \times S_{13} - 0,2262 \times S_{16} + 0,1259 \times K_{11} - 0,0837 \times T_6 + 0,1010 \times V \\ \hat{y}_5 &= 62,8977 - 0,1293 \times S_3 - 0,2390 \times S_7 - 0,1563 \times S_{11} - 0,1804 \times S_{12} - 0,2288 \times S_{14} - 0,1696 \times S_{16} + 0,1242 \times K_{11} + 0,0678 \times V \\ \hat{y}_6 &= 61,9166 - 0,2756 \times S_2 - 0,1350 \times S_9 - 0,1677 \times S_{11} - 0,1746 \times S_{12} - 0,2303 \times S_{16} + 0,1348 \times K_{11} - 0,0889 \times T_6 + 0,0950 \times V \\ \hat{y}_7 &= 61,3336 - 0,1514 \times S_3 - 0,1480 \times S_9 - 0,1642 \times S_{11} - 0,2324 \times S_{13} - 0,2452 \times S_{16} + 0,1311 \times K_{11} - 0,0744 \times T_6 + 0,1002 \times V \\ \hat{y}_8 &= 63,4821 - 0,2811 \times S_2 - 0,2463 \times S_7 - 0,1588 \times S_{12} - 0,2283 \times S_{13} - 0,2766 \times S_{14} + 0,0953 \times K_{12} - 0,0712 \times T_8 + 0,1142 \times V \\ \hat{y}_9 &= 60,0836 - 0,2340 \times S_2 - 0,1077 \times S_3 - 0,1973 \times S_9 - 0,3010 \times S_{13} - 0,2501 \times S_{16} + 0,1024 \times K_{13} - 0,0902 \times T_8 + 0,1535 \times V \\ \hat{y}_{10} &= 62,5717 - 0,1617 \times S_3 - 0,2846 \times S_7 - 0,3165 \times S_{13} - 0,2584 \times S_{14} - 0,1219 \times S_{15} + 0,0988 \times K_{12} - 0,0677 \times T_8 + 0,1195 \times V\end{aligned}$$

where:

$\hat{y}_1$ until $\hat{y}_{10}$ = the estimated percentage of lean meat in the carcass.

4. The measurement points are:

S_2 = the thickness of backfat (including rind) in millimetres, measured at the centre of 3rd cervical vertebra, at 10,5 cm off the midline of the carcass.

S_3 = the thickness of backfat (including rind) in millimetres, measured at the centre of 4th cervical vertebra, at 7 cm off the midline of the carcass.

S_7 = the thickness of backfat (including rind) in millimetres, measured between 3rd and 4th hindmost thoracic vertebrae, at 23 cm off the midline of the carcass.

S_9 = the thickness of backfat (including rind) in millimetres, measured between hindmost and 2nd hindmost thoracic vertebrae, at 21 cm off the midline of the carcass.

S_{11} = the thickness of backfat (including rind) in millimetres, measured between 4th and 5th hindmost thoracic vertebrae, at 3 cm off the midline of the carcass.

S_{12} = the thickness of backfat (including rind) in millimetres, measured between 2nd and 3rd hindmost thoracic vertebrae, at 7 cm off the midline of the carcass.

S_{13} = the thickness of backfat (including rind) in millimetres, measured between 1st lumbar vertebra and the last thoracic vertebra, at 6 cm off the midline of the carcass.

S_{14} = the thickness of backfat (including rind) in millimetres, measured 4 cm before the fore edge of the pubic bone, at 7 cm off the midline of the carcass.

S_{15} = the thickness of backfat (including rind) in millimetres, measured 1 cm behind the fore edge of the pubic bone, at 18 cm off the midline of the carcass.

S_{16} = the thickness of backfat (including rind) in millimetres, measured at the fore edge of the pubic bone, at 11 cm from midline of the carcass.

K_{11} = muscle thickness in millimetres, measured between 4th and 5th hindmost thoracic vertebrae, at 3 cm off the midline of the carcass.

K_{12} = muscle thickness in millimetres, measured between 2nd and 3rd hindmost thoracic vertebrae, at 7 cm off the midline of the carcass.

K_{13} = muscle thickness in millimetres, measured between 1st lumbar vertebra and hindmost thoracic vertebra, at 6 cm off the midline of the carcass.

T_6 = total thickness in millimetres, measured between 4th and 5th hindmost thoracic vertebrae, at 19 cm off the midline of the carcass.

T_8 = total thickness in millimetres, measured between 2nd and 3rd hindmost thoracic vertebrae, at 17 cm off the midline of the carcass.

V = warm carcass weight in kilograms (excluding flare fat, kidneys and diaphragm).

The formulae shall be valid for carcasses weighing between 50 and 100 kilograms.

PART 2

Fat-O-Meater/Manuel Klassificering (FOM/MK)

1. Grading of pig carcasses shall be carried out by means of the apparatus termed 'Fat-O-Meater/Manuel Klassificering' (FOM/MK).
2. The apparatus shall be equipped with a probe of six millimetres diameter containing a photodiode (Siemens SFH 950-LD 242 II) and a photodetector (Siemens SFH 960-BP 103) and having an operating distance of between one and 94 millimetres.

The results of the measurements are converted into estimated lean meat content by means of a central unit.

3. The lean meat content of the carcass shall be calculated according to the following formula :

$$\hat{y} = 60,7548 - 0,3724x_1 - 0,3702x_2 + 0,1337x_3 + 0,0356x_4,$$

where :

- $\hat{y}$ = the estimated percentage of lean meat in the carcass,
- x_1 = the thickness of backfat (including rind) in millimetres, measured at 8 cm off the midline of the carcass, between the third and fourth last lumbar vertebrae,
- x_2 = the thickness of backfat (including rind) in millimetres, measured at 6 cm off the midline of the carcass, between the third and fourth last ribs,
- x_3 = the thickness of muscle in millimetres, measured at the same time and in the same place as x_2 ,
- x_4 = warm carcass weight in kilograms (excluding the flare fat, the kidneys and the diaphragm).

The formula shall be valid for carcasses weighing between 50 and 100 kilograms.

PART 3

Ultra-FOM

1. Grading of pig carcasses shall be carried out by means of the apparatus termed 'Ultra-FOM'.
2. The apparatus shall be equipped with an ultrasonic probe at 4 Mhz (Krautkrämer MB 4 SE). The ultrasonic signal is digitized, stored and processed by a micro-processor (type Intel 80 C 31).

The results of the measurements shall be converted into estimated lean meat content by means of the Ultra-FOM apparatus itself.

3. The lean meat content of the carcass should be calculated according to the following formula :

$$\hat{y} = 63,8662 - 0,4465 x_1 - 0,5096 x_2 + 0,1281 x_3$$

where :

- $\hat{y}$ = the estimated percentage of lean meat in the carcass,
- x_1 = the thickness of backfat (including rind) in millimetres, measured at 7 cm off the midline of the carcass, between the third and fourth last lumbar vertebrae,
- x_2 = the thickness of backfat (including rind) in millimetres, measured at 7 cm off the midline of the carcass, between the third and fourth last ribs,
- x_3 = the thickness of muscle in millimetres, measured at the same time and in the same place as x_2 .

The formula shall be valid for carcasses weighing between 50 and 100 kilograms.

COMMISSION DECISION**of 15 July 1991****allocating import quotas for chlorofluorocarbons for the period 1 July 1991 to 31 December 1992****(91/359/EEC)**

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

Having regard to Council Regulation (EEC) No 594/91 of 4 March 1991 on substances that deplete the ozone layer ⁽¹⁾,

Whereas Article 3 of Regulation (EEC) No 594/91 states that the import into the Community of chlorofluorocarbons from third countries is to be subject to quantitative limits;

Whereas Article 5 of the same Regulation states that import into the Community of chlorofluorocarbons from third countries not Parties to the Protocol is prohibited;

Whereas the Commission has published a notice to importers of chlorofluorocarbons in the European Community ⁽²⁾ regarding the same Regulation and has thereby received applications for import quotas;

Whereas Article 12 of the same Regulation sets out the procedure according to which decisions can be taken concerning the implementation of the Regulation;

Whereas the measures provided for in this Decision are in accordance with the opinion of the committee referred to in Article 12 of the same Regulation,

HAS DECIDED AS FOLLOWS:

Sole Article

The allocation of import quotas for chlorofluorocarbons controlled by the Regulation (EEC) No 594/91 and indicated in Group I of Annex I thereto during the period 1 July 1991 to 31 December 1992 shall be as indicated in the Annex hereto.

Done at Brussels, 15 July 1991.

For the Commission

Carlo RIPA DI MEANA

Member of the Commission

⁽¹⁾ OJ No L 67, 14. 3. 1991, p. 1.

⁽²⁾ OJ No C 36, 12. 2. 1991, p. 12.

ANNEX

Import quotas of chlorofluorocarbons allocated to importers regarding Regulation (EEC) No 594/91

Importer	Quantity (1)
1. BHP Supplies	123
2. Du Pont de Nemours	51
3. Helm AG	212
4. ICI	510
5. K&K-Horgen Ltd	343
6. Montefluos	340
7. Produits Chimiques Billancourt	204
8. Proquisa	255
9. RA Bennett Ltd	127
10. Rhône-Poulenc ISC Division	104

(1) Quantities are expressed in weighted tonnes according to the ozone depleting potentials (ODPs) specified in Annex I to Regulation (EEC) No 594/91. This is equivalent to the calculated levels mentioned in the same Regulation.