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I

*(Acts whose publication is obligatory)***COUNCIL REGULATION (EEC) No 2156/91****of 15 July 1991****amending for the fourth time Regulation (EEC) No 1866/86 laying down certain technical measures for the conservation of fishery resources in the waters of the Baltic Sea, the Belts and the Sound**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 170/83 of 25 January 1983 establishing a Community system for the conservation and management of fishery resources ⁽¹⁾, as last amended by the Act of Accession of Spain and Portugal, and in particular Article 11 thereof,

Having regard to the proposal from the Commission,

Whereas Council Regulation (EEC) No 1866/86 ⁽²⁾, as last amended by Regulation (EEC) No 887/89 ⁽³⁾, lays down certain technical measures for the conservation of fishery resources in the waters of the Baltic Sea, the Belts and the Sound;

Whereas the most effective means of minimizing catches of small fish is to prohibit fishing in those areas where they are heavily concentrated;

Whereas Article 2 of Regulation (EEC) No 170/83 states that the conservation measures necessary to achieve the aims set out in Article 1 thereof must be formulated in the light of the available scientific advice;

Whereas, taking account of the latest scientific advice, concerning the protection of flat fish nurseries, it is necessary to establish a limitation on fishing activities in

the 'Oderbank' region of the Baltic Sea; whereas Regulation (EEC) No 1866/86 should therefore be amended,

HAS ADOPTED THIS REGULATION:

Article 1

The following paragraph 3 is hereby added to Article 8 of Regulation (EEC) No 1866/86:

'3. It shall be prohibited, throughout the year, to fish with any trawl, Danish seine and similar net in the geographical area bounded by a line joining the following coordinates:

54° 23' N	14° 35' E
54° 14' N	14° 25' E
54° 17' N	14° 17' E
54° 24' N	14° 11' E
54° 27' N	14° 25' E
54° 23' N	14° 35' E.

*Article 2*This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*.

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

Done at Brussels, 15 July 1991.

*For the Council**The President*

P. BUKMAN

⁽¹⁾ OJ No L 24, 27. 1. 1983, p. 1.⁽²⁾ OJ No L 162, 18. 6. 1986, p. 1.⁽³⁾ OJ No L 94, 7. 4. 1989, p. 4.

COUNCIL REGULATION (EEC, EURATOM) No 2157/91

of 15 July 1991

concerning the provision of technical assistance to economic reform and recovery in the Union of Soviet Socialist Republics

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 235 thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 203 thereof,

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

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

Whereas the European Economic Community and the European Atomic Energy Community have concluded an Agreement on trade and commercial and economic cooperation with the Union of Soviet Socialist Republics ;

Whereas the European Council, at its meetings in Dublin and Rome in 1990, expressed its will to back the steps undertaken by the Soviet authorities to bring about the reform and recovery of the Soviet economy ; whereas to that end it decided to provide as soon as possible technical assistance in the fields of public and private sector management training, financial services, energy, transport and foodstuffs distribution ;

Whereas that aid should go towards projects that benefit the final recipients in the various republics of the Soviet Union ;

Whereas the implementation of such technical assistance should enable conditions favourable to private investment to be established ;

Whereas the European Council at its meeting in Rome also stressed the importance of effective coordination by the Commission of the efforts made in the Soviet Union by the Community and its Member States acting individually ;

Whereas it is appropriate that the Commission be assisted in the implementation of Community aid by a committee made up of Member States' representatives ;

Whereas this technical assistance will be the subject of a practical programme geared to specific projects, and will be eligible for overall support of ECU 400 million in 1991 and a sum yet to be determined in 1992, to be released in tranches as projects actually materialize ;

Whereas the implementation of these operations is such as to contribute to the attainment of the Community's objectives, and the Treaties have not provided, for the

adoption of this Regulation, powers other than those of Article 235 of the EEC Treaty and Article 203 of the EAEC Treaty,

HAS ADOPTED THIS REGULATION :

Article 1

An operation to assist economic reform and recovery in the Union of Soviet Socialist Republics shall be implemented by the Community in 1991 and 1992 in accordance with the criteria laid down in this Regulation. This assistance shall be concentrated on sectors and geographical areas where it can play a key role in the continuation of the reform process.

Article 2

The amount of Community funding for the implementation of the operation set up by this Regulation shall total ECU 400 million for the financial year 1991. The funds estimated as necessary for the financial year 1992 shall be decided at a later stage by the Council, acting unanimously.

The budget authority shall determine the appropriations available for 1992, taking into account the principles of sound financial management referred to in Article 2 of the Financial Regulation applicable to the general budget of the European Communities and with due regard for the financial outlook.

Article 3

1. The aid referred to in Article 1 shall take the form of technical assistance for the economic reforms under way in the Soviet Union, for measures aimed at bringing about the transition to a market economy and for related projects. It shall also cover reasonable costs of supplies required for the implementation of these operations.

The costs of the projects in local currency shall be covered by the Community only to the extent strictly necessary.

2. The appropriations referred to in Article 2 shall cover costs relating to the preparation, implementation, monitoring and evaluation of the execution of these operations.

3. Technical assistance shall give priority to the fields of public and private-sector management training, financial services, energy, transport and foodstuffs distribution.

⁽¹⁾ OJ No C 140, 30. 5. 1991, p. 10.

⁽²⁾ OJ No C 183, 15. 7. 1991.

4. Operations to be financed under this Regulation shall be selected taking account, *inter alia*, of the recipients' preferences and on the basis of an assessment of their effectiveness in achieving the objectives aimed at by Community assistance.

5. Technical cooperation shall be implemented on a decentralized basis. The final recipients of Community assistance shall be closely involved in the evaluation and execution of the projects.

Article 4

1. Community assistance shall take the form of grants, which shall be released in tranches as projects actually materialize.

2. Financing decisions, and any contracts resulting therefrom, shall expressly provide, *inter alia*, for supervision by the relevant Commission departments and the Court of Auditors, to be carried out on the spot, if necessary.

Article 5

1. Annual general guidelines shall be laid down in an indicative programme covering all the operations referred to in Article 3 (4). They shall define the thrust of Community assistance in the focal areas and the procedures for the implementation of operations. They shall be adopted each year under the procedure provided for in Article 7 (2) and (3).

2. For 1991, sectoral guidelines shall be laid down in sectoral programmes for the priority areas described in Article 3 (3), incorporating a list of the principal projects, together with an estimate of their cost wherever possible. These sectoral guidelines for 1991 shall be adopted in accordance with the procedure provided for in Article 7 (2) and (3).

3. The technical assistance projects funded under the 1992 budget shall be adopted under the procedure provided for in Article 7 (2) and (3).

Article 6

1. The Commission shall implement operations in accordance with the indicative programme referred to in Article 5.

2. Supply contracts shall be awarded by means of open invitations to tender except in the cases provided for in Article 116 of the Financial Regulation applicable to the general budget of the European Communities.

Service contracts shall as a general rule be awarded by restricted invitations to tender and by private treaty for operations of up to ECU 300 000. As from 1 January 1992 this amount shall be revised by the Council on the basis of a Commission proposal, account being taken of experience gained in similar cases.

Participation in invitations to tender and contracts shall be open on equal terms to all natural and legal persons in the Member States and the Soviet Union.

3. Taxes, duties and charges shall not be funded by the Community.

Article 7

1. The Commission shall be assisted by a committee composed of the representatives of the Member States and chaired by the representative of the Commission, to be known as the 'Management Committee for Assistance to the USSR'.

2. The representative of the Commission shall submit to the committee a draft of the measures to be taken. The committee shall deliver its opinion on the draft within a time limit which the chairman may lay down according to the urgency of the matter. The opinion shall be delivered by the majority laid down in Article 148 (2) of the EEC Treaty in the case of decisions which the Council is required to adopt on a proposal from the Commission. The votes of the representatives of the member States within the committee shall be weighted in the manner set out in that Article. The chairman shall not vote.

3. The Commission shall adopt measures which shall apply immediately. However, if these measures are not in accordance with the opinion of the committee, they shall be communicated by the Commission of the Council forthwith. In that event, the Commission shall defer application of the measures for six weeks.

The Council, acting by a qualified majority, may take a different decision within the period laid down in the first subparagraph.

4. The Committee may examine any other question relating to the implementation of this Regulation which may be put to it by its Chairman, possibly at the request of the representative of a Member State, and in particular any question relating to general implementation, the administration of the programme co-financing and the coordination referred to in the following Article 8.

5. The Commission shall inform the Committee at regular intervals concerning the implementation of the technical assistance programme, in particular by means of six-monthly reports.

Article 8

The Commission shall, together with the Member States, ensure the effective coordination of the technical assistance efforts undertaken in the Soviet Union by the Community and individual Member States, on the basis of the information supplied by the Member States.

Article 9

At the end of each financial year, the Commission shall draw up a progress report on cooperation activities. This report shall be addressed to the European Parliament, the Council and the Economic and Social Committee.

Article 10

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

For the Council

The President

P. BUKMAN

COUNCIL REGULATION (EEC) No 2158/91

of 15 July 1991

liberalizing quantitative restrictions applying to imports of certain products
originating in the USSR and amending Regulation (EEC) No 3420/83 accordingly

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas Council Regulation (EEC) No 3420/83 of 14 November 1983 on import arrangements for products originating in State-trading countries, not liberalized at Community level ⁽¹⁾, as last amended by Regulation (EEC) No 2727/90 ⁽²⁾, applies *inter alia* to imports originating in the Union of Soviet Socialist Republics (USSR);

Whereas Council Regulation (EEC) No 1765/82 of 30 June 1982 on common rules for imports from State-trading countries ⁽³⁾, as last amended by Regulation (EEC) No 1434/90 ⁽⁴⁾, provides that imports of the products listed in its Annex are not subject to any quantitative restrictions;

Whereas the trade and commercial and economic cooperation agreement between the Community and the USSR ⁽⁵⁾ provides for the gradual dismantling of remaining specific quantitative restrictions applied by the Community;

Whereas it is desirable to strengthen trade relations between the Community and the USSR and thus to contribute to its economic reconstruction; whereas, therefore, the dismantling of specific quantitative restrictions provided for by the agreement should be brought forward to 1 August 1991;

Whereas this liberalization measure must remain compatible with the economic situation in certain particularly sensitive sectors of Community production and whereas, in appropriate cases, it should be possible to have recourse to the relevant provisions of the trade and commercial and economic cooperation agreement between the Community and the USSR with regard to the possibility of taking safeguard measures in order to remedy adverse situations which might arise in the Community;

Whereas the German Democratic Republic was incorporated into the Federal Republic of Germany on 3 October

1990 and the opportunity should therefore be taken to amend Regulation (EEC) No 3420/83 accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Article 2 (1) of Regulation (EEC) No 3420/83 shall be replaced by the following:

'1. The release for free circulation of the products listed in Annex III originating in State-trading countries shall be subject to quantitative restrictions in the Member States as indicated in that Annex against those products.

However, the only quantitative restrictions which the Member States may maintain with regard to Hungary, Poland, Bulgaria, Czechoslovakia, Romania and the Soviet Union are the restrictions on the products listed in Annex I, as amended by Regulation (EEC) No 196/91 ⁽⁶⁾, to Regulation (EEC) No 288/82 ⁽⁷⁾ as last amended by Regulation (EEC) No 371/91 ⁽⁸⁾. Application of such quantitative restrictions to the release for free circulation of products originating in these countries, other than the Soviet Union, shall however, be suspended in the Member States, with the exception of Spain and Portugal, until 31 December 1991. This suspension shall not apply to textile products reimported into the Community after having been processed or worked in Bulgaria, Czechoslovakia, Romania, or, as from 1 January 1991, in Poland or Hungary. Should imports of such products cause, or threaten to cause, economic difficulties in the Community or in one of its regions, the appropriate quantitative restriction may be reintroduced in accordance with the rules provided for in Title IV.

⁽¹⁾ OJ No L 21, 26. 1. 1991, p. 1.

⁽²⁾ OJ No L 35, 9. 2. 1982, p. 1.

⁽³⁾ OJ No L 43, 16. 2. 1991, p. 14.

Article 2

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

It shall apply from 1 August 1991.

⁽⁴⁾ OJ No L 346, 8. 12. 1983, p. 6.

⁽⁵⁾ OJ No L 262, 26. 9. 1990, p. 11.

⁽⁶⁾ OJ No L 195, 5. 7. 1982, p. 1.

⁽⁷⁾ OJ No L 138, 31. 5. 1990, p. 1.

⁽⁸⁾ OJ No L 68, 15. 3. 1990, p. 1.

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

Done at Brussels, 15 July 1991.

For the Council

The President

P. BUKMAN

COMMISSION REGULATION (EEC) No 2159/91

of 23 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 22 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 24 July 1991.

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

Done at Brussels, 23 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 23 July 1991 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CN code	Levy (ECU/tonne)
0709 90 60	132,05 ⁽²⁾ ⁽³⁾
0712 90 19	132,05 ⁽²⁾ ⁽³⁾
1001 10 10	165,42 ⁽¹⁾ ⁽³⁾
1001 10 90	165,42 ⁽¹⁾ ⁽³⁾
1001 90 91	154,14
1001 90 99	154,14
1002 00 00	135,42 ⁽⁶⁾
1003 00 10	138,44
1003 00 90	138,44
1004 00 10	113,25
1004 00 90	113,25
1005 10 90	132,05 ⁽²⁾ ⁽³⁾
1005 90 00	132,05 ⁽²⁾ ⁽³⁾
1007 00 90	138,52 ⁽⁴⁾
1008 10 00	32,50
1008 20 00	114,35 ⁽⁴⁾
1008 30 00	28,44 ⁽⁷⁾
1008 90 10	(7)
1008 90 90	28,44
1101 00 00	228,80 ⁽⁸⁾
1102 10 00	203,43 ⁽⁸⁾
1103 11 10	269,40 ⁽⁸⁾
1103 11 90	247,10 ⁽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 2160/91
of 23 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 22 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 24 July 1991.

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

Done at Brussels, 23 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 23 July 1991 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(ECU/tonne)

CN code	Current 7	1st period 8	2nd period 9	3rd period 10
0709 90 60	0	0	0	0,83
0712 90 19	0	0	0	0,83
1001 10 10	0	0	0	4,18
1001 10 90	0	0	0	4,18
1001 90 91	0	0	0	0
1001 90 99	0	0	0	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 10	0	0	0	0
1004 00 90	0	0	0	0
1005 10 90	0	0	0	0,83
1005 90 00	0	0	0	0,83
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	0

B. Malt

(ECU/tonne)

CN code	Current 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 2161/91
of 22 July 1991
amending Regulation (EEC) No 2067/91 fixing the export refunds on beef and veal

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

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

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

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

Whereas Commission Regulation (EEC) No 2067/91⁽⁵⁾ reclassifies Lebanon in destination 02, which is its natural geographical area;

Whereas, in order to maintain the conditions of sale of Commission Regulations (EEC) No 398/91⁽⁶⁾ and (EEC)

No 1785/91⁽⁷⁾ on the sale by the procedure laid down in Regulation (EEC) No 2539/84⁽⁸⁾, as last amended by Regulation (EEC) No 1809/87⁽⁹⁾, of bone-in beef held by certain intervention agencies and intended for export, provision should be made to derogate from this reclassification and keep Lebanon in destination 03 for the sales in question;

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

Notwithstanding footnote 7 in the Annex to Regulation (EEC) No 2067/91, Lebanon shall be deemed to fall within destination 03 for exports carried out under Regulations (EEC) No 398/91 and (EEC) No 1785/91.

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, 22 July 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 150, 15. 6. 1991, p. 16.

⁽³⁾ OJ No L 156, 4. 7. 1968, p. 2.

⁽⁴⁾ OJ No L 61, 5. 3. 1977, p. 16.

⁽⁵⁾ OJ No L 191, 16. 7. 1991, p. 5.

⁽⁶⁾ OJ No L 48, 21. 2. 1991, p. 5.

⁽⁷⁾ OJ No L 160, 25. 6. 1991, p. 13.

⁽⁸⁾ OJ No L 238, 6. 9. 1984, p. 13.

⁽⁹⁾ OJ No L 170, 30. 6. 1987, p. 23.

COMMISSION REGULATION (EEC) No 2162/91

of 23 July 1991

on a protective measure applicable to imports of provisionality preserved cultivated mushrooms

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1943/91⁽²⁾, and in particular Article 18 (2) thereof,

Whereas Council Regulation (EEC) No 521/77⁽³⁾ lays down detailed rules for applying protective measures in the market in products processed from fruit and vegetables;

Whereas quantities of cultivated mushrooms provisionally preserved, but unsuitable for consumption in that state, released for free circulation in the Community have increased since the beginning of 1990;

Whereas the levels of prices applying in the main third country supplying the Community for the 1990/91 marketing year are lower than those for similar products obtained in the Community; whereas it is accordingly difficult to market the latter;

Whereas Commission Regulation (EEC) No 2891/90 of 5 October 1990 on the issue of import licences for provisionally preserved cultivated mushrooms⁽⁴⁾ fixes the maximum quantity of that product which may be released for free circulation in 1990; whereas Regulations (EEC) No 3758/90⁽⁵⁾ and (EEC) No 809/91⁽⁶⁾ on protective measures applicable to imports of provisionally preserved cultivated mushrooms have fixed a maximum quantity respectively for the period from 1 January to 31 March 1991 and from 1 April to 31 July 1991;

Whereas there is a danger that from 1 August 1991 applications for import licences may be excessive in relation to actual requirements and may be submitted for speculative reasons pending the entry into force of new regulations on the tariff classification of certain provisionally preserved mushrooms and the relevant adaptation of the import arrangements for the mushrooms in question and in view of the uncertain outcome of the discussions on

the subject now under way with certain exporting countries; whereas this could create serious disturbances on the Community market, which could undermine the objectives of Article 39 of the Treaty; whereas protective measures must therefore be applied from 1 August 1991;

Whereas the protective measures must be such as to prevent large-scale imports during a very limited period; whereas, to that end, taking into consideration the criteria laid down in Regulation (EEC) No 521/77 and pending the entry into force of the abovementioned measures and the outcome of the discussions referred to above, the quantities of the product in question which may be released for free circulation for a period of three months should be determined on the basis of the quantities imported during the same period in the two preceding years and of a rate of increase in line with the smooth development of trade;

Whereas, in order to ensure that the said quantity is properly used and to avoid the submission of applications for speculative reasons, the bulk of the quantity should be reserved for importers who in the past obtained supplies of provisionally preserved cultivated mushrooms on the basis of the quantities they obtained in 1989 and 1990, while access to that quantity should be maintained for new importers;

Whereas, lastly, the additional rules necessary for the issue of the licences should be laid down; whereas such rules are complementary to or derogate from the provisions of Commission Regulation (EEC) No 2405/89 of 1 August 1989 laying down special detailed rules for the application of the system of import licences and advance fixing certificates for products processed from fruit and vegetables⁽⁷⁾, as amended by Regulation (EEC) No 619/90⁽⁸⁾,

HAS ADOPTED THIS REGULATION:

Article 1

1. For the period 1 August to 31 October 1991, import licences shall be issued for 7 900 tonnes of cultivated mushrooms provisionally preserved but unsuitable for consumption in that state and covered by CN code ex 0711 90 50.

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ OJ No L 175, 4. 7. 1991, p. 1.

⁽³⁾ OJ No L 73, 21. 3. 1977, p. 28.

⁽⁴⁾ OJ No L 276, 6. 10. 1990, p. 29.

⁽⁵⁾ OJ No L 360, 22. 12. 1990, p. 49.

⁽⁶⁾ OJ No L 82, 28. 3. 1991, p. 47.

⁽⁷⁾ OJ No L 227, 4. 8. 1989, p. 34.

⁽⁸⁾ OJ No L 67, 15. 3. 1990, p. 31.

2. Import licences shall be applied for and issued in accordance with Regulation (EEC) No 2405/89, without prejudice to the specific provisions of this Regulation.

Article 2

1. The quantity fixed in Article 1 (1) shall be allocated as follows:

- (a) 6 700 tonnes to importers who have submitted applications for import licences for the products in question in the course of 1989 and 1990;
- (b) 1 200 tonnes to importers who do not fulfil the condition set out in (a).

However, where the quantities specified in (a) or (b) is not applied for, or is only partially applied for, the quantity available shall be allocated to the other group of importers who have submitted applications.

- 2. (a) No application for a licence submitted by an importer as referred to in paragraph 1 (a) may relate to a quantity in excess of 10 % of the quantity supplied to that importer in 1989 and 1990.
- (b) No application for a licence submitted by an importer as referred to in paragraph 1 (b) may relate to a quantity in excess of 15 % of the quantity shown therein.

Article 3

Applications for import licences shall be submitted to the competent authorities of the Member States on 29 and 30 July 1991. Those authorities shall forward the applications to the Commission by 4 p.m. on 31 July 1991 at the latest, distinguishing between the quantities applied for under points (a) and (b) of Article 2 (1).

Article 4

By 1 August 1991 at the latest, the Commission shall fix and communicate by telex to the Member States the quantities for which licences are to be issued for each of the two categories of applications mentioned in Article 2 (1).

Article 5

The licences for which applications are forwarded pursuant to Article 3 shall be issued on 2 August 1991.

Article 6

This Regulation shall enter into force on the day following 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, 23 July 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 2163/91

of 23 July 1991

setting accession compensatory amounts applicable on rice sector products in Portugal in the 1991/92 marketing year

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 3654/90 of 11 December 1990 laying down general rules for the system of accession compensatory amounts applicable to cereals and during the second stage of the accession of Portugal⁽¹⁾, and in particular Article 5 thereof;

Whereas an intervention price for paddy rice applicable in Portugal in the 1991/92 marketing year was set by Council Regulation (EEC) No 1712/91⁽²⁾; whereas setting of this price necessitates application of accession compensatory amounts on paddy, husk, semi-milled and fully milled rice;

Whereas these amounts must be determined as specified in Article 2 (1) of Council Regulation (EEC) No 3654/90;

Whereas, in view of the situation regarding the price of broken rice in Portugal at the beginning of the second

stage, it has been decided not to apply an accession compensatory amount for that product;

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

HAS ADOPTED THIS REGULATION:

Article 1

The accession compensatory amounts indicated in the Annex to this Regulation shall be applicable in the 1991/92 marketing year to the products listed at (a) in Article 1 of Council Regulation (EEC) No 1418/76⁽³⁾.

Article 2

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

It shall be applicable from 1 September 1991.

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

Done at Brussels, 23 July 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 362, 27. 12. 1990, p. 31.

⁽²⁾ OJ No L 162, 26. 6. 1991, p. 14.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

ANNEX

CN code	Accession compensatory amount (ECU/tonne)
1006 10 21	23,26
1006 10 23	23,26
1006 10 25	23,26
1006 10 27	23,26
1006 10 92	23,26
1006 10 94	23,26
1006 10 96	23,26
1006 10 98	23,26
1006 20 11	29,07
1006 20 13	29,07
1006 20 15	29,07
1006 20 17	29,07
1006 20 92	29,07
1006 20 94	29,07
1006 20 96	29,07
1006 20 98	29,07
1006 30 21	35,22
1006 30 23	39,30
1006 30 25	39,30
1006 30 27	39,30
1006 30 42	35,22
1006 30 44	39,30
1006 30 46	39,30
1006 30 48	39,30
1006 30 61	37,51
1006 30 63	42,13
1006 30 65	42,13
1006 30 67	42,13
1006 30 92	37,51
1006 30 94	42,13
1006 30 96	42,13
1006 30 98	42,13

COMMISSION REGULATION (EEC) No 2164/91

of 23 July 1991

laying down provisions for the implementation of Article 5 (2) of Council Regulation (EEC) No 1697/79 on the post-clearance recovery of import duties or export duties which have not been required of the person liable for payment on goods entered for a customs procedure involving the obligation to pay such duties

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1697/79 of 24 July 1979 on the post-clearance recovery of import duties or export duties which have not been required of the person liable for payment on goods entered for a customs procedure involving the obligation to pay such duties⁽¹⁾, and in particular Article 10 (2) thereof,

Whereas Commission Regulation (EEC) No 2380/89⁽²⁾ laid down provisions for the implementation of Article 5 (2) of Regulation (EEC) No 1697/79; whereas it is due to expire on 1 September 1991, two years after its entry into force; whereas its validity was restricted in order that it might be examined in the light of experience; whereas such examination indicates that the procedural rules which constitute the major part of the implementing provisions require no amendment;

Whereas in the interests of clarity the provisions of Regulation (EEC) No 2380/89 should be incorporated in a new Regulation not restricted in validity;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Committee on Duty Free Arrangements,

HAS ADOPTED THIS REGULATION:

Article 1

This Regulation lays down provisions for the implementation of Article 5 (2) of Regulation (EEC) No 1697/79, hereinafter referred to as the 'basic Regulation'.

Article 2

The competent authority of the Member State in which the error was committed or noticed and which resulted in insufficient duty being collected shall itself decide not to take action for the post-clearance recovery of the uncollected duties:

- (a) in cases in which preferential tariff treatment has been applied in the context of a tariff quota or an allocated

tariff ceiling when the limits laid down by that quota or tariff ceiling were reached at the time of acceptance of the customs declaration without that fact having, before the release for free circulation of the goods in question, been published in the *Official Journal of the European Communities* or, where such fact is not published, been made known in an appropriate manner in the Member State concerned, the person liable having for his part acted in good faith and observed all the provisions laid down by the rules in force as far as his customs declaration is concerned;

- (b) in cases in which it considers that the conditions laid down in Article 5 (2) of the basic Regulation are fulfilled and provided that the amount not collected from the person concerned in consequence of the same error and relating, where applicable, to a number of import or export operations, is less than ECU 2 000;
- (c) in cases in which the Member State to which the said authority is subject has been so authorized in accordance with Article 8.

Article 3

1. Each Member State shall send the Commission a list of the cases in which the provisions of Article 2 (a) (b) and (c) have been applied, giving a short summary of each case.
2. The list referred to in paragraph 1 shall be forwarded during the first and third quarters of each year for all cases where a decision not to recover was taken during the preceding half-year.
3. The Commission shall circulate the lists to all other Member States.
4. The lists shall be examined periodically by the Committee on Duty Free Arrangements.

Article 4

Where, other than in the cases referred to in Article 2, the competent authority of the Member State in which the error was committed either considers that the conditions laid down in Article 5 (2) of the basic Regulation are fulfilled or is in doubt as to the precise scope of the criteria of that provision with regard to a particular case, that authority shall submit the case to the Commission, so that a decision may be taken in accordance with the

⁽¹⁾ OJ No L 197, 3. 8. 1979, p. 1.

⁽²⁾ OJ No L 225, 3. 8. 1989, p. 30.

procedure laid down in Articles 5 to 7. The relevant documents submitted to the Commission shall contain all the information required to enable a comprehensive examination of the case to be carried out.

As soon as it receives the relevant documents the Commission shall inform the Member State concerned accordingly.

Should it be found that the information supplied by the Member State is not sufficient to enable a decision to be taken on the case concerned in full knowledge of the facts, the Commission may request that additional information be supplied.

Article 5

Within 15 days following receipt of the documents referred to in the first paragraph of Article 4 the Commission shall forward a copy thereof to the Member States.

Consideration of the case in question shall be included as soon as possible on the agenda of the meeting of the Committee on Duty Free Arrangements.

Article 6

After consulting a group of experts composed of representatives of all Member States, meeting within the framework of the Committee on Duty Free Arrangements to consider the case in question, the Commission shall decide whether or not the circumstances under consideration are such that no action need be taken for recovery of the duties concerned, or that such is not the case.

Such decision shall be taken within six months of the date on which the documents referred to in the first paragraph of Article 4 are received by the Commission. Where the Commission has found it necessary to request additional information from the Member State in order

that it may give a ruling, the period of six months shall be extended by a period equivalent to that between the date the Commission sent the request for additional information and the date it received that information.

Article 7

The Member State concerned shall be notified of the decision referred to in Article 6 as soon as possible and in any event within 30 days of the expiry of the period specified in Article 6.

A copy of the decision shall be sent to the other Member States.

Article 8

Where it is established by the decision referred to in Article 6 that the circumstances under consideration are such that no action need be taken for recovery of the duties concerned, the Commission may, under conditions which it shall determine, authorize one or more Member States to refrain from taking action for the recovery of duties in cases involving comparable issues of fact and of law.

In such a case, the decision referred to in Article 6 shall also be notified to each Member State so authorized.

Article 9

If the Commission fails to take a decision within the period referred to in Article 6 or fails to notify a decision to the Member State concerned within the period referred to in Article 7, the competent authorities of that Member State shall not recover the duties in question.

Article 10

This Regulation shall enter into force and shall apply from 1 September 1991.

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

Done at Brussels, 23 July 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 2165/91

of 23 July 1991

laying down detailed rules for implementing Council Regulation (EEC) No 598/91 on urgent action for the supply of agricultural products intended for the people of the Soviet Union

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 598/91 of 5 March 1991 on urgent action for the supply of agricultural products intended for the people of the Soviet Union⁽¹⁾, and in particular Article 5 (2) thereof,

Whereas Article 2 of Regulation (EEC) No 598/91, provides that the supply of the products concerned shall be awarded by tendering procedures or, for reasons arising only from the urgency of the action, by direct agreement;

Whereas their recognized experience in the distribution of food products to the people of the Soviet Union allows the awarding of the supplies to non-governmental organizations or, alternatively, to undertakings established in the Soviet Union which present satisfactory guarantees;

Whereas it is necessary to lay down general rules for the supplies and for the obligations of the suppliers;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Committee provided for in Article 5 (2) of Regulation (EEC) No 598/91,

HAS ADOPTED THIS REGULATION:

Article 1

Urgent deliveries of products pursuant to Regulation (EEC) No 598/91 to the Soviet Union shall be carried out under the conditions laid down in this Regulation.

Article 2

1. Deliveries shall be carried out by non-governmental organizations which are experienced in distributing food products to the people of the Soviet Union and which offer the most favourable overall conditions for carrying out the deliveries.

2. The non-governmental organizations which are selected to handle the deliveries shall, in particular, fulfil the following conditions:

(a) have a statute that is characteristic of an organization of this type;

(b) have their headquarters in a Member State of the Community;

(c) show that they have the capacity to carry out food-aid operations successfully;

(d) have given an undertaking to comply with the supply terms laid down pursuant to Regulation (EEC) No 598/91.

Article 3

Taking into account the specific constraints attached to transportation and distribution of the aid to the final beneficiaries, and if it is not possible to apply Article 2 (1), the deliveries may also be awarded to undertakings established in the Soviet Union and which satisfy the conditions provided for by Article 2 (2) (c) and (d) and which offer the most favourable overall conditions for carrying out the deliveries.

Article 4

Deliveries shall consist of:

- taking over of the products from undertakings established in the Community at the place of storage which will be communicated by the Commission in due time;
- transport without delay and by the most direct way and the most appropriate means to the destination indicated by the Commission;
- provision of storage facilities in case the products cannot be delivered directly to the beneficiaries;
- distribution to the institutions and collectivities indicated by the Soviet authorities and approved by the Commission. This distribution shall take place within a period of nine months from the taking over of the products.

Article 5

Payments shall be made by the Commission on the submission of evidence that the deliveries have been properly executed. Advance payments may be made after the products have been taken over from the undertakings referred to in the first subparagraph of Article 4 and after the products have left the customs territory of the Community.

Article 6

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

⁽¹⁾ OJ No L 67, 14. 3. 1991, p. 19.

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

Done at Brussels, 23 July 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 2166/91

of 23 July 1991

amending Regulation (EEC) No 1151/91 increasing 1 172 000 tonnes the quantity of bread-making wheat held by the French intervention agency for which a standing invitation to tender for export has been opened

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 3577/90⁽²⁾, and in particular Article 7 (6) thereof,

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

Whereas Commission Regulation (EEC) No 1151/91⁽⁵⁾, as last amended by Regulation (EEC) No 1982/91⁽⁶⁾, opened a standing invitation to tender for the export of 972 000 tonnes of bread-making wheat held by the French intervention agency; whereas, in a communication of 18 July 1991, France informed the Commission of the intention of its intervention agency to increase by 200 000 tonnes the quantity for which a standing invitation to tender for export has been opened; whereas the total quantity of bread-making wheat held by the French intervention agency for which a standing invitation to tender for export has been opened should be increased to 1 172 000 tonnes; whereas, in view of allowing the execution of exports, both the period to complete customs export formalities and the closing date for the validity of export licences should be amended;

Whereas this increase in the quantity put out to tender makes it necessary to alter the list of regions and quantities in store; whereas Annex I to Regulation (EEC) No 1151/91 must therefore be amended;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 1 of Regulation (EEC) No 1151/91 is replaced by the following:

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.
⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.
⁽³⁾ OJ No L 202, 9. 7. 1982, p. 23.
⁽⁴⁾ OJ No L 249, 12. 9. 1990, p. 8.
⁽⁵⁾ OJ No L 112, 4. 5. 1991, p. 42.
⁽⁶⁾ OJ No L 178, 6. 7. 1991, p. 12.

Article 1

The French intervention agency may, on the conditions laid down in Regulation (EEC) No 1836/82, open a standing invitation to tender for the export of 1 172 000 tonnes of bread-making wheat held by it.'

Article 2

Article 2 of Regulation (EEC) No 1151/91 is replaced by the following:

Article 2

1. The intervention to tender shall cover a maximum of 1 172 000 tonnes of bread-making wheat to be exported to all third countries. Customs export formalities must be completed during the period 1 July to 31 October 1991.
2. The regions in which the 1 172 000 tonnes of bread-making wheat are stored are stated in Annex I to this Regulation.'

Article 3

Article 3 of Regulation (EEC) No 1151/91 is replaced by the following:

Article 3

1. The export licences shall be valid from their date of issue, within the meaning of Article 9 of Regulation (EEC) No 1836/82, until 31 October 1991.
2. Tenders submitted in response to this invitation to tender shall be admissible only if they are accompanied by a written undertaking to export during the period 1 July to 31 October 1991. They may not be accompanied by applications for export licences pursuant to Article 44 of Commission Regulation (EEC) No 3719/88⁽⁷⁾.

⁽⁷⁾ OJ No L 331, 2. 12. 1988, p. 1.'

Article 4

Article 4 (3) of Regulation (EEC) No 1151/91 is replaced by the following:

- '3. The last partial invitation to tender shall expire on 28 August 1991 at 1 p.m. (Brussels time).'

Article 5

Article 5 of Regulation (EEC) No 1151/91 is hereby deleted.

shall not be released until proof is furnished that the export has taken place during the period 1 July to 31 October 1991.'

Article 6

Article 6 of Regulation (EEC) No 1151/91 is replaced by the following :

Article 7
Annex I to Regulation (EEC) No 1151/91 is replaced by the Annex hereto.

Article 6

Notwithstanding Article 17 (3) of Regulation (EEC) No 1836/82, the security referred to in the second subparagraph of Article 17 (2) of the said Regulation

Article 8
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, 23 July 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

*ANNEX**ANNEX I*

<i>(tonnes)</i>	
Place of storage	Quantity
Amiens	82 500
Châlons-sur-Marne	161 000
Dijon	5 500
Lille	99 500
Montpellier	5 000
Nantes	40 000
Nancy	33 500
Orléans	310 000
Paris	240 000
Poitiers	60 000
Rouen	135 000
Total	1 172 000'

COMMISSION REGULATION (EEC) No 2167/91
of 23 July 1991

**amending Regulation (EEC) No 1676/91 introducing a countervailing charge on
fresh lemons originating in Argentina**

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 1676/91⁽³⁾,
as last amended by Regulation (EEC) No 1984/91⁽⁴⁾,
introduced a countervailing charge on fresh lemons
originating in Argentina;

Whereas Article 26 (1) of Regulation (EEC) No 1035/72
laid down the conditions under which a charge intro-

duced in application of Article 25 of that Regulation is
amended; whereas if those conditions are taken into
consideration, the countervailing charge on the import of
fresh lemons originating in Argentina must be altered,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 1676/91, 'ECU 4,62'
is hereby replaced by 'ECU 1,26'.

Article 2

This Regulation shall enter into force on 24 July 1991.

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

Done at Brussels, 23 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 151, 15. 6. 1991, p. 83.

⁽⁴⁾ OJ No L 178, 6. 7. 1991, p. 16.

COMMISSION REGULATION (EEC) No 2168/91

of 23 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 2153/91⁽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 22 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 24 July 1991.

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

Done at Brussels, 23 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 200, 23. 7. 1991, p. 17.

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

(ECU/100 kg)

CN code	Levy
1701 11 10	34,53 ⁽¹⁾
1701 11 90	34,53 ⁽¹⁾
1701 12 10	34,53 ⁽¹⁾
1701 12 90	34,53 ⁽¹⁾
1701 91 00	38,67
1701 99 10	38,67
1701 99 90	38,67 ⁽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 2169/91

of 23 July 1991

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat⁽¹⁾, as last amended by Regulation (EEC) No 1741/91⁽²⁾,Having regard to Commission Regulation (EEC) No 1633/84 of 8 June 1984 laying down detailed rules for applying the variable slaughter premium for sheep and repealing Regulation (EEC) No 2661/80⁽³⁾, as last amended by Regulation (EEC) No 1075/89⁽⁴⁾, and in particular Articles 3 (1) and 4 (1) thereof,

Whereas the United Kingdom is the only country which grants the variable slaughter premium, in region 5, within the meaning of Article 22 (2) of Regulation (EEC) No 3013/89 whereas it is necessary therefore for the Commission to fix, for the week beginning 1 July 1991, the level of the premium and the amount to be charged on products leaving that region;

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For sheep or sheepmeat certified as eligible in the United Kingdom in region 1, within the meaning of Article 22 (2) of Regulation (EEC) No 3013/89, for the variable slaughter premium during the week beginning 1 July 1991, the level of the premium is fixed at ECU 84,415 per 100 kilograms of estimated or actual dressed carcase weight within the limits laid down by Article 1 (1) (b) of Regulation (EEC) No 1633/84.

Article 2

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

Article 3

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

It shall apply with effect from 1 July 1991.

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 163, 26. 6. 1991, p. 41.

⁽³⁾ OJ No L 154, 9. 6. 1984, p. 27.

⁽⁴⁾ OJ No L 114, 27. 4. 1989, p. 13.

⁽⁵⁾ OJ No L 351, 2. 12. 1989, p. 18.

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

Done at Brussels, 23 July 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 23 July 1991 fixing for Great Britain the level of the variable slaughter premium for sheep and the amounts to be charged on products leaving region 1

(ECU/100 kg)

CN code	Amounts	
	A. Products qualifying for the premium specified in Article 24 of Regulation (EEC) No 3013/89	B. Products specified in Article 4 (4) of Regulation (EEC) No 1633/84 (*)
	Live weight	Live weight
0104 10 90	39,675	0
0104 20 90		0
	Net weight	Net weight
0204 10 00	84,415	0
0204 21 00	84,415	0
0204 50 11		0
0204 22 10	59,091	
0204 22 30	92,857	
0204 22 50	109,740	
0204 22 90	109,740	
0204 23 00	153,635	
0204 30 00	63,311	
0204 41 00	63,311	
0204 42 10	44,318	
0204 42 30	69,642	
0204 42 50	82,304	
0204 42 90	82,304	
0204 43 00	115,226	
0204 50 13		0
0204 50 15		0
0204 50 19		0
0204 50 31		0
0204 50 39		0
0204 50 51		0
0204 50 53		0
0204 50 55		0
0204 50 59		0
0204 50 71		0
0204 50 79		0
0210 90 11	109,740	
0210 90 19	153,635	
1602 90 71 :		
— unboned (bone-in)	109,740	
— boned or boneless	153,635	

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

CORRIGENDA

Corrigendum to Commission Regulation (EEC) No 2144/91 of 19 July 1991 on the application from the beginning of the 1991/92 marketing year of a special measure, in the form of private aid, for durum wheat produced in Greece

(Official Journal of the European Communities No L 197 of 20 July 1991)

On page 41 in Article 3, paragraph 1:

for: '... 20 July 1991 ...',

read: '... 31 July 1991 ...';

and in paragraph 3:

for: '... 31 July 1991 ...',

read: '... 10 August 1991 ...'.
