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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2465/91

of 14 August 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 13 August 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 15 August 1991.

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

Done at Brussels, 14 August 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 14 August 1991 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)	
CN code	Levy
0709 90 60	126,59 ⁽²⁾ ⁽³⁾
0712 90 19	126,59 ⁽²⁾ ⁽³⁾
1001 10 10	169,60 ⁽¹⁾ ⁽²⁾
1001 10 90	169,60 ⁽¹⁾ ⁽²⁾
1001 90 91	156,99
1001 90 99	156,99
1002 00 00	139,27 ⁽⁴⁾
1003 00 10	142,18
1003 00 90	142,18
1004 00 10	114,11
1004 00 90	114,11
1005 10 90	126,59 ⁽²⁾ ⁽³⁾
1005 90 00	126,59 ⁽²⁾ ⁽³⁾
1007 00 90	137,25 ⁽⁴⁾
1008 10 00	51,21
1008 20 00	117,27 ⁽⁴⁾
1008 30 00	32,67 ⁽²⁾
1008 90 10	⁽⁷⁾
1008 90 90	32,67
1101 00 00	232,79 ⁽⁸⁾
1102 10 00	207,06 ⁽⁸⁾
1103 11 10	275,94 ⁽⁸⁾
1103 11 90	251,24 ⁽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 2466/91

of 14 August 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 13 August 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 15 August 1991.

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

Done at Brussels, 14 August 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 14 August 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 8	1st period 9	2nd period 10	3rd period 11
0709 90 60	0	0,81	0,81	0,81
0712 90 19	0	0,81	0,81	0,81
1001 10 10	0	0,29	0,29	0
1001 10 90	0	0,29	0,29	0
1001 90 91	0	0	0	0
1001 90 99	0	0	0	0
1002 00 00	0	19,13	19,13	19,13
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	0,81	0,81	0,81
1005 90 00	0	0,81	0,81	0,81
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	9,24
1008 90 90	0	0	0	9,24
1101 00 00	0	0	0	0

B. Malt

(ECU/tonne)

CN code	Current 8	1st period 9	2nd period 10	3rd period 11	4th period 12
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 2467/91**of 13 August 1991****establishing unit values for the determination of the customs value of certain perishable goods**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Commission Regulation (EEC) No 1577/81 of 12 June 1981 establishing a system of simplified procedures for the determination of the customs value of certain perishable goods ⁽¹⁾, as last amended by Regulation (EEC) No 3334/90 ⁽²⁾, and in particular Article 1 thereof,

Whereas Article 1 of Regulation (EEC) No 1577/81 provides that the Commission shall periodically establish unit values for the products referred to in the classification in the Annex;

Whereas the result of applying the rules and criteria laid down in that same Regulation to the elements communi-

cated to the Commission in accordance with Article 1 (2) of that Regulation is that the unit values set out in the Annex to this Regulation should be established in regard to the products in question,

HAS ADOPTED THIS REGULATION:

Article 1

The unit values provided for in Article 1 (1) of Regulation (EEC) No 1577/81 are hereby established as set out in the table in the Annex hereto.

Article 2

This Regulation shall enter into force on 16 August 1991.

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

Done at Brussels, 13 August 1991.

For the Commission

Karel VAN MIERT

Member of the Commission

⁽¹⁾ OJ No L 154, 13. 6. 1981, p. 26.

⁽²⁾ OJ No L 321, 21. 11. 1990, p. 6.

ANNEX

Code	CN code	Description	Amount of unit values per 100 kg net									
			ECU	Bfrs/Lfrs	Dkr	DM	FF	Dr	£ Irl	Lit	Fl	£
1.10	0701 90 51 0701 90 59	New potatoes	56,54	2 391	448,47	116,16	393,69	12 706	43,41	86 438	130,84	39,51
1.20	0702 00 10 0702 00 90	Tomatoes	27,94	1 180	221,92	57,29	194,93	6 336	21,44	42 921	64,58	19,57
1.30	0703 10 19	Onions (other than seed)	18,95	800	150,47	38,84	132,17	4 296	14,54	29 102	43,79	13,27
1.40	0703 20 00	Garlic	255,96	10 810	2 032,41	524,66	1 785,26	58 029	196,38	393 079	591,49	179,27
1.50	ex 0703 90 00	Leeks	31,69	1 342	249,61	65,25	221,05	7 103	24,39	48 368	73,54	22,07
1.60	ex 0704 10 10 ex 0704 10 90	Cauliflowers	111,88	4 727	881,91	229,55	781,19	24 749	86,13	171 354	258,72	78,54
1.70	0704 20 00	Brussels sprouts	53,72	2 267	423,88	110,06	374,08	11 735	41,29	82 719	124,09	37,72
1.80	0704 90 10	White cabbages and red cabbages	23,05	975	182,88	47,36	160,54	5 181	17,70	35 248	53,35	16,11
1.90	ex 0704 90 90	Sprouting broccoli or calabrese (<i>Brassica oleracea</i> var. <i>italica</i>)	65,16	2 755	516,83	133,86	453,71	14 643	50,03	99 614	150,79	45,53
1.100	ex 0704 90 90	Chinese cabbage	48,42	2 050	382,57	99,63	337,79	10 913	37,24	73 939	112,24	33,73
1.110	0705 11 10 0705 11 90	Cabbage lettuce (head lettuce)	65,45	2 767	519,12	134,46	455,72	14 708	50,25	100 055	151,46	45,73
1.120	ex 0705 29 00	Endives	45,32	1 923	357,88	93,59	315,84	10 133	34,99	69 174	105,45	31,22
1.130	ex 0706 10 00	Carrots	32,74	1 384	259,75	67,27	228,02	7 359	25,14	50 064	75,78	22,88
1.140	ex 0706 90 90	Radishes	54,33	2 302	429,62	111,96	379,00	12 152	41,89	83 107	126,19	37,58
1.150	0707 00 11 0707 00 19	Cucumbers	37,78	1 598	300,29	77,67	263,25	8 476	29,03	57 767	87,46	26,32
1.160	0708 10 10 0708 10 90	Peas (<i>Pisum sativum</i>)	216,37	9 138	1 718,10	443,52	1 509,17	49 055	166,01	332 290	500,02	151,54
1.170		Beans :										
1.170.1	0708 20 10 0708 20 90	Beans (<i>Vigna</i> spp., <i>Phaseolus</i> spp.)	110,44	4 671	877,75	227,02	769,50	24 775	84,86	168 853	255,66	76,95
1.170.2	0708 20 10 0708 20 90	Beans (<i>Phaseolus</i> ssp., <i>vulgaris</i> var. <i>Compressus Savi</i>)	107,26	4 530	851,71	219,87	748,14	24 318	82,29	164 726	247,87	75,12
1.180	ex 0708 90 00	Broad beans	40,17	1 701	317,44	82,67	280,28	9 055	30,90	61 351	93,13	27,99
1.190	0709 10 00	Globe artichokes	76,11	3 221	598,42	156,61	531,31	17 132	58,50	116 646	176,44	52,84
1.200		Asparagus :										
1.200.1	ex 0709 20 00	— green	650,56	27 475	5 165,64	1 333,50	4 537,49	147 489	499,14	999 063	1 503,36	455,64
1.200.2	ex 0709 20 00	— other	302,03	12 787	2 386,34	621,48	2 107,02	68 076	232,31	461 204	700,14	210,44
1.210	0709 30 00	Aubergines (egg-plants)	46,40	1 959	368,44	95,11	323,64	10 519	35,60	71 259	107,22	32,49
1.220	ex 0709 40 00	Ribbed celery (<i>Apium graveolens</i> var. <i>dulce</i>)	63,90	2 705	504,88	131,48	445,78	14 403	49,15	97 577	148,13	44,52
1.230	0709 51 30	Chantarelles	511,58	21 605	4 062,11	1 048,62	3 568,15	115 981	392,51	785 634	1 182,20	358,30
1.240	0709 60 10	Sweet peppers	69,04	2 916	548,24	141,52	481,58	15 653	52,97	106 034	159,55	48,35
1.250	0709 90 50	Fennel	151,15	6 399	1 194,24	311,01	1 054,46	34 069	116,26	230 809	350,38	105,31
1.260	0709 90 70	Courgettes	59,97	2 536	475,68	123,20	417,58	13 477	46,05	91 683	138,78	41,91
1.270	ex 0714 20 10	Sweet potatoes, whole, fresh (intended for human consumption)	72,78	3 080	573,11	149,64	502,35	15 180	55,82	112 490	168,76	50,99
2.10	ex 0802 40 00	Chestnuts (<i>Castanea</i> spp.), fresh	87,98	3 716	694,15	180,34	612,04	18 967	67,47	135 667	203,31	61,65
2.20	ex 0803 00 10	Bananas (other than plantains), fresh	44,55	1 881	353,75	91,32	310,73	10 100	34,18	68 418	102,95	31,20
2.30	ex 0804 30 00	Pineapples, fresh	42,74	1 805	339,37	87,61	298,10	9 689	32,79	65 637	98,76	29,93
2.40	ex 0804 40 10 ex 0804 40 90	Avocados, fresh	130,03	5 491	1 032,55	266,55	906,99	29 481	99,77	199 700	300,50	91,07

Code	CN code	Description	Amount of unit values per 100 kg net									
			ECU	Bfrs/Lfrs	Dkr	DM	FF	Dr	£ Irl	Lit	Fl	£
2.50	ex 0804 50 00	Guavas and mangoes, fresh	118,77	5 016	943,11	243,46	828,43	26 927	91,13	182 403	274,47	83,19
2.60		Sweet oranges, fresh :										
2.60.1	0805 10 11 0805 10 21 0805 10 31 0805 10 41	— Sanguines and semi-sanguines	33,11	1 399	262,75	67,94	231,20	7 461	25,42	50 719	76,60	23,11
2.60.2	0805 10 15 0805 10 25 0805 10 35 0805 10 45	— Navels, Navelines, Navelates, Salustianas, Vernas, Valencia lates, Maltese, Shamoutis, Ovalis, Trovita and Hamlins	47,33	1 998	375,81	97,01	330,11	10 730	36,31	72 684	109,37	33,14
2.60.3	0805 10 19 0805 10 29 0805 10 39 0805 10 49	— Others	33,33	1 408	264,72	68,33	232,53	7 558	25,57	51 199	77,04	23,35
2.70		Mandarins (including tangerines and satsumas), fresh ; clementines, wilkings and similar citrus hybrids, fresh :										
2.70.1	ex 0805 20 10	— Clementines	71,22	3 008	565,54	145,99	496,76	16 147	54,64	109 378	164,59	49,88
2.70.2	ex 0805 20 30	— Monreales and Satsumas	89,26	3 774	707,98	183,37	621,51	20 059	68,53	136 456	206,56	62,37
2.70.3	ex 0805 20 50	— Mandarins and wilkings	100,89	4 271	797,16	207,60	703,86	22 741	77,60	154 067	233,88	70,29
2.70.4	ex 0805 20 70 ex 0805 20 90	— Tangerines and others	60,39	2 550	479,55	123,79	421,23	13 692	46,33	92 748	139,56	42,30
2.80	ex 0805 30 10	Lemons (<i>Citrus limon</i> , <i>Citrus limonum</i>), fresh	49,16	2 076	390,38	100,77	342,91	11 146	37,72	75 501	113,61	34,43
2.85	ex 0805 30 90	Limes (<i>Citrus aurantifolia</i>), fresh	73,24	3 093	581,61	150,14	510,89	16 606	56,20	112 487	169,26	51,30
2.90		Grapefruit, fresh :										
2.90.1	ex 0805 40 00	— white	62,47	2 638	496,08	128,06	435,75	14 164	47,93	95 944	144,37	43,75
2.90.2	ex 0805 40 00	— pink	71,63	3 025	568,79	146,83	499,62	16 240	54,96	110 007	165,53	50,17
2.100	0806 10 11 0806 10 15 0806 10 19	Table grapes	139,26	5 881	1 105,83	285,47	971,36	31 573	106,85	213 874	321,83	97,54
2.110	0807 10 10	Water-melons	23,13	976	183,67	47,41	161,34	5 244	17,74	35 524	53,45	16,20
2.120		Melons (other than water-melons) :										
2.120.1	ex 0807 10 90	— Amarillo, Cuper, Honey dew (including Cantalene), Onteniente, Piel de Sapo (including Verde Liso), Rochet, Tendral, Futuro	32,80	1 385	260,45	67,23	228,78	7 436	25,16	50 373	75,80	22,97
2.120.2	ex 0807 10 90	— other	65,26	2 756	518,22	133,77	455,20	14 796	50,07	100 226	150,81	45,71
2.130	0808 10 91 0808 10 93 0808 10 99	Apples	92,30	3 898	732,93	189,20	643,80	20 926	70,82	141 752	213,30	64,65
2.140		Pears										
2.140.1	0808 20 31 0808 20 33 0808 20 35 0808 20 39	Pears — Nashi (<i>Pyrus pyrifolia</i>)	91,95	3 889	730,80	189,02	640,67	20 627	70,66	140 584	212,85	64,07
2.140.2	0808 20 31 0808 20 33 0808 20 35 0808 20 39	Other	75,76	3 199	601,55	155,29	528,40	17 175	58,12	116 344	175,07	53,06
2.150	0809 10 00	Apricots	50,41	2 128	400,27	103,33	351,60	11 428	38,67	77 415	116,49	35,30
2.160	0809 20 10 0809 20 90	Cherries	90,53	3 825	718,45	185,77	632,16	20 401	69,52	138 679	209,44	63,20
2.170	ex 0809 30 00	Peaches	80,46	3 398	638,90	164,93	561,21	18 241	61,73	123 567	185,94	56,35

Code	CN code	Description	Amount of unit values per 100 kg net									
			ECU	Bfrs/Lfrs	Dkr	DM	FF	Dr	£ Irl	Lit	Fl	£
2.180	ex 0809 30 00	Nectarines	99,63	4 207	791,08	204,21	694,89	22 587	76,44	153 000	230,23	69,78
2.190	0809 40 11 0809 40 19	Plums	88,82	3 751	705,27	182,06	619,51	20 136	68,14	136 403	205,25	62,21
2.200	0810 10 10 0810 10 90	Strawberries	112,79	4 769	894,61	231,71	785,35	25 346	86,60	172 427	261,01	78,82
2.205	0810 20 10	Raspberries	1 336,1	56 503	10 597,8	2 745,00	9 303,49	300 265	1 025,9	204 261,4	3 092,02	933,75
2.210	0810 40 30	Fruit of the species <i>Vaccinium myrtillus</i>	199,72	8 434	1 585,83	409,38	1 392,99	45 278	153,23	306 708	461,52	139,88
2.220	0810 90 10	Kiwi fruit (<i>Actinidia chinensis</i> Planch.)	160,94	6 797	1 277,91	329,89	1 122,52	36 487	123,48	247 156	371,91	112,72
2.230	ex 0810 90 80	Pomegranates	54,65	2 307	431,24	111,97	380,57	11 938	42,00	84 154	126,24	38,38
2.240	ex 0810 90 80	Khakis (including Sharon fruit)	248,35	10 488	1 971,98	509,06	1 732,18	56 303	190,54	381 392	573,91	173,94
2.250	ex 0810 90 30	Lychees	179,15	7 566	1 422,55	367,23	1 249,56	40 616	137,45	275 129	414,00	125,48

COMMISSION REGULATION (EEC) No 2468/91

of 14 August 1991

fixing the export refunds on white sugar and raw sugar exported in its unaltered state

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 464/91 ⁽²⁾, and in particular point (a) of the first subparagraph of Article 19 (4) thereof,

Having regard to the opinion of the Monetary Committee,

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

Whereas Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar ⁽³⁾, as last amended by Regulation (EEC) No 1489/76 ⁽⁴⁾, provides that when refunds on white and raw sugar, undenatured and exported in its unaltered state are being fixed account must be taken of the situation on the Community and world markets in sugar and in particular of the price and cost factors set out in Article 3 of that Regulation; whereas the same Article provides that the economic aspect of the proposed exports should also be taken into account;

Whereas the refund on raw sugar must be fixed in respect of the standard quality; whereas the latter is defined in Article 1 of Council Regulation (EEC) No 431/68 of 9 April 1968 determining the standard quality for raw sugar and fixing the Community frontier crossing point for calculating cif prices for sugar ⁽⁵⁾; whereas, furthermore, this refund should be fixed in accordance with Article 5 (2) of Regulation (EEC) No 766/68; whereas candy sugar is defined in Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar ⁽⁶⁾, as last amended by Regulation (EEC) No 1714/88 ⁽⁷⁾; whereas the refund thus calculated for sugar containing added flavouring or colouring matter must apply to their sucrose content and, accordingly, be fixed per 1 % of the said content;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for sugar according to destination;

Whereas, in special cases, the amount of the refund may be fixed by other legal instruments;

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

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

Whereas the refund must be fixed every two weeks; whereas it may be altered in the intervening period;

Whereas it follows from applying the rules set out above to the present situation on the market in sugar and in particular to quotations or prices for sugar within the Community and on the world market that the refund should be as set out in the Annex hereto;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, are hereby fixed to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 15 August 1991.

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 54, 28. 2. 1991, p. 22.

⁽³⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁴⁾ OJ No L 167, 26. 6. 1976, p. 13.

⁽⁵⁾ OJ No L 89, 10. 4. 1968, p. 3.

⁽⁶⁾ OJ No L 50, 4. 3. 1970, p. 1.

⁽⁷⁾ OJ No L 152, 18. 6. 1988, p. 23.

⁽⁸⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁹⁾ OJ No L 201, 31. 7. 1990, p. 9.

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

Done at Brussels, 14 August 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 14 August 1991 fixing the export refunds on white sugar and raw sugar exported in its unaltered state

Product code	(ECU) Amount of refund	
	per 100 kg	per percentage point of sucrose content and per 100 kg net of the product in question
1701 11 90 100	33,40 ⁽¹⁾	
1701 11 90 910	34,29 ⁽¹⁾	
1701 11 90 950	⁽²⁾	
1701 12 90 100	33,40 ⁽¹⁾	
1701 12 90 910	34,29 ⁽¹⁾	
1701 12 90 950	⁽²⁾	
1701 91 00 000		0,3631
1701 99 10 100	36,31	
1701 99 10 910	37,28	
1701 99 10 950	34,78	
1701 99 90 100		0,3631

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

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

COMMISSION REGULATION (EEC) No 2469/91

of 14 August 1991

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1431/82 of 18 May 1982 laying down special measures for peas, field beans and sweet lupins⁽¹⁾, as last amended by Regulation (EEC) No 1624/91⁽²⁾, and in particular Article 3 (6) (a) thereof,

Having regard to Commission Regulation (EEC) No 3540/85 of 5 December 1985 laying down detailed rules for the application of the special measures for peas, field beans and sweet lupins⁽³⁾, as last amended by Regulation (EEC) No 1906/91⁽⁴⁾, and in particular Article 26a (7) thereof,

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

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

Whereas the threshold price activating the aid for peas, field beans and sweet lupins for the 1991/92 marketing year was fixed by Council Regulation (EEC) No 1625/91⁽⁷⁾; whereas, as provided for in Article 2a of Regulation (EEC) No 1431/82, the activating price for the

aid for peas, field beans and sweet lupins is increased monthly as from the beginning of the third month of the marketing year; whereas the amount of the monthly increases in the threshold price was fixed by Council Regulation (EEC) No 1626/91⁽⁸⁾;

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

Whereas, owing to the lack of the adjustment in the rate of aid resulting from the maximum guaranteed quantity arrangements for the 1991/92 marketing year, the amount of the aid for this marketing year has only been able to be calculated provisionally on the basis of the abatement applicable for the 1990/91 marketing year; whereas this amount should, therefore, only be applied provisionally and should be confirmed or replaced once the consequences of the maximum guaranteed quantity arrangements are known;

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

Whereas, pursuant to Article 1 of Commission Regulation (EEC) No 2049/82⁽¹⁰⁾, as last amended by Regulation (EEC) No 1238/87⁽¹¹⁾, the price must be determined per 100 kilograms of bulk soya cake of the standard quality defined in Article 1 (2) of Council Regulation (EEC) No 1464/86⁽¹²⁾ delivered to Rotterdam; whereas the necessary adjustments, notably those referred to in Article 2 of Regulation (EEC) No 2049/82, must be made for offers and quotations not of the type referred to above;

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

⁽¹⁾ OJ No L 162, 12. 6. 1982, p. 28.

⁽²⁾ OJ No L 150, 15. 6. 1991, p. 10.

⁽³⁾ OJ No L 342, 19. 12. 1985, p. 1.

⁽⁴⁾ OJ No L 169, 29. 6. 1991, p. 46.

⁽⁵⁾ OJ No L 219, 28. 7. 1982, p. 1.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 11.

⁽⁷⁾ OJ No L 150, 15. 6. 1991, p. 11.

⁽⁸⁾ OJ No L 150, 15. 6. 1991, p. 13.

⁽⁹⁾ OJ No L 237, 1. 9. 1990, p. 8.

⁽¹⁰⁾ OJ No L 219, 28. 7. 1982, p. 36.

⁽¹¹⁾ OJ No L 117, 5. 5. 1987, p. 9.

⁽¹²⁾ OJ No L 133, 21. 5. 1986, p. 21.

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

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

Whereas the world market price for peas and field beans and the amount of aid referred to in Article 3 (2) of Regulation (EEC) No 1431/82 were fixed by Commission Regulation (EEC) No 1899/91 ⁽³⁾; whereas in terms of Article 2a of Regulation (EEC) No 1431/82 the guide price is increased monthly as from the beginning of the third month of the marketing year;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The amounts of aid provided for in Article 3 (1) of Regulation (EEC) No 1431/82 is indicated in the Annexes hereto.
2. However, the amount of the aid for the 1991/92 marketing year for peas, field beans and sweet lupins shall be confirmed or replaced with effect from 16 August 1991 to take account of the consequences of the maximum guaranteed quantity arrangements for the 1991/92 marketing year.

Article 2

This Regulation shall enter into force on 16 August 1991.

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

Done at Brussels, 14 August 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 6.

⁽²⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽³⁾ OJ No L 169, 29. 6. 1991, p. 29.

ANNEX I

Gross aid

Products intended for human consumption :

(ECU per 100 kg)

	Current 8 (1)	1st period 9 (1)	2nd period 10 (1)	3rd period 11 (1)	4th period 12 (1)	5th period 1 (1)	6th period 2 (1)
Peas used :							
— in Spain	5,986	6,144	6,302	6,460	6,618	6,776	6,934
— in Portugal	6,003	6,161	6,319	6,477	6,635	6,793	6,951
— in another Member State	6,130	6,288	6,446	6,604	6,762	6,920	7,078
Field beans used :							
— in Spain	6,130	6,288	6,446	6,604	6,762	6,920	7,078
— in Portugal	6,003	6,161	6,319	6,477	6,635	6,793	6,951
— in another Member State	6,130	6,288	6,446	6,604	6,762	6,920	7,078

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

Products used in animal feed :

(ECU per 100 kg)

	Current 8 (1)	1st period 9 (1)	2nd period 10 (1)	3rd period 11 (1)	4th period 12 (1)	5th period 1 (1)	6th period 2 (1)
A. Peas used :							
— in Spain	7,751	7,842	7,699	7,857	8,014	7,838	7,995
— in Portugal	7,801	7,893	7,752	7,910	8,067	7,893	8,051
— in another Member State	7,801	7,893	7,752	7,910	8,067	7,893	8,051
B. Field beans used :							
— in Spain	7,751	7,842	7,699	7,857	8,014	7,838	7,995
— in Portugal	7,801	7,893	7,752	7,910	8,067	7,893	8,051
— in another Member State	7,801	7,893	7,752	7,910	8,067	7,893	8,051
C. Sweet lupins harvested in Spain and used :							
— in Spain	10,680	10,591	10,190	10,190	10,190	9,745	9,745
— in Portugal	10,746	10,658	10,261	10,261	10,261	9,819	9,819
— in another Member State	10,746	10,658	10,261	10,261	10,261	9,819	9,819
D. Sweet lupins harvested in another Member State and used :							
— in Spain	10,680	10,591	10,190	10,190	10,190	9,745	9,745
— in Portugal	10,746	10,658	10,261	10,261	10,261	9,819	9,819
— in another Member State	10,746	10,658	10,261	10,261	10,261	9,819	9,819

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

ANNEX II

Final aid

Products intended for human consumption :

(in national currency per 100 kg)

	Current 8 (°)	1st period 9 (°)	2nd period 10 (°)	3rd period 11 (°)	4th period 12 (°)	5th period 1 (°)	6th period 2 (°)
Products harvested in :							
— BLEU (Bfrs/Lfrs)	297,65	305,32	312,99	320,67	328,34	336,01	343,68
— Denmark (Dkr)	55,05	56,47	57,88	59,30	60,72	62,14	63,56
— Federal Republic of Germany (DM)	14,43	14,80	15,18	15,55	15,92	16,29	16,66
— Greece (Dr)	1 545,50	1 585,34	1 625,17	1 665,01	1 704,84	1 744,68	1 784,51
— Spain (Pta)	924,58	948,41	972,24	996,07	1 019,90	1 043,73	1 067,56
— France (FF)	48,40	49,65	50,90	52,14	53,39	54,64	55,89
— Ireland (£ Irl)	5,387	5,526	5,665	5,803	5,942	6,081	6,220
— Italy (Lit)	10 798	11 076	11 354	11 633	11 911	12 189	12 468
— Netherlands (Fl)	16,26	16,68	17,10	17,52	17,94	18,36	18,77
— Portugal (Esc)	1 279,18	1 312,15	1 345,13	1 378,10	1 411,07	1 444,04	1 477,01
— United Kingdom (£)	4,876	5,002	5,127	5,253	5,379	5,504	5,630

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

Amounts to be deducted in the case of :

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

ANNEX III

Partial aids

Peas intended for animal feed :

(in national currency per 100 kg)

	Current 8 (°)	1st period 9 (°)	2nd period 10 (°)	3rd period 11 (°)	4th period 12 (°)	5th period 1 (°)	6th period 2 (°)
Products harvested in :							
— BLEU (Bfrs/Lfrs)	378,79	383,25	376,41	384,08	391,70	383,25	390,93
— Denmark (Dkr)	70,05	70,88	69,61	71,03	72,44	70,88	72,30
— Federal Republic of Germany (DM)	18,36	18,58	18,25	18,62	18,99	18,58	18,95
— Greece (Dr)	1 966,80	1 989,99	1 954,44	1 994,28	2 033,86	1 989,99	2 029,83
— Spain (Pta)	1 176,61	1 190,49	1 169,22	1 193,05	1 216,73	1 190,49	1 214,32
— France (FF)	61,59	62,32	61,21	62,45	63,69	62,32	63,57
— Ireland (£ Irl)	6,855	6,936	6,812	6,951	7,089	6,936	7,075
— Italy (Lit)	13 741	13 903	13 655	13 933	14 210	13 903	14 181
— Netherlands (Fl)	20,69	20,94	20,56	20,98	21,40	20,94	21,36
— Portugal (Esc)	1 627,88	1 647,08	1 617,66	1 650,63	1 683,39	1 647,08	1 680,05
— United Kingdom (£)	6,205	6,278	6,166	6,292	6,417	6,278	6,404
Amounts to be deducted in the case of use :							
— Spain (Pta)	7,54	7,69	7,99	7,99	7,99	8,30	8,45
— Portugal (Esc)	0,00	0,00	0,00	0,00	0,00	0,00	0,00

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

ANNEX IV

Corrective amount to be added to the amounts in Annex III

(in national currency per 100 kg)

Use of the products	BLEU	DK	DE	EL	ESP	FR	IRL	IT	NL	PT	UK
Products harvested in :											
— BLEU (Bfrs/Lfrs)	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
— Denmark (Dkr)	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
— Federal Republic of Germany (DM)	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
— Greece (Dr)	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
— Spain (Pta)	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
— France (FF)	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
— Ireland (£ Irl)	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,000
— Italy (Lit)	0	0	0	0	0	0	0	0	0	0	0
— Netherlands (Fl)	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
— Portugal (Esc)	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
— United Kingdom (£)	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,000

ANNEX V

Partial aids

Field beans intended for animal feed :

(in national currency per 100 kg)

	Current 8 (')	1st period 9 (')	2nd period 10 (')	3rd period 11 (')	4th period 12 (')	5th period 1 (')	6th period 2 (')
Products harvested in :							
— BLEU (Bfrs/Lfrs)	378,79	383,25	376,41	384,08	391,70	383,25	390,93
— Denmark (Dkr)	70,05	70,88	69,61	71,03	72,44	70,88	72,30
— Federal Republic of Germany (DM)	18,36	18,58	18,25	18,62	18,99	18,58	18,95
— Greece (Dr)	1 966,80	1 989,99	1 954,44	1 994,28	2 033,86	1 989,99	2 029,83
— Spain (Pta)	1 176,61	1 190,49	1 169,22	1 193,05	1 216,73	1 190,49	1 214,32
— France (FF)	61,59	62,32	61,21	62,45	63,69	62,32	63,57
— Ireland (£ Irl)	6,855	6,936	6,812	6,951	7,089	6,936	7,075
— Italy (Lit)	13 741	13 903	13 655	13 933	14 210	13 903	14 181
— Netherlands (Fl)	20,69	20,94	20,56	20,98	21,40	20,94	21,36
— Portugal (Esc)	1 627,88	1 647,08	1 617,66	1 650,63	1 683,39	1 647,08	1 680,05
— United Kingdom (£)	6,205	6,278	6,166	6,292	6,417	6,278	6,404
Amounts to be deducted in the case of use :							
— Spain (Pta)	7,54	7,69	7,99	7,99	7,99	8,30	8,45
— Portugal (Esc)	0,00	0,00	0,00	0,00	0,00	0,00	0,00

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

ANNEX VI

Corrective amount to be added to the Amounts in Annex V

(in national currency per 100 kg)

Use of the products	BLEU	DK	DE	EL	ESP	FR	IRL	IT	NL	PT	UK
Products harvested in :											
— BLEU (Bfrs/Lfrs)	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
— Denmark (Dkr)	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
— Federal Republic of Germany (DM)	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
— Greece (Dr)	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
— Spain (Pta)	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
— France (FF)	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
— Ireland (£ Irl)	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,000
— Italy (Lit)	0	0	0	0	0	0	0	0	0	0	0
— Netherlands (Fl)	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
— Portugal (Esc)	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
— United Kingdom (£)	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,000

ANNEX VII

Partial aid

Sweet lupins intended for use in animal feed :

(in national currency per 100 kg)

	Current 8 (')	1st period 9 (')	2nd period 10 (')	3rd period 11 (')	4th period 12 (')	5th period 1 (')	6th period 2 (')
Products harvested in :							
— BLEU (Bfrs/Lfrs)	521,79	517,51	498,24	498,24	498,24	476,77	476,77
— Denmark (Dkr)	96,50	95,71	92,14	92,14	92,14	88,17	88,17
— Federal Republic of Germany (DM)	25,30	25,09	24,16	24,16	24,16	23,12	23,12
— Greece (Dr)	2 709,29	2 687,11	2 587,01	2 587,01	2 587,01	2 475,58	2 475,58
— Spain (Pta)	1 620,80	1 607,52	1 547,65	1 547,65	1 547,65	1 480,98	1 480,98
— France (FF)	84,85	84,15	81,02	81,02	81,02	77,53	77,53
— Ireland (£ Irl)	9,443	9,366	9,017	9,017	9,017	8,629	8,629
— Italy (Lit)	18 929	18 774	18 074	18 074	18 074	17 296	17 296
— Netherlands (Fl)	28,50	28,27	27,22	27,22	27,22	26,05	26,05
— Portugal (Esc)	2 242,43	2 224,07	2 141,22	2 141,22	2 141,22	2 048,99	2 048,99
— United Kingdom (£)	8,548	8,478	8,162	8,162	8,162	7,810	7,810
Amounts to be deducted in the case of use in :							
— Spain (Pta)	9,95	10,11	10,71	10,71	10,71	11,16	11,16
— Portugal (Esc)	0,00	0,00	0,00	0,00	0,00	0,00	0,00

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

ANNEX VIII

Corrective amount to be added to amounts in Annex VII

(in national currency per 100 kg)

Use of products :	BLEU	DK	DE	EL	ES	FR	IRL	IT	NL	PT	UK
Products harvested in :											
— BLEU (Bfrs/Lfrs)	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
— Denmark (Dkr)	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
— Federal Republic of Germany (DM)	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
— Greece (Dr)	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
— Spain (Pta)	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
— France (FF)	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
— Ireland (£ Irl)	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,000
— Italy (Lit)	0	0	0	0	0	0	0	0	0	0	0
— Netherlands (Fl)	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
— Portugal (Esc)	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
— United Kingdom (£)	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,000

ANNEX IX

Exchange rate of the ecu to be used

	BLEU	DK	DE	EL	ES	FR	IRL	IT	NL	PT	UK
In national currency, ECU 1 =	42,4032	7,84195	2,05586	225,983	128,903	6,89509	0,767417	1 538,24	2,31643	177,382	0,700718

COMMISSION REGULATION (EEC) No 2470/91**of 14 August 1991****fixing the minimum levies on the importation of olive oil and levies on the importation of other olive oil sector products**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 1720/91⁽²⁾, and in particular Article 16 (2) thereof,

Having regard to Council Regulation (EEC) No 1514/76 of 24 June 1976 on imports of olive oil originating in Algeria⁽³⁾, as last amended by Regulation (EEC) No 728/91⁽⁴⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1521/76 of 24 June 1976 on imports of olive oil originating in Morocco⁽⁵⁾, as last amended by Regulation (EEC) No 729/91⁽⁶⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1508/76 of 24 June 1976 on imports of olive oil originating in Tunisia⁽⁷⁾, as last amended by Regulation (EEC) No 413/86⁽⁸⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1180/77 of 17 May 1977 on imports into the Community of certain agricultural products originating in Turkey⁽⁹⁾, as last amended by Regulation (EEC) No 730/91⁽¹⁰⁾, and in particular Article 10 (2) thereof,

Having regard to Council Regulation (EEC) No 1620/77 of 18 July 1977 laying down detailed rules for the importation of olive oil from Lebanon⁽¹¹⁾,

Whereas by Regulation (EEC) No 3131/78⁽¹²⁾, as amended by the Act of Accession of Greece, the Commission decided to use the tendering procedure to fix levies on olive oil;

Whereas Article 3 of Council Regulation (EEC) No 2751/78 of 23 November 1978 laying down general rules for fixing the import levy on olive oil by tender⁽¹³⁾ specifies that the minimum levy rate shall be fixed for each of the products concerned on the basis of the situation on the world market and the Community market and of the levy rates indicated by tenderers;

Whereas, in the collection of the levy, account should be taken of the provisions in the Agreements between the Community and certain third countries; whereas in particular the levy applicable for those countries must be fixed, taking as a basis for calculation the levy to be collected on imports from the other third countries;

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 12 and 13 August 1991 leads to the minimum levies being fixed as indicated in Annex I to this Regulation;

Whereas the import levy on olives falling within 29 codes 0709 90 39 and 0711 20 90 and on products falling within CN codes 1522 00 31, 1522 00 39 and 2306 90 19 must be calculated from the minimum levy applicable on the olive oil contained in these products; whereas, however, the levy charged for olive oil may not be less than an amount equal to 8 % of the value of the imported product, such amount to be fixed at a standard rate; whereas application of these provisions leads to the levies being fixed as indicated in Annex II to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The minimum levies on olive oil imports are fixed in Annex I.

Article 2

The levies applicable on imports of other olive oil sector products are fixed in Annex II.

Article 3

This Regulation shall enter into force on 16 August 1991.

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

⁽²⁾ OJ No L 162, 26. 6. 1991, p. 27.

⁽³⁾ OJ No L 169, 28. 6. 1976, p. 24.

⁽⁴⁾ OJ No L 80, 27. 3. 1991, p. 1.

⁽⁵⁾ OJ No L 169, 28. 6. 1976, p. 43.

⁽⁶⁾ OJ No L 80, 27. 3. 1991, p. 2.

⁽⁷⁾ OJ No L 169, 28. 6. 1976, p. 9.

⁽⁸⁾ OJ No L 48, 26. 2. 1986, p. 1.

⁽⁹⁾ OJ No L 142, 9. 6. 1977, p. 10.

⁽¹⁰⁾ OJ No L 80, 27. 3. 1991, p. 3.

⁽¹¹⁾ OJ No L 181, 21. 7. 1977, p. 4.

⁽¹²⁾ OJ No L 370, 30. 12. 1978, p. 60.

⁽¹³⁾ OJ No L 331, 28. 11. 1978, p. 6.

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

Done at Brussels, 14 August 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX I

Minimum import levies on olive oil

(ECU/100 kg)	
CN code	Non-member countries
1509 10 10	77,00 ⁽¹⁾
1509 10 90	77,00 ⁽¹⁾
1509 90 00	89,00 ⁽²⁾
1510 00 10	77,00 ⁽¹⁾
1510 00 90	122,00 ⁽²⁾

⁽¹⁾ For imports of oil falling within this CN code and produced entirely in one of the countries listed below and transported directly from any of those countries to the Community, the levy to be collected is reduced by:

- (a) Lebanon: ECU 0,60 per 100 kg;
- (b) Tunisia: ECU 12,69 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country; however, the repayment may not exceed the amount of the tax in force;
- (c) Turkey: ECU 22,36 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country; however, the repayment may not exceed the amount of the tax in force;
- (d) Algeria and Morocco: ECU 24,78 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country; however, the repayment may not exceed the amount of the tax in force.

⁽²⁾ For imports of oil falling within this CN code:

- (a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by ECU 3,86 per 100 kg;
- (b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by ECU 3,09 per 100 kg.

⁽³⁾ For imports of oil falling within this CN code:

- (a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by ECU 7,25 per 100 kg;
- (b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by ECU 5,80 per 100 kg.

ANNEX II

Import levies on other olive oil sector products

(ECU/100 kg)	
CN code	Non-member countries
0709 90 39	16,94
0711 20 90	16,94
1522 00 31	38,50
1522 00 39	61,60
2306 90 19	6,16

COMMISSION REGULATION (EEC) No 2471/91**of 12 August 1991****on a derogation for the 1990/91 marketing year to Regulation (EEC) No 441/88
concerning compulsory distillation operations in a region of the Community**

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 39 thereof,

Whereas the distillation provided for in Article 39 of
Regulation (EEC) No 822/87 is compulsory; whereas the
large number of commitments in Region 6 for the
1990/91 marketing year makes it impossible to realize
distillation within the legal deadline in the case of distil-
leries for groups of cooperatives whose members are
under contract to have their wine distilled there; whereas
therefore, in order to permit the total compulsory distilla-
tion obligations to be realized, it is necessary to provide
for an extension to the deadline for wine distillation laid
down in Commission Regulation (EEC) No 441/88 of 17
February 1988 laying down detailed rules for applying
compulsory distillation as referred to in Article 39 of
Regulation (EEC) No 822/87 ⁽³⁾, as last amended by Regu-
lation (EEC) No 2070/91 ⁽⁴⁾;

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

By way of derogation from Article 12 (5) of Regulation
(EEC) No 441/88, distillation operations pursuant to
Article 39 of Regulation (EEC) No 822/87 in production
Region 6 as referred to in Article 4 (2) of the former
Regulation, may, in the case of cooperative distilleries of
the second degree, take place up to 22 September 1991.

Article 2

This Regulation shall enter into force on 1 September
1991.

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

Done at Brussels, 12 August 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 2.

⁽²⁾ OJ No L 163, 26. 6. 1991, p. 6.

⁽³⁾ OJ No L 45, 18. 2. 1988, p. 15.

⁽⁴⁾ OJ No L 191, 16. 7. 1991, p. 25.

COMMISSION REGULATION (EEC) No 2472/91

of 12 August 1991

fixing the regulatory amounts applicable in 1991/92 to imports of certain wine-sector products from Spain into the Community as constituted at 31 December 1985

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 123 (2) thereof,

Having regard to Council Regulation (EEC) No 480/86 of 25 February 1986 laying down general rules of application of the regulatory amounts applicable to trade in certain wine sector products between the Community as constituted on 31 December 1985 and Spain⁽¹⁾, and in particular Article 11 thereof,

Whereas, in the light of the rules laid down in Regulation (EEC) No 480/86, the regulatory amounts should be fixed by reference to the prices recorded on the Spanish market and on the market of the Community as constituted at 31 December 1985;

Whereas Article 123 (2) (a) of the Act of Accession stipulates that a regulatory amount is to be levied on table wine; whereas, for the purposes of applying that common measure, the table wines considered to be in a close economic relationship with each type of table wine should be determined;

Whereas the conditions laid down in Article 123 (2) (b) of the Act of Accession are not met; whereas the fixing of regulatory amounts applicable to wine-sector products other than table wine is therefore not warranted;

Whereas it should be made clear that the codes used for the regulatory amounts are those of the combined nomenclature as defined in Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽²⁾, as

last amended by Regulation (EEC) No 2242/91⁽³⁾; whereas the additional codes are defined in the tables in the Appendix to the Annex hereto and whereas the table numbers relate to the chapter indicated in the first two figures of the combined nomenclature codes;

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 regulatory amounts provided for in Article 2 of Regulation (EEC) No 480/86 are fixed in the Annex hereto for the products indicated therein.

Article 2

For the purposes of this Regulation, the following shall be considered to be in a close economic relationship with table wine of type A I: white table wines which are not of type A I, A II or A III.

The regulatory amounts applicable thereto shall be those laid down for the particular type of table wine with which they are in a close economic relationship.

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 from 1 September 1991.

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

Done at Brussels, 12 August 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 54, 1. 3. 1986, p. 2.

⁽²⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽³⁾ OJ No L 204, 27. 7. 1991, p. 21.

ANNEX

CN code	Table	Additional code	Notes	Regulatory amounts
2204 29 25	22-11	7478	(²)	4,44
		7479	(²)	4,44
		7480	(²)	5,07
		7481	(²)	5,07
		7482	(¹)	0,20
		7483	(¹)	0,20
2204 29 29	22-12	7487	(²)	3,33
		7488	(²)	3,33
2204 29 35	22-14	7498	(²)	4,44
		7499	(²)	5,07
		7514	(¹)	0,20
		7518	(¹)	0,20
2204 29 39	22-15	7524	(²)	3,33

(¹) ECU per % vol per hectolitre (total alcoholic strength by volume as defined in Annex II to Regulation (EEC) No 822/87).

(²) ECU per hectolitre of product.

Appendix

ADDITIONAL CODES (EXTRACTS)

CHAPTER 22

TABLE 22-11

CN code	Description	Additional code
2204 29 25	– Table wine as defined under No 13 of Annex I to Regulation (EEC) No 822/87 :	
	– – Of the type A II as defined in Annex III to Regulation (EEC) No 822/87 :	
	– – – Of an actual alcoholic strength :	
	– – – – Of 9 % vol or more but not exceeding 13 % vol	7478
	– – – – Other	7479
	– – Of the type A III as defined in Annex III to Regulation (EEC) No 822/87 :	
	– – – Of an actual alcoholic strength :	
	– – – – Of 9 % vol or more but not exceeding 13 % vol	7480
	– – – – Other	7481
	– – Retsina	7482
	– – Other	7483
	– Wine from third countries :	
	– – Presented in the document V I, the commercial document or the approved commercial document under the name Riesling or Sylvaner	7595
	– – Other	7596
	– Other :	
	– – New wine still in fermentation, as specified in point 11 of Annex I to Regulation (EEC) No 822/87	7484
	– – Other	7486

TABLE 22-12

CN code	Description	Additional code
2204 29 29	– Table wine as defined under No 13 of Annex I to Regulation (EEC) No 822/87 :	
	– – Of the type R III as defined in Annex III to Regulation (EEC) No 822/87 :	
	– – – Of an actual alcoholic strength :	
	– – – – Of 9 % vol or more but not exceeding 13 % vol	7487
	– – – – Other	7488
	– – Retsina	7489
	– – Other	7490
	– Wine from third countries :	
	– – Presented in the document V I, the commercial document or the approved commercial document under the name Portugieser	7597
	– – Other	7598
	– Other :	
	– – New wine still in fermentation, as specified in point 11 of Annex I to Regulation (EEC) No 822/87	7491
	– – Fresh grape must with fermentation arrested by the addition of alcohol, within the meaning of additional note 4 (a) to Chapter 22 in the combined nomenclature	7492
	– – Other	7493

TABLE 22-14

CN code	Description	Additional code
2204 29 35	– Table wine as defined under No 13 of Annex I to Regulation (EEC) No 822/87 :	
	– – Of the type A II as defined in Annex III to Regulation (EEC) No 822/87	7498
	– – Of the type A III as defined in Annex III to Regulation (EEC) No 822/87	7499
	– – Retsina	7514
	– – Other	7518
	– Wine from third countries :	
	– – Presented in the document V I, the commercial document or the approved commercial document under the name of Riesling or Sylvaner	7599
	– – Other	7614
	– Other :	
	– – New wine still in fermentation, as specified in point 11 of Annex I to Regulation (EEC) No 822/87	7519
	– – Liqueur wine as specified in point 14 of Annex I to Regulation (EEC) No 822/87	7643
	– – Other	7523

TABLE 22-15

CN code	Description	Additional code
2204 29 39	– Table wine as defined under No 13 of Annex I to Regulation (EEC) No 822/87 :	
	– – Of the type R III as defined in Annex III to Regulation (EEC) No 822/87	7524
	– – Retsina	7525
	– – Other	7526
	– Wine from third countries :	
	– – Presented in the document V I, the commercial document or the approved commercial document under the name Portugieser	7618
	– – Other	7619
	– Other :	
	– – New wine still in fermentation, as specified in point 11 of Annex I to Regulation (EEC) No 822/87	7527
	– – Liqueur wine as specified in point 14 of Annex I to Regulation (EEC) No 822/87	7644
	– – Fresh grape must with fermentation arrested by the addition of alcohol, within the meaning of additional note 4 (a) to Chapter 22 in the combined nomenclature	7528
	– – Other	7529

COMMISSION REGULATION (EEC) No 2473/91
of 13 August 1991
concerning the stopping of fishing for cod by vessels flying the flag of a Member State

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 last 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 2381/91 ⁽⁴⁾, provides for cod total allowable catches for 1991;

Whereas, in order to ensure compliance with the provisions relating to the quantitative limitations on catches of stock subject to total allowable catches, 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 total allowable catches;

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 a Member State

or registered in a Member States have reached the total allowable catches for 1991,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of cod in the waters of ICES division II b by vessels flying the flag of a Member State or registered in a Member State are deemed to have exhausted the total allowable catches for 1991.

Fishing for cod in the waters of ICES division II b by vessels flying the flag of a Member State or registered in a Member State 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 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, 13 August 1991.

For the Commission

Karel VAN MIERT

Member of the Commission

⁽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 219, 7. 8. 1991, p. 2.

COMMISSION REGULATION (EEC) No 2474/91**of 14 August 1991****fixing the maximum export refund for white sugar for the 16th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EEC) No 963/91**

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

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EEC) No 464/91⁽²⁾, and in particular the first subparagraph of Article 19 (4) (b) thereof,

Whereas Commission Regulation (EEC) No 963/91 of 18 April 1991 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar⁽³⁾ requires partial invitations to tender to be issued for the export of this sugar;

Whereas, pursuant to Article 9 (1) of Regulation (EEC) No 963/91, a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question;

Whereas, following an examination of the tenders submitted in response to the 16th partial invitation to tender, the provisions set out in Article 1 should be adopted;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 16th partial invitation to tender for white sugar issued pursuant to Regulation (EEC) No 963/91 the maximum amount of the export refund is fixed at ECU 39,895 per 100 kilograms.

Article 2

This Regulation shall enter into force on 15 August 1991.

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

Done at Brussels, 14 August 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 100, 20. 4. 1991, p. 9.

COMMISSION REGULATION (EEC) No 2475/91

of 14 August 1991

fixing the import levy on molasses

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 market in sugar ⁽¹⁾, as last amended by Regulation (EEC) No 464/91 ⁽²⁾, and in particular Article 16 (8) thereof,

Whereas the import levy on molasses was fixed by Commission Regulation (EEC) No 1854/91 ⁽³⁾, as last amended by Regulation (EEC) No 2403/91 ⁽⁴⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 1854/91 to the information at present available to the Commission that the levy at present in force should be altered pursuant to Article 1 of this Regulation;

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

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

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

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

Whereas these exchange rates being those recorded on 13 August 1991,

HAS ADOPTED THIS REGULATION:

Article 1

The import levy referred to in Article 16 (1) of Regulation (EEC) No 1785/81 shall be, in respect of molasses falling within CN codes 1703 10 00 and 1703 90 00, ECU 0,75 per 100 kilograms.

Article 2

This Regulation shall enter into force on 15 August 1991.

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

Done at Brussels, 14 August 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. 27.

⁽⁴⁾ OJ No L 220, 8. 8. 1991, p. 10.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 9.

COMMISSION REGULATION (EEC) No 2476/91

of 14 August 1991

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 Article 25 (1) of Regulation (EEC) No 1035/72 provides that, if the entry price of a product imported from a third country remains at least ECU 0,6 below the reference price for two consecutive market days, a countervailing charge must be introduced in respect of the exporting country concerned, save in exceptional circumstances; whereas this charge is equal to the difference between the reference price and the arithmetic mean of the last two entry prices available for that exporting country;

Whereas Commission Regulation (EEC) No 1438/91 of 30 May 1991 fixing for the 1991/92 marketing year the reference prices for fresh lemons⁽³⁾ fixed the reference price for products of class I for the month of August 1991 at ECU 60,82 per 100 kilograms net;

Whereas the entry price for a given exporting country is equal to the lowest representative prices recorded for at least 30 % of the quantities from the exporting country concerned which are marketed on all representative markets for which prices are available less the duties and the charges indicated in Article 24 (3) of Regulation (EEC) No 1035/72 according to the dispositions of Commission Regulation (EEC) No 3982/89 of 20 December 1989 altering the entry price for citrus fruit originating in certain Mediterranean third countries⁽⁴⁾; whereas the meaning of representative price is defined in Article 24 (2) of Regulation (EEC) No 1035/72;

Whereas, in accordance with Article 3 (1) of Commission Regulation (EEC) No 2118/74⁽⁵⁾, as last amended by

Regulation (EEC) No 3811/85⁽⁶⁾, the prices to be taken into consideration must be recorded on the representative markets or, in certain circumstances, on other markets;

Whereas, for fresh lemons originating in Argentina, the entry price calculated in this way has remained at least ECU 0,6 below the reference price for two consecutive market days; whereas a countervailing charge should therefore be introduced for these fresh lemons;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁷⁾, as last amended by Regulation (EEC) No 2205/90⁽⁸⁾,
- for 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 previous indent,

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of ECU 11,76 per 100 kilograms net is applied to fresh lemons (CN code ex 0805 30 10) originating in Argentina.

Article 2

This Regulation shall enter into force on 16 August 1991.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 150, 15. 6. 1991, p. 8.

⁽³⁾ OJ No L 137, 31. 5. 1991, p. 25.

⁽⁴⁾ OJ No L 380, 29. 12. 1989, p. 24.

⁽⁵⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁶⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁸⁾ OJ No L 201, 31. 7. 1990, p. 9.

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

Done at Brussels, 14 August 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 2477/91

of 14 August 1991

introducing a corrective amount on the import of tomatoes 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 804/91 ⁽²⁾ fixed, for the 1991 marketing year, the Community offer price for tomatoes 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 tomatoes, 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 tomatoes (CN code ex 0702 00) from Spain a corrective amount of ECU 12,6 per 100 kilograms net shall be levied.

Article 2

This Regulation shall enter into force on 16 August 1991.

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

Done at Brussels, 14 August 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. 37.

⁽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 2478/91
of 14 August 1991
fixing the aid for cotton

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

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

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

Whereas the amount of the additional aid referred to in Article 5 (1) of Regulation (EEC) No 2169/81 was fixed by Commission Regulation (EEC) No 1856/91 ⁽⁴⁾, as last amended by Regulation (EEC) No 2441/91 ⁽⁵⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 1856/91 to

the information at present available to the Commission that the amount of the aid at present in force should be altered as shown in Article 1 to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

1. The aid for unginned cotton referred to in Article 5 of Regulation (EEC) No 2169/81 shall be ECU 55,129 per 100 kilograms.

2. However, the amount of the aid will be confirmed or replaced with effect from 15 August 1991 to take account of the impact of the maximum guaranteed quantity system on 1991/92 marketing year.

Article 2

This Regulation shall enter into force on 15 August 1991.

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

Done at Brussels, 14 August 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 377, 31. 12. 1987, p. 49.

⁽²⁾ OJ No L 211, 31. 7. 1981, p. 2.

⁽³⁾ OJ No L 85, 30. 3. 1989, p. 7.

⁽⁴⁾ OJ No L 168, 29. 6. 1991, p. 31.

⁽⁵⁾ OJ No L 222, 10. 8. 1991, p. 37.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 22 July 1991

on financial aid for Israel and the Palestinian population of the Occupied Territories

(91/408/EEC)

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 proposal from the Commission ⁽¹⁾,

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

Whereas the Community wishes to mount an operation to give financial aid to Israel and the Palestinian population of the territories on the West Bank of the River Jordan and the Gaza Strip occupied by Israel (hereinafter referred to as the 'Occupied Territories') in order to help reduce the adverse consequences of the Gulf conflict;

Whereas the economic and financial capacity of Israel and of the Occupied Territories is such that financial aid to Israel should take the form of a medium-term subsidized loan while than intended for the Palestinian population of the Occupied Territories should take the form of grants;

Whereas the Community must have the means necessary to implement this financial aid;

Whereas provision should be made for the Community financial resources needed for the interest-rate subsidy and grant components to carry out this operation; whereas the approximations actually available will be established during the budgetary procedure in accordance with the financial perspectives annexed to the Interinstitutional Agreement on budgetary discipline and improve-

ment of the budgetary procedure in accordance with the financial perspectives annexed to the Interinstitutional Agreement on budgetary discipline and improvement of the budgetary procedure of 29 June 1988 ⁽³⁾;

Whereas the breakdown of funds as between Israel and the Palestinian population of the Occupied Territories is based on an evaluation of their respective requirements in the light of the scale of the social and economic effects of the conflict, the sections of the population affected and a comparison of living standards;

Whereas the loan to Israel will have to be financed by Community borrowing on the capital markets; whereas this loan must be administered by the Commission;

Whereas implementation of this operation is designed to contribute to the achievement of Community objectives;

Whereas the Treaty does not provide, for the adoption of this Decision, for powers other than those of Article 235,

HAS DECIDED AS FOLLOWS:

Article 1

The Community shall provide financial aid for Israel and the Palestinian population of the Occupied Territories, composed as follows:

- ECU 160 million in the form of a loan, accompanied by an interest rate subsidy of ECU 27,5 million
- ECU 60 million in the form of grants.

⁽¹⁾ OJ No C 111, 27. 4. 1991, p. 3.

⁽²⁾ OJ No C 183, 15. 7. 1991.

⁽³⁾ OJ No L 185, 15. 7. 1988, p. 33.

Article 2

1. The financial aid for Israel shall be made available to that country in the form of a medium-term loan of a principal equivalent to ECU 160 million for a maximum period of seven years.

2. The loan will be accompanied by an interest-rate subsidy to be financed from the general budget of the European Communities.

The necessary cost to the Community of financing the subsidy in 1991 amounts to ECU 27,5 million.

3. The loan and the related subsidy shall be accorded on the terms and conditions set out in Article 3.

Article 3

1. In order to implement the lending operation referred to in Article 2, the Commission is hereby empowered to borrow, on behalf of the Community, the necessary resources on the capital markets, after consultation of the Monetary Committee.

2. The Commission, after consultation of the Monetary Committee, shall be empowered to negotiate with the Israeli authorities the arrangements for payment of the loan and the accompanying terms and conditions in order to ensure that the use of the product of this loan corresponds to the objectives of this operation, intended to reduce the adverse consequences of the Gulf conflict.

The product of the loan made available to Israel shall be paid to the National Bank of Israel and only for the purposes referred to in the first subparagraph.

3. The Commission liaising with the Israeli authorities and after consultation of the Monetary Committee shall establish the arrangements for payment of the interest-rate subsidy referred to in Article 2 (2) and take the necessary implementing measures.

4. The borrowing and lending operations referred to in paragraph 1 shall be carried out using the same value date and must not involve the Community in the transformation of maturities, exchange or interest-rate risks or any other commercial risk.

5. The Commission shall take the necessary steps, if Israel so wishes, for inclusion in the terms and conditions of the loan and possible application of an early repayment clause.

6. At the request of Israel, and where circumstances permit an improvement in the interest rate on the loan, the Commission may refinance all or part of its initial borrowings or restructure the corresponding financial terms. Refinancing or restructuring operations shall be

carried out in accordance with the conditions set out in paragraph 4, and shall not have the effect of extending the average duration of the borrowings concerned or of increasing the amount of capital, expressed at the current exchange rate, outstanding at the date of these operations.

7. All costs incurred by the Community in concluding and executing the operation provided for in this Decision shall be borne by Israel.

8. The Monetary Committee shall be kept informed of the progress of the operations referred to in paragraphs 5 and 6.

Article 4

1. The financial aid for the Palestinian population of the Occupied Territories shall take the form of grants. The necessary cost of financing this aid to the Community amounts to ECU 60 million in 1991.

The aid is intended to cover expenditure aimed at alleviating the social and economic problems facing the population following the Gulf conflict, such as health, education and housing, and also the technical assistance necessary to implement that operation.

The implementation of the aid shall be carried out on the basis of general guidelines adopted in accordance with the procedure laid down in Article 5.

2. The Commission shall ensure that funds paid under the aid referred to in paragraph 1 are used in accordance with the objectives set out in this Decision by the beneficiaries, which shall be required to submit a programme specifying the use to be made of the funds, and afterwards a report on the actual use made thereof.

Article 5

1. The Commission shall be assisted by a Committee composed of representatives of the Member States and chaired by a representative of the Commission.

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 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 the measures envisaged if they are in accordance with the opinion of the Committee.

If the measures envisaged are not in accordance with the opinion of the Committee, or if no opinion is delivered, the Commission shall, without delay, submit to the Council a proposal relating to the measures to be taken. The Council shall act by a qualified majority.

If, on the expiry of two months from the date of referral to the Council, the Council has not acted, the proposed measures shall be adopted by the Commission.

Article 6

The Commission shall submit to the European Parliament and the Council not later than 30 June 1992 an initial report on the implementation of the financial aid

operation provided for under this Decision. A final report shall also be presented as soon as the operation is completed.

Done at Brussels, 22 July 1991.

For the Council

The President

P. DANKERT
