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Commission

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 172/92
of 27 January 1992

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 2661/91⁽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 24 January 1992;

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 2661/91 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 28 January 1992.

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

Done at Brussels, 27 January 1992.

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 250, 7. 9. 1991, p. 1.

ANNEX

to the Commission Regulation of 27 January 1992 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)	
CN code	Levy
0709 90 60	128,92 ⁽²⁾ ⁽³⁾
0712 90 19	128,92 ⁽²⁾ ⁽³⁾
1001 10 10	177,57 ⁽¹⁾ ⁽³⁾
1001 10 90	177,57 ⁽¹⁾ ⁽³⁾
1001 90 91	151,64
1001 90 99	151,64
1002 00 00	165,03 ⁽⁶⁾
1003 00 10	143,65
1003 00 90	143,65
1004 00 10	131,21
1004 00 90	131,21
1005 10 90	128,92 ⁽²⁾ ⁽³⁾
1005 90 00	128,92 ⁽²⁾ ⁽³⁾
1007 00 90	137,45 ⁽⁴⁾
1008 10 00	61,06
1008 20 00	125,72 ⁽⁴⁾
1008 30 00	71,94 ⁽⁵⁾
1008 90 10	(7)
1008 90 90	71,94
1101 00 00	225,30 ⁽⁶⁾
1102 10 00	244,05 ⁽⁶⁾
1103 11 10	288,61 ⁽⁶⁾
1103 11 90	242,31 ⁽⁶⁾

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

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

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

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

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

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

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

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

COMMISSION REGULATION (EEC) No 173/92

of 27 January 1992

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 24 January 1992;

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 28 January 1992.

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

Done at Brussels, 27 January 1992.

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 27 January 1992 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(ECU/tonne)

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

B. Malt

(ECU/tonne)

CN code	Current 1	1st period 2	2nd period 3	3rd period 4	4th period 5
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 174/92

of 27 January 1992

**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 the 30 December 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 the 30 December 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 the 30 December 1991, the level of the premium is fixed at ECU 62,967 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 the 30 December 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 30 December 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, 27 January 1992.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX

to the Commission Regulation of 27 January 1992 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	29,594	0
0104 20 90		0
	Net weight	Net weight
0204 10 00	62,967	0
0204 21 00	62,967	0
0204 50 11		0
0204 22 10	44,077	
0204 22 30	69,264	
0204 22 50	81,857	
0204 22 90	81,857	
0204 23 00	114,600	
0204 30 00	47,225	
0204 41 00	47,225	
0204 42 10	33,058	
0204 42 30	51,948	
0204 42 50	61,393	
0204 42 90	61,393	
0204 43 00	85,950	
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	81,857	
0210 90 19	114,600	
1602 90 71 :		
— unboned (bone-in)	81,857	
— boned or boneless	114,600	

(*) 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.

COMMISSION REGULATION (EEC) No 175/92**of 27 January 1992****on the supply of refined rape seed oil as food aid**

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

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management ⁽¹⁾, as last amended by Regulation (EEC) No 1930/90 ⁽²⁾, and in particular Article 6 (1) (c) thereof,

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

Whereas, following the taking of a number of decisions on the allocation of food aid, the Commission has allocated to certain countries and beneficiary organizations 2 890 tonnes of refined rape seed oil;

Whereas it is necessary to provide for the carrying-out of this measure in accordance with the rules laid down by Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid ⁽⁴⁾, as amended by Regulation (EEC) No 790/91 ⁽⁵⁾; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs;

Whereas, notably for logistical reasons, certain supplies are not awarded within the first and second deadlines for submission of tenders; whereas, in order to avoid republication of the notice of invitation to tender, a third deadline for submission of tenders should be opened,

HAS ADOPTED THIS REGULATION:

Article 1

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

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

Article 2

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

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

Done at Brussels, 27 January 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 174, 7. 7. 1990, p. 6.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

⁽⁵⁾ OJ No L 81, 28. 3. 1991, p. 108.

ANNEX I**LOTS A, B, C, D, E and F**

1. **Operation Nos⁽¹⁾**: see Annex II
2. **Programme**: 1990 and 1991
3. **Recipient⁽²⁾**: Euronaid, PO Box 77, NL-2340 AB Oegstgeest
4. **Representative of the recipient**: see OJ No C 103, 16. 4. 1987
5. **Place or country of destination**: see Annex II
6. **Product to be mobilized**: refined rape seed oil
7. **Characteristics and quality of the goods⁽³⁾ ⁽⁴⁾**: see OJ No C 114, 29. 4. 1991, p. 3 (under III.A.1 (a))
8. **Total quantity**: 1 840 tonnes net
9. **Number of lots**: six (Lot A: 95 tonnes; Lot B: 500 tonnes; Lot C: 425 tonnes; Lot D: 255 tonnes; Lot E: 505 tonnes; Lot F: 60 tonnes). See Annex II
10. **Packaging and marking⁽⁵⁾ ⁽⁷⁾ ⁽⁸⁾**: see OJ No C 114, 29. 4. 1991, p. 1 Lot A: 5 litres (III.A.2.2 b and III.A.3); Lots B, C, D, E and F: 20 litres (under III.A.2.2 (a) and III.A.3)
 - Markings in English, Spanish, French and Portuguese.
 - Supplementary markings on the packaging: see Annex II
11. **Method of mobilization**: the Community market
12. **Stage of supply**: free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 11. 3 — 11. 4. 1992
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply⁽⁹⁾**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon on 11. 2. 1992
21. **A. In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon on 18. 2. 1992
 - (b) period for making the goods available at the port of shipment: 18. 3. — 18. 4. 1992
 - (c) deadline for the supply: —**B. In the case of a third invitation to tender**:
 - (a) deadline for the submission of tenders: 25. 2. 1992, at 12 noon
 - (b) period for making the goods available at the port of shipment: 25. 3 — 25. 4. 1992
 - (c) deadline for the supply: —
22. **Amount of the tendering security**: ECU 15 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders⁽⁷⁾**: Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, bâtiment Loi 120, bureau 7/46, 200 rue de la Loi, B-1049 Bruxelles; telex 22037 AGREC B or 25670 AGREC B
25. **Refund payable on request by the successful tenderer**: —

LOT G

1. **Operation No⁽¹⁾**: 1447/90
2. **Programme**: 1989
3. **Recipient⁽²⁾**: Pakistan
4. **Representative of the recipient**: Dr. M.N.A. Ansari, Assistant Project Director, WFPK, Ministry of Health, Government of Pakistan, Training Institute and Officer of Project Directorate, near U.S. Aid, Building No 4, Block B, Sindhi Muslim Housing Society, Karachi
5. **Place or country of destination**: Pakistan
6. **Product to be mobilized**: refined rape seed oil
7. **Characteristics and quality of the goods⁽³⁾**:
See list published in OJ No C 114, 29. 4. 1991, p. 1 (under IIIA.1.(a))
8. **Total quantity**: 250 tonnes net
9. **Number of lots**: one
10. **Packaging and marking⁽⁴⁾⁽⁵⁾**: see list published in OJ No C 114, 29. 4. 1991, p. 1 (under IIIA.2.2.(b) and IIIA.3):
Markings in English
Supplementary markings on packaging: see Annex II
11. **Method of mobilization**: the Community market
12. **Stage of supply**: free at destination
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: Ministry of Food and Agriculture godown, Karachi Port
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 11. 3 — 30. 3. 1992
18. **Deadline for the supply**: 30. 4. 1992
19. **Procedure for determining the costs of supply⁽⁶⁾**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 11. 2. 1992, at 12 noon
21. **A. In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon on 18. 2. 1992
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 18. 3 — 18. 4. 1992
 - (c) deadline for the supply: 18. 5. 1992**B. In the case of a third invitation to tender**:
 - (a) deadline for the submission of tenders: not later than 12 noon on 25. 2. 1992
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 25. 3 to 25. 4. 1992
 - (c) deadline for the supply: 25. 5. 1992
22. **Amount of the tendering security**: ECU 15 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders⁽⁷⁾**:
Bureau de l'aide alimentaire,
à l'attention de Monsieur N. Arend,
bâtiment Loi 120, bureau 7/46,
200 rue de la Loi,
B-1049 Bruxelles;
telex 22037 AGREC B or 25670 AGREC B
25. **Refund payable on request by the successful tenderer**: —

LOT H

1. **Operation No** ⁽¹⁾: 881/91
2. **Programme**: 1991
3. **Recipient** ⁽²⁾: Cape Verde
4. **Representative of the recipient**: See Annex II
5. **Place or country of destination**: Cape Verde
6. **Product to be mobilized**: refined rape seed oil
7. **Characteristics and quality of the goods** ⁽³⁾: see list published in OJ No C 114, 29. 4. 1991, p. 1 (under III.A.1.(a))
8. **Total quantity**: 800 tonnes net
9. **Number of lots**: one in two parts. See Annex II
10. **Packaging and marking**: see list published in OJ No C 114, 29. 4. 1991, p. 1 (under III.A.2.2(b); III.A.2.3 and III.A.3). 5 litres
Markings in Portuguese
Supplementary markings on packaging: see Annex II
11. **Method of mobilization**: the Community market;
12. **Stage of supply**: free at port of landing
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: H1: Praia; H2: Mindelo
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 17. 3. — 11. 4. 1992
18. **Deadline for the supply**: 30. 4. 1992
19. **Procedure for determining the costs of supply** ⁽⁴⁾: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon on 11. 2. 1992
21. **A. In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon on 18. 2. 1992
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 18. 3 — 18. 4. 1992
 - (c) deadline for the supply: 7. 5. 1992**B. In the case of a third invitation to tender**:
 - (a) deadline for the submission of tenders: not later than 12 noon on 25. 2. 1992
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 25. 3 to 25. 4. 1992
 - (c) deadline for the supply: 12. 5. 1992
22. **Amount of the tendering security**: ECU 15 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders** ⁽⁵⁾:

Bureau de l'aide alimentaire,
à l'attention de Monsieur N. Arend,
bâtiment Loi 120, bureau 7/46,
200 rue de la Loi,
B-1049 Bruxelles;
telex 22037 AGREC B or 25670 AGREC B
25. **Refund payable on request by the successful tenderer**: —

Notes:

- (¹) The operation number is to be quoted in all correspondence.
- (²) The successful tenderer is to contact the recipient as soon as possible to establish which consignment documents are required and how they are to be distributed.
- (³) The successful tenderer is to deliver to the recipient a certificate from an official entity certifying that to the standards applicable, the products to be delivered as regards to nuclear radiation, in the Member State concerned, have not been exceeded.

The successful tenderer is to supply to the recipient or its representative, on delivery, the following documents:

- plant-health certificate,
- certificate of origin.

- (⁴) The supplier should send a duplicate of the original invoice to:

Messrs De Keyzer & Schütz BV,
Postbus 1438,
Blaak 16,
NL-3000 BK Rotterdam.

- (⁵) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of this Annex, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably:

- either by porter at the office referred to in point 24 of this Annex,
- or by telecopier at one of the following numbers in Brussels:
 - 235 01 32,
 - 236 10 97,
 - 235 01 30,
 - 236 20 05,
 - 236 33 04.

- (⁶) Lots B, C, D and E:

Article 7 (3) (g) of Regulation (EEC) No 2200/87 does not apply to tenders submitted.

- (⁷) Lots B, C, D, E and F:

Shipment to take place in twenty-foot containers, FLC/LCL. The supplier will be responsible for the cost of making the containers available in the stack position at the container terminal at the port of shipment. The recipient will be responsible for all subsequent loading costs, including the cost of moving the containers from the container terminal. The successful tenderer must submit to the recipient's agent a complete packing list of each container, specifying the number of drums belonging to each shipping number as specified in the invitation to tender. The rows of drums must be separated by plywood sheets. The successful tenderer must seal each container with a numbered locktainer, the number of which is to be provided to the recipient's forwarder.

- (⁸) Lot A:

The cartons must be stacked on wooden pallets (made of pine, fir or poplar measuring not more than 1 200 × 1 400 mm) and with the following features:

- four-way entry, non-reversible, with wings,
- a top deck consisting of a minimum of seven planks (¹) measuring 100 mm in width and of a thickness of 22 mm,
- a bottom deck consisting of three planks (¹),
- three bearers (¹),
- nine dowels: 100 × 100 × 78 mm minimum.

The palletized cartons shall be covered by a film of a thickness of at least 150 microns.

The cartons must have reinforced protection consisting of four angles (35 × 35 mm) made of cardboard at least 3 mm thick placed on the four upper edges.

The whole of the above must be bond, bound, in each direction, by two nylon straps of a width of not less than 15 mm with plastic buckles.

- (⁹) Radiation certificate for Sudan should contain following information:

- (a) the amount of radiation of caesium -134 and -137;
- (b) Iodine-131.

Radiation certificate must be legalized by the diplomatic representative of Chile at the country at origin or the product.

- (¹⁰) Shipment to take place in containers of 20 ft; conditions FCL/LCL (cls).

The free holding period for containers must be at least 15 days.

- (¹¹) The separation by cardboard crosspieces is not required.

Designación del lote	Cantidad total del lote (en toneladas)	Cantidades parciales (en toneladas)	Beneficiario	Representante del beneficiario	País destinatario	Inscripción en el embalaje
Parti	Totalmenge (tons)	Deilmængde (tons)	Modtager	Modtagerens representant	Modtagerland	Emballagens påtegning
Bezeichnung der Partie	Gesamtmenge (in Tonnen)	Teilmengen (in Tonnen)	Empfänger	Vertreter des Begünstigten	Bestimmungsland	Aufschrift auf der Verpackung
Χαρακτηρισμός της παρτίδας	Συνολική ποσότητα της παρτίδας (σε τόνους)	Μερικές ποσότητες (σε τόνους)	Δικαιούχος	Εκπρόσωπος του δικαιούχου	Χώρα προορισμού	Ένδειξη επί της συσκευασίας
Lot	Total quantity (in tonnes)	Partial quantities (in tonnes)	Beneficiary	Representative of the recipient	Recipient country	Markings on the packaging
Désignation du lot	Quantité totale du lot (en tonnes)	Quantités partielles (en tonnes)	Bénéficiaire	Représentant du bénéficiaire	Pays destinataire	Inscription sur l'emballage
Designazione della partita	Quantità totale della partita (in tonnellate)	Quantitativi parziali (in tonnellate)	Beneficiario	Rappresentante del beneficiario	Paese destinatario	Iscrizione sull'imballaggio
Aanduiding van de partij	Totale hoeveelheid van de partij (in ton)	Deelhoeveelheden (in ton)	Begunstigde	Vertegenwoordiger van de begunstigde	Bestemmingsland	Aanduiding op de verpakking
Designação do lote	Quantidade total (em toneladas)	Quantidades parciais (em toneladas)	Beneficiário	Representante do beneficiário	País destinatário	Inscrição na embalagem
A	95		Oxfam Belgium		Nicaragua	Acción nº 950/91 / Nicaragua / Oxfam B / 910804 / Managua vía Corinto / Distribución gratuita
B	500		Action Aid		Mozambique	Acção nº 1462/90 / Moçambique / Action Aid / 906935 / Pebane vía Mombasa / Distribuição gratuita
C	425	C 1 : 60	CAM		Perú	Acción nº 800/91 / Perú / CAM / 912026 / Lima vía Callao / Distribución gratuita
		C 2 : 60	CAM		Perú	Acción nº 801/91 Perú / 912027 / Lima vía Callao / Distribución gratuita
		C 3 : 60	CAM		Perú	Acción nº 802/91 / Perú / CAM / 912028 / Lima vía Callao / Distribución gratuita
		C 4 : 45	Prosalus		Perú	Acción nº 803/91 / Perú / Prosalus / 915530 / Lima vía Callao / Distribución gratuita
		C 5 : 30	Prosalus		Perú	Acción nº 804/91 / Perú / Prosalus / 915531 / Lima vía Callao / Distribución gratuita

Designación del lote Parti Bezeichnung der Partie Χαρακτηρισμός της παρτίδας	Cantidad total del lote (en toneladas) Totalmenge (tons) Gesamtmenge der Partie (in Tonnen) Συνολική ποσότητα της παρτίδας (σε τόνους)	Cantidades parciales (en toneladas) Teilmenge (in Tonnen) Μερικές ποσότητες (σε τόνους)	Beneficiario Modtager Empfänger Δικαιούχος Beneficiary Bénéficiaire Beneficiario Begunstigde Beneficiário	Representante del beneficiario Modtagerens repræsentant Vertreter des Begünstigten Εκπρόσωπος του δικαιούχου Representative of the recipient Représentant du bénéficiaire Rappresentante del beneficiario Vertegenwoordiger van de begunstigde Representante do beneficiário	Pais destinatario Modtagerland Bestimmungsland Χώρα προορισμού Recipient country Pays destinataire Paese destinatario Bestemmingsland País destinatário	Inscripción en el embalaje Emballagens påtegning Aufschrift auf der Verpackung Ένδειξη επί της συσκευασίας Markings on the packaging Inscription sur l'emballage Iscrizione sull'imballaggio Aanduiding op de verpakking Inscrição na embalagem
D	255	C 6 : 30	Prosalus		Perú	Acción nº 805/91 / Perú / Prosalus / 91532 / Lima vía Callao / Distribución gratuita
		C 7 : 15	Prosalus		Perú	Acción nº 806/91 / Perú / Prosalus / 91533 / Lima vía Callao / Distribución gratuita
		C 8 : 15	Prosalus		Perú	Acción nº 807/91 / Perú / Prosalus / 91534 / Lima vía Callao / Distribución gratuita
		C 9 : 15	Prosalus		Perú	Acción nº 808/91 / Perú / Prosalus / 91535 / Lima vía Callao / Distribución gratuita
		C 10 : 60	PDF		Perú	Acción nº 809/91 / Perú / PDF / 917107 / Lima vía Callao / Distribución gratuita
		C 11 : 15	Caritas Belgica		Haïti	Action nº 810/91 / Haïti / Caritas B / 910239 / Port-au-Prince / Distribution gratuite
		C 12 : 20	Protos		Haïti	Action nº 811/91 / Haïti / Protos / 911508 / Port-au-Prince / Distribution gratuite
		D 1 : 225	Caritas Germany		Chile	Acción nº 798/91 / Chile / Caritas Alemana / 910404 / Santiago vía Valparaíso / Distribución gratuita

Designación del lote	Cantidad total del lote (en toneladas)	Cantidades parciales (en toneladas)	Beneficiario	Representante del beneficiario	Pais destinatario	Inscripción en el embalaje
Parti	Totalmenge (tons)	Delmenge (tons)	Modtager	Modtagerens repræsentant	Modtagerland	Emballagens påtegning
Bezeichnung der Partie	Gesamtmenge der Partie (in Tonnen)	Teilmenge (in Tonnen)	Empfänger	Vertreter des Begünstigten	Bestimmungsland	Aufschrift auf der Verpackung
Χαρακτηρισμός της παρτίδας	Συνολική ποσότητα της παρτίδας (σε τόνοους)	Μερικές ποσότητες (σε τόνοους)	Δικαιούχος	Εκπρόσωπος του δικαιούχου	Χώρα προορισμού	Ένδειξη επί της συσκευασίας
Lot	Total quantity (in tonnes)	Partial quantities (in tonnes)	Beneficiary	Representative of the recipient	Recipient country	Markings on the packaging
Désignation du lot	Quantité totale du lot (en tonnes)	Quantités partielles (en tonnes)	Bénéficiaire	Représentant du bénéficiaire	Pays destinataire	Inscription sur l'emballage
Designazione della partita	Quantità totale della partita (in tonnellate)	Quantitativi parziali (in tonnellate)	Beneficiario	Rappresentante del beneficiario	Paese destinatario	Iscrizione sull'imballaggio
Aanduiding van de partij	Totale hoeveelheid van de partij (in ton)	Deelhoeveelheden (in ton)	Begunstigde	Vertegenwoordiger van de begunstigde	Bestemmingsland	Aanduiding op de verpakking
Designação do lote	Quantidade total (em toneladas)	Quantidades parciais (em toneladas)	Beneficiário	Representante do beneficiário	Pais destinatário	Inscrição na embalagem
E	505	D 2 : 30	Caritas Germany		Chile	Acción nº 799/91 / Chile / Caritas Alemana / 910407 / Antofagasta / Distribución gratuita
		E 1 : 150	SSI		Niger	Action nº 812/91 / Niger / SSI / 913018 / Niamey <i>via</i> Lomé / Distribution gratuite
		E 2 : 30	Cinterad		Niger	Action nº 813/91 / Niger / Cinterad / 913459 / Niamey <i>via</i> Cotonou / Distribution gratuite
		E 3 : 165	Oikos		Angola	Acção nº 814/91 / Angola / Oikos / 916704 / Malanje <i>via</i> Luanda / Distribuição gratuita
		E 4 : 130	WVB		Sudan	Action No 815/91 / Sudan / WVB / 915309 / Nairobi <i>via</i> Mombasa / Free distribution
		E 5 : 15	ICR		Uganda	Action No 816/91 / Uganda / ICR / 914610 / Kampala <i>via</i> Mombasa / Free distribution
		E 6 : 15	ICR		Uganda	Action No 817/91 / Uganda / ICR / 914606 / Namalu <i>via</i> Mombasa / Free distribution

Designación del lote Parti Bezeichnung der Partie Χαρακτηρισμός της παρτίδας	Cantidad total del lote (en toneladas) Totalmenge (tons) Gesamtmenge der Partie (in Tonnen) Συνολική ποσότητα της παρτίδας (σε τόνους)	Cantidades parciales (en toneladas) Teilmenge (tons) Teilmengen (in Tonnen) Μερικές ποσότητες (σε τόνους)	Beneficiario Modtager Empfänger Δικαιούχος Beneficiary Bénéficiaire Beneficiario Begunstigde Beneficiário	Representante del beneficiario Modtagerens repræsentant Vertreter des Begünstigten Εκπρόσωπος του δικαιούχου Representative of the recipient Représentant du bénéficiaire Rappresentante del beneficiario Vertegenwoordiger van de begunstigde Representante do beneficiário	Pais destinatario Modtagerland Bestimmungsland Χώρα προορισμού Recipient country Pays destinataire Paese destinatario Bestemmingsland País destinatário	Inscripción en el embalaje Emballagens påtegning Aufschrift auf der Verpackung Ένδειξη επί της συσκευασίας Markings on the packaging Inscription sur l'emballage Iscrizione sull'imballaggio Aanduiding op de verpakking Inscrição na embalagem
F	60	F 1: 15	ICR		Uganda	Action No 997/91 / Uganda / ICR / 914606 / Kampala vía Mombasa / Free distribution
		F 2: 15	ICR		Uganda	Action No 998/91 / Uganda / ICR / 914607 / Kampala vía Mombasa / Free distribution
		F 3: 15	ICR		Uganda	Action No 999/91 / Uganda / ICR / 914608 / Kampala vía Mombasa / Free distribution
		F 4: 15	ICR		Uganda	Action No 1000/91 / Uganda / ICR / 914609 / Kampala vía Mombasa / Free distribution
G	250		Pakistan		Pakistan	
H	800	H 1: 530	Cabo Verde	Empresa Pública de Abastecimento (EMPA), Praia, CP 104 (tel. 24 93 05; telex 6054 EMPA)	Cabo Verde	Praia
		H 2: 270	Cabo Verde	Empresa Pública de Abastecimento (EMPA), Mindelo, CP 148 (tel. 2369/2781; telegram EMPA, S. Vicente)	Cabo Verde	Mindelo

COMMISSION REGULATION (EEC) No 176/92

of 24 January 1992

on the supply of various consignments of cereals as food aid

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

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management⁽¹⁾, as last amended by Regulation (EEC) No 1930/90⁽²⁾, and in particular Article 6 (1) (c) thereof,

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

Whereas following the taking of a number of decisions on the allocation of food aid the Commission has allocated to certain countries and beneficiary organizations 3 500 tonnes of cereals;

Whereas it is necessary to provide for the carrying out of this measure in accordance with the rules laid down by Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid⁽⁴⁾, as amended by Regulation (EEC) No 790/91⁽⁵⁾; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs;

Whereas, notably for logistical reasons, certain supplies are not awarded within the first and second deadlines for submission of tenders; whereas, in order to avoid republication of the notice of invitation to tender, a third deadline for submission of tenders should be opened,

HAS ADOPTED THIS REGULATION:

Article 1

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

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

Article 2

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

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

Done at Brussels, 24 January 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 174, 7. 7. 1990, p. 6.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

⁽⁵⁾ OJ No L 81, 28. 3. 1991, p. 108.

ANNEX

1. **Operation No (1):** 856/91
2. **Programme:** 1991
3. **Recipient (2):** Ligue des Sociétés de la Croix-Rouge et du Croissant-Rouge, service logistique, BP 372, CH-1211 Geneva 19; tel.: 734 55 80, telex: 412133 LRCS CH, fax: 733 03 95
4. **Representative of the recipient (2):** Ethiopian Red Cross Society, Ras Desta Damtew Avenue, PO Box 195 Addis Ababa; tel.: 44 93 64/15 90 74, telex: 21338 ERCS ET; telefax: 51 26 43)
5. **Place or country of destination:** Ethiopia
6. **Product to be mobilized:** common wheat
7. **Characteristics and quality of the goods (3):** see OJ No C 114, 29. 4. 1991, p. 1 (under IIA.I.a)
8. **Total quantity:** 3 500 tonnes
9. **Number of lots:** one
10. **Packaging and marking (4) (8) (10):** see OJ No C 114, 29. 4. 1991, p. 1 (under IIA.2.a and IIA.3)
Markings in English
Supplementary markings on packaging:
'a red cross measuring 10 × 10 cm — LEAGUE OF RED CROSS AND RED CRESCENT SOCIETIES (LICROSS) / FOR FREE DISTRIBUTION / ASSAB'
11. **Method of mobilization:** the Community market
12. **Stage of supply:** free at port of landing — landed
13. **Port of shipment:** —
14. **Port of landing specified by the recipient:** —
15. **Port of landing (9):** Assab
16. **Address of the warehouse and, if appropriate, port of landing:** —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage:** 24. 2 — 10. 3. 1992
18. **Deadline for the supply:** 15. 4. 1992
19. **Procedure for determining the costs of supply:** tendering
20. **Date of expiry of the period allowed for submission of tenders:** 12 noon on 11. 2. 1992
21. **A. In the case of a second invitation to tender:**
 - (a) deadline for the submission of tenders: 12 noon on 25. 2. 1992
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 2 — 24. 3. 1992
 - (c) deadline for the supply: 29. 4. 1992**B. In the case of a third invitation to tender:**
 - (a) deadline for the submission of tenders: 12 noon on 10. 3. 1992
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 16. 3 — 7. 4. 1992
 - (c) deadline for the supply: 13. 5. 1992
22. **Amount of the tendering security:** ECU 5 per tonne
23. **Amount of the delivery security:** 10 % of the amount of the tender in ecus
24. **Address for submission of tenders (5):** Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, Bâtiment Loi 120, bureau 7/46, 200 rue de la Loi, B-1049 Bruxelles (telex 22037 AGREC B or 25670 AGREC B)
25. **Refund payable on request by the successful tenderer (6):** refund applicable on 31. 12. 1991, fixed by Commission Regulation (EEC) No 3758/91 (OJ No L 352, 21.12. 1991, p. 81)

Notes :

- (¹) The operation number is to be quoted in all correspondence.
- (²) Commission delegate to be contacted by the successful tenderer :
— see list published in OJ No C 114, 29. 4. 1991. p. 33.
- (³) The successful tenderer shall deliver to the beneficiaries a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned have not been exceeded.
- The radioactivity certificate must indicate the caesium-134 and -137 levels.
- The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following documents :
- certificate of origin,
 - phytosanitary certificate,
 - fumigation certificate
- (⁴) Since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.
- (⁵) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of this Annex, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably :
- either by porter at the office referred to in point 24 of this Annex,
 - or by telecopier on one of the following numbers in Brussels :
 - 235 01 32,
 - 236 10 97,
 - 235 01 30,
 - 236 20 05,
 - 236 33 04.
- (⁶) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56), is applicable as regards the export refund and, where appropriate, the monetary and accession compensatory amounts, the representative rate and the monetary coefficient. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 25 of the Annex.
- (⁷) The successful tenderer shall contact the recipient as soon as possible to establish which consignment documents are required and how they are to be distributed.
- (⁸) Bagging must be carried out before shipment.
- (⁹) The unloading is programmed for Assab. Nevertheless an option between the ports of Djibouti and Assab will remain open at the latest until the entry of the vessel into Ethiopian waters.
- (¹⁰) The following should be included in the charter party: 'Food-aid consignment from the European Economic Community: since the freight charges do not include coordination or supervision costs, the US \$ 1.50 tax normally paid must not be applied in the case of this ship'.
-

COMMISSION REGULATION (EEC) No 177/92

of 27 January 1992

fixing additional amounts for poultrymeat products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organization of the market in poultrymeat ⁽¹⁾, as last amended by the Regulation (EEC) No 1235/89 ⁽²⁾, and in particular Article 8 ⁽⁴⁾ thereof,

Whereas if, for a given product, the free-at-frontier offer price (hereinafter called the 'offer price') falls below the sluice-gate price, the levy applicable to that product must be increased by an additional amount equal to the difference between the sluice-gate price and the offer price determined in accordance with Article 1 of Commission Regulation No 163/67/EEC of 26 June 1967 on fixing the additional amount for imports of poultry-farming products from third countries ⁽³⁾, as last amended by Regulation (EEC) No 3116/89 ⁽⁴⁾;

Whereas the offer price must be determined for all imports from all third countries; whereas, if exports from one or more third countries are effected at abnormally low prices, lower than prices ruling for other third countries, a second offer price must be determined for exports from these other countries;

Whereas, pursuant to Commission Regulation (EEC) No 565/68 ⁽⁵⁾, as last amended by Regulation (EEC) No 3986/87 ⁽⁶⁾, the import levies on slaughtered fowls, ducks and geese originating in and coming from Poland are not increased by an additional amount;

Whereas, pursuant to Commission Regulation (EEC) No 2261/69 ⁽⁷⁾, as last amended by Regulation (EEC) No 3986/87, the import levies on slaughtered ducks and

geese originating in and coming from Romania are not increased by an additional amount;

Whereas, pursuant to Commission Regulation (EEC) No 2474/70 ⁽⁸⁾, as amended by Regulation (EEC) No 3986/87, the import levies on slaughtered turkeys originating in and coming from Poland are not increased by an additional amount;

Whereas, pursuant to Commission Regulation (EEC) No 2164/72 ⁽⁹⁾, as amended by Regulation (EEC) No 3987/87 ⁽¹⁰⁾, the import levies on slaughtered fowls and geese originating in and coming from Bulgaria are not increased by an additional amount;

Whereas the regular review of the information serving as a basis for the determination of average offer prices for poultrymeat products indicates that additional amounts corresponding to the figures shown in the Annex hereto should be fixed for the imports specified in that Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

The additional amounts provided for in Article 8 of Regulation (EEC) No 2777/75 shall be as set out in the Annex hereto for the products listed in Article 1 (1) of that Regulation which appear in the said Annex.

Article 2

This Regulation shall enter into force on 29 January 1992.

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 77.

⁽²⁾ OJ No L 128, 11. 5. 1989, p. 29.

⁽³⁾ OJ No 129, 28. 6. 1967, p. 2577/67.

⁽⁴⁾ OJ No L 300, 18. 10. 1989, p. 10.

⁽⁵⁾ OJ No L 107, 8. 5. 1968, p. 7.

⁽⁶⁾ OJ No L 376, 31. 12. 1987, p. 7.

⁽⁷⁾ OJ No L 286, 14. 11. 1969, p. 24.

⁽⁸⁾ OJ No L 265, 8. 12. 1970, p. 13.

⁽⁹⁾ OJ No L 232, 12. 10. 1972, p. 3.

⁽¹⁰⁾ OJ No L 376, 31. 12. 1987, p. 20.

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

Done at Brussels, 27 January 1992.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX

to the Commission Regulation of 27 January 1992 fixing additional amounts for poultry-meat products

(ECU/100 kg)

CN code	Origin of imports ⁽¹⁾	Additional amount
0207 39 31	01	25,00
0207 42 10	01	25,00
0207 39 53	02	100,00
0207 43 11	02	100,00
0207 39 75	02	80,00
0207 43 61	02	80,00
0207 39 77	02	10,00
0207 43 63	02	10,00

⁽¹⁾ Origin :
01 Yugoslavia, as constituted on 1 January 1991
02 Bulgaria.

COMMISSION REGULATION (EEC) No 178/92

of 27 January 1992

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 61/92 ⁽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 170/92 ⁽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 24 January 1992,

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 28 January 1992.

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

Done at Brussels, 27 January 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 6, 11. 1. 1992, p. 19.

⁽³⁾ OJ No L 168, 29. 6. 1991, p. 16.

⁽⁴⁾ OJ No L 18, 25. 1. 1992, p. 31.

⁽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 27 January 1992 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	40,07 ⁽¹⁾
1701 11 90	40,07 ⁽¹⁾
1701 12 10	40,07 ⁽¹⁾
1701 12 90	40,07 ⁽¹⁾
1701 91 00	45,02
1701 99 10	45,02
1701 99 90	45,02 ⁽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 179/92
of 27 January 1992
amending Regulation (EEC) No 1627/89 on the buying-in of beef by invitation to
tender

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 6 (8) last indent thereof,

Whereas Commission Regulation (EEC) No 1627/89 of 9 June 1989 on the buying-in of beef by invitation to tender ⁽³⁾, as last amended by Regulation (EEC) No 163/92 ⁽⁴⁾, opens buying-in by invitation to tender in certain Member States or regions of a Member State for certain quality groups ;

Whereas Regulation (EEC) No 163/92 lists the Member States and regions of Member States where the tender procedure has been opened and the quantities eligible for

buying-in ; whereas, as the result of a technical error, the list includes two Member States where, under the relevant provisions, the tendering procedure has not been opened in respect of group C ; whereas the list in question should be corrected accordingly,

HAS ADOPTED THIS REGULATION :

Article 1

Annex I to Regulation (EEC) No 1627/89 is hereby replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on 28 January 1992.

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

Done at Brussels, 27 January 1992.

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 159, 10. 6. 1989, p. 36.

⁽⁴⁾ OJ No L 18, 25. 1. 1992, p. 18.

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

Estados miembros o regiones de Estados miembros y grupos de calidades previstos en el
apartado 1 del artículo 1

Medlemsstater eller regioner og kvalitetsgrupper, jf. artikel 1, stk. 1

Mitgliedstaaten oder Gebiete eines Mitgliedstaats sowie die in Artikel 1 Absatz 1 genannten
Qualitätsgruppen

Κράτη μέλη ή περιοχές κρατών μελών και ομάδες ποιότητας που αναφέρονται στο άρθρο 1
παράγραφος 1

Member States or regions of a Member State and quality groups referred to in Article 1 (1)

États membres ou régions d'États membres et groupes de qualités visés à l'article 1^{er},
paragraphe 1

Stati membri o regioni di Stati membri e gruppi di qualità di cui all'articolo 1, paragrafo 1

In artikel 1, lid 1 bedoelde Lid-Staten of gebieden van een Lid-Staat en kwaliteitsgroepen

Estados-membros ou regiões de Estados-membros e grupos de qualidades referidos no n.º 1 do
artigo 1.º

Estados miembros o regiones de Estados miembros	Categoría A			Categoría C		
Medlemsstat eller region	Kategori A			Kategori C		
Mitgliedstaaten oder Gebiete eines Mitgliedstaats	Kategorie A			Kategorie C		
Κράτος μέλος ή περιοχές κράτους μέλους	Κατηγορία Α			Κατηγορία Γ		
Member States or regions of a Member State	Category A			Category C		
États membres ou régions d'États membres	Catégorie A			Catégorie C		
Stati membri o regioni di Stati membri	Categoria A			Categoria C		
Lid-Staat of gebied van een Lid-Staat	Categorie A			Categorie C		
Estados-membros ou regiões de Estados-membros	Categoria A			Categoria C		
	U	R	O	U	R	O
Belgique	x	x	x			
Denmark		x	x			
Deutschland	x	x				
España	x	x	x			
France		x	x			
Italia			x			
Luxembourg		x	x			
Nederland		x				
Ireland				x	x	x
Great Britain				x	x	x
Northern Ireland				x	x	x

COMMISSION REGULATION (EEC) No 180/92

of 27 January 1992

discontinuing the additional amounts for products in the egg sector

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

Having regard to Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organization of the market in eggs ⁽¹⁾, as last amended by Regulation (EEC) No 1235/89 ⁽²⁾, and in particular Article 8 (4) thereof,

Whereas, for certain of the products specified in Article 1 of Regulation (EEC) No 2771/75, additional amounts were fixed by Commission Regulation (EEC) No 3352/91 of 18 November 1991 fixing the additional amounts for products in the egg sector ⁽³⁾;

Whereas, from the regular review of the dates serving as a basis for the determination of average offer prices for the abovementioned products, it appears that the free-at-frontier offer prices for these products are no longer below the sluice-gate price; whereas the conditions set

out in Article 8 (4) of Regulation (EEC) No 2771/75 are not satisfied; whereas it is therefore necessary to discontinue additional amounts laid down in Regulation (EEC) No 3352/91;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3352/91 is hereby repealed.

Article 2

This Regulation shall enter into force on 28 January 1992.

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

Done at Brussels, 27 January 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 49.

⁽²⁾ OJ No L 128, 11. 5. 1989, p. 29.

⁽³⁾ OJ No L 317, 19. 11. 1991, p. 22.

COMMISSION REGULATION (EEC) No 181/92**of 27 January 1992****fixing the import levies on live sheep and goats and on sheepmeat and goatmeat
other than frozen meat**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat⁽¹⁾, as last amended by Regulation (EEC) No 1741/91⁽²⁾, and in particular the Article 10 thereof,

Whereas the import levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat were fixed by Commission Regulation (EEC) No 3741/91⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 3741/91 to the quotations and other information 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 on live sheep and goats and on sheepmeat and goatmeat other than frozen meat shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 3 February 1992.

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

Done at Brussels, 27 January 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 163, 26. 6. 1991, p. 41.

⁽³⁾ OJ No L 352, 21. 12. 1991, p. 30.

ANNEX

to the Commission Regulation of 27 January 1992 fixing the import levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat

(ECU/100 kg)

CN code	Week No 5 from 3 to 9 February 1992	Week No 6 from 10 to 16 February 1992	Week No 7 from 17 to 23 February 1992	Week No 8 from 24 February to 1 March 1992
0104 10 90 ⁽¹⁾	96,500	99,555	101,271	102,498
0104 20 90 ⁽¹⁾	96,500	99,555	101,271	102,498
0204 10 00 ⁽²⁾	205,320	211,820	215,470	218,080
0204 21 00 ⁽²⁾	205,320	211,820	215,470	218,080
0204 22 10 ⁽²⁾	143,724	148,274	150,829	152,656
0204 22 30 ⁽²⁾	225,852	233,002	237,017	239,888
0204 22 50 ⁽²⁾	266,916	275,366	280,111	283,504
0204 22 90 ⁽²⁾	266,916	275,366	280,111	283,504
0204 23 00 ⁽²⁾	373,682	385,512	392,155	396,906
0204 50 11 ⁽²⁾	205,320	211,820	215,470	218,080
0204 50 13 ⁽²⁾	143,724	148,274	150,829	152,656
0204 50 15 ⁽²⁾	225,852	233,002	237,017	239,888
0204 50 19 ⁽²⁾	266,916	275,366	280,111	283,504
0204 50 31 ⁽²⁾	266,916	275,366	280,111	283,504
0204 50 39 ⁽²⁾	373,682	385,512	392,155	396,906
0210 90 11 ⁽²⁾	266,916	275,366	280,111	283,504
0210 90 19 ⁽²⁾	373,682	385,512	392,155	396,906

⁽¹⁾ The levy applicable is limited in the conditions laid down by Council Regulations (EEC) No 3643/85, (EEC) No 715/90 and (EEC) No 1373/90 and Commission Regulations (EEC) No 19/82, (EEC) No 1249/90, (EEC) No 1580/90 and (EEC) No 2085/90.

⁽²⁾ The levy applicable is limited to the amount bound under GATT or in the conditions laid down in Council Regulations (EEC) No 1985/82, (EEC) No 3643/85, (EEC) No 715/90 and (EEC) No 753/90 and Commission Regulations (EEC) No 19/82, (EEC) No 3652/89, (EEC) No 3989/89, (EEC) No 479/90 and (EEC) No 952/90.

⁽³⁾ The levy applicable is limited in the conditions laid down in Council Regulation (EEC) No 715/90 and Commission Regulation (EEC) No 19/82.

COMMISSION REGULATION (EEC) No 182/92
of 27 January 1992
fixing the import levies on frozen sheepmeat and goatmeat

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

Having regard to Council Regulation (EEC) No 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat⁽¹⁾, as last amended by Regulation (EEC) No 1741/91⁽²⁾, and in particular the Article 10 thereof,

Whereas the import levies on frozen sheepmeat and goatmeat were fixed by Commission Regulation (EEC) No 3742/91⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 3742/91 to the quota-

tions and other information known to the Commission that the levies should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on frozen sheepmeat and goatmeat shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 3 February 1992.

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

Done at Brussels, 27 January 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 163, 26. 6. 1991, p. 41.

⁽³⁾ OJ No L 352, 21. 12. 1991, p. 33.

ANNEX

to the Commission Regulation of 27 January 1992 fixing the import levies on frozen
sheepmeat and goatmeat⁽¹⁾

(ECU/100 kg)

CN code	Week No 5 from 3 to 9 February 1992	Week No 6 from 10 to 16 February 1992	Week No 7 from 17 to 23 February 1992	Week No 8 from 24 February to 1 March 1992
0204 30 00	198,990	203,865	206,603	208,560
0204 41 00	198,990	203,865	206,603	208,560
0204 42 10	139,293	142,706	144,622	145,992
0204 42 30	218,889	224,252	227,263	229,416
0204 42 50	258,687	265,025	268,584	271,128
0204 42 90	258,687	265,025	268,584	271,128
0204 43 00	362,162	371,034	376,017	379,579
0204 50 51	198,990	203,865	206,603	208,560
0204 50 53	139,293	142,706	144,622	145,992
0204 50 55	218,889	224,252	227,263	229,416
0204 50 59	258,687	265,025	268,584	271,128
0204 50 71	258,687	265,025	268,584	271,128
0204 50 79	362,162	371,034	376,017	379,579

(¹) The levy applicable is limited to the amount bound under GATT or in the conditions laid down in Council Regulations (EEC) No 1985/82, (EEC) No 3643/85, (EEC) No 715/90 and (EEC) No 753/90 and Commission Regulations (EEC) No 19/82, (EEC) No 3652/89, (EEC) No 3989/89, (EEC) No 479/90 and (EEC) No 952/90.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 10 January 1992

recognizing Belgium as an officially swine fever free Member State within the context of eradication, and amending for the sixth time Decision 81/400/EEC establishing the status of Member States as regards classical swine fever with a view to its eradication

(92/47/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 80/1095/EEC of 11 November 1980 laying down conditions designed to render and keep the territory of the Community free from classical swine fever⁽¹⁾, as last amended by Directive 87/487/EEC⁽²⁾, and in particular Articles 2 (2), 3 (2) and 7 (1) thereof,

Whereas by Decision 88/529/EEC⁽³⁾, as amended by Decision 91/413/EEC⁽⁴⁾, the Commission has approved the plan for the accelerated eradication of classical swine fever presented by Belgium;

Whereas Belgium at this moment complies with the criteria laid down in Articles 7 (1) and 2 point 2 of Directive 80/1095/EEC for being recognized as an officially swine fever free Member State within the context of eradication; in fact, no swine fever has been detected and vaccination against swine fever has been stopped for more than 12 months on the territory of Belgium and the holdings on the territory of Belgium contain no pigs which have been vaccinated against swine fever in the preceeding 12 months;

Whereas taking into account this new situation it is necessary to modify Commission Decision 81/400/EEC of 15 May 1981, establishing the status of Member States

as regards classical swine fever with a view to its eradication⁽⁵⁾ as last amended by Decision 91/378/EEC⁽⁶⁾;

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

HAS ADOPTED THIS DECISION:

Article 1

Belgium is recognized as an officially swine fever free Member State within the context of disease eradication.

Article 2

Article 1 of Decision 81/400/EEC is amended as follows:

(1) in the first paragraph, 'Belgium' is inserted before Denmark;

(2) in the second paragraph, 'Belgium' is deleted.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 10 January 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 325, 1. 12. 1980, p. 1.

⁽²⁾ OJ No L 280, 3. 10. 1987, p. 24.

⁽³⁾ OJ No L 291, 25. 10. 1988, p. 78.

⁽⁴⁾ OJ No L 228, 17. 8. 1991, p. 74.

⁽⁵⁾ OJ No L 152, 11. 6. 1981, p. 37.

⁽⁶⁾ OJ No L 203, 26. 7. 1991, p. 113.

COMMISSION RECOMMENDATION
of 18 December 1991
on insurance intermediaries

(92/48/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 155 thereof,

Whereas insurance intermediaries are an important factor in the distribution of insurance in the Member States; whereas the creation of the internal market will entail an increasing range of products as a result of the freedom to provide services; whereas the professional competence of insurance intermediaries is an essential element for the protection of the policyholders and those seeking insurance; whereas not all Member States require for the taking up of the activity of insurance intermediary or specific categories of intermediary general, commercial and professional knowledge and ability; whereas such knowledge is desirable in principle for all insurance intermediaries and measures for further convergence are necessary;

Whereas Council Directive 77/92/EEC⁽¹⁾ sets out measures, in the absence of mutual recognition of diplomas and immediate coordination, to facilitate the effective exercise of freedom of establishment and freedom to provide services for the taking up and pursuit of activities of insurance agent and broker; whereas these measures are of a transitional nature;

Whereas it should be left to the Member States or, in certain cases, their insurance undertakings or recognized professional organizations, in conformity with the EEC Treaty, to establish the exact level of general, commercial and professional knowledge considered appropriate to guarantee that policyholders and persons seeking insurance will be adequately informed and assisted, taking into account the type of intermediary involved;

Whereas it is desirable that where appropriate insurance intermediaries also meet professional requirements with regard to professional indemnity insurance, fitness and properness; whereas consistency should exist with Community rules imposing capital requirements on intermediaries holding clients' monies in assisting the administration and performance of insurance contracts;

Whereas it is appropriate to clarify the definition of independence of insurance brokers in view of the application of the relevant provisions of Council Directive 90/619/EEC⁽²⁾ to insurance intermediaries;

Whereas competent insurance intermediaries should be registered in their Member States and such registration should be a condition for the taking-up and exercise of the activity of intermediating in insurance; whereas central registers should distinguish between dependent and independent insurance intermediaries;

Whereas a recommendation, which is not binding on the Member States to which it is addressed as to the result to be achieved but solicits their cooperation on a voluntary basis, should be an effective means of enabling them to adopt where necessary the appropriate provisions,

HEREBY RECOMMENDS:

1. that Member States ensure that insurance intermediaries established on their territory are subject to professional requirements and registration in accordance with the provisions contained in the attached Annex;
2. that Member States inform the Commission within 36 months of the notification of this recommendation of the texts of the main laws, regulations, administrative provisions which have been adopted or measures taken by professional organizations or insurance undertakings with respect to this recommendation and inform the Commission of any further changes in this field.

Done at Brussels, 18 December 1991.

For the Commission

Leon BRITTAN

Vice-President

⁽¹⁾ OJ No L 26, 31. 1. 1977, p. 14.

⁽²⁾ OJ No L 330, 29. 11. 1990, p. 50.

ANNEX

PROFESSIONAL REQUIREMENTS AND REGISTRATION OF INSURANCE INTERMEDIARIES

*Article 1***Definitions**

For the purpose of this recommendation :

- 'insurance intermediary' is defined as a person taking up or pursuing an activity as defined in Article 2, paragraph 1 (a) to (c) of Directive 77/92/EEC in a self-employed capacity or as a paid employee.

*Article 2***Scope**

1. Subject to paragraphs 2 and 3, this recommendation shall apply to all insurance intermediaries as defined in Article 1.
2. The Member States need not apply this recommendation to persons providing insurance which does not require any general or specific knowledge and where such insurance covers the risk of loss or damage to goods supplied by that person, whose principal professional activity is other than providing advice on and selling insurance.
3. The management of an undertaking taking up and exercising the activity of insurance intermediary shall include an adequate number of persons who possess the general, commercial and professional knowledge and ability required by Article 4, paragraph 2.

Member States are recommended to further that such undertakings offer relevant basic training for their employees who are involved in mediating in insurance products.

*Article 3***Independence of intermediaries**

The persons defined in Article 2, paragraph 1 (a) of Directive 77/92/EEC shall disclose :

- to persons seeking insurance or reinsurance of risks, any direct legal or economic ties to an insurance undertaking or any shareholdings in or by such undertakings which could affect the complete freedom of choice of insurance undertaking, and
- to a competent body, as determined by the Member State, the spread of business with different insurance undertakings over the previous year.

*Article 4***Professional competence**

1. The taking up and pursuit of the activity of insurance intermediary shall be subject to the professional requirements of paragraphs 2 to 5.
2. Insurance intermediaries shall possess general, commercial and professional knowledge and ability. The Member States shall require if necessary different levels of knowledge and ability for the category of intermediary mentioned in Article 3. The level of such knowledge and ability shall be determined by the Member States.

Such levels and their practical application may also be determined and administered by professional organisations recognized by a Member State.

Subject to the supervision by Member States, such levels and their practical application may also be determined and administered by an insurance undertaking assuming responsibility and liability for the activities exercised by the category of intermediary defined in Article 2, paragraph 1 (b) of Directive 77/92/EEC.

3. An insurance intermediary shall possess professional indemnity insurance or any other comparable guarantee against liability arising from professional negligence, unless such insurance is already provided for by an insurance undertaking or other undertaking by which he is employed or for which he is empowered to act.

4. An insurance intermediary shall be of good repute. He shall not have previously been declared bankrupt, unless he has been rehabilitated in accordance with his national law.

5. Insurance intermediaries as defined in Article 2, paragraph 1 (a) of Directive 77/92/EEC, may be required to have sufficient financial capacity. The level and form of capital required shall be determined by the Member States.

*Article 5***Registration**

1. Insurance intermediaries that fulfil the professional requirements of Article 4, paragraphs 2 to 5, shall be registered in their Member State. Only registered persons shall be allowed to take up and pursue the activity of insurance intermediary.
2. Each Member State shall appoint a competent body to administer the register mentioned in paragraph 1. Professional organizations recognized by a Member State may also be appointed to administer the register. In the case of Article 4, paragraph 2, last subparagraph, such registers may also be administered by an insurance undertaking. Member States' competent authorities shall have access to the registers.
3. Where one central register exists, it should distinguish between independent and dependent insurance intermediaries.
4. Insurance intermediaries shall inform the public of the fact that they have been registered.

*Article 6***Sanctions**

1. Adequate sanctions and measures shall exist in the Member States which shall apply to any person pursuing the activity of insurance intermediary without being registered as such in a Member State.
2. Adequate sanctions and measures shall exist in the Member States against an insurance intermediary who ceases to fulfil the requirements of Article 4, paragraphs 3 to 5, including the possibility of removal from the register.