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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 188/92

of 27 January 1992

on the conclusion of Protocol 2 establishing for the period 1 April 1991 to 29 February 1992 the crawfish fishing opportunities and corresponding financial compensation provided for in the Agreement on relations in the sea fisheries sector between the European Economic Community and the Kingdom of Morocco

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 155 (2) (b) thereof,

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

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

Whereas, pursuant to the Agreement on relations in the sea fisheries sector between the European Economic Community and the Kingdom of Morocco, signed in Rabat on 26 May 1988 ⁽³⁾, the two Parties conducted negotiations to determine the amendments or additions to be made to the Agreement at the end of the period of application of Protocol 2;

Whereas, as a result of these negotiations, a new Protocol 2 establishing the crawfish fishing opportunities and corresponding financial compensation provided for in the abovementioned Agreement for the period from 1 April 1991 to 29 February 1992 was initialled on 19 March 1991;

Whereas, pursuant to Article 155 (2) (b) of the Act of Accession, it is for the Council to determine the appropriate procedures to take into consideration all or part of the interests of the Canary Islands when it adopts decisions, case by case, particularly with a view to the conclusion of fisheries agreements with third countries; whereas the case in point calls for the said procedures to be determined;

Whereas it is in the Community's interest to conclude the Protocol,

HAS ADOPTED THIS REGULATION:

Article 1

Protocol 2 establishing for the period 1 April 1991 to 29 February 1992 the crawfish fishing opportunities and corresponding financial compensation provided for in the Agreement on relations in the sea fisheries sector between the European Economic Community and the Kingdom of Morocco is hereby approved on behalf of the Community.

The text of Protocol 2 is attached to this Regulation.

Article 2

With a view to taking into consideration the interests of the Canary Islands, the Agreement referred to in Article 1 and, in so far as is necessary for its application, the provisions of the common fisheries policy relating to the conservation and management of fishery resources shall also apply to vessels which sail under the flag of Spain, which are recorded on a permanent basis in the registers of the relevant authorities at local level ('registros de base') in the Canary Islands, under the conditions specified in Note 6 to Annex I to Council Regulation (EEC) No 1135/88 of 7 March 1988 concerning the definition of the concept of originating products and methods of administrative cooperation in trade between the customs territory of the Community, Ceuta and Melilla and the Canary Islands ⁽⁴⁾.

Article 3

The President of the Council is hereby authorized to designate the persons empowered to sign the Protocol in order to bind the Community.

Article 4

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

⁽¹⁾ OJ No C 142, 31. 5. 1991, p. 5.

⁽²⁾ OJ No C 13, 20. 1. 1992.

⁽³⁾ OJ No L 181, 12. 7. 1988, p. 1.

⁽⁴⁾ OJ No L 114, 2. 5. 1988, p. 1. Regulation as amended by Regulation (EEC) No 3902/89 (OJ No L 375, 23. 12. 1989, p. 5).

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

Done at Brussels, 27 January 1992.

For the Council

The President

A. MARQUES DA CUNHA

PROTOCOL No 2

establishing for the period 1 April 1991 to 29 February 1992 the crawfish fishing opportunities and corresponding financial compensation provided for in the agreement on relations in the sea fisheries sector between the European Economic Community and the Kingdom of Morocco

THE PARTIES TO THIS PROTOCOL :

Having regard to the Agreement on relations in the sea fisheries sector between the European Economic Community and the Kingdom of Morocco, signed in Rabat on 26 May 1988,

HAVE AGREED AS FOLLOWS:*Article 1*

From 1 April 1991 to 29 February 1992 five crawfish fishing licences using only pots shall be granted each month for a total GRT not exceeding an average of 600 in the southern zone. Unused GRT in the course of one three-month period may be offset during the following three-month periods.

Vessels holding a crawfish fishing licence may only retain pots on board.

Article 2

At the request of Morocco and with a view to increasing knowledge of crawfish stocks, vessels authorized under this Protocol undertake to take on board a scientific observer designated by the Moroccan Ministry of Maritime Fishing and the Merchant Navy.

The observer's conditions on board shall be those provided for in the Annex to the abovementioned Agreement.

Article 3

In accordance with the relevant Moroccan regulations, vessels authorized under this Protocol shall not fish for crawfish in the period 1 July to 30 September of each year, corresponding to the peak reproduction period of these species.

Article 4

The financial compensation for the period provided for in Article 1 shall be set at ECU 360 000, payable to the account of the Ministry for Maritime Fishing and the Merchant Navy at the Moroccan Treasury.

Article 5

Protocol 2 annexed to the Agreement on relations in the sea fisheries sector between the European Economic Community and the Kingdom of Morocco for the period 1 April 1990 to 31 March 1991 is hereby replaced by this Protocol.

Article 6

This Protocol shall enter into force on the date on which it is signed. It shall be provisionally applicable from 1 April 1991.

COUNCIL REGULATION (EEC) No 189/92
of 27 January 1992
adopting provisions for the application of certain control measures adopted by
the Northwest Atlantic Fisheries Organization

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 170/83 of 25 January 1983 establishing a Community system for the conservation and management of fishery resources⁽¹⁾, as amended by the 1985 Act of Accession and in particular Article 11 thereof,

Having regard to the proposal from the Commission,

Whereas the Convention on future multilateral cooperation in the Northwest Atlantic fisheries, hereinafter referred to as the NAFO Convention, was approved by the Council by Regulation (EEC) No 3179/78⁽²⁾ and entered into force on 1 January 1979;

Whereas the Northwest Atlantic Fisheries Organization (NAFO) established by the NAFO Convention adopted a Scheme of Joint International Inspection which was adopted by the Council in Regulation (EEC) No 1956/88⁽³⁾;

Whereas the NAFO Fisheries Commission, at its 13th Annual Meeting held in Dartmouth on 13 September 1991, adopted a proposal for the establishment of a control measure, requiring fishing vessels to communicate certain information regarding their activities in the

NAFO regulatory area; whereas that proposal is acceptable to the Community,

HAS ADOPTED THIS REGULATION:

Article 1

Vessels flying the flag of a Member State of the Community to which the NAFO scheme of joint international inspection applies shall transmit to the Commission of the European Communities and simultaneously to their competent national authorities, in accordance with the rules laid down in the Annex, the information set out therein.

Article 2

Within 24 hours of receipt of the reports, whenever possible, the Commission shall transmit the information contained therein to the Executive Secretary of NAFO.

Article 3

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

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

Done at Brussels, 27 January 1992.

For the Council

The President

A. MARQUES DA CUNHA

⁽¹⁾ OJ No L 24, 27. 1. 1983, p. 1.

⁽²⁾ OJ No L 378, 30. 12. 1978, p. 1.

⁽³⁾ OJ No L 175, 6. 7. 1988, p. 1.

ANNEX

1. The communications described below shall be entitled 'NAFO report'. The information to be transmitted, which shall be presented in the form specified, is as follows :
 - 1.1. each entry of the vessel into the Regulatory Area. This report shall be made at least six hours in advance of the vessel's entry and shall contain the following particulars in the following order :
 - name of vessel,
 - call sign,
 - external identification letters and numbers,
 - the date, the time and geographical position,
 - indication of the message code : 'ENTRY',
 - the NAFO division into which the vessel is about to enter,
 - the name of the master ;
 - 1.2. each movement from one NAFO division to another NAFO division except when moving between divisions 3L and 3N, and 3N and 3O under the conditions provided for in 1.3, and each movement from the delimited zone of 10 miles either side of the lines separating divisions 3L and 3N and 3O when the conditions set out in 1.3 no longer apply. These reports shall be made prior to the vessel's entry into a NAFO division and shall contain the following particulars in the following order :
 - name of vessel,
 - call sign,
 - external identification letters and numbers,
 - the date, the time and geographical position,
 - indication of the message code : 'MOVE',
 - the NAFO division into which the vessel is about to enter,
 - the name of the master ;
 - 1.3. vessels conducting trans-zonal fishery between NAFO Divisions 3L and 3N or between divisions 3N and 3O which cross the line separating these divisions more than once during a period of 24 consecutive hours, and provided that they remain within the delimited zone (of 10 miles either side of the line between the divisions) shall report when first crossing the line between the divisions and at intervals not exceeding 24 hours thereafter (while remaining in the delimited zone), the following particulars in the following order :
 - name of vessel,
 - call sign,
 - external identification letters and numbers,
 - the date, the time and geographical position,
 - indication of the message code : 'ZONE',
 - the name of the master ;
 - 1.4. each exit from the Regulatory Area. These reports shall be made prior to the vessel's exit from the Regulatory Area and shall contain the following particulars in the following order :
 - name of vessel,
 - call sign,
 - external identification letters and numbers,
 - the date, the time of geographical position,
 - indication of the message code : 'EXIT',
 - the NAFO division from which the vessel is about to leave,
 - the name of the master.

2. Without prejudice to the provisions set down in Commission Regulation (EEC) No 2807/83 of 22 September 1983 laying down detailed rules for recording information on Member States' catches of fish ⁽¹⁾, after each radio transmission of the information described in point 1 the following details are to be immediately entered in the logbook :
 - date and time of the transmission,
 - in the case of radio transmissions, the name of the radio station through which the transmission was made.
 - 3.1. The information specified under point 1 shall be transmitted to the Commission of the European Communities in Brussels (telex 24189 FISEU-B) and to the competent national authorities of the Member State whose flag the vessel is flying.
 - 3.2. If it is impossible for reasons of *force majeure* for the message to be transmitted by the vessel, it may be transmitted on the vessel's behalf by another vessel.
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⁽¹⁾ OJ No L 276, 10. 10. 1983, p. 1.

COUNCIL REGULATION (EEC) No 190/92

of 27 January 1992

opening and providing for the administration of a Community tariff quota for fresh strawberries originating in the Occupied Territories and laying down the procedure applicable to certain agricultural products subject to reference quantities originating in the said territories (1992)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to Council Regulation (EEC) No 1134/91 of 29 April 1991 on the tariff arrangements applicable to imports into the Community of products originating in the occupied territories and repealing Regulation (EEC) No 3363/86⁽¹⁾, and in particular Articles 2 and 3 thereof,

Having regard to the proposal from the Commission,

Whereas Article 2 of Regulation (EEC) No 1134/91 provides for the elimination of customs duties on imports of the agricultural products set out in Annex II thereto and originating in the Occupied Territories in two equal instalments, on 1 January 1992 and 1 January 1993, and within the periods indicated for each product; whereas, therefore, it is appropriate to open on 1 January 1992 the Community tariff quotas laid down for the said products as, per the *pro rata temporis* calculation, volumes have reached the levels indicated in Article 1 and the Annex to this Regulation;

Whereas duties on strawberries falling within CN code 0810 10 90 are eliminated within the limits of a Community tariff quota of 1 200 tonnes;

Whereas equal and continuous access to the quota should be ensured for all Community importers and the rate laid down for the quota should be applied consistently to all imports of the products in question into all the Member States until the quota is exhausted; whereas it is appropriate to take the necessary measures to ensure effective Community administration of this tariff quota while offering the Member States the opportunity to draw from the quota volume the necessary quantities corresponding to

actual imports; whereas this method of administration requires close cooperation between the Member States and the Commission;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within, and jointly represented by, the Benelux Economic Union, any operation concerning the administration of the quota may be carried out by any one of its members;

Whereas the products set out in the Annex are subject to Community surveillance within a framework of reference quantities and pre-established timetables;

Whereas, in order to enable the competent authorities within the Commission to establish an annual trade balance sheet for each of the products and, if necessary, to put into application the arrangement provided for in Article 3 (2) of Regulation (EEC) No 1134/91, these products are subject to a statistical surveillance in accordance with Regulations (EEC) No 2658/81⁽²⁾ and (EEC) No 1736/75⁽³⁾;

Whereas imports of the products in question are charged against the reference quantities at Community level as and when the products are entered with the customs authorities for free circulation,

HAS ADOPTED THIS REGULATION:

Article 1

The customs duty applicable to imports into the Community of fresh strawberries originating in the occupied territories shall be suspended at the levels indicated below and within the limits of the Community tariff quota as shown below:

Order No	CN code	Description	Amount of quota (in tonnes)	Quota duty (%)
09.1381	0810 10 90	Fresh strawberries from 1 January to 31 March 1992	720	7

⁽¹⁾ OJ No L 112, 4. 5. 1991, p. 1.

⁽²⁾ OJ No L 256, 7. 9. 1987, p. 1. Regulation as last amended by Regulation (EEC) No 1056/91 (OJ No L 107, 27. 4. 1991, p. 10).

⁽³⁾ OJ No L 183, 14. 7. 1975, p. 3. Regulation as last amended by Regulation (EEC) No 1629/88 (OJ No L 147, 14. 6. 1988, p. 1).

Article 2

The tariff quota referred to in Article 1 shall be administered by the Commission, which may take any appropriate measure with a view to ensuring the efficient administration thereof.

Article 3

If an importer presents, in a Member State, a declaration of entry into free circulation including a request for preferential benefit for a product covered by Article 1, and if this declaration is accepted by the customs authorities, the Member State concerned shall draw, from the tariff quota, by means of notification to the Commission, a quantity corresponding to these needs.

The requests for drawing, with the indication of the date of acceptance of the said declaration, must be communicated to the Commission without delay.

The drawings are granted by the Commission on the basis of the date of acceptance of the declaration of entry into free circulation by the customs authorities of the Member State concerned, to the extent that the available balance so permits.

If a Member State does not use the quantities drawn, it shall return them as soon as possible to the tariff quota.

If the quantities required are greater than the available balance of the tariff quota, allocation shall be made on a pro rata basis with respect to the requests. Member States shall be informed by the Commission of the drawings made.

Article 4

1. Imports into the Community of certain products originating in the occupied territories shall be subject to reference quantities and to a statistical surveillance.

The products referred to in the first subparagraph, their CN codes, the periods of validity and the levels of the reference quantities are set out in the Annex.

2. Quantities shall be charged against the reference quantities as and when products are entered with customs authorities for free circulation and accompanied by a movement certificate. If the movement certificate is submitted *a posteriori*, the goods shall be charged against the corresponding reference quantity at the moment when the goods are entered for free circulation.

The extent to which the reference quantities are used up shall be determined at Community level on the basis of the imports charged against them in the manner defined in the first subparagraph, as communicated to the Statistical Office of the European Communities in application of Regulations (EEC) No 2658/87 and (EEC) No 1736/75.

Article 5

The Member States and the Commission shall cooperate closely to ensure that this Regulation is complied with.

Article 6

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 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 Council

The President

A. MARQUES DA CUNHA

ANNEX

Order No	CN code	Taric code	Description	Validity	Reference quantity (tonnes)
18.0310	ex 0702 00 10	*31 *39 *41 *49 *51 *59 *61 *69	Tomatoes, fresh or chilled	1. 1 — 31. 3	750
18.0320	ex 0709 30 00	*20 *30	Aubergines, fresh or chilled	15. 1 — 30. 4	3 000
18.0330	ex 0709 60 10	*11 *19 *20 *30	Sweet peppers	1. 1 — 31.12	1 000
18.0340	ex 0709 90 70	*10 *20	Courgettes, fresh or chilled	1. 1 — 29. 2	200
18.0350	ex 0805 10 11 ex 0805 10 15 ex 0805 10 19 0805 10 21 0805 10 25 0805 10 29 ex 0805 10 31 ex 0805 10 35 ex 0805 10 39 ex 0805 10 41 ex 0805 10 45 ex 0805 10 49 ex 0805 10 70 ex 0805 10 90	*10 *90 *10 *90 *10 *90 *10 *80 *10 *80 *10 *80 *12 *13 *18 *91 *98 *12 *13 *18 *91 *98 *12 *13 *18 *91 *98 *11 *13 *14 *18 *11 *19	Oranges, fresh	1. 1 — 31.12	25 000

Order No	CN code	Taric code	Description	Validity	Reference quantity (tonnes)
18.0360	ex 0805 20 10	*31	Mandarins (including tangerines and satsumas); clementines, wilkings and similar citrus hybrids, fresh	1. 2 — 31. 12	500
		*33			
		*35			
		*37			
	ex 0805 20 30	*31			
		*33			
		*35			
		*37			
	ex 0805 20 50	*31			
		*33			
		*35			
		*37			
	ex 0805 20 70	*31			
		*33			
		*35			
		*37			
	ex 0805 20 90	*11			
		*12			
		*13			
		*14			
		*51			
		*53			
		*55			
		*57			
18.0370	ex 0805 30 10	*10	Lemons (Citrus limon, Citrus limonom), fresh	1. 1 — 31. 12	800
18.0380	ex 0807 10 90	*12	Melons, fresh	1. 1 — 31. 5	6 000
		*13			
		*14			
		*23			
		*24			
		*31			
		*33			
		*34			
		*43			
		*44			

COMMISSION REGULATION (EEC) No 191/92

of 29 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 28 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 30 January 1992.

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

Done at Brussels, 29 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 29 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	128,67 ⁽²⁾ ⁽³⁾
0712 90 19	128,67 ⁽²⁾ ⁽³⁾
1001 10 10	177,57 ⁽¹⁾ ⁽²⁾
1001 10 90	177,57 ⁽¹⁾ ⁽²⁾
1001 90 91	146,97
1001 90 99	146,97
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	128,67 ⁽²⁾ ⁽³⁾
1005 90 00	128,67 ⁽²⁾ ⁽³⁾
1007 00 90	137,45 ⁽⁴⁾
1008 10 00	61,06
1008 20 00	125,72 ⁽⁴⁾
1008 30 00	65,57 ⁽²⁾
1008 90 10	(7)
1008 90 90	65,57
1101 00 00	218,76 ⁽⁸⁾
1102 10 00	244,05 ⁽⁸⁾
1103 11 10	289,36 ⁽⁸⁾
1103 11 90	235,25 ⁽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 192/92

of 29 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 28 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 30 January 1992.

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

Done at Brussels, 29 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 29 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 193/92**of 29 January 1992****altering the export refunds on white sugar and raw sugar exported in the natural 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 61/92 ⁽²⁾, and in particular the second subparagraph of Article 19 (4) thereof,Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EEC) No 139/92 ⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 139/92 to the information known to the Commission that the export refunds at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, as fixed in the Annex to Regulation (EEC) No 139/92 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 30 January 1992.

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

Done at Brussels, 29 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 16, 23. 1. 1992, p. 5.

ANNEX

to the Commission Regulation of 29 January 1992 altering the export refunds on white sugar and raw sugar exported in the natural state

(ECU)

Product code	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	35,53 ⁽¹⁾	
1701 11 90 910	35,74 ⁽¹⁾	
1701 11 90 950	⁽²⁾	
1701 12 90 100	35,53 ⁽¹⁾	
1701 12 90 910	35,74 ⁽¹⁾	
1701 12 90 950	⁽²⁾	
1701 91 00 000		0,3862
1701 99 10 100	38,62	
1701 99 10 910	39,05	
1701 99 10 950	39,05	
1701 99 90 100		0,3862

⁽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 194/92
of 28 January 1992
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 communicated 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 31 January 1992.

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

Done at Brussels, 28 January 1992.

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	37,85	1 591	299,73	77,28	263,53	8 916	28,99	58 186	87,03	26,95
1.20	0702 00 10] 0702 00 90]	Tomatoes	87,33	3 672	691,46	178,29	607,95	20 569	66,88	134 233	200,79	62,17
1.30	0703 10 19	Onions (other than seed)	22,32	938	176,77	45,58	155,42	5 258	17,09	34 316	51,33	15,89
1.40	0703 20 00	Garlic	204,65	8 605	1 620,27	417,78	1 424,57	48 198	156,72	314 542	470,50	145,70
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	57,67	2 425	456,58	117,73	401,44	13 582	44,16	88 637	132,58	41,05
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>)	105,90	4 453	838,42	216,18	737,16	24 940	81,09	162 763	243,46	75,39
1.100	ex 0704 90 90	Chinese cabbage	56,17	2 362	444,76	114,68	391,04	13 230	43,01	86 340	129,15	39,99
1.110	0705 11 10] 0705 11 90]	Cabbage lettuce (head lettuce)	85,79	3 607	679,20	175,13	597,17	20 204	65,69	131 853	197,23	61,07
1.120	ex 0705 29 00	Endives	87,53	3 680	693,04	178,69	609,33	20 616	67,03	134 539	201,25	62,32
1.130	ex 0706 10 00	Carrots	39,76	1 671	314,79	81,16	276,77	9 364	30,44	61 111	91,41	28,30
1.140	ex 0706 90 90	Radishes	78,34	3 294	620,25	159,92	545,33	18 450	59,99	120 408	180,11	55,77
1.150	0707 00 11] 0707 00 19]	Cucumbers	156,19	6 567	1 236,61	318,85	1 087,25	36 785	119,61	240 062	359,09	111,20
1.160	0708 10 10] 0708 10 90]	Peas (<i>Pisum sativum</i>)	299,49	12 593	2 371,11	611,38	2 084,73	70 534	229,34	460 302	688,53	213,22
1.170		Beans :										
1.170.1	0708 20 10] 0708 20 90]	Beans (<i>Vigna</i> spp., <i>Phaseolus</i> spp.)	122,69	5 159	971,39	250,47	854,06	28 896	93,95	188 575	282,07	87,35
1.170.2	0708 20 10] 0708 20 90]	Beans (<i>Phaseolus</i> spp., <i>vulgaris</i> var. <i>Compressus Savi</i>)	151,22	6 358	1 197,26	308,71	1 052,66	35 615	115,80	232 424	347,66	107,66
1.180	ex 0708 90 00	Broad beans	92,83	3 894	734,40	189,09	645,42	21 793	71,04	142 837	212,96	66,61
1.190	0709 10 00	Globe artichokes	166,88	7 017	1 321,22	340,67	1 161,65	39 302	127,79	256 488	383,66	118,81
1.200		Asparagus :										
1.200.1	ex 0709 20 00	— green	473,86	19 925	3 751,62	967,34	3 298,49	111 600	362,87	728 297	1 089,41	337,35
1.200.2	ex 0709 20 00	— other	532,18	22 360	4 220,06	1 085,85	3 707,39	123 459	407,29	817 679	1 223,75	377,80
1.210	0709 30 00	Aubergines (egg-plants)	137,95	5 800	1 092,20	281,62	960,29	32 490	105,64	212 029	317,16	98,21
1.220	ex 0709 40 00	Ribbed celery (<i>Apium graveolens</i> var. <i>dulce</i>)	58,45	2 457	462,75	119,32	406,86	13 765	44,76	89 834	134,37	41,61
1.230	0709 51 30	Chantarelles	713,23	30 060	5 626,73	1 460,68	4 977,83	162 425	546,18	1 092 598	1 645,94	501,92
1.240	0709 60 10	Sweet peppers	118,70	4 991	939,78	242,32	826,27	27 956	90,90	182 439	272,89	84,50
1.250	0709 90 50	Fennel	60,76	2 555	481,11	124,05	423,00	14 311	46,53	93 398	139,70	43,26
1.260	0709 90 70	Courgettes	38,41	1 614	304,72	78,38	267,79	8 982	29,39	59 164	88,32	27,15
1.270	ex 0714 20 10	Sweet potatoes, whole, fresh (intended for human consumption)	98,95	4 174	781,50	202,59	690,51	22 594	75,77	151 536	228,30	69,55
2.10	ex 0802 40 00	Chestnuts (<i>Castanea</i> spp.), fresh	131,65	5 522	1 041,42	268,14	915,24	30 904	100,74	202 551	301,99	94,47
2.20	ex 0803 00 10	Bananas (other than plantains), fresh	37,08	1 559	293,62	75,71	258,16	8 734	28,40	57 001	85,26	26,40
2.30	ex 0804 30 00	Pineapples, fresh	57,82	2 431	457,82	118,04	402,53	13 619	44,28	88 877	132,94	41,16
2.40	ex 0804 40 10] ex 0804 40 90]	Avocados, fresh	96,53	4 059	764,28	197,06	671,97	22 735	73,92	148 369	221,93	68,72

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	172,62	7 258	1 366,66	352,38	1 201,59	40 654	132,19	265 308	396,85	122,89
2.60		Sweet oranges, fresh :										
2.60.1	0805 10 11 0805 10 21 0805 10 31 0805 10 41	— Sanguines and semi-sanguines	70,81	2 977	560,66	144,56	492,94	16 678	54,23	108 841	162,80	50,41
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	35,87	1 508	284,01	73,23	249,71	8 448	27,47	55 135	82,47	25,53
2.60.3	0805 10 19 0805 10 29 0805 10 39 0805 10 49	— Others	24,40	1 026	193,22	49,82	169,88	5 747	18,68	37 510	56,11	17,37
2.70		Mandarins (including tangerines and satsumas), fresh ; clementines, wilkings and similar citrus hybrids, fresh :										
2.70.1	ex 0805 20 10	— Clementines	70,07	2 946	554,75	143,04	487,75	16 502	53,65	107 693	161,09	49,88
2.70.2	ex 0805 20 30	— Monreales and Satsumas	37,18	1 563	294,41	75,91	258,85	8 757	28,47	57 153	85,49	26,47
2.70.3	ex 0805 20 50	— Mandarins and wilkings	65,95	2 782	520,88	135,03	460,23	15 059	50,50	101 001	152,17	46,36
2.70.4	ex 0805 20 70 ex 0805 20 90	— Tangerines and others	94,58	3 976	748,79	193,07	658,35	22 274	72,42	145 362	217,43	67,33
2.80	ex 0805 30 10	Lemons (<i>Citrus limon</i> , <i>Citrus limonum</i>), fresh	48,05	2 020	380,49	98,10	334,53	11 318	36,80	73 864	110,48	34,21
2.85	ex 0805 30 90	Limes (<i>Citrus aurantifolia</i>), fresh	102,61	4 314	812,42	209,48	714,30	24 167	78,58	157 715	235,91	73,05
2.90		Grapefruit, fresh :										
2.90.1	ex 0805 40 00	— white	29,42	1 237	232,95	60,06	204,82	6 929	22,53	45 224	67,64	20,94
2.90.2	ex 0805 40 00	— pink	56,65	2 382	448,53	115,65	394,35	13 342	43,38	87 072	130,24	40,33
2.100	0806 10 11 0806 10 15 0806 10 19	Table grapes	177,69	7 471	1 406,83	362,74	1 236,91	41 849	136,07	273 107	408,52	126,50
2.110	0807 10 10	Water-melons	25,62	1 076	203,27	52,29	178,63	5 992	19,61	39 467	58,92	18,11
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	40,64	1 709	321,82	82,98	282,95	9 573	31,12	62 475	93,45	28,93
2.120.2	ex 0807 10 90	— other	179,07	7 529	1 417,76	365,56	1 246,52	42 174	137,13	275 228	411,69	127,49
2.130	0808 10 91 0808 10 93 0808 10 99	Apples	72,22	3 037	571,83	147,44	502,76	17 010	55,31	111 009	166,05	51,42
2.140		Pears										
2.140.1	0808 20 31 0808 20 33 0808 20 35 0808 20 39	Pears — Nashi (<i>Pyrus pyrifolia</i>)	146,08	6 142	1 156,60	298,22	1 016,90	34 405	111,87	224 529	335,85	104,00
2.140.2	0808 20 31 0808 20 33 0808 20 35 0808 20 39	Other	76,71	3 225	607,33	156,59	533,97	18 066	58,74	117 900	176,36	54,61
2.150	0809 10 00	Apricots	94,98	3 993	751,97	193,89	661,14	22 369	72,73	145 979	218,36	67,62
2.160	0809 20 10 0809 20 90	Cherries	150,60	6 316	1 191,32	306,73	1 046,98	35 352	115,24	231 706	345,46	108,06
2.170	ex 0809 30 00	Peaches	99,16	4 169	785,06	202,42	690,24	23 353	75,93	152 403	227,97	70,59

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	149,64	6 292	1 184,78	305,49	1 041,68	35 244	114,59	230 000	344,04	106,54
2.190	0809 40 11 0809 40 19	Plums	147,54	6 204	1 168,14	301,20	1 027,05	34 748	112,98	226 769	339,21	105,04
2.200	0810 10 10 0810 10 90	Strawberries	464,17	19 517	3 674,89	947,56	3 231,04	109 318	355,45	713 402	1 067,13	330,46
2.205	0810 20 10	Raspberries	888,32	37 353	7 032,94	1 813,42	6 183,50	209 210	680,26	1 365 295	2 042,26	632,42
2.210	0810 40 30	Fruit of the species <i>Vaccinium myrtillus</i>	136,31	5 755	1 079,64	279,74	950,71	30 917	104,59	209 154	315,16	95,45
2.220	0810 90 10	Kiwi fruit (<i>Actinidia chinensis</i> Planch.)	104,68	4 401	828,79	213,70	728,69	24 654	80,16	160 892	240,66	74,52
2.230	ex 0810 90 80	Pomegranates	69,71	2 931	551,95	142,31	485,29	16 419	53,38	107 150	160,27	49,63
2.240	ex 0810 90 80	Khakis (including Sharon fruit)	84,09	3 536	665,77	171,66	585,35	19 804	64,39	129 245	193,33	59,86
2.250	ex 0810 90 30	Lychees	139,14	5 850	1 101,59	284,04	968,54	32 769	106,55	213 851	319,88	99,05

COMMISSION REGULATION (EEC) No 195/92**of 29 January 1992****amending Regulation (EEC) No 2384/91 on the transitional measures applicable to the wine-growing sector in Portugal during the 1991/92 wine year**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 257 (1) thereof,

Whereas Commission Regulation (EEC) No 2384/91 on the transitional measures applicable to the wine-growing sector in Portugal during the 1991/92 wine year⁽¹⁾ introduced a specific distillation measure as a substitute for Community aid measures, limited to 1,3 million hectolitres; whereas this figure was set at a time when it was difficult to anticipate market reactions for the wine year in question and whereas the current surplus situation justifies an increase in the volume to be distilled in that Member State, in order to eliminate a quantity of wine sufficient to sustain prices;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2384/91 is hereby amended as follows:

In Article 3 (2) (a) '1,3 million hectolitres' is replaced by '2 million hectolitres'.

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, 29 January 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 219, 7. 8. 1991, p. 9.

COMMISSION REGULATION (EEC) No 196/92**of 29 January 1992****fixing the maximum export refunds on olive oil for the fifth partial invitation to tender under the standing invitation to tender issued by Regulation (EEC) No 3149/91**

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

Having regard to Council Regulation (EEC) 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⁾,

Having regard to Council Regulation (EEC) No 1650/86 of 26 May 1986 on the refunds and levies applicable to exports of olive oil ⁽³⁾, and in particular Article 7 thereof,

Whereas Commission Regulation (EEC) No 3149/91 ⁽⁴⁾ issued a standing invitation to tender with a view to determining the export refunds on olive oil;

Whereas Article 6 of Regulation (EEC) No 3149/91 provides that maximum amounts are to be fixed for the export refunds in the light in particular of the current situation and foreseeable developments on the Community and world olive-oil markets and on the basis of the tenders received; whereas contracts are awarded to any tenderer who submits a tender at the level of the maximum refund or at a lower level;

Whereas, for the purposes of applying the above-mentioned provisions, the maximum export refunds should be set at the levels specified in the Annex;

Whereas the Management Committee for Oils and Fats has not delivered an opinion within the time limit set by its Chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refunds for olive oil for the fifth partial invitation to tender under the standing invitation to tender issued by Regulation (EEC) No 3149/91 are hereby fixed in the Annex, on the basis of the tenders submitted by 23 January 1992.

Article 2

This Regulation shall enter into force on 1 February 1992.

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

Done at Brussels, 29 January 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

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

⁽²⁾ OJ No L 162, 26. 6. 1991, p. 27.

⁽³⁾ OJ No L 145, 30. 5. 1986, p. 8.

⁽⁴⁾ OJ No L 299, 30. 10. 1991, p. 24.

ANNEX

to the Commission Regulation of 29 January 1992 fixing the maximum export refunds on olive oil for the fifth partial invitation to tender under the standing invitation to tender issued by Regulation (EEC) No 3149/91

<i>(ECU/100 kg)</i>	
Product code	Amount of refund
1509 10 90 100	33,00
1509 10 90 900	67,00
1509 90 00 100	48,00
1509 90 00 900	77,00
1510 00 90 100	12,00
1510 00 90 900	45,00

NB: The products codes and the footnotes are defined in amended Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1).

COMMISSION REGULATION (EEC) No 197/92
of 29 January 1992

fixing the maximum export refund for white sugar for the 38th 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 61/92⁽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 38th 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 38th 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 41,696 per 100 kilograms.

Article 2

This Regulation shall enter into force on 30 January 1992.

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

Done at Brussels, 29 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 100, 20. 4. 1991, p. 9.

COMMISSION REGULATION (EEC) No 198/92
of 29 January 1992
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 61/92⁽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 141/92⁽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 Regu-

lation (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 28 January 1992,

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 0,69 per 100 kilograms.

Article 2

This Regulation shall enter into force on 30 January 1992.

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

Done at Brussels, 29 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. 27.

⁽⁴⁾ OJ No L 16, 23. 1. 1992, p. 9.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 9.

COMMISSION REGULATION (EEC) No 199/92
of 29 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 178/92 ⁽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 28 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 30 January 1992.

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

Done at Brussels, 29 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 19, 28. 1. 1992, p. 22.

⁽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 29 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	45,36
1701 99 10	45,36
1701 99 90	45,36 ⁽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 200/92
of 29 January 1992
fixing the export refunds on olive oil

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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⁾,

Having regard to Council Regulation (EEC) No 1650/86 of 26 May 1986 on export refunds and levies on olive oil⁽³⁾, and in particular the first sentence of Article 3 (1) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 20 of Regulation No 136/66/EEC provides that, where prices within the Community are higher than world market prices, the difference between these prices may be covered by a refund when olive oil is exported to third countries;

Whereas the detailed rules for fixing and granting export refunds on olive oil are contained in Regulation (EEC) No 1650/86 and Commission Regulation (EEC) No 616/72⁽⁴⁾, as last amended by Regulation (EEC) No 2962/77⁽⁵⁾;

Whereas the first indent of Article 2 of Regulation (EEC) No 1650/86 provides that the refund must be the same for the whole Community;

Whereas, in accordance with Article 4 of Regulation (EEC) No 1650/86, the refund for olive oil must be fixed in the light of the existing situation and outlook in relation to olive oil prices and availability on the Community market and olive oil prices on the world market;

Whereas, however, where the world market situation is such that the most favourable olive oil prices cannot be determined, account may be taken of the price of the main competing vegetable oils on the world market and the difference recorded between that price and the price of olive oil during a representative period;

Whereas the amount of the refund may not exceed the difference between the price of olive oil in the Community and that on the world market, adjusted, where appropriate, to take account of export costs for the products on the world market;

Whereas, in accordance with Article 5 of Regulation (EEC) No 1650/86, it may be decided that the refund shall be fixed by tender;

Whereas the tendering procedure should cover the amount of the refund and may be limited to certain countries of destination, quantities, qualities and presentations;

Whereas the second indent of Article 2 of Regulation (EEC) No 1650/86 provides that the refund on olive oil may be varied according to destination where the world market situation or the specific requirements of certain markets make this necessary;

Whereas Article 3 (1) of Regulation (EEC) No 1650/86 provides that the refund must be fixed at least once every month; whereas it may, if necessary, be altered in the intervening period;

Whereas it follows from applying these detailed rules to the present situation on the market in olive oil and in particular to olive oil prices within the Community and on the markets of third countries that the refund should be as set out in the Annex hereto;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁶⁾, as last amended by Regulation (EEC) No 2205/90⁽⁷⁾,
- 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 measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Oils and Fats,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (2) (c) of Regulation No 136/66/EEC shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 February 1992.

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

⁽²⁾ OJ No L 162, 26. 6. 1991, p. 27.

⁽³⁾ OJ No L 145, 30. 5. 1986, p. 8.

⁽⁴⁾ OJ No L 78, 31. 3. 1972, p. 1.

⁽⁵⁾ OJ No L 348, 30. 12. 1977, p. 53.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ 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, 29 January 1992.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX

to the Commission Regulation of 29 January 1992 fixing the export refunds on olive oil

<i>(ECU/100 kg)</i>	
Product code	Amount of refund (1)
1509 10 90 100	26,00
1509 10 90 900	60,00
1509 90 00 100	45,00
1509 90 00 900	72,00
1510 00 90 100	9,00
1510 00 90 900	40,00

(1) For destinations mentioned in Article 34 of amended Commission Regulation (EEC) No 3665/87 (OJ No L 351, 14. 12. 1987, p. 1), as well as for exports to third countries.

NB: The product codes and the footnotes are defined in amended Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1).

COMMISSION REGULATION (EEC) No 201/92

of 29 January 1992

amending Regulation (EEC) No 112/92 introducing a countervailing charge on
fresh sweet oranges originating in Turkey

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,Having regard to the Act of Accession of Spain and
Portugal,Having regard to Council Regulation (EEC) No 1035/72
of 18 May 1972 on the common organization of the
market in fruit and vegetables⁽¹⁾, as last amended by
Regulation (EEC) No 1623/91⁽²⁾, and in particular the
second subparagraph of Article 27 (2) thereof,Whereas Commission Regulation (EEC) No 112/92⁽³⁾
introduced a countervailing charge on fresh sweet oranges
originating in Turkey;Whereas Article 26 (1) of Regulation (EEC) No 1035/72
laid down the conditions under which a charge intro-duced in application of Article 25 of that Regulation is
amended; whereas if those conditions are taken into
consideration, the countervailing charge on the import of
fresh sweet oranges originating in Turkey must be altered,

HAS ADOPTED THIS REGULATION:

*Article 1*In Article 1 of Regulation (EEC) No 112/92, 'ECU 1,67' is
hereby replaced by 'ECU 6,52'.*Article 2*This Regulation shall enter into force on 30 January
1992.This Regulation shall be binding in its entirety and directly applicable in all Member
States.

Done at Brussels, 29 January 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.⁽²⁾ OJ No L 150, 15. 6. 1991, p. 8.⁽³⁾ OJ No L 12, 18. 1. 1992, p. 16.

COUNCIL REGULATION (EEC) No 202/92

of 27 January 1992

extending the provisional anti-dumping duty on imports of certain polyester yarns (man-made staple fibres) originating in Taiwan, Indonesia, India, the People's Republic of China and Turkey

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2423/88 of 11 July 1988 on protection against dumped or subsidized imports from countries not members of the European Economic Community⁽¹⁾, and in particular Article 11 thereof,

Having regard to the Commission proposal,

Whereas Commission Regulation (EEC) No 2904/91⁽²⁾ imposed a provisional anti-dumping duty on imports of certain polyester yarns (man-made staple fibres) originating in Taiwan, Indonesia, India, the People's Republic of China and Turkey;

Whereas examination of the facts has not yet been completed and the Commission has informed the exporters known to be concerned of its intention to propose an extension of the validity of the provisional duty for an additional period of two months;

Whereas the exporters have raised no objections,

HAS ADOPTED THIS REGULATION:

Article 1

The provisional anti-dumping duty on imports of certain polyester yarns (man-made staple fibres) originating in Taiwan, Indonesia, India, the People's Republic of China and Turkey imposed by Regulation (EEC) No 2904/91 is hereby extended for a period of two months. It shall cease to apply if, before the expiry of that period, the Council adopts definitive measures or the proceeding is terminated under Article 9 of Regulation (EEC) No 2423/88.

Article 2

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

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

Done at Brussels, 27 January 1992.

For the Council

The President

A. MARQUES DA CUNHA

⁽¹⁾ OJ No L 209, 2. 8. 1988, p. 1.

⁽²⁾ OJ No L 276, 3. 10. 1991, p. 7.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 19 December 1991

authorizing the Kingdom of Spain to permit temporarily the marketing of durum wheat seed not satisfying the requirements of Council Directive 66/402/EEC

(92/52/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 66/402/EEC of 14 June 1966 on the marketing of cereal seed ⁽¹⁾, as last amended by Directive 90/654/EEC ⁽²⁾, and in particular Article 17 thereof,

Having regard to the request submitted by the Kingdom of Spain,

Whereas in Spain the production of seed of durum wheat satisfying the requirements of Directive 66/402/EEC has been insufficient in 1991 and therefore is not adequate to meet that country's needs;

Whereas it is not possible to cover this demand satisfactorily with seed from other Member States, or from third countries, satisfying all the requirements laid down in the said Directive;

Whereas the Kingdom of Spain should therefore be authorized to permit for a period expiring on 31 March 1992, the marketing of seed of the abovementioned species subject to less stringent requirements;

Whereas, moreover, other Member States, which are able to supply Spain with such seed not satisfying the requirements of the Directive should be authorized to permit the marketing of such seed provided it is intended for Spain;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

Article 1

The Kingdom of Spain is authorized to permit, for a period expiring on 31 March 1992 the marketing in its territory of a maximum of 1 415 tonnes of seed of durum wheat (*Triticum durum Desf.*) of very early, short-stemmed varieties of the categories 'certified seed of the first generation's or 'certified seed of the second generation', which does not satisfy the requirements laid down in Annex II to Directive 66/402/EEC with regard to the minimum germination capacity, provided that the following requirements are satisfied:

- (a) the germination capacity is at least 80 % of pure seed;
- (b) the official label shall bear the following endorsements:
 - 'minimum germination capacity 80 %',
 - 'intended exclusively for Spain'.

Article 2

The other Member States are hereby authorized to permit, subject to the conditions laid down in Article 1, the marketing in their territory of a maximum of 1 415 tonnes of durum wheat seed provided that it is intended

⁽¹⁾ OJ No 125, 11. 7. 1966, p. 2309/66.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 48.

exclusively for Spain. The official label shall bear the endorsements referred to in Article 1 (b).

Article 3

Member States shall notify the Commission before 31 May 1992 of the quantities of seed marketed in their territory pursuant to this Decision. The Commission shall inform the other Member States thereof.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 19 December 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission
