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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 379/92

of 18 February 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,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 357/92⁽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 17 February 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 357/92 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 19 February 1992.

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

Done at Brussels, 18 February 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 39, 15. 2. 1992, p. 3.

ANNEX

to the Commission Regulation of 18 February 1992 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CN code	Levy (°)
0709 90 60	130,44 (°) (°)
0712 90 19	130,44 (°) (°)
1001 10 10	165,17 (°) (°) (°)
1001 10 90	165,17 (°) (°) (°)
1001 90 91	149,73
1001 90 99	149,73
1002 00 00	162,78 (°)
1003 00 10	142,67
1003 00 90	142,67
1004 00 10	126,79
1004 00 90	126,79
1005 10 90	130,44 (°) (°)
1005 90 00	130,44 (°) (°)
1007 00 90	138,51 (°)
1008 10 00	54,84
1008 20 00	126,73 (°)
1008 30 00	65,72 (°)
1008 90 10	(°)
1008 90 90	65,72
1101 00 00	222,62 (°)
1102 10 00	240,90 (°)
1103 11 10	269,46 (°) (°)
1103 11 90	239,25 (°)

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

(°) 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.

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

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

(°) 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.

(°) 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 and Commission Regulation (EEC) No 2622/71.

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

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

(°) No levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC, except if paragraph 4 of the same Article applies.

(°) An amount equal to the amount fixed by Regulation (EEC) No 1825/91 is to be levied in accordance with Article 101 (4) of Decision 91/482/EEC.

COMMISSION REGULATION (EEC) No 380/92

of 18 February 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,

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 17 February 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 19 February 1992.

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

Done at Brussels, 18 February 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 18 February 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 2	1st period 3	2nd period 4	3rd period 5
0709 90 60	0	0	0	2,18
0712 90 19	0	0	0	2,18
1001 10 10	0	0	0	0,80
1001 10 90	0	0	0	0,80
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	2,18
1005 90 00	0	0	0	2,18
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 2	1st period 3	2nd period 4	3rd period 5	4th period 6
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 381/92

of 18 February 1992

amending Regulation (EEC) No 2318/91 as regards the opening of a standing invitation to tender for the export of 300 000 tonnes of barley held by the Spanish intervention agency

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

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

Having regard to Commission Regulation (EEC) No 1836/82 of 7 July 1982 laying down the procedure and conditions for the disposal of cereals held by the intervention agencies⁽³⁾, as last amended by Regulation (EEC) No 3043/91⁽⁴⁾,

Whereas Commission Regulation (EEC) No 2318/91⁽⁵⁾, as last amended by Regulation (EEC) No 3424/91⁽⁶⁾, opens a standing invitation to tender for the export of 300 000 tonnes of barley held by the Spanish intervention agency, to be exported to the Soviet Union;

Whereas it is appropriate to extend the destinations to all third countries;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 2 (1) of Regulation (EEC) No 2318/91 is hereby replaced by the following:

'1. The invitation to tender shall cover a maximum of 300 000 tonnes of barley to be exported to all third countries.'

Article 2

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

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

Done at Brussels, 18 February 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 202, 9. 7. 1982, p. 23.

⁽⁴⁾ OJ No L 288, 18. 10. 1991, p. 21.

⁽⁵⁾ OJ No L 213, 1. 8. 1991, p. 50.

⁽⁶⁾ OJ No L 325, 27. 11. 1991, p. 5.

COMMISSION REGULATION (EEC) No 382/92**of 18 February 1992****amending Regulation (EEC) No 3229/91 as regards the opening of a standing invitation to tender for the export of 400 000 tonnes of durum wheat held by the Italian intervention agency**

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

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

Having regard to Commission Regulation (EEC) No 1836/82 of 7 July 1982 laying down the procedure and conditions for the disposal of cereals held by the intervention agencies ⁽³⁾, as last amended by Regulation (EEC) No 3043/91 ⁽⁴⁾,

Whereas Commission Regulation (EEC) No 3229/91 ⁽⁵⁾, opens a standing invitation to tender for the export of 400 000 tonnes of durum wheat held by the Italian intervention agency, to be exported to the Soviet Union and Algeria;

Whereas it is appropriate to extend the destinations to all third countries;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 2 (1) of Regulation (EEC) No 3229/91 is hereby replaced by the following:

'1. The invitation to tender shall cover a maximum of 400 000 tonnes of durum wheat to be exported to all third countries.'

Article 2

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

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

Done at Brussels, 18 February 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 202, 9. 7. 1982, p. 23.

⁽⁴⁾ OJ No L 288, 18. 10. 1991, p. 21.

⁽⁵⁾ OJ No L 306, 7. 11. 1991, p. 9.

COMMISSION REGULATION (EEC) No 383/92

of 18 February 1992

amending Regulations (EEC) No 1147/91⁽¹⁾, (EEC) No 1148/91, (EEC) No 1149/91, (EEC) No 1150/91, (EEC) No 1151/91, (EEC) No 1154/91, (EEC) No 1204/91, (EEC) No 1205/91, (EEC) No 2318/91, (EEC) No 3229/91, (EEC) No 3286/91, (EEC) No 3291/91, (EEC) No 3520/91, (EEC) No 3521/91, (EEC) No 3522/91 and (EEC) No 3523/91 opening standing invitations to tender for the export of cereals held by the intervention agencies

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

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

Having regard to Commission Regulation (EEC) No 1836/82 of 7 July 1982 laying down the procedure and conditions for the disposal of cereals held by the intervention agencies⁽³⁾, as last amended by Regulation (EEC) No 3043/91⁽⁴⁾,

Whereas the last partial invitation to tender under Commission Regulations (EEC) No 1147/91⁽⁵⁾, (EEC) No 1148/91⁽⁶⁾, (EEC) No 1149/91⁽⁷⁾, (EEC) No 1150/91⁽⁸⁾, (EEC) No 1151/91⁽⁹⁾, (EEC) No 1154/91⁽¹⁰⁾, (EEC) No 1204/91⁽¹¹⁾, (EEC) No 1205/91⁽¹²⁾, (EEC) No 2318/91⁽¹³⁾, (EEC) No 3229/91⁽¹⁴⁾, (EEC) No 3286/91⁽¹⁵⁾, (EEC) No 3291/91⁽¹⁶⁾, (EEC) No 3520/91⁽¹⁷⁾, (EEC) No 3521/91⁽¹⁸⁾, (EEC) No 3522/91⁽¹⁹⁾ and (EEC) No 3523/91⁽²⁰⁾ should be postponed;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 4 (3) of Regulations (EEC) No 1147/91, (EEC) No 1148/91, (EEC) No 1149/91, (EEC) No 1150/91, (EEC) No 1151/91, (EEC) No 1154/91, (EEC) No 1204/91, (EEC) No 1205/91, (EEC) No 2318/91 (EEC) No 3229/91, (EEC) No 3286/91, (EEC) No 3291/91, (EEC) No 3520/91, (EEC) No 3521/91, (EEC) No 3522/91 and (EEC) No 3523/91 is hereby replaced by the following:

'3. The last partial invitation to tender shall expire on 27 May 1992.'

Article 2

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

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

Done at Brussels, 18 February 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 202, 9. 7. 1982, p. 23.
⁽⁴⁾ OJ No L 288, 18. 10. 1991, p. 21.
⁽⁵⁾ OJ No L 112, 4. 5. 1991, p. 30.
⁽⁶⁾ OJ No L 112, 4. 5. 1991, p. 33.
⁽⁷⁾ OJ No L 112, 4. 5. 1991, p. 36.
⁽⁸⁾ OJ No L 112, 4. 5. 1991, p. 39.
⁽⁹⁾ OJ No L 112, 4. 5. 1991, p. 42.
⁽¹⁰⁾ OJ No L 112, 4. 5. 1991, p. 51.
⁽¹¹⁾ OJ No L 116, 9. 5. 1991, p. 25.
⁽¹²⁾ OJ No L 116, 9. 5. 1991, p. 28.
⁽¹³⁾ OJ No L 213, 1. 8. 1991, p. 50.
⁽¹⁴⁾ OJ No L 306, 7. 11. 1991, p. 9.
⁽¹⁵⁾ OJ No L 310, 12. 11. 1991, p. 9.
⁽¹⁶⁾ OJ No L 312, 13. 11. 1991, p. 5.
⁽¹⁷⁾ OJ No L 334, 5. 12. 1991, p. 18.
⁽¹⁸⁾ OJ No L 334, 5. 12. 1991, p. 21.
⁽¹⁹⁾ OJ No L 334, 5. 12. 1991, p. 24.
⁽²⁰⁾ OJ No L 334, 5. 12. 1991, p. 27.

COMMISSION REGULATION (EEC) No 384/92**of 18 February 1992****opening a standing invitation to tender for the supply to Estonia of 60 000 tonnes of bread-making common wheat held at Ghent by the French intervention agency**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3861/91 of 23 December 1991 on an emergency measure for the free supply of food products to the population of Estonia, Latvia and Lithuania ⁽¹⁾,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽²⁾, as last amended by Regulation (EEC) No 3577/90 ⁽³⁾, and in particular Article 7 (6) thereof,

Whereas Commission Regulation (EEC) No 339/92 ⁽⁴⁾, provides that contracts for the supply of cereals under Regulation (EEC) No 3861/91 are to be allocated by invitation to tender;

Whereas Commission Regulation (EEC) No 1570/77 ⁽⁵⁾, as last amended by Regulation (EEC) No 2258/87 ⁽⁶⁾, lays down in particular quality criteria for bread-making common wheat accepted for intervention;

Whereas a standing invitation to tender should be opened for the supply of an instalment of bread-making common wheat held by the French intervention agency;

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

HAS ADOPTED THIS REGULATION:

Article 1

On the terms laid down in Regulation (EEC) No 339/92, the French intervention agency shall open a standing invitation to tender for the supply to Estonia of bread-making common wheat held at Ghent by the said agency.

Article 2

The invitation to tender shall cover 60 000 tonnes of bread-making common wheat in bulk to be supplied

from the port of Ghent, cif (ex-ship), to the Estonian port of Tallinn.

Article 3

Tenders may relate only to the entire lot of 60 000 tonnes specified in the notice of invitation to tender provided for in Article 13 of Regulation (EEC) No 339/92, in accordance with the delivery specifications in Annex III hereto.

Article 4

1. The time limit for the submission of tenders in response to the first partial invitation to tender shall be 11 a.m., Brussels time, on 27 February 1992.
2. The time limit for the submission of tenders in response to the last partial invitation to tender shall be 11 a.m., Brussels time, on 12 March 1992.

Article 5

Tenders must be submitted to the French intervention agency.

The French intervention agency shall forward tenders to the Commission in accordance with the model in Annex I hereto.

Article 6

The taking-over certificate referred to in Article 9 (3) of Regulation (EEC) No 339/92 shall take the form shown in Annex II.

Certificates shall be issued after unloading of the goods.

Article 7

The successful tenderer shall undertake to provide the Estonian authorities with the documents required for supply purposes as specified in the notice of invitation to tender drawn up by the French intervention agency.

Article 8

For the purposes of entering EAGGF expenditure in the accounts, the book value of the product referred to in Article 1 is hereby fixed at ECU 52 per tonne.

Article 9

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

⁽¹⁾ OJ No L 362, 31. 12. 1991, p. 87.

⁽²⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽³⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽⁴⁾ OJ No L 36, 13. 2. 1992, p. 18.

⁽⁵⁾ OJ No L 174, 14. 7. 1977, p. 18.

⁽⁶⁾ OJ No L 208, 30. 7. 1987, p. 10.

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

Done at Brussels, 18 February 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX I

Standing invitation to tender for the supply to Estonia of 60 000 tonnes of bread-making common wheat held at Ghent by the French intervention agency

(Regulation (EEC) No 384/92)

Tenderer number	Quantity (tonnes)	Supply cost applied for (ECU/tonne)
1	2	3
1		
2		
3		
4		
etc.		

ANNEX II**SUPPLY BY SEA****TAKING-OVER CERTIFICATE**

I, the undersigned:

(name, first name, business name)

acting on behalf of the Estonian Government, hereby certify that the goods mentioned below have been taken over:

— Name of vessel:

— Place and date of taking-over:

— Product:

— Tonnage taken over:

Remarks or reservations:

.....

.....

ANNEX III**Delivery specifications**

Delivery in bulk, cif (ex-ship) to the Estonian port of Tallinn.

One lot of 60 000 tonnes in three shipments:

— 20 000 tonnes: Arrival date between 14 and 15. 3. 1992.

— 20 000 tonnes: Arrival date between 23 and 24. 3. 1992.

— 20 000 tonnes: Arrival date between 1 and 2. 4. 1992.

The deliveries may take place before the dates laid down on the initiative of the successful tenderer and under his responsibility if the necessary conditions are met for unloading and removal in the port of Tallinn.

If no bid has been accepted on 27. 2. 1992, the above dates should be postponed by seven days.

The same should be applied if no bid has been accepted on 5. 3. 1992.

COMMISSION REGULATION (EEC) No 385/92

of 18 February 1992

opening a standing invitation to tender for the supply to Estonia of 10 000 tonnes
of feed wheat held by the Danish intervention agency

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 3861/91
of 23 December 1991 on an emergency measure for the
free supply of food products to the populations of Estonia,
Latvia and Lithuania ⁽¹⁾,

Having regard to Council Regulation (EEC) No 2727/75
of 29 October 1975 on the common organization of the
market in cereals ⁽²⁾, as last amended by Regulation (EEC)
No 3577/90 ⁽³⁾, and in particular Article 7 (6) thereof,

Whereas Commission Regulation (EEC) No 339/92 ⁽⁴⁾,
provides that contracts for the supply of cereals under
Regulation (EEC) No 3861/91 are to be allocated by
invitation to tender;

Whereas Commission Regulation (EEC) No 1570/77 ⁽⁵⁾,
as last amended by Regulation (EEC) No 2258/87 ⁽⁶⁾, lays
down in particular quality criteria for feed wheat accepted
for intervention;

Whereas a standing invitation to tender should be opened
for the supply of an instalment of feed wheat held by the
Danish intervention agency;

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

HAS ADOPTED THIS REGULATION:

Article 1

On the terms laid down in Regulation (EEC) No 339/92,
the Danish intervention agency shall open a standing
invitation to tender for the supply to Estonia of feed
wheat held by the said agency.

Article 2

1. The invitation to tender shall cover 10 000 tonnes of
feed wheat in bulk to be supplied cif (ex-ship), to the
Estonian port of Tallinn.

2. The regions in which the 10 000 tonnes of feed
wheat are stored are stated in Annex I to this Regulation.

Article 3

Tenders may relate only to the entire lot of 10 000 tonnes
specified in the notice of invitation to tender provided for
in Article 13 of Regulation (EEC) No 339/92, in
accordance with the delivery specifications in Annex IV
hereto.

Article 4

1. The time limit for the submission of tenders in
response to the first partial invitation to tender shall be
11 a.m., Brussels time, on 27 February 1992.

2. The time limit for the submission of tenders in
response to the last partial invitation to tender shall be
11 a.m., Brussels time, on 12 March 1992.

Article 5

Tenders must be submitted to the Danish intervention
agency.

The Danish intervention agency shall forward tenders to
the Commission in accordance with the model in Annex
II hereto.

Article 6

The taking-over certificate referred to in Article 9 (3) of
Regulation (EEC) No 339/92 shall take the form shown
in Annex III.

Certificates shall be issued after unloading of the goods.

Article 7

The successful tenderer shall undertake to provide the
Estonian authorities with the documents required for
supply purposes as specified in the notice of invitation to
tender drawn up by the Danish intervention agency.

Article 8

For the purposes of entering EAGGF expenditure in the
accounts, the book value of the product referred to in
Article 1 is hereby fixed at ECU 51 per tonne.

Article 9

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

⁽¹⁾ OJ No L 362, 31. 12. 1991, p. 87.

⁽²⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽³⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽⁴⁾ OJ No L 36, 13. 2. 1992, p. 18.

⁽⁵⁾ OJ No L 174, 14. 7. 1977, p. 18.

⁽⁶⁾ OJ No L 208, 30. 7. 1987, p. 10.

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

Done at Brussels, 18 February 1992.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX I

<i>(tonnes)</i>	
Place of storage	Quantity
Lolland/Falster	10 000

ANNEX II

Standing invitation to tender for the supply to Estonia of 10 000 tonnes of feed wheat held by the Danish intervention agency

(Regulation (EEC) No 385/92)

Tenderer number	Quantity (tonnes)	Supply cost applied for (ECU/tonne)
1	2	3
1		
2		
3		
4		
etc.		

ANNEX III**SUPPLY BY SEA****TAKING-OVER CERTIFICATE**

I, the undersigned :
(name, first name, business name)

acting on behalf of the Estonian Government, hereby certify that the goods mentioned below have been taken over :

— Name of vessel :

— Place and date of taking-over :

— Product :

— Tonnage taken over :

Remarks or reservations :

.....

.....

ANNEX IV**Delivery specifications**

Delivery in bulk, cif (ex-ship) to the Estonian port of Tallinn.

One lot of 10 000 tonnes. Arrival date between 7 and 8. 4. 1992.

The deliveries may take place before the dates laid down on the initiative of the successful tenderer and under his responsibility if the necessary conditions are met for unloading and removal in the port of Tallinn.

If no bid has been accepted on 27. 2. 1992, the above dates should be postponed by seven days.

The same should be applied if no bid has been accepted on 5. 3. 1992.

COMMISSION REGULATION (EEC) No 386/92**of 18 February 1992****amending Regulation (EEC) No 2742/91 on the sale by the procedure laid down in Regulation (EEC) No 2539/84 of beef held by certain intervention agencies and intended for export to the Soviet Union**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 1628/91 ⁽²⁾, and in particular Article 7 (3) thereof,Whereas Commission Regulation (EEC) No 2742/91 ⁽³⁾ provides for the sale of intervention beef held in Italy prior to 1 September 1991 ;

Whereas this limit should be extended in order to facilitate the sale ;

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

HAS ADOPTED THIS REGULATION :

Article 1

The date '1 September 1991' referred to in the first and second indents of Article 1 (1) of Regulation (EEC) No 2742/91 is replaced by '1 December 1991'.

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

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

Done at Brussels, 18 February 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 262, 19. 9. 1991, p. 13.

COMMISSION REGULATION (EEC) No 387/92

of 18 February 1992

repealing Regulation (EEC) No 3754/91 on the sale by the procedure laid down in Regulation (EEC) No 2539/84 of beef held by certain intervention agencies and intended for export to the Soviet Union, implementing Council Regulation (EEC) No 599/91 and amending Regulation (EEC) No 569/88

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 the beef and veal sector⁽¹⁾, as last amended by Regulation (EEC) No 1628/91⁽²⁾, and in particular Article 7 (3) thereof,

Whereas, in application of Council Regulation (EEC) No 599/91⁽³⁾, as last amended by Regulation (EEC) No 3281/91⁽⁴⁾, Commission Regulation (EEC) No 3754/91⁽⁵⁾ provided for a sale of intervention beef to the Soviet Union; whereas since the entry into force of Regulation (EEC) No 3754/91 the political evolution in the ex-Soviet Union has made certain fundamental provisions of that Regulation inoperative; whereas, consequently, Regulation (EEC) No 3754/91 should be repealed;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3754/91 is hereby repealed.

Article 2

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

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

Done at Brussels, 18 February 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 67, 14. 3. 1991, p. 21.

⁽⁴⁾ OJ No L 310, 12. 11. 1991, p. 1.

⁽⁵⁾ OJ No L 352, 21. 12. 1991, p. 66.

COMMISSION REGULATION (EEC) No 388/92**of 18 February 1992****laying down detailed rules for implementation of the specific arrangements for the supply of cereal products to the French overseas departments (FOD) and establishing the forecast supply balance**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments⁽¹⁾, and in particular Article 2 (6) thereof,

Whereas Commission Regulation (EEC) No 131/92⁽²⁾ lays down common detailed rules for implementation of the specific arrangements for the supply of certain agricultural products to the French overseas departments (FOD);

Whereas Commission Regulation (EEC) No 3719/88⁽³⁾, as last amended by Regulation (EEC) No 92/91⁽⁴⁾, lays down in particular detailed rules for import licences; whereas Commission Regulation (EEC) No 891/89⁽⁵⁾, as last amended by Regulation (EEC) No 3562/91⁽⁶⁾, lays down additional and exceptional detailed rules specific to the cereals sector;

Whereas, in order to take account of the trade practices specific to the cereals sector, and of the special nature of trade in bran, provision should be made for detailed rules supplementing or derogating from the provisions of Regulation (EEC) No 131/92;

Whereas, pursuant to Article 2 of Regulation (EEC) No 3763/91, the forecast supply balance for cereals products for the FOD should be drawn up; whereas this balance should make it possible to interchange the quantities planned for the products in question and, if the need arises, to increase the overall quantity fixed for feed grain during the course of the financial year;

Whereas provision should be made for the Member State to designate the competent authority for issuing import licences and aid certificates, and for handling aid applications and payments;

Whereas provision should be made for a timetable for submitting licence and certificate applications, and for establishing admissibility requirements for these applica-

tions, in particular as regards the lodging of securities; whereas, in addition, the period of validity of import licences and aid certificates should be fixed in accordance with supply needs and the requirements of sound administration by granting, given the local situation in the FOD, a longer period of validity for aid certificates;

Whereas provision should be made for the adjustment of the aid granted for the supply of cereal products originating in the Community on the basis of the difference in the threshold price of the product in question between the month of application for aid certificates and the month in which the certificates are used, in order to prevent, before the harvest, supply commitments which benefit from aid for the new marketing year, and to take account of the practices in the cereals sector;

Whereas, to ensure the sound administration of the supply arrangements, additional requirements should be laid down for the release of the security;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Pursuant to Article 2 of Regulation (EEC) No 3763/91, the forecast supply balance quantities eligible for exemption from duties on imports from third countries or for Community aid shall be as specified in the Annex.

2. Without prejudice to any increase during the course of the financial year of the overall quantity fixed for feed grain, the respective quantities fixed for one or other of the cereals in question may be exceeded by a maximum of 20 % provided the overall quantity is adhered to.

Article 2

The Member State shall designate the competent authority for:

(a) issuing the import licence provided for in Article 2 of Regulation (EEC) No 131/92;

⁽¹⁾ OJ No L 356, 24. 12. 1991, p. 1.

⁽²⁾ OJ No L 15, 22. 1. 1992, p. 13.

⁽³⁾ OJ No L 331, 2. 12. 1988, p. 1.

⁽⁴⁾ OJ No L 11, 16. 1. 1991, p. 11.

⁽⁵⁾ OJ No L 94, 7. 4. 1989, p. 13.

⁽⁶⁾ OJ No L 336, 7. 12. 1991, p. 30.

- (b) issuing the aid certificate provided for in Article 3 of that Regulation ; and
- (c) payment of the aid to the operators concerned and the administration of securities.

Article 3

The provisions of Regulation (EEC) No 131/92 shall apply *mutatis mutandis*.

Article 4

1. Applications for licences and certificates shall be submitted to the competent authority during the first five working days of each month. Licence or certificate applications shall be admissible only if :

- (a) they do not exceed the maximum quantity available for each time limit for submitting licence of certificate applications ;
- (b) prior to expiry of the time limit laid down for submission of licence and certificate applications, proof has been provided that the party concerned has lodged a security. The security amount shall be ECU 25 per tonne.

2. If licences and certificates are issued for quantities less than the quantities applied for, as a result of a single reduction coefficient being fixed, operators may withdraw their applications in writing within a time limit of one working day following the date on which the reduction coefficient is fixed.

Article 5

1. The period of validity of import licences shall expire on the last day of the month following the month in which they were issued.

2. The period of validity of aid certificates shall expire on the last day of the second month following the month in which they were issued.

Article 6

The amount of aid shall be adjusted on the basis of the difference in the threshold price of the cereal in question between the month in which aid certificates are applied for and the month in which each entry on the certificate has been made.

Article 7

Securities shall be released if and when :

- (a) the competent authority has not granted an application ;
- (b) the operator has withdrawn his application in accordance with Article 4 (2) ;
- (c) proof has been provided that the licence or certificate has been used ; the security shall then be released in proportion to the quantities entered on the licence or certificate ;
- (d) proof has been provided that the product concerned has become unsuitable for use or it has not been possible to carry out the operation as a result of *force majeure*.

Article 8

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, 18 February 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

CEREALS SUPPLY BALANCE FOR THE FOD FOR 1992

First half of 1992

(in tonnes)

Cereals originating in third countries (ACP/developing countries) or EEC	Common wheat	Barley	Maize
Guadeloupe	30 000	5 000	10 000
Martinique	5 000	5 000	10 000
French Guiana	1 000	500	1 000
Réunion	20 000	10 000	50 000
TOTAL	56 000	20 500	71 000
147 500			

Second half of 1992

(in tonnes)

Cereals originating in third countries (ACP/developing countries) or EEC	Common wheat	Barley	Maize
Guadeloupe	30 000	5 000	10 000
Martinique	5 000	5 000	10 000
French Guiana	1 000	500	1 000
Réunion	20 000	10 000	50 000
TOTAL	56 000	20 500	71 000
147 500			

COMMISSION REGULATION (EEC) No 389/92

of 18 February 1992

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

Whereas Commission Regulation (EEC) No 1438/91 of 30 May 1991 fixing the reference prices for lemons for the 1991/92 marketing year⁽³⁾ fixed the reference price for products of class I for the period from November 1991 to April 1992 at ECU 47,15 per 100 kilograms net;

Whereas the entry price for a given exporting country is equal to the lowest representative price or the arithmetic mean of the lowest prices recorded for at least 30 % of the quantities from the exporting country concerned which are marketed on all representative markets for which prices are available less the duties and the charges indicated in Article 24 (3) of Regulation (EEC) No 1035/72; whereas the meaning of representative price is defined in Article 24 (2) of Regulation (EEC) No 1035/72;

Whereas, in accordance with Article 3 (1) of Regulation (EEC) No 2118/74⁽⁴⁾, as last amended by Regulation (EEC) No 3811/85⁽⁵⁾, the prices to be taken into consideration must be recorded on the representative markets or, in certain circumstances, on other markets;

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

Whereas, in Article 1 of Council Regulation (EEC) No 3671/81 of 15 December 1981 on imports into the Community of certain agricultural products originating in Turkey⁽⁶⁾, as amended by Regulation (EEC) No 1555/84⁽⁷⁾, a rate of customs duty of 4 % should be re-introduced for these fresh lemons;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. A countervailing charge of ECU 2,50 per 100 kilograms net is applied on imports of fresh lemons (CN code ex 0805 30 10) originating in Turkey.
2. The import duty on these products is fixed at 4 %.

Article 2

This Regulation shall enter into force on 20 February 1992.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 150, 15. 6. 1991, p. 8.

⁽³⁾ OJ No L 137, 31. 5. 1991, p. 25.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁶⁾ OJ No L 367, 23. 12. 1981, p. 3.

⁽⁷⁾ OJ No L 150, 6. 6. 1984, p. 4.

⁽⁸⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁹⁾ OJ No L 201, 31. 7. 1990, p. 9.

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

Done at Brussels, 18 February 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 390/92

of 18 February 1992

introducing a countervailing charge and suspending the preferential customs duty on imports of fresh sweet oranges originating in Turkey

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

is defined in Article 24 (2) of Regulation (EEC) No 1035/72;

Having regard to the Treaty establishing the European Economic Community,

Whereas, in accordance with Article 3 (1) of Regulation (EEC) No 2118/74⁽¹⁾, as last amended by Regulation (EEC) No 3811/85⁽²⁾, the prices to be taken into consideration must be recorded on the representative markets or, in certain circumstances, on other markets;

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

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

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, in Article 1 of Council Regulation (EEC) No 3671/81 of 15 December 1981 on imports into the Community of certain agricultural products originating in Turkey⁽³⁾, as amended by Regulation (EEC) No 1555/84⁽⁴⁾, a rate of customs duty of 8 % should be reintroduced for these fresh sweet oranges;

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

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

Whereas Commission Regulation (EEC) No 2915/91 of 3 October 1991 fixing the reference price for fresh sweet oranges for the 1991/92 marketing year⁽⁵⁾ fixed the reference price for products of class I for the period from 1 December 1991 until 31 May 1992 at ECU 22,75 per 100 kilograms net;

— 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 coefficient 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⁾,

Whereas the entry price for a given exporting country is equal to the lowest representative price or the arithmetic mean of the lowest prices recorded for at least 30 % of the quantities from the exporting country concerned which are marketed on all representative markets for which prices are available less the duties and the charges indicated in Article 24 (3) of Regulation (EEC) No 1035/72; whereas the meaning of representative price

— 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,

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 150, 15. 6. 1991, p. 8.

⁽³⁾ OJ No L 277, 4. 10. 1991, p. 8.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁶⁾ OJ No L 367, 23. 12. 1981, p. 3.

⁽⁷⁾ OJ No L 150, 6. 6. 1984, p. 4.

⁽⁸⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁹⁾ OJ No L 201, 31. 7. 1990, p. 9.

HAS ADOPTED THIS REGULATION:

2. The import duty on these products is fixed at 8 %.

Article 1

1. A countervailing charge of ECU 4,99 per 100 kilograms net is applied on imports of fresh sweet oranges falling within CN code ex 0805 10 originating in Turkey.

Article 2

This Regulation shall enter into force on 20 February 1992.

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

Done at Brussels, 18 February 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 391/92

of 18 February 1992

setting the amounts of aid for the supply of cereals products from the Community to the FOD

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments⁽¹⁾, and in particular Article 2 (6) thereof,

Whereas, pursuant to Article 2 of Regulation (EEC) No 3763/91, the requirements of the FOD for cereals are to be covered in terms of quantity, price and quality by the mobilization, on disposal terms equivalent to exemption from the levy, of Community cereals, which involves the grant of an aid for supplies of Community origin; whereas this aid is to be fixed with particular reference to the costs of the various sources of supply and in particular is to be based on the prices applied to exports to third countries; whereas these objectives imply that the aid will vary according to product and FOD;

Whereas Commission Regulation (EEC) No 131/92⁽²⁾ lays down common detailed rules for implementation of the specific arrangements for the supply of certain agricultural products, including cereals, to the French overseas departments (FOD); whereas Commission Regulation (EEC) No 388/92 of 18 February 1992 laying down detailed rules for implementation of the specific arrangements for the supply of cereal products to the French overseas departments (FOD) and establishing the forecast supply balance for these products⁽³⁾ lays down detailed rules which complement or derogate from the provisions of the aforementioned Regulation;

Whereas, in order to make it possible for the aid scheme to function properly, the aid should be calculated on the basis of:

- for currencies which are maintained between themselves within a spread at any given time of a maximum of 2,25 %, a conversion rate based on their central rate, adjusted by the correcting factor provided for in the last subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁴⁾, as last amended by Regulation (EEC) No 2205/90⁽⁵⁾,
- for the other currencies, a conversion rate based on the average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a determined period and adjusted by the factor referred to in the preceding indent;

Whereas, as a result of the application of these detailed rules to the current market situation in the cereals sector, and in particular to the rates of prices for these products in the European part of the Community and on the world market, the aid for supply to the FOD should be set at the amounts given in the Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

Pursuant to Article 2 (3) of Regulation (EEC) No 3763/91, the amount of aid for the supply of cereals of Community origin under the specific arrangements for the supply of the French overseas departments (FOD) shall be as set out in the Annex hereto.

Article 2

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

⁽¹⁾ OJ No L 365, 24. 12. 1991, p. 1.

⁽²⁾ OJ No L 15, 22. 1. 1992, p. 13.

⁽³⁾ See page 16 of this Official Journal.

⁽⁴⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁵⁾ 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, 18 February 1992.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX

Product (CN code)	Amount of aid			
	Destination			
	Guadeloupe	Martinique	French Guiana	Réunion
Common wheat (1001 90 99)	92,00	92,00	97,00	98,00
Barley (1003 00 90)	84,00	84,00	88,00	89,00
Maize (1005 90 00)	85,00	85,00	89,00	90,00

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 10 February 1992

on the provisional application of the Agreement in the form of an exchange of letters amending the Agreement between the European Economic Community and the Federative Republic of Brazil on trade in textile product

(92/114/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas the Commission has negotiated on behalf of the Community an Agreement in the form of an exchange of letters amending the Agreement between the European Economic Community and the Federative Republic of Brazil on trade in textile products for three months (from 1 January 1992 to 31 March 1992);

Whereas this Agreement should be applied on a provisional basis from 1 January 1992, subject to reciprocal provisional application by Brazil,

HAS DECIDED AS FOLLOWS:

Sole Article

The Agreement in the form of an exchange of letters amending the Agreement between the European Economic Community and the Federative Republic of Brazil on trade in textile products shall be applied on a provisional basis from 1 January 1992, subject to reciprocal provisional application by Brazil.

The text of that Agreement in the form of an exchange of letters is attached to this Decision.

The Commission has been requested to inform the Federative Republic of Brazil of this Decision, to obtain its agreement by means of an exchange of notes and to communicate it to the Council.

The text of that exchange of notes is attached to this Decision.

Done at Brussels, 10 February 1992.

For the Council

The President

Jorge BRAGA DE MACEDO

AGREEMENT

in the form of exchange of letters amending the Agreement between the European Economic Community and the Federative Republic of Brazil on trade in textile products

Letter No 1

Brussels, 20 December 1991

Sir,

1. I have the honour to refer to the consultations held on 11 and 12 November and 20 December 1991 between our respective delegations for the purpose of amending the Agreement on trade in textile products between the European Economic Community and the Federative Republic of Brazil, initialled on 12 September 1986 and applied since 1 January 1987.

2. As a result of these consultations, both Parties agreed to amend Article 17 (1) of the above Agreement so as to extend the period of application of all the provisions of the Agreement for three more months i.e. until 31 March 1992. Consequently, the Parties also agreed to amend Annex II to the Agreement as regards the quantitative limits for exports from the Federative Republic of Brazil to the Community of the textile products referred thereto for the period January to March 1992. The modified Annex II is appended to this letter (Appendix 1).

3. Both Parties agreed that this extension of the Agreement shall enter into force on 1 January 1992 and shall remain in force until 31 March 1992. Meanwhile, the Parties will consult in order to reach an agreement on the extension of the Agreement for the whole of 1992. The Parties agreed that this Agreement in the form of an exchange of letters shall be applied provisionally from 1 January 1992.

4. I should be obliged if you would kindly confirm the acceptance of your Government to the foregoing.

Please accept, Sir, the assurance of my highest consideration.

*For the Council
of the European Communities*

*Appendix 1***ANNEX II**

(the full product descriptions of the categories listed in this Annex are to be found in Annex I to the Agreement)

COMMUNITY QUANTITATIVE LIMITS

Category	Unit	1992
1	tonnes	8 748
2	tonnes	4 722
2 (a)	tonnes	993
3	tonnes	503
6 (1)	1 000 pieces	715
9	tonnes	1 515
20	tonnes	928
39	tonnes	729
46	tonnes	4 195

(1) For the purpose of setting off exports against the agreed limits a conversion rate of five garments (other than babies' garments) of a maximum commercial size of 130 cm for three garments whose commercial size exceeds 130 cm may be applied for up to 5 % of the quantitative limits.

REGIONAL LIMITS

Category	Unit	1992
4	1 000 pieces F	116
	I	1 278
	UK	821
13	1 000 pieces ES	95
	PT	16'

Letter No 2

Sir,

I have the honour to acknowledge receipt of your letter of 20 December 1991, which reads as follows :

- ‘1. I have the honour to refer to the consultations held on 11 and 12 November and 20 December 1991 between our respective delegations for the purpose of amending the Agreement on trade in textile products between the European Economic Community and the Federative Republic of Brazil, initialled on 12 September 1986 and applied since 1 January 1987.
2. As a result of these consultations, both Parties agreed to amend Article 17 (1) of the above Agreement so as to extend the period of application of all the provisions of the Agreement for three more months i.e. until 31 March 1992. Consequently, the Parties also agreed to amend Annex II to the Agreement as regards the quantitative limits for exports from the Federative Republic of Brazil to the Community of the textile products referred thereto for the period January to March 1992. The modified Annex II is appended to this letter (Appendix 1).
3. Both Parties agreed that this extension of the Agreement shall enter into force on 1 January 1992 and shall remain in force until 31 March 1992. Meanwhile, the Parties will consult in order to reach an agreement on the extension of the Agreement for the whole of 1992. The Parties agreed that this Agreement in the form of an exchange of letters shall be applied provisionally from 1 January 1992.
4. I should be obliged if you would kindly confirm the acceptance of your Government to the foregoing.’

I have the honour to confirm that my Government is in agreement with the contents of your letter.

Please accept, Sir, the assurance of my highest consideration.

*For the Government of
the Federative Republic of Brazil*

*Appendix 1***'ANNEX II**

(the full product descriptions of the categories listed in this Annex are to be found in Annex I to the Agreement)

COMMUNITY QUANTITATIVE LIMITS

Category	Unit	1992
1	tonnes	8 748
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REGIONAL LIMITS

Category	Unit	1992
4	1 000 pieces	F 116
		I 1 278
		UK 821
13	1 000 pieces	ES 95
		PT 16'

Exchange of notes between the Commission of the European Communities and the Federative Republic of Brazil

Note from the Commission

The Directorate-General for External Relations of the Commission of the European Communities presents its compliments to the Mission of the Federative Republic of Brazil with the European Communities and has the honour to refer to the Agreement on trade in textile products negotiated between the Federative Republic of Brazil and the Community, initialled on 12 September 1986 and applied since 1 January 1987, as extended by the exchange of letters initialled on 20 December 1991.

The Directorate-General wishes to inform the Mission that whilst awaiting the completion of the necessary procedures for the conclusion and the coming into force of the extended Agreement, the Community is prepared to allow the provisions of the Agreement to apply *de facto* from 1 January 1992. This is on the understanding that either Party may at any time terminate this *de facto* application of the extended Agreement provided that 60 days' notice is given.

The Directorate-General for External Relations would be grateful if the Mission would confirm its agreement to the foregoing.

The Directorate-General for External Relations avails itself of this opportunity to renew to the Mission of the Federative Republic of Brazil to the European Communities the assurance of its highest consideration.

Note from Brazil

The Mission of the Federative Republic of Brazil to the European Communities presents its compliments to the Directorate-General for External Relations of the Commission of the European Communities and has the honour to refer to the Directorate-General's note regarding the Agreement on trade in textile products negotiated between the Federative Republic of Brazil and the Community, initialled on 12 September 1986 and applied since 1 January 1987, as extended by the exchange of letters initialled on 20 December 1991.

The Mission wishes to confirm to the Directorate General that whilst awaiting the completion of the necessary procedures for the conclusion and the coming into force of the extended Agreement, the Government of the Federative Republic of Brazil is prepared to allow the provisions of the extended Agreement to apply *de facto* from 1 January 1992. This is on the understanding that either Party may at any time terminate this *de facto* application of the extended Agreement provided that 60 days' notice is given.

The Mission of the Federative Republic of Brazil to the European Communities avails itself of this opportunity to renew to the Directorate-General for External Relations the assurance of its highest consideration.

COMMISSION

COMMISSION DECISION

of 27 November 1991

approving additional aid from Belgium to the coal industry in 1990

(Only the French and Dutch texts are authentic)

(92/115/ECSC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

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

Whereas :

I

In its letters of 4 July and 13 September 1991 the Belgian Government informed the Commission, pursuant to Article 9 (3) of Decision No 2064/86/ECSC, of additional aid to the coal industry. Under that Decision, the Commission must give a ruling on an increase in aid totalling Bfrs 56,62 million to cover operating losses in 1990.

On 13 March 1990 the Commission adopted Decision 90/236/ECSC authorizing aid from Belgium to the coal industry in 1990⁽²⁾.

In this Decision the Commission authorized aid not exceeding Bfrs 2 922,48 million to cover operating losses, with production estimated at 918 100 tonnes.

In its letters of 4 July and 13 September 1991 the Belgian Government informed the Commission that the amount of aid to cover operating losses stated in that Decision would be insufficient to cover the difference between costs and returns with actual coal production of 1 035 800 tonnes.

Compared with the amount of aid authorized by the Commission, the increase for 1990 would be Bfrs 56,62 million, thereby increasing total aid to cover operating losses in the coal industry to Bfrs 2 979,1 million.

The increase in the amount of aid is the result of an increase in production of about 12 % as compared with the volume estimated at the beginning of the year. In view of the improvement in the rate of utilization of the available production capacity, the aid per tonne produced has fallen by 10 % compared with aid authorized.

The aid concerned will have dropped by about 55 % by 31 December 1990 compared with the 1989 figure.

The decreasing levels of aid which the Belgian Government intends to grant, its temporary nature and the implementation of a clearly defined restructuring plan are in accordance with the conditions of application of Decision No 2064/86/ECSC.

The aid to cover operating losses will facilitate continuation of the restructuring programme for the Campine coalfield, as decided by Ministerial Decree in January 1987. The total aid will cover no more than 85 %, for each tonne produced in 1990, of the difference between costs and returns and therefore complies with the provisions of Article 3 (1) of the Decision.

This aid contributes to solving the social and regional problems related to the developments in the coal industry, in accordance with the third indent of Article 2 (1) of the Decision.

II

The additional aid to be granted by the Belgian Government to the coal industry for 1990 is therefore compatible with the proper functioning of the common market.

⁽¹⁾ OJ No L 177, 1. 7. 1986, p. 1.

⁽²⁾ OJ No L 133, 24. 5. 1990, p. 89.

This Decision is without prejudice to the compatibility with the Treaties of the rules governing sales of Belgian coal to electricity producers.

Pursuant to Article 11 (2) of the Decision, the Commission must ensure that the direct aid to current production which it approves is used exclusively for the purposes set out in Articles 3 to 6 thereof. The Commission must therefore be informed of the amount actually paid,

HAS ADOPTED THIS DECISION:

Article 1

The Belgian Government is hereby authorized to grant additional aid totalling Bfrs 56,62 million to the Belgian coal industry for the year 1990, to cover operating losses,

increasing the total amount of aid for 1990 to Bfrs 2 979,1 million.

Article 2

The Belgian Government shall inform the Commission not later than 31 December 1991 of the actual amount of aid paid in 1990.

Article 3

This Decision is addressed to the Kingdom of Belgium.

Done at Brussels, 27 November 1991.

For the Commission

António CARDOSO E CUNHA

Member of the Commission

DECISION NO 7/91 OF THE EEC-ANDORRA JOINT COMMITTEE
of 31 December 1991

introducing a derogation from the definition of 'originating products' to take into account the specific situation of the Principality of Andorra regarding its output of certain processed agricultural products

(92/116/EEC)

THE JOINT COMMITTEE,

Having regard to the Agreement in the form of an exchange of letters between the European Economic Community and the Principality of Andorra, and in particular Article No 17 (8) thereof,

Whereas in accordance with Article 11 of the Agreement the rules of origin and method of administrative cooperation applicable to the importation into the Community of products covered by Chapters 1 to 24 of the Harmonized System and originating in Andorra are set out in the Appendix; whereas part of the output of certain processed agricultural products does not comply with these rules of origin; whereas, within certain annual limits, there should be a derogation from the definition of originating products as it applies to certain processed agricultural products in order to safeguard the trade in these products which existed long before the entry into force of the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

By way of derogation from the origin rules set out in Article 1 of the Appendix to the Agreement and subject to the conditions of this Decision, products covered by the Annex to this Decision and manufactured in Andorra from non-originating products shall be considered as originating in Andorra.

Article 2

The derogation provided for in Article 1 shall apply to the annual quantities and the finished products set out in the Annex and exported from Andorra in the period from 1 July of one year to 30 June of the next.

Article 3

1. By way of derogation from Article 2 (1) (b) of the Appendix to the Agreement, products which have obtained their origin in Andorra by virtue of this Decision shall be accompanied by a EUR. 1 movement certificate.
2. The Andorran customs authorities shall monitor the quantities of exports covered by Article 2 and send the Commission a quarterly statement of the quantities for which EUR. 1 movement certificates have been completed on the basis of this Decision.

Article 4

This Decision shall apply from 1 July 1991.

Done at Andorra-la-Vella, 31 December 1991.

For the Joint Committee

The Chairman

Jaume BARTUMEU CASSANY

ANNEX

CN code	Description of the goods	Annual quantity (kg)
1704	Sugar confectionery (including white chocolate), not containing cocoa :	
1704 90 51	— Pastes, including marzipan, in immediate packings of a net content of 1 kg or more	5 000
1704 90 75	— Toffees, caramels and similar sweets	500
1806	Chocolate and other food preparations containing cocoa :	
ex 1806 31 00	— Other preparations containing cocoa in blocks, slabs or bars :	
ex 1806 32	— — Almond paste, coated in chocolate and ganache	500
1905	Bread, pastry, cakes, biscuits and other bakers' wares, whether or not containing cocoa :	
ex 1905 30 59	— Sweet biscuits of the type known as 'Madeleines'	80 000

DECISION No 8/91 OF THE EEC-ANDORRA JOINT COMMITTEE**of 31 December 1991****amending the amounts expressed in ecus referred to in Article 2 of the Appendix concerning the definition of 'originating products' and methods of administrative cooperation**

(92/117/EEC)

THE JOINT COMMITTEE,

Having regard to the Agreement in the form of an exchange of letters between the European Economic Community and the Principality of Andorra, and in particular Article 17 (8) thereof,

Whereas to take account of currency movements it is necessary to amend the amounts expressed in ecus referred to in Article 2 of the Appendix concerning the definition of 'originating products' and methods of administrative cooperation,

1. In paragraph 1 (b) of Article 2, 'ECU 2 820' is replaced by 'ECU 3 000';
2. In paragraph 2 (a) of Article 2, 'ECU 200' is replaced by 'ECU 215';
3. In paragraph 2 (b) of Article 2, 'ECU 565' is replaced by 'ECU 600'.

Article 2

This Decision shall apply with effect from 1 July 1991.

HAS DECIDED AS FOLLOWS:

Done at Andorra-la-Vella, 31 December 1991.

Article 1

The Appendix concerning the definition of 'originating products' and methods of administrative cooperation is amended as follows:

For the Joint Committee
JAUME BARTUMEU CASSANY
The Chairman

CORRIGENDA

**Corrigendum to Commission Regulation (EEC) No 257/92 of 3 February 1992 amending
Regulation (EEC) No 685/69 on detailed rules of application for intervention on the market
in butter and cream**

(Official Journal of the European Communities No L 28 of 4 February 1992)

On page 5 in Article 1 (2), first indent :

for: '... and 1 February of the following year',

read: '... and the last day of February of the following year'.
