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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 650/92

of 16 March 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 594/92⁽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 13 March 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 594/92 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 17 March 1992.

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

Done at Brussels, 16 March 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 64, 10. 3. 1992, p. 4.

ANNEX

to the Commission Regulation of 16 March 1992 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Levy (°)
0709 90 60	127,04 (°) (°)
0712 90 19	127,04 (°) (°)
1001 10 10	164,05 (°) (°) (°)
1001 10 90	164,05 (°) (°) (°)
1001 90 91	142,05
1001 90 99	142,05 (°)
1002 00 00	163,00 (°)
1003 00 10	141,70
1003 00 90	141,70 (°)
1004 00 10	121,00
1004 00 90	121,00
1005 10 90	127,04 (°) (°)
1005 90 00	127,04 (°) (°)
1007 00 90	137,86 (°)
1008 10 00	52,13 (°)
1008 20 00	122,48 (°)
1008 30 00	63,01 (°)
1008 90 10	(°)
1008 90 90	63,01
1101 00 00	211,16 (°) (°)
1102 10 00	240,45 (°)
1103 11 10	267,55 (°) (°)
1103 11 90	227,47 (°)

(°) 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.

(°) Products falling within this code, imported from Poland, Czechoslovakia or Hungary under the Interim Agreements concluded between those countries and the Community, and in respect of which EUR.1 certificates issued in accordance with Regulation (EEC) No 585/92 have been presented, are subject to the levies set out in the Annex to that Regulation.

COMMISSION REGULATION (EEC) No 651/92

of 16 March 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 13 March 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 17 March 1992.

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

Done at Brussels, 16 March 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 16 March 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 3	1st period 4	2nd period 5	3rd period 6
0709 90 60	0	2,75	2,75	4,22
0712 90 19	0	2,75	2,75	4,22
1001 10 10	0	5,64	5,64	5,64
1001 10 90	0	5,64	5,64	5,64
1001 90 91	0	3,21	3,21	3,21
1001 90 99	0	3,21	3,21	3,21
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	2,75	2,75	4,22
1005 90 00	0	2,75	2,75	4,22
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	4,50	4,50	4,50

B. Malt*(ECU/tonne)*

CN code	Current 3	1st period 4	2nd period 5	3rd period 6	4th period 7
1107 10 11	0	5,71	5,71	5,71	5,71
1107 10 19	0	4,27	4,27	4,27	4,27
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 652/92

of 16 March 1992

amending Commission Regulation (EEC) No 147/91 defining and fixing the tolerance for quantity losses of agricultural products in public intervention storage

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

Having regard to Council Regulation (EEC) No 3472/90 of 27 November 1990 laying down the factors to be taken into consideration in the annual accounts for the financing of intervention measures in the form of public storage by the European Agricultural Guidance and Guarantee Fund (EAGGF), Guarantee Section⁽¹⁾, and in particular Article 4 thereof,

Whereas given the time necessary for processing leaf tobacco into processed tobacco it is possible that at the end of the financial year some quantities will still be undergoing processing; whereas, for the purpose of calculating allowable losses, the percentage must apply to all the quantities processed during the financial year, including those brought into use during the previous financial year;

Whereas it is therefore necessary to amend Commission Regulation (EEC) No 147/91⁽²⁾ Article 2 (2) second paragraph to clarify the method of application of the specific coefficient for tobacco in circumstances where processing is undertaken and concluded during different exercises;

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

HAS ADOPTED THIS REGULATION:

Article 1

The following text is added to the second subparagraph of Article 2 (2) of Regulation (EEC) No 147/91:

'Moreover in the case of tobacco processing the percentage shall apply to the total quantities brought into use and processed in the course of the exercise in addition to the quantities brought into use during the previous exercise and processed during the current exercise'.

Article 2

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

It shall apply from 1 January 1990.

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

Done at Brussels, 16 March 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 337, 4. 12. 1990, p. 3.

⁽²⁾ OJ No L 17, 23. 1. 1991, p. 9.

COMMISSION REGULATION (EEC) No 653/92

of 16 March 1992

on the unit of account and the conversion rate to be applied to tenders
submitted in response to invitations to tender

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European
Economic Community,

Article 1

Having regard to Council Regulation (EEC) No 1676/85
of 11 June 1985 on the value of the unit of account and
the conversion rates to be applied for the purposes of the
common agricultural policy ⁽¹⁾, as last amended by Regu-
lation (EEC) No 2205/90 ⁽²⁾, and in particular Articles 2
(4), and 12 thereof,

Amounts quoted in tenders submitted in response to invi-
tations to tender organized under an instrument forming
part of the common agricultural policy shall, with the
exception of amounts the Community contribution to
which is financed from the EAGGF Guidance Section, be
expressed in ecus.

Whereas, in order to encourage use of the ecu and to
simplify and harmonize administrative procedures,
tenders in response to invitations to tender organized in
the framework of the common agricultural policy should
be submitted in ecus, account being taken of the correc-
ting factor referred to in Article 2 (2) of Regulation (EEC)
No 1676/85; whereas, however, account should be taken
of the special provisions which apply to amounts financed
by the EAGGF Guidance Section;

Amounts quoted in tenders accepted shall be expressed in
ecu in certificates or other documents specifying the
same.

The value of the ecu as referred to in this Article shall be
determined in accordance with Articles 1, 2 and, where
applicable, 3 of Regulation (EEC) No 1676/85.

Whereas, in order to ensure equivalent conditions of
competition for invitations to tender providing for the
obligation to export the products concerned to third
countries, it should be laid down that no monetary
compensatory amounts may be applied to exports of
products obtained from intervention stocks and that the
amounts quoted in tenders accepted must be converted
into ecus using the representative market rate;

Article 2

Notwithstanding the general application of the agricul-
tural conversion rate provided for in Article 2 of Regula-
tion (EEC) No 1676/85 and without prejudice to measures
adopted in specific cases pursuant to Article 2 (4) or 3 (2)
of the said Regulation, where tenders submitted in
response to an invitation to tender concern one or more
of the following only:

Whereas, in order to avoid the risk of market distortion of
monetary origin, particularly in invitations to tender rela-
ting to certain processing, storage or transport costs,
Article 2 (4) of Regulation (EEC) No 1676/85 provides for
the possibility of a derogation from the agricultural
conversion rate; whereas in such cases the exchange rate
to be used should be stated;

- selling prices, entailing an obligation to export to
third countries, of products in intervention stocks,
- processing, storage or transport costs in the case of
products from intervention stocks made available free
of charge to the successful tenderer,

Whereas the conversion rate used to convert the securities
required under invitations to tender must be close to that
used for amounts quoted in tenders;

the exchange rate to be used for converting into national
currency amounts quoted in tenders accepted shall be the
representative market rate referred to in Article 3a of
Commission Regulation (EEC) No 3152/85 ⁽³⁾.

Whereas the measures provided for in this Regulation are
in accordance with the opinions of the Management
Committees concerned,

The monetary compensatory amounts shall not apply to
exports to third countries and, where applicable, refunds
shall be converted at the representative market rate.

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽²⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽³⁾ OJ No L 310, 21. 11. 1985, p. 1.

Article 3

Tendering and performance securities fixed in the framework of an invitation to tender shall be converted into national currency using:

- the representative market rate in the cases referred to in Article 2,
- the agricultural conversion rate in other cases.

Article 4

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

It shall apply from a date to be determined for each sector in the Regulations on invitations to tender.

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

Done at Brussels, 16 March 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 654/92**of 16 March 1992****fixing for the 1992 marketing year the reference prices for aubergines**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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 Article 27 (1) thereof,

Whereas, pursuant to Article 23 (1) of Regulation (EEC) No 1035/72, reference prices valid for the whole Community are to be fixed at the beginning of the marketing year;

Whereas aubergines are produced in such quantities in the Community that reference prices should be fixed for them;

Whereas aubergines harvested during a given crop year are marketed from January to December; whereas the quantities harvested from 1 January to 31 March and in November and December are so small that there is no need to fix reference prices for these periods; whereas reference prices should be fixed only for the period 1 April to 31 October inclusive;

Whereas Article 23 (2) (b) of Regulation (EEC) No 1035/72 stipulates that reference prices are to be fixed at the same level as for the preceding marketing year, adjusted, after deducting the standard cost of transporting Community products between production areas and Community consumption centres in the preceding year, by:

- the increase in production costs for fruit and vegetables, less productivity growth, and
- the standard rate of transport costs in the current marketing year;

Whereas the resulting figure may nevertheless not exceed the arithmetic mean of producer prices in each Member State plus transport costs for the current year, after this amount has been increased by the rise in production costs

less productivity growth; whereas the reference price may, however, not be lower than in the preceding marketing year;

Whereas, to take seasonal price variations into account, the marketing year should be divided into several periods and a reference price fixed for each of these periods;

Whereas producer prices are to correspond to the average of the prices recorded on the representative market or markets situated in the production areas where prices are lowest, during the three years prior to the date on which the reference price is fixed, for a home-grown product with defined commercial characteristics, being a product or variety representing a substantial proportion of the production marketed over the year or over part thereof and satisfying specified requirements as regards market preparation; whereas, when the average of prices recorded on each representative market is being calculated, prices which could be considered excessively high or excessively low in relation to normal price fluctuations on that market are to be disregarded;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1992 marketing year, the reference prices for aubergines (CN code 0709 30 00), expressed in ecus per 100 kilograms net of packed products of class I, of all sizes, shall be as follows:

— April :	87,72,
— May :	82,00,
— June :	78,58,
— July :	69,85,
— August :	46,72,
— September :	50,09,
— October :	54,13.

Article 2

This Regulation shall enter into force on 1 April 1992.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 150, 15. 6. 1991, p. 8.

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

Done at Brussels, 16 March 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 655/92**of 16 March 1992****fixing for the 1992 marketing year the reference prices for tomatoes**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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 Article 27 (1) thereof,

Whereas, pursuant to Article 23 (1) of Regulation (EEC) No 1035/72, reference prices valid for the whole Community are to be fixed at the beginning of the marketing year;

Whereas tomatoes are produced in such quantities in the Community that reference prices should be fixed for them;

Whereas tomatoes harvested during a given crop year are marketed from January to December; whereas the quantities harvested from January to March and during the last 10 days of December are so small that there is no need to fix reference prices for the whole year; whereas reference prices should therefore be fixed only for the period 1 April up to and including 20 December;

Whereas, Article 23 (2) (b) of Regulation (EEC) No 1035/72 stipulates that reference prices are to be fixed at the same level as for the preceding marketing year, adjusted, after deducting the standard cost of transporting Community products between production areas and Community consumption centres in the preceding year, by:

- the increase in production costs for fruit and vegetables, less productivity growth, and
- the standard rate of transport costs in the current marketing year;

Whereas the resulting figure may nevertheless not exceed the arithmetic mean of producer prices in each Member State plus transport costs for the current year, after this

amount has been increased by the rise in production costs less productivity growth; whereas the reference price may, however, not be lower than in the preceding marketing year;

Whereas, to take seasonal variations into account, the year should be divided into several periods and a reference price fixed for each of these periods;

Whereas producer prices are to correspond to the average of the prices recorded on the representative market or markets situated in the production areas where prices are lowest during the three years prior to the date on which the reference price is fixed, for a home-grown product with defined commercial characteristics, being a product or variety representing a substantial proportion of the production marketed over the year or over part thereof and satisfying specified requirements as regards market preparation; whereas, when the average of prices recorded on each representative market is being calculated, prices which could be considered excessively high or excessively low in relation to normal price fluctuations on that market are to be disregarded;

Whereas, up to 10 July, Community-produced tomatoes are grown mainly under glass; whereas the reference prices for this period of the marketing year must therefore be fixed for a product of that type; whereas tomatoes imported from certain third countries during the same period will have been grown in the open; whereas, although such tomatoes may be classed in class I, their quality and price are not comparable with those of products grown under glass; whereas the prices for tomatoes not grown under glass should therefore be adjusted by a conversion factor;

Whereas, from October to December inclusive, tomatoes imported from certain third countries are cultivated under glass; whereas a conversion factor should also be applied to the prices of these tomatoes to make them comparable with the reference prices which are during this period calculated on the basis of prices of Community products cultivated in the open;

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

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 150, 15. 6. 1991, p. 8.

HAS ADOPTED THIS REGULATION:

Article 1

1. For the 1992 marketing year, the reference prices for tomatoes (CN code 0702 00), expressed in ecus per 100 kg net of packed products of class I, of all sizes, shall be as follows:

— April:	197,27,
— May:	136,75,
— 1 June to 10 July:	99,96,
— 11 July to 31 August:	41,90,
— September:	44,99,
— 1 October to 20 December:	46,47.

2. For the purpose of calculating the entry price:

(a) the prices for tomatoes not produced under glass, imported from third countries, shall, after deduction of customs duties, be multiplied:

- for April, by a conversion factor of 1,80,
- for May, by a conversion factor of 1,70,
- from 1 June to 10 July by a conversion factor of 1,65;

(b) the price for tomatoes produced under glass and imported from third countries shall, after deduction of customs duties, be multiplied by a conversion factor of 0,65 from 1 October to 20 December.

Article 2

This Regulation shall enter into force on 1 April 1992.

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

Done at Brussels, 16 March 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 656/92

of 16 March 1992

fixing for the 1992 marketing year the reference prices for courgettes

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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 Article 27 (1) thereof,

Whereas, pursuant to Article 23 (1) of Regulation (EEC) No 1035/72, reference prices valid for the whole Community are to be fixed at the beginning of the marketing year;

Whereas courgettes are produced in such quantities in the Community that reference prices should be fixed for them;

Whereas courgettes harvested during a given crop year are marketed from January to December; whereas the quantities harvested from 1 January to 20 April and in October, November and December are so small that there is no need to fix reference prices for these periods; whereas reference prices should be fixed only for the period 21 April up to and including 30 September;

Whereas Article 23 (2) (b) of Regulation (EEC) No 1035/72 stipulates that reference prices are to be fixed at the same level as for the preceding marketing year, adjusted, after deducting the standard cost of transporting Community products between production areas and Community consumption centres in the preceding year, by:

- the increase in production costs for fruit and vegetables, less productivity growth, and
- the standard rate of transport costs in the current marketing year;

Whereas the resulting figure may nevertheless not exceed the arithmetic mean of producer prices in each Member State plus transport costs for the current year, after this amount has been increased by the rise in production costs less productivity growth; whereas the reference price may,

however, not be lower than in the preceding marketing year;

Whereas, to take seasonal price variations into account, the marketing year should be divided into several periods and a reference price fixed for each of these periods;

Whereas producer prices are to correspond to the average of the prices recorded on the representative market or markets situated in the production areas where prices are lowest, during the three years prior to the date on which the reference price is fixed, for a home-grown product with defined commercial characteristics, being a product or variety representing a substantial proportion of the production marketed over the year or over part thereof and satisfying specified requirements as regards market preparation; whereas, when the average of prices recorded on each representative market is being calculated, prices which could be considered excessively high or excessively low in relation to normal price fluctuations on that market are to be disregarded;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1992 marketing year, the reference prices for courgettes falling within CN code 0709 90 70, expressed in ecu per 100 kilograms net of packed products of class I, of all sizes, shall be as follows:

— April (21 to 30):	71,79,
— May:	63,12,
— June:	42,18,
— July:	38,56,
— August:	44,91,
— September:	49,60.

Article 2

This Regulation shall enter into force on 21 April 1992.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 150, 15. 6. 1991, p. 8.

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

Done at Brussels, 16 March 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 657/92
of 16 March 1992

amending Regulation (EEC) No 3743/91 laying down detailed rules for the application of the import arrangements provided for by Council Regulations (EEC) No 3668/91 and (EEC) No 3669/91 in the beef and veal sectors, and Regulation (EEC) No 3744/91 laying down detailed rules for the application of import arrangements provided for in Council Regulation (EEC) No 3670/91 for frozen thin skirt of bovine animals

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

Having regard to Council Regulation (EEC) No 3668/91 of 11 December 1991 opening a Community tariff quota for high-quality fresh, chilled or frozen meat of bovine animals falling within CN codes 0201 and 0202 for products falling within CN codes 0206 10 95 and 0206 29 91 (1992) (1), and in particular Article 2 thereof,

Having regard to Council Regulation (EEC) No 3669/91 of 11 December 1991 opening a Community tariff quota for frozen buffalo meat falling within CN code 0202 30 90 (1992) (2), and in particular Article 2 thereof,

Having regard to Council Regulation (EEC) No 3670/91 of 11 December 1991 opening a Community tariff quota for frozen thin skirt of bovine animals falling within CN code 0206 29 91 (1992) (3), and in particular Article 2 thereof,

Whereas Argentina has changed the authority empowered to issue certificates of authenticity; whereas Annex II to Commission Regulations (EEC) No 3743/91 (4) and (EEC)

No 3744/91 (5) should accordingly be modified by details of the authority of Argentina now empowered to issue certificates of authenticity;

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

In Annex II of Regulations (EEC) No 3743/91 and (EEC) No 3744/91 'Junta nacional de carnes' is replaced by 'Secretaría de agricultura, ganadería y pesca'.

Article 2

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

It shall apply with effect from 1 April 1992.

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

Done at Brussels, 16 March 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

(1) OJ No L 349, 18. 12. 1991, p. 3.

(2) OJ No L 349, 18. 12. 1991, p. 4.

(3) OJ No L 349, 18. 12. 1991, p. 5.

(4) OJ No L 352, 21. 12. 1991, p. 36.

(5) OJ No L 352, 21. 12. 1991, p. 42.

COMMISSION REGULATION (EEC) No 658/92

of 16 March 1992

correcting the Danish version of Regulations (EEC) No 778/83, (EEC) No 2213/83, (EEC) No 899/87, (EEC) No 1591/87, (EEC) No 1730/87, (EEC) No 79/88 and (EEC) No 920/89 as regards the provisions concerning marketing in quality standards for certain fresh fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION :

Having regard to the Treaty establishing the European Economic Community,

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 Article 2 (3) thereof,

Whereas, Commission Regulations (EEC) No 778/83⁽³⁾, (EEC) No 2213/83⁽⁴⁾, (EEC) No 899/87⁽⁵⁾, (EEC) No 1591/87⁽⁶⁾, (EEC) No 1730/87⁽⁷⁾, (EEC) No 79/88⁽⁸⁾ and (EEC) No 920/89⁽⁹⁾ lay down the quality standards for tomatoes, onions, witloof chicory, cherries, strawberries, headed cabbage, Brussels sprouts, ribbed celeriac, spinach, plums, table grapes, lettuce, curled leaved and broad leaved (Batavian) endives, sweet pepper, carrots and apples and pears;

Whereas, a linguistic error has slipped into the Danish version of these standards in title VI 'Provisions concerning marking', only providing for marking of the whole-sale package instead of each individual package; whereas, the said Regulations should be corrected accordingly;

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

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

Done at Brussels, 16 March 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

Article 1

A correction is hereby made in the introductory paragraph of title VI 'Provisions concerning marking' in the Annex to Regulation (EEC) No 778/83, in Annexes I and II to Regulation (EEC) No 2213/83, in Annexes I and II to Regulation (EEC) No 899/87, in Annexes I, II, III, IV and V to Regulation (EEC) No 1591/87, in the Annex to Regulation (EEC) No 1703/87, in Annexes I and II to Regulation (EEC) No 79/88 and in Annexes I and III to Regulation (EEC) No 920/89.

(Only concerns the Danish version).

Article 2

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

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 150, 15. 6. 1991, p. 8.

⁽³⁾ OJ No L 86, 31. 3. 1983, p. 14.

⁽⁴⁾ OJ No L 213, 4. 8. 1983, p. 13.

⁽⁵⁾ OJ No L 88, 31. 3. 1987, p. 17.

⁽⁶⁾ OJ No L 146, 6. 6. 1987, p. 36.

⁽⁷⁾ OJ No L 163, 23. 6. 1987, p. 25.

⁽⁸⁾ OJ No L 10, 14. 1. 1988, p. 8.

⁽⁹⁾ OJ No L 97, 11. 4. 1989, p. 19.

COMMISSION REGULATION (EEC) No 659/92

of 16 March 1992

fixing for the 1991/92 marketing year the average world market price and the indicative yield for linseed

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 569/76 of 15 March 1976 laying down special measures for linseed⁽¹⁾, as last amended by Regulation (EEC) No 4003/87⁽²⁾, and in particular Article 2 (4) thereof,

Whereas an average world market price for linseed must be determined each year according to the criteria laid down in Council Regulation (EEC) No 1774/76 of 20 July 1976 on special measures for linseed⁽³⁾;

Whereas Article 4 of Commission Regulation (EEC) No 1799/76 of 22 July 1976 laying down detailed rules for the application of special measures in respect of linseed⁽⁴⁾, as last amended by Regulation (EEC) No 3633/91⁽⁵⁾, provides that this average price is to be the arithmetic mean of the world market prices as referred to in that Article and recorded each week over a representative period;

Whereas the most representative period for the marketing of Community linseed may be taken to be that from 2 September 1991 to 7 February 1992; whereas this is therefore the period to be taken into account;

Whereas the application of all these provisions produces the average world market price for linseed specified below;

Whereas Article 2 (2) of Regulation (EEC) No 569/76 provides that the subsidy is to be granted for a production figure obtained by applying an indicative yield to the areas sown and harvested; whereas that yield must be

determined by applying the criteria laid down in Regulation (EEC) No 569/76 and (EEC) No 1774/76;

Whereas, in accordance with Article 17 (1) of Regulation (EEC) No 1799/76, the producer Member States have supplied the Commission with the results of the sampling, carried out pursuant to Article 2a (2) of that Regulation, regarding the yields per hectare of seed harvested from each of the types of flax referred to in Articles 7a and 10a of the said Regulation in the homogeneous production areas; whereas, on the basis of those results, the indicative yield for linseed should be that specified below;

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

For the 1991/92 marketing year, the average world market price for linseed shall be ECU 13,025 per 100 kilograms.

Article 2

For the 1991/92 marketing year, the indicative yields for linseed and the relevant production zones shall be as specified in the Annex.

Article 3

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

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

Done at Brussels, 16 March 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 67, 15. 3. 1976, p. 29.

⁽²⁾ OJ No L 377, 31. 12. 1987, p. 46.

⁽³⁾ OJ No L 199, 24. 7. 1976, p. 1.

⁽⁴⁾ OJ No L 201, 27. 7. 1976, p. 14.

⁽⁵⁾ OJ No L 344, 14. 12. 1991, p. 45.

ANNEX

Indicative yields (kilograms per hectare) and relevant production areas

I. FIBRE FLAX

	Retted but not de-seeded	Other
Area I: The following Dutch areas: IJsselmeerpolders, Droogmakerijen Noord-Holland and Noordelijk Kleigebied	1 368	1 623
Area II: 1. Other areas of the Netherlands 2. The following Belgian communes: Assenede, Beveren-Waas, Blankenberge, Bredene, Brugge, Damme, De Haan, De Panne, Diksmuide (with the exception of Vladslo and Woumen), Gistel, Jabbeke, Knokke-Heist, Koksijde, Lo-Reninge, Middelkerke, Nieuwpoort, Oostende, Oudenburg, Sint-Gillis-Waas (only Meerdonk), Sint-Laureins, Veurne and Zuienkerke	1 262	1 493
Area III: 1. Other areas of Belgium 2. The following French areas: — the department of Nord, — the arrondissements of Béthune, Lens, Calais, St Omer and the canton of Marquise in the department of Pas-de-Calais, — the arrondissements of Saint-Quentin and Vervins in the department of Aisne, — the arrondissement of Charleville-Mézières in the department of Ardennes	1 081	1 272
Area IV: 1. The Federal Republic of Germany 2. United Kingdom	1 200	1 424
Area V: The following French areas: — the arrondissements of Arras, Boulogne-sur-Mer with the exception of the canton of Marquise, Montreuil in the department of Pas-de-Calais, — the department of Somme, — the arrondissements of Beauvais, Clermont and Compiègne in the department of Oise	936	1 108
Area VI: The following French areas: — the arrondissements of Rethel, Sedan, Vouziers, in the department of Ardennes, — the arrondissements of Laon, Soissons, Château-Thierry in the department of Aisne, — the department of Marne, — the arrondissement of Senlis in the department of Oise, — the departments of Seine-et-Marne, Essonne, Yvelines, Val-d'Oise, Hauts-de-Seine, Seine-St-Denis, Val-de-Marne, Eure-et-Loir, Loir-et-Cher and Sarthe, — the arrondissements of Alençon and Mortagne-au-Perche in the department of Orne	1 080	1 195
Area VII: Other areas of France	968	1 170
Area VIII: Other areas of the Community	631	934

II. SEED FLAX

Area I:	2 364
The Netherlands and Belgium	
Area II:	2 066
Ireland	
Area III:	1 773
United Kingdom	
Area IV:	1 161
The Federal Republic of Germany	
Area V:	1 593
France	
Area VI:	1 062
Italy	
Area VII:	491
Other areas of the Community	

COMMISSION REGULATION (EEC) No 660/92
of 13 March 1992
on the supply of various consignments of cereals as food aid

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

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

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

Whereas following the taking of a number of decisions on the allocation of food aid the Commission has allocated to certain countries and beneficiary organizations 20 000 tonnes of cereals;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

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

Article 2

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

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

Done at Brussels, 13 March 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 174, 7. 7. 1990, p. 6.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

⁽⁵⁾ OJ No L 81, 28. 3. 1991, p. 108.

ANNEX**LOT A**

- 1. Operation Nos⁽¹⁾: 1036/91**
- 2. Programme : 1991**
- 3. Recipient⁽²⁾: Ministry of Planning and Development, P O Box 175, Sanaa, Republic of Yemen**
- 4. Representative of the recipient⁽²⁾:**
 - in Europe : Embassy of the Republic of Yemen, 30 rue Tenbosch, 1050 Brussels ; tel. : 646 29 11, fax 646 52 90 ;
 - in Yemen : General Corporation for Foreign Trade, Mr Qasem Al Sabri, General Manager, P O Box 710, Sanaa, Republic of Yemen, tel. 967 1 207572 and 207571, telex 2348, 2349, 2262 FT Corp, telefax 967 1 209511 and 209542
- 5. Place or country of destination : Republic of Yemen**
- 6. Product to be mobilized : common wheat flour**
- 7. Characteristics and quality of the goods⁽³⁾ : see OJ No C 114, 29. 4. 1991, p. 1 (under II.B.I.(a))**
- 8. Total quantity : 14 600 tonnes (20 000 tonnes of cereals)**
- 9. Number of lots : one**
- 10. Packaging and marking⁽⁴⁾ : see OJ No C 114, 29. 4. 1991, p. 1. (under II.B.2.(a) and II.B.3)**
 - Markings in English
- 11. Method of mobilization : the Community market**
- 12. Stage of supply : free at port of landing — landed**
- 13. Port of shipment : —**
- 14. Port of landing specified by the recipient : —**
- 15. Port of landing : Hodeidah**
- 16. Address of the warehouse and, if appropriate, port of landing : —**
- 17. Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage : 20. 4 — 10. 5. 1992**
- 18. Deadline for the supply : 31. 5. 1992**
- 19. Procedure for determining the costs of supply : tendering**
- 20. Date of expiry of the period allowed for submission of tenders : 12 noon on 31. 3. 1992**
- 21 A. In the case of a second invitation to tender :**
 - (a) deadline for the submission of tenders : 12 noon on 14. 4. 1992
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage : 5 — 25. 5. 1992
 - (c) deadline for the supply : 15. 6. 1992

B. In the case of a third invitation to tender :

- (a) deadline for the submission of tenders : 12 noon on 28. 4. 1992
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage : 20. 5. — 10. 6. 1992
 - (c) deadline for the supply : 30. 6. 1992
22. Amount of the tendering security : ECU 5 per tonne
23. Amount of the delivery security : 10 % of the amount of the tender in ecus
24. Address for submission of tenders ⁽¹⁾ : Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, Bâtiment Loi 120, bureau 7/46, 200 rue de la Loi, B-1049 Bruxelles (telex 22037 AGREC B or 25670 AGREC B)
25. Refund payable on request by the successful tenderer ⁽²⁾ : refund applicable on 1. 3. 1992 fixed by Commission Regulation (EEC) No 491/92 (OJ No L 55, 28. 2. 1992, p. 38)

Notes :

- ⁽¹⁾ The operation number is to be quoted in all correspondence.
- ⁽²⁾ Commission delegate to be contacted by the successful tenderer :
see list published in OJ No C 114, 29. 4. 1991, p. 34 (Jordan).
- ⁽³⁾ The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.
The radioactivity certificate must indicate the caesium-134 and -137 and iodine 131 levels.
The successful tenderer shall supply to the beneficiary or its representative, on delivery a phytosanitary certificate.
- ⁽⁴⁾ Since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.
- ⁽⁵⁾ In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of this Annex, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably :
 - either by porter at the office referred to in point 24 of this Annex,
 - or by telecopier on one of the following numbers in Brussels :
 - 235 01 30,
 - 235 01 32,
 - 236 10 97,
 - 236 20 05,
 - 236 33 04.
- ⁽⁶⁾ Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56) is applicable as regards the export refund and, where appropriate, the monetary and accession compensatory amounts, the representative rate and the monetary coefficient. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 25 of this Annex.
- ⁽⁷⁾ The successful tenderer shall contact the recipient as soon as possible to establish which consignment documents are required and how they are to be distributed.

COMMISSION REGULATION (EEC) No 661/92**of 16 March 1992****fixing the difference in white sugar prices to be used in calculating the levy for processed fruit and vegetable products and for wine**

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

Having regard to Council Regulation (EEC) No 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1943/91⁽²⁾, and in particular Article 10 (4) thereof,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987, on the common organization of the market in wine⁽³⁾ as last amended by Regulation (EEC) No 1734/91⁽⁴⁾, and in particular Article 55 (3) thereof,

Whereas, in order that the Member States may determine the amount of the levy applicable in respect of the various added sugars to imports of the products listed in Annex III to Regulation (EEC) No 426/86 and of the products falling within CN codes 2009 60 11, 2009 60 71, 2009 60 79 and 2204 30 99 which are listed in Article 1 (2) (a) of Regulation (EEC) No 822/87, it is necessary in accordance with Article 10 (3) of Regulation (EEC) No 426/86 and Article 55 (2) of Regulation (EEC) No 822/87 to determine the difference between, firstly, the average of the threshold prices for one kilogram of white sugar for

each month of the quarter for which the difference is being determined and, secondly, the average of the cif prices for one kilogram of white sugar used in fixing the levies on white sugar, as calculated for a period comprising the first 15 days of the month preceding the quarter for which the difference is being determined and the two months immediately preceding that month; whereas, pursuant to the abovementioned Regulations, this difference must be determined by the Commission for each quarter of the calendar year,

HAS ADOPTED THIS REGULATION:

Article 1

For the period 1 April to 30 June 1992, the difference referred to in Article 10 (3) of Regulation (EEC) No 426/86 and in Article 55 (2) of Regulation (EEC) No 822/87 is fixed at ECU 0,4552.

Article 2

This Regulation shall enter into force on 1 April 1992.

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

Done at Brussels, 16 March 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ OJ No L 175, 4. 7. 1991, p. 1.

⁽³⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽⁴⁾ OJ No L 163, 26. 6. 1991, p. 6.

II

(Acts whose publication is not obligatory)

COMMISSION

FOURTEENTH COMMISSION DIRECTIVE 92/8/EEC

of 18 February 1992

adapting to technical progress Annexes III, IV, VI and VII to Council Directive 76/768/EEC on the approximation of the laws of the Member States relating to cosmetic products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 76/768/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to cosmetic products⁽¹⁾, as last amended by Directive 91/184/EEC⁽²⁾, and in particular Article 8 (2) thereof,

Whereas, on the basis of the available information, the substances, colouring agents, preservatives, and ultraviolet filters whose date of admission expired on 31 December 1991 should continue to be used in cosmetic products for a further six months;

Whereas the measures provided for in this Directive are in accordance with the opinion of the Committee on the Adaptation to Technical Progress of the Directives on the removal of technical barriers to trade in the cosmetic products sector,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 76/768/EEC is hereby amended as follows:

1. In Annex III, Part 2, the date of 31 December 1991 in the 'allowed until' column is replaced by that of 30 June 1992 for the following substance:

2.1,1,1-Trichloroethane (methyl chloroform);

2. In Annex IV, Part 2, the date of 31 December 1991 in the 'allowed until' column is replaced by that of 30 June 1992 for the following numbers and denominations: 26 100, 73 900, 74 189, Solvent Yellow 98 and 15 585;
3. In Annex VI, Part 2, the date of 31 December 1991 in the 'allowed until' column is replaced by that of 30 June 1992 for the following substances:
 2. Chlorphenesin (INN)
 15. Benzethonium chloride (INN) (+)
 16. Benzalkonium chloride (INN), bromide and saccharinate (+)
 20. Hexamidine (INN) and its salts (including isethionate and 4-hydroxybenzoate) (+)
 21. Benzylhemiformal (a 1 : 1 mixture of benzyloxy-methanol and (benzyloxymethoxy) methanol)
 26. Glutaraldehyde
 27. 3-Decyloxy 2-hydroxy-1-amino propane-hydrochloride (Decominol) (INN);

4. In Annex VII, Part 2, the date of 31 December 1991 in the 'allowed until' is replaced by that of 30 June 1992 for the following substances:

1. N-Propoxylated ethyl-4-aminobenzoate (mixed isomers)
2. Ethoxylated ethyl-4-aminobenzoate
4. Glycerol 1-(4-aminobenzoate)
5. 2-Ethylhexyl 4-dimethylaminobenzoate
6. 2-Ethylhexyl salicylate

⁽¹⁾ OJ No L 262, 27. 9. 1976, p. 169.

⁽²⁾ OJ No L 91, 12. 4. 1991, p. 59.

12. Isopentyl-4-methoxycinnamate (mixed isomers)
13. 2-Ethylhexyl 4-methoxycinnamate
16. 2-Hydroxy-4-methoxy-4'-methylbenzophenone (mexenone)
17. 2-Hydroxy-4-methoxybenzophenone-5 sulphonic acid and sodium salt (Sulisobenzone and Sulisobenzone sodium)
24. Alpha-(2-Oxoborn-3-ylidene) toluene-4-sulphonic acid and its salts
25. 3(4'-Methylbenzylidene)-d-1-camphor
26. 3-Benzylidene camphor
28. 4-Isopropyl-dibenzoylmethane
29. 4-Isopropylbenzyl salicylate
31. 1-(4-tert-Butylphenyl)-3-(4-methoxyphenyl) propane-1-3-dione
32. 2,4,6-Trianiino-(p-carbo-2'-ethylhexyl-1'-oxi)-1,3,5-triazine.

Article 2

1. Regardless of the dates of admission mentioned in Article 1, Member States shall take all the necessary measures to ensure that as from 1 July 1992, for the substances referred to in Article 1, neither manufacturers nor importers established in the Community shall place on the market products which do not comply with the requirements of this Directive.

2. Member States shall take the necessary measures to ensure that the products referred to in paragraph 1 con-

taining the substances referred to in Article 1 cannot be sold or otherwise disposed of to the final consumer after 30 June 1993 if they do not comply with the requirements of this Directive.

Article 3

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive no later than 31 December 1992. They shall forthwith inform the Commission thereof.

When the Member States adopt these provisions, these shall contain a reference to this Directive or shall be accompanied by such reference at the time of their official publication. The procedure for such reference shall be adopted by Member States.

2. Member States shall communicate to the Commission the texts of the provisions of national law which they adopt in the field covered by this Directive.

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 18 February 1992.

For the Commission

Karel VAN MIERT

Member of the Commission

COMMISSION DIRECTIVE 92/9/EEC

of 19 February 1992

amending certain Annexes to Council Directive 69/208/EEC on the marketing of seed of oil and fibre plants

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 69/208/EEC of 30 June 1969 on the marketing of seed of oil and fibre plants⁽¹⁾, as last amended by Council Directive 90/654/EEC⁽²⁾, and in particular Article 20a thereof,

Whereas, in the light of the development of scientific and technical knowledge, Annexes I and II to Directive 69/208/EEC should be amended in respect of organisms harmful to soya bean for the reasons set out below;

Whereas, according to present scientific and technical knowledge, *Pseudomonas syringae* pv. *glycinea*, *Diaporthe phaseolorum* var. *caulivora* and var. *sojae*, *Phialophora gregata* and *Phytophthora megasperma* f.sp. *glycinea* have been considered as harmful organisms whose introduction could be prohibited in certain Member States under the Community plant health regime established under Directive 77/93/EEC⁽³⁾, as amended;

Whereas the relevant Annexes to Directive 77/93/EEC are now being amended to take into account the actual spread situation of the organisms concerned;

Whereas, nevertheless, it is desirable to ensure that the abovementioned harmful organisms which may reduce the usefulness of seed should be kept at the lowest possible level;

Whereas in the cases of *Pseudomonas syringae* pv. *glycinea* and *Diaporthe phaseolorum* var. *caulivora* and var. *sojae* it is desirable that appropriate standards applicable to soya bean seed should be laid down in order to maintain the usefulness of the seed despite a certain level of contamination by the said harmful organisms;

Whereas the inert matter in seed lots represents a risk for the spread of *Phialophora gregata* and *Phytophthora megasperma* f.sp. *glycinea*; whereas appropriate standards in respect of the maximum content of inert matter in soya bean seed should be adopted in order to reduce the risk of contamination by the said harmful organisms;

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

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 69/208/EEC is hereby amended as follows:

1. The following sentence is added to paragraph 4 of Annex I:

'In the case of *Glycine max*, this condition is applicable in particular to the organisms *Pseudomonas syringae* pv. *glycinea*, *Diaporthe phaseolorum* var. *caulivora* and var. *sojae*, *Phialophora gregata* and *Phytophthora megasperma* f.sp. *glycinea*.'

2. The following sub-paragraph is added to Section I (3) of Annex II:

'C. Particular standards or other conditions applicable to *Glycine max*:

- (a) In respect of *Pseudomonas syringae* pv. *glycinea*, the maximum number of sub-samples within a sample of 5 000 seeds minimum per lot subdivided into 5 sub-samples which have been found to be contaminated by the said organism shall not exceed 4.

Where suspect colonies are identified in all five subsamples, appropriate biochemical tests on the suspect colonies isolated on a preferential medium for each subsample may be used to confirm the above standards or conditions.

- (b) In respect of *Diaporthe phaseolorum* the maximum number of seeds contaminated shall not exceed 15 %.
- (c) The percentage by weight of inert matter, as defined in accordance with current international testing methods, shall not exceed 0,3 %.

In accordance with the procedure laid down in Article 20, Member States may be authorized not to carry out the examination in respect of the above particular standards or other conditions unless, on the basis of previous experience, there is doubt whether those standards or conditions have been satisfied.'

⁽¹⁾ OJ No L 169, 10. 7. 1969, p. 3.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 48.

⁽³⁾ OJ No L 26, 31. 1. 1977, p. 20.

Article 2

The standards and conditions referred to in Article 1 above shall, where appropriate, be reviewed by 30 June 1995 at the latest.

Article 3

Member States shall bring into force the laws, regulations or administrative provisions necessary to comply with the provisions of this Directive by 30 June 1992 at the latest. They shall forthwith inform the Commission thereof.

When Member States adopt these provisions, these shall contain a reference to this Directive or shall be accompa-

nied by such reference at the time of their official publication. The procedure for such reference shall be adopted by Member States.

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 19 February 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION DIRECTIVE 92/10/EEC

of 19 February 1992

amending certain Annexes to Council Directive 77/93/EEC on protective measures against the introduction into the Member States of organisms harmful to plants or plant products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Member States of harmful organisms of plants or plant products⁽¹⁾, as last amended by Commission Directive 91/661/EEC⁽²⁾, and in particular Article 13, second paragraph, fourth indent thereof,

Whereas, according to present scientific and technical knowledge, *Pseudomonas glycinea*, *Diaporthe phaseolorum* var. *caulivora* and var. *sojae*, *Phialophora gregata* and *Phytophthora megasperma* f.sp. *glycinea*, which are harmful organisms to *Glycine max.* L. Merrill should no longer be considered as harmful organisms whose introduction may be prohibited in certain Member States; whereas it is no longer appropriate to maintain the current provisions of Directive 77/93/EEC relating to these harmful organisms, taking into account the actual spread situation of the organisms concerned;

Whereas therefore the relevant Annexes to Directive 77/93/EEC should be amended accordingly in the light of developments in scientific or technical knowledge;

Whereas the measures provided for in this Directive are in accordance with the opinion of the Standing Committee on Plant Health,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 77/93/EEC is amended as follows:

1. In Annex II, Part B, Section (b), entry 2 (*Pseudomonas glycinea*) is deleted.

2. In Annex II, Part B, Section (c), entries 3 (*Diaporthe phaseolorum* var. *caulivora* and var. *sojae*), 4 b (*Phialophora gregata*) and 6b (*Phytophthora megasperma* f.sp. *glycinea*) are deleted.

3. In Annex IV, Part B, entry 17 ("Seeds of soya bean (*Glycine max.* L. Merrill) for planting") is deleted.

Article 2

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 30 June 1992 at the latest. They shall forthwith inform the Commission thereof.

When Member States adopt these provisions, these shall contain a reference to this Directive or shall be accompanied by such reference at the time of their official publication. The procedure for such reference shall be adopted by Member States.

Article 3

This Directive is addressed to the Member States.

Done at Brussels, 19 February 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 26, 31. 1. 1977, p. 20.

⁽²⁾ OJ No L 363, 31. 12. 1991, p. 40.

CORRIGENDA

Corrigendum to Commission Regulation (EEC) No 585/92 of 6 March 1992 relating to the exemption from the import levy for certain products in the cereals sector laid down in the Agreements between the European Economic Community and the Republic of Poland, the Republic of Hungary and the Czech and Slovak Federal Republic

(Official Journal of the European Communities No L 62 of 7 March 1992)

In the Annex above tables I, II and III:

for: '(1 000 tonnes)',

read: '(tonnes)'.
