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I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EEC) No 819/92
of 30 March 1992**

amending Regulation (EEC) No 112/90 imposing a definitive anti-dumping duty on imports of certain compact disc players originating in Japan and the Republic of Korea and collecting definitively the provisional duty

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to the proposal submitted by the Commission after consultation within the Advisory Committee as provided for under the above Regulation,

Whereas :

- (1) Regulation (EEC) No 112/90⁽²⁾ imposed a definitive anti-dumping duty on imports of certain compact disc players originating in Japan and the Republic of Korea. Article 1 (1) of the Regulation laid down its scope and, with great precision, the products affected by the anti-dumping duty. The scope includes compact disc players falling within CN code ex 8519 99 10 (Taric code : 8519 99 10 * 10), including those which may be incorporated in a 'rack' system but are nevertheless capable of operating alone, separately from the 'rack' system, by means of their own power supply and commands.
- (2) CN code ex 8519 99 10 (Taric code : 8519 99 10 * 10), however, includes a compact disc player incorporated in a rack only in so far as it gives the 'rack' its essential character. In other

cases, i.e. where another apparatus gives the assembly its essential character, the entire 'rack' is classified under a different tariff heading and consequently falls outside the scope of Regulation (EEC) No 112/90.

Conversely, where the compact disc player is considered to give the 'rack' its essential character, the entire set of apparatus is classified under CN code ex 8519 99 10 (Taric code : 8519 99 10 * 10) and the anti-dumping duty is applied to the value of the entire 'rack' and not just to the value of the compact disc player component.

- (3) Combined application to the customs rules and Article 1 (1) of Regulation (EEC) No 112/90 results in the Regulation being implemented in a way which deviates from the aims which the Council assigned to it. Regulation (EEC) No 112/90 was designed in particular to make compact disc players incorporated in a 'rack' subject to an anti-dumping duty, whether or not they gave the 'rack' its essential character. Furthermore, that Regulation was not designed to make a 'rack' incorporating a compact disc player subject to an anti-dumping duty on the basis of its total value but simply on the basis of the value of the compact disc player alone.
- (4) Consequently Article 1 of Regulation (EEC) No 112/90 must be amended.
- (5) It is necessary to that end to take account of the fact that a 'rack' incorporating a compact disc player may be classified under CN codes ex 8519 31 00, ex 8519 39 00, ex 8519 99 10, ex 8520 31 90, ex 8520 39 10, ex 8520 39 90 and ex 8527 31 91 (Taric codes 8510 31 00 * 10,

⁽¹⁾ OJ No L 209, 2. 8. 1988, p. 1.

⁽²⁾ OJ No L 13, 17. 1. 1990, p. 21.

8519 39 00 * 10, 8519 99 10 * 10, 8520 31 90 * 30, 8520 39 10 * 10, 8520 39 90 * 10 and 8527 31 91 * 10) according to the component which gives it its essential character.

- (6) To ensure uniform application of the Regulation, the amendment must take effect as from 17 January 1990, the date on which Regulation (EEC) No 112/90 entered into force. However, Article 13 (4) (a) of Regulation (EEC) No 2423/88 lays down that anti-dumping and countervailing duties shall be neither imposed nor increased with retroactive effect, subject to Article 13 (4) (b), which does not apply to the case in point. Consequently, the amendment may not enter into force with retroactive effect as regards the imposition of a definitive anti-dumping duty on imports of certain compact disc players falling within CN codes ex 8519 31 00, ex 8519 39 00, ex 8520 31 90, ex 8520 39 10, ex 8520 39 90 and ex 8527 31 91 (Taric codes: 8519 31 00 * 10, 8519 39 00 * 10, 8520 31 90 * 30, 8520 39 10 * 10, 8520 39 90 * 10 and 8527 31 91 * 10),

HAS ADOPTED THIS REGULATION:

Article 1

Article 1 of Regulation (EEC) No 112/90 is hereby amended as follows:

1. paragraph 1 shall be replaced by the following:

'1. A definitive anti-dumping duty is hereby imposed on imports of certain compact disc players falling within CN codes ex 8519 31 00, ex 8519 39 00, ex 8519 99 10, ex 8520 31 90, ex 8520 39 10, ex 8520 39 90 and ex 8527 31 91 (Taric codes 8519 31 00 * 10, 8519 39 00 * 10, 8519 99 10 * 10, 8520 31 90 * 30, 8520 39 10 * 10, 8520 39 90 * 10 and 8527 31 91 * 10) (1), i.e. stand-alone sound reproducers

with a laser optical reading system and with external dimensions of at least 216 × 45 × 150 mm, equipped to accommodate up to a maximum of ten compact discs, including sound reproducers which may be incorporated in a "rack" system but can nevertheless operate alone separately from the "rack", with their own power supply and commands, functioning with AC mains supply of usually 110/120/220/240 V and not capable of operating with a power supply of 12 V DC or less, originating in Japan and in the Republic of Korea.;

(1) Taric codes shown are those applicable on the date on which this Regulation enters into force.'

2. The following paragraph shall be added:

'3a. Where the compact disc player is combined with other apparatus to form a "rack", the free-at-frontier value used in applying the anti-dumping duty shall be that of the compact disc player alone.

If this value is not specified on the invoice, the importer shall declare the value of the player at the time of release for free circulation and shall submit appropriate evidence and information on that occasion.'

Article 2

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

It shall apply with effect from 17 January 1990 save as regards the imposition of a definitive anti-dumping duty on imports of certain compact disc players falling within CN codes ex 8519 31 00, ex 8519 39 00, ex 8520 31 90, ex 8520 39 10, ex 8520 39 90 and ex 8527 31 91 (Taric codes: 8519 31 00 * 10, 8519 39 00 * 10, 8520 31 90 * 30, 8520 39 10 * 10, 8520 39 90 * 10 and 8527 31 91 * 10). However, the provisions of Article 15 of Regulation (EEC) No 2423/88 shall apply from 17 January 1990 to compact disc players falling within the code numbers listed above.

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

Done at Brussels, 30 March 1992.

For the Council

The President

Arlindo MARQUES CUNHA

COMMISSION REGULATION (EEC) No 820/92

of 1 April 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 674/92 ⁽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 31 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 2 April 1992.

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

Done at Brussels, 1 April 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 73, 19. 3. 1992, p. 7.⁽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 1 April 1992 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Levy (°)
0709 90 60	137,76 (°) (°)
0712 90 19	137,76 (°) (°)
1001 10 10	168,81 (°) (°) (°)
1001 10 90	168,81 (°) (°) (°)
1001 90 91	148,17
1001 90 99	148,17 (°)
1002 00 00	164,92 (°)
1003 00 10	143,10
1003 00 90	143,10 (°)
1004 00 10	121,77
1004 00 90	121,77
1005 10 90	137,76 (°) (°)
1005 90 00	137,76 (°) (°)
1007 00 90	140,57 (°)
1008 10 00	55,49 (°)
1008 20 00	124,80 (°)
1008 30 00	66,37 (°)
1008 90 10	(°)
1008 90 90	66,37
1101 00 00	220,44 (°) (°)
1102 10 00	243,89 (°)
1103 11 10	275,23 (°) (°)
1103 11 90	236,56 (°)

(°) 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 821/92

of 1 April 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 674/92 ⁽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 31 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 2 April 1992.

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

Done at Brussels, 1 April 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 73, 19. 3. 1992, p. 7.

⁽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 1 April 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 4	1st period 5	2nd period 6	3rd period 7
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 10	0	0	0	0
1001 10 90	0	0	0	0
1001 90 91	0	0	0	0
1001 90 99	0	0	0	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 10	0	0	0	0
1004 00 90	0	0	0	0
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	0

B. Malt

(ECU/tonne)

CN code	Current 4	1st period 5	2nd period 6	3rd period 7	4th period 8
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 822/92

of 1 April 1992

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EEC) No 61/92⁽²⁾, and in particular point (a) of the first subparagraph of Article 19 (4) thereof,

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

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

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

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 2 April 1992.

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 6, 11. 1. 1992, p. 19.

⁽³⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁴⁾ OJ No L 167, 26. 6. 1976, p. 13.

⁽⁵⁾ OJ No L 89, 10. 4. 1968, p. 3.

⁽⁶⁾ OJ No L 50, 4. 3. 1970, p. 1.

⁽⁷⁾ OJ No L 152, 18. 6. 1988, p. 23.

⁽⁸⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁹⁾ OJ No L 201, 31. 7. 1990, p. 9.

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

Done at Brussels, 1 April 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 1 April 1992 fixing the export refunds on white sugar and raw sugar exported in its unaltered state

(ECU)

Product code	Amount of refund	
	per 100 kg	per percentage point of sucrose content and per 100 kg net of the product in question
1701 11 90 100	35,19 ⁽¹⁾	
1701 11 90 910	34,95 ⁽¹⁾	
1701 11 90 950	⁽²⁾	
1701 12 90 100	35,19 ⁽¹⁾	
1701 12 90 910	34,95 ⁽¹⁾	
1701 12 90 950	⁽²⁾	
1701 91 00 000		0,3826
1701 99 10 100	38,26	
1701 99 10 910	38,15	
1701 99 10 950	38,15	
1701 99 90 100		0,3826

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

⁽²⁾ Fixing suspended by Commission Regulation (EEC) No 2689/85, as amended by Regulation (EEC) No 3251/85.

COMMISSION REGULATION (EEC) No 823/92

of 1 April 1992

re-establishing the preferential customs duty on imports of single-flower
(standard) carnations originating in Israel

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 4088/87 of 21 December 1987 fixing conditions for the application of preferential customs duties on imports of certain flowers originating in Cyprus, Israel, Jordan and Morocco⁽¹⁾, as amended by Regulation (EEC) No 3551/88⁽²⁾, and in particular Article 5 (2) (b) thereof,

Whereas Regulation (EEC) No 4088/87 fixes conditions for the application of a preferential customs duty on large-flowered roses, small-flowered roses, uniflorous (bloom) carnations and multiflorous (spray) carnations within the limit of tariff quotas opened annually for imports of fresh cut flowers into the Community;

Whereas Council Regulation (EEC) No 1551/91⁽³⁾ opens and provides for the administration of Community tariff quotas for cut flowers and flower buds, fresh, originating in Cyprus, Jordan, Morocco and Israel;

Whereas Article 2 (3) of Regulation (EEC) No 4088/87 stipulates that the preferential customs duty shall be reintroduced for a given product of a given origin if the prices of the imported product (full rate customs duty not deducted) are, for at least 70 % of the quantities for which prices are available on representative Community import markets, not less than 85 % of the Community producer price for a period, calculated from the actual date of suspension of the actual preferential customs duty,

— of two successive market days, after suspension under Article 2 (2) (a) of that Regulation,

— of three successive market days, after suspension under Article 2 (2) (b) of that Regulation;

Whereas Commission Regulation (EEC) No 2995/91⁽⁴⁾ fixed Community producer prices for carnations and roses for application of the arrangements for importation from the countries in question;

Whereas Commission Regulation (EEC) No 700/88⁽⁵⁾, as amended by Regulation (EEC) No 3556/88⁽⁶⁾, laid down detailed rules for the application of these arrangements;

Whereas to permit the import arrangements to function in the normal manner prices on importation should be calculated using:

- for currencies maintained against each other within a maximum spread at any given moment for spot rate transactions of 2,25 % a conversion rate based on their central rate multiplied by the correcting factor provided for in the last subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁷⁾, as last amended by Regulation (EEC) No 2205/90⁽⁸⁾,
- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

Whereas the preferential customs duty fixed for single-flower (standard) carnations originating in Israel by Council Regulation (EEC) No 1551/91 was suspended by Commission Regulation (EEC) No 512/92⁽⁹⁾;

Whereas on the basis of price recordings made as specified in Regulations (EEC) No 4088/87 and (EEC) No 700/88 it must be concluded that the requirement for reintroduction of the preferential customs duty laid down in the last indent of Article 2 (3) of Regulation (EEC) No 4088/87 is met for single-flower (standard) carnations originating in Israel; whereas the preferential customs duty should be reintroduced,

HAS ADOPTED THIS REGULATION:

Article 1

For imports of single-flower (standard) carnations (CN codes ex 0603 10 13 and ex 0603 10 53) originating in Israel the preferential customs duty set by Regulation (EEC) No 1551/91 is reintroduced.

Article 2

This Regulation shall enter into force on 2 April 1992.

⁽¹⁾ OJ No L 382, 31. 12. 1987, p. 22.

⁽²⁾ OJ No L 311, 17. 11. 1988, p. 1.

⁽³⁾ OJ No L 144, 8. 6. 1991, p. 3.

⁽⁴⁾ OJ No L 285, 15. 10. 1991, p. 18.

⁽⁵⁾ OJ No L 72, 18. 3. 1988, p. 16.

⁽⁶⁾ OJ No L 311, 17. 11. 1988, p. 8.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁸⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁹⁾ OJ No L 55, 29. 2. 1992, p. 86.

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

Done at Brussels, 1 April 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 824/92**of 31 March 1992**

amending the list annexed to Regulation (EEC) No 3715/91 establishing, for 1992, the list of vessels exceeding eight metres length overall permitted to fish for sole within certain areas of the Community using beam trawls whose aggregate length exceeds nine metres

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3094/86 of 7 October 1986 laying down certain technical measures for the conservation of fishery resources⁽¹⁾, as last amended by Regulation (EEC) No 3500/91⁽²⁾,

Having regard to Commission Regulation (EEC) No 3554/90 of 10 December 1990 adopting provisions for the establishment of the list of vessels exceeding eight metres length overall which are permitted to fish for sole within certain areas of the Community using beam trawls of an aggregate length exceeding nine metres⁽³⁾, and in particular Article 2 thereof,

Whereas Commission Regulation (EEC) No 3715/91⁽⁴⁾, as last amended by Regulation (EEC) No 555/92⁽⁵⁾, establishes for 1992 the list of vessels exceeding eight metres length overall permitted to fish for sole within certain areas of the Community using beam trawls of aggregate length exceeding nine metres;

Whereas the German authorities have requested withdrawal from the list annexed to Regulation (EEC)

No 3715/91 of one vessel that no longer meets the requirements laid down in Article 1 (2) of Regulation (EEC) No 3554/90; whereas the national authorities have provided all the information in support of the request required under Article 2 of Regulation (EEC) No 3554/90; whereas scrutiny of this information shows that the requirements of the Regulation are met; whereas the vessel in question should be withdrawn from the list,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 3715/91 is amended as indicated in the Annex to this Regulation.

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, 31 March 1992.

For the Commission

Manuel MARÍN

Vice-President

⁽¹⁾ OJ No L 288, 11. 10. 1986, p. 1.

⁽²⁾ OJ No L 331, 3. 12. 1991, p. 2.

⁽³⁾ OJ No L 346, 11. 12. 1990, p. 11.

⁽⁴⁾ OJ No L 351, 20. 12. 1991, p. 11.

⁽⁵⁾ OJ No L 60, 5. 3. 1992, p. 11.

ANNEX

The following vessel is deleted from the list of Regulation (EEC) No 3715/91 :

External identification Letters + numbers	Name of vessel	Radio call sign	Port of registry	Engine power (kW)
GERMANY BX 765	Damkerort	DETR	Bremerhaven	221

COMMISSION REGULATION (EEC) No 825/92**of 1 April 1992****postponing the date for the take-over of beef and veal offered for sale by the
intervention agencies pursuant to Regulation (EEC) No 2848/89**

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⁾,Whereas Commission Regulation (EEC) No 2848/89 ⁽³⁾,
as last amended by Regulation (EEC) No 3145/91 ⁽⁴⁾, fixes
certain selling prices for beef and veal taken over by the
intervention agencies before 1 October 1991; whereas the
situation regarding these stocks is such that this date
should be replaced by 1 January 1992;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 Article 4 of Regulation (EEC) No 2848/89, '1 October
1991' is hereby replaced by '1 January 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, 1 April 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 274, 23. 9. 1989, p. 9.⁽⁴⁾ OJ No L 299, 30. 10. 1991, p. 12.

COMMISSION REGULATION (EEC) No 826/92

of 1 April 1992

derogating for the 1991/92 wine year from the producers' requirement to notify the quantities of table wine they must deliver for compulsory distillation

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EEC) No 1734/91 ⁽²⁾, and in particular Article 39 (11) thereof,

Whereas Commission Regulation (EEC) No 3720/91 ⁽³⁾ opens compulsory distillation of table wine as provided for in Article 39 of Regulation (EEC) No 822/87 for the 1991/92 wine year; whereas the percentages of table wine production to be delivered for such distillation by each producer subject to compulsory distillation were fixed on 28 February 1992 by Commission Regulation (EEC) No 505/92 ⁽⁴⁾;

Whereas, in accordance with Article 10 (1) of Commission Regulation (EEC) No 441/88 of 17 February 1988 laying down detailed rules for applying compulsory distillation as referred to in Article 39 of Council Regulation (EEC) No 822/87 ⁽⁵⁾, as amended by Regulation (EEC) No 2070/91 ⁽⁶⁾, producers are required to notify the competent authorities by 31 March 1992 at the latest of the quantities of table wine which they must deliver for such distillation;

Whereas it has been impossible for administrative reasons to adopt the provisions governing such notification in certain countries in sufficient time for producers to be able to calculate, under normal conditions, the quantities covered by their obligation and to notify the same within the time limit laid down;

Whereas, in certain cases, the competent national authorities must themselves notify the producers by 31 March 1992 of the quantities which they must deliver; whereas the factors for the calculation of those quantities were decided on 28 February only; whereas, in view of the major number of notifications, the period available to the authorities is likely to be inadequate;

Whereas, so that compulsory distillation may be carried out under satisfactory conditions and may achieve its objectives, provision should be made, for the current marketing year, for producers to make the abovementioned notification by 30 April 1992 and for notifications to be made by the competent authorities by 15 April 1992;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1991/92 wine year and by way of derogation from Article 10 (1) and (2) of Regulation (EEC) No 441/88:

- producers subject to compulsory distillation as provided for in Article 39 of Regulation (EEC) No 822/87 who have submitted the production declaration referred to in Commission Regulation (EEC) No 3929/87 ⁽⁷⁾ shall calculate, pursuant to Article 8 of Regulation (EEC) No 441/88, the quantities which they must deliver for distillation and shall notify the result by 30 April 1992 at the latest to the intervention agency or to any other competent authority in the Member State,
- where the competent authorities themselves carry out the calculation and notify, pursuant to Article 8 of Regulation (EEC) No 441/88, certain categories of producers of the quantities to be delivered by each of them, notification shall be made by 15 April 1992 at the latest.

Article 2

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

It shall apply with effect from 1 April 1992.

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 163, 26. 6. 1991, p. 6.

⁽³⁾ OJ No L 351, 20. 12. 1991, p. 27.

⁽⁴⁾ OJ No L 55, 29. 2. 1992, p. 72.

⁽⁵⁾ OJ No L 45, 18. 2. 1988, p. 15.

⁽⁶⁾ OJ No L 191, 16. 7. 1991, p. 25.

⁽⁷⁾ OJ No L 369, 29. 12. 1987, p. 59.

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

Done at Brussels, 1 April 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 827/92

of 1 April 1992

fixing the import levies on white sugar and raw sugar

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 61/92 ⁽²⁾, and in particular Article 16 (8) thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 366/92 ⁽³⁾, as last amended by Regulation (EEC) No 769/92 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Commission Regulation (EEC) 366/92 to the information known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto;

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

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

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

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

Whereas these exchange rates being those recorded on 31 March 1992,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies referred to in Article 16 (1) of Regulation (EEC) No 1785/81 shall be, in respect of white sugar and standard quality raw sugar, as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 2 April 1992.

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

Done at Brussels, 1 April 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 6, 11. 1. 1992, p. 19.

⁽³⁾ OJ No L 39, 15. 2. 1992, p. 28.

⁽⁴⁾ OJ No L 83, 28. 3. 1992, p. 29.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 9.

ANNEX

to the Commission Regulation of 1 April 1992 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy ⁽¹⁾
1701 11 10	39,34 ⁽¹⁾
1701 11 90	39,34 ⁽¹⁾
1701 12 10	39,34 ⁽¹⁾
1701 12 90	39,34 ⁽¹⁾
1701 91 00	44,67
1701 99 10	44,67
1701 99 90	44,67 ⁽²⁾

⁽¹⁾ The levy applicable is calculated in accordance with the provisions of Article 2 or 3 of Commission Regulation (EEC) No 837/68.

⁽²⁾ In accordance with Article 16 (2) of Regulation (EEC) No 1785/81 this amount is also applicable to sugar obtained from white and raw sugar containing added substances other than flavouring or colouring matter.

⁽³⁾ No import levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC. However, an amount equal to the amount fixed by Regulation (EEC) No 1870/91 B to be levied in accordance with Article 101 (4) of the abovementioned Decision.

COMMISSION REGULATION (EEC) No 828/92**of 1 April 1992****fixing the maximum export refund for white sugar for the 47th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EEC) No 963/91**

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

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EEC) No 61/92⁽²⁾, and in particular the first subparagraph of Article 19 (4) (b) thereof,

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

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

Whereas, following an examination of the tenders submitted in response to the 47th partial invitation to tender, the provisions set out in Article 1 should be adopted;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 47th partial invitation to tender for white sugar issued pursuant to Regulation (EEC) No 963/91 the maximum amount of the export refund is fixed at ECU 40,736 per 100 kilograms.

Article 2

This Regulation shall enter into force on 2 April 1992.

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

Done at Brussels, 1 April 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 6, 11. 1. 1992, p. 19.

⁽³⁾ OJ No L 100, 20. 4. 1991, p. 9.

COMMISSION REGULATION (EEC) No 829/92

of 1 April 1992

amending Regulation (EEC) No 598/86 concerning the target ceiling for the 1991/92 marketing year for imports into Spain of common wheat of bread-making quality

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 85 (3) thereof,

Having regard to Council Regulation (EEC) No 569/86 of 25 February 1986 laying down general rules for the application of the supplementary mechanism applicable to trade ⁽¹⁾, as last amended by Regulation (EEC) No 3296/88 ⁽²⁾, and in particular Article 7 (1) thereof,

Whereas Commission Regulation (EEC) No 598/86 of 28 February 1986 on the application of the supplementary trade mechanism to imports into Spain of common wheat of bread-making quality from the Community as constituted at 31 December 1985 ⁽³⁾, as last amended by Regulation (EEC) No 276/92 ⁽⁴⁾, sets a target ceiling for the 1991/92 marketing year for imports of common wheat of bread-making quality into Spain;

Whereas, on the basis of Article 6 (2) of Commission Regulation (EEC) No 574/86 of 28 February 1986 laying down detailed rules for the application of the supplementary trade mechanism (STM) ⁽⁵⁾, as last amended by Regulation (EEC) No 3296/88, the Commission has been notified on 10 February 1992 of applications received for STM licences for imports into Spain of common wheat of bread-making quality which are well in excess of the ceiling set; whereas measures were taken by Commission Regulation (EEC) No 328/92 of 11 February 1992 con-

cerning applications for STM licences for cereals submitted on 10 February 1992 for imports of common wheat into Spain ⁽⁶⁾;

Whereas, in the present situation on the market for common wheat of bread-making quality in Spain, a feature of which is limited supply compared with demand, provision should be made for an increase in the target ceiling for the current marketing year in order to ensure normal supply to the market;

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

In Article 4 of Regulation (EEC) No 598/86, '1 050 000' is replaced by '1 100 000'.

Article 2

Article 1 (2) of Regulation (EEC) No 328/92 is hereby repealed.

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, 1 April 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 55, 1. 3. 1986, p. 106.

⁽²⁾ OJ No L 293, 27. 10. 1988, p. 7.

⁽³⁾ OJ No L 58, 1. 3. 1986, p. 16.

⁽⁴⁾ OJ No L 30, 6. 2. 1992, p. 16.

⁽⁵⁾ OJ No L 57, 1. 3. 1986, p. 1.

⁽⁶⁾ OJ No L 35, 12. 2. 1992, p. 21.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 28 February 1992

laying down the conditions which have to be complied with for importation of certain raw materials for the pharmaceutical processing industry, coming from certain third countries, which do not appear on the list established by Council Decision 79/542/EEC

(92/187/EEC)

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

Having regard to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine, ovine and caprine animals and swine, fresh meat or meat products from third countries⁽¹⁾, as last amended by Directive 91/688/EEC⁽²⁾, and in particular Article 16 (2) thereof,
Whereas the general conditions applying to imports of glands and organs, including blood, from third countries which appear on the list established by Council Decision 79/542/EEC⁽³⁾, as last amended by Commission Decision 92/14/EEC⁽⁴⁾, are fixed by Commission Decision 92/183/EEC⁽⁵⁾;

Whereas this raw material is required in large quantities by the pharmaceutical manufacturing industries in Member States to ensure the availability of extracts and enzymes for human and veterinary medicine; whereas, therefore, Directive 72/462/EEC allows Member States to be authorized to import under special conditions the said raw material from third countries which do not appear on the abovementioned list;

Whereas general conditions laid down by Decision 92/183/EEC are strict enough to prevent risk of contamination of herds inside the Community; whereas they provide sufficient guarantees for the imports of the said raw material from certain third countries which do not appear on the third country list;

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

HAS ADOPTED THIS DECISION:

Article 1

For the purposes of this Decision, the definitions contained in Article 1 of Decision 92/183/EEC shall apply as necessary.

Article 2

1. Without prejudice of the provisions of Decision 92/183/EEC. Member States may authorize the imports of raw materials coming from third countries listed in the Annex to this Decision.

2. Imports in accordance with paragraph 1 shall be subject to the general conditions laid down in Article 2 of Decision 92/183/EEC.

3. Member States which authorize imports of raw material in accordance with this Article shall inform the Commission of such imports.

Article 3

This Decision shall apply from 1 July 1992.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 28 February 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽²⁾ OJ No L 377, 31. 12. 1991, p. 18.

⁽³⁾ OJ No L 146, 14. 6. 1979, p. 15.

⁽⁴⁾ OJ No L 8, 14. 1. 1992, p. 12.

⁽⁵⁾ OJ No L 84, 31. 3. 1992, p. 33.

ANNEX

Third countries from which Member States may authorize importation of raw material for pharmaceutical purposes according to Commission Decision 92/183/EEC

Japan

The Republic of Korea

Malaysia

The Philippines

Taiwan

COMMISSION DECISION

of 10 March 1992

concerning certain protection measures relating to the porcine reproductive and respiratory syndrome (PRRS)

(92/188/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market⁽¹⁾, as last amended by Directive 91/628/EEC⁽²⁾, and in particular Article 10 (4) thereof,

Whereas several disease outbreaks caused by a virus that has not yet been classified have occurred in pigs in certain parts of the Community;

Whereas the disease, which has been named the porcine reproductive and respiratory syndrome (PRRS) results in unusual numbers of abortions or premature farrowing in sows and deaths and weakness in young piglets which cannot otherwise be attributed to a known pig disease for which laboratory diagnostic tests are easily available;

Whereas the disease has the potential for rapid spread within areas with a high density of pigs;

Whereas the disease may constitute a hazard to pig production;

Whereas, as a result of outbreaks of the disease in question, the Commission adopted Decision 91/237/EEC of 25 April 1991 concerning further protection measures relating to a new pig disease⁽³⁾, as last amended by Decision 92/104/EEC⁽⁴⁾;

Whereas certain areas heavily infected in early 1991 have been without recorded outbreaks for several months;

Whereas it appears necessary to take account of the evolution of the disease and to adopt appropriate measures; whereas in this respect it is necessary to repeal Decision 91/237/EEC;

Whereas the authorities of the Member States have engaged themselves to implement national measures that

are necessary to guarantee the efficient implementation of this Decision when pigs are sent to other Member States;

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

HAS ADOPTED THIS DECISION:

Article 1

For the purposes of this Decision:

- (a) 'abortion' means the observed production of foetuses up to and including the 109th day of pregnancy, where none of the foetuses survive more than 24 hours;
- (b) 'premature farrowing' means the observed production of foetuses up to and including the 109th day of pregnancy, where some survive for more than 24 hours;
- (c) 'infected holding' means a holding where unusual numbers of abortions or premature farrowings in sows or gilts and deaths and weakness in young piglets, not attributable to known diseases, have been observed within the last eight weeks prior to certification;
- (d) 'high health risk municipality' means a municipality which contains, at any one time, two or more infected holdings;
- (e) 'breeding pig' is a pig intended to be kept for reproduction;
- (f) 'production pig' is a pig intended to be kept for fattening for meat production.

Article 2

Member States shall take all reasonable measures to avoid the spread of porcine reproductive and respiratory syndrome from infected holdings. These measures shall include:

- destroying all the products such as placentae, foetuses and dead piglets from all abortions, premature farrowings and normal farrowings,
- arranging thorough cleansing and disinfection of farrowing quarters after each abortion, early farrowing or normal farrowing,

⁽¹⁾ OJ No L 224, 18. 8. 1990, p. 29.

⁽²⁾ OJ No L 340, 11. 12. 1991, p. 17.

⁽³⁾ OJ No L 106, 26. 4. 1991, p. 67.

⁽⁴⁾ OJ No L 41, 18. 2. 1992, p. 17.

- arranging for disinfection procedures at the entrances and exits of buildings housing breeding stock,
- forbidding the movement of breeding pigs (sows, gilts and boars) to non-infected holdings.

Article 3

Member States shall not permit pigs originating from an infected holding to be sent to other Member States.

Article 4

Member States shall not permit to be sent to other Member States breeding pigs originating from :

- a municipality in which an infected holding is situated,
- holdings where, within 30 days before the date of certification, pigs have been introduced from a municipality in which an infected holding is situated.

Article 5

Member States shall not permit to be sent to other Member States production pigs originating from :

- holdings where, within 30 days before the date of certification, pigs have been introduced from an infected holding,

- high health risk municipalities.

Article 6

Member States having one or more infected holdings shall during the first working day of each month present data on the disease situation in the format indicated in the Annex (PRRS report).

Article 7

Decision 91/237/EEC is hereby repealed.

Article 8

Member States shall amend the measures which they apply to trade so as to bring them into compliance with this Decision. They shall immediately inform the Commission thereof.

Article 9

This Decision is addressed to the Member States.

Done at Brussels, 10 March 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

PRRS REPORT FOR THE PERIOD

MEMBER STATE

1. Number of infected herds (herds under restriction)

	Previous months					Month under report
Region (by name)						
Total						

2. Number of new outbreaks (herds reported infected for the first time)

	Previous months					Month under report
Region (by name)						
Total						

3. Attach to this document a map showing infected areas.

COMMISSION DECISION**of 13 March 1992****amending Directive 80/879/EEC on health marking of large packagings of fresh poultrymeat****(92/189/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 71/118/EEC of 15 February 1971 on health problems affecting trade in fresh poultrymeat⁽¹⁾, as last amended by Directive 90/654/EEC⁽²⁾, and in particular Article 3 (1) A (e) thereof,

Whereas provision should be made for a uniform solution applicable throughout the Community as regards health marking of large packagings of fresh poultrymeat dispatched from an approved slaughterhouse or cutting premises to restaurants, canteens and institutions; whereas Directive 80/879/EEC⁽³⁾ should therefore be amended;

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

HAS ADOPTED THIS DECISION:

Article 1

In Article 4 of Directive 80/879/EEC, the introductory sentence is hereby replaced by the following:

'Consignments of carcasses, including those which have had parts removed within the meaning of Chapter VII, paragraph 32 (2) of Annex I to Directive 71/118/EEC, shall be dispatched from an approved slaughterhouse or cutting premises to restaurants, canteens and institutions for direct supply to the final user after heat treatment, subject to the following conditions:'.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 13 March 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 55, 8. 3. 1971, p. 23.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 48.

⁽³⁾ OJ No L 251, 24. 9. 1980, p. 10.

COMMISSION DECISION

of 13 March 1992

derogating from High Authority recommendation No 1/64 concerning an increase in the protective duty on iron and steel products at the external frontiers of the Community (152th derogation)

(92/190/ECSC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular the third paragraph of Article 71 thereof,

Having regard to High Authority recommendation No 1/64 of 15 January 1964 to the Governments of the Member States concerning an increase in the protective duty on iron and steel products at the external frontiers of the Community⁽¹⁾, as last amended by recommendation 88/27/ECSC⁽²⁾, and in particular Article 3 thereof,

Whereas certain iron and steel products indispensable to the manufacture of certain goods and having very special physical and chemical characteristics are not produced in the Community, or produced in insufficient quantities; whereas for a number of years insufficiency has been overcome by duty-free tariff quotas; whereas Community producers are still not in a position to comply with the present quality requirements put forward by the users; whereas duty-free quotas at a level securing the supply of users is consequently required;

Whereas import of these products on preferential terms is not injurious to iron and steel undertakings in the Community which produce directly competing products;

Whereas neither this suspension of duties nor these tariff quotas are likely to jeopardize the objectives of recom-

mendation No 1/64, but will help to maintain existing trade flows between Member States and non-member countries;

Whereas these are special cases in the commercial policy field justifying the authorization of derogations pursuant to Article 3 of recommendation No 1/64;

Whereas provision should be made pursuant to the third paragraph of Article 71 of the ECSC Treaty to ensure that the quotas granted will be used solely to supply the needs of industries in the importing countries and that re-export in the unaltered state to other Member States of the imported iron and steel products will be prevented;

Whereas the Governments of the Member States have been consulted on the tariff quotas set out below,

HAS ADOPTED THIS DECISION:

Article 1

1. Member States are hereby authorized to derogate from the obligations arising pursuant to Article 1 of High Authority recommendation No 1/64 to the extent necessary to suspend at the levels indicated the customs duties on the products set out below, within tariff quotas of the amounts indicated for the Member States concerned:

CN code	Description	Member State	Quota (tonnes)	Duty (%)
(a) ex 7213 50 10	Special wire rod for the manufacture of valve springs with a diameter of 5,5 mm or more but not exceeding 13 mm:	Germany	2 400	0
		Benelux	2 760	0
		France	2 860	0
(a) ex 7213 50 10	Of iron or non-alloy steel, containing by weight:			
	— 0,6 % or more but not more than 0,7 % of carbon			
	— 0,25 % or less of silicon			
	— 0,5 % or more but not more than 0,9 % of manganese			
	— 0,02 % or less of sulphur			
	— 0,03 % or less of phosphorus			
	— 0,06 % or less of copper			

⁽¹⁾ OJ No 8, 22. 1. 1964, p. 99/64.

⁽²⁾ OJ No L 15, 20. 1. 1988, p. 13.

CN code	Description	Member State	Quota (tonnes)	Duty (%)
(b) ex 7227 90 80	Of other alloy steel containing by weight : — 0,6 % or more but not more than 0,7 % of carbon — 0,15 % or more but not more than 0,3 % of silicon — 0,6 % or more but not more than 0,9 % of manganese — 0,025 % or less of sulphur — 0,025 % or less of phosphorus — 0,4 % or more but not more than 0,8 % of chrome — 0,1 % or more but not more than 0,25 % of vanadium			
(c) ex 7227 90 80	Of other alloy steel containing by weight : — 0,5 % or more but not more than 0,6 % of carbon — 1,2 % or more but not more than 1,7 % of silicon — 0,4 % or more but not more than 0,8 % of manganese — 0,025 % or less of sulphur — 0,025 % or less of phosphorus — 0,4 % or more but not more than 0,8 % of chrome			

2. The abovementioned products must, in addition, comply with the following physical specifications :

(a) decarburization :

depth of decarburization measured without defects :

- wire rod as under (a) and (b) : 0,05 mm maximum,
- wire rod as under (c) : 0,07 mm maximum ;

(b) surface condition :

maximum depth of defects (tears, fissures or folds) measured perpendicular to the surface : 0,05 mm.

(c) non-metallic inclusions :

examination to be carried out in accordance with the AFNOR standard (ref. A 04/106) of July 1972 and with Stahl-Eisen-Blatt 1570/71,

typical maximum value figure 1 from the surface to two-thirds of the radius,

typical maximum value figure 2 beyond two-thirds of the radius to the core.

The values indicated are valid for any type of inclusion.

Article 2

1. Member States accorded quotas pursuant to Article 1 shall ensure, in liaison with the Commission, that such

quotas are apportioned among third countries on a non-discriminatory basis.

2. They shall take all necessary steps to preclude the possibility of iron and steel products imported under the said tariff quotas being re-consigned to other Member States in the unaltered state.

3. Community provisions on the matter shall apply for the purpose of verifying that the products in question are used for the particular purpose prescribed.

Article 3

This Decision is addressed to the Member States.

It shall apply from 1 January 1992 until 31 December 1992.

Done at Brussels, 13 March 1992.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION DECISION

of 13 March 1992

derogating from High Authority recommendation No 1/64 concerning an increase in the protective duty on iron and steel products at the external frontiers of the Community (153rd derogation)

(92/191/ECSC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular the third paragraph of Article 71 thereof,

Having regard to High Authority recommendation No 1/64 of 15 January 1964 to the Governments of the Member States concerning an increase in the protective duty on iron and steel products at the external frontiers of the Community⁽¹⁾, as last amended by recommendation 88/27/ECSC⁽²⁾, and in particular Article 3 thereof,

Whereas certain iron and steel products indispensable to the manufacture of certain goods and having very special physical and chemical characteristics are not produced in the Community, or are produced in insufficient quantities; whereas for a number of years insufficiency has been overcome by duty-free tariff quotas; whereas Community producers are still not in a position to comply with the present quality requirements put forward by the users; whereas duty-free quotas at a level securing the supply of users are consequently required;

Whereas import of these products on preferential terms is not injurious to iron and steel undertakings in the Community which produce directly competing products;

Whereas neither this suspension of duties nor these tariff quotas are likely to jeopardize the objectives of recom-

mendation No 1/64, but will help to maintain existing trade flows between Member States and non-member countries;

Whereas these are special cases in the commercial policy field justifying the authorization of derogations pursuant to Article 3 of recommendation No 1/64;

Whereas provision should be made pursuant to the third paragraph of Article 71 of the ECSC Treaty, to ensure that the quotas granted will be used solely to supply the needs of industries in the importing countries and that re-export in the unaltered state to other Member States of the imported iron and steel products will be prevented;

Whereas the Governments of the Member States have been consulted on the tariff quotas set out below,

HAS ADOPTED THIS DECISION:

Article 1

Member States are hereby authorized to derogate from the obligations arising pursuant to Article 1 of High Authority recommendation No 1/64 to the extent necessary to suspend at the levels indicated the customs duties on the products set out below, within tariff quotas of the amounts indicated for the Member States concerned:

CN code	Description	Member State	Quota (tonnes)	Duty (%)
ex 7225 10 91 ex 7226 10 30	Cold-rolled, grain-oriented, flat-rolled products of silicon-electrical steel, of a width of more than 500 mm and of 600 mm or more respectively, of a thickness 0,23 mm or less and a nominal magnetic-reversal loss of 0,8 W/kg, determined in accordance with the Epstein method with a current at 50 Hz and an induction of 1,7 T	Benelux	600	0

⁽¹⁾ OJ No 8, 22. 1. 1964, p. 99/64.

⁽²⁾ OJ No L 15, 20. 1. 1988, p. 13.

Article 2

1. Member States accorded quotas pursuant to Article 1 shall ensure, in liaison with the Commission, that such quotas are apportioned among third countries on a non-discriminatory basis.

2. They shall take all necessary steps to preclude the possibility of iron and steel products imported under the said tariff quotas being re-consigned to other Member States in the unaltered state.

Article 3

This Decision is addressed to the Member States.

It shall apply from 1 January 1992 until 31 December 1992.

Done at Brussels, 13 March 1992.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION DECISION

of 16 March 1992

amending Decision 91/642/EEC establishing a list of semen-collection centres in Canada approved for the export to the Community of deep-frozen semen of domestic animals of the bovine species

(92/192/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 88/407/EEC of 14 June 1988 laying down the animal health requirements applicable to intra-Community trade in and imports of deep-frozen semen of domestic animals of the bovine species⁽¹⁾, as last amended by Council Directive 90/425/EEC⁽²⁾, and in particular Article 9 thereof,

Whereas Community on-the-spot visits have been undertaken in Canada to ensure the uniform application of Directive 88/407/EEC, particularly in relation to the veterinary supervision of semen production systems, the powers of the veterinary services and the supervision to which semen collection centres are subject; whereas, therefore, the Commission is satisfied that the centres approved by Canada meet the terms of Directive 88/407/EEC and can, in the circumstances, be included in a list of centres approved for the export of bovine semen to the Community;

Whereas the competent veterinary services of Canada have forwarded a modified list of semen-collection centres officially approved for export of bovine semen to the Community;

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

HAS ADOPTED THIS DECISION:

Article 1

The annex to Commission Decision 91/642/EEC⁽³⁾ is hereby replaced by the annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 16 March 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 194, 22. 7. 1988, p. 10.

⁽²⁾ OJ No L 224, 18. 8. 1990, p. 29.

⁽³⁾ OJ No L 348, 17. 12. 1991, p. 56.

ANNEX

LIST OF ESTABLISHMENTS IN CANADA APPROVED FOR THE PURPOSES OF
EXPORTING DEEP-FROZEN BOVINE SEMEN TO THE COMMUNITY

CENTRE D'INSÉMINATION ARTIFICIELLE DU QUÉBEC (CIAQ)
PO Box 518
Saint-Hyacinthe, Québec
J2S 7B8

Approved premises:
875, boulevard Laurier
Saint-Hyacinthe, Québec

Approval code: CAN 073

EASTERN BREEDERS INCORPORATED (EBI)
PO Box 2000
Kemptville, Ontario
K0G 1J0

Approved premises:
Lot 27 E $\frac{1}{2}$ Concession 5
Oxford Township
County Grenville

Approval code: CAN 070

UNITED BREEDERS INCORPORATED (UBI)
RR #5
Guelph, Ontario
K0G 1J0

Approved premises:
Lot 19-24 Concession 1
Guelph Township
County Wellington

Approval code: CAN 071

WESTERN ONTARIO BREEDERS INCORPORATED (WOBI)
PO Box 457
Woodstock, Ontario
N4S 7Y7

Approved premises:
Lot 8 Concession 12
East Zorra Township
County Oxford

Approval code: CAN 072

UNIVERSAL GENETICS LIMITED
PO Box 910
Cardston, Alberta
T0K 0K0

Approved premises:
NW $\frac{1}{4}$ -27-2-25-W4

Approval code: CAN 074

BRITISH COLUMBIA ARTIFICIAL INSEMINATION CENTRE (BCAI)
PO Box 40
Milner, British Columbia
VOX 1T0

Approved premises:
6811 Glover Road
Langley, British Columbia

Approval code: CAN 039

ST. JACOBS ARTIFICIAL BREEDING COOPERATIVE

RR *1

Elmira, Ontario

N3B 2Z1

Approved premises :

Lot 104 Concession : GCT

Woolwich Township

County Waterloo

*Approval code : CAN 094***WESTERN BREEDERS SERVICE**

Balzac, Alberta

TOM OEO

Approved premises :

NE-1/4-28-24-28-W4

Rainbow Road

Conrich, Alberta

Approval code : CAN 028

COMMISSION DECISION

of 23 March 1992

derogating from High Authority recommendation No 1/64 on tariff protection in order to enable the generalized tariff preferences to be applied to certain iron and steel products originating in the developing countries (154th derogation)

(92/193/ECSC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

Having regard to High Authority recommendation No 1/64 of 15 January 1964 to the Governments of the Member States concerning an increase in the protective duty on iron and steel products at the external frontiers of the Community ⁽¹⁾, as last amended by recommendation 88/27/ECSC ⁽²⁾, and in particular Article 3 thereof,

Whereas, for a number of years, the Governments of the Member States of the European Coal and Steel Community meeting within the Council have granted non-member countries covered by the generalized preferences scheme tariff advantages in respect of imports into the Community of certain ECSC iron and steel products in the form of total tariff suspensions without quantitative limits for certain types of product or total tariff suspensions within the limits of quotas fixed for other types of product;

Whereas the Commission is involved in the negotiation of such concessions and in the decisions of the representatives of the Governments implementing them; whereas the decisions in question are taken with the Commission's full agreement;

Whereas such concessions are covered by Article 3 of High Authority recommendation No 1/64, under which the Commission, after consulting the Member States, can for reasons of commercial policy derogate from the tariff obligations laid down by the recommendation;

Whereas Decision 91/634/ECSC ⁽³⁾ establishing tariff concessions was taken by the Member States with the Commission's agreement; whereas it meets the requirements laid down in Article 3 of the recommendation for

the granting of a derogation; whereas as a consequence it is appropriate to grant the derogation for the concessions in question;

Whereas the Member States have been consulted on the draft of this Decision,

HAS ADOPTED THIS DECISION:

Article 1

The Member States are hereby authorized to derogate from obligations arising pursuant to Article 1 of High Authority recommendation No 1/64 to the extent necessary to apply, on imports from non-member countries of iron and steel products covered by the ECSC Treaty, originating in those countries, the duty suspensions resulting from Decision 91/634/ECSC of the representatives of the Governments of the Member States of the European Coal and Steel Community meeting within the Council.

Article 2

This Decision is addressed to the Member States.

It shall apply from 1 January 1992 until 31 December 1992.

Done at Brussels, 23 March 1992.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No 8, 22. 1. 1964, p. 99/64.

⁽²⁾ OJ No L 15, 20. 1. 1988, p. 13.

⁽³⁾ OJ No L 341, 12. 12. 1991, p. 30.

CORRIGENDA

**Corrigendum to Commission Regulation (EEC) No 742/92 of 26 March 1992 fixing the
sluice-gate prices and levies for poultrymeat**

(Official Journal of the European Communities No L 84 of 27 March 1992)

On page 22 in the Annex against CN code 0207 42 90 in the column headed 'Levy', delete
footnote (*).
