

Official Journal

of the European Communities

ISSN 0378-6978

L 91

Volume 35

7 April 1992

English edition

Legislation

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Council

92/211/EEC :

★ Council Decision of 30 March 1992 on the conclusion of an Agreement in the form of an exchange of letters concerning the interim extension for the period from 1 March to 30 April 1992 of the Agreement on relations in the sea-fisheries sector between the European Economic Community and the Kingdom of Morocco and of the Protocol annexed thereto	27
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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 860/92
of 30 March 1992
amending Regulation (EEC) No 727/70 on the common organization of the
market in raw tobacco

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

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

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

Whereas the Commission has proposed to the Council a reform of the Community rules in the sector of raw tobacco; whereas it is not certain that this proposal can be adopted in time to be applied for the 1992 harvest; whereas, therefore, certain provisions of Regulation (EEC) No 727/70 ⁽³⁾ should be amended in anticipation of the introduction of the new arrangements for the 1993 harvest;

Whereas the 15 % ceiling on the reduction in prices and premiums, if the maximum guaranteed quantity was exceeded, was provided for a limited period; whereas experience has shown that this ceiling made the reductions in prices and premiums ineffective for certain varieties; whereas, therefore, it should be raised to a level

which would allow substantial reductions in prices and premiums if the maximum guaranteed quantity is exceeded;

Whereas these measures are indispensable if budget expenditure is to be contained within the limits imposed by budgetary discipline,

HAS ADOPTED THIS REGULATION:

Article 1

The fourth subparagraph of Article 4 (5) of Regulation (EEC) No 727/70 shall be replaced by the following:

'The reductions referred to in the third subparagraph shall not exceed 15 % for the 1989 to 1991 harvests, and 23 % for the 1992 harvest.'

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, 30 March 1992.

For the Council

The President

Arlindo MARQUES CUNHA

⁽¹⁾ OJ No C 60, 7. 3. 1992, p. 3.

⁽²⁾ Opinion delivered on 13 March 1992 (not yet published in the Official Journal).

⁽³⁾ OJ No L 94, 28. 4. 1970, p. 1. Regulation as last amended by Regulation (EEC) No 1737/91 (OJ No L 163, 26. 6. 1991, p. 11).

COUNCIL REGULATION (EEC) No 861/92

of 30 March 1992

fixing, for the 1992 harvest, the maximum guaranteed quantities in the raw tobacco sector

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 727/70 of 21 April 1970 on the common organization of the market in raw tobacco ⁽¹⁾, and in particular Article 4 (5) thereof,Having regard to the proposal from the Commission ⁽²⁾,Having regard to the opinion of the European Parliament ⁽³⁾,

Whereas the Commission has proposed to the Council a reform of the Community rules in the raw tobacco sector ⁽⁴⁾; whereas it is not certain that this proposal can be adopted in time to be applied for the 1992 harvest; whereas, therefore, as a precautionary measure, the maximum guaranteed quantities for the 1992 harvest should be fixed at the level fixed for the previous harvest;

Whereas in the event that the reform does not apply to the 1992 harvest, the other measures to be taken, in particular fixing prices and premiums, reference qualities and production zones, can be adopted at a later stage,

HAS ADOPTED THIS REGULATION:

Article 1

The maximum guaranteed quantities for leaf tobacco for the 1992 harvest shall be as set out in the Annex hereto.

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, 30 March 1992.

*For the Council**The President*

Arlindo MARQUES CUNHA

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 1. Regulation as last amended by Regulation (EEC) No 860/92 (see page 1 of this Official Journal).

⁽²⁾ OJ No C 60, 7. 3. 1992, p. 41.

⁽³⁾ Opinion delivered on 13 March 1992 (not yet published in the Official Journal).

⁽⁴⁾ OJ No C 295, 14. 11. 1991, p. 5.

ANNEX

Maximum guaranteed quantities by variety and group of varieties for leaf tobacco from the 1992 harvest

		(tonnes)
Group and varieties (serial number)		Maximum guaranteed quantity 1992
GROUP I		
3	Virgin D	14 050
7	Bright	46 750
31	Virginia E	20 000
33	Virginia P	4 500
17	Basmas	30 000
18	Katerini	23 000
26	Virginia EL	17 000
Total		155 300
GROUP II		
2	Badischer Burley :	
	— for zone A	11 200
	— for zone B	4 300
8	Burley I	46 750
9	Maryland	3 500
25	Burley EL	11 000
28	Femented Burley	} 22 000
32	Burley E	
34	Burley P	2 500
Total		101 250
GROUP III		
1	Badischer Geudertheimer	5 050
4	Paraguay :	
	— for zone A	16 000
	— for zone B	2 700
	— for zone C	2 000
5	Nijkerk	} 1 500
6	Misionero	
27	Santa Fé	
29	Havanna E	
10	Kentucky	8 500
16	Round Tip	} 200
30	Round Scafati	
Total		35 950
GROUP IV		
13	Xanti-Yakà	} 20 000
14	Perustitza	
15	Erzegovina	
19	Kaba Koulak classic	} 30 000
20	Kaba Koulak non classic	
21	Myrodata	
22	Zychnomyrodata	
Total		50 000

		(tonnes)	
Group and varieties (serial number)		Maximum guaranteed quantity 1992	
GROUP V			
11	(a) Forchheimer Havanna II c (b) Nostrano del Brenta (c) Resistente 142 (d) Gojano (e) Nybrides of Badischer Geudertheimer	21 000	
12	Beneventano		
23	Tsebilis		26 500
24	Mavra		
Total			47 500

COUNCIL REGULATION (EEC) No 862/92

of 30 March 1992

opening, allocating and providing for the administration of a Community tariff quota for prepared or preserved sardines, originating in Morocco, for the period 1 March to 30 April 1992

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas Article 4 of Protocol 1 to the Agreement on relations in the sea-fisheries sector between the European Economic Community and the Kingdom of Morocco⁽¹⁾ states that prepared or preserved sardines falling within CN codes ex 1604 13 10 or ex 1604 20 50 and originating in Morocco shall be imported duty-free into the Community within the limits of a Community tariff quota of 17 500 tonnes (net weight); whereas, in order to ensure a regular flow to the Community market under this quota, the quantities destined for that market may not exceed 35 % of the total volume of the quota in the first quarter of the year; whereas at the end of this period, the unused quantities of the products in question should automatically be transferred to the quantities provided for the second quarter;

Whereas the said Agreement on fisheries was due to expire at the end of February 1992 and whereas, pursuant to Article 12 of the Agreement, the Contracting Parties have begun negotiations with a view to the possible conclusion of a new Agreement; whereas, pending the conclusion of these negotiations, an initial quota was opened by the Council under Regulation (EEC) No 3732/91⁽²⁾, to cover the period from 1 January to 29 February 1992, for a quantity of the abovementioned products which amounts to 4 083 tonnes, calculated *pro rata temporis*;

Whereas, in order to avoid hindering the progress of the said negotiations, which are not yet at the final stage and, also, to avoid interrupting the supply of the goods in question to the Community market, the Council, by Decision 92/211/EEC⁽³⁾, approved the Agreement in the form of an exchange of letters extending until 30 April 1992 the Agreement between the Community and the Kingdom of Morocco on relations in the sea-fisheries sector; whereas, the provisions of this Decision introduce the opening of a second Community tariff quota for the period from 1 March to 30 April 1992, with the principles

of regular flow and the volume as established by the principles laid down in the abovementioned Agreement, but taking account of the quantities covered by the initial quota; whereas, as a result, the quota volume to be opened amounts to 3 500 tonnes (net weight), of which only 2 042 tonnes may be discharged to the Community market up to 31 March 1992;

Whereas, within the limits of the tariff quota, Spain and Portugal shall apply customs duties calculated according to Council Regulation (EEC) No 3189/88 of 14 October 1988 laying down the arrangements to be applied by Spain and Portugal to trade with Morocco and Syria⁽⁴⁾;

Whereas equal and continuous access to the quota should be ensured for all Community importers and the rate laid down for the quota should be applied consistently to all imports of the products in question into all the Member States until the quota is exhausted;

Whereas the prepared and preserved sardines sector is encountering, in certain regions of the Community, economic constraints of a particular nature, bearing in mind notably the importance which sardine production may have in the fisheries production structure as a whole, thus making it legitimate to expect that the traditional commercial outlets for producers on external markets and, as a matter of priority, on the Community market, should not be adversely affected; whereas these specific economic circumstances make it necessary to maintain the allocation between the Member States of the quota concerned for the period of application of this Regulation;

Whereas, bearing in mind the way in which trade has developed traditionally, the allocation maintained among Member States should, in order to correspond as closely as possible to the real trend of the market for the products in question, be carried out on a *pro rata* basis according to the needs of the Member States, calculated on the basis of statistics of imports of the said products from Morocco during a representative reference period and on the economic outlook for the quota period in question;

Whereas in the last three years the products in question have been imported regularly only by certain Member States and not at all or only occasionally by the other Member States; whereas, in these circumstances, in the

⁽¹⁾ OJ No L 99, 16. 4. 1988, p. 49.

⁽²⁾ OJ No L 352, 21. 12. 1991, p. 1.

⁽³⁾ See page 27 of this Official Journal.

⁽⁴⁾ OJ No L 287, 20. 10. 1988, p. 1.

first phase, initial shares should be allocated to the genuine importing Member States and the other Member States should be guaranteed access to the tariff quota when imports actually take place; whereas these arrangements for allocation will equally ensure the uniform collection of the duties applicable;

Whereas, to allow for the trend of imports of the products concerned in the various Member States, the quota volume should be divided into two parts, the first being allocated among certain Member States and the second held as a reserve to cover any subsequent requirements of Member States which have used up their initial shares and any requirements which might arise in the other Member States; whereas, to afford importers in each Member State some degree of certainty, an appropriate level for the first part of the Community quota would, in the present circumstances, be 20 % of the quota volume, the second part, 80 % constituting the reserve to which shall also be returned any amounts remaining from the shares allocated when the quota volume was divided up for March and April;

Whereas the initial shares may be used up at different rates in each of the periods concerned; whereas, to provide for this eventuality and to avoid any break in the continuity of supplies, any Member State which has entirely used up its initial share should draw additional shares in quantities corresponding to the period in question; whereas each Member State should effect its drawing whenever each of its additional shares is almost used up,

and as many times as the reserve for that period allows; whereas this form of administration requires close cooperation between Member States and the Commission and the latter must be able to monitor the extent to which the quota volume has been used up and to inform the Member States accordingly;

Whereas if, during one of the periods concerned, the Community reserve is almost completely used up, it is essential that Member States return to the reserve the whole of the unused part of their initial shares and any drawings for that period, in order to prevent part of the Community tariff quota remaining unused in one Member State when it could be used in others;

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

HAS ADOPTED THIS REGULATION:

Article 1

From 1 March to 30 April 1992 the customs duty applicable to imports into the Community of the following products, originating in Morocco, shall be suspended at the level indicated and within the limits of a Community tariff quota as shown below:

Order No	CN codes (¹)	Description	Amount of quota (in tonnes)	Quota duty (%)
09.1101	ex 1604 13 10 ex 1604 20 50	Prepared or preserved sardines of the type <i>Sardina pilchardus</i>	3 500 (net weight)	0

(¹) Taric codes: 1604 13 10*10
1604 20 50*11

Within the limits of this tariff quota, the Kingdom of Spain and the Portuguese Republic shall apply customs duties calculated in accordance with Regulation (EEC) No 3189/88.

Article 2

1. The tariff quota referred to in Article 1 shall be divided into two parts.

2. The first part of the quota, 700 tonnes, shall be allocated among certain Member States; the quota shares corresponding to March and April respectively shall be as follows:

Member States	March	April
Benelux	37	27
Denmark	—	—
Germany	88	63
Greece	5	3
Spain	—	—
France	171	123
Ireland	—	—
Italy	23	16
Portugal	—	—
United Kingdom	84	60
	408	292

3. The second part of the quota, 2 800 tonnes, divided into 1 634 and 1 166 tonnes corresponding to March and April respectively, shall constitute the Community reserve.

4. If the products concerned are presented in the other Member States together with a declaration of entry into free circulation accepted by the customs authorities, the Member States concerned shall inform the Commission and draw a corresponding amount pursuant to Article 3.

5. Without prejudice to Article 4, the Member States referred to in paragraph 2 shall return immediately to the reserve any quantity of the quota shares allocated to them when the quota volumes relating to the first and second quarters were divided up which, on 31 March and 31 April 1992 are unused.

Article 3

If a Member State has used its entire initial share as specified in Article 2 (2), or that share less any portion returned to the reserve pursuant to Article 2 (5) or Article 4, the following provisions shall apply.

If an importer presents in a Member State a declaration of entry into circulation for a product covered by this Regulation and if this is accepted by the customs authorities, the Member State concerned shall inform the Commission and draw an amount corresponding to its requirements from the reserve referred to in Article 2 (3).

Request for drawings, with an indication of the date of acceptance of the said declarations, must be transmitted to the Commission without delay.

The drawing shall be granted by the Commission, by reference to the date of acceptance of the declarations of entry into free circulation by the customs authorities of the Member State concerned, to the extent that the available balance so permits.

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

If the quantities requested are greater than the available balance of the reserve, allocation shall be made on a basis

proportionate to the requests. Member States shall be so informed by the Commission.

Article 4

Once at least 80 % of each portion of the reserve, as defined in Article 2 (3), has been used up, the Commission shall notify the Member States thereof.

It shall also notify Member States in this case of the date from which drawings on the Community reserve must be made according to the provisions laid down in the second and fifth paragraphs of Article 3, if these provisions are not already in effect.

Without a time limit fixed by the Commission as from the date referred to in the second paragraph, Member States shall be required to return to the reserve all their initial shares which have not been used on that date.

Article 5

The Commission shall keep account of the quota shares opened to Member States pursuant to Articles 2 and 3 and shall inform each Member State of the extent to which the portions of the reserve have been used up as soon as it has been notified.

It shall inform the Member States of the amount of each portion of the reserve following any return of quota shares pursuant to Article 4.

Article 6

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

Article 7

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

It shall apply as from 1 March 1992.

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 863/92

of 6 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 3 April 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 7 April 1992.

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

Done at Brussels, 6 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 6 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	139,47 (°) (°)
0712 90 19	139,47 (°) (°)
1001 10 10	168,85 (°) (°) (°)
1001 10 90	168,85 (°) (°) (°)
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	139,47 (°) (°)
1005 90 00	139,47 (°) (°)
1007 00 90	140,57 (°)
1008 10 00	52,89 (°)
1008 20 00	118,36 (°)
1008 30 00	60,28 (°)
1008 90 10	(°)
1008 90 90	60,28
1101 00 00	221,29 (°) (°)
1102 10 00	243,89 (°)
1103 11 10	275,29 (°) (°)
1103 11 90	237,48 (°)

(°) 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 864/92

of 6 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 3 April 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 7 April 1992.

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

Done at Brussels, 6 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 6 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 865/92
of 3 April 1992
on the supply of refined rape seed oil as food aid

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

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

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

Whereas, following the taking of a number of decisions on the allocation of food aid, the Commission has allocated to certain countries and beneficiary organizations 1 294 tonnes of refined rape seed oil;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

The successful tenderer 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, 3 April 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 174, 7. 7. 1990, p. 6.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

⁽⁵⁾ OJ No L 81, 28. 3. 1991, p. 108.

ANNEX I

LOT A

1. **Operation Nos** ⁽¹⁾: 1134/91, 1135/91 and 1136/91
2. **Programme**: 1991
3. **Recipient** ⁽²⁾: World Food Programme, Via Cristoforo Colombo 426, 00145 Rome, telex 626675 i wfp
4. **Representative of the recipient** ⁽³⁾: see OJ No C 103, 16. 4. 1987
5. **Place or country of destination**: Algeria, Ivory Coast, Guinea
6. **Product to be mobilized**: refined rape seed oil
7. **Characteristics and quality of the goods** ⁽⁴⁾: see OJ No C 114, 29. 4. 1991, p. 3 (under III.A.1 (a))
8. **Total quantity**: 1 294 tonnes net
9. **Number of lots**: one (see Annex II)
10. **Packaging and marking** ⁽⁵⁾: see OJ No C 114, 29. 4. 1991, p. 3 (under III.A.2.1, III.A.2.3 and III.A.3)
 - five litre metal canister without cardboard cross-pieces
 - markings in French (1134/91) and English (1135/91, 1136/91)
 - supplementary markings on the packaging: see Annex II
11. **Method of mobilization**: the Community market
12. **Stage of supply**: free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 1 — 30. 6. 1992
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply** ⁽⁶⁾: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon on 21. 4. 1992
21. **A. In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon on 5. 5. 1992
 - (b) period for making the goods available at the port of shipment: 15. 6. 1992 — 15. 7. 1992
 - (c) deadline for the supply: —**B. In the case of a third invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon on 19. 5. 1992
 - (b) period for making the goods available at the port of shipment: 1 — 31. 7. 1992
 - (c) deadline for the supply: —
22. **Amount of the tendering security**: ECU 15 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders** ⁽⁷⁾: Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, bâtiment Loi 120, bureau 7/46, 200 rue de la Loi, B-1049 Bruxelles; telex 22037 AGREC B or 25670 AGREC B
25. **Refund payable on request by the successful tenderer**: —

Notes :

- (¹) The operation number is to be quoted in all correspondence.
- (²) Commission delegate to be contacted by the successful tenderer : see list published in OJ No C 114, 29. 4. 1991, p. 33.
- (³) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the products to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.

The radioactivity certificate must indicate the caesium-134 and -137 levels.

The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following documents :

- phytosanitary certificate,
 - certificate of origin.
- (⁴) The successful tenderer is to contact the recipient as soon as possible to establish which consignment documents are required and how they are to be distributed.
 - (⁵) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of this Annex, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably :
 - either by porter at the office referred to in point 24 of this Annex,
 - or by telecopier on one of the following numbers in Brussels :
 - 235 01 32,
 - 236 10 97,
 - 235 01 30,
 - 236 20 05,
 - 236 33 04.
 - (⁶) Point (g) of Article 7 (3) of Regulation (EEC) No 2200/87 shall not be applicable to tenders submitted.
 - (⁷) Shipment to take place in containers.

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

Designación de la partida Parti Bezeichnung der Partie Χαρακτηρισμός της παρτίδας Lot Désignation de la partie Designazione della partita Aanduiding van de partij Designação do lote	Cantidad total de la partida (en toneladas) Totalmængde (tons) Gesamtmenge der Partie (in Tonnen) Συνολική ποσότητα της παρτίδας (σε τόνους) Total quantity (in tonnes) Quantité totale de la partie (en tonnes) Quantità totale della partita (in tonnellate) Totale hoeveelheid van de partij (in ton) Quantidade total (em toneladas)	Cantidades parciales (en toneladas) Delmængde (tons) Teilmengen (in Tonnen) Μερικές ποσότητες (σε τόνους) Partial quantities (in tonnes) Quantités partielles (en tonnes) Quantitativi parziali (in tonnellate) Deelhoeveelheden (in ton) Quantidades parciais (em toneladas)	Acción nº Aktion nr. Maßnahme Nr. Δράση αριθ. Operation No Action nº Azione n. Maatregel nr. Acção nº	Inscripciones complementarias sobre el embalaje Yderligere påskrifter Ergänzende Aufschriften auf der Verpackung Συμπληρωματικές ενδείξεις στη συσκευασία Supplementary markings on the packaging Inscriptions complémentaires sur l'emballage Iscrizioni supplementari sull'imballaggio Bijkomende vermeldingen op de verpakking Inscrições complementares na embalagem
A	1 294	A1 : 230	1134/91	0415502 / Programme alimentaire mondial / Alger
		A2 : 600	1130/91	0460400 / World Food Programme / San Pedro
		A3 : 464	1136/91	0460400 / World Food Programme / Conakry

COMMISSION REGULATION (EEC) No 866/92
of 3 April 1992
on the supply of refined rape seed oil as food aid

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

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

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

Whereas, following the taking of a number of decisions on the allocation of food aid, the Commission has allocated to certain countries and beneficiary organizations 8 412 tonnes of refined rape seed oil;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

Refined rape seed oil shall be mobilized in the Community as Community food aid for supply to the recipients listed in the 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 shall be deemed to have noted and accepted all the general and specific conditions applicable. Any other condition or reservation included in his tender shall be deemed unwritten.

Article 2

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

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

Done at Brussels, 3 April 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**LOTS A, B, C, D and E**

1. **Operation Nos** (1): 55/92 (A); 56/92 (B); 57/92 (C); 58/92 (D) and 75/92, 76/92, 77/92, 78/92 (E)
2. **Programme**: 1992
3. **Recipient** (2): World Food Programme, Via Cristoforo Colombo 426, I-00145 Rome, telex 626675 i wfp
4. **Representative of the recipient** (3): see OJ No C 103, 16. 4. 1987
5. **Place or country of destination**: see Annex II — Lot E (Ivory Coast, Liberia, Guinea, Sierra Leone)
6. **Product to be mobilized**: refined rape seed oil
7. **Characteristics and quality of the goods** (4): see OJ No C 114, 29. 4. 1991, p. 3 (under III.A.1 (a))
8. **Total quantity**: 8 412 tonnes net
9. **Number of lots**: five (see Annex II)
10. **Packaging and marking** (5): see OJ No C 114, 29. 4. 1991, p. 3 (under III.A.2.1, III.A.2.3 and III.A.3)
 - five litre metal canisters without cardboard cross-pieces
 - markings in English and Portuguese (55/92): see Annex II
 - supplementary markings on the packaging: see Annex II
11. **Method of mobilization**: the Community market
12. **Stage of supply**: free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 25. 5 — 25. 6. 1992
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply** (6): tendering
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon on 21. 4. 1992
21. **A. In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon on 5. 5. 1992
 - (b) period for making the goods available at the port of shipment: 8. 6 — 9. 7. 1992
 - (c) deadline for the supply: —**B. In the case of a third invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon on 19. 5. 1992
 - (b) period for making the goods available at the port of shipment: 22. 6 — 23. 7. 1992
 - (c) deadline for the supply: —
22. **Amount of the tendering security**: ECU 15 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders** (7): Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, bâtiment Loi 120, bureau 7/46, 200 rue de la Loi, B-1049 Bruxelles; telex 22037 AGREC B or 25670 AGREC B
25. **Refund payable on request by the successful tenderer**: —

Notes :

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

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

- plant-health certificate,
 - certificate of origin.
- (⁴) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of this Annex, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably :
 - either by porter at the office referred to in point 24 of this Annex,
 - or by telecopier at one of the following numbers in Brussels :
 - 235 01 32,
 - 236 10 97,
 - 235 01 30,
 - 236 20 05,
 - 236 33 04.
 - (⁵) Point (g) of Article 7 (3) of Regulation (EEC) No 2200/87 does not apply to tenders submitted.
 - (⁶) Lot D : in containers.
 - (⁷) Commission delegate to be contacted by the successful tenderer : see list published in OJ No C 114, 29. 4. 1991, p. 33.

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

Designación de la partida Parti Bezeichnung der Partie Χαρακτηρισμός της παρτίδας Lot Désignation de la partie Designazione della partita Aanduiding van de partij Designação do lote	Cantidad total de la partida (en toneladas) Totalmængde (tons) Gesamtmenge der Partie (in Tonnen) Συνολική ποσότητα της παρτίδας (σε τόνους) Total quantity (in tonnes) Quantité totale de la partie (en tonnes) Quantità totale della partita (in tonnellate) Totale hoeveelheid van de partij (in ton) Quantidade total (em toneladas)	Cantidades parciales (en toneladas) Delmængde (tons) Teilmengen (in Tonnen) Μερικές ποσότητες (σε τόνους) Partial quantities (in tonnes) Quantités partielles (en tonnes) Quantitativi parziali (in tonnellate) Deelhoeveelheden (in ton) Quantidades parciais (em toneladas)	Acción nº Aktion nr. Maßnahme Nr. Δράση αριθ. Operation No Action nº Azione n. Maatregel nr. Acção nº	Inscripciones complementarias sobre el embalaje Yderligere påskrifter Ergänzende Aufschriften auf der Verpackung Συμπληρωματικές ενδείξεις στη συσκευασία Supplementary markings on the packaging Inscriptions complémentaires sur l'emballage Iscrizioni supplementari sull'imballaggio Bijkomende vermeldingen op de verpakking Inscrições complementares na embalagem
A	778	778	55/92	0494500 / Angola / Programa alimentar mundial / Luanda
B	1 686	1 686	56/92	0466901 / Ethiopia / World Food Programme / Djibouti in transit to Ethiopia
C	648	648	57/92	0494900 / Ethiopia / World Food Programme / Assab
D	2 300	2 300	58/92	0485600 / Ethiopia / World Food Programme / Djibouti in transit to Ethiopia
E	3 000	1 160	75/92	0460400 / World Food Programme / San Pedro
		1 000	76/92	0460400 / World Food Programme / Monrovia
		520	77/92	0460400 / World Food Programme / Conakry
		320	78/92	0460400 / World Food Programme / Freetown

COMMISSION REGULATION (EEC) No 867/92**of 6 April 1992****amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments**

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

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

Whereas the amounts of aid for the supply of cereals products to the French overseas departments has been settled by Commission Regulation (EEC) No 391/92 ⁽²⁾; whereas, as a consequence of the changes of the rates of prices for cereals products in the European part of the Community and on the world market, the aid for supply to the French overseas departments should be set at the amounts given in the Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annex of Regulation (EEC) No 391/92 is replaced by the Annex to the present Regulation.

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, 6 April 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 356, 24. 12. 1991, p. 1.

⁽²⁾ OJ No L 43, 19. 2. 1992, p. 23.

ANNEX

(ECU/tonne)

Product (CN code)	Amount of aid			
	Destination			
	Guadeloupe	Martinique	French Guiana	Réunion
Common wheat (1001 90 99)	73,00	73,00	77,00	78,00
Barley (1003 00 90)	85,00	85,00	89,00	90,00
Maize (1005 90 00)	90,00	90,00	94,00	95,00

COMMISSION REGULATION (EEC) No 868/92
of 6 April 1992
fixing the aid for cotton

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

Having regard to the Act of Accession of Greece, and in particular paragraphs 3 and 10 of Protocol 4 thereto, as amended by the Act of Accession of Spain and Portugal, and in particular Protocol 14 annexed thereto, and Commission Regulation (EEC) No 4006/87⁽¹⁾,

Having regard to Council Regulation (EEC) No 2169/81 of 27 July 1981 laying down the general rules for the system of aid for cotton⁽²⁾, as last amended by Regulation (EEC) No 791/89⁽³⁾, and in particular Article 5 (1) thereof,

Whereas the amount of the additional aid referred to in Article 5 (1) of Regulation (EEC) No 2169/81 was fixed by Commission Regulation (EEC) No 2880/91⁽⁴⁾, as last amended by Regulation (EEC) No 803/92⁽⁵⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 2880/91 to the information at present available to the Commission that the amount of the aid at present in force should be altered as shown in Article 1 to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The aid for unginned cotton referred to in Article 5 of Regulation (EEC) No 2169/81 shall be ECU 71,245 per 100 kilograms.

Article 2

This Regulation shall enter into force on 7 April 1992.

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

Done at Brussels, 6 April 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 377, 31. 12. 1987, p. 49.

⁽²⁾ OJ No L 211, 31. 7. 1981, p. 2.

⁽³⁾ OJ No L 85, 30. 3. 1989, p. 7.

⁽⁴⁾ OJ No L 274, 1. 10. 1991, p. 48.

⁽⁵⁾ OJ No L 86, 1. 4. 1992, p. 45.

COMMISSION REGULATION (EEC) No 869/92

of 6 April 1992

introducing a corrective amount on the import of tomatoes into the Community
of Ten from Spain

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 3709/89 of 4 December 1989 laying down general rules for implementing the Act of Accession of Spain and Portugal as regards the compensatory mechanism for imports of fruit and vegetables from Spain⁽¹⁾, and in particular Article 4 (2) thereof,

Whereas Article 152 of the Act of Accession introduces from 1 January 1990 a compensatory mechanism for imports into the Community as constituted on 31 December 1985, hereinafter called 'the Community of Ten', of fruit and vegetables from Spain for which a reference price is fixed with regard to third countries;

Whereas Regulation (EEC) No 3709/89 lays down general rules for applying the said compensatory mechanism;

Whereas Commission Regulation (EEC) No 781/92⁽²⁾ fixed, for the 1992 marketing year, the Community offer price for tomatoes applicable with regard to Spain;Whereas Commission Regulation (EEC) No 3815/89⁽³⁾ lays down detailed rules for applying the compensatory mechanism on imports of fruit and vegetables from Spain;

Whereas, in the case of tomatoes, the offer price for the Spanish product, as calculated in accordance with the provisions of Council Regulation (EEC) No 3709/89 has

remained for two consecutive market days at a level at least ECU 0,6 below the Community offer price; whereas a corrective amount equal to the difference between the Community offer price and the Spanish offer price must therefore be introduced for these products from Spain;

Whereas if the system is to operate normally the offer price of the Spanish product should be calculated on the following basis:

- in the case of currencies the spot market rates for which are maintained in relationship to each other 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⁽⁴⁾, as last amended by Regulation (EEC) No 2205/90⁽⁵⁾;
- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent,

HAS ADOPTED THIS REGULATION:

Article 1

On import into the Community of Ten of tomatoes (CN code 0702 00) from Spain a corrective amount of ECU 7,09 per 100 kilograms net shall be levied.

Article 2

This Regulation shall enter into force on 8 April 1992.

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

Done at Brussels, 6 April 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 363, 13. 12. 1989, p. 3.

⁽²⁾ OJ No L 84, 31. 3. 1992, p. 21.

⁽³⁾ OJ No L 371, 20. 12. 1989, p. 28.

⁽⁴⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁵⁾ OJ No L 201, 31. 7. 1990, p. 9.

COMMISSION REGULATION (EEC) No 870/92

of 6 April 1992

altering the import levies on products processed from cereals and rice

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 14 (4) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EEC) No 674/92, and in particular Article 12 (4) 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⁽⁴⁾, as last amended by Regulation (EEC) No 2205/90⁽⁵⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on products processed from cereals and rice were fixed by Commission Regulation (EEC) No 784/92⁽⁶⁾, as amended by Regulation (EEC) No 815/92⁽⁷⁾;

Whereas Council Regulation (EEC) No 1906/87⁽⁸⁾ amended Council Regulation (EEC) No 2744/75⁽⁹⁾ as regards products falling within CN codes 2302 10, 2302 20, 2302 30 and 2302 40;

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 3 April 1992;

Whereas the aforesaid corrective factor affects the entire calculation basis for the levies, including the equivalence coefficients;

Whereas the levy on the basic product as last fixed differs from the average levy by more than ECU 3,02 per tonne of basic product; whereas, pursuant to Article 1 of Commission Regulation (EEC) No 1579/74⁽¹⁰⁾ as last amended by Regulation (EEC) No 1740/78⁽¹¹⁾ the levies at present in force must therefore 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 processed from cereals and rice covered by Regulation (EEC) No 2744/75 as fixed in the Annex to amended Regulation (EEC) No 784/92 are hereby altered to the amounts set out in the Annex.

Article 2

This Regulation shall enter into force on 7 April 1992.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 73, 19. 3. 1992, p. 7.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁵⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁶⁾ OJ No L 357, 28. 12. 1991, p. 84.

⁽⁷⁾ OJ No L 86, 1. 4. 1992, p. 80.

⁽⁸⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁹⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽¹⁰⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽¹¹⁾ OJ No L 202, 26. 7. 1978, p. 8.

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

Done at Brussels, 6 April 1992.

For the Commission
 Ray MAC SHARRY
Member of the Commission

ANNEX

to the Commission Regulation of 6 April 1992 altering the import levies on products processed from cereals and rice

CN code	Import (°) levies	
	ACP	Third countries (other than ACP) (°)
1102 20 10	250,11	256,15
1102 20 90	141,73	144,75
1103 13 10	250,11	256,15
1103 13 90	141,73	144,75
1103 29 40	250,11	256,15
1104 19 50	250,11	256,15
1104 23 10	222,32	225,34
1104 23 30	222,32	225,34
1104 23 90	141,73	144,75
1104 30 90	104,21	110,25
1106 20 90	220,08 (°)	244,26
1108 12 00	223,71	244,26
1108 13 00	223,71	244,26 (°)
1108 14 00	111,85	244,26
1108 19 90	111,85 (°)	244,26
1702 30 51	291,80	388,52
1702 30 59	223,71	290,20
1702 30 91	291,80	388,52
1702 30 99	223,71	290,20
1702 40 90	223,71	290,20
1702 90 50	223,71	290,20
1702 90 75	305,69	402,41
1702 90 79	212,59	279,08
2106 90 55	223,71	290,20
2303 10 11	277,90	459,24

-
- (³) In accordance with Regulation (EEC) No 715/90 the levy shall not be charged on the following products originating in the African, Caribbean and Pacific States :
- products falling within CN code ex 0714 10 91,
 - products falling within CN code 0714 90 11 and arrow-root falling within CN code 0714 90 19,
 - flours and meal of arrow-root falling within CN code 1106 20,
 - arrow-root starch falling within CN code 1108 19 90.
- (⁴) Pursuant to Regulation (EEC) No 3834/90, the levy on importation into the Community of products of CN code 1108 13 00 is reduced by 50 % within the limit of a fixed quantity of 5 000 tonnes.
- (⁵) On importation into Portugal, the levy is increased by the amount specified in Article 2 (2) of Regulation (EEC) No 3808/90.
- (⁶) No import levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.
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II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 30 March 1992

on the conclusion of an Agreement in the form of an exchange of letters concerning the interim extension for the period from 1 March to 30 April 1992 of the Agreement on relations in the sea-fisheries sector between the European Economic Community and the Kingdom of Morocco and of the Protocol annexed thereto

(92/211/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Agreement on relations in the sea-fisheries sector between the European Economic Community and the Kingdom of Morocco and to the Protocol annexed thereto⁽¹⁾,

Having regard to the proposal from the Commission,

Whereas the Community and the Kingdom of Morocco have entered into negotiations as provided for in Article 12 (2) of the Agreement to establish the arrangements to be applied after 29 February 1992, the date on which the Agreement and the Protocol annexed thereto expire;

Whereas the two Parties agreed on 28 February 1992 to extend the said Agreement and the Protocol annexed thereto for an interim period from 1 March to 30 April 1992 pending the result of the said negotiations,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement in the form of an exchange of letters concerning the interim extension for the period from

1 March to 30 April 1992 of the Agreement on relations in the sea-fisheries sector between the European Economic Community and the Kingdom of Morocco and of the Protocol annexed thereto is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Decision.

Article 2

The President of the Council is hereby authorized to designate the persons empowered to sign the Agreement in the form of an exchange of letters in order to bind the Community.

Done at Brussels, 30 March 1992.

For the Council

The President

Arlindo MARQUES CUNHA

⁽¹⁾ OJ No L 181, 12. 7. 1988, p. 1.

AGREEMENT

in the form of an exchange of letters concerning the interim extension for the period from 1 March to 30 April 1992 of the agreement on relations in the sea-fisheries sector between the European Economic Community and the Kingdom of Morocco and of the Protocol annexed thereto

A. Letter from the Community

Sir,

I have the honour to confirm that we have agreed on the following interim arrangements to allow the fishing vessels of the European Community to pursue their fishing activities in Moroccan waters :

1. With effect from 1 March to 30 April 1992 the arrangements applicable during this interim period shall be those prevailing under the Agreement on relations in the sea-fisheries sector between the European Economic Community and the Kingdom of Morocco and the Protocol annexed thereto covering the period from 1 March 1988 to 29 February 1992.

The financial compensation by the Community and its contribution to Moroccan scientific or technical programmes under the interim arrangements shall be equivalent *pro rata temporis* to those provided for in Articles 2 and 3 (1) of the Protocol currently in application.

The *pro rata temporis* rule shall also apply to the awards arrangements provided for in Article 3 (2) of the Protocol.

2. During the interim period licences shall be allocated within the limits fixed in Article 1 of the Protocol currently in application (reference period 1 March 1991 to 29 February 1992) subject to fees and advances which are equivalent *pro rata temporis* to those fixed in point C of Annex I to the Agreement (reference period 1 March 1991 to 29 February 1992).

I should be obliged if you would confirm receipt of this letter and your agreement to its contents.

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

*On behalf of
the Council of the European Communities*

B. *Letter from the Kingdom of Morocco*

Sir,

I have the honour to confirm receipt of your letter of today's date which reads as follows :

'I have the honour to confirm that we have agreed on the following interim arrangements to allow the fishing vessels of the European Community to pursue their fishing activities in Moroccan waters :

1. With effect from 1 March to 30 April 1992 the arrangements applicable during this interim period shall be those prevailing under the Agreement on relations in the sea-fisheries sector between the European Economic Community and the Kingdom of Morocco and the Protocol annexed thereto covering the period from 1 March 1988 to 29 February 1992.

The financial compensation by the Community and its contribution to Moroccan scientific or technical programmes under the interim arrangements shall be equivalent *pro rata temporis* to those provided for in Articles 2 and 3 (1) of the Protocol currently in application.

The *pro rata temporis* rule shall also apply to the awards arrangements provided for in Article 3 (2) of the Protocol.

2. During the interim period licences shall be allocated within the limits fixed in Article 1 of the Protocol currently in application (reference period 1 March 1991 to 29 February 1992) subject to fees and advances which are equivalent *pro rata temporis* to those fixed in point C of Annex I to the Agreement (reference period 1 March 1991 to 29 February 1992).

I should be obliged if you would confirm receipt of this letter and your agreement to its contents.'

I have the honour to confirm the contents of your letter are acceptable to the Government of the Kingdom of Morocco and that your letter along with the present constitute an agreement in accordance with your proposal.

Please accept Sir, the assurance of my highest consideration.

*For the
Government of the Kingdom of Morocco*
