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(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 914/92
of 6 April 1992
opening and providing for the administration of Community tariff quotas for an
agricultural product and an industrial product (Third series 1992)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 28 thereof,

Having regard to the proposal from the Commission,

Whereas Community production of certain agricultural and industrial products is currently unable to meet the specific requirements of the user industries in the Community ; whereas, consequently, Community supplies of these products currently depend to a considerable extent on imports from third countries ; whereas the most urgent Community requirements for the products in question should be met immediately on the most favourable terms ; whereas zero duty Community tariff quotas should therefore be opened within the limits of appropriate volumes for a period respectively, from 1 July 1992 to 30 June 1993 and for a period of six months from the date of entry into force of this Regulation ; whereas, in order not to upset the balance of the markets for these products, the volume of certain of these Community tariff quotas should be set at provisional levels which cover immediate requirements ; whereas the setting of the quota volumes at this level does not rule out an adjustment during the year ;

Whereas it is necessary, in particular, to ensure for all Community importers equal and uninterrupted access to the said quotas and to ensure the uninterrupted applica-

tion of the rates laid down for the quotas to all imports of the products concerned into all Member States until the quotas have been used up ;

Whereas, it is appropriate to take the necessary measures to ensure efficient Community administration of these tariff quotas while offering the Member States the opportunity to draw from the quota volumes the necessary quantities corresponding to actual imports ; whereas this method of administration requires close cooperation between the Member States and the Commission and the latter must in particular be able to monitor the rate at which the quotas are used up and inform the Member States accordingly ;

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, all transactions concerning the administration of the quantities drawn by that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION :

Article 1

1. The customs duties applicable to imports of the following products shall be suspended during the periods, at the levels and within the limits of the Community tariff quotas shown below :

Order No	CN Codes (')	Description	Amount of quota	Quota duty (%)	Quota period
09.2701	ex 0301 92 00 ex 0302 66 00 ex 0303 76 00	Eels (<i>Anguilla spp.</i>), live, fresh, chilled or frozen, intended for processing by curing or skinning enterprises or for use in the industrial manufacture of products falling within CN code 1604 (a)	5 000 tonnes	0	1. 7. 1992 – 30. 6. 1993

Order No	CN Codes (1)	Description	Amount of quota	Quota duty (%)	Quota period
09.2833	ex 8473 30 90	Thin-film magnetic heads of Winchester technology capable of recording to a density of 78 tracks or more per millimetre, mounted on a carrier arm, connected via a flexible printed circuit to a metal bracket, for the incorporation in hard disc storage units with an external disc diameter not exceeding 8,89 cm (3,5 inch) (a)	150 000 pieces	0	Six months from the date of entry into force of this Regulation

(1) Taric codes : 0301 92 00*10, 0302 66 00*10, 0303 76 00*10, 8473 30 90*80.

(a) Control of the use for this special purpose shall be carried out pursuant to the relevant Community provisions.

2. Within the limits of these tariff quotas the Kingdom of Spain and the Portuguese Republic shall apply customs duties calculated in accordance with the relevant provisions of the 1985 Act of Accession.

Article 2

The tariff quotas referred to in Article 1 shall be managed by the Commission, which may take any appropriate administrative measures to ensure that they are managed efficiently.

Article 3

Where an importer presents a product covered by this Regulation for release for free circulation in a Member State, applying to take advantage of the preferential arrangements, and the entry is accepted by the customs authorities, the Member State concerned shall, by notifying the Commission, draw an amount corresponding to its requirements from the appropriate quota volume.

Requests for drawings, indicating the date on which the entries were accepted, must be sent to the Commission without delay.

Drawings shall be granted by the Commission in chronological order of the dates on which the customs authori-

ties of the Member States concerned accepted the entries for release for free circulation, to the extent that the available balance so permits.

If a Member State does not use a drawing in full it shall return any unused portion to the corresponding quota volume as soon as possible.

If the quantities requested are greater than the available balance of the quota volume, the balance shall be allocated among applicants pro rata. The Commission shall inform the Member States of the drawings made.

Article 4

Each Member State shall ensure that importers of the products in question have equal and continuous access to the quotas for as long as the balance of the relevant quota volume so permits.

Article 5

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

Article 6

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

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

Done at Luxembourg, 6 April 1992.

For the Council

The President

João PINHEIRO

COUNCIL REGULATION (EEC) No 915/92

of 6 April 1992

amending Regulations (EEC) No 3877/91 and (EEC) No 3878/91 opening and providing for the administration of Community tariff quotas for certain hand made products and certain handwoven fabrics, pile and chenille (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 Council Regulations (EEC) No 3877/91 ⁽¹⁾ and (EEC) No 3878/91 ⁽²⁾ opened Community tariff quotas for 1992 in respect of certain hand made products from a number of countries; whereas the quotas are reserved for products accompanied by a certificate recognized by the competent Community authorities conforming to one of the models annexed to the Regulations; whereas certificates must in addition be issued by recognized authorities in the country of manufacture, certifying that the goods in question are hand made;

Whereas the Brazilian authorities have applied to benefit from these tariff measures; whereas they have sent the Commission of the European Communities the name of the authority empowered to endorse the necessary certificates and have indicated their willingness to comply with all obligations under the Regulations;

Whereas it has been established that certain products originating in Brazil have characteristics similar to products from other developing countries covered by Regulations (EEC) No 3877/91 and (EEC) No 3878/91; whereas the said Regulations should accordingly be amended to cover products from Brazil as well,

HAS ADOPTED THIS REGULATION:

Article 1

Annex III to Regulation (EEC) No 3877/91 and Annex II to Regulation (EEC) No 3878/91 shall be amended as follows:

1. In the column marked 'country of manufacture' the following terms shall be added:

'Brasil
Brasiliën
Brasiliën
Βραζιλία
Brazil
Brésil
Brasile
Brazilië
Brasil.'

2. In the column marked 'competent authority', the following terms shall be added:

'Conselho Nacional de Associações
Comerciais — CONASC SCS — Ed. Palácio do
Comércio
1º andar 70318 — Brasília DF.'

Article 2

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

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

Done at Luxembourg, 6 April 1992.

For the Council

The President

João PINHEIRO

⁽¹⁾ OJ No L 364, 31. 12. 1991, p. 1.

⁽²⁾ OJ No L 364, 31. 12. 1991, p. 37.

COUNCIL REGULATION (EEC) No 916/92**of 31 March 1992****on the transfer to Portugal of 382 000 tonnes of cereals held by various intervention agencies**

THE COUNCIL 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⁾, and in particular Article 7 (5) thereof,

Having regard to Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy ⁽²⁾, and in particular Article 3 (2) thereof,

Having regard to the proposal from the Commission,

Whereas the drought in Portugal in recent months has led to a shortage of fodder which may induce stockfarmers to sell their livestock prematurely, with possible adverse affects on their incomes;

Whereas this shortage can be offset if the stockfarmers use 230 000 tonnes of feed grain;

Whereas, moreover, wheat production in 1992 is also affected by widespread drought; whereas this situation may result in difficulties of supply on the Portuguese market;

Whereas the abovementioned difficulties may be alleviated by a transfer of Community cereals available at the intervention agencies of the other Member States;

Whereas the Portuguese intervention agency resells transferred stocks in accordance with Commission Regulation (EEC) No 1836/82 of 7 July 1982 laying down the procedure and conditions for the disposal of cereals held by intervention agencies ⁽³⁾; whereas, however, in view of the foreseeable rise in market prices in Portugal, the cereals transferred should be resold on the Portuguese market at prices permitting disposal on satisfactory price terms;

Whereas certain detailed rules should be laid down on takeover of the cereals and transfer of responsibility for it;

Whereas provisions should be laid down on the entry in accounts of this operation in accordance with the mechanisms laid down in Council Regulation (EEC) No 1883/78 of 2 August 1978 laying down general rules

for the financing of interventions by the European Agricultural Guidance and Guarantee Fund, Guarantee Section ⁽⁴⁾,

HAS ADOPTED THIS REGULATION:

Article 1

1. The transfer of 382 000 tonnes of cereals held by the Danish, German, Spanish and French intervention agencies shall be made to Portugal in accordance with the following breakdown:

- Denmark: 30 000 tonnes of common fodder wheat,
- Germany: 30 000 tonnes of common fodder wheat,
- Spain: 170 000 tonnes of barley and 12 000 tonnes of durum wheat,
- France: 140 000 tonnes of common wheat of bread-making quality.

2. The Portuguese intervention agency shall take over the products referred to in paragraph 1 before 1 May 1992. It shall arrange for their transport to Portugal and their disposal in mainland Portugal before dates to be determined in accordance with the procedure referred to in paragraph 5.

3. The cereals in question shall be resold as they arrive in Portugal.

4. Contracts for transport as referred to in paragraph 2 shall be awarded by intervention to tender. The cereals must be mobilized under the most favourable transport conditions.

5. Detailed rules for the application of this Regulation covering in particular transport as referred to in paragraph 2, the schedule of invitations to tender for the cereals in question and the minimum selling price to be met shall be adopted in accordance with the procedure provided for in Article 26 of Regulation (EEC) No 2727/75.

Article 2

1. The intervention agencies referred to in Article 1 (1) shall debit the accounts referred to in Article 4 of Regulation (EEC) No 1883/78 with the quantities of cereals transferred, valued at zero.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1. Regulation as last amended by Regulation (EEC) No 3577/90 (OJ No L 353, 17. 12. 1990, p. 23).

⁽²⁾ OJ No L 98, 28. 4. 1970, p. 3. Regulation as last amended by Regulation (EEC) No 2048/88 (OJ No L 185, 15. 7. 1988, p. 1).

⁽³⁾ OJ No L 202, 9. 7. 1982, p. 23. Regulation as last amended by Regulation (EEC) No 3043/91 (OJ No L 325, 27. 11. 1991, p. 5).

⁽⁴⁾ OJ No 216, 5. 8. 1978, p. 1. Regulation as last amended by Regulation (EEC) No 2050/88 (OJ No L 185, 15. 7. 1988, p. 6).

2. The Portuguese intervention agency shall credit the accounts referred to in Article 4 of Regulation (EEC) No 1883/78 with the quantities of cereals of which it has taken delivery, valued at zero, and shall value them at the end of each month at ECU 52/tonne in the case of common wheat of breadmaking quality, ECU 51/tonne in the case of barley and fodder wheat and ECU 67/tonne in the case of durum wheat. Those amounts shall be converted into national currency at the agricultural conversion rate applying at the beginning of the 1991/92 marketing year.

3. The costs of transport of the products referred to in Article 1 (1) shall be entered in the accounts referred to in paragraph 2.

Article 3

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, 31 March 1992.

For the Council

The President

Arlindo MARQUES CUNHA

COMMISSION REGULATION (EEC) No 917/92

of 10 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 9 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 11 April 1992.

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

Done at Brussels, 10 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 10 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	142,29 (°) (°)
0712 90 19	142,29 (°) (°)
1001 10 10	166,78 (°) (°) (°)
1001 10 90	166,78 (°) (°) (°)
1001 90 91	156,42
1001 90 99	156,42 (°)
1002 00 00	165,68 (°)
1003 00 10	144,15
1003 00 90	144,15 (°)
1004 00 10	122,99
1004 00 90	122,99
1005 10 90	142,29 (°) (°)
1005 90 00	142,29 (°) (°)
1007 00 90	147,07 (°)
1008 10 00	52,93 (°)
1008 20 00	118,39 (°)
1008 30 00	60,32 (°)
1008 90 10	(°)
1008 90 90	60,32
1101 00 00	231,12 (°) (°)
1102 10 00	244,96 (°)
1103 11 10	272,08 (°) (°)
1103 11 90	248,10 (°)

(°) 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 918/92

of 10 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 9 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 11 April 1992.

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

Done at Brussels, 10 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 10 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	1st period	2nd period	3rd period
	4	5	6	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	1st period	2nd period	3rd period	4th period
	4	5	6	7	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 919/92

of 10 April 1992

concerning applications for STM licences for cereals submitted on 6 April 1992
for imports of common wheat into 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, and in particular Article 85 (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 ⁽¹⁾, as last amended by Regulation (EEC) No 829/92 ⁽²⁾, sets a target ceiling for the 1991/92 marketing year of 1 100 000 tonnes;

Whereas, pursuant to 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) ⁽³⁾, as last amended by Regulation (EEC) No 3296/88 ⁽⁴⁾, the Commission has been notified of applications received on 6 April 1992 for STM licences for imports of common wheat of bread-making quality

into Spain which are well in excess of the ceiling set; whereas measures should be taken to deal with this situation;

HAS ADOPTED THIS REGULATION:

Article 1

1. Applications for STM licences for common wheat of bread-making quality falling within CN code 1001 90 99 which were submitted on 6 April 1992 and notified to the Commission shall be accepted for the tonnages applied for, adjusted by a coefficient of 0,39.

2. The issue of STM licences for applications received from 7 April 1992 onwards is hereby suspended.

Article 2

This Regulation shall enter into force on 11 April 1992.

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

Done at Brussels, 10 April 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 58, 1. 3. 1986, p. 16.

⁽²⁾ OJ No L 87, 2. 4. 1992, p. 19.

⁽³⁾ OJ No L 57, 1. 3. 1986, p. 1.

⁽⁴⁾ OJ No L 293, 27. 10. 1988, p. 7.

COMMISSION REGULATION (EEC) No 920/92

of 10 April 1992

on a standing invitation to tender to determine levies and/or refunds on exports
of white 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 Articles 13 (2), 18 (5), 19 (4) and (7) and the second subparagraph of Article 39 thereof,

Having regard to Council Regulation (EEC) No 608/72 of 23 March 1972 laying down rules to be applied in the case of considerable price rises on the world sugar markets⁽³⁾, and in particular Article 1 (1) thereof,

Whereas, in conformity with Article 1 of Commission Regulation (EEC) No 653/92⁽⁴⁾, the amounts of tenders submitted within the framework of an invitation to tender organized by virtue of a measure relating to the common agricultural policy will be expressed in ecus; whereas the same rules provide that the amounts of the successful tenders shall be expressed in ecus on the licences and other documents certifying those amounts and that the value of the ecu shall be determined in accordance with Articles 1 and 2 and, where appropriate, Article 3 of Council Regulation (EEC) No 1676/85⁽⁵⁾, as last amended by Regulation (EEC) No 2205/90⁽⁶⁾;

Whereas, in view of the situation on the Community and world sugar markets, a standing invitation to tender should be issued as soon as possible for the export of white sugar in respect of the 1992/93 marketing year which, having regard to possible fluctuations in world prices for sugar, must provide for the determination of export levies and/or export refunds;

Whereas, the general rules governing invitations to tender for the purpose of determining export refunds for sugar were laid down in Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar⁽⁷⁾, as last amended by Regulation (EEC) No 1489/76⁽⁸⁾;

Whereas, in view of the specific nature of the transactions involved, special detailed rules should be laid down in

this Regulation, and those provided for in Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar⁽⁹⁾, as last amended by Regulation (EEC) No 1714/88⁽¹⁰⁾, should not apply; whereas, for the same reasons, appropriate provisions should be laid down with regard to export licences issued in connection with the standing invitation to tender and there should be a derogation from Commission Regulation (EEC) No 2630/81 of 10 September 1981 on special detailed rules for the application of the system of import and export licences for sugar⁽¹¹⁾, as last amended by Regulation (EEC) No 1714/88; whereas, however, the provisions of Commission Regulation (EEC) No 3719/88 of 16 November 1988 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products⁽¹²⁾, as last amended by Regulation (EEC) No 1599/90⁽¹³⁾, and those of Commission Regulation (EEC) No 120/89 of 19 January 1989 laying down common detailed rules for the application of the export levies and charges on agricultural products⁽¹⁴⁾, should remain applicable;

Whereas the second subparagraph of Article 3 (1) of Commission Regulation (EEC) No 3155/85 of 11 November 1985 providing for the advance fixing of monetary compensatory amounts⁽¹⁵⁾, as last amended by Regulation (EEC) No 3247/89⁽¹⁶⁾, provides that, where the levy or refund is fixed in advance by means of tenders, applications to fix the monetary compensatory amount in advance shall be accepted only if the party concerned has declared in writing at the time of submission of the tender that he will also apply to fix the monetary compensatory amount in advance if the tender is accepted in whole or in part; whereas, in such cases, the obligation to lodge an application to fix the levy or refund in advance following acceptance of the tender involves an obligation to request at the same time advance fixing of the monetary compensatory amount; whereas, for reasons peculiar to the market in sugar, when an operator intends to make use of the facility of fixing a monetary compensatory amount in advance in connection with an export levy or refund fixed in advance under a tendering procedure he only makes up his mind to do so at the moment

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 6, 11. 1. 1992, p. 19.

⁽³⁾ OJ No L 75, 28. 3. 1972, p. 5.

⁽⁴⁾ OJ No L 70, 17. 3. 1992, p. 6.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁷⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁸⁾ OJ No L 167, 26. 6. 1976, p. 13.

⁽⁹⁾ OJ No L 50, 4. 3. 1970, p. 1.

⁽¹⁰⁾ OJ No L 152, 18. 6. 1988, p. 23.

⁽¹¹⁾ OJ No L 258, 11. 9. 1981, p. 16.

⁽¹²⁾ OJ No L 331, 2. 12. 1988, p. 1.

⁽¹³⁾ OJ No L 151, 15. 6. 1990, p. 29.

⁽¹⁴⁾ OJ No L 16, 20. 1. 1989, p. 19.

⁽¹⁵⁾ OJ No L 310, 21. 11. 1985, p. 22.

⁽¹⁶⁾ OJ No L 314, 28. 10. 1989, p. 51.

when the application for the export licence is made; whereas it is only after he has been declared successful in respect of a levy or refund for the quantity of sugar indicated in his tender that the said monetary compensatory amount can be fixed in advance; whereas, in consequence, a derogation should be made from the said provision in the case of this tendering procedure, so that application for advance fixing of the monetary compensatory amount at the time when the application for the export licence is made should be possible;

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

1. A standing invitation to tender shall be issued in order to determine export levies and/or export refunds on white sugar. During the period of validity of this standing invitation, partial invitations to tender shall be issued.
2. The standing invitation to tender shall remain open until 19 May 1993.

Article 2

The standing invitation to tender and the partial invitations shall be conducted in accordance with Regulation (EEC) No 766/68 and with the following provisions. Regulation (EEC) No 394/70 shall not apply.

Article 3

1. The notice of the invitation to tender shall be published in the *Official Journal of the European Communities*. Member States may also publish the notice, or have it published elsewhere.
2. The notice shall indicate in particular the terms of the invitation to tender.
3. The notice may be amended during the period of validity of the standing invitation to tender. It shall be so amended if the terms of the invitation to tender are modified during that period.

Article 4

1. The period during which tenders may be submitted in response to the first partial invitation to tender:
 - (a) shall begin on 21 April 1992;
 - (b) shall end on 6 May 1992 at 10.30 a.m.
2. The periods during which tenders may be submitted in response to the second and subsequent partial invitations:

- (a) shall begin on the first working day following the end of the preceding period;

- (b) shall end at 10.30 a.m. on the Wednesday of the following week.

3. Notwithstanding paragraph 2 (b), the period for the submission of tenders which was to end on:

- Wednesday 15 July 1992 shall end on Thursday 16 July 1992 at 10.30 a.m.,
- Wednesday 11 November 1992 shall end on Tuesday 10 November 1992 at 10.30 a.m.,
- Wednesday 18 November 1992 shall end on Tuesday 17 November 1992 at 10.30 a.m.,
- Wednesday 23 December 1992 shall end on Tuesday 22 December 1992 at 10.30 a.m.,
- Wednesday 6 January 1993 shall end on Thursday 7 January 1993 at 10.30 a.m.

4. Notwithstanding paragraph 2, no partial invitation to tender will be issued on Wednesday 30 December 1992.

5. The time limits laid down in this Regulation are expressed in Belgian time.

Article 5

1. Offers in connection with this tender must be in writing, and must be either delivered by hand, against a receipt, to the competent authority in a Member State, or addressed to that authority by registered letter, telex, telegram or fax message.

2. An offer must indicate:

- (a) the reference number of the invitation to tender to which the offer relates;
- (b) the name and address of the tenderer;
- (c) the quantity of white sugar to be exported;
- (d) the amount of the export levy or, where applicable, of the export refund, per 100 kilograms of white sugar, expressed in ecus with three decimal places;
- (e) the minimum amount of the security to be lodged covering the quantity of sugar indicated in (c), expressed in the currency of the Member State in which the tender is submitted.

3. An offer shall be valid only if:

- (a) the quantity to be exported is not less than 250 tonnes of white sugar;
- (b) proof is furnished before expiry of the time limit for the submission of tenders that the tenderer has lodged the security indicated in the tender;
- (c) it includes a declaration by the tenderer that if his tender is successful he will, within the period laid down in Article 12 (b), apply for an export licence or licences in respect of the quantities of white sugar to be exported;

(d) it includes a declaration by the tenderer that if his tender is successful he will:

- where the obligation to export resulting from the export licence referred to in Article 12 (b) is not fulfilled, supplement the security by payment of the amount referred to in Article 13 (4), and
- within 30 days following the expiry of the export licence in question, notify the agency which issued the licence of the quantity or quantities in respect of which the licence was not used;

(e) it contains all the information required under paragraph 2.

4. A tender may stipulate that it is to be regarded as having been submitted only if:

(a) the minimum export levy or, where applicable, the maximum export refund is fixed on the day of the expiry of the period for the submission of the tenders in question;

(b) the tender, if successful, relates to all or a specified part of the tendered quantity.

5. A tender which is not submitted in accordance with the provisions of this Regulation, or which contains terms other than those indicated in the present invitation to tender, shall not be considered.

6. Once submitted, a tender may not be withdrawn.

Article 6

1. A security of ECU 9 per 100 kilograms of white sugar to be exported under this invitation to tender must be lodged by each tenderer. Without prejudice to Article 13 (4), this security shall in the case of successful tenderers and at the time of the application referred to in Article 12 (b) become the security for the export licence.

2. The security may be lodged at the tenderer's choice, either in cash or in the form of a guarantee given by an establishment complying with criteria laid down by the Member State in which the tender is submitted.

3. Except in cases of *force majeure* the security referred to in paragraph 1 will be released:

(a) to unsuccessful tenderers in respect of the quantity for which no award has been made;

(b) to successful tenderers who have not applied for the relevant export licence within the period referred to in Article 12 (b), to the extent of ECU 8 per 100 kilograms of white sugar.

However, this part of the releasable security shall be reduced by the amount representing the difference existing, as applicable:

- between the maximum amount of the export refund fixed for the partial invitation concerned

and the maximum amount of the export refund fixed for the following partial invitation when the latter amount is higher than the former,

or

- between the minimum amount of the export levy fixed for the partial invitation concerned and the minimum amount of the export levy fixed for the following partial invitation when the latter amount is lower than the former;

(c) to successful tenderers for the quantity for which they have fulfilled, within the meaning of Article 29 (b) and the first subparagraph of Article 30 (1) (b) (i) of Regulation (EEC) No 3719/88, the export obligation resulting from the licence referred to under Article 12 (b) in accordance with the terms of Article 33 of that Regulation.

The part of the security or the security which is not released shall be forfeit in respect of the quantity of sugar for which the corresponding obligations have not been fulfilled.

4. In case of *force majeure*, the competent authority of the Member State concerned shall take such action as it considers necessary having regard to the circumstances invoked by the party concerned.

Article 7

1. Tenders shall be examined in private by the competent authority concerned. The persons present at the examination shall be under an obligation not to disclose any particulars relating thereto.

2. Tenders shall be communicated to the Commission forthwith and in such a manner that the tenderers remain anonymous.

Article 8

1. After the tenders received have been examined, a maximum quantity may be fixed for the partial invitation concerned.

2. A decision may be taken to make no award under a specific partial invitation to tender.

Article 9

1. In the light of the current state and foreseeable development of the Community and world sugar markets, there shall be fixed either:

- a minimum export levy,

or

- a maximum export refund.

2. Subject to Article 10, where a minimum export levy is fixed, a contract shall be awarded to every tenderer whose tender quotes a rate of refund equal to or greater than such minimum levy.

3. Subject to Article 10, where a maximum export refund is fixed, a contract shall be awarded to every tenderer whose tender quotes a rate of refund equal to or less than such maximum refund and to every tenderer who has tendered for an export levy.

Article 10

1. Where a maximum quantity has been fixed for a partial invitation to tender:

- if a minimum levy is fixed, a contract shall be awarded to the tenderer whose tender quotes the highest levy; if the maximum quantity is not fully covered by that award, awards shall be made to other tenderers in descending order of levies quoted until the entire maximum quantity has been accounted for,
- if a maximum refund is fixed, contracts shall be awarded in accordance with the first indent, if after such awards a quantity is still outstanding, or if there are no tenders quoting an export levy, contracts shall be awarded in ascending order of refunds quoted until the entire maximum quantity has been accounted for, to tenderers quoting a refund.

2. However, where an award to a particular tenderer in accordance with the provisions of paragraph 1 would result in the maximum quantity being exceeded, that award shall be limited to such quantity as is still available. Where two or more tenderers quote the same levy or the same refund and awards to all of them would result in the maximum quantity being exceeded, then the quantity available shall be awarded as follows:

- by being divided among the tenderers concerned in proportion to the total quantities in each of their tenders, or
- by being apportioned among the tenderers concerned by reference to a maximum tonnage to be fixed for each of them, or
- by the drawing of lots.

Article 11

1. The competent authority of the Member State concerned shall immediately notify applicants of the result of their participation in the invitation to tender. In addition, that authority shall send successful tenderers a statement of award.

2. The statement of award shall indicate:

- (a) the reference number of the invitation to which the tender relates;
- (b) the quantity of white sugar to be exported;
- (c) the amount expressed in ecus of the export levy to be charged, or where applicable of the export refund to

be granted per 100 kilograms of white sugar of the quantity referred to in (b).

Article 12

Every successful tenderer shall have:

- (a) the right to receive in the circumstances referred to under (b), in respect of the quantity awarded, an export licence indicating, as appropriate, the export levy or the export refund quoted in his tender;
- (b) the obligation to lodge, in accordance with the relevant provisions of Regulation (EEC) No 3719/88, an application for an export licence in respect of that quantity, the application not being revocable and Article 12 of Regulation (EEC) No 120/89 not applying in such a case. The application shall be lodged in accordance with the relevant provisions of Regulation (EEC) No 3719/88, not later than:
 - the last working day preceding the date of the partial invitation to tender to be held the following week,
 - or
 - if no partial invitation to tender is due to be held that week, the last working day of the following week;
- (c) the obligation to export the tendered quantity and, if this obligation is not fulfilled, to pay, where necessary, the amount referred to in Article 13 (4).

This right and these obligations are not transferable.

Article 13

1. The first paragraph of Article 9 of Regulation (EEC) No 2630/81 shall not apply to the white sugar to be exported in accordance with this Regulation.

2. Export licences issued in connection with a partial invitation to tender shall be valid from the day of issue until the end of the fifth calendar month following that in which the partial invitation was issued.

However, export licences issued in respect of the partial invitations held after 1 May 1993 will be valid only until 30 September 1993.

3. The export licences issued in respect of the partial invitations held between 6 May 1992 and 16 September 1992 will be usable only from 17 September 1992.

4. Except in cases of *force majeure*, if the obligation to export resulting from the export licence referred to under Article 12 (b) has not been fulfilled and if the security referred to in Article 6 is less than:

- (a) the export levy indicated on the licence reduced by the levy referred to in the second subparagraph of Article 18 (1) of Regulation (EEC) No 1785/81 in force on the last day of validity of the said licence;

(b) the sum of the export levy indicated on the licence and the refund referred to in Article 2 of Regulation (EEC) No 766/68 in force on the last day of validity of the said licence ;

or

(c) the export refund referred to in Article 2 of Regulation (EEC) No 766/68 in force on the last day of validity of the licence reduced by the refund indicated on the said licence, then, for the quantity in respect of which the said obligation was not fulfilled, the licence holder shall be charged an amount equal to the difference between the result of the valuation made under (a), (b) or (c), as the case may be, and the security referred to in Article 6 (1).

Article 14

If the tenderer intends to apply for advance fixing of the monetary compensatory amount under this standing invitation to tender, the provisions of the second paragraph of Article 3 (1) of Regulation (EEC) No 3155/85 shall not apply.

Article 15

1. If the terms of Article 12 of Regulation (EEC) No 766/68 apply, the export refunds and export levies fixed in advance under the terms of the present invitation to tender :

(a) before 1 July 1992 for the sugar exported as from that date ;

(b) before 1 July 1993 for the sugar exported as from that date,

shall be adjusted.

2. For the adjustment referred to in paragraph 1 (a) :

(a) In the event of the fixing of an intervention price for white sugar applicable with effect from 1 July 1992, which is greater than that in force on 30 June 1992, the export refund and the export levy shall be adjusted by an amount equal to the difference expressed in ecus per 100 kilograms existing between the intervention price for white sugar applicable with effect from

1 July 1992 and the intervention price for that sugar in force on 30 June 1992 ;

(b) In the event of the fixing of an intervention price for white sugar applicable with effect from 1 July 1992, which is lower than that in force on 30 June 1992, the export refund and the export levy shall be adjusted by an amount equal to the difference expressed in ecus per 100 kilograms existing between the intervention price for white sugar in force on 30 June 1992 and the intervention price for that sugar applicable with effect from 1 July 1992.

3. For the calculation of the differences referred to in paragraph 2, the intervention prices in question shall be increased by the corresponding storage levy referred to in the second subparagraph of Article 8 (2) of Regulation (EEC) No 1785/81.

4. For the purpose of applying this Article, the Member State issuing the relevant export licence shall at the time of issue complete section 'special particulars' by adding the following :

'to be adjusted in accordance with adjudication Regulation (EEC) No 920/92 for exports which take place after 30 June..' (1992 or 1993 as applicable).

5. Upon presentation by the holder of the export licence concerned, or by the assignee when the licence has been transferred, to the Member State that issued it and before the customs formalities for the quantities concerned have been carried out, that Member State shall enter the refund rate after adjustment in the section 'special particulars' and shall duly certify and stamp that section.

6. For the adjustment referred to in paragraph 1 (b) the provisions of paragraphs 2 to 5 shall be applicable *mutatis mutandis*.

7. The Member States shall inform the Commission as quickly as possible of the quantities of sugar for which an adjustment under this Article has been made.

Article 16

This Regulation shall enter into force on 21 April 1992.

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

Done at Brussels, 10 April 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 921/92

of 10 April 1992

adjusting certain rates of aid fixed in advance for sunflower seed in the wake of the suspension of the Spanish customs duty on sunflower seed imported from third countries

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 No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 1720/91⁽²⁾, and in particular Article 27 (4) thereof,

Having regard to Council Regulation (EEC) No 1678/85 of 11 June 1985 fixing the conversion rates to be applied in agriculture⁽³⁾, as last amended by Commission Regulation (EEC) No 668/92⁽⁴⁾,

Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza, rape and sunflower seed⁽⁵⁾, as last amended by Regulation (EEC) No 2206/90⁽⁶⁾, and in particular Article 2 (3) thereof,

Having regard to Council Regulation (EEC) No 478/86 of 25 February 1986 laying down the method of adjustment of the refund and the aid for colza, rape and sunflower seeds produced or processed in Spain and Portugal⁽⁷⁾, and in particular Article 1 thereof,

Whereas Commission Regulation (EEC) No 3657/91⁽⁸⁾ authorized Spain to suspend customs duty on sunflower seed imported from third countries; whereas Spain suspended this duty on 13 February 1992, and as a consequence, the aid applicable in Spain on the identification of sunflower seed as from that date must take account of that suspension when advance-fixing certificates issued previously are used,

HAS ADOPTED THIS REGULATION:

Article 1

Where advance-fixing certificates issued before 13 February 1992 are used as from that date for the identification of sunflower seed harvested and processed in Spain, the aid applicable shall be that applying to sunflower seed harvested in Spain and processed in the other Member State.

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, 10 April 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

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

⁽²⁾ OJ No L 162, 26. 6. 1991, p. 27.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁴⁾ OJ No L 71, 18. 3. 1992, p. 21.

⁽⁵⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 11.

⁽⁷⁾ OJ No L 53, 1. 3. 1986, p. 55.

⁽⁸⁾ OJ No L 348, 17. 12. 1991, p. 38.

COMMISSION REGULATION (EEC) No 922/92

of 10 April 1992

fixing the maximum buying-in price and the quantities of beef bought in for the
66th partial invitation to tender under Regulation (EEC) No 1627/89

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 90 thereof,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 1628/91 ⁽²⁾, and in particular Article 6 (8) thereof,Whereas, pursuant to Commission Regulation (EEC) No 859/89 of 29 March 1989 laying down detailed rules for the application of intervention measures in the beef and veal sector ⁽³⁾, as last amended by Regulation (EEC) No 695/92 ⁽⁴⁾, an invitation to tender was opened by Commission Regulation (EEC) No 1627/89 of 9 June 1989 on the buying in of beef by invitation to tender ⁽⁵⁾, as last amended by Regulation (EEC) No 856/92 ⁽⁶⁾;

Whereas, in accordance with Article 11 (1) of Regulation (EEC) No 859/89, a maximum buying-in price is to be fixed for quality R3, where appropriate, for each partial invitation to tender in the light of the tenders received; whereas, in accordance with Article 12 of that Regulation, only tenders lower than or equal to the maximum price are to be accepted, without, however, exceeding the average national or regional market price plus the amount mentioned in paragraph 1; whereas, however, pursuant to Article 5 of that Regulation, where the intervention agencies in Member States are offered meat in quantities greater than they are able to take over forthwith, such intervention agencies may limit buying in to the quantities they can take over;

Whereas, after the tenders submitted for the 66th partial invitation to tender have been examined and taking account, pursuant to Article 6 (1) of Regulation (EEC) No 805/68, of the requirements for reasonable support of the market and the seasonal trend in slaughterings, the maximum buying-in price and the quantities which may be accepted into intervention should be fixed;

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

For the 66th partial invitation to tender opened by Regulation (EEC) No 1627/89:

(a) for category A:

- the maximum buying-in price is hereby fixed at ECU 262 per 100 kilograms of carcasses or half-carcasses of quality R3,
- the maximum quantity of carcasses or half-carcasses accepted is hereby fixed at 22 416 tonnes;

(b) for category C:

- the maximum buying-in price is hereby fixed at ECU 262 per 100 kilograms of carcasses or half-carcasses of quality R3,
- the maximum quantity accepted of carcasses or half-carcasses is hereby fixed at 10 357 tonnes.

Article 2

This Regulation shall enter into force on 13 April 1992.

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

Done at Brussels, 10 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 91, 4. 4. 1989, p. 5.⁽⁴⁾ OJ No L 74, 20. 3. 1992, p. 42.⁽⁵⁾ OJ No L 159, 10. 6. 1989, p. 36.⁽⁶⁾ OJ No L 89, 4. 4. 1992, p. 20.

COMMISSION REGULATION (EEC) No 923/92**of 10 April 1992****abolishing the 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 imple-
menting 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 and
Commission Regulation (EEC) No 3815/89 ⁽²⁾ lays down
detailed rules for applying the said compensatory
mechanism;

Whereas Commission Regulation (EEC) No 869/92 ⁽³⁾
introduces a corrective amount on imports of tomatoes
into the Community of Ten from Spain;

Whereas Article 3 (4) of Regulation (EEC) No 3709/89
lays down the conditions under which a corrective
amount introduced pursuant to Article 3 (1) of the said
Regulation is to be abolished; adjusted; whereas the said
conditions require abolition of the corrective amount on
imports of tomatoes into the Community of Ten from
Spain,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 869/92 is hereby repealed.

Article 2

This Regulation shall enter into force on 11 April 1992.

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

Done at Brussels, 10 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 371, 20. 12. 1989, p. 28.

⁽³⁾ OJ No L 91, 7. 4. 1992, p. 23.

COMMISSION REGULATION (EEC) No 924/92
of 10 April 1992
fixing the amount of the subsidy on oil seeds

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 No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats ⁽¹⁾, as last amended by Regulation (EEC) No 1720/91 ⁽²⁾, and in particular Article 27 (4) thereof,

Having regard to Council Regulation (EEC) No 1678/85 of 11 June 1985 fixing the conversion rates to be applied in agriculture ⁽³⁾, as last amended by Regulation (EEC) No 668/92 ⁽⁴⁾,

Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza, rape and sunflower seed ⁽⁵⁾, as last amended by Regulation (EEC) No 2206/90 ⁽⁶⁾, and in particular Article 2 (3) thereof,

Whereas the amount of the subsidy referred to in Article 27 of Regulation No 136/66/EEC was fixed by Commis-

sion Regulation (EEC) No 307/92 ⁽⁷⁾, as last amended by Regulation (EEC) No 912/92 ⁽⁸⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 307/92 to the information known to the Commission that the amount of the subsidy at present in force should be altered to the amount set out in the Annexes hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The amounts of the subsidy and the exchange rates referred to in Article 33 (2) and (3) of Commission Regulation (EEC) No 2681/83 ⁽⁹⁾ shall be as set out in the Annexes hereto.

Article 2

This Regulation shall enter into force on 13 April 1992.

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

Done at Brussels, 10 April 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

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

⁽²⁾ OJ No L 162, 26. 6. 1991, p. 27.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁴⁾ OJ No L 71, 18. 3. 1992, p. 21.

⁽⁵⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 11.

⁽⁷⁾ OJ No L 32, 1. 2. 1992, p. 20.

⁽⁸⁾ OJ No L 96, 10. 4. 1992, p. 29.

⁽⁹⁾ OJ No L 266, 28. 9. 1983, p. 1.

ANNEX I

Aids to colza and rape seed other than 'double zero'

(amounts per 100 kg)

	Current 4	1st period 5	2nd period 6		
1. Gross aids (ECU):					
— Spain	17,245	17,655	17,725		
— Portugal	26,325	26,735	26,805		
— Other Member States	17,245	17,655	17,725		
2. Final aids:					
Seed harvested and processed in:					
— Federal Republic of Germany (DM)	40,60	41,56	41,73		
— Netherlands (Fl)	45,74	46,83	47,02		
— BLEU (Bfrs/Lfrs)	837,35	857,26	860,66		
— France (FF)	136,16	139,40	139,95		
— Denmark (Dkr)	154,86	158,54	159,17		
— Ireland (£ Irl)	15,154	15,515	15,576		
— United Kingdom (£)	13,385	13,715	13,772		
— Italy (Lit)	30 376	31 098	31 222		
— Greece (Dr)	4 079,91	4 176,81	4 167,55		
— Spain (Pta)	2 649,09	2 710,39	2 720,72		
— Portugal (Esc)	5 575,32	5 659,87	5 674,06		

ANNEX II

Aids to colza and rape seed 'double zero'

(amounts per 100 kg)

	Current 4	1st period 5	2nd period 6		
1. Gross aids (ECU):					
— Spain	18,495	18,905	18,975		
— Portugal	27,575	27,985	28,055		
— Other Member States	18,495	18,905	18,975		
2. Final aids:					
Seed harvested and processed in:					
— Federal Republic of Germany (DM)	43,54	44,51	44,67		
— Netherlands (Fl)	49,06	50,15	50,33		
— BLEU (Bfrs/Lfrs)	898,05	917,96	921,36		
— France (FF)	146,03	149,27	149,82		
— Denmark (Dkr)	166,08	169,76	170,39		
— Ireland (£ Irl)	16,253	16,613	16,675		
— United Kingdom (£)	14,379	14,709	14,766		
— Italy (Lit)	32 578	33 300	33 424		
— Greece (Dr)	4 395,07	4 491,96	4 482,70		
— Spain (Pta)	2 837,63	2 898,92	2 909,25		
— Portugal (Esc)	5 836,17	5 920,72	5 934,90		

ANNEX III

Aids to sunflower seed

(amounts per 100 kg)

	Current 4	1st period 5	2nd period 6		
1. Gross aids (ECU):					
— Spain	30,359	30,862	30,864		
— Portugal	37,089	37,592	37,594		
— Other Member States	18,659	19,162	19,164		
2. Final aids:					
Seed harvested and processed in:					
— Federal Republic of Germany (DM)	43,93	45,11	45,12		
— Netherlands (Fl)	49,49	50,83	50,83		
— BLEU (Bfrs/Lfrs)	906,01	930,44	930,53		
— France (FF)	147,32	151,30	151,31		
— Denmark (Dkr)	167,56	172,07	172,09		
— Ireland (£ Irl)	16,397	16,839	16,841		
— United Kingdom (£)	14,461	14,866	14,868		
— Italy (Lit)	32 867	33 753	33 756		
— Greece (Dr)	4 397,84	4 517,68	4 485,83		
— Portugal (Esc)	7 827,03	7 930,70	7 931,11		
— Spain (Pta)	4 629,04	4 704,21	4 704,51		

ANNEX IV

Exchange rate of the ecu to be used for converting final aids into the currency of the processing country when the latter is a country other than the country of production

(value of ECU 1)

	Current 4	1st period 5	2nd period 6		
DM	2,040620	2,039530	2,038580		
Fl	2,298210	2,296730	2,295280		
Bfrs/Lfrs	42,023500	41,995600	41,971300		
FF	6,916860	6,915490	6,912850		
Dkr	7,925960	7,924720	7,924460		
£Irl	0,767770	0,767806	0,767547		
£	0,717231	0,717389	0,717588		
Lit	1 539,81	1 542,02	1 544,13		
Dr	237,90600	239,70800	241,53400		
Esc	175,38900	175,66800	176,12600		
Pta	129,57500	129,80600	130,03600		

CORRIGENDA

Corrigendum to Commission Regulation (EEC) No 465/92 of 27 February 1992 on the implementation of measures to promote awareness of the health and nutritional value of milk and milk products

(Official Journal of the European Communities No L 53 of 28 February 1992)

On page 8, in Article 1, paragraph 2 (a), indent 8 :

for: 'micrountriens',

read: 'micronutrients'.

On page 9, in Article 5, paragraph 1 (b); the last sentence reads as follows :

'The contracts shall be drawn up in as many originals as there are parties on the basis of a standard contract made available by the Commission to the competent authorities.'
