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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 946/92

of 15 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 14 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 16 April 1992.

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

Done at Brussels, 15 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 15 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	165,94 (°) (°) (10)
1001 10 90	165,94 (°) (°) (10)
1001 90 91	154,67
1001 90 99	154,67 (11)
1002 00 00	164,90 (°)
1003 00 10	144,15
1003 00 90	144,15 (11)
1004 00 10	121,73
1004 00 90	121,73
1005 10 90	142,29 (°) (°)
1005 90 00	142,29 (°) (°)
1007 00 90	147,07 (°)
1008 10 00	51,90 (11)
1008 20 00	117,72 (°)
1008 30 00	59,26 (°)
1008 90 10	(°)
1008 90 90	59,26
1101 00 00	229,54 (°) (11)
1102 10 00	243,86 (°)
1103 11 10	270,78 (°) (10)
1103 11 90	246,39 (°)

- (1) Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.
- (2) 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.
- (3) Where maize originating in the ACP is imported into the Community the levy is reduced by ECU 1,81/tonne.
- (4) 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.
- (5) 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.
- (6) 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.
- (7) The levy applicable to rye shall be charged on imports of the product falling within CN code 1008 90 10 (triticale).
- (8) On importation into Portugal the levy is increased by the amount specified in Article 2 (2) of Regulation (EEC) No 3808/90.
- (9) 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.
- (10) 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.
- (11) 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 947/92

of 15 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 14 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 16 April 1992.

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

Done at Brussels, 15 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 15 April 1992 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CN code	(ECU/tonne)			
	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

CN code	(ECU/tonne)				
	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 948/92

of 15 April 1992

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

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

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 16 April 1992.

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 6, 11. 1. 1992, p. 19.

⁽³⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁴⁾ OJ No L 167, 26. 6. 1976, p. 13.

⁽⁵⁾ OJ No L 89, 10. 4. 1968, p. 3.

⁽⁶⁾ OJ No L 50, 4. 3. 1970, p. 1.

⁽⁷⁾ OJ No L 152, 18. 6. 1988, p. 23.

⁽⁸⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁹⁾ OJ No L 201, 31. 7. 1990, p. 9.

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

Done at Brussels, 15 April 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 15 April 1992 fixing the export refunds on white sugar and raw sugar exported in its unaltered state

(ECU)

Product code	Amount of refund	
	per 100 kg	per percentage point of sucrose content and per 100 kg net of the product in question
1701 11 90 100	35,19 ⁽¹⁾	
1701 11 90 910	33,74 ⁽¹⁾	
1701 11 90 950	⁽²⁾	
1701 12 90 100	35,19 ⁽¹⁾	
1701 12 90 910	33,74 ⁽¹⁾	
1701 12 90 950	⁽²⁾	
1701 91 00 000		0,3826
1701 99 10 100	38,26	
1701 99 10 910	37,88	
1701 99 10 950	37,88	
1701 99 90 100		0,3826

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

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

COMMISSION REGULATION (EEC) No 949/92

of 15 April 1992

fixing the amount of aid for peas, field beans and sweet lupins

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 1431/82 of 18 May 1982 laying down special measures for peas, field beans and sweet lupins ⁽¹⁾, as last amended by Regulation (EEC) No 1624/91 ⁽²⁾, and in particular Article 3 (6) (a) thereof,

Having regard to Commission Regulation (EEC) No 3540/85 of 5 December 1985 laying down detailed rules for the application of the special measures for peas, field beans and sweet lupins ⁽³⁾, as last amended by Regulation (EEC) No 3685/91 ⁽⁴⁾, and in particular Article 26a (7) thereof,

Whereas, as provided for in Article 3 (1) of Regulation (EEC) No 1431/82, aid is granted for peas, field beans and sweet lupins harvested in the Community and used in the manufacture of feedingstuffs where the world market price of soya cake is lower than the activating price; whereas this aid is equal to a proportion of the difference between these prices; whereas this proportion of the price difference was fixed in Article 3a of Council Regulation (EEC) No 2036/82 ⁽⁵⁾, as last amended by Regulation (EEC) No 2206/90 ⁽⁶⁾;

Whereas, in accordance with Article 3 (2) of Regulation (EEC) No 1431/82, aid is granted for peas and field beans harvested in the Community where the world market price for these products is lower than the guide price; whereas this aid is equal to the difference between the two prices;

Whereas the threshold price activating the aid for peas, field beans and sweet lupins for the 1991/92 marketing year was fixed by Council Regulation (EEC) No 1625/91 ⁽⁷⁾; whereas, as provided for in Article 2a of Regulation (EEC) No 1431/82, the activating price for the aid for peas, field beans and sweet lupins is increased monthly as from the beginning of the third month of the marketing year; whereas the amount of the monthly increases in the threshold price was fixed by Council Regulation (EEC) No 1626/91 ⁽⁸⁾;

Whereas, since there are no valid activating threshold or guide prices for the 1992/93 marketing year for peas, field beans and sweet lupins, the amount of the subsidy in the case of advance fixing for this marketing year for peas, field beans and sweet lupins has only been calculated provisionally on the basis of the proposals of the Commission to the Council of the prices and connected measures valid for the 1992/93 marketing year; whereas that amount must be applied provisionally only and will have to be confirmed or replaced when the prices and related measures for the 1992/93 marketing year are known, and notably those concerning the application of the guaranteed maximum quantities;

Whereas the abatement of the subsidy which arises, where appropriate, from the system of maximum guaranteed quantities for the 1991/92 year, has been fixed by Commission Regulation (EEC) No 2607/91 ⁽⁹⁾;

Whereas, pursuant to Article 4 of Regulation (EEC) No 1431/82, the world market price for soya cake must be determined on the basis of the most favourable purchase possibilities, excepting offers and quotations which cannot be considered representative of the real market trend; whereas account must be taken both of all offers on the world market and of the prices quoted on exchanges that are important for international trade;

Whereas, pursuant to Article 1 of Commission Regulation (EEC) No 2049/82 ⁽¹⁰⁾, as last amended by Regulation (EEC) No 1238/87 ⁽¹¹⁾, the price must be determined per 100 kilograms of bulk soya cake of the standard quality defined in Article 1 (2) of Council Regulation (EEC) No 1464/86 ⁽¹²⁾ delivered to Rotterdam; whereas the necessary adjustments, notably those referred to in Article 2 of Regulation (EEC) No 2049/82, must be made for offers and quotations not of the type referred to above;

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

— in the case of currencies which are maintained in relation to each other at any moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the correcting factor provided for in Article 6 (1) of Council Regulation (EEC) No 1676/85 ⁽¹³⁾, as last amended by Regulation (EEC) No 2205/90 ⁽¹⁴⁾,

⁽¹⁾ OJ No L 162, 12. 6. 1982, p. 28.

⁽²⁾ OJ No L 150, 15. 6. 1991, p. 10.

⁽³⁾ OJ No L 342, 19. 12. 1985, p. 1.

⁽⁴⁾ OJ No L 349, 18. 12. 1991, p. 40.

⁽⁵⁾ OJ No L 219, 28. 7. 1982, p. 1.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 11.

⁽⁷⁾ OJ No L 150, 15. 6. 1991, p. 11.

⁽⁸⁾ OJ No L 150, 15. 6. 1991, p. 13.

⁽⁹⁾ OJ No L 243, 31. 8. 1991, p. 55.

⁽¹⁰⁾ OJ No L 219, 28. 7. 1982, p. 36.

⁽¹¹⁾ OJ No L 117, 5. 5. 1987, p. 9.

⁽¹²⁾ OJ No L 133, 21. 5. 1986, p. 21.

⁽¹³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽¹⁴⁾ OJ No L 201, 31. 7. 1990, p. 9.

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

Whereas pursuant to Articles 121 (2) and 307 (2) of the Act of Accession the amount of the aid for products harvested and processed in either of these Member States should be reduced by the customs duty charged on importation of products from third countries;

Whereas the world market price for peas and field beans and the amount of aid referred to in Article 3 (2) of Regulation (EEC) No 1431/82 were fixed by Commission Regulation (EEC) No 1899/91⁽¹⁾; whereas in terms of Article 2a of Regulation (EEC) No 1431/82 the guide price is increased monthly as from the beginning of the third month of the marketing year;

Whereas, pursuant to Article 26a of Regulation (EEC) No 3540/85, the gross aid expressed in ecus that results from Article 3 of Regulation (EEC) No 1431/82 shall be weighted by the differential amount referred to in Article 12a of Regulation (EEC) No 2036/82 and then converted

into the final aid in the currency of the Member State in which the products are harvested using the agricultural conversion rate of that Member State,

HAS ADOPTED THIS REGULATION:

Article 1

1. The amounts of aid provided for in Article 3 (1) of Regulation (EEC) No 1431/82 is indicated in the Annexes hereto.
2. However, the amount of the subsidy in the case of advance fixing for the 1992/93 marketing year for peas, field beans and sweet lupins will be confirmed or replaced as from 16 April 1992 to take into account, where appropriate, the effects of the application of the activating price for these products for the 1992/93 marketing year and, particularly those concerning the application of maximum guaranteed quantities.

Article 2

This Regulation shall enter into force on 16 April 1992.

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

Done at Brussels, 15 April 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 169, 29. 6. 1991, p. 29.

ANNEX I

Gross aid

Products intended for human consumption :

(ECU per 100 kg)

	Current 4	1st period 5	2nd period 6	3rd period 7 (1)	4th period 8 (1)	5th period 9 (1)	6th period 10 (1)
Peas used :							
— in Spain	8,422	8,422	8,422	7,158	7,158	7,316	7,474
— in Portugal	8,430	8,430	8,430	7,166	7,166	7,324	7,482
— in another Member State	8,494	8,494	8,494	7,230	7,230	7,388	7,546
Field beans used :							
— in Spain	8,494	8,494	8,494	7,230	7,230	7,388	7,546
— in Portugal	8,430	8,430	8,430	7,166	7,166	7,324	7,482
— in another Member State	8,494	8,494	8,494	7,230	7,230	7,388	7,546

Products used in animal feed :

(ECU per 100 kg)

	Current 4	1st period 5	2nd period 6	3rd period 7 (1)	4th period 8 (1)	5th period 9 (1)	6th period 10 (1)
A. Peas used :							
— in Spain	10,273	10,432	10,432	8,575	8,575	8,733	8,890
— in Portugal	10,312	10,470	10,470	8,617	8,617	8,775	8,932
— in another Member State	10,312	10,470	10,470	8,617	8,617	8,775	8,932
B. Field beans used :							
— in Spain	10,273	10,432	10,432	8,575	8,575	8,733	8,890
— in Portugal	10,312	10,470	10,470	8,617	8,617	8,775	8,932
— in another Member State	10,312	10,470	10,470	8,617	8,617	8,775	8,932
C. Sweet lupins harvested in Spain and used :							
— in Spain	12,105	12,318	12,318	11,522	11,522	11,522	11,522
— in Portugal	12,157	12,368	12,368	11,578	11,578	11,578	11,578
— in another Member State	12,157	12,368	12,368	11,578	11,578	11,578	11,578
D. Sweet lupins harvested in another Member State and used :							
— in Spain	12,105	12,318	12,318	11,522	11,522	11,522	11,522
— in Portugal	12,157	12,368	12,368	11,578	11,578	11,578	11,578
— in another Member State	11,157	12,368	12,368	11,578	11,578	11,578	11,578

[illegible]

[illegible]

[illegible]

ANNEX VIII

Corrective amount to be added to amounts in Annex VII

(in national currency per 100 kg)

Use of products :	BLEU	DK	DE	EL	ES	FR	IRL	IT	NL	PT	UK
Products harvested in :											
— BLEU (Bfrs/Lfrs)	0,00	0,00	0,00	11,13	0,00	0,00	0,00	0,00	0,00	0,00	0,00
— Denmark (Dkr)	0,00	0,00	0,00	2,06	0,00	0,00	0,00	0,00	0,00	0,00	0,00
— Federal Republic of Germany (DM)	0,00	0,00	0,00	0,54	0,00	0,00	0,00	0,00	0,00	0,00	0,00
— Greece (Dr)	0,00	0,00	0,00	59,94	0,00	0,00	0,00	0,00	0,00	0,00	0,00
— Spain (Pta)	0,00	0,00	0,00	34,57	0,00	0,00	0,00	0,00	0,00	0,00	0,00
— France (FF)	0,00	0,00	0,00	1,81	0,00	0,00	0,00	0,00	0,00	0,00	0,00
— Ireland (£ Irl)	0,000	0,000	0,000	0,201	0,000	0,000	0,000	0,000	0,000	0,000	0,000
— Italy (Lit)	0	0	0	404	0	0	0	0	0	0	0
— Netherlands (Fl)	0,00	0,00	0,00	0,61	0,00	0,00	0,00	0,00	0,00	0,00	0,00
— Portugal (Esc)	0,00	0,00	0,00	47,84	0,00	0,00	0,00	0,00	0,00	0,00	0,00
— United Kingdom (£)	0,000	0,000	0,000	0,182	0,000	0,000	0,000	0,000	0,000	0,000	0,000

ANNEX IX

Exchange rate of the ecu to be used

	BLEU	DK	DE	EL	ES	FR	IRL	IT	NL	PT	UK
In national currency, ECU 1 =	42,4032	7,84195	2,05586	239,353	128,883	6,89509	0,767417	1 538,24	2,31643	176,988	0,710357

(¹) Amount fixed provisionally, pending and subject to the setting of the prices and related measures and of the application of the maximum guaranteed quantity arrangements for the 1992/93 marketing year.

COMMISSION REGULATION (EEC) No 950/92
of 15 April 1992
fixing the import levies on rice and broken 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 1418/76
of 21 June 1976 on the common organization of the
market in rice ⁽¹⁾, as last amended by Regulation (EEC)
No 674/92 ⁽²⁾, and in particular Article 11 (2) thereof,

Having regard to Commission Regulation (EEC) No
883/87 of 23 March 1987 laying down detailed rules for
the application of Council Regulation (EEC) No 3877/86
on imports rice of the long-grain aromatic Basmati variety
falling within CN codes 1006 10, 1006 20 and 1006 30 ⁽³⁾,
as last amended by Regulation (EEC) No 674/91 ⁽⁴⁾, and
in particular Article 8 thereof,

Whereas the import levies on rice and broken rice were
fixed by Commission Regulation (EEC) No 586/92 ⁽⁵⁾, as
last amended by Regulation (EEC) No 895/92 ⁽⁶⁾,

HAS ADOPTED THIS REGULATION :

Article 1

The import levies to be charged on the products listed in
Article 1 (1) (a) and (b) of Regulation (EEC) No 1418/76
shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 16 April 1992.

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

Done at Brussels, 15 April 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 73, 19. 3. 1992, p. 7.

⁽³⁾ OJ No L 80, 24. 3. 1987, p. 20.

⁽⁴⁾ OJ No L 75, 21. 3. 1991, p. 29.

⁽⁵⁾ OJ No L 62, 7. 3. 1992, p. 44.

⁽⁶⁾ OJ No L 95, 9. 4. 1992, p. 39.

ANNEX

to the Commission Regulation of 15 April 1992 fixing the import levies on rice and broken rice

(ECU/tonne)

CN code	Levies (°)		
	Arrangement in Regulation (EEC) No 3877/86 (°)	ACP (⁽¹⁾) (⁽²⁾) (⁽³⁾) (⁽⁴⁾) Bangladesh	Third countries (except ACP) (⁽⁵⁾)
1006 10 21	—	154,66	316,53
1006 10 23	—	151,83	310,86
1006 10 25	—	151,83	310,86
1006 10 27	233,15	151,83	310,86
1006 10 92	—	154,66	316,53
1006 10 94	—	151,83	310,86
1006 10 96	—	151,83	310,86
1006 10 98	233,15	151,83	310,86
1006 20 11	—	194,23	395,66
1006 20 13	—	190,69	388,58
1006 20 15	—	190,69	388,58
1006 20 17	291,44	190,69	388,58
1006 20 92	—	194,23	395,66
1006 20 94	—	190,69	388,58
1006 20 96	—	190,69	388,58
1006 20 98	291,44	190,69	388,58
1006 30 21	—	240,46	504,78 (⁽⁷⁾)
1006 30 23	—	285,32	594,41 (⁽⁷⁾)
1006 30 25	—	285,32	594,41 (⁽⁷⁾)
1006 30 27	445,81 (⁽⁶⁾)	285,32	594,41 (⁽⁷⁾)
1006 30 42	—	240,46	504,78 (⁽⁷⁾)
1006 30 44	—	285,32	594,41 (⁽⁷⁾)
1006 30 46	—	285,32	594,41 (⁽⁷⁾)
1006 30 48	445,81 (⁽⁶⁾)	285,32	594,41 (⁽⁷⁾)
1006 30 61	—	256,45	537,60 (⁽⁷⁾)
1006 30 63	—	306,25	637,21 (⁽⁷⁾)
1006 30 65	—	306,25	637,21 (⁽⁷⁾)
1006 30 67	477,91 (⁽⁶⁾)	306,25	637,21 (⁽⁷⁾)
1006 30 92	—	256,45	537,60 (⁽⁷⁾)
1006 30 94	—	306,25	637,21 (⁽⁷⁾)
1006 30 96	—	306,25	637,21 (⁽⁷⁾)
1006 30 98	477,91 (⁽⁶⁾)	306,25	637,21 (⁽⁷⁾)
1006 40 00	—	65,63	137,26

(⁽¹⁾) Subject to the application of the provisions of Articles 12 and 13 of Regulation (EEC) No 715/90.

(⁽²⁾) In accordance with Regulation (EEC) No 715/90, the levies are not applied to products originating in the African, Caribbean and Pacific States and imported directly into the overseas department of Réunion.

(⁽³⁾) The import levy on rice entering the overseas department of Réunion is specified in Article 11a of Regulation (EEC) No 1418/76.

(⁽⁴⁾) The levy on imports of rice, not including broken rice (CN code 1006 40 00), originating in Bangladesh is applicable under the arrangements laid down in Regulation (EEC) Nos 3491/90 and 862/91.

(⁽⁵⁾) The levy on imports into Portugal is increased by the amount specified in Article 2 (2) of Regulation (EEC) No 3778/91.

(⁽⁶⁾) The levy 3778/91 imports of rice of the long-grain aromatic Basmati variety is applicable under the arrangements laid down in Regulation (EEC) No 3877/86, as amended by Regulation (EEC) No 3130/91.

(⁽⁷⁾) No import levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.

COMMISSION REGULATION (EEC) No 951/92

of 15 April 1992

fixing the premiums to be added to the import levies on rice and broken 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 1418/76
of 21 June 1976 on the common organization of the
market in rice ⁽¹⁾, as last amended by Regulation (EEC)
No 674/92 ⁽²⁾, and in particular Article 13 (6) thereof,

Whereas the premiums to be added to the levies on rice
and broken rice were fixed by Commission Regulation
(EEC) No 2591/91 ⁽³⁾, as last amended by Regulation
(EEC) No 896/92 ⁽⁴⁾;

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 shown in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The premiums to be added to the import levies fixed in
advance in respect of rice and broken rice originating in
third countries shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 16 April 1992.

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

Done at Brussels, 15 April 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 73, 19. 3. 1992, p. 7.

⁽³⁾ OJ No L 243, 31. 8. 1991, p. 8.

⁽⁴⁾ OJ No L 95, 9. 4. 1992, p. 41.

ANNEX

to the Commission Regulation of 15 April 1992 fixing the premiums to be added to the import levies on rice and broken rice

CN code	(ECU/tonne)			
	Current 4	1st period 5	2nd period 6	3rd period 7
1006 10 21	0	0	0	—
1006 10 23	0	0	0	—
1006 10 25	0	0	0	—
1006 10 27	0	0	0	—
1006 10 92	0	0	0	—
1006 10 94	0	0	0	—
1006 10 96	0	0	0	—
1006 10 98	0	0	0	—
1006 20 11	0	0	0	—
1006 20 13	0	0	0	—
1006 20 15	0	0	0	—
1006 20 17	0	0	0	—
1006 20 92	0	0	0	—
1006 20 94	0	0	0	—
1006 20 96	0	0	0	—
1006 20 98	0	0	0	—
1006 30 21	0	0	0	—
1006 30 23	0	0	0	—
1006 30 25	0	0	0	—
1006 30 27	0	0	0	—
1006 30 42	0	0	0	—
1006 30 44	0	0	0	—
1006 30 46	0	0	0	—
1006 30 48	0	0	0	—
1006 30 61	0	0	0	—
1006 30 63	0	0	0	—
1006 30 65	0	0	0	—
1006 30 67	0	0	0	—
1006 30 92	0	0	0	—
1006 30 94	0	0	0	—
1006 30 96	0	0	0	—
1006 30 98	0	0	0	—
1006 40 00	0	0	0	0

COMMISSION REGULATION (EEC) No 952/92

of 15 April 1992

fixing the minimum levies on the importation of olive oil and levies on the importation of other olive oil sector products

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 16 (2) thereof,

Having regard to Council Regulation (EEC) No 1514/76 of 24 June 1976 on imports of olive oil originating in Algeria⁽³⁾, as last amended by Regulation (EEC) No 728/91⁽⁴⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1521/76 of 24 June 1976 on imports of olive oil originating in Morocco⁽⁵⁾, as last amended by Regulation (EEC) No 729/91⁽⁶⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1508/76 of 24 June 1976 on imports of olive oil originating in Tunisia⁽⁷⁾, as last amended by Regulation (EEC) No 413/86⁽⁸⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1180/77 of 17 May 1977 on imports into the Community of certain agricultural products originating in Turkey⁽⁹⁾, as last amended by Regulation (EEC) No 730/91⁽¹⁰⁾, and in particular Article 10 (2) thereof,

Having regard to Council Regulation (EEC) No 1620/77 of 18 July 1977 laying down detailed rules for the importation of olive oil from Lebanon⁽¹¹⁾,

Whereas by Regulation (EEC) No 3131/78⁽¹²⁾, as amended by the Act of Accession of Greece, the Commis-

sion decided to use the tendering procedure to fix levies on olive oil;

Whereas Article 3 of Council Regulation (EEC) No 2751/78 of 23 November 1978 laying down general rules for fixing the import levy on olive oil by tender⁽¹³⁾ specifies that the minimum levy rate shall be fixed for each of the products concerned on the basis of the situation on the world market and the Community market and of the levy rates indicated by tenderers;

Whereas, in the collection of the levy, account should be taken of the provisions in the Agreements between the Community and certain third countries; whereas in particular the levy applicable for those countries must be fixed, taking as a basis for calculation the levy to be collected on imports from the other third countries;

Whereas, with regard to Turkey and the Maghreb countries, the provisions of this Regulation should be without prejudice to the additional amount to be determined in accordance with the agreements between the Community and these third countries;

Whereas, pursuant to Article 101 (1) of Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community⁽¹⁴⁾, no levies shall apply on imports of products originating in the overseas countries and territories; whereas, however, pursuant to Article 101 (4) of the abovementioned Decision, a special amount shall be charged on imports of certain products originating in the overseas countries and territories in order to prevent products originating from these countries and territories from receiving more favourable treatment than similar products imported from Spain or Portugal into the Community as constituted on 31 December 1985;

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 13 and 14 April 1992 leads to the minimum levies being fixed as indicated in Annex I to this Regulation;

Whereas the import levy on olives falling within 29 codes 0709 90 39 and 0711 20 90 and on products falling within CN codes 1522 00 31, 1522 00 39 and 2306 90 19 must be calculated from the minimum levy applicable on the olive oil contained in these products; whereas, however, the levy charged for olive oil may not be less than an amount equal to 8 % of the value of the imported product, such amount to be fixed at a standard rate; whereas application of these provisions leads to the levies being fixed as indicated in Annex II to this Regulation,

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

⁽²⁾ OJ No L 162, 26. 6. 1991, p. 27.

⁽³⁾ OJ No L 169, 28. 6. 1976, p. 24.

⁽⁴⁾ OJ No L 80, 27. 3. 1991, p. 1.

⁽⁵⁾ OJ No L 169, 28. 6. 1976, p. 43.

⁽⁶⁾ OJ No L 80, 27. 3. 1991, p. 2.

⁽⁷⁾ OJ No L 169, 28. 6. 1976, p. 9.

⁽⁸⁾ OJ No L 48, 26. 2. 1986, p. 1.

⁽⁹⁾ OJ No L 142, 9. 6. 1977, p. 10.

⁽¹⁰⁾ OJ No L 80, 27. 3. 1991, p. 3.

⁽¹¹⁾ OJ No L 181, 21. 7. 1977, p. 4.

⁽¹²⁾ OJ No L 370, 30. 12. 1978, p. 60.

⁽¹³⁾ OJ No L 331, 28. 11. 1978, p. 6.

⁽¹⁴⁾ OJ No L 263, 19. 9. 1991, p. 1.

HAS ADOPTED THIS REGULATION :

Article 1

The minimum levies on olive oil imports are fixed in Annex I.

Article 2

The levies applicable on imports of other olive oil sector products are fixed in Annex II.

Article 3

This Regulation shall enter into force on 17 April 1992.

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

Done at Brussels, 15 April 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX I

Minimum import levies on olive oil ⁽¹⁾

(ECU/100 kg)	
CN code	Non-member countries
1509 10 10	72,00 ⁽²⁾
1509 10 90	72,00 ⁽²⁾
1509 90 00	83,00 ⁽²⁾
1510 00 10	77,00 ⁽²⁾
1510 00 90	122,00 ⁽²⁾

⁽¹⁾ No levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC. However, an amount equal to the amount fixed by Regulation (EEC) No 3148/91 is to be levied in accordance with Article 101 (4) of the abovementioned Decision.

⁽²⁾ For imports of oil falling within this CN code and produced entirely in one of the countries listed below and transported directly from any of those countries to the Community, the levy to be collected is reduced by:

(a) Lebanon: ECU 0,60 per 100 kg;

(b) Turkey: ECU 11,48 per 100 kg ⁽³⁾ provided that the operator furnishes proof of having paid the export tax applied by that country; however, the repayment may not exceed the amount of the tax in force;

(c) Algeria, Tunisia and Morocco: ECU 12,69 per 100 kg ⁽³⁾ provided that the operator furnishes proof of having paid the export tax applied by that country; however, the repayment may not exceed the amount of the tax in force.

⁽³⁾ These amounts may be increased by an additional amount to be determined by the Community and the third countries in question.

⁽⁴⁾ For imports of oil falling within this CN code:

(a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by ECU 3,86 per 100 kg;

(b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by ECU 3,09 per 100 kg.

⁽⁵⁾ For imports of oil falling within this CN code:

(a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by ECU 7,25 per 100 kg;

(b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by ECU 5,80 per 100 kg.

ANNEX II

Import levies on other olive oil sector products ⁽¹⁾

(ECU/100 kg)	
CN code	Non-member countries
0709 90 39	15,84
0711 20 90	15,84
1522 00 31	36,00
1522 00 39	57,60
2306 90 19	6,16

⁽¹⁾ No levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC. However, an amount equal to the amount fixed by Regulation (EEC) No 3148/91 is to be levied in accordance with Article 101 (4) of the abovementioned Decision.

COMMISSION REGULATION (EEC) No 953/92

of 15 April 1992

on the sale by the procedure laid down in Regulation (EEC) No 2539/84 of beef held by certain intervention agencies and intended for processing within the Community and repealing Regulation (EEC) No 273/92

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EEC) No 1628/91⁽²⁾, and in particular Article 7 (3) thereof,

Whereas Commission Regulation (EEC) No 2539/84 of 5 September 1984 laying down detailed rules for certain sales of frozen beef held by the intervention agencies⁽³⁾, as amended by Regulation (EEC) No 1809/87⁽⁴⁾, has provided for the possibility of applying a two-stage procedure when selling beef from intervention stocks;

Whereas certain intervention agencies hold stocks of intervention meat; whereas an extension of the period of storage should be avoided on account of the ensuing high costs; whereas, in the present market situation, there are outlets for such meat for processing in the Community;

Whereas such sales should be made in accordance with Commission Regulations (EEC) No 2539/84, (EEC) No 569/88⁽⁵⁾, as last amended by Regulation (EEC) No 847/92⁽⁶⁾, and (EEC) No 2182/77⁽⁷⁾, as last amended by Regulation (EEC) No 3988/87⁽⁸⁾, subject to certain special exceptions on account of the particular use to which the products in question are to be put;

Whereas Commission Regulation (EEC) No 273/92⁽⁹⁾ should be repealed;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The following approximate quantities of beef shall be put up for sale for processing within the Community:

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 150, 15. 6. 1991, p. 16.

⁽³⁾ OJ No L 238, 6. 9. 1984, p. 13.

⁽⁴⁾ OJ No L 170, 30. 6. 1987, p. 23.

⁽⁵⁾ OJ No L 55, 1. 3. 1988, p. 1.

⁽⁶⁾ OJ No L 88, 3. 4. 1992, p. 49.

⁽⁷⁾ OJ No L 251, 1. 10. 1977, p. 60.

⁽⁸⁾ OJ No L 376, 31. 12. 1987, p. 31.

⁽⁹⁾ OJ No L 30, 6. 2. 1992, p. 7.

- approximately 1 500 tonnes of bone-in beef held by the Italian intervention agency,
- approximately 1 000 tonnes of bone-in beef (hindquarters) held by the United Kingdom intervention agency, and bought in before 1 January 1991,
- approximately 300 tonnes of bone-in beef (forequarters) held by the United Kingdom intervention agency,
- approximately 1 000 tonnes of bone-in beef held by the French intervention agency,
- approximately 1 000 tonnes of bone-in beef held by the Dutch intervention agency,
- approximately 4 500 tonnes of boned beef held by the United Kingdom intervention agency and bought in before 1 December 1991,
- approximately 1 500 tonnes of boned beef held by the Irish intervention agency and bought in before 1 December 1991,
- approximately 1 000 tonnes of boned beef held by the Danish intervention agency and bought in before 1 December 1991,
- approximately 500 tonnes of boned beef held by the Italian intervention agency and bought in before 1 February 1992.

2. The intervention agencies referred to in paragraph 1 shall sell first the meat which has been stored the longest.

3. The sales shall be conducted in accordance with the provisions of Regulations (EEC) No 2539/84, (EEC) No 569/88, (EEC) No 2182/77 and this Regulation.

4. The qualities and the minimum prices referred to in Article 3 (1) of Regulation (EEC) No 2539/84 are given in Annex I hereto.

5. Only those tenders shall be taken into consideration which reach the intervention agencies concerned no later than 12 noon on 23 April 1992.

6. Particulars relating to the quantities and the places where the products are stored shall be available to interested parties at the addresses given in Annex II.

Article 2

1. Notwithstanding Article 3 (1) and (2) of Regulation (EEC) No 2182/77, the tender or application to purchase :

(a) shall be valid only if presented by a natural or legal person who, for at least 12 months, has been engaged in the processing of products containing beef and who is entered in a public register of a Member State ;

(b) must be accompanied by :

- a written undertaking by the applicant to process the meat purchased into products specified in Article 1 (1) of Regulation (EEC) No 2182/77 within the period referred to in Article 5 (1) of the abovementioned Regulation,
- a precise indication of the establishment or establishments where the meat which has been purchased will be processed.

2. The applicants referred to in paragraph 1 may instruct an agent to take delivery, on their behalf, of the products which they purchase. In this case the agent shall submit the tenders or applications to purchase of the purchasers whom he represents.

3. The purchasers and agents referred to in the foregoing paragraphs shall maintain and keep up to date an accounting system which permits the destination and

use of the products to be ascertained with a view particularly to checking to ensure that the quantities of products purchased and manufactured tally.

Article 3

1. The security provided for in Article 5 (1) of Regulation (EEC) No 2539/84 shall be ECU 10 per 100 kilograms.

2. The security provided for in Article 5 (3) (a) of Regulation (EEC) No 2539/84 shall be :

- ECU 200 per 100 kilograms for bone-in hindquarters,
- ECU 100 per 100 kilograms for bone-in forequarters,
- ECU 140 per 100 kilograms for boned meat.

Article 4

For the purpose of this Regulation, 100 kilograms of bone-in hindquarters equals 64 kilograms of boneless meat removal of the fillet and the striploin.

Article 5

Regulation (EEC) No 273/92 is hereby repealed.

Article 6

This Regulation shall enter into force on 23 April 1992.

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

Done at Brussels, 15 April 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

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

Estado miembro Medlemsstat Mitgliedstaat Κράτος μέλος Member State État membre Stato membro Lid-Staat Estado-membro	Productos Produkter Erzeugnisse Προϊόντα Products Produits Prodotti Produkten Produtos	Cantidades (toneladas) Mængde (tons) Mengen (Tonnen) Ποσότητες (τόνοι) Quantities (tonnes) Quantités (tonnes) Quantità (tonnellate) Hoeveelheid (ton) Quantidade (toneladas)	Precio mínimo expresado en ecus por tonelada (1) Mindstepriser i ECU/ton (1) Mindestpreise, ausgedrückt in ECU/Tonne (1) Ελάχιστες τιμές πώλησως εκφραζόμενες σε Ecu ανά τόνο (1) Minimum prices expressed in ecus per tonne (1) Prix minimaux exprimés en écus par tonne (1) Prezzi minimi espressi in ecu per tonnellata (1) Minimumprijzen uitgedrukt in ecu per ton (1) Preço mínimo expresso em ecus por tonelada (1)
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a) Carne sin deshuesar — Ikke-udbenet kød — Fleisch mit Knochen — Κρέας μη αποστεωμένο — Unboned beef — Viande avec os — Carni con osso — Vlees met been — Carne com osso

United Kingdom	— Forequarters, from :		
	Category C, class U, R and O	300	1 200
	— Hindquarters :		
	Category C	1 000	1 450
Italia	— Quarti anteriori provenienti dai :		
	Categoria A, classi U, R e O	1 500	1 200
France	— Quartiers avant :		
	Catégorie A/C, classe U, R et O	1 000	1 200
Nederland	— Voorvoeten, afkomstig van :		
	Categorie A, klasse R	1 000	1 200

b) Carne deshuesada — Udbenet kød — Fleisch ohne Knochen — Αποστεωμένο κρέας — Boned beef — Viande désossée — Carni senza osso — Vlees zonder been — Carne desossada

Ireland	— Category C :		
	Plates and flanks	500	1 200
	Forequarters	600	1 900
	Insides	100	3 100
	Outsides	100	3 100
	Knuckles	100	2 600
	Rumps	100	2 600
United Kingdom	— Category C :		
	Rumps	500	2 600
	Thick flanks	500	2 600
	Topsides	500	3 100
	Silversides	500	3 100
	Briskets	500	1 600
	Pony parts	100	1 600
	Pony	500	2 200
	Foreribs	100	2 100
	Forequarter flanks	300	1 200
	Thin flanks	1 000	1 200
Italia	— Categoria A :		
	Collo Sottospalla	100	1 900
	Spalla / Geretto	200	1 600
	Pancia	100	1 100
	Petto	100	1 400
Danmark	— Kategori A / C :		
	Bryst og slag	500	1 400
	Øvrigt kød af forfjerding	500	1 800

(1) Estos precios se entenderán con arreglo a lo dispuesto en el apartado 1 del artículo 17 del Reglamento (CEE) n° 2173/79.

(1) Disse priser gælder i overensstemmelse med bestemmelserne i artikel 17, stk. 1, i forordning (EØF) nr. 2173/79.

(1) Diese Preise gelten gemäß Artikel 17 Absatz 1 der Verordnung (EWG) Nr. 2173/79.

(1) Οι τιμές αυτές εφαρμόζονται σύμφωνα με τις διατάξεις του άρθρου 17 παράγραφος 1 του κανονισμού (ΕΟΚ) αριθ. 2173/79.

(1) These prices shall apply in accordance with the provisions of Article 17 (1) of Regulation (EEC) No 2173/79.

(1) Ces prix s'entendent conformément aux dispositions de l'article 17 paragraphe 1 du règlement (CEE) n° 2173/79.

(1) Il prezzo si intende in conformità del disposto dell'articolo 17, paragrafo 1 del regolamento (CEE) n. 2173/79.

(1) Deze prijzen gelden overeenkomstig de bepalingen van artikel 17, lid 1, van Verordening (EEG) nr. 2173/79.

(1) Estes preços aplicam-se conforme o disposto no n° 1 do artigo 17º do Regulamento (CEE) n° 2173/79.

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

**Direcciones de los organismos de intervención — Interventionsorganernes adresser —
Anschriften der Interventionsstellen — Διευθύνσεις των οργανισμών παρεμβάσεως — Addresses
of the intervention agencies — Adresses des organismes d'intervention — Indirizzi degli
organismi d'intervento — Adressen van de interventiebureaus — Endereços dos organismos de
intervenção**

IRELAND: Department of Agriculture and Food
Agriculture House
Kildare Street
Dublin 2
Tel. (01) 78 90 11
Telex 93292 and 93607, telefax (01) 616263 and (01) 785214

DANMARK: EF-Direktoratet
Frederiksborggade 18
DK-1360 København K
Tlf. 33 92 70 00, telex 15137 EFDIR DK, telefax 33 92 69 48

ITALIA: Azienda di Stato per gli interventi nel mercato agricolo (AIMA)
Via Palestro 81
I-00185 Roma
Tel. 47 49 91
Telex 61 30 03

UNITED KINGDOM: Intervention Board for Agricultural Produce
Fountain House
2 Queens Walk
Reading RG1 7QW
Berkshire
Tel. (0734) 58 36 26
Telex 848 302, telefax: (0734) 56 67 50

FRANCE: OFIVAL
Tour Montparnasse
33, avenue du Maine
F-75755 Paris Cedex 15
Tél. 45 38 84 00, télex 205476

NEDERLAND: Voedselvoorzienings In- en Verkoopbureau (VIB)
Ministerie van Landbouw, Natuurbeheer en Visserij,
Burg. Kessenplein 3
Postbus 960
NL-6430 AZ Hoensbroek
Tel. (045) 23 83 83, Telefax (045) 22 27 35, Telex 56396

**COMMISSION REGULATION (EEC) No 954/92
of 15 April 1992**

amending Commission Regulation (EEC) No 3866/91 fixing the standard values to be used in calculating the financial compensation and the advance pertaining thereto in respect of fishery products withdrawn from the market during the 1992 fishing year

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

Having regard to Council Regulation (EEC) No 3687/91 of 28 November 1991 on the common organization of the market in fishery products⁽¹⁾, and in particular Article 13 (7) thereof,

Whereas Commission Regulation (EEC) No 3866/91⁽²⁾ fixed for the 1992 fishing year the standard values to be used in calculating the financial compensation in respect of fishery products withdrawn from the market;

Whereas Article 13 of Regulation (EEC) No 3687/91 provides for adjustment of the standard value fixed at the beginning of the fishing year where significant and lasting price changes take place on Community markets;

Whereas Portugal has let it be known that the market for products following during and cutting up or processing into meal and used as animal feed has recorded significant drops in prices since the previous fishing year in certain categories of the said products as a result of

imports from third countries; whereas it is therefore appropriate to adjust the standard value of these products in respect of Portugal;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 3866/91 is amended as follows: at point 1 (c), second indent, the word 'Portugal' is deleted.

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, 15 April 1992.

For the Commission

Manuel MARÍN

Vice-President

⁽¹⁾ OJ No L 354, 23. 12. 1991, p. 1.

⁽²⁾ OJ No L 363, 31. 12. 1991, p. 18.

COMMISSION REGULATION (EEC) No 955/92

of 15 April 1992

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

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 12 thereof,

Whereas Commission Regulation (EEC) No 585/92 ⁽³⁾ provides for an exemption from the import levy for certain products in the cereals sector laid down in the Agreements between the European Economic Community and the Republic of Poland, the Republic of Hungary and the Czech and Slovak Federal Republic;

Whereas provision should be made for the procedure by which the Commission is to decide on the possible fixing of the uniform percentage reduction in quantities covered by import licence applications; whereas, where the above-mentioned percentage is applied, the period during which operators may withdraw their licence applications must be fixed;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 2 (3) of Regulation (EEC) No 585/92 is hereby replaced by the following:

'3. By the fifth working day at the latest following lodging of the applications, the Commission shall decide to what extent import licences may be granted.

If quantities covered by licence applications exceed those available, the Commission shall fix a uniform percentage reduction in quantities applied for. In that case operators may withdraw their applications before the deadline laid down in paragraph 4 expires.'

Article 2

This Regulation shall enter into force on the seventh 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, 15 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 62, 7. 3. 1992, p. 40.

COMMISSION REGULATION (EEC) No 956/92

of 15 April 1992

fixing for the 1992 marketing year the reference prices for cherries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables ⁽¹⁾, as last amended by Regulation (EEC) No 1623/91 ⁽²⁾, and in particular Article 27 (1) thereof,

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

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

Whereas cherries harvested during a given crop year are marketed from April to September; whereas the quantities harvested in April, during the first 20 days of May and from 11 August to 30 September are so small that there is no need to fix reference prices for these periods; whereas reference prices should be fixed only for the period 21 May to 10 August inclusive;

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1992 marketing year, the reference prices for cherries falling within CN code 0809 20, expressed in ecus per 100 kilograms net, of packed products of class I, of all sizes, shall be as follows:

May (21 to 31):	140,71
June:	125,70
July:	115,49
August (1 to 10):	88,58.

Article 2

This Regulation shall enter into force on 21 May 1992.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 150, 15. 6. 1991, p. 8.

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

Done at Brussels, 15 April 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 957/92

of 15 April 1992

fixing for the 1992 marketing year the Community offer prices for apricots
applicable with regard to Spain and Portugal

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⁽¹⁾ and Regulation (EEC) No 3648/90⁽²⁾ laying down general rules for implementing the Act of Accession of Spain and Portugal as regards the compensation mechanism on imports of fruit and vegetables originating respectively in Spain and Portugal, and in particular Article 4 (1) thereof,

Whereas, Commission Regulation (EEC) No 3820/90⁽³⁾, lays down detailed rules for the application of the compensation mechanism to imports of fruit and vegetables from Spain and Portugal;

Whereas, pursuant to Article 152 and Article 318 of the Act of Accession, a compensation mechanism is to be introduced on imports into the Community as constituted at 31 December 1985, hereinafter referred to as the 'Community of Ten', of fruit and vegetables from Spain and Portugal for which a reference price is fixed with regard to third countries; whereas, Community offer prices for apricots coming from Spain and Portugal should be fixed only during the period where reference prices are fixed with regard to third countries, from 1 June up to and including 31 July;

Whereas, in accordance with Articles 152 (2) (a) and 318 (1) (a) of the Act of Accession, a Community offer price is to be calculated annually on the basis of the arithmetic mean of the producer prices in each Member State of the Community of Ten, plus transport and packaging costs incurred by the products from the production regions to the representative consumption centres of the Community and taking account of developments in the cost of production in the fruit and vegetable sector; whereas the abovementioned producer prices correspond to the average prices recorded during the three years preceding the date of fixing of the Community offer price; whereas, however, the annual Community offer price cannot exceed the reference price applied in respect of third countries;

Whereas, in order to take account of seasonal variations in prices, the marketing year should be divided into one or more periods and a Community offer price should be fixed for each of them;

Whereas, in accordance with Article 1 of Regulation (EEC) No 3709/89 and (EEC) No 3648/90, the producer prices to be used for the determination of the Community offer price are to be those of a domestic product defined by its commercial characteristics recorded on the representative market or markets located in the production areas where prices are lowest for products or varieties representing a considerable proportion of production marketed throughout the year or during a part of the latter and which meet Quality Class I requirements and conditions laid down as regards packaging; whereas the average price for each representative market must be established after disregarding prices which may be considered excessively high or excessively low compared with the normal fluctuations recorded on the market; whereas, moreover, if the average price for a Member State shows excessive variations with respect of normal price fluctuations, it shall not be taken into account;

Whereas the application of the abovementioned criteria results in Community offer prices being fixed for apricots for the period 1 June to 31 July 1992 at the levels set out hereinafter;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1992 marketing year, the Community offer prices for apricots falling within CN code 0809 10 00 applicable with regard to Spain and Portugal, expressed in ecus is per 100 kilograms net of packed products of class I, of all sizes, shall be as follows:

— June (1 to 10):	83,52
(11 to 20):	73,09
(21 to 30):	65,97
— July:	69,30.

Article 2

This Regulation shall enter into force on 1 June 1992.

⁽¹⁾ OJ No L 363, 13. 12. 1989, p. 3.

⁽²⁾ OJ No L 362, 27. 12. 1990, p. 16.

⁽³⁾ OJ No L 366, 29. 12. 1990, p. 43.

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

Done at Brussels, 15 April 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 958/92**of 14 April 1992****introducing prior and retrospective Community surveillance of imports of unwrought aluminium falling within CN code 7601 and originating in the independent States resulting from the former Soviet Union**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1765/82 of 30 June 1992 on common rules for imports from State-trading countries⁽¹⁾, as last amended by Regulation (EEC) No 848/92⁽²⁾, and in particular Article 10 thereof,

After consulting within the Committee set up under the Regulation referred to above,

Whereas the Commission has been informed that imports into the Community of unwrought, non-alloy aluminium falling within CN code 7601 10 00 and originating in the independent States resulting from the former Soviet Union⁽³⁾ have been rising rapidly in a way liable to disturb the Community aluminium market and have adverse effects on the situation of the Community producers concerned; whereas imports rose from 10 734 tonnes in 1986 to 12 586 tonnes in 1990 and to 122 957 tonnes;

Whereas, according to the figures available, the trade of Community consumption has been uneven, rising from 3 912 900 tonnes in 1989 to 4 022 000 tonnes in 1990 and standing at 3 092 200 tonnes in the first nine months of 1991;

Whereas the Community industry producing similar or competing products, represented in all Member States, has pointed out that its situation has deteriorated steadily between 1989 and 1991, as the following trends in the economic indicators show:

- production capacity fell by 97 000 tonnes in 1991 and initial estimates for 1992 predict a 298 000 tonnes reduction,
- total production fell from 2 371 700 tonnes in 1989 to 2 344 900 tonnes in 1990 and to 1 680 300 tonnes in the first nine months of 1991,
- Community sales have fallen from 688 211 tonnes in 1989 to 465 252 tonnes in 1990 and to 228 611 tonnes in the first nine months of 1991,

— despite diminishing rates of capacity utilization, large factory stocks have been built up as sales have dropped, rising from 1 576 000 tonnes in 1989 to 1 522 000 tonnes in 1990 and to 1 753 000 tonnes at the end of 1991,

— the financial results of firms in the sector show major losses in the period 1989 to 1991: investments to bring in new technology and modernize the sector have not brought the desired results;

Whereas 400 000 tonnes of aluminium from these third countries are stocked in Europe, under the system of customs warehouses, mostly on the territory of the Community;

Whereas the capacity of the independent States resulting from the former Soviet Union to export to the Community appears to be growing as their domestic consumption falls, reflecting domestic economic problems;

Whereas this situation may lead to a further increase in imports into the Community of unwrought aluminium from these countries and cause serious injury to the Community producers concerned;

Whereas, with a view to monitoring trends in current imports and identifying swiftly any adverse effects on the Community industry concerned, Community surveillance of actual and forecast imports should be introduced;

Whereas such surveillance should be extended to aluminium alloys falling within CN codes 7601 20 10 and 7601 20 90 with the aim of monitoring all imports of unwrought aluminium and so avoiding any trade distortions,

HAS ADOPTED THIS REGULATION:

Article 1

The release for free circulation in the Community of unwrought aluminium falling within CN codes 7601 10 00, 7601 20 10 and 7601 20 90, originating in the independent States resulting from the former Soviet Union, shall be subject to prior and retrospective Community surveillance in accordance with Articles 10 and 11 of Regulation (EEC) No 1785/92 from 1 May 1992.

⁽¹⁾ OJ No L 195, 5. 7. 1982, p. 1.

⁽²⁾ OJ No L 89, 4. 4. 1992, p. 1.

⁽³⁾ Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kirgizstan, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine and Uzbekistan.

Article 2

1. The release for free circulation of the products referred to in Article 1 in a Member State shall be subject to presentation of an import document issued by the relevant authorities of the importing Member State.

2. The import document referred to in paragraph 1 shall be issued automatically by the competent authority of the importing Member State without charge for any quantity requested, within five working days of presentation of an application by any Community importer, wherever established in the Community.

The import document may be used for three months, starting from the date of receipt by the importer.

3. The application presented by the importer shall give the following information :

- (a) the name and address of the importer and of the exporter ;
- (b) a description of the product, including
 - the trade name,
 - the corresponding CN code,
 - the country of origin,
 - the country of consignment ;
- (c) the unit and total price, free at frontier, and the quantity of the product in tonnes ;

(d) the date or dates and place or places of import.

Article 3

The Member States shall notify the Commission within the first ten days of each month of :

- quantites and amounts, calculated on basis of the cif price, for which import documents have been issued in the preceding month,
- actual imports in the preceding month.

This information from the Member States shall be broken down by product and by country of origin.

Article 4

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

This Regulation shall be apply from 1 May to 31 December 1992.

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

Done at Brussels, 14 April 1992.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 959/92
of 15 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 909/92⁽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 72,462 per 100 kilograms.

Article 2

This Regulation shall enter into force on 16 April 1992.

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

Done at Brussels, 15 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 96, 10. 4. 1992, p. 26.

**COMMISSION REGULATION (EEC) No 960/92
of 15 April 1992**

fixing the import levies on white sugar and raw sugar

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

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

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 366/92⁽³⁾, as last amended by Regulation (EEC) No 940/92⁽⁴⁾;

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

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

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

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

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

Whereas these exchange rates being those recorded on 14 April 1992,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 16 April 1992.

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

Done at Brussels, 15 April 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 6, 11. 1. 1992, p. 19.

⁽³⁾ OJ No L 39, 15. 2. 1992, p. 28.

⁽⁴⁾ OJ No L 101, 15. 4. 1992, p. 37.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 9.

ANNEX**to the Commission Regulation of 15 April 1992 fixing the import levies on white sugar and raw sugar***(ECU/100 kg)*

CN code	Levy ⁽¹⁾
1701 11 10	38,03 ⁽¹⁾
1701 11 90	38,03 ⁽¹⁾
1701 12 10	38,03 ⁽¹⁾
1701 12 90	38,03 ⁽¹⁾
1701 91 00	44,35
1701 99 10	44,35
1701 99 90	44,35 ⁽²⁾

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

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

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

**COMMISSION REGULATION (EEC) No 961/92
of 15 April 1992**

abolishing the countervailing charge on tomatoes originating in Morocco

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

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

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1623/91⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 857/92⁽³⁾ introduced a countervailing charge on tomatoes originating in Morocco;

Whereas for tomatoes originating in Morocco there were no prices for six consecutive working days; whereas the

conditions specified in Article 26 (1) of Regulation (EEC) No 1035/72 are therefore fulfilled and the countervailing charge on imports of tomatoes originating in Morocco can be abolished,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 857/92 is hereby repealed.

Article 2

This Regulation shall enter into force on 17 April 1992.

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

Done at Brussels, 15 April 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 150, 15. 6. 1991, p. 8.

⁽³⁾ OJ No L 89, 4. 4. 1992, p. 22.

COMMISSION REGULATION (EEC) No 962/92**of 15 April 1992****adopting interim protective measures in so far as concerns Spain in regard to applications for STM licences coming from the Community of Ten for milk and milk products lodged between 6 and 10 April 1992**

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 608/86⁽¹⁾ laying down detailed rules for applying the supplementary trade mechanism to milk products imported into Spain from the Community of Ten and from Portugal, as last amended by Regulation (EEC) No 705/92⁽²⁾, fixes the indicative ceilings for milk sector products for 1992 and splits these up into monthly ceilings;

Whereas applications for STM licences in the Community of Ten for cheese of category 4 lodged between 6 and 10 April 1992 relate to quantities higher than the ceiling set for the month of April 1992;

Whereas Article 85 (1) of the Act of Accession states that the Commission may take interim protective measures necessary by an emergency procedure where the situation indicates that the initiative ceiling will be attained or exceeded; whereas to this it is necessary, as an interim protective measure, in view of the number of requests, for

the products concerned and only for the Community of Ten, to issue licences up to a percentage of the quantities applied for category 4 and to suspend all further issuing of licences for the products in question,

HAS ADOPTED THIS REGULATION:

Article 1

1. Applications for STM licences as referred to in Regulation (EEC) No 606/86, lodged between 6 and 10 April 1992 for the Community of Ten and lodged with the Commission, for milk products falling within:

— category 4 of CN code ex 0406 are hereby accepted up to 74,91 %.

2. The issuing of STM licences in the Community of Ten is hereby provisionally suspended for products falling within category 4.

Article 2

This Regulation shall enter into force on 17 April 1992.

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

Done at Brussels, 15 April 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 58, 1. 3. 1986, p. 28.

⁽²⁾ OJ No L 75, 21. 3. 1992, p. 29.

COMMISSION REGULATION (EEC) No 963/92
of 15 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 924/92⁽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 16 April 1992.

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

Done at Brussels, 15 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 98, 11. 4. 1992, p. 19.

⁽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	17,373	16,000	16,000		
— Portugal	26,453	25,080	25,080		
— Other Member States	17,373	16,000	16,000		
2. Final aids:					
Seed harvested and processed in:					
— Federal Republic of Germany (DM)	40,90	37,67	37,67		
— Netherlands (Fl)	46,08	42,44	42,44		
— BLEU (Bfrs/Lfrs)	843,57	776,90	776,90		
— France (FF)	137,17	126,33	126,33		
— Denmark (Dkr)	156,01	143,68	143,68		
— Ireland (£ Irl)	15,267	14,060	14,060		
— United Kingdom (£)	13,554	12,433	12,433		
— Italy (Lit)	30 602	28 183	28 183		
— Greece (Dr)	4 057,37	3 669,73	3 637,72		
— Spain (Pta)	2 667,99	2 466,14	2 466,14		
— Portugal (Esc)	5 601,27	5 324,45	5 324,45		

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	18,623	17,250	17,250		
— Portugal	27,703	26,330	26,330		
— Other Member States	18,623	17,250	17,250		
2. Final aids:					
Seed harvested and processed in:					
— Federal Republic of Germany (DM)	43,84	40,61	40,61		
— Netherlands (Fl)	49,40	45,76	45,76		
— BLEU (Bfrs/Lfrs)	904,26	837,60	837,60		
— France (FF)	147,04	136,20	136,20		
— Denmark (Dkr)	167,23	154,90	154,90		
— Ireland (£ Irl)	16,365	15,159	15,159		
— United Kingdom (£)	14,548	13,427	13,427		
— Italy (Lit)	32 803	30 385	30 385		
— Greece (Dr)	4 372,52	3 984,88	3 952,87		
— Spain (Pta)	2 856,52	2 654,67	2 654,67		
— Portugal (Esc)	5 862,11	5 585,30	5 585,30		

ANNEX III

Aids to sunflower seed

(amounts per 100 kg)

	Current 4	1st period 5	2nd period 6		
1. Gross aids (ECU) :					
— Spain	30,264	28,798	28,798		
— Portugal	36,994	35,528	35,528		
— Other Member States	18,564	17,098	17,098		
2. Final aids :					
Seed harvested and processed in :					
— Federal Republic of Germany (DM)	43,70	40,25	40,25		
— Netherlands (Fl)	49,24	45,35	45,35		
— BLEU (Bfrs/Lfrs)	901,40	830,22	830,22		
— France (FF)	146,57	135,00	135,00		
— Denmark (Dkr)	166,70	153,54	153,54		
— Ireland (£ Irl)	16,314	15,025	15,025		
— United Kingdom (£)	14,459	13,261	13,261		
— Italy (Lit)	32 700	30 117	30 117		
— Greece (Dr)	4 305,88	4 890,82	4 853,91		
— Portugal (Esc)	7 807,77	7 512,39	7 512,39		
— Spain (Pta)	4 615,02	4 399,59	4 399,59		

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	2,045620	2,044630	2,043530		
Fl	2,302220	2,300710	2,299090		
Bfrs/Lfrs	42,081100	42,051800	42,023000		
FF	6,928020	6,926610	6,925120		
Dkr	7,932520	7,931650	7,930420		
£Irl	0,767264	0,767371	0,767514		
£	0,710407	0,710568	0,710664		
Lit	1 540,44	1 542,80	1 545,18		
Dr	239,42000	240,96700	242,83100		
Esc	175,76600	175,76400	176,00100		
Pta	128,92200	129,13900	129,39500		

COMMISSION REGULATION (EEC) No 964/92
of 15 April 1992
amending Regulation (EEC) No 1627/89 on the buying-in of beef by invitation to
tender

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

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EEC) No 1628/91⁽²⁾, and in particular Article 6 (8) thereof,

Whereas Commission Regulation (EEC) No 1627/89 of 9 June 1989 on the buying-in of beef by invitation to tender⁽³⁾, as last amended by Regulation (EEC) No 856/92⁽⁴⁾, opens buying-in by invitation to tender in certain Member States or regions of a Member State for certain quality groups;

Whereas the application of Article 6 (2), (3) and (4) of Regulation (EEC) No 805/68 and the need to limit intervention to the buying-in of the quantities necessary to ensure reasonable support for the market result, on the basis of the prices of which the Commission is aware, in

an amendment, in accordance with the Annex hereto, to the list of Member States or regions of a Member State where buying-in is open by invitation to tender, and the list of the quality groups which may be bought in;

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

Annex I to Regulation (EEC) No 1627/89 is hereby replaced by the Annex hereto.

Article 2

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, 15 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 159, 10. 6. 1989, p. 36.

⁽⁴⁾ OJ No L 89, 4. 4. 1992, p. 20.

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

Estados miembros o regiones de Estados miembros y grupos de calidades previstos en el apartado 1 del artículo 1

Medlemsstater eller regioner og kvalitetsgrupper, jf. artikel 1, stk. 1

Mitgliedstaaten oder Gebiete eines Mitgliedstaats sowie die in Artikel 1 Absatz 1 genannten Qualitätsgruppen

Κράτη μέλη ή περιοχές κρατών μελών και ομάδες ποιότητας που αναφέρονται στο άρθρο 1 παράγραφος 1

Member States or regions of a Member State and quality groups referred to in Article 1 (1)

États membres ou régions d'États membres et groupes de qualités visés à l'article 1^{er}, paragraphe 1

Stati membri o regioni di Stati membri e gruppi di qualità di cui all'articolo 1, paragrafo 1

In artikel 1, lid 1 bedoelde Lid-Staten of gebieden van een Lid-Staat en kwaliteitsgroepen

Estados-membros ou regiões de Estados-membros e grupos de qualidades referidos no n.º 1 do artigo 1.º

Estados miembros o regiones de Estados miembros	Categoría A			Categoría C		
Medlemsstat eller region	Kategori A			Kategori C		
Mitgliedstaaten oder Gebiete eines Mitgliedstaats	Kategorie A			Kategorie C		
Κράτος μέλος ή περιοχή κράτους μέλους	Κατηγορία Α			Κατηγορία Γ		
Member States or regions of a Member State	Category A			Category C		
États membres ou régions d'États membres	Catégorie A			Catégorie C		
Stati membri o regioni di Stati membri	Categoria A			Categoria C		
Lid-Staat of gebied van een Lid-Staat	Categorie A			Categorie C		
Estados-membros ou regiões de Estados-membros	Categoria A			Categoria C		
	U	R	O	U	R	O
Belgique			×			
Denmark		×	×			
Deutschland	×	×				
España	×	×	×			
France	×	×			×	×
Italia			×			
Luxembourg		×	×			
Nederland		×				
Ireland				×	×	×
Great Britain				×	×	×
Northern Ireland				×	×	×

COMMISSION REGULATION (EEC) No 965/92**of 15 April 1992****fixing the maximum export refund for white sugar for the 49th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EEC) No 963/91**

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

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

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

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

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

Whereas, following an examination of the tenders submitted in response to the 49th partial invitation to tender, the provisions set out in Article 1 should be adopted;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 49th partial invitation to tender for white sugar issued pursuant to Regulation (EEC) No 963/91 the maximum amount of the export refund is fixed at ECU 40,567 per 100 kilograms.

Article 2

This Regulation shall enter into force on 16 April 1992.

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

Done at Brussels, 15 April 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 6, 11. 1. 1992, p. 19.

⁽³⁾ OJ No L 100, 20. 4. 1991, p. 9.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DIRECTIVE 92/15/EEC

of 11 March 1992

amending Council Directive 83/229/EEC on the approximation of the laws of the Member States relating to materials and articles made of regenerated cellulose film intended to come into contact with foodstuffs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 89/109/EEC of 21 December 1988 on the approximation of the laws of the Member States relating to materials and articles intended to come into contact with foodstuffs⁽¹⁾, and in particular Article 3 (2) thereof,

Whereas Article 2 of Directive 89/109/EEC lays down that materials and articles, in their finished state, must not transfer their constituents to foodstuffs in quantities which could endanger human health or bring about an unacceptable change in the composition of the foodstuffs;

Whereas the written declaration referred to in Article 6 (5) of Directive 89/109/EEC should be provided for in the event of professional use of regenerated cellulose film for materials and articles intended to come into contact with foodstuffs, except those which are, by their nature, clearly intended for this use;

Whereas Article 4 (2) of Council Directive 83/229/EEC⁽²⁾, as amended by Directive 86/388/EEC⁽³⁾, enables Member States to decide whether to allow the use of phthalic esters pending scientific research to assess the risk associated with the use of such substances;

Whereas the scientific data available now make it possible to lay down thresholds below which human exposure to

these substances does not involve any risk to human health; whereas, therefore, these substances should be authorized throughout the Community;

Whereas the additives authorized for use in the manufacture of coatings intended to cover regenerated cellulose film should also include the additives used in the manufacture of such film;

Whereas, on the basis of information available, the use of certain new substances may be permitted;

Whereas the Scientific Committee for Food, in accordance with Article 3 of Directive 89/109/EEC, has been consulted on the provisions liable to affect public health;

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

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 83/229/EEC is hereby amended as follows:

1. the following Article 3a is added:

Article 3a

1. At the marketing stages other than the retail stage, materials and articles made of regenerated cellulose film intended to come into contact with foodstuffs shall be accompanied by a written declaration in

⁽¹⁾ OJ No L 40, 11. 2. 1989, p. 38.

⁽²⁾ OJ No L 123, 11. 5. 1983, p. 31.

⁽³⁾ OJ No L 228, 14. 8. 1986, p. 32.

accordance with Article 6 (5) of Directive 89/109/EEC (*).

2. Paragraph 1 does not apply to materials and articles made of regenerated cellulose film which by their nature are clearly intended to come into contact with foodstuffs.

(*) OJ No L 40, 11. 2. 1989, p. 38.;

2. paragraph 2 of Article 4 is deleted;

3. in the first part of Annex II, the letter B is added in the 'Denominations' column before the subtitles: '1. Softeners' and '2. Other additives';

4. in the first part of Annex II the following indent is inserted in the list 'B.1. Softeners'; 'Denominations' column, after sorbitol: '— tetraethyleneglycol';

5. (a) in the first part of Annex II the following indent is inserted after the first indent of subheading 'Third class — Anchoring agents' of heading 'B.2. Other additives', in the 'Denominations' column:

— condensation products of melamine-urea-formaldehyde modified with tris (2-hydroxyethyl) amine';

(b) against this item and under the column 'Restrictions' the following is added:

'Free formaldehyde content on side in contact with foodstuffs $\leq 0,5 \text{ mg/dm}^2$.

Free melamine content on side in contact with foodstuffs $\leq 0,3 \text{ mg/dm}^2$;

6. (a) in the Second Part of Annex II, the letter C is added in the 'Denominations' column, before the subtitles '1. Polymes 2. Resins 3. Plasticizers';

(b) the following substances are deleted from the 'Denominations' column, section 'C.3. Plasticizers':

— butyl-methylcarboxybutyl phthalate [=butyl-phthalyl butyl glycolate]

— di-isobutyl phthalate

— di-(methylcyclohexyl) phthalate and its isomers [=sextolphthalate]

— methyl-methylcarboxyethyl phthalate [=methylphthalyl ethyl glycolate]';

(c) the following is added in the 'Restrictions' column for the substance '— butylbenzylphthalate':

' $\leq 2 \text{ mg/dm}^2$ in the coating on the side in contact with foodstuffs';

(d) the following is added in the 'Restrictions' column section 'C.3. Plasticizers' for the substance '-di-n-butyl phthalate':

' $\leq 3 \text{ mg/dm}^2$ in the coating on the side in contact with foodstuffs';

(e) the following is added in the 'Restrictions' column section 'C.3. Plasticizers' for the substance '— dicyclohexyl phthalate':

' $\leq 4 \text{ mg/dm}^2$ in the coating on the side in contact with foodstuffs';

(f) the following is inserted in the 'Denominations' and 'Restrictions' columns after Section 'C.3. Plasticizers':

'C.4. Other additives

$\leq 6 \text{ mg/dm}^2$ in total in the uncoated regenerated cellulose film, inclusive of the coating on the side in contact with foodstuffs.

C.4.1. Additives listed in the first part

Same restrictions as in the first part (however, the quantities in mg/dm^2 refer to the uncoated regenerated cellulose film, inclusive of the coating on the side in contact with foodstuffs).';

(g) heading 4 'Specific coating additives', in the 'Denominations' column is replaced by 'C.4.2. Specific coating additives';

(h) against the heading 'C.4.2. Specific coating additives' the text in the column 'Restrictions' is replaced by the following:

'The quantity of the substance or group of substances in each indent may not exceed 2 mg/dm^2 (or a lower limit where one is specified) in the coating on the side in contact with foodstuffs';

(i) heading 'D. Solvents' is replaced by 'C.5. Solvents'.

Article 2

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 30 June 1993. They shall immediately inform the Commission thereof.

Those laws, regulations and administrative provisions shall apply as follows:

Member States shall:

— permit, by 30 June 1993, the trade and use of regenerated cellulose film complying with Directive 83/229/EEC, as amended by this Directive,

- prohibit, as from 1 July 1994, the trade and use of regenerated cellulose film which is intended to come into contact with foodstuffs and which does not conform to Directive 83/229/EEC, as amended by this Directive.

2. When Member States adopt the measures referred to in paragraph 1, the measures shall contain a reference to this Directive or shall be accompanied by such reference at the time of their official publication. The procedure for such reference shall be adopted by Member States.

Article 3

This Directive is addressed to the Member States.

Done at Brussels, 11 March 1992.

For the Commission

Martin BANGEMANN

Vice-President

COMMISSION RECOMMENDATION

of 3 March 1992

concerning the information to be provided by the person responsible for placing a dangerous preparation on the market when making use of the provisions relating to the confidentiality of the chemical name of a substance

(92/214/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the second indent of Article 155 thereof,

Whereas the second subparagraph of Article 7 (1) (c) of Council Directive 88/379/EEC of 7 June 1988 on the approximation of the laws, regulations and administrative provisions of the Member States relating to the classification, packaging and labelling of dangerous preparations⁽¹⁾, as last amended by Commission Directive 90/492/EEC⁽²⁾, specifies that the person responsible for placing a preparation on the market shall be permitted, in the case of certain harmful substances, to use either a name identifying the most important functional chemical groups or an alternative designation where he can demonstrate that disclosure of the chemical identity of these substances will put at risk the confidential nature of this property; whereas the third subparagraph of the same paragraph obliges the person responsible for placing a preparation on the market to inform the authorities of the Member State where the preparation is placed on the market, and requires those authorities to inform the Commission and the other Member States;

Whereas, on implementation of that Directive, the authorities of certain Member States have been confronted with this problem of confidentiality; whereas this experience has demonstrated a two-fold need: one, to define, clearly and uniformly, the information which the person responsible for placing on the market shall be required to supply to the authorities of Member States as provided for under the Directive; the other, to provide guidelines to this person in the choice of an alternative designation;

Whereas Commission Directive 91/155/EEC⁽³⁾ defines and details, in accordance with Article 10 of Directive 88/379/EEC, the arrangements for a system of specific information in safety data-sheet form relating to dangerous preparations principally intended for use by industrial users; whereas the information contained in the safety data sheet must allow the user to take the necessary measures as regards the protection of health and safety at

the place of work, it is important that the alternative designation chosen will allow them to take such measures;

Whereas there are within each Member State national associations representative of the majority of the undertakings in the chemical industry; whereas all of these national associations are members of either the ECCMF (European Council of Chemical Manufacturers' Federations) or other European associations;

Whereas this recommendation has been prepared in collaboration with the authorized representatives of the authorities of the Member States and the representatives of the ECCMF; whereas this recommendation should therefore be implemented as soon as possible in order to establish common rules in this area,

HEREBY FORMULATES THIS RECOMMENDATION:

Article 1

1. Where the person responsible for placing a dangerous preparation on the market makes use of the provisions of the second subparagraph of Article 7 (1) (c) of Directive 88/379/EEC relating to the confidentiality of the chemical identity of a substance present in that preparation, he shall inform the authorities of the Member State where this preparation is placed on the market for the first time.

This information shall include the elements set out in Annex I.

Any modification carried out by the person responsible for placing the preparation on the market and involving any of the elements of points 1 to 9 of Annex I shall be communicated to the national authority of the Member State where the initial declaration of confidentiality was made.

2. In the instances specified in Annex I, Note C, a single declaration of confidentiality may be made by the person responsible for placing several preparations on the market.

3. Anyone other than the person responsible for placing the preparation on the market as referred to in paragraph 1, who modifies only the designation or

⁽¹⁾ OJ No L 187, 16. 7. 1988, p. 14.

⁽²⁾ OJ No L 275, 5. 10. 1990, p. 35.

⁽³⁾ OJ No L 76, 22. 3. 1991, p. 35.

commercial name of a preparation the labelling of which contains one or more alternative designations (protecting the chemical identity of identities) shall inform the authorities of the Member States where this preparation, together with its new designation or commercial name, is placed on the market for the first time.

This information shall include :

- the old designation or commercial name,
- the new designation or commercial name,
- the alternative designation(s) employed.

The alternative designations shall not be modified.

Article 2

1. For the purposes of transmitting information to the national authorities concerning the alternative name designed to protect the chemical identity of the substance which may put at risk the confidential nature of his property, the person responsible for placing the preparation on the market should preferably use a generic name that identifies the most important functional chemical groups.

2. The glossary appearing in Annex II constitutes a guide to choosing the proposed alternative designation.

Article 3

1. Member States shall implement this recommendation through their competent authorities and in cooperation with the Commission as from 15 April 1992.
2. They shall inform the Commission of the steps taken to give effect to this recommendation.
3. Acting in conjunction with the Member States, the Commission shall organize periodic assessments of the implementation of this recommendation.

Article 4

The Commission shall, if necessary, and in collaboration with the Member States, initiate the revision of the present recommendation on the basis of the periodic assessments specified in Article 3 (3).

Done at Brussels, 3 March 1992.

For the Commission

Martin BANGEMANN

Vice-President

ANNEX I

INFORMATION TO BE GIVEN BY THE PERSON RESPONSIBLE FOR THE PLACING ON THE MARKET OF A PREPARATION WHEN THE PROVISION UNDER ARTICLE 7 (DIRECTIVE 88/379/EEC) REGARDING CONFIDENTIALITY IS USED

Notes

- A. The second subparagraph of Article 7 (1) (c) specifies the conditions under which the person responsible for placing the preparation on the market may avail himself of the confidentiality clause, namely:
- the substance whose chemical identity he wishes to protect must be classified harmful and must not be assigned one of the type phrases R 39, R 40, R 42, R 43, R 42/43, R 45, R 46, R 47, and/or R 48,
 - the person responsible for placing the preparation on the market must provide evidence that the divulging of the chemical identity of the preparation on the label will place at risk the confidential nature of his property.

- B. The alternative designation used on the label must be the same as that given under heading 2 'Composition/information on ingredients' contained in the safety data sheet established for the preparation (Directive 91/155/EEC).

This implies that the alternative designation used will contain enough information about the substance to ensure risk-free handling.

- C. In order to avoid multiple notifications, if a certain number of preparations:

- contain the same dangerous constituents in the same concentration range,
- have the same classification and labelling,
- have the same intended uses,

only one declaration of confidentiality is necessary.

The declaration of confidentiality must include all the elements provided for in this Annex, not forgetting the designation or commercial name of each preparation. A single consistent alternative designation must be used to protect the chemical identity of the same substance under consideration in the case of all the preparations referred to.

Declaration of confidentiality

1. Name and full address (including telephone number) of the person established in the Community who is responsible for placing the preparation on the market (manufacturer, importer or distributor).

2. Precise identification of the substance(s) for which confidentiality is proposed and the alternative designation.

Case No	No Eines	Chemical name according to international nomenclature and classification (Annex I to Council Directive 67/548/EEC or provisional classification)	Alternative designation
(a)			
(b)			

Case No	No Einecs	Chemical name according to international nomenclature and classification (Annex I to Council Directive 67/548/EEC or provisional classification)	Alternative designation
(c)			

NB: Where substances are classified provisionally, accompanying information (bibliographical references) should be provided as evidence that the provisional classification takes account of all existing pertinent information available on the properties of the substance.

3. Justification for the confidentiality (probability — plausability)

4. Designation(s) or commercial name(s) of the preparation(s)

5. Is this designation or commercial name the same for all the Community?

YES

NO

If no, specify the designation(s) or commercial name(s) used in the different Member States

Belgium :

Denmark :

Germany :

Greece :

France :

Spain :

Ireland :

Italy :

Luxembourg :

Netherlands :

Portugal :

United Kingdom :

6. Composition of the preparation(s) (defined in point 2 of the Annex to Directive 91/155/EEC)

7. Classification of the preparation(s) according to Article 3 of Directive 88/379/EEC.

8. Labelling of the preparation(s) according to Article 7 of Directive 88/379/EEC.

9. Intended uses for the preparation(s).

10. Safety data sheet(s) conforming to Directive 91/155/EEC to be attached.

Date and signature

ANNEX II

LEXICON-GUIDE FOR ESTABLISHING THE ALTERNATIVE DESIGNATIONS (GENERIC NAMES) PURSUANT TO THE PROVISIONS OF ARTICLE 7 OF DIRECTIVE 88/379/EEC

1. Introductory note

This lexicon-guide is based on the procedure for the classification of dangerous substances (division of substances into families) which appears in Annex I to Directive 67/548/EEC.

The families are defined in the following manner:

- inorganic or organic substances whose properties are identified by having a common chemical element as their chief characteristic. The family name is derived from the name of the chemical element. These families are identified as in Annex I by the atomic number of the chemical element (001 to 013),
- organic substances whose properties are identified by having a common functional group as their chief characteristic.

The family name is derived from the functional group name.

These families are identified by the conventional number found in Annex 1 (601 to 650).

Sub-families bringing together substances with a common specific character have been added in certain cases.

2. Establishing the generic name

(a) *General principles:*

For the purposes of establishing the generic name, the following general approach, involving two successive stages, is adopted:

- (i) identification of the functional groups and chemical elements present in the molecule;
- (ii) determination of the extent to which account should be taken of the most important functional groups and chemical elements.

The identified functional groups and elements taken into account are the names of the families and sub-families set out in point 3 of this Annex in the form of a (non-restrictive) list.

(b) *Practical application:*

After having conducted a search to see if the substance belongs to one or more families or sub-families on the list, the generic name can be established in the following way:

- (i) If the name of a family or sub-family is sufficient to characterize the chemical elements or important functional groups, this name will be chosen as the generic name.

Examples:

- 1,4 dihydroxybenzen
family 604: phenols and derivatives
→ generic name: phenol derivative
- butanol
family 603: alcohols and derivatives
sub-family: aliphatic alcohols
→ generic name: aliphatic alcohol
- 2-Isopropoxyethanol
family 603: alcohols and derivatives
sub-family: glycolethers
→ generic name: glycolether
- methacrylate
family 607: organic acids and derivatives
sub-family: acrylates
→ generic name: acrylate

- (ii) If the name of a family or sub-family is not sufficient to characterize the chemical elements of important functional groups, the generic name will be a combination of the corresponding different family or sub-family names:

Examples :

- lead hexafluorosilicate
family 009 : fluorine compounds
sub-family : inorganic fluorides
family 082 : lead compounds
→ generic name : inorganic lead fluoride
- chlorobenzene
family 602 : halogenated hydrocarbons
sub-family : halogenated aromatic hydrocarbons
family 017 : chlorine compounds
→ generic name : chlorinated aromatic hydrocarbon
- 2,3,6-trichlorophenylacetic acid
family 607 : organic acids
sub-family : halogenated aromatic acids
family 017 : chlorine compounds
→ generic name : chlorinated aromatic acid
- 1-chloro-1-nitropropane
family 610 : chloronitrated derivatives
family 601 : hydrocarbons
sub-family : aliphatic hydrocarbons
→ generic name : chlorinated aliphatic hydrocarbon
- tetrapropyl dithiopyrophosphate
family 015 : phosphorus compounds
sub-family : phosphoric esters
family 016 : sulphur compounds
→ generic name : thiophosphoric ester

NB : In the case of certain elements, notably metals, the name of the family or sub-family may be indicated by the words 'organic' or 'inorganic'.

Examples :

- dimercury chloride
family 080 : mercury compounds
→ generic name : inorganic mercury compound
- barium acetate
family 056 : barium compounds
→ generic name : organic barium compound
- ethyl nitrite
family 007 : nitrogen compounds
sub-family : nitrites
→ generic name : organic nitrite
- sodium hydrosulphite
family 016 : sulphur compounds
→ generic name : inorganic sulphur compound

(The examples cited are substances taken from Annex I to Directive 67/548/EEC (12th adaptation) in respect of which requests for confidentiality may be submitted.)

3. Division of substances into families and sub-families

Family No Annex I to Directive 67/548/EEC	Families Sub-families
001	Hydrogen compounds Hydrides
002	Helium compounds
003	Lithium compounds
004	Beryllium compounds

Family No Annex I to Directive 67/548/EEC	Families Sub-families
005	Boron compounds Boranes Borates
006	Carbon compounds Carbamates Inorganic carbon compounds Salts of hydrogen cyanide Urea and derivatives
007	Nitrogen compounds Quaternary ammonium compounds Acid nitrogen compounds Nitrates Nitrites
008	Oxygen compounds
009	Fluorine compounds Inorganic fluorides
010	Neon compounds
011	Sodium compounds
012	Magnesium compounds Organometallic magnesium derivatives
013	Aluminium compounds Organometallic aluminium derivatives
014	Silicon compounds Silicanes Silicates
015	Phosphorus compounds Acid phosphorus compounds Phosphonium compounds Phosphoric esters Phosphates Phosphites Phosphoramides and derivatives
016	Sulphur compounds Acid sulphur compounds Mercaptans Sulphates Sulphites
017	Chlorine compounds Chlorates Perchlorates
018	Argon compounds
019	Potassium compounds
020	Calcium compounds
021	Scandium compounds
022	Titanium compounds
023	Vanadium compounds

Family No Annex I to Directive 67/548/EEC	Families Sub-families
024	Chromium compounds Chromium VI compounds
025	Manganese compounds
026	Iron compounds
027	Cobalt compounds
028	Nickel compounds
029	Copper compounds
030	Zinc compounds Organometallic zinc derivatives
031	Gallium compounds
032	Germanium compounds
033	Arsenic compounds
034	Selenium compounds
035	Bromine compounds
036	Krypton compounds
037	Rubidium compounds
038	Strontium compounds
039	Yttrium compounds
040	Zirconium compounds
041	Niobium compounds
042	Molybdenum compounds
043	Technetium compounds
044	Ruthenium compounds
045	Rhodium compounds
046	Palladium compounds
047	Silver compounds
048	Cadmium compounds
049	Indium compounds
050	Tin compounds Organometallic tin derivatives
051	Antimony compounds
052	Tellurium compounds
053	Iodine compounds
054	Xenon compounds
055	Caesium compounds

Family No Annex I to Directive 67/548/EEC	Families Sub-families
056	Barium compounds
057	Lanthanum
058	Cerium compounds
059	Praseodymium compounds
060	Neodymium compounds
061	Promethium compounds
062	Samarium compounds
063	Europium compounds
064	Gandolinium compounds
065	Terbium compounds
066	Dysprosium compounds
067	Holmium compounds
068	Erbium compounds
069	Thulium compounds
070	Ytterbium compounds
071	Lutetium compounds
072	Hafnium compounds
073	Tantanium compounds
074	Tungsten compounds
075	Rhenium compounds
076	Osmium compounds
077	Iridium compounds
078	Platinum compounds
079	Gold compounds
080	Mercury compounds Organometallic mercury derivatives
081	Thallium compounds
082	Lead compounds Organometallic lead derivatives
083	Bismuth compounds
084	Polonium compounds
085	Astate compounds
086	Radon compounds
087	Francium compounds

Family No Annex I to Directive 67/548/EEC	Families Sub-families
088	Radium compounds
089	Actinium compounds
090	Thorium compounds
091	Protactinium compounds
092	Uranium compounds
093	Neptunium compounds
094	Plutonium compounds
095	Americum compounds
096	Curium compounds
097	Berkelium compounds
098	Californium compounds
099	Einsteinium compounds
100	Fermium compounds
101	Mendelevium compounds
102	Nobelium compounds
103	Lawrencium compounds
601	Hydrocarbons Aliphatic hydrocarbons Aromatic hydrocarbons Alicyclic hydrocarbons Polycyclic aromatic hydrocarbons (PAH)
602	Halogenated hydrocarbons (*) Halogenated aliphatic hydrocarbons (*) Halogenated aromatic hydrocarbons (*) Halogenated alicyclic hydrocarbons (*) (*) <i>Specify according to the family corresponding to halogen</i>
603	Alcohols and derivatives Aliphatic alcohols Aromatic alcohols Alicyclic alcohols Alcanolamines Epoxy derivatives Ethers Glycolethers Glycols and polyols
604	Phenols and derivatives Halogenated phenol derivatives (*) (*) <i>Specify according to the family corresponding to halogen</i>

Family No Annex I to Directive 67/548/EEC	Families Sub-families
605	Aldehydes and derivatives Aliphatic aldehydes Aromatic aldehydes Alicyclic aldehydes Aliphatic acetals Aromatic acetals Alicyclic acetals
606	Ketones and derivatives Aliphatic Ketones Aromatic Ketones (*) Alicyclic Ketones (*) <i>Quinones, included</i>
607	Organic acids and derivatives Aliphatic acids Halogenated aliphatic acids (*) Aromatic acids Halogenated aromatic acids (*) Alicyclic acids Halogenated alicyclic acids (*) Aliphatic acid anhydrides Halogenated aliphatic acid anhydrides (*) Aromatic acid anhydrides Halogenated aromatic acid anhydrides (*) Alicyclic acid anhydrides Halogenated alicyclic acid anhydrides (*) Salts of aliphatic acid Salts of halogenated aliphatic acid (*) Salts of aromatic acid Salts of halogenated aromatic acid (*) Salts of alicyclic acid Salts of halogenated alicyclic acid (*) Esters of aliphatic acid Esters of halogenated alicyclic acid (*) Esters of aromatic acid Esters of halogenated aromatic acid (*) Esters of alicyclic acid Esters of halogenated alicyclic acid (*) Esters of glycol ether Acrylates Méthacrylates Lactones Acyl halogenides (*) <i>specify according to the family corresponding to halogen</i>
608	Nitriles and derivatives
609	Nitrated derivatives
610	Chloronitrated derivatives
611	Azoxy and azoic derivatives
612	Aminated derivatives Aliphatic amines and derivatives Alicyclic amines and derivatives Aromatic amines and derivatives Aniline and derivatives Benzidine and derivatives

Family No Annex I to Directive 67/548/EEC	Families Sub-families
613	Heterocyclic bases and derivatives Benzimidazole and derivatives Imidazole and derivatives Pyrethrinoids Quinoline and derivatives Triazine and derivatives Triazole and derivatives
614	Glucosides and alkaloids Alkaloid and derivatives Glucosids and derivatives
615	Cyanates and isocyanates Cyanates Isocyanates
616	Amides and derivatives Acetamide and derivatives Anilides
617	Organic Peroxides
650	Various substances Do not use this family. Instead, use the families or sub-families mentioned above