

Official Journal

of the European Communities

ISSN 0378-6978

L 153

Volume 35

5 June 1992

English edition

Legislation

Contents

I *Acts whose publication is obligatory*

Commission Regulation (EEC) No 1457/92 of 4 June 1992 fixing the import levies on cereals and on wheat or rye flour, groats and meal	1
Commission Regulation (EEC) No 1458/92 of 4 June 1992 fixing the premiums to be added to the import levies on cereals, flour and malt	3
Commission Regulation (EEC) No 1459/92 of 4 June 1992 fixing the minimum levies on the importation of olive oil and levies on the importation of other olive oil sector products	5
Commission Regulation (EEC) No 1460/92 of 4 June 1992 concerning applications for STM licences for cereals submitted on 1 June 1992 for imports of common wheat and barley into Portugal	8
* Commission Regulation (EEC) No 1461/92 of 4 June 1992 amending for the fifth time Regulation (EEC) No 2159/89 laying down detailed rules for applying the specific measures for nuts and locust beans as provided for in Title IIa of Council Regulation (EEC) No 1035/72	9
* Commission Regulation (EEC) No 1462/92 of 4 June 1992 on the adjustment of the entry price for table grapes originating in Cyprus	10
* Commission Regulation (EEC) No 1463/92 of 4 June 1992 fixing for the 1992 marketing year the reference prices for plums	12
* Commission Regulation (EEC) No 1464/92 of 4 June 1992 fixing for the 1992 marketing year the Community offer prices for plums applicable with regard to Spain and Portugal	14

Corrigenda

* Corrigendum to Council Regulation (EEC) No 830/92 of 30 March 1992 imposing a definitive anti-dumping duty on imports of certain polyester yarns (man-made staple fibres) originating in Taiwan, Indonesia, India, the People's Republic of China and Turkey and collecting definitively the provisional duty (OJ No L 88 of 3.4.1992)	16
---	-----------

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 1457/92

of 4 June 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 986/92 ⁽⁵⁾ and subsequent amending Regulations;

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

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

the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85,

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

Whereas these exchange rates being those recorded on 3 June 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 986/92 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 5 June 1992.

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

Done at Brussels, 4 June 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 105, 23. 4. 1992, p. 1.

ANNEX

to the Commission Regulation of 4 June 1992 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Levy (°)
0709 90 60	140,08 (°) (°)
0712 90 19	140,08 (°) (°)
1001 10 10	172,57 (°) (°) (°)
1001 10 90	172,57 (°) (°) (°)
1001 90 91	155,46
1001 90 99	155,46 (°)
1002 00 00	167,66 (°)
1003 00 10	149,30
1003 00 90	149,30 (°)
1004 00 10	123,97
1004 00 90	123,97
1005 10 90	140,08 (°) (°)
1005 90 00	140,08 (°) (°)
1007 00 90	145,85 (°)
1008 10 00	64,44 (°)
1008 20 00	119,89 (°)
1008 30 00	65,04 (°)
1008 90 10	(°)
1008 90 90	65,04
1101 00 00	230,38 (°) (°)
1102 10 00	248,08 (°)
1103 11 10	281,12 (°) (°)
1103 11 90	247,13 (°)

(°) Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.

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

(°) Where maize originating in the ACP is imported into the Community the levy is reduced by ECU 1,81/tonne.

(°) Where millet and sorghum originating in the ACP is imported into the Community the levy is applied in accordance with Regulation (EEC) No 715/90.

(°) Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.

(°) The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 and Commission Regulation (EEC) No 2622/71.

(°) The levy applicable to rye shall be charged on imports of the product falling within CN code 1008 90 10 (triticale).

(°) On importation into Portugal the levy is increased by the amount specified in Article 2 (2) of Regulation (EEC) No 3808/90.

(°) No levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC, except if paragraph 4 of the same Article applies.

(°) An amount equal to the amount fixed by Regulation (EEC) No 1825/91 is to be levied in accordance with Article 101 (4) of Decision 91/482/EEC.

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

COMMISSION REGULATION (EEC) No 1458/92

of 4 June 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 Regulations;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85,

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

Whereas these exchange rates being those recorded on 3 June 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 5 June 1992.

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

Done at Brussels, 4 June 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 4 June 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 6	1st period 7	2nd period 8	3rd period 9
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 6	1st period 7	2nd period 8	3rd period 9	4th period 10
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 1459/92

of 4 June 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 1 and 2 June 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 5 June 1992.

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

Done at Brussels, 4 June 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	76,00 ⁽²⁾
1509 10 90	76,00 ⁽²⁾
1509 90 00	88,00 ⁽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 ^(*) 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 ^(*) 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.

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

⁽³⁾ 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.

⁽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 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	16,72
0711 20 90	16,72
1522 00 31	38,00
1522 00 39	60,80
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 1460/92**of 4 June 1992****concerning applications for STM licences for cereals submitted on 1 June 1992
for imports of common wheat and barley into 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, and in particular Article 252 (1) thereof,

Whereas Commission Regulation (EEC) No 1351/92 of 26 May 1992 laying down detailed rules for applying the supplementary trade mechanism applicable to imports of cereals into Portugal during the 1992/1993 campaign ⁽¹⁾ sets a target ceiling of 253 000 tonnes for common wheat and 46 000 tonnes for barley to be broken down into equal monthly quantities over the period 1 June to 30 November 1992;

Whereas, pursuant to Article 6 (2) of Commission Regulation (EEC) No 574/86 of 28 February 1986 laying down detailed rules for the application of the supplementary trade mechanism (STM) ⁽²⁾, as last amended by Regulation (EEC) No 3296/88 ⁽³⁾, the Commission has been notified of applications received on 1 June 1992 for STM licences for imports of common wheat and barley into Portugal which are well in excess of the ceiling set; whereas measures should be taken to deal with this situation,

HAS ADOPTED THIS REGULATION:

Article 1

1. Applications for STM licences which were submitted on 1 June 1992 and notified to the Commission shall be accepted for the tonnages applied for, adjusted by a coefficient of:

- 0,064 for common wheat falling within CN code 1001 90 99,
- 0,041 for barley falling within CN code 1003 00 90.

2. The issue of STM licences concerning imports of common wheat and barley into Portugal August applications received from 2 to 30 June 1992 is hereby suspended.

Article 2

This Regulation shall enter into force on 5 June 1992.

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

Done at Brussels, 4 June 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 145, 27. 5. 1992, p. 47.

⁽²⁾ OJ No L 57, 1. 3. 1986, p. 1.

⁽³⁾ OJ No L 293, 27. 10. 1988, p. 7.

COMMISSION REGULATION (EEC) No 1461/92

of 4 June 1992

amending for the fifth time Regulation (EEC) No 2159/89 laying down detailed rules for applying the specific measures for nuts and locust beans as provided for in Title IIa of Council Regulation (EEC) No 1035/72

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 1156/92⁽²⁾, and in particular Article 14 (9) thereof,

Having regard to Council Regulation (EEC) No 790/89 of 20 March 1989 fixing the level of additional flat-rate aid for the formation of producers' organizations and the maximum amount applied to aid for quality and marketing improvement in the nut- and locust bean-growing sector⁽³⁾, as last amended by Regulation (EEC) No 832/92⁽⁴⁾, and in particular Article 1 thereof,

Whereas Regulation (EEC) No 832/92 amending Regulation (EEC) No 790/89 provides that under certain conditions the additional aid granted to nut producers' organizations may be calculated on the basis of the quantities of products marketed by the producers' organizations during the second marketing year following the date of their specific recognition; whereas the consequences should be drawn as regards the relevant provisions of Commission

Regulation (EEC) No 2159/89⁽⁵⁾, as last amended by Regulation (EEC) No 3746/91⁽⁶⁾;

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

The following subparagraph is hereby added to Article 10 (2) of Regulation (EEC) No 2159/89:

'Where the last paragraph of Article 1 of Regulation (EEC) No 790/89 is applied, the quantities marketed relate to quantities actually sold during the second marketing year following the date of specific recognition.'

Article 2

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

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

Done at Brussels, 4 June 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 118, 18. 5. 1972, p. 1.

⁽²⁾ OJ No L 122, 7. 5. 1992, p. 3.

⁽³⁾ OJ No L 85, 30. 3. 1989, p. 6.

⁽⁴⁾ OJ No L 88, 3. 4. 1992, p. 15.

⁽⁵⁾ OJ No L 207, 19. 7. 1989, p. 19.

⁽⁶⁾ OJ No L 352, 21. 12. 1991, p. 53.

COMMISSION REGULATION (EEC) No 1462/92

of 4 June 1992

on the adjustment of the entry price for table grapes originating in Cyprus

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3488/89 of 21 November 1989 laying down the method of decision for certain provisions laid down for agricultural products in the framework of Mediterranean agreements⁽¹⁾, and in particular Article 2 thereof,

Whereas, in accordance with the agreements concluded with various Mediterranean third countries, the Commission may decide to adjust the entry price of certain fruit and vegetables originating in those countries taking account of the annual reviews of trade flows by product and country pursuant to Council Regulation (EEC) No 451/89 of 20 February 1989 concerning the procedure to be applied to certain agricultural products originating in various Mediterranean third countries⁽²⁾;

Whereas an examination of the outlook for export flows of table grapes originating in Cyprus in the light of the overall trend on the Community market effectively results in the entry price for those products being adjusted;

Whereas the adjustment of the entry price must relate to the amount to be deducted for customs duties from the representative prices recorded in the Community for the calculation of the entry price for table grapes referred to in Article 24 of Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽³⁾, as last amended by Regulation (EEC) No 1156/92⁽⁴⁾; whereas a reduction of one half is likely to meet the desired objective; whereas that reduction for the period 8 June to 4 August within the limit of given quantities pursuant to the Mediterranean agreements must only apply, however, from 21 July, the date of entry into force of the reference price for table grapes;

Whereas, in order to ensure that this system is effective, the trend in imports of such products must be monitored; whereas, in this respect, quantities of table grapes imported within the 1992 tariff quota are to be the subject of statistical monitoring under the administration of the latter pursuant to Council Regulation (EEC) No 3913/91⁽⁵⁾; whereas quantities imported outside that quota and up to 10 500 tonnes should be made subject to Community surveillance;

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

Article 1

For the purposes of calculating the entry price referred to in Article 24 (3) of Regulation (EEC) No 1035/72 for table grapes originating in Cyprus and covered by CN code 0806 10 19 (serial number 190040), the amount to be deducted for customs duties from the representative prices recorded shall be reduced by one half during the period 21 July to 4 August 1992. That reduction shall apply to up to 10 500 tonnes.

Article 2

1. Imports of table grapes originating in Cyprus outside the tariff quota of 9 500 tonnes fixed by Regulation (EEC) No 3913/92 and up to the maximum of 10 500 tonnes referred to in Article 1 shall be subject to Community surveillance.

2. As and when the products are presented to customs under cover of declarations of release for free circulation together with a movement certificate for the goods, they shall be charged against the quantities concerned.

Goods may only be charged against that quantity if the goods movement certificate is presented before the date from which those preferential arrangements cease to apply.

The extent to which a quantity is used up shall be determined at Community level on the basis of imports charged against it under the conditions laid down in the preceding subparagraphs.

Member States shall inform the Commission of imports effected, at the intervals and within the time limits indicated in paragraph 4.

3. Once the quantities in question are attained, the Commission shall inform the Member States of the date from which those preferential arrangements cease to apply.

4. Member States shall forward to the Commission statements of quantities charged for periods of 10 days, to be forwarded within five days from the end of each 10-day period.

Article 3

This Regulation shall enter into force on 8 June 1992.

⁽¹⁾ OJ No L 340, 23. 11. 1989, p. 2.

⁽²⁾ OJ No L 52, 24. 2. 1989, p. 7.

⁽³⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽⁴⁾ OJ No L 122, 7. 5. 1992, p. 3.

⁽⁵⁾ OJ No L 372, 31. 12. 1991, p. 20.

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

Done at Brussels, 4 June 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 1463/92

of 4 June 1992

fixing for the 1992 marketing year the reference prices for plums

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 Regulation (EEC) No 1035/72 of the Council of 18 May 1972 on the common organization of the market in fruit and vegetables ⁽¹⁾, as last amended by Regulation (EEC) No 1156/92 ⁽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 market to be fixed at the beginning of the marketing year;

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

Whereas plums harvested during a given crop year are marketed from June to October; whereas the quantities harvested during the first 10 days of June and in October 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 11 June to 30 September 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, since the varieties of plums are not all comparable as regards the estimation of their commercial value, these varieties should be classified in two groups;

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 for the purpose of calculating entry prices, the varieties imported from third countries of which the entry prices are to be compared with the prices fixed for group I and with those fixed for group II, respectively, should be specified;

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

1. For the 1992 marketing year, the reference prices for plums falling within CN codes 0809 40 11 and 0809 40 19 expressed in ecus per 100 kilograms net of packed products of groups I and II, of class I, of all sizes, shall be as follows for each of the groups of varieties;

	<i>Group I</i>	<i>Group II</i>
11 June to 31 July:	69,39	—
August:	69,39	55,37
September:	60,71	47,99

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 122, 7. 5. 1992, p. 3.

2. The groups of varieties referred to in paragraph 1 shall be composed of the following varieties :

Group I :

Altesse double (Italian quetsche), Précoce favourite, Belle de Louvain, Conducta, Early Rivers, Kirk's Blue, Jefferson Gage, Lützelsachser (early Lützelsachsen quetsche), Anna Späth, Ersinger (early Ersingen quetsche), Zimmers (Zimmer quetsche), Bühler (early Bühl quetsche), Burbank, Florentina, Goccia d'oro, Reine-Claude, Czar, Victorias, Damsons and Santa Rosa ;

Group II :

Altesse simple (common quetsche, Hauszwetschge), Reine-Claude d'Oullins, Sveskeblommer, Ruth Gerstetter and Ontario.

3. The entry prices of imported products are to be compared :

- (a) with the prices fixed for group I where the imported products belong to varieties other than those shown in (b) ;
- (b) with the prices fixed for group II where the imported products belong to the following varieties : Altesse simple (common quetsche, Hauszwetschge), Reine-Claude d'Oullins (Oullins Gage), Sveskeblommer, Ruth Gerstetter, Ontario, Wangenheimer (early Wangenheim quetsche), Pershore (yellow egg) Mirabelle, Bosniche and Ortenauer.

Article 2

This Regulation shall enter into force on 11 June 1992.

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

Done at Brussels, 4 June 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 1464/92

of 4 June 1992

fixing for the 1992 marketing year the Community offer prices for plums
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 Regulations (EEC) No
3709/89 ⁽¹⁾ and (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 Articles 152 and 318 of the Act of
Accession, a compensation mechanism is to be intro-
duced 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 plums coming from Spain and Portugal should
be fixed only during the period where reference prices are
fixed with regard to third countries, namely, the period 11
June up to and including 30 September;

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 Commu-
nity 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, since the varieties of plums are not all com-
parable as regards the estimation of their commercial
value, these varieties should be classified in two groups;

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 Regulations
(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 repre-
sentative 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 estab-
lished 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 fluctua-
tions, it shall not be taken into account;

Whereas the application of the abovementioned criteria
results in Community offer prices being fixed for plums
for the period 11 June to 30 September 1992 at the levels
set out hereinafter;

Whereas, for the purpose of calculating the Spanish and
Portuguese offer prices, the varieties imported from Spain
and Portugal, the Spanish and Portuguese offer prices of
which are to be compared with the prices fixed for group
I and with those fixed for group II, respectively, should be
specified;

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

⁽¹⁾ OJ No L 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.

HAS ADOPTED THIS REGULATION :

Article 1

1. For the 1992 marketing year, the Community offer prices for plums falling within CN codes 0809 40 11 and 0809 40 19 applicable with regard to Spain and Portugal, expressed in ecus per 100 kilograms net of packed products of groups I and II of class I, of all sizes, shall be as follows for each of the groups of varieties :

	<i>Group I</i>	<i>Group II</i>
— 11 June to 31 July :	65,55	—
— August :	65,55	53,03
— September :	56,62	47,99

2. The groups of varieties referred to in paragraph 1 shall be composed of the following varieties :

Group I :

Altesse double (Italian quetsch), Précoce favourite, Belle de Louvain, Conducta, Early Rivers, Kirk's Blue, Jefferson Gage, Lützelsachser (early Lützelsachsen quetsch), Anna Späth, Ersinger (early Ersingen quetsch), Zimmers (Zimmer quetsch), Bühler (early Bühl quetsch), Burbank,

Florentina, Coccia d'oro, Reine-Claude, Czar, Victorias, Damsons and Santa Rosa ;

Group II :

Altesse simple (common quetsch, Hauszwetschge), Reine-Claude d'Oullins, Sveskeblommer, Ruth Gerstetter and Ontario.

3. The Spanish and Portuguese offer prices of imported products are to be compared :

- (a) with the prices fixed for group I where the imported products belong to varieties other than those shown in (b) ;
- (b) with the prices fixed for group II where the imported products belong to the following varieties : Altesse simple (common quetsch, Hauszwetschge), Reine-Claude d'Oullins (Oullins Gage), Sveskeblommer, Ruth Gerstetter, Ontario, Wangenheimer (early Wangenheim quetsch), Pershore (yellow egg), Mirabelle, Bosniche and Ortenauer.

Article 2

This Regulation shall enter into force on 11 June 1992.

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

Done at Brussels, 4 June 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

CORRIGENDA

Corrigendum to Council Regulation (EEC) No 830/92 of 30 March 1992 imposing a definitive anti-dumping duty on imports of certain polyester yarns (man-made staple fibres) originating in Taiwan, Indonesia, India, the People's Republic of China and Turkey and collecting definitively the provisional duty

(Official Journal of the European Communities No L 88 of 3 April 1992)

On page 5 in recital (28) (b):

for: 'PT Kewairam Indonesia, Bandung',

read: 'PT Kawalram Indonesia, Bandung';

on page 12 in the table in Article 1 (2) under India:

for: 'Soundaraja Mills Ltd',

read: 'Soundararaja Mills Ltd'.
