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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 1991/92**of 13 July 1992****establishing a special scheme for raspberries intended for processing**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

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

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

Whereas the situation with regard to Community production of raspberries for processing has worsened; whereas this is the result not only of a growth in competition from third countries but also, to a large extent, of structural deficiencies in production and marketing in regions where such production plays an important role;

Whereas the formation of producers' organizations and the definition of their role must be a prior condition for any measures to overcome deficiencies in production and marketing; whereas recognition must be subject to compliance with certain special rules intended to reinforce their stability and increase their role; whereas, after recognition, such organizations can make an effective contribution to the adjustment of the sector by submitting a programme of various measures; whereas the drafting of such programmes involves considerable expenditure; whereas, therefore, a special one-off grant should be provided for the said organizations;

Whereas, to ensure the effectiveness of the measures provided for, a minimum threshold of production marketable by each producers' organization should be laid down;

Whereas the objectives of the programme, known as the programme 'to improve the competitiveness of the sector producing raspberries for processing', are to promote the disposal of production and reduce production costs;

whereas, in order to achieve these objectives, individual measures to be implemented by each producers' organization and other measures to be implemented by the producers' organization(s) in a single production zone should be laid down and at the same time cooperation with competent technical or scientific institutes and/or bodies or with processors should be provided for;

Whereas the programme is to be approved, with the agreement of the Commission, by the national authorities for a maximum period which is equal to a normal planting cycle of eight years and its implementation is to be facilitated by the grant of joint financial assistance from the Member States concerned and the Commission; whereas, however, the amount of such aid should be limited for certain measures;

Whereas this Regulation is intended to safeguard the interests of producers in a sector facing difficulties and to maintain or increase their market access; whereas, therefore, the measures laid down should be considered as intervention intended to stabilize the market,

HAS ADOPTED THIS REGULATION:

Article 1

The measures provided for in this Regulation shall apply to Community producers of raspberries falling within CN code ex 0810 20 10 intended for processing.

Article 2

1. Producers' organizations involved in the production and marketing of raspberries as referred to in Article 1 which comply with rules to be laid down intended to reinforce their stability and increase their role shall be recognized by the competent authorities of the Member States under this Regulation provided that their members produce more than 1 000 tonnes in the marketing year preceding the application for recognition.

The marketing year shall run from 1 June to 31 May.

⁽¹⁾ OJ No C 113, 1. 5. 1992, p. 8.

⁽²⁾ Opinion delivered on 10. 7. 1992 (not yet published in the Official Journal).

Application for recognition shall be made to the competent national authorities within a time limit to be determined from the entry into force of this Regulation.

2. Member States shall pay a one-off flat-rate grant to recognized producers' organizations which have submitted, pursuant to this Regulation, a programme to improve the competitiveness of the sector producing raspberries for processing which is approved by the competent national authorities.

3. The grant provided for in paragraph 2 shall be fixed at ECU 50 per tonne of raspberries marketed for processing by the producers' organization, normally during the first marketing year following special recognition. A total of 50 % of the aid granted shall be reimbursed by the European Agricultural Guidance and Guarantee Fund (EAGGF) Guarantee Section.

4. Member States shall notify the Commission of producers' organizations recognized pursuant to paragraph 1, the size of their membership and the volume of produce marketed by each organization during the first marketing year following recognition.

Article 3

1. The programme to improve the competitiveness of the sector producing raspberries for processing, presented by the recognized producers' organizations, must be designed to improve the disposal of raspberries for processing and to reduce production costs.

2. The programme must be submitted within 12 months following the date of recognition of the producers' organizations at the latest.

Article 4

1. To achieve these objectives, the programme shall include :

- (a) measures to be submitted and implemented by each producers' organization ;
and
- (b) measures to be submitted and implemented jointly by producers' organizations representing at least producers in a single production zone.

2. The measures referred to in 1 (b) may also be submitted and implemented by a single producers' organization where the producers in a single production zone are represented by a single organization.

Article 5

1. The measures referred to in Article 4 (1) (a) shall be as follows :

- (a) measures intended to mechanize the harvest ;
- (b) measures relating to existing plantations with a view to cultivation and/or varietal improvement ;
- (c) measures providing technical advice for the implementation of the above measures.

2. The measures referred to in Article 4 (1) (b) shall be as follows :

- (a) measures for the scientific preparation and dissemination of measures to overcome weaknesses in production structures through varietal improvement, disease control, the suitability of harvested products for processing and the tailoring of their characteristics to the needs of the processing industry.

These measures shall be submitted and implemented in cooperation with competent institutes and bodies ;

- (b) measures for the development of new products and/or new uses for processed products.

These measures shall be submitted and implemented in cooperation with one or more processors ;

- (c) the carrying-out of an economic study into the development potential of the market for fresh raspberry products with the aim of examining the possibilities of redirecting a proportion of the region's production of raspberries towards the fresh fruit market.

3. The programme shall include at least two of the measures referred to in paragraph 1 or, where appropriate, two of the measures referred to in paragraph 1 and two of the measures referred to in paragraph 2.

Article 6

1. The programme shall run for a maximum period of eight years from the 1992/93 marketing year.

2. Member States shall notify the Commission of the programmes submitted to them by producers' organizations. The Commission may, within 60 days, request amendments or reject the plans.

3. Programmes accepted or amended by the Commission shall be approved by the competent authority of the Member State. Programmes approved shall be granted Community aid of 40 % of the expenditure incurred provided that producers' organizations and the Member State finance 35 % and 25 % respectively of the said expenditure.

Member State and Community aid shall be limited to ECU 1 100 per hectare per year in total over three years

from the year of implementation for measures relating to plantations with a view to cultivation and/or varietal improvement.

Article 7

The aid provided for in this Regulation shall be considered as intervention intended to stabilize the agricultural markets within the meaning of Article 3 (4) of Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy ⁽¹⁾. It shall be financed by the EAGGF, Guarantee Section.

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

Done at Brussels, 13 July 1992.

For the Council

The President

J. GUMMER

Article 8

The Commission shall adopt detailed rules for application of this Regulation in accordance with the procedure laid down in Article 33 of Regulation (EEC) No 1035/72 ⁽²⁾. The rules shall include appropriate measures to ensure control of the use of Community financial assistance and special provisions to guarantee the correct functioning of producers' organizations.

Article 9

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

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 13. Regulation as last amended by Regulation (EEC) No 2048/88 (OJ No L 185, 15. 7. 1988, p. 1).

⁽²⁾ OJ No L 118, 20. 5. 1972, p. 1. Regulation as last amended by Regulation (EEC) No 1156/92 (OJ No L 122, 7. 5. 1992, p. 3).

COMMISSION REGULATION (EEC) No 1992/92

of 17 July 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 1738/92 ⁽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 1820/92 ⁽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 16 July 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 1820/92 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 18 July 1992.

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

Done at Brussels, 17 July 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 180, 1. 7. 1992, p. 1.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁵⁾ OJ No L 185, 4. 7. 1992, p. 1.

ANNEX

to the Commission Regulation of 17 July 1992 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Levy (*)
0709 90 60	147,32 (*) (*)
0712 90 19	147,32 (*) (*)
1001 10 10	159,17 (*) (*) (*)
1001 10 90	159,17 (*) (*) (*)
1001 90 91	137,11
1001 90 99	137,11 (*)
1002 00 00	152,26 (*)
1003 00 10	124,65
1003 00 90	124,65 (*)
1004 00 10	108,01
1004 00 90	108,01
1005 10 90	147,32 (*) (*)
1005 90 00	147,32 (*) (*)
1007 00 90	151,39 (*)
1008 10 00	50,99 (*)
1008 20 00	101,50 (*)
1008 30 00	49,19 (*)
1008 90 10	(?)
1008 90 90	49,19
1101 00 00	204,95 (*) (*)
1102 10 00	226,17 (*)
1103 11 10	259,71 (*) (*)
1103 11 90	221,35 (*)

(*) 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 1993/92

of 17 July 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 1738/92 ⁽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 1821/92 ⁽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 16 July 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 18 July 1992.

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

Done at Brussels, 17 July 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 180, 1. 7. 1992, p. 1.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁵⁾ OJ No L 185, 4. 7. 1992, p. 4.

ANNEX

to the Commission Regulation of 17 July 1992 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CN code	Current	1st period	2nd period	3rd period
	7	8	9	10
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	Current	1st period	2nd period	3rd period	4th period
	7	8	9	10	11
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 1994/92

of 14 July 1992

imposing a provisional anti-dumping duty on imports into the Community of
outer rings of tapered roller bearings originating in Japan

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2423/88 of 11 July 1988 on protection against dumped or subsidized imports from countries not members of the European Economic Community⁽¹⁾, and in particular Article 7 thereof,

After consultations within the Advisory Committee as provided for under the above Regulation,

Whereas :

A. PROCEDURE

- (1) In September 1990, the Commission received a written complaint lodged by the Federation of European Bearing Manufacturers' Associations (Febma). The output of the members of this Federation allegedly represented a major proportion of the Community production of the product in question.
- (2) The complaint contained evidence of dumping of outer rings of tapered roller bearings originating in Japan and of material injury resulting therefrom. This evidence was considered sufficient to justify the initiation of a proceeding.
- (3) The Commission accordingly announced by means of a notice published in the *Official Journal of the European Communities*⁽²⁾ the initiation of an anti-dumping proceeding concerning outer rings of tapered roller bearings originating in Japan, falling within combined nomenclature (CN) code ex 8482 99 00 and commenced an investigation.
- (4) The Commission officially advised all Community producers, importers and Japanese manufacturers known to be concerned, the representatives of the exporting country, and the complainants. All parties directly concerned were given the opportunity to make their views known in writing and to request a hearing.
- (5) The Commission sought and verified all information it deemed to be necessary for the purposes of a

preliminary determination and carried out investigations at the premises of the following :

(a) Community producers/related sales companies :

- France :
 - SKF France SA, Clamart,
 - Timken France, Colmar ;
- Germany :
 - FAG Kugelfischer Georg Schäfer KGaA, Schweinfurt,
 - SKF GmbH, Schweinfurt ;
- United Kingdom :
 - British Timken, Duston,
 - SKF (UK) Ltd, Luton ;

(b) producers in Japan :

- Koyo Seiko Co. Ltd, Osaka,
- NTN Corporation, Osaka ;

(c) related importers in the Community :

- France :
 - Koyo France SA, Argenteuil,
 - NTN France SA, Schweighouse-sur-Moder ;
- Germany :
 - Deutsche Koyo Wälzlager Verkaufs GmbH, Hamburg,
 - NTN Wälzlager (Europa) GmbH, Erkrath ;
- United Kingdom :
 - Koyo (UK) Ltd, Milton Keynes,
 - NTN (UK) Ltd, Lichfield.

- (6) The investigation concerning dumping covered the period 1 January to 31 December 1990 (the 'investigation period').

B. PRODUCT UNDER CONSIDERATION LIKE
PRODUCT

- (7) The products concerned in this proceeding are the outer rings of tapered roller bearings. In the bearing industry they are commonly called 'TRB cups' and are hereinafter referred to in this Regulation as such.

⁽¹⁾ OJ No L 209, 2. 8. 1988, p. 1.⁽²⁾ OJ No C 2, 4. 1. 1991, p. 8.

- (8) TRB cups on their own have no function, but are one of the components which comprise complete tapered roller bearings, (i.e. together with inner rings, rollers and roller retainers).
- (9) TRB cups sold on the Japanese market are alike in all respects to the products exported to the Community and which are the subject of this proceeding. In addition, TRB cups produced by the Community manufacturers are alike to the products under consideration.

C. DUMPING

1. General

- (10) In view of the many different TRB cup models which exist, all dumping calculations were based on the top selling models to the Community of both the Japanese companies concerned. These models represented at least 80 % of the total number of pieces exported by these companies to the Community. In monetary terms, they constitute more than 75 % of each company's exports of TRB cups.
- (11) Customers for TRB cups in Japan and the Community fall into two distinct categories (and sales channels), namely industrial manufacturers who incorporate TRB cups into their own products and distributors who supply TRB cups for replacement purposes.
- (12) During the investigation it was found that domestic sales by the Japanese producers were almost exclusively made to industrial manufacturers. Accordingly, the Commission's calculations concerning dumping concern only these sales.

2. Normal value

- (13) Normal value was established on the basis of the weighted average net domestic sales price (i.e. net of all rebates, discounts, sales taxes, etc.) to the first independent customer in Japan for each type of TRB cup taken into consideration if:
- the weighted average net domestic sales price for that type (loss making transactions accounting for a small proportion of all transactions) exceeded the cost of production including selling, general and other administrative expenses (SGA), and

— the volume of domestic sales was equivalent to at least 5 % of the export volume to the Community of the type in question.

- (14) When the domestic sales of a particular type were less than 5 % of the quantity exported to the Community, a model alleged to be comparable to the model exported was examined. It was found, however, that although the models put forward by the manufacturers as comparable were always technically similar in terms of dimensions and tolerances etc., they were not always made of the same quality materials, nor was the finish the same. In view of these differences, which were reflected in the large variations in price often found between such models, the Commission considered that such models could not be regarded as sufficiently comparable for appropriate adjustments for differences in physical characteristics to be made.

- (15) In such cases the cost of production of the exported model plus SGA together with the profit realized by the manufacturer on its profitable sales of the like product on the domestic market, which were considered representative on an overall basis, has been taken as the basis for calculating normal value in accordance with Article 2 (3) (b) (ii) of Regulation (EEC) No 2423/88.

- (16) Normal value was similarly constructed where the exported model concerned had a domestic weighted net sales price below its cost of production plus SGA. In such a case, the cost of production plus SGA plus the profit realized by the manufacturer on its profitable sales of the like product on the domestic market has been taken as the basis for calculating normal value in accordance with Article 2 (3) (b) (ii) of Regulation (EEC) No 2423/88.

3. Export price

- (17) For sales made by the Japanese producers to their subsidiaries in the Community, export prices of the TRB cup models taken into consideration were constructed on a transaction-by-transaction basis using resale prices to the first independent buyer in France, Germany or the United Kingdom, adjusted to take account of all costs incurred between importation and resale, together with a reasonable profit on the turnover of the subsidiary. In this case, based on the Commission's estimate of the profitability of the trade sector concerned, a profit margin of 6 % was considered reasonable.

- (18) It was considered appropriate to base the calculation of export prices only on sales to independent industrial manufacturing customers in France, Germany or the United Kingdom, as together these three markets accounted for approximately 90 % of all Japanese resales in the Community.

- (19) Export sales made directly to independent customers in the Community were found to be negligible when compared to the overall export volume of the companies concerned and consequently were not taken into consideration.

4. Comparison

- (20) Comparison of export prices and normal value was made only for identical TRB cup models, i.e. those whose specification and precision level was the same.
- (21) Adjustments to take account of directly related selling expenses on the Japanese domestic market were also made. However, no allowance was given if such expenses could not satisfactorily be shown to relate directly to the sales in question.
- (22) As far as the differences, if any, between the physical characteristics of TRB cups sold in Japan and those sold to the Community are concerned, the Commission considered that such differences had no effect for the purpose of price comparison.
- (23) On a transaction-by-transaction basis at ex-factory level, export prices for each TRB cup model were compared to the normal value for that model.

5. Dumping margins

- (24) The dumping margin for both Japanese companies was calculated as being the total amount by which normal values exceeded export values for all the types selected.
- (25) As a percentage of the total cif export value of all types taken into consideration, the margins of dumping established are as follows:

— Koyo Seiko Co. Ltd	12,4 %,
— NTN Corporation	6,0 %.

- (26) For those producers that neither replied to the Commission's questionnaire nor otherwise made themselves known, the dumping margin for these companies was determined on the basis of the facts available in accordance with Article 7 (7) (b) of Regulation (EEC) No 2423/88. Given that the cooperating companies comprise substantially all exports of TRB cups to the Community, it is considered appropriate to base the dumping margin for

these other companies on the higher of the dumping margins found, i.e.: 12,4 %.

D. INJURY

1. General remarks

- (27) As the combined nomenclature heading under which TRB cups are classified covers more than just these products, accurate officially compiled statistics are not available. The Commission's injury investigation data are therefore, by necessity, based on data provided by the cooperating Community producers and Japanese manufacturers.
- (28) In addition, as only two Japanese manufacturers are concerned, for reasons of confidentiality it has been necessary to use indices in some of the data given in this Regulation.
- (29) The companies lodging the complaint account for approximately 80 % of the total Community output of TRB cups.
- (30) For the purpose of this section of the Regulation, it should also be noted that most of the data relates to the French, German and United Kingdom markets as together they account for the majority of Community sales of TRB cups manufactured in the Community and also those resold by the Japanese manufacturers in the Community. The information concerning estimated market volume, however, refers to all Community markets.

2. Volume of Community market and market share of dumped imports

- (31) As regards market volume, estimated consumption of TRB cups in the Community dropped by 11,5 % between 1988 and the investigation period.
- (32) Estimated dumped imports of TRB cups of Japanese origin rose significantly, however, by 24 % between 1988 and the investigation period. This development represents an increase in the market share held by such imports from 11,2 % in 1988 to 14,3 % during the investigation period.

3. Price undercutting

- (33) With regard to price undercutting, it was found that during the investigation period, dumped cups imported from Japan and resold on the Community market on average undercut the prices of the Community producers' models at the same level of trade by the following percentages:

— Koyo Seiko Co. Ltd	9,4 %,
— NTN Corporation	6,1 %.

4. Situation of the Community industry

(a) *Production, capacity, utilization rate and stocks*

(34) When analysing the relevant economic factors, the Commission found that the performance of the Community producers had been variable. Overall figures for the Community industry are, however, given below.

(35) Production volume of the Community producers was as follows :

1988	Index = 100
1989	114
1990	109.

(36) The production capacity of the Community producers was as follows :

1988	Index = 100
1989	109
1990	120.

(37) Capacity utilization dropped as follows :

1988	94,9 %
1989	96,2 %
1990	89,1 %.

(38) Community producers' stocks of TRB cups increased by approximately 13 % between 1988 and the reference period.

(b) *Sales, market share and profits*

(39) The Community producers' sales (pieces) of TRB cups on the French, German and United Kingdom markets declined as follows :

1988	Index = 100
1989	96
1990	85.

(40) With regard to the values of such sales, these also dropped :

1988	Index = 100
1989	103
1990	95.

(41) The market share of the Community producers also declined between 1988 and the investigation period :

1988	88,8 %
1989	87,4 %
1990	85,7 %.

(42) The Commission has calculated that TRB cups sold in France, Germany and the United Kingdom facing direct competition from dumped models in

the sample were making a loss of 14,2 % during the investigation period. When looking however at the profitability of all types of the like product sold by Community producers in the same markets, the loss is 2,3 %. Thus, the level of loss sustained by the Community industry can be seen to be a result of the level of exposure of its products to dumped competition.

5. Conclusion

(43) Given these poor financial results and in view of the decline in sales and market share of the Community producers, the Commission considers that the Community industry has suffered material injury.

E. CAUSATION OF INJURY

1. Effects of dumped imports

(44) As there are no perceptible quality differences between the goods under investigation produced in either the Community or Japan the competition between Community producers and Japanese manufacturers is based mainly on prices.

Information provided to the Commission concerning major industrial customers shows that these companies keep their supply options open and buy from a cross-section of both Community and Japanese sources. In this transparent market situation the prices of the dumped Japanese products have had a price suppressing effect.

(45) The undercutting established in this investigation and the particular exposure of certain Community produced models to the dumped imports has had a detrimental effect on this sector of the Community bearing industry. It should, however, also be noted that in certain other areas of bearing production where Japanese companies are not alleged to be dumping (i.e. cylindrical, spherical, needle bearings, etc.), Community manufacturers producing these type of products are trading more profitably.

(46) As has already been mentioned, the loss made by the Community producers on their sales of TRB cups which are identical in type to the dumped Japanese types is significantly greater than the loss made overall.

2. Other possible causes of injury

(47) With regard to the effects of TRB cups originating in other third countries, from information supplied to the Commission it appeared that such imports were in small quantities and mainly from companies related to the Community producers (e.g.

parent companies or subsidiary companies). The Commission therefore considers that imports from third countries other than Japan have had little or no effect on the lack of profitability of the Community producers.

- (48) While the drop in consumption may have had some negative effect on the Community producers, this does not explain the higher levels of loss incurred on sales of TRB cups facing competition from dumped imports nor the increased market share of the Japanese producers.
- (49) After taking account of the above factors, the Commission concludes that the injury sustained by the Community industry, taken in isolation from all other factors, is material and that a causal link has been established between the injury suffered and the dumped imports from Japan.

F. COMMUNITY INTEREST

- (50) In general, it is in the Community interest for there to be fair and workable competition and the purpose of measures in this case is to ensure a situation of fair competition. In considering the Community interest, the Commission has taken account of the interests of the Community bearing industry, the users of bearings and the final consumer of the end product.
- (51) As far as the industrial purchasers are concerned, it can be argued that some benefit could be derived from them being able to buy dumped, low-priced TRB cups. For the final consumers, however, any such benefit would be minimal, since the goods in question normally account for only a small proportion of the final price of most finished products. Even though the effect on the price of the final product to the consumer would be negligible, the benefit provided by anti-dumping measures to the TRB cup producers is considerable.
- (52) Leaving the Community industry without protection against unfair competition will cause a continued deterioration of its situation. The Commission has therefore concluded that, on balance, the interest of the Community clearly lies in granting protection to its bearing industry against unfair imports and proposes the introduction of anti-dumping measures.

G. PROVISIONAL DUTY

- (53) In order to eliminate the injury suffered by the Community producers it is necessary to remove the undercutting as described in recital 33. In addition,

these producers would need to be placed in a position where they could achieve price rises and so enable them to eliminate losses and to realize adequate returns on sales.

- (54) With regard to profit shortfall and lowest return on sales, the Community industry considered a net profit before tax of 15 % to be the necessary minimum. Being an established industry, however, and in view of the profit level achieved historically, this is considered not to be a reasonable profit margin.
- (55) The Commission is of the opinion that after taking into account the need to finance additional investments in manufacturing facilities and research and development, a pre-tax profit rate of 8 % should be used as the basis for assessing profit shortfall in this case.
- (56) The profit shortfall of the Community producers for TRB cups sold in the Community is therefore 10,3 %.

With regard to the calculation of the duty necessary to remove the injury suffered by the Community industry, the Commission took into account both profit shortfall and the individual level of price undercutting of the Japanese producers.

- (57) The injury margins established on this basis are higher than the dumping margins established, therefore the anti-dumping duty to be imposed should correspond to the margin of dumping established for each company.

Accordingly, the following provisional rates of anti-dumping duty should apply:

— Koyo Seiko Co. Ltd	12,4 %,
— NTN Corporation	6,0 %.

- (58) The anti-dumping duty rate for outer rings of tapered roller bearings originating in Japan and manufactured by companies not listed in recital 57 should be fixed on the basis of the facts available. Given that the imports of the two companies concerned account for a high proportion of all imports into the Community of TRB cups originating in Japan, the Commission considers that the result of its investigation forms the most appropriate basis. Thus, the level of duty to be applied against all other Japanese manufacturers is 12,4 %.
- (59) A period should be fixed within which the parties concerned may make their views known and request a hearing. Furthermore, it should be stated that all findings made for the purpose of this Regulation are provisional and may have to be reconsidered for the purpose of any definitive duty which the Commission may propose,

HAS ADOPTED THIS REGULATION :

Article 1

1. A provisional anti-dumping duty is hereby imposed on imports of outer rings of tapered roller bearings originating in Japan and falling within CN code ex 8482 99 00 (Taric codes 8482 99 00*11 and 8482 99 00*91).

2. The rate of duty, applicable to the net free-at-Community frontier price before duty shall be 12,4 % (Taric additional code 8669) except when produced by NTN Corporation, Tokyo (Taric additional code 8668), when it shall be 6,0 %.

3. The provisions in force concerning customs duties shall apply.

4. The release for free circulation in the Community of the products referred to in paragraph 1 shall be subject to

the provision of a security, equivalent to the amount of the provisional duty.

Article 2

Without prejudice to Article 7 (4) (b) and (c) of Regulation (EEC) No 2423/88, the parties concerned may make known their views in writing and apply to be heard orally by the Commission within one month of the date of entry into force of this Regulation.

Article 3

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

Subject to Articles 11, 12 and 13 of Regulation (EEC) No 2423/88, Article 1 of this Regulation shall apply for a period of four months, unless the Council adopts definitive measures before the expiry of that period.

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

Done at Brussels, 14 July 1992.

For the Commission

Frans ANDRIESSEN

Vice-President

COMMISSION REGULATION (EEC) No 1995/92
of 15 July 1992

laying down detailed rules for the application, in respect of potato starch, of the import arrangements provided for in the Interim Agreement concluded between the European Economic Community and the European Coal and Steel Community, of the one part, and the Republic of Poland, of the other part

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 518/92 of 27 February 1992 on certain procedures for applying the Interim Agreement on trade and trade-related matters between the European Economic Community and the European Coal and Steel Community, of the one part, and the Republic of Poland, of the other part⁽¹⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽²⁾, as last amended by Regulation (EEC) No 1738/92⁽³⁾, and in particular Article 12 (2) thereof,

Whereas the European Agreement establishing an association between the European Economic Community and the European Coal and Steel Community, of the one part, and Poland, of the other part, was signed on 16 December 1991; whereas, pending the entry into force of that Agreement, the Community has decided to apply with effect from 1 March 1992, an Interim Agreement concluded with the Republic of Poland, hereinafter referred to as the 'Interim Agreement'⁽⁴⁾;

Whereas the Interim Agreement makes provision for a reduction in the import levy on potato starch falling within CN code 1108 13 00 up to a certain quantity; whereas, however, Protocol 7 thereto provides that the quantities originating in Poland for which import licences were issued as part of the generalized preferences scheme are to be deducted from the said quantities;

Whereas, while bearing in mind the provisions of the Interim Agreement designed to ensure the origin of the product, it should be provided that the management of the said scheme is ensured via import licences; whereas, to this end, provisions should be made, in particular, for details relating to the submission of the applications and for the information relating to the importation of the products in question to be shown on the applications and

licences, notwithstanding Articles 8 and 21 of Commission Regulation (EEC) No 3719/88 of 16 November 1988 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products⁽⁵⁾, as last amended by Regulation (EEC) No 1599/90⁽⁶⁾;

Whereas it should also be provided that import licences are issued following a period for deliberation and to the extent to be determined, where necessary, by the Commission;

Whereas sound management of the arrangement demands that, notwithstanding Article 12 of Commission Regulation (EEC) No 891/89 of 5 April 1989 on special detailed rules for the application of the system of import and export licences for cereals and rice⁽⁷⁾, as last amended by Regulation (EEC) No 337/92⁽⁸⁾, the security for import licences issued under the arrangement be set at ECU 25 per tonne;

Whereas special provisions must be laid down to ensure that the potato starch is actually used in the Community, in order to prevent any deflection of trade prejudicial to the proper administration of the market and the Agreement in question; whereas, to that end, it should be specified that the starch must be processed into products falling within other tariff headings, including esterified or etherified starch; whereas, to that end, the grant of the reduced-rate levy must depend, in particular, on an undertaking by given importers to abide by the planned use and on the lodging of a security of an amount equal to the reduction in the levy; whereas a reasonable processing time is required for monitoring the arrangements in question; whereas, where the product released for circulation is sent to another Member State for processing, the T5 control copy drawn up by the Member State of entry for free circulation, pursuant to Commission Regulation (EEC) No 2823/87 of 18 September 1987 on the documents to be used for the purpose of implementing Community measures entailing verification of the use and/or destination of goods⁽⁹⁾, is the appropriate instrument for providing proof of processing;

⁽¹⁾ OJ No L 56, 29. 2. 1992, p. 3.

⁽²⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽³⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽⁴⁾ OJ No L 114, 30. 4. 1992, p. 2.

⁽⁵⁾ OJ No L 331, 2. 12. 1988, p. 1.

⁽⁶⁾ OJ No L 151, 15. 6. 1990, p. 29.

⁽⁷⁾ OJ No L 94, 7. 4. 1989, p. 13.

⁽⁸⁾ OJ No L 36, 13. 2. 1992, p. 15.

⁽⁹⁾ OJ No L 270, 23. 9. 1987, p. 1.

Whereas experience has shown that, although the security is lodged to ensure payment of a customs charge payable on import, some element of proportionality must be introduced as regards the release of that security, in particular in certain cases where the time limits laid down by the arrangements have not been complied with; whereas the rules contained in Title V of Commission Regulation (EEC) No 2220/85 of 22 July 1985 laying down common detailed rules for the application of the system of securities for agricultural products⁽¹⁾, as last amended by Regulation (EEC) No 3745/89⁽²⁾, should therefore be followed;

Whereas the practical arrangements for managing this quota have been laid down with effect from 7 March 1992 by Regulation (EEC) No 582/92⁽³⁾; whereas that Regulation does not provide for the reduction in the levy to be made subject to proof of processing in the Community; whereas, in order to introduce this requirement and for the avoidance of doubt, Regulation (EEC) No 582/92 should be repealed and replaced by this Regulation;

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

Imports into the Community, as part of the arrangement provided for in Article 14 (2) of the Interim Agreement, of the products falling within CN code 1108 13 00, originating in Poland, set out in the Annex, shall be subject to presentation of the EUR.1 licence to be issued by the competent Polish authorities in accordance with Protocol No 4 of the Interim Agreement, and to presentation of an import licence pursuant to this Regulation.

Article 2

1. Applications for import licences shall be lodged with the competent authorities of any Member State by 1 p.m. Belgian time on the first working day of the week.

They must be for a quantity of not less than 50 tonnes product weight and not more than 1 000 tonnes.

2. Member States shall transmit import licence applications to the Commission by telex or fax by 6 p.m. Belgian time on the day on which they are lodged.

This notification shall be made separately from that of other applications for cereal import licences.

3. By the following Friday at the latest the Commission shall decide to what extent licence applications are to be accepted and shall notify the Member States by telex.

4. Licences shall, without prejudice to paragraph 3, be issued on the fifth working day following that on which their application was lodged. Article 21 (1) of Regulation (EEC) No 3719/88 notwithstanding, the starting time of the period of validity of the licence shall be the day of its issue.

5. Article 8 (4) of Regulation (EEC) No 3719/88 notwithstanding, the quantity released for free circulation may not exceed that shown in boxes 17 and 18 of the import licence. To this end the figure '0' shall be entered in box 199 of the licence.

Article 3

For potato starch to be imported at the reduced levy rate provided for in Article 1 (1) of Regulation (EEC) No 3834/90 the import licence application and the licence shall show:

(a) in box 8, the entry 'Poland'. The licence shall carry with it an obligation to import from the said country;

(b) in box 20, one of the following entries:

Acuerdo Polonia Reglamento (CEE) n° 1995/92 debe presentarse EUR.1.

Aftale Polen forordning (EØF) nr. 1995/92 EUR.1 skal forelægges.

Abkommen Polen Verordnung (EWG) Nr. 1995/92 EUR.1 ist vorzulegen.

Συμφωνία με την Πολωνία, κανονισμός (ΕΟΚ) αριθ. 1995/92. Απαραίτητη η προσκόμιση του EUR.1.

Agreement Poland Regulation (EEC) No 1995/92 EUR.1 to be presented.

Accord Pologne, règlement (CEE) n° 1995/92 EUR.1 à présenter.

Accordo Polonia Regolamento (CEE) n. 1995/92 EUR.1 deve essere presentato.

Overeenkomst Polen Verordening (EEG) nr. 1995/92 EUR.1 over te leggen.

Acordo Polónia Regulamento (CEE) nº 1995/92 EUR.1 a apresentar;

(c) in box 24, one of the following entries:

Exacción reguladora reducida un 50 %

Nedsættelse af importafgiften med 50 %

Ermäßigung der Abschöpfung um 50 %

Μειωμένα εισφορά κατά 50 %

50 % levy reduction

Prélèvement réduit de 50 %

Prelievo ridotto del 50 %

Met 50 % verlaagde heffing

Direito nivelador reduzido de 50 %.

⁽¹⁾ OJ No L 205, 3. 8. 1985, p. 5.

⁽²⁾ OJ No L 364, 14. 12. 1989, p. 54.

⁽³⁾ OJ No L 62, 7. 3. 1992, p. 29.

Article 4

Article 12 (a) and (b) of Regulation (EEC) No 891/89 notwithstanding, the security rate in the case of import licences covered by the present Regulation shall be ECU 25 per tonne.

Article 5

1. Eligibility for the reduced levy rate referred to in Article 3 shall be subject to:

(a) a written undertaking by the importer given at the time of entry for free circulation, to the effect that all the goods declared will be processed into products not falling within codes CN 1108 and CN 3505 within six months from the date of acceptance of the declaration of entry for free circulation;

(b) the lodging by the importer, at the time of entry for free circulation, of a security equal to the difference between the reduced levy and the full import levy.

2. On entry for free circulation, importers shall indicate the place where processing is to be carried out. If processing is to be carried out in another Member State, a T5 control copy shall be complied on dispatch of the goods in the Member State of departure in accordance with the rules laid down in Regulation (EEC) No 2823/87.

Box 104 of the T5 control copy shall contain the following entry:

'Article 5 of Regulation (EEC) No 1995/92 (particular destination indicated of the imported starch).'

3. Except in cases of *force majeure*, the security provided for in paragraph 1 (b) shall be released when proof is supplied to the competent authorities of the

Member State of entry for free circulation that all the quantities released for free circulation have been processed, within the time limit, in accordance with paragraph 1 (a), and the nature of the manufactured product is specified.

Where processing is carried out in a Member State other than that of release for free circulation, proof of processing shall be provided by means of the original of the T5 control copy provided for in paragraph 2.

For goods released for free circulation which have not been processed within the abovementioned time limit, the security to be released shall be reduced by:

- 15 % of its total amount, and
- 2 % of the balance remaining after deduction of the 15 %, for each day by which the time limit is exceeded.

The amount of the security which is not released shall be forfeited as a levy.

4. Proof of processing shall be supplied to the competent authorities within six months following the end of the processing time limit. However, where proof is established within the abovementioned six months, the amount forfeited, less 15 % of the amount of the security, shall be reimbursed.

Article 6

Regulation (EEC) No 582/92 is hereby repealed.

Article 7

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 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

<i>(in tonnes)</i>						
CN code	Description	1992	1993	1994	1995	1996
1108 13 00	Potato starch	5 500 (*)	6 000	6 500	7 000	7 500

(*) From this quantity is to be deducted that for which import licences were issued pursuant to Regulation (EEC) No 3700/91 for products originating in Poland.

COMMISSION REGULATION (EEC) No 1996/92**of 15 July 1992****amending Regulation (EEC) No 2568/91 on the characteristics of olive oil and olive-residue oil and on the relevant methods of analysis**

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 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 35a thereof,

Whereas, in the light of the experience gained, some changes have been found to be necessary in the method for determining trilinolein under Commission Regulation (EEC) No 2568/91⁽³⁾, as last amended by Regulation (EEC) No 1683/92⁽⁴⁾, and the Regulation should therefore be amended;

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

Article 1

Annex VIII to Regulation (EEC) No 2568/91 is hereby amended by the addition of the Annex hereto.

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, 15 July 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 248, 5. 9. 1991, p. 1.

⁽⁴⁾ OJ No L 176, 30. 6. 1992, p. 27.

ANNEX

Annex VIII to Regulation (EEC) No 2588/91 is hereby amended by this addition of the following note :

Note 5: In order to permit clear separation of the peak of trillonlein from the adjacent peaks, crude olive-residue oil should be purified beforehand in accordance with point 6.2 of Annex VII or, alternatively :

200 µl of undiluted oil are absorbed in a silica column for liquid-solid extraction (type SEP PAC silica cartridge-waters port. No 51900).

The triglycerides are eluted with 20 ml anhydrous hexane for HPLC.

The eluted product is dried in a nitrogen flow and placed in Isopropanol or acetone (5 ml). 10-20 µl are injected into HPLC. For these two purification methods, the fatty acid composition of the oil must be checked to ensure that it is the same before and after purification. If it is not the same, the absorbent quality used should be progressively reduced.

COMMISSION REGULATION (EEC) No 1997/92

of 17 July 1992

laying down detailed rules for implementation of the specific arrangements for the supply of rice products to the Canary Islands and establishing the forecast supply balance

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 concerning specific measures for the Canary Islands with regard to certain agricultural products ⁽¹⁾, and in particular Article 3 (4) thereof,

Whereas Commission Regulation (EEC) No 1695/92 ⁽²⁾ lays down common detailed rules for implementation of the specific arrangements for the supply of certain agricultural products to the Canary Islands;

Whereas Commission Regulation (EEC) No 3719/88 ⁽³⁾, as last amended by Regulation (EEC) No 92/91 ⁽⁴⁾, lays down in particular detailed rules for import licences; whereas Commission Regulation (EEC) No 891/89 ⁽⁵⁾, as last amended by Regulation (EEC) No 337/92 ⁽⁶⁾, lays down additional and exceptional detailed rules specific to the rice sector;

Whereas pursuant to Article 2 of Regulation (EEC) No 1601/92 the forecast supply balance for rice-sector products for the Canary Islands should be drawn up; whereas the balance must allow for adjustment during the year of the overall quantity determined, in line with regional requirements;

Whereas provision should be made for the Member State to designate the competent authority for issuing import licences and aid certificates, and for handling aid applications and payments;

Whereas a timetable for submitting licence and certificate applications should be set, and also admissibility requirements for applications should be fixed, in particular as regards the lodging of securities; whereas, in addition, the period of validity of import licences and aid certificates should be fixed in accordance with supply needs and the requirements of sound administration by granting, in view of the situation of the Canary Islands, a longer period of validity for aid certificates;

Whereas provision should be made for the adjustment of the aid granted for the supply of rice-sector products originating in the Community on the basis of the diffe-

rence in the threshold price of the product in question between the month of application for the aid certificate and the month in which the certificates are used, in order to prevent, before the harvest, supply commitments which benefit from aid for the new marketing year, and to take account of practices in the rice sector;

Whereas, to ensure the sound administration of the supply arrangements, additional requirements should be laid down for the release of the security;

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

Pursuant to Article 2 of Regulation (EEC) No 1601/92 the forecast supply balance quantities eligible for exemption from duties on imports from third countries or for Community aid shall be as specified in the Annex.

Article 2

The Member State concerned shall designate the competent authority for:

- (a) issuing the import licence provided for in Article 2 (1) of Regulation (EEC) No 1695/92;
- (b) issuing the aid certificate provided for in Article 4 (1) of that Regulation;
- (c) payment of the aid and administration of securities.

Article 3

The provisions of Regulation (EEC) No 1695/92 shall apply.

Article 4

1. Applications for licences and certificates shall be submitted to the competent authority during the first five working days of each month. Licence or certificate applications may only be granted if:

- (a) they do not exceed the maximum quantity available in respect of each submission period for applications;

⁽¹⁾ OJ No L 173, 27. 6. 1992, p. 13.

⁽²⁾ OJ No L 179, 1. 7. 1992, p. 1.

⁽³⁾ OJ No L 331, 2. 12. 1988, p. 1.

⁽⁴⁾ OJ No L 11, 16. 1. 1991, p. 11.

⁽⁵⁾ OJ No L 94, 7. 4. 1989, p. 13.

⁽⁶⁾ OJ No L 36, 13. 2. 1992, p. 15.

(b) prior to expiry of the time limit laid down for submission of applications, proof has been provided that the party concerned has lodged security of ECU 25 per tonne.

2. If licences or certificates are issued for quantities less than the quantities applied for, as a result of a single reduction coefficient being fixed, applicants may withdraw their applications, on submission of a request in writing to that effect within a time limit of five working days following the date on which the reduction coefficient is fixed.

Article 5

1. Import licences shall cease to be valid on the last day of the month following the month in which they were issued.

2. Aid certificates shall cease to be valid on the last day of the second month following the month in which they were issued.

Article 6

The amount of the aid shall be adjusted on the basis of the difference in the threshold price of the product in

question between the month in which the aid certificate is applied for and the month in which each entry on the certificate has been made.

Article 7

Securities shall be released if:

- (a) the competent authority has not granted an application;
- (b) the application has been withdrawn in accordance with Article 4 (2);
- (c) proof has been furnished that the licence or certificate has been used; the security shall then be released in proportion to the quantities entered on the licence or certificate;
- (d) proof has been furnished that the product concerned has become unfit for use or it has not been possible to carry out the operation owing to *force majeure*.

Article 8

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

It shall apply from 1 July 1992.

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

Done at Brussels, 17 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

Canary Islands: Supply balance for rice sector for 1992/93 marketing year

CN code	Quantity (in tonnes)
1006 30	14 000

COMMISSION REGULATION (EEC) No 1998/92

of 17 July 1992

setting the amounts of aid for the supply of rice products from the Community
to the Canary Islands

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 introducing specific measures in respect of certain agricultural products for the benefit of the Canary Islands⁽¹⁾, and in particular Article 2 thereof,

Whereas, pursuant to Article 3 of Regulation (EEC) No 1601/92, the requirements of the Canary Islands for rice are to be covered in terms of quantity, price and quality by the mobilization, on disposal terms equivalent to exemption from the levy, of Community rice, which involves the grant of an aid for supplies of Community origin; whereas this aid is to be fixed with particular reference to the costs of the various sources of supply and in particular is to be based on the prices applied to exports to third countries;

Whereas Commission Regulation (EEC) No 1695/92⁽²⁾ lays down common detailed rules for implementation of the specific arrangements for the supply of certain agricultural products, including rice, to the Canary Islands; whereas Commission Regulation (EEC) No 1997/92 of 17 July 1992 laying down detailed rules for implementation of the specific arrangements for the supply of rice products to the Canary Islands and establishing the forecast supply balance for these products⁽³⁾ lays down detailed rules which complement or derogate from the provisions of the aforementioned Regulation;

Whereas, in order to make it possible for the aid scheme to function properly, the aid should be calculated on the basis of:

- for currencies which are maintained between themselves within a spread at any given time of a maximum of 2,25 %, a conversion rate based on their

central rate, adjusted by the correcting factor provided for in the last subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁴⁾, as last amended by Regulation (EEC) No 2205/90⁽⁵⁾,

- for the other currencies, a conversion rate based on the average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a determined period and adjusted by the factor referred to in the preceding indent;

Whereas, as a result of the application of these detailed rules to the current market situation in the rice sector, and in particular to the rates of prices for these products in the European part of the Community and on the world market, the aid for supply to the Canary Islands should be set at the amounts given in the Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

Pursuant to Article 3 of Regulation (EEC) No 1601/92, the amount of aid for the supply of rice of Community origin under the specific arrangements for the supply of the Canary Islands shall be as set out in the Annex hereto.

Article 2

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

This Regulation shall be applicable as from the 1 July 1992.

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

Done at Brussels, 17 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 173, 27. 6. 1992, p. 13.

⁽²⁾ OJ No L 179, 1. 7. 1992, p. 1.

⁽³⁾ See page 20 of this Official Journal.

⁽⁴⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁵⁾ OJ No L 201, 31. 7. 1990, p. 9.

ANNEX

Product (CN code)	(ECU/t)
	Amount of aid
	Canary Islands
Milled rice (1006 30)	274,00

COMMISSION REGULATION (EEC) No 1999/92

of 16 July 1992

concerning the stopping of fishing for common sole by vessels flying the flag of Belgium

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

Having regard to Council Regulation (EEC) No 2241/87 of 23 July 1987 establishing certain control measures for fishing activities⁽¹⁾, as amended by Regulation (EEC) No 3483/88⁽²⁾, and in particular Article 11 (3) thereof,

Whereas Council Regulation (EEC) No 3882/91 of 18 December 1991 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1992 and certain conditions under which they may be fished⁽³⁾, provides for common sole quotas for 1992;

Whereas, in order to ensure compliance with the provisions relating to the quantitative limitations on catches of stocks subject to quotas, it is necessary for the Commission to fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated;

Whereas, according to the information communicated to the Commission, catches of common sole in the waters of ICES division VIII a and b by vessels flying the flag of Belgium or registered in Belgium have reached the quota allocated for 1992; whereas Belgium has prohibited

fishing for this stock as from 4 July 1992; whereas it is therefore necessary to abide by that date,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of common sole in the waters of ICES division VIII a and b by vessels flying the flag of Belgium or registered in Belgium are deemed to have exhausted the quota allocated to Belgium for 1992.

Fishing for common sole in the waters of ICES division VIII a and b by vessels flying the flag of Belgium or registered in Belgium is prohibited, as well as the retention on board, the transshipment and the landing of such stock captured by the abovementioned vessels after the date of application of this Regulation.

Article 2

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

It shall apply with effect from 4 July 1992.

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

Done at Brussels, 16 July 1992.

For the Commission

Manuel MARÍN

Vice-President

⁽¹⁾ OJ No L 207, 29. 7. 1987, p. 1.

⁽²⁾ OJ No L 306, 11. 11. 1988, p. 2.

⁽³⁾ OJ No L 367, 31. 12. 1991, p. 1.

COMMISSION REGULATION (EEC) No 2000/92**of 17 July 1992****on the supply of various consignments of cereals as food aid**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas, following the taking of a number of decisions on the allocation of food aid, the Commission has allocated to certain countries and beneficiary organizations 1 320 tonnes of cereals;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

The successful tenderer is deemed to have noted and accepted all the general and specific conditions applicable. Any other condition or reservation included in his tender is deemed unwritten.

Article 2

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

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

Done at Brussels, 17 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 174, 7. 7. 1990, p. 6.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

⁽⁵⁾ OJ No L 81, 28. 3. 1991, p. 108.

ANNEX

LOTS A and B

1. **Operations Nos (1):** 1206/91 (A); 1207/91 (B)
2. **Programme:** 1991
3. **Recipient (2):** Fédération internationale des Sociétés de la Croix-Rouge et du Croissant-Rouge (IFRC), Département Approvisionnement et logistique, Case postale 372, CH-1211 Geneva 19; tel. 730 42 22, telex 412133 LRC CH, fax 733 03 95
4. **Representative of the recipient (2):**
 - A (1206/91): Croissant rouge marocain, Palais Mokri, BP 189, Takaddoum, Rabat, Maroc; tel. 508 98/514 95, telex ALHILAL 31940 M Rabat, fax 75 97 90
 - B (1207/91): Yemenite Red Crescent Society Head Office, Building No 10, 26 September Street, PO Box 1257, Sanaa Republique Yemen; tel. 20 31 31/32/33, telex 3124 Hilal Ye, fax 20 31 31
5. **Place or country of destination:** Lot A: Morocco; Lot B: Yemen
6. **Product to be mobilized:** milled rice (product code 1006 30 94 900 or 1006 30 96 900)
7. **Characteristics and quality of the goods (3) (4):** see OJ No C 114, 29. 4. 1991, p. 1 (under II.A.1 (F))
8. **Total quantity:** 550 tonnes (1 320 tonnes of cereals)
9. **Number of lots:** two (Lot A: 200 tonnes; Lot B: 350 tonnes)
10. **Packaging and marking (4) (5):** see OJ No C 114, 29. 4. 1991, p. 1 (under II.A.2 (b) and II.A.3)
Markings in English (1207/91) and French (1206/91)
Supplementary markings on packaging:
A: 'IFRC — Skhirat via Casablanca'
B: 'IFRC — Hodeida'
11. **Method of mobilization:** the Community market
12. **Stage of supply:** free at port of landing — landed (Lot B)
free at destination (Lot A)
13. **Port of shipment:** —
14. **Port of landing specified by the recipient:** —
15. **Port of landing:** Lot A: Casablanca; Lot B: Hodeida
16. **Address of the warehouse and, if appropriate, port of landing:** A: Entrepôt Croissant-rouge, Skhirat
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage:** A: 20. 8 — 10. 9. 1992; B: 15 — 30. 8. 1992
18. **Deadline for the supply:** A: 1. 10. 1992; B: 15. 9. 1992
19. **Procedure for determining the costs of supply:** invitation to tender
20. **Date of expiry of the period allowed for submission of tenders:** 12 noon on 4. 8. 1992
21. **A. In the case of a second invitation to tender:**
 - (a) deadline for the submission of tenders: 12 noon on 18. 8. 1992
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: A: 3 — 24. 9. 1992; B: 29. 8 — 13. 9. 1992
 - (c) deadline for the supply: A: 15. 10. 1992; B: 29. 9. 1992

B. In the case of a third invitation to tender :

- (a) deadline for the submission of tenders : 12 noon on 1. 9. 1992
- (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage : A : 17. 9 — 1. 10. 1992 ; B : 12 — 27. 9. 1992
- (c) deadline for the supply : A : 29. 10. 1992 ; B : 13. 10. 1992

22. **Amount of the tendering security :** ECU 5 per tonne

23. **Amount of the delivery security :** 10 % of the amount of the tender in ecus

24. **Address for submission of tenders ⁽¹⁾ :** Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, Bâtiment Loi 120, bureau 7/46, 200 rue de la Loi, B-1049 Bruxelles (telex 22037 AGREC B or 25670 AGREC B)

25. **Refund payable on request by the successful tenderer ⁽²⁾ :** refund applicable on 30. 7. 1992, fixed by Commission Regulation (EEC) No 1665/92 (OJ No L 172, 27. 6. 1992, p. 67)

Notes :

(¹) The operation number is to be quoted in all correspondence.

(²) Commission delegate to be contacted by the successful tenderer :

— see list published in OJ No C 114, 29. 4. 1991, p. 33.

(³) The successful tenderer shall deliver to the beneficiaries a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned have not been exceeded.

The radioactivity certificate shall give the caesium-134 and -137 and iodine-131 levels.

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

- certificate of origin,
- phytosanitary certificate.

(⁴) Since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.

(⁵) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of this Annex, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably :

- either by porter at the office referred to in point 24 of this Annex,
- or by telecopier on one of the following numbers in Brussels :

- 295 01 32,
- 296 10 97,
- 295 01 30,
- 296 20 05,
- 296 33 04.

(⁶) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56) is applicable as regards the export refunds and, where appropriate, the monetary and accession compensatory amounts, the representative rate and the monetary coefficient. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 25 of this Annex.

(⁷) Once the successful tenderer has been informed of the award of the contract, he shall immediately contact the beneficiary with a view to determining what documents are required for the consignment and their distribution.

(⁸) Action No 1206/91 : The bags must be placed in 20-foot containers.

The free holding period for containers must be at least 15 days.

(⁹) Action No 1207/91 : Documents must be legalized by the diplomatic representation in the country of origin of the goods.

COMMISSION REGULATION (EEC) No 2001/92

of 17 July 1992

fixing the maximum buying-in price and the quantities of beef bought in for the
72th partial invitation to tender under Regulation (EEC) No 1627/89

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to the Act of Accession of Spain and
Portugal, and in particular Article 90 thereof,

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

Whereas, pursuant to Commission Regulation (EEC)
No 859/89 of 29 March 1989 laying down detailed rules
for the application of intervention measures in the beef
and veal sector ⁽³⁾, as last amended by Regulation (EEC)
No 695/92 ⁽⁴⁾, an invitation to tender was opened by
Commission Regulation (EEC) No 1627/89 of 9 June
1989 on the buying in of beef by invitation to tender ⁽⁵⁾,
as last amended by Regulation (EEC) No 1252/92 ⁽⁶⁾;

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

Whereas, after the tenders submitted for the 72th partial
invitation to tender have been examined and taking
account, pursuant to Article 6 (1) of Regulation (EEC)
No 805/68, of the requirements for reasonable support of
the market and the seasonal trend in slaughterings, the

maximum buying-in price and the quantities which may
be accepted into intervention should be fixed;

Whereas the quantities offered at present exceed the
quantities which may be bought in; whereas a reducing
coefficient or, where appropriate depending on the
differences in prices and the quantities tendered for,
several reducing coefficients should accordingly be
applied to the quantities which may be bought in in
accordance with Article 11 (3) of Regulation (EEC)
No 859/89;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 72th partial invitation to tender opened by Regu-
lation (EEC) No 1627/89:

(a) for category A:

- the maximum buying-in price is hereby fixed at
ECU 255,70 per 100 kilograms of carcasses or half-
carcasses of quality R3,
- the maximum quantity of carcasses or half-carcasses
accepted is hereby fixed at 20 207 tonnes; the
quantities offered are hereby reduced by 25 %
pursuant to Article 11 (3) of Regulation (EEC)
No 859/89;

(b) for category C:

- the maximum buying-in price is hereby fixed at
ECU 255,70 per 100 kilograms of carcasses or half-
carcasses of quality R3,
- the maximum quantity accepted of carcasses or
half-carcasses is hereby fixed at 9 210 tonnes; the
quantities offered are hereby reduced by 25 %
pursuant to Article 11 (3) of Regulation (EEC)
No 859/89.

Article 2

This Regulation shall enter into force on 18 July 1992.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 150, 15. 6. 1991, p. 16.

⁽³⁾ OJ No L 91, 4. 4. 1989, p. 5.

⁽⁴⁾ OJ No L 74, 20. 3. 1992, p. 42.

⁽⁵⁾ OJ No L 159, 10. 6. 1989, p. 36.

⁽⁶⁾ OJ No L 131, 16. 5. 1992, p. 10.

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

Done at Brussels, 17 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 2002/92**of 17 July 1992****abolishing a countervailing charge on cherries originating in Romania**

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 1754/92⁽²⁾, and in particular the
second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 1863/92⁽³⁾
introduced a countervailing charge on cherries originating
in Romania;

Whereas for cherries originating in Romania 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 cherries originating in Romania can
be abolished,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1863/92 is hereby repealed.

Article 2

This Regulation shall enter into force on 18 July 1992.

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

Done at Brussels, 17 July 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 180, 1. 7. 1992, p. 23.

⁽³⁾ OJ No L 188, 8. 7. 1992, p. 27.

COMMISSION REGULATION (EEC) No 2003/92
of 17 July 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 1813/92 ⁽³⁾, as amended by Regulation (EEC) No 1969/92 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Commission Regulation (EEC) 1813/92 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 15 July 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 18 July 1992.

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

Done at Brussels, 17 July 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 183, 3. 7. 1992, p. 18.

⁽⁴⁾ OJ No L 197, 16. 7. 1992, p. 66.

⁽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 17 July 1992 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy ⁽¹⁾
1701 11 10	37,13 ⁽¹⁾
1701 11 90	37,13 ⁽¹⁾
1701 12 10	37,13 ⁽¹⁾
1701 12 90	37,13 ⁽¹⁾
1701 91 00	44,83
1701 99 10	44,83
1701 99 90	44,83 ⁽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.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DIRECTIVE 92/62/EEC

of 2 July 1992

adapting to technical progress Council Directive 70/311/EEC relating to steering equipment for motor vehicles and their trailers

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 70/311/EEC of 8 June 1970, on the approximation of the laws of the Member States relating to steering equipment of motor vehicles and their trailers⁽¹⁾ and in particular Article 3 thereof,

Whereas a comprehensive evaluation of Directive 70/311/EEC has shown that it is possible to improve road safety further by applying practical experience and technological development and taking into account the progress made in the Economic Commission for Europe of the United Nations, notably in Regulation No 79 and supplements 1 and 2 thereto. These improvements may be obtained by reducing steering control effort, inserting requirements for power-assisted steering equipment using the same energy source as the braking device, introducing a steering test at higher speed for motor vehicles, introducing requirements for auxiliary steering equipment, and introducing a uniform presentation for the information document and the EEC type-approval certificate in order to facilitate computerization of storage and transmission of data by applicants and approval authorities;

Whereas it is also necessary to adapt to technical progress definitions and existing requirements;

Whereas the provisions of this Directive are in accordance with the opinion of the Committee on the Adaptation to

Technical Progress of the directives on the removal of technical barriers to trade in motor vehicles, set up under Article 12 (1) of Directive 70/156⁽²⁾,

HAS ADOPTED THIS REGULATION:

Article 1

1. Directive 70/311/EEC is modified as follows:

in Article 2 the word 'Annex' is replaced by the word 'Annexes'.

2. The Annex is replaced by the Annexes to this Directive.

Article 2

1. With effect from 1 January 1993 no Member State may on grounds relating to steering equipment:

— refuse, in respect of a type of vehicle, to grant EEC type-approval, or to issue the copy of the certificate provided for in the last indent of Article 10 (1) of Council Directive 70/156/EEC, or to grant national type-approval, or

— prohibit the entry into service of vehicles,

if the steering equipment of this type of vehicle or of these vehicles comply with the provisions of Directive 70/311/EEC, as amended by this Directive.

⁽¹⁾ OJ No L 133, 18. 6. 1970, p. 10.

⁽²⁾ OJ No L 42, 23. 2. 1970, p. 1.

2. With effect from 1 October 1993 Member States :
- shall no longer issue the copy of the certificate provided for in the last indent of Article 10 (1) of Directive 70/156 in respect of a type of vehicle,

- may refuse to grant national type-approval in respect of a type of vehicle,

of which the steering equipment does not comply with the provisions of Directive 70/311/EEC, as amended by this Directive.

3. With effect from 1 October 1995 Member States may prohibit the entry into service of vehicles of which the steering equipment does not comply with the provisions of Directive 70/311/EEC, as amended by this Directive.

Article 3

1. Member States shall implement the provisions necessary to comply with this Directive before 1 January 1993. They shall forthwith inform the Commission thereof.

When Member States adopt these provisions, these shall contain a reference to this Directive or shall be accom-

panied by such reference at the time of their official publication. The procedure for such reference shall be adopted by Member States.

2. Member States shall ensure that they communicate to the Commission the wording of any essential provisions of national law that they adopt in the field covered by this Directive.

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 2 July 1992.

For the Commission

Martin BANGEMANN

Vice-President

ANNEX

ANNEXES TO DIRECTIVE 70/311/EEC

LIST OF ANNEXES

<i>Annex I:</i>	Definitions, application for EEC type-approval and specifications
<i>Annex II:</i>	Information document
<i>Annex III:</i>	Braking performance for vehicles using the same energy source for steering and braking
<i>Annex IV:</i>	Additional provisions for vehicles with auxiliary steering equipment (ASE)
<i>Annex V:</i>	Provisions for trailers having purely hydraulic steering transmissions
<i>Annex VI:</i>	Type-approval certificate

ANNEX I

DEFINITIONS, APPLICATION FOR EEC APPROVAL AND SPECIFICATIONS

1. DEFINITIONS

For the purposes of this Directive :

- 1.1. *Approval of a vehicle* means the approval of a vehicle type with regard to its steering equipment ;
- 1.2. *Vehicle type* means a category of vehicle which does not differ with respect to the manufacturer's designation of the vehicle type and/or variations which can affect its steering ;
- 1.3. *Steering equipment* means all the equipment the purpose of which is to determine the direction of movement of the vehicle.

The steering equipment consists of :

- the steering control,
- the steering transmission,
- the steered wheels,
- the energy supply, if any ;

- 1.3.1. *Steering control* means the part of the steering equipment which controls its operation, it may be operated with or without direct intervention of the driver. For steering equipment in which the steering forces are provided solely or partly by the muscular effort of the driver the steering control includes all parts up to the point where the steering effort is transformed by mechanical, hydraulic or electrical means ;
- 1.3.2. *Steering transmission* includes all parts of the steering equipment which are the means of transmitting the steering forces between the steering control and the steered wheels ; it includes all parts down from the point where the steering control effort is transformed by mechanical, hydraulic or electrical means ;
- 1.3.3. *Steered wheels* means the wheels the alignment of which may be altered directly or indirectly in relation to the longitudinal axis the vehicle in order to determine the direction of movement of the vehicle. (The steered wheels include the axis around which they are rotated in order to determine the direction of movement of the vehicle) ;
- 1.3.4. *Energy supply* includes those parts of the steering equipment which provide it with energy, control the energy and where appropriate, process and store it. It also includes any storage reservoirs for the operating medium and the return lines, but not the vehicle's engine (except for the purposes of item 4.1.3) or its drive to the energy source ;
 - 1.3.4.1. *Energy source* means that part of the energy supply which provides the energy in the required form e.g. hydraulic pump, air compressor ;
 - 1.3.4.2. *Energy reservoir* means that part of the energy supply in which the energy provided by the energy source is stored ;
 - 1.3.4.3. *Storage reservoir* means that part of the energy supply in which the operating medium is stored at or near to the atmospheric pressure.
- 1.4. **Steering parameters**
 - 1.4.1. *Steering control effort* means the force applied to the steering control in order to steer the vehicle ;
 - 1.4.2. *Steering time* means the period of time from the beginning of the movement of the steering control to the moment at which the steered wheels have reached a specific steering angle ;
 - 1.4.3. *Steering angle* means the angle between the projection of a longitudinal axis of the vehicle and the line of intersection of the wheelplane (being the central plane of the tyre, normal to the spin axis of the wheel) and the road surface ;
 - 1.4.4. *Steering forces* mean all the forces operating in the steering transmission ;
 - 1.4.5. *Mean steering ratio* means the ratio of the angular displacement of the steering control to the mean of the swept steering angle of the steered wheels for a full lock-to-lock turn ;

- 1.4.6. *Turning circle* means the circle within which are located the projections onto the ground plane of all the points of the vehicle, excluding the external mirrors and the front direction indicators, when the vehicle is driven in a circle;
- 1.4.7. *Nominal radius of steering control* means in the case of a steering wheel the shortest dimension from its centre of rotation to the outer edge of the rim. In the case of any other form of control, it means the distance between its centre of rotation and the point at which the steering effort is applied. If more than one such point is provided, the one requiring the greatest effort shall be used.
- 1.5. **Types of steering equipment**
- Depending on the way the steering forces are produced, the following types of steering equipment are distinguished:
- 1.5.1. For motor vehicles
- 1.5.1.1. *Manual steering equipment* in which the steering forces result solely from the muscular effort of the driver;
- 1.5.1.2. *Power assisted steering equipment* in which the steering forces result from both the muscular effort of the driver and the energy supply (supplies);
- 1.5.1.2.1. Steering equipment in which the steering forces result solely from one or more energy supplies when the equipment is intact, but in which the steering forces can be provided by the muscular effort of the driver alone if there is a fault in the steering (integrated power systems), is also considered to be power assisted steering equipment;
- 1.5.1.3. *Full-power steering equipment* in which the steering forces are provided solely by one or more energy supplies;
- 1.5.1.4. *Self-tracking equipment* is a system designed to create a change of steering angle on one or more wheels only when acted upon by forces and/or moments applied to the tyre to road contact.
- 1.5.2. For trailers
- 1.5.2.1. *Self-tracking equipment*
see item 1.5.1.4 above.
- 1.5.2.2. *Articulated steering equipment* in which the steering forces are produced by a change in direction of the towing vehicle and in which the movement of the steered trailer wheels is firmly linked to the relative angle between the longitudinal axis of the towing vehicle and that of the trailer;
- 1.5.2.3. *Self-steering equipment* in which the steering forces are produced by a change in direction of the towing vehicle and in which the movement of the steered trailer wheels is firmly linked to the relative angle between the longitudinal axis of the trailer frame or a load replacing it and the longitudinal axis of the sub-frame to which the axle(s) is (are) attached.
- 1.5.3. Depending on the arrangement of the steered wheels, the following types of steering equipment are distinguished:
- 1.5.3.1. *Front-wheel steering equipment* in which only the wheels of the front axle(s) are steered. This includes all wheels which are steered in the same direction;
- 1.5.3.2. *Rear-wheel steering equipment* in which only the wheels of the rear axle(s) are steered. This includes all wheels which are steered in the same direction;
- 1.5.3.3. *Multi-wheel steering equipment* in which the wheels of one or more of each of the front and the rear axle(s) are steered;
- 1.5.3.3.1. *All-wheel steering equipment* in which all the wheels are steered;
- 1.5.3.3.2. *Buckle steering equipment* in which the movement of chassis parts relative to each other is directly produced by the steering forces.
- 1.5.3.4. *Auxiliary Steering Equipment (ASE)* in which the rear wheels of vehicles of category M and N are steered in addition to the front wheels, in the same direction or in the opposite direction to the front wheels, and/or the steering angle of the front wheels and/or the rear wheels may be adjusted relative to vehicle behaviour.

1.6. Types of steering transmission

Depending on the way the steering forces are transmitted, the following types of steering transmission are distinguished :

- 1.6.1. *Purely mechanical steering transmission* means a steering transmission in which the steering forces are transmitted entirely by mechanical means ;
- 1.6.2. *Purely hydraulic steering transmission* means a steering transmission in which the steering forces, somewhere in the transmission, are transmitted only by hydraulic means ;
- 1.6.3. *Purely electric steering transmission* means a steering transmission in which the steering forces, somewhere in the transmission, are transmitted only through electric means ;
- 1.6.4. *Hybrid steering transmission* means a transmission in which part of the steering forces are transmitted through one and the other part through another of the abovementioned means ;
 - 1.6.4.1. *Hybrid mechanical steering transmission* means a steering transmission where a part of the steering forces is transmitted by purely mechanical means and the other parts either by :
 - 1.6.4.1.1. hydraulic or mechanical/hydraulic
or
 - 1.6.4.1.2. electric or mechanical/electric
or
 - 1.6.4.1.3. pneumatic or mechanical/pneumatic means.

In either case, where the mechanical part of the transmission is designed only to give position feedback and is too weak to transmit the total sum of the steering forces, this system shall be considered to be purely hydraulic, respectively purely electric, or purely pneumatic steering transmission ;

- 1.6.4.2. *Other hybrid steering transmission* means any other combination of the abovementioned steering transmissions.

2. APPLICATION FOR EEC TYPE-APPROVAL

- 2.1. The application for approval of a vehicle type with regard to the steering equipment shall be submitted by the vehicle manufacturer.
- 2.2. It shall be accompanied by the information required by the information document which is attached as Annex II.
- 2.3. A vehicle representative of the vehicle type to be approved shall be submitted to the technical service responsible for conducting approval tests.

3. EEC TYPE-APPROVAL

A certificate conforming to the model specified in Annex VI shall be issued by the authority granting an EEC type-approval pursuant to this Directive.

4. CONSTRUCTION PROVISIONS**4.1. General provisions**

- 4.1.1. The steering equipment shall ensure easy and safe handling of the vehicle up to its maximum design speed or, in the case of a trailer, up to its technically permitted maximum speed. There must be a tendency to self-centre when tested in accordance with item 5. The vehicle shall meet the requirements of item 5.2 in the case of motor vehicles and of item 5.3 in the case of trailers.

If a vehicle is fitted with ASE, it shall also meet the requirements of Annex IV. Trailers equipped with purely hydraulic steering transmissions shall also comply with Annex V.

- 4.1.1.1. It must be possible to travel along a straight section of the road without unusual steering correction by the driver and without unusual vibration in the steering system at a maximum design speed of the vehicle.

- 4.1.1.2. There must be travel synchronization between the steering control and the steered wheels, except for the wheels steered by ASE.
- 4.1.1.3. There must be time synchronization between the steering control and the steered wheels except for the wheels steered by ASE.
- 4.1.2. The steering equipment shall be designed, constructed and fitted in such a way that it is capable of withstanding the stresses arising during normal operation of the vehicle, or combination of vehicles. The maximum steering angle shall not be limited by any part of steering transmission unless specifically designed for this purpose.
- 4.1.2.1. Unless otherwise specified, it will be assumed that for the purposes of this Directive, not more than one failure can occur in the steering equipment at any one time and two axles on one bogie shall be considered as one axle.
- 4.1.3. Should the engine stop or a part of the steering equipment fail, with the exception of those parts listed in item 4.1.4, the steering equipment shall always meet the requirements of item 5.2.6 in the case of motor vehicles and of item 5.3 in the case of trailers.
- 4.1.4. For the purposes of this Directive the steered wheels, the steering control and all mechanical parts of the steering transmission shall not be regarded as liable to breakage if they are amply dimensioned, are readily accessible for maintenance, and exhibit safety features at least equal to those prescribed for other essential components (such as the braking system) of the vehicle. Where the failure of any such part would be likely to result in loss of control of the vehicle, that part must be made of metal or of a material with equivalent characteristics and must not be subject to significant distortion in normal operation of the steering system.
- 4.1.5. Any failure in transmission other than purely mechanical shall clearly be brought to the attention of the vehicle driver; in the case of a motor vehicle, an increase in steering effort is considered to be a warning signal; in the case of a trailer, a mechanical indicator is permitted. When a failure occurs, a change in the average steering ratio is permissible if the steering effort given in item 5.2.6 below is not exceeded.
- 4.1.6. Steering equipment with a purely pneumatic, purely electric or purely hydraulic transmission or with hybrid transmissions other than those described at item 1.6.4.1 are prohibited until specific requirements are added to the requirements of this Directive.
- 4.1.6.1. This prohibition does not apply to:
 - auxiliary steering equipment (ASE) with a purely electric or purely hydraulic transmission for vehicles of Categories M and N,
 - steering equipment with a purely hydraulic transmission for vehicles of Category O.
- 4.2. **Special provisions**
- 4.2.1. **Steering control**
- 4.2.1.1. If the steering control is directly handled by the driver,
 - 4.2.1.1.1. it must be manageable;
 - 4.2.1.1.2. the direction of operation of the steering control must correspond to the intended change in direction of the vehicle;
 - 4.2.1.1.3. except for ASE, there must be a continuous and monotonic relation between the steering control angle and the steering angle.
- 4.2.2. **Steering transmission**
- 4.2.2.1. Adjustment devices for steering geometry must be such that after adjustment a positive connection can be established between the adjustable components by appropriate locking devices.
- 4.2.2.2. Steering transmission which can be disconnected to cover different configurations of a vehicle (e.g. on extendible trailers), must have locking devices which ensure positive relocation of components; where locking is automatic, there must be an additional safety lock which is operated manually.
- 4.2.3. **Steered wheels**
- 4.2.3.1. The steered wheels shall not be solely the rear wheels. This requirement does not apply to semi-trailers.

- 4.2.3.2. Trailers (with the exception of semi-trailers) which have more than one axle with steered wheels and semi-trailers which have at least one axle with steered wheels must fulfil the conditions given in item 5.3 below. However, for trailers with self-tracking equipment a test under item 5.3 is not necessary if the axle load ratio between the unsteered and the self-tracking axles equals or exceeds 1,6 under all loading conditions.
- 4.2.4. Energy supply
- 4.2.4.1. The same energy source may be used to supply the steering equipment and the braking device. However, in the case of a failure of either the energy supply or a failure in one of the two systems the following conditions must be fulfilled :
- 4.2.4.1.1. The steering equipment shall meet the requirements of item 5.2.6.
- 4.2.4.1.2. If an energy source failure occurs, the braking performance shall not drop below the prescribed service brake performance, as given in Annex III (¹), on the first brake application.
- 4.2.4.1.3. If an energy supply failure occurs, the braking performance must comply with the prescriptions of Annex III (¹).
- 4.2.4.1.4. If the fluid in the storage reservoir drops to a level liable to cause an increase in steering or braking effort an acoustic or optical warning must be given to the driver. This warning may be combined with a device provided to warn of brake failure ; the satisfactory condition of the signal must be easily verifiable by the driver.
- 4.2.4.2. The same energy source may be used to supply the steering equipment and systems other than the braking device if, when the fluid level in the storage reservoir drops to a level liable to cause an increase in steering effort, an acoustic or optical warning is given to the driver ; the satisfactory condition of the signal must be easily verifiable by the driver.
- 4.2.4.3. The warning devices must be directly and permanently connected to the circuit. When the engine is running under normal operating conditions and there are no faults in the steering equipment, the alarm device must give no signal except during the time required for charging the energy reservoir(s) after start-up of the engine.

5. TEST PROVISIONS

5.1. General provisions

- 5.1.1. The test shall be conducted on a level surface affording good adhesion.
- 5.1.2. During the test(s), the vehicle shall be loaded to its technically permissible maximum mass and its maximum technically permissible load on the steered axle(s). In the case of axles fitted with ASE, this test shall be repeated with the vehicle loaded to its technically permissible maximum mass and the axle equipped with ASE loaded to its maximum permissible load.
- 5.1.3. Before the test begins, the tyre pressures shall be as prescribed by the manufacturer for the load specified in item 5.1.2 when the vehicle is stationary.

5.2. Provisions for motor vehicles

- 5.2.1. It must be possible to leave a curve with a radius of 50 m at a tangent without unusual vibration in the steering equipment at the following speed :
- category M₁ vehicles : 50 km/h,
 - category M₂, M₃, N₁, N₂ and N₃ vehicles : 40 km/h or the maximum design speed if this is below the speeds given above.
- 5.2.2. The requirements of items 4.1.1.1, 4.1.1.2 and 5.2.1 shall also be satisfied with a failure in the steering equipment.
- 5.2.3. When the vehicle is driven in a circle with its steered wheels at approximately half lock and at a constant speed of at least 10 km/h, the turning circle must remain the same or become larger if the steering control is released.
- 5.2.4. During the measurement of the control effort, forces with a duration of less than 0,2 seconds shall not be taken into account.

(¹) The requirements set out in Annex III may also be checked when Directive 71/320/EEC is implemented.

- 5.2.5. The measurement of steering efforts on motor vehicles with intact steering equipment
- 5.2.5.1. The vehicle shall be driven from straight ahead into a spiral at a speed of 10 km/h. The steering effort shall be measured at the nominal radius of the steering control until the position of the steering control corresponds to turning radius given in the table below for the particular category of vehicle with intact steering. One steering movement shall be made to the right and one to the left.
- 5.2.5.2. The maximum permitted steering time and the maximum permitted steering control effort with intact steering equipment are given in the table below for each category of vehicle.
- 5.2.6. The measurement of steering efforts on motor vehicles with a failure in the steering equipment
- 5.2.6.1. The test described in item 5.2.5 shall be repeated with a failure in the steering equipment. The steering effort shall be measured until the position of the steering control corresponds to the turning radius given in the table below for the particular category of vehicle with a failure in the steering equipment.
- 5.2.6.2. The maximum permitted steering time and the maximum permitted steering control effort with a failure in the steering equipment are given in the table below for each category of vehicle.

Steering control effort requirements

Vehicle category	Intact			With a failure		
	Maximum effort (daN)	Time (s)	Turning radius (m)	Maximum effort (daN)	Time (s)	Turning radius (m)
M ₁	15	4	12	30	4	20
M ₂	15	4	12	30	4	20
M ₃	20	4	12	45	6	20
N ₁	20	4	12	30	4	20
N ₂	25	4	12	40	4	20
N ₃	20	4	12 ⁽¹⁾	45 ⁽²⁾	6	20

(¹) Or full lock if 12 is not attainable.

(²) 50 for rigid vehicles with two or more steered axles excluding self-tracking equipment.

5.3. Provisions for trailers

- 5.3.1. The trailer must travel without excessive deviation or unusual vibration in its steering equipment when the towing vehicle is travelling in a straight line on a flat and horizontal road at a speed of 80 km/h or the technically permissible maximum speed indicated by the trailer manufacturer if this is less than 80 km/h.
- 5.3.2. With the towing vehicle and trailer having adopted a steady state turn so that the front outside edge of the towing vehicle is turning alongside a circle of radius 25 m in accordance with item 1.4.6, at a constant speed of 5 km/h, the circle described by the rearmost outer edge of the trailer shall be measured. This manoeuvre shall be repeated under the same conditions but a speed of 25 km/h $\pm$ 1 km/h. During these manoeuvres, the rearmost outer edge of the trailer travelling at a speed of 25 km/h $\pm$ 1 km/h shall not move outside the circle described at a constant speed of 5 km/h by more than 0,7 m.
- 5.3.3. No part of the trailer must move more than 0,5 m beyond the tangent to a circle with a radius of 25 m when towed by a vehicle leaving the circular path described in item 5.3.2 along the tangent and travelling at a speed of 25 km/h. This requirement must be met from the point the tangent meets the circle to a point 40 m along the tangent. After that point, the trailer must fulfil the condition specified in item 5.3.1.
- 5.3.4. The tests described in items 5.3.2 and 5.3.3 shall be conducted with one steering movement to the left and one to the right.

ANNEX II

INFORMATION DOCUMENT No

pursuant to Annex I to Council Directive 70/156/EEC relating to the EEC type-approval of a vehicle in respect of its steering equipment (Directive 70/311/EEC), as last amended by Directive

The following information, if applicable, shall be supplied in triplicate and shall include a list of contents. Drawings, if any, shall be supplied in appropriate scale and in sufficient detail on size A4 or folded to that size. Photographs, if any, shall show sufficient detail. In the case of micro-processor controlled functions supply relevant performance-related information.

0. GENERAL

- 0.1. Make (trade name of manufacturer) :
- 0.2. Type and commercial description(s) :
- 0.3. Means of identification of type, if marked on the vehicle (*) :
- 0.3.1. Location of that marking :
- 0.4. Category of vehicle (see Annex II to Directive 70/156/EEC) :
- 0.5. Name and address of manufacturer :
- 0.8. Address(es) of assembly plant(s) :

1. GENERAL CONSTRUCTION CHARACTERISTICS OF THE VEHICLE

- 1.1. Photographs and/or drawings of a representative vehicle :
- 1.3. Number of axles and wheels (if applicable, number of caterpillars or tracks) :
- 1.3.1. Number and position of axles with double wheels :
- 1.3.2. Number and position of steered axles :
- 1.3.3. Powered axles (number, position, interconnection) :

2. MASSES AND DIMENSIONS (*) (in kg and mm)
(refer to drawing where applicable)

- 2.1. Wheel base(s) (fully loaded) (*) :
- 2.3.1. Track of each steered axle (*) :
- 2.4. Range of vehicle dimensions (overall) :
- 2.4.1. For chassis without bodywork :
 - 2.4.1.1. Length (*) :
 - 2.4.1.2. Width (*) :
 - 2.4.1.4. Front overhang (m) :
 - 2.4.1.5. Rear overhang (m) :
 - 2.4.1.7. Distance between axles (if multi-axled) :
- 2.4.2. For chassis with bodywork :
 - 2.4.2.1. Length (*) :
 - 2.4.2.2. Width (*) :
 - 2.4.2.4. Front overhang (m) :
 - 2.4.2.5. Rear overhang (m) :
 - 2.4.2.7. Distance between axles (if multi-axled) :

- 2.8. Technically permissible maximum laden mass stated by the manufacturer (maximum and minimum for each version) ^(y) :
- 2.9. Technically permissible maximum mass on each axle and, in the case of a semi-trailer, load on the fifth wheel king pin, stated by the manufacturer :
6. SUSPENSION
- 6.6.1. Tyre/wheel combination(s) :
(for tyres indicate size designation, load index and speed category ; for wheels indicate rim sizes and off-sets)
- 6.6.1.1. Axle 1 :
- 6.6.1.2. Axle 2 :
etc.
- 6.6.3. Tyre pressure(s) as recommended by the vehicle manufacturer : kPa
7. STEERING
- 7.1. Schematic diagram of steered axle(s) showing steering geometry :
- 7.2. Transmission and control
- 7.2.1. Type of steering transmission (specify for front and rear, if applicable) :
- 7.2.2. Linkage to wheels (including other than mechanical means ; specified for front and rear, if applicable) :
- 7.2.3. Method of assistance if any :
- 7.2.3.1. Method and diagram of operation, make(s) and type(s) :
- 7.2.4. Diagram of the steering equipment as a whole, showing the position on the vehicle of the various devices affecting its steering behaviour :
- 7.2.5. Schematic diagram(s) of the steering control(s) :
- 7.2.6. Range and method of adjustment, if any, of the steering control :
- 7.3. Maximum steering angle of the wheels
- 7.3.1. to the right (degrees) ; number of turns of the steering wheel (or equivalent data)
- 7.3.2. to the left (degrees) ; number of turns of the steering wheel (or equivalent data)

Footnotes

- ^(b) If the means of identification of type contains characters not relevant to describe the vehicle, component or separate technical unit types covered by this information document, such characters shall be represented in the documentation by the symbol : '?' (e.g. ABC ??123 ??).
- ^(c) Where there is one version with a normal cab and another with a sleeper cab, both sets of masses and dimensions are to be stated.
- ^(f) ISO Standard 612 — 1978, term No 6.4.
- ^(g) ISO Standard 612 — 1978, term No 6.5.
- ^(h) ISO Standard 612 — 1978, term No 6.1.
- ⁽ⁱ⁾ ISO Standard 612 — 1978, term No 6.2.
- ^(m) ISO Standard 612 — 1978, term No 6.6.
- ⁽ⁿ⁾ ISO Standard 612 — 1978, term No 6.7.
- ^(y) For trailers or semi-trailers, and for vehicles coupled with a trailer or a semi-trailer, which exert a significant vertical load on the coupling device or the fifth wheel, this load, divided by standard acceleration of gravity, is included in the maximum technically permissible mass.

ANNEX III

BRAKING PERFORMANCE FOR VEHICLES USING THE SAME ENERGY SOURCE TO
SUPPLY STEERING EQUIPMENT AND BRAKING DEVICE

1. If an energy source failure occurs, service braking performance on the first brake application shall achieve the values given in the table below.

Category	V (km/h)	m/s ²	Force (daN)
M ₁	80	5,8	50
M ₂ and M ₃	60	5,0	70
N ₁	80	5,0	70
N ₂ and N ₃	60	5,0	70

2. After any failure in the steering equipment, or the energy supply, it shall be possible after eight full stroke actuations of the service brake control, to achieve at the ninth application, at least the performance prescribed for the secondary (emergency) braking system (see table below).

In the case where secondary performance requiring the use of stored energy is achieved by a separate control, it shall still be possible after eight full stroke actuations of the service brake control to achieve at the ninth application, the residual performance (see table below).

Secondary and residual efficiency

Category	V (km/h)	Secondary braking (m/s ²)	Residual braking (m/s ²)
M ₁	80	2,9	1,7
M ₂	60	2,5	1,5
M ₃	60	2,5	1,5
N ₁	70	2,2	1,3
N ₂	50	2,2	1,3
N ₃	40	2,2	1,3

3. The tests referred to under points 1 and 2 shall be carried out with the vehicle either laden or unladen, whichever is the less favourable case defined by the testing body responsible for the tests.

ANNEX IV**ADDITIONAL PROVISIONS FOR VEHICLES EQUIPPED WITH ASE****1. GENERAL PROVISIONS**

This Annex does not require vehicles to be fitted with ASE. However, if vehicles are fitted with such a device, they shall comply with the provisions of this Annex.

2. SPECIFIC PROVISIONS**2.1. Transmission****2.1.1. *Mechanical steering transmissions***

Item 4.1.4 of Annex I to this Directive applies.

2.1.2. *Hydraulic steering transmissions*

The hydraulic steering transmission must be protected from exceeding the maximum permitted service pressure T.

2.1.3. *Electric steering transmissions*

The electric steering transmission must be protected from excess energy supply.

2.1.4. *Combination of steering transmissions*

A combination of mechanical, hydraulic and electric transmissions shall comply with the requirements specified in items 2.1.1, 2.1.2 and 2.1.3 above.

2.2. Testing requirements for failure**2.2.1. Malfunction or failure of any part of the ASE (except for parts not considered to be susceptible to breakdown as specified in item 4.1.4 of Annex I to this Directive) shall not result in sudden significant change in vehicle behaviour and the requirements of items 5.2.1 to 5.2.4 and 5.2.6 of Annex I to this Directive shall still be met.**

Furthermore, it must be possible to control the vehicle without abnormal steering correction. This shall be verified by the following tests :

2.2.1.1. Circular test

The vehicle shall be driven into a circle with a transverse acceleration of 5 m/s^2 and at a test speed of 80 km/h. The failure shall be introduced when the test speed has been reached.

The test shall include driving in a clockwise direction, and in a counter-clockwise direction.

2.2.1.2. Transient test

Until uniform test procedures have been agreed, the vehicle manufacturer shall provide the technical services with their test procedures and results for transient behaviour of the vehicle in the case of a failure.

2.3. Warning signals in case of failure**2.3.1. Except for parts of ASE not considered susceptible to breakdown as specified in item 4.1.4 of Annex I of this Directive, the following failure of ASE shall be clearly brought to the attention of the driver :****2.3.1.1. A general cut-off of the ASE electrical or hydraulic control ;****2.3.1.2. Failure of the ASE energy supply ;****2.3.1.3. A break in the external wiring of the electrical control if fitted.****2.4. Electromagnetic interference****2.4.1. The operation of the ASE must not be adversely affected by electromagnetic fields. Until uniform test procedures have been agreed, the vehicle manufacturer shall provide the technical services with their test procedures and results.**

ANNEX V**PROVISIONS FOR TRAILERS HAVING PURELY HYDRAULIC STEERING TRANSMISSIONS**

1. If vehicles are fitted with purely hydraulic steering transmissions, they shall comply with the provisions of this Annex.
2. **SPECIFIC PROVISIONS**
 - 2.1. **Performance of hydraulic lines and hose assemblies**
 - 2.1.1. The hydraulic lines of purely hydraulic transmissions must be capable of withstanding a pressure of at least four times the maximum normal service pressure (T) specified by the manufacturer. Hose assemblies shall comply with the following ISO Standards : 1402 (1984), 6605 (1986) and 7751 (1983).
 - 2.2. **In systems dependent on an energy supply**
 - 2.2.1. The energy supply must be protected from excess pressure by a pressure limiting valve which operates at the pressure T.
 - 2.3. **Protection of steering transmission**
 - 2.3.1. The steering transmission must be protected from excess pressure by a pressure limiting valve which operates between 1,5T and 2,2T.
 - 2.4. **Tractor/trailer alignment**
 - 2.4.1. With the tractor of a tractor/trailer combination travelling in a straight line, the trailer must remain in alignment with the tractor;
 - 2.4.2. In order to maintain steering alignment in accordance with item 2.4.1 above, trailers shall be provided with a means of readjustment, which may be either automatic or manual.
 - 2.5. **Steerability with a failure in the steering transmission**
 - 2.5.1. The steerability of vehicles with purely hydraulic steering transmissions shall be maintained with a failure in any part of the transmission. Vehicles shall be tested in this (failed) condition and satisfy the requirements of item 5.3 of Annex I to this Directive. In particular the 5 km/h and 25 km/h tests specified at item 5.3.2 shall be conducted with the steering transmission in the intact and failed conditions respectively.
 - 2.6. **Electromagnetic interference**
 - 2.6.1. The operation of steering equipment must not be adversely affected by electromagnetic fields. Until uniform test procedures have been agreed, the vehicle manufacturer shall provide the technical services with his test procedures and results.

ANNEX VI

EEC TYPE-APPROVAL CERTIFICATE

MODEL

(maximum format : A4 (210 × 297 mm))

Stamp of administration

Communication concerning the :

- type-approval ⁽¹⁾
- extension of type-approval ⁽¹⁾
- refusal of type-approval ⁽¹⁾
- withdrawal of type-approval ⁽¹⁾

of a type of a vehicle/component/separate technical unit ⁽¹⁾ with regard to Directive 70/311/EEC, as last amended by Directive

Type-approval number :

Reason for extension :

SECTION I

0. General

- 0.1. Make (trade name of manufacturer) :
- 0.2. Type and commercial description(s) :
- 0.3. Means of identification of type if marked on the vehicle/component/separate technical unit ⁽¹⁾ ⁽²⁾ :
.....
- 0.3.1. Location of that marking :
- 0.4. Category of vehicle ⁽³⁾ :
- 0.5. Name and address of manufacturer :
.....
- Name and address of manufacturer responsible for the final stage of construction of the vehicle :
.....
- 0.8. Address(es) of assembly plant(s) :

SECTION II

- 1. Additional information (where applicable): see Appendix
- 2. Technical service responsible for carrying out the tests :
- 3. Date of test report :
- 4. Number of test report :
- 5. Remarks (if any): see Appendix
- 6. Place :
- 7. Date :
- 8. Signature :
- 9. The index to the information package lodged with the approval authority, which may be obtained on request, is attached.

⁽¹⁾ Delete where not applicable.⁽²⁾ If the means of identification of type contains characters not relevant to describe the vehicle, component or separate technical unit types covered by this information document/type-approval certificate, such characters shall be represented in documentation by the symbol: '?' (e.g. ABC ? ?123 ? ?).⁽³⁾ As defined in Annex II A to Directive 70/156/EEC.

Appendix

*to EEC type-approval certificate No
concerning the type-approval of a vehicle with regard to Directive 70/311/EEC
as last amended by Directive*

1. ADDITIONAL INFORMATION :

Type of steering equipment :

Steering control :

Steering transmission :

Steered wheels :

Energy source :

Braking performance : statement of the component type-approval number granted in accordance with Directive 71/320/EEC and information concerning the state of the vehicle during the tests : either laden or unladen ⁽¹⁾.

5. REMARKS :

(e.g. valid for both left-hand drive and right-hand drive vehicles).

.....
.....
.....

⁽¹⁾ Delete as appropriate.

CORRIGENDA

Corrigendum to Commission Regulation (EEC) No 1896/92 of 9 July 1992 on the supply of various lots of skimmed-milk powder as food aid

(Official Journal of the European Communities No L 191 of 10 July 1992)

On page 16 in Annex II under Lot B:

for: 'B4 : 450',

read: 'B4 : 45';

on page 21 in Annex II under Lot F:

for: 'F6 : 30',

read: 'F6 : 15'.
