

Official Journal

of the European Communities

ISSN 0378-6978

L 207

Volume 35

23 July 1992

English edition

Legislation

Contents

I *Acts whose publication is obligatory*

Commission Regulation (EEC) No 2018/92 of 22 July 1992 fixing the import levies on cereals and on wheat or rye flour, groats and meal	1
Commission Regulation (EEC) No 2019/92 of 22 July 1992 fixing the premiums to be added to the import levies on cereals, flour and malt	3
Commission Regulation (EEC) No 2020/92 of 22 July 1992 amending Regulation (EEC) No 1648/92 increasing to 100 000 tonnes the quantity of barley held by the Belgian intervention agency for which a standing invitation to tender for export has been opened	5
Commission Regulation (EEC) No 2021/92 of 22 July 1992 amending Regulation (EEC) No 1649/92 increasing to 100 000 tonnes the quantity of durum wheat held by the French intervention agency for which a standing invitation to tender for export has been opened	7
* Commission Regulation (EEC) No 2022/92 of 20 July 1992 on detailed rules of application for the minimum price to be paid to producers for certain tomatoes delivered for processing and repealing Regulation (EEC) No 2036/91	9
* Commission Regulation (EEC) No 2023/92 of 20 July 1992 fixing for the 1992/93 marketing year the minimum price to be paid to producers for tomatoes and the amount of production aid for processed tomato products	11
Commission Regulation (EEC) No 2024/92 of 22 July 1992 laying down definitive measures on the issuing of STM licences for beef and veal in trade with Spain and Portugal	14
* Commission Regulation (EEC) No 2025/92 of 22 July 1992 on detailed rules for the application of the specific supply measures for the Canary Islands as regards olive oil and establishing the forecast supply balance	15

★ Commission Regulation (EEC) No 2026/92 of 22 July 1992 on detailed rules for the application of the specific supply measures for Madeira as regards olive oil and establishing the forecast supply balance	18
★ Commission Regulation (EEC) No 2027/92 of 22 July 1992 amending Regulation (EEC) No 388/92 laying down detailed rules for implementation of the specific arrangements for the supply of cereal products to the French overseas departments (FOD) and establishing the forecast supply balance, and fixing the level of aid for the supply of groats and meal of durum wheat	21
Commission Regulation (EEC) No 2028/92 of 22 July 1992 fixing the export refunds on white sugar and raw sugar exported in its unaltered state	23
Commission Regulation (EEC) No 2029/92 of 22 July 1992 determining the extent to which applications lodged in July 1992 for import licences for certain poultrymeat products can be accepted	25
Commission Regulation (EEC) No 2030/92 of 22 July 1992 determining the extent to which applications lodged in July 1992 for import licences for certain pigmeat products can be accepted	26
Commission Regulation (EEC) No 2031/92 of 22 July 1992 fixing the import levies on rice and broken rice	28
Commission Regulation (EEC) No 2032/92 of 22 July 1992 fixing the premiums to be added to the import levies on rice and broken rice	30
Commission Regulation (EEC) No 2033/92 of 22 July 1992 determining the extent to which applications lodged in July 1992 for import licences for certain eggs and poultrymeat products under the regime provided for by the Intermediate Agreements concluded by the Community with the Republic of Poland, the Republic of Hungary and the Czech and Slovak Federal Republic can be accepted	32
Commission Regulation (EEC) No 2034/92 of 22 July 1992 determining the extent to which application lodged in July 1992 for import licences for certain pigmeat products under the regime provided for by the Intermediate Agreements concluded by the Community with the Republic of Poland, the Republic of Hungary and the Czech and Slovak Federal Republic can be accepted	35
Commission Regulation (EEC) No 2035/92 of 22 July 1992 determining the extent to which applications lodged in July 1992 for import licences for certain milk products and products covered by the arrangements provided for in the Interim Agreements concluded by the Community with the Republic of Poland, the Republic of Hungary and the Czech and Slovak Federal Republic can be accepted	37
Commission Regulation (EEC) No 2036/92 of 22 July 1992 fixing the maximum export refund for white sugar for the 12th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EEC) No 920/92	39
Commission Regulation (EEC) No 2037/92 of 22 July 1992 adopting interim protective measures in so far as concerns Spain in regard to applications for STM licences coming from the Community of Ten for milk and milk products lodged between 13 and 17 July 1992	40
Commission Regulation (EEC) No 2038/92 of 22 July 1992 abolishing a countervailing charge on cherries originating in Bulgaria	41
Commission Regulation (EEC) No 2039/92 of 22 July 1992 abolishing a countervailing charge on cherries originating in the Czech and Slovak Federal Republic	42

Contents (continued)

Commission Regulation (EEC) No 2040/92 of 22 July 1992 amending Regulation (EEC) No 1835/92 introducing a countervailing charge on fresh lemons originating in Argentina	43
Commission Regulation (EEC) No 2041/92 of 22 July 1992 introducing a corrective amount on the import of pears into the Community of Ten from Spain	44
Commission Regulation (EEC) No 2042/92 of 22 July 1992 fixing the aid for cotton	45
Commission Regulation (EEC) No 2043/92 of 22 July 1992 fixing the import levy on molasses	46

II *Acts whose publication is not obligatory*

Commission

92/389/EEC :

- ★ **Commission Decision of 25 July 1990 concerning the State aid provided in for in Decree-Laws No 174 of 15 May 1989 and No 254 of 13 July 1989 and in draft Law No 4230 regularizing the effects produced by the abovementioned Decree-Laws** 47

92/390/EEC :

- ★ **Commission Decision of 2 July 1992 concerning animal health conditions and veterinary certification for imports of fresh meat from the Republic of Croatia** 53

92/391/EEC :

- ★ **Commission Decision of 13 July 1992 altering the adjustment aid to the Portuguese refining industry for raw sugar imported from third countries at a reduced levy for the 1992/93 marketing year into Portugal** 58
-

Corrigenda

- ★ **Corrigendum to Commission Regulation (EEC) No 1855/92 of 7 July 1992 fixing the rates of the refunds applicable to certain cereal and rice products exported in the form of goods not covered by Annex II to the Treaty (OJ No L 188 of 8.7.1992)** 59

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2018/92

of 22 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 22 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 23 July 1992.

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

Done at Brussels, 22 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 22 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	147,40 ⁽²⁾ ⁽³⁾
0712 90 19	147,40 ⁽²⁾ ⁽³⁾
1001 10 10	157,76 ⁽¹⁾ ⁽³⁾ ⁽¹⁰⁾
1001 10 90	157,76 ⁽¹⁾ ⁽³⁾ ⁽¹⁰⁾
1001 90 91	136,75
1001 90 99	136,75 ⁽¹¹⁾
1002 00 00	152,26 ⁽⁶⁾
1003 00 10	123,59
1003 00 90	123,59 ⁽¹¹⁾
1004 00 10	107,18
1004 00 90	107,18
1005 10 90	147,40 ⁽²⁾ ⁽³⁾
1005 90 00	147,40 ⁽²⁾ ⁽³⁾
1007 00 90	152,15 ⁽⁴⁾
1008 10 00	49,07 ⁽¹¹⁾
1008 20 00	100,13 ⁽⁴⁾
1008 30 00	47,09 ⁽⁵⁾
1008 90 10	⁽⁷⁾
1008 90 90	47,09
1101 00 00	204,45 ⁽⁸⁾ ⁽¹¹⁾
1102 10 00	225,62 ⁽⁸⁾
1103 11 10	257,53 ⁽⁸⁾ ⁽¹⁰⁾
1103 11 90	220,81 ⁽⁸⁾

(¹) Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.

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

(³) Where maize originating in the ACP is imported into the Community the levy is reduced by ECU 1,81/tonne.

(⁴) Where millet and sorghum originating in the ACP is imported into the Community the levy is applied in accordance with Regulation (EEC) No 715/90.

(⁵) Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.

(⁶) The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 and Commission Regulation (EEC) No 2622/71.

(⁷) The levy applicable to rye shall be charged on imports of the product falling within CN code 1008 90 10 (triticale).

(⁸) On importation into Portugal the levy is increased by the amount specified in Article 2 (2) of Regulation (EEC) No 3808/90.

(⁹) No levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC, except if paragraph 4 of the same Article applies.

(¹⁰) An amount equal to the amount fixed by Regulation (EEC) No 1825/91 is to be levied in accordance with Article 101 (4) of Decision 91/482/EEC.

(¹¹) Products falling within this code, imported from Poland, Czechoslovakia or Hungary under the Interim Agreements concluded between those countries and the Community, and in respect of which EUR.1 certificates issued in accordance with Regulation (EEC) No 585/92 have been presented, are subject to the levies set out in the Annex to that Regulation.

COMMISSION REGULATION (EEC) No 2019/92

of 22 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 22 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 23 July 1992.

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

Done at Brussels, 22 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 22 July 1992 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(ECU/tonne)

CN code	Current 7	1st period 8	2nd period 9	3rd period 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

(ECU/tonne)

CN code	Current 7	1st period 8	2nd period 9	3rd period 10	4th period 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 2020/92
of 22 July 1992

amending Regulation (EEC) No 1648/92 increasing to 100 000 tonnes the quantity of barley held by the Belgian intervention agency for which a standing invitation to tender for export has been opened

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 7 (6) thereof,

Having regard to Commission Regulation (EEC) No 1836/82 of 7 July 1982 laying down the procedure and conditions for the disposal of cereals held by the intervention agencies⁽³⁾, as last amended by Regulation (EEC) No 3043/91⁽⁴⁾,

Whereas Commission Regulation (EEC) No 1648/92⁽⁵⁾, opened a standing invitation to tender for the export of 50 000 tonnes of barley held by the Belgian intervention agency; whereas, in a communication of 16 July 1992, Belgium informed the Commission of the intention of its intervention agency to increase by 50 000 tonnes the quantity for which a standing invitation to tender for export has been opened; whereas the total quantity of barley held by the Belgian intervention agency for which a standing invitation to tender for export has been opened should be increased to 100 000 tonnes;

Whereas this increase in the quantity put out to tender makes it necessary to alter the list of regions and quantities in store; whereas Annex I to Regulation (EEC) No 1648/92 must therefore be amended;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 2 of Regulation (EEC) No 1648/92 is replaced by the following:

Article 2

1. The invitation to tender shall cover a maximum of 100 000 tonnes of barley to be exported to all third countries. Customs export formalities must be completed during the period 1 July to 31 August 1992.

2. The regions in which the 100 000 tonnes of barley are stored are stated in Annex I to this Regulation.

Article 2

Annex I to Regulation (EEC) No 1648/92 is replaced by the Annex hereto.

Article 3

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

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

Done at Brussels, 22 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 202, 9. 7. 1982, p. 23.

⁽⁴⁾ OJ No L 288, 18. 10. 1991, p. 21.

⁽⁵⁾ OJ No L 172, 27. 6. 1992, p. 32.

ANNEX

ANNEX I

(tonnes)	
Place of storage	Quantity
Racour	16 174
Gives	5 240
Tournai	11 460
Liege	15 044
Ath	4 000
Namur	5 300
Mont St. Guibert	3 670
Braine-le-Comte	1 890
Hamois	2 625
Feluy	943
Diksmuide	3 580
Ambresin	4 050
Ohey	1 009
Meeffe	6 280
Waimès	2 461
Oudenburg	4 500
Brunchaut	9 141
Riemst	2 633'

COMMISSION REGULATION (EEC) No 2021/92
of 22 July 1992

amending Regulation (EEC) No 1649/92 increasing to 100 000 tonnes the quantity of durum wheat held by the French intervention agency for which a standing invitation to tender for export has been opened

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 7 (6) thereof,

Having regard to Commission Regulation (EEC) No 1836/82 of 7 July 1982 laying down the procedure and conditions for the disposal of cereals held by the intervention agencies⁽³⁾, as last amended by Regulation (EEC) No 3043/91⁽⁴⁾,

Whereas Commission Regulation (EEC) No 1649/92⁽⁵⁾, opened a standing invitation to tender for the export of 50 000 tonnes of durum wheat held by the French intervention agency; whereas, in a communication of 16 July 1992, France informed the Commission of the intention of its intervention agency to increase by 50 000 tonnes the quantity for which a standing invitation to tender for export has been opened; whereas the total quantity of durum wheat held by the French intervention agency for which a standing invitation to tender for export has been opened should be increased to 100 000 tonnes;

Whereas this increase in the quantity put out to tender makes it necessary to alter the list of regions and quantities in store; whereas Annex I to Regulation (EEC) No 1649/92 must therefore be amended;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 2 of Regulation (EEC) No 1649/92 is replaced by the following:

Article 2

1. The invitation to tender shall cover a maximum of 100 000 tonnes of durum wheat to be exported to all third countries. Customs export formalities must be completed during the period 1 July to 31 August 1992.

2. The regions in which the 100 000 tonnes of durum wheat are stored are stated in Annex I to this Regulation.'

Article 2

Annex I to Regulation (EEC) No 1649/92 is replaced by the Annex hereto.

Article 3

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

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

Done at Brussels, 22 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 202, 9. 7. 1982, p. 23.

⁽⁴⁾ OJ No L 288, 18. 10. 1991, p. 21.

⁽⁵⁾ OJ No L 172, 22. 6. 1992, p. 35.

*ANNEX**ANNEX I*

<i>(tonnes)</i>	
Place of storage	Quantity
Amiens	200
Châlons	1 500
Dijon	1 000
Montpellier	21 000
Nantes	200
Orléans	50 000
Paris	4 400
Rouen	700
Toulouse	21 000'

COMMISSION REGULATION (EEC) No 2022/92

of 20 July 1992

on detailed rules of application for the minimum price to be paid to producers
for certain tomatoes delivered for processing and repealing Regulation (EEC) No
2036/91

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 426/86 of
24 February 1986 on the common organization of the
market in products processed from fruit and vegetables ⁽¹⁾,
as last amended by Regulation (EEC) No 1569/92 ⁽²⁾, and
in particular Article 4 (4) thereof,

Whereas Regulation (EEC) No 426/86 introduced produc-
tion aid for products listed in Part A of Annex I thereto
obtained from fruit and vegetables harvested in the
Community; whereas from the 1992/93 marketing year
the minimum price to be paid to growers of tomatoes for
production of tomato concentrate and similar products is
to vary according to the soluble dry weight content of the
fresh tomatoes;

Whereas Council Regulation (EEC) No 1206/90 of 7 May
1990 laying down general rules for the system of produc-
tion aid for processed fruit and vegetables ⁽³⁾, as last
amended by Regulation (EEC) No 346/91 ⁽⁴⁾, stipulated
that the production aid for tomato flakes and tomato juice
was to be derived from the aid calculated for tomato
concentrate; whereas accordingly the minimum price to
be paid to the grower for these products must retain an
element of proportionality;

Whereas in application of the last subparagraph of
Article 4 (1) of Regulation (EEC) No 426/86 the soluble
dry weight content of the raw material for which the
minimum price can be paid to the producer should be
set; whereas the percentage adjustment to be made in the
minimum price when the dry weight content is greater or
less than the content laid down for payment of the
minimum price should also be set; whereas for the
purpose of applying this provision fresh tomatoes to be
processed and preserved without their skins should be
treated in the same way as tomatoes that are to be peeled;

Whereas the soluble dry weight content of the raw mate-
rial should be determined by refractometry;

Whereas in practice analysis of the soluble dry weight
content can only be done by the processor when the raw
material is delivered; whereas in order to preserve the
grower's right to challenge the analysis Member States

must in cases of disagreement make an analysis the result
of which will be binding;

Whereas the measures provided for in this Regulation are
in accordance with the opinion of the Management
Committee for Products Processed from Fruit and Vegeta-
bles,

HAS ADOPTED THIS REGULATION:

Article 1

1. The minimum price mentioned in Article 4 (1) of
Regulation (EEC) No 426/86 that is to be paid to the
grower for fresh tomatoes used for processing into:

- (a) tomato concentrate;
- (b) tomato flakes;
- (c) tomato juice;

shall be set for fresh tomatoes with a soluble dry weight
content between 4,8 and 5,4 %. This minimum price
shall be adjusted for each step above or below the limits
laid down.

2. The soluble dry weight content shall be determined
by the processor, in the grower's presence by refracto-
metry.

In cases of disagreement the content shall be determined
by the agency or control commission designated by the
Member State. Its findings shall be binding for both
parties.

3. Producer Member States shall adopt all necessary
provisions, covering in particular:

- appointment of the agency or commission responsible
for surveillance and arbitration between parties,
- penalization of failure by contracting parties to
comply with the provisions binding on them.

Article 2

Regulation (EEC) No 2036/91 is hereby repealed.

Article 3

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 the beginning of the 1992/93 marke-
ting year.

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ OJ No L 166, 20. 6. 1992, p. 5.

⁽³⁾ OJ No L 119, 11. 5. 1990, p. 74.

⁽⁴⁾ OJ No L 41, 14. 2. 1991, p. 19.

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

Done at Brussels, 20 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 2023/92

of 20 July 1992

fixing for the 1992/93 marketing year the minimum price to be paid to producers for tomatoes and the amount of production aid for processed tomato products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables ⁽¹⁾, as last amended by Regulation (EEC) No 1569/92 ⁽²⁾, and in particular Articles 4 (4) and 5 (5) thereof,

Whereas Council Regulation (EEC) No 989/84 of 31 March 1984 introducing a system of guarantee thresholds for certain processed fruit and vegetable products ⁽³⁾, as amended by Regulation (EEC) No 1755/92 ⁽⁴⁾, fixes a guarantee threshold for 1992/93 marketing year equivalent to a quantity of processed tomato products corresponding to 6 596 787 tonnes of fresh tomatoes;

Whereas Council Regulation (EEC) No 1206/90 ⁽⁵⁾, as amended by Regulation (EEC) No 2202/90 ⁽⁶⁾, lays down general rules for the system of production aid for processed fruit and vegetables;

Whereas, under Article 4 (1) of Regulation (EEC) No 426/86, the minimum price to be paid to producers is to be determined on the basis of the minimum price applying during the previous marketing year, the movement of basic prices in the fruit and vegetable sector and the need to ensure the normal marketing of fresh products for the various uses, including supply of the processing industry; whereas, under the final subparagraph of Article 4 (1) of the above Regulation, from the 1992/93 marketing year, the minimum price to be paid to the producer is to be adjusted according to the soluble dry weight content of the raw material used in the production of tomato concentrate, juice and flakes;

Whereas Commission Regulation (EEC) No 2022/92 ⁽⁷⁾ lays down the detailed rules of application for the payment of the minimum price to the producer for certain tomatoes on the basis of the soluble dry-weight content;

Whereas Article 5 of Regulation (EEC) No 426/86 lays down the criteria for fixing the amount of production

aid; whereas account must, in particular, be taken of the aid fixed for the previous marketing year adjusted to take account of changes in the minimum price to be paid to producers and the difference between the cost of the raw material in the Community and in the major competing third countries; whereas, in respect of tomato concentrates, preserved whole peeled and unpeeled tomatoes and tomato juice, trends in the volume and prices of imports must be taken into consideration; whereas, according to the logic of the system of thresholds, at this stage the level of aid can only be fixed provisionally;

Whereas, in accordance with Articles 118 and 304 of the Act of Accession, production aid and the common minimum price are applicable in Spain and Portugal from the 1992/93 marketing year;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1992/93 marketing year:

- (a) the minimum price referred to in Article 4 of Regulation (EEC) No 426/86 to be paid to producers for the products listed in Annex I; and
- (b) the provisional level of production aid referred to in Article 5 of the same Regulation for the products listed in Annex II

shall be as set out in the said Annexes.

Article 2

Where processing takes place outside the Member State in which the produce was grown, that Member State shall furnish proof to the Member State paying the production aid that the minimum price payable to the producer has been paid.

Article 3

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

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ OJ No L 166, 20. 6. 1992, p. 5.

⁽³⁾ OJ No L 103, 16. 4. 1984, p. 19.

⁽⁴⁾ OJ No L 180, 1. 7. 1992, p. 25.

⁽⁵⁾ OJ No L 119, 11. 5. 1990, p. 74.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 4.

⁽⁷⁾ See page 9 of this Official Journal.

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

Done at Brussels, 20 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX I

Minimum price to be paid to producers

Product	ECU/100 kg net, ex-producer
Tomatoes intended for the manufacture of :	
(a) tomato concentrate and juice with a soluble dry weight content of between 4,8 % and 5,4 %	8,896 ⁽¹⁾
(b) preserved whole peeled and unpeeled tomatoes or frozen whole peeled tomatoes :	
— the San Marzano variety	14,727
— the Roma and similar varieties	11,330
(c) preserved non-whole peeled and unpeeled tomatoes and non-whole frozen peeled tomatoes	8,896
(d) tomato flakes with a soluble dry weight content of between 4,8 % and 5,4 %	11,330 ⁽¹⁾

⁽¹⁾ These prices are rectified by :

- 5 % if the soluble dry weight content is less than 4,8 % but is 4 % or more ;
- + 5 % if the soluble dry weight content is more than 5,4 %.

ANNEX II

Production aid

Product	ECU/100 kg net
1. Tomato concentrates with a dry weight content of 28 %, or more but less than 30 %	29,289
2. Preserved whole peeled tomatoes in tomato juice :	
(a) of the San Marzano variety	10,531
(b) of the Roma and similar varieties	7,427
3. Preserved whole peeled tomatoes of the Roma and similar varieties in water	6,313
4. Preserved whole unpeeled tomatoes of the Roma and similar varieties	5,199
5. Frozen whole peeled tomatoes	
(a) of the San Marzano varieties	10,531
(b) of the Roma and similar varieties	7,427
6. Preserved peeled tomatoes, non-whole or in pieces	}
7. Preserved unpeeled tomatoes, non-whole or in pieces	
8. Non-whole frozen peeled tomatoes	
9. Tomato flakes	97,462
10. Tomato juice with a dry weight content of 7 % or more but less than 12 % :	
(a) with a dry weight content of 7 % or more but less than 8 %	7,574
(b) with a dry weight content of 8 % or more but less than 10 %	9,089
(c) with a dry weight content of 10 % or more	11,110
11. Tomato juice with a dry weight content of less than 7 % :	
(a) with a dry weight content of 5 % or more	6,060
(b) with a dry weight content of 4,5 % or more but less than 5 %	4,797

COMMISSION REGULATION (EEC) No 2024/92

of 22 July 1992

laying down definitive measures on the issuing of STM licences for beef and veal
in trade with Spain and Portugal

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

Having regard to the Act of Accession of Spain and
Portugal, and in particular Articles 85 (3) and 252 (3)
thereof,

Having regard to Council Regulation (EEC) No 569/86 of
25 February 1986 laying down general rules for the appli-
cation of the supplementary mechanism applicable to
trade⁽¹⁾, as last amended by Regulation (EEC)
No 3296/88⁽²⁾, and in particular Article 7 (1) thereof,

Whereas Commission Regulation (EEC) No 3810/91 of
18 December 1991 laying down detailed rules for the
application of the supplementary trade mechanism in the
beef and veal sector between the Community as consti-
tuted on 31 December 1985 and Spain and Portugal and
repealing Regulations (EEC) No 4026/89 and (EEC)
No 3815/90⁽³⁾, set the indicative ceilings applicable in
the beef and veal sector and the maximum quantities for
which STM licences may be issued every two months;

Whereas STM licences issued in response to applications
lodged from 22 to 25 June 1992 in Spain and in Portugal
have exhausted that fraction of the indicative ceiling set
aside for the fourth two months of 1992 for live animals;

Whereas the Commission accordingly adopted, by an
emergency procedure, appropriate interim protective
measures by Regulation (EEC) No 1809/92⁽⁴⁾; whereas

definitive measures must be adopted; whereas, in view of
the situation of the market, an increase in the indicative
ceiling cannot be contemplated;

Whereas, as a definitive measure as referred to in Articles
85 (3) and 252 (3) of the Act of Accession, the issue of
STM licences should be definitively discontinued in order
to prevent any disturbance on the market;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The issue of STM licences is hereby suspended until
3 September 1992 for live animals of the bovine species,
other than purebred breeding animals and animals for
bullfights.
2. Further applications for STM licences may be lodged
from 24 August 1992.

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, 22 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 55, 1. 3. 1986, p. 106.

⁽²⁾ OJ No L 293, 27. 10. 1988, p. 7.

⁽³⁾ OJ No L 357, 28. 12. 1991, p. 53.

⁽⁴⁾ OJ No L 183, 3. 7. 1992, p. 14.

COMMISSION REGULATION (EEC) No 2025/92

of 22 July 1992

on detailed rules for the application of the specific supply measures for the
Canary Islands as regards olive oil 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 10 thereof,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the conversion rate to be applied for the purposes of the common agricultural policy⁽²⁾, as last amended by Regulation (EEC) No 2205/90⁽³⁾, and in particular Article 12 thereof,

Whereas common detailed rules for implementation of the specific arrangements for the supply of certain agricultural products to the Canary Islands are laid down by Commission Regulation (EEC) No 1695/92⁽⁴⁾;

Whereas Commission Regulation (EEC) No 3719/88⁽⁵⁾, as last amended by Regulation (EEC) No 1599/90⁽⁶⁾ lays down in particular detailed rules for the application of the system of import licences;

Whereas, pursuant to Article 2 of Regulation (EEC) No 1601/92 the forecast supply balance for olive oil for the Canary Islands until the end of the present marketing year should be drawn up; whereas this must permit interchangeability of the quantities set for certain products and must if necessary be reviewed in line with the islands' actual requirements;

Whereas under the terms of Article 3 of Regulation (EEC) No 1601/92 the Canary Islands' olive oil requirements in terms of quantity, price and quality are to be met by mobilization of Community products on terms equivalent for the end user to exemption from import duties; whereas this requires the granting of aid on Community supplies; whereas this aid must reflect the costs of the various sources of supply and the prices of exports to third countries; whereas this will involve differentiating the aid by type of product;

Whereas the Member State in question should designate the authority responsible for issuing import licences and aid certificates, receiving aid applications and paying aid;

Whereas a time schedule should be set for the lodging of applications for licences and certificates and the terms of acceptability of applications, particularly in regard to the lodging of security, whereas the periods of validity of import licences and aid certificates should be set in line with supply requirements and administrative needs; whereas accordingly, given the special situation of the Canary Islands, a longer period of validity for aid certificates should be granted;

Whereas the arrangements introduced by Regulation (EEC) No 1601/92 came into force on 1 July 1992; whereas the detailed rules of application must be effective from the same date;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Pursuant to Articles 2 and 3 of Regulation (EEC) No 1601/92 the quantities of olive oil covered by the forecast supply balance which qualify, during the period 1 July to 31 October 1992, for exemption from duties on imports from third countries or for Community aid shall be those shown in the Annex.

Without prejudice to possible review during the period for which the balance is valid, the quantities set for each type of oil may be exceeded by 20 % provided that the overall quantity is not exceeded.

2. Pursuant to Article 3 (2) of Regulation (EEC) No 1601/92 the aid granted on olive oil of Community origin under the specific supply arrangements for the Canary Islands shall be equal, for each type of oil, to the average of the maximum export refund amounts set by tendering procedure for oil in small containers in the course of the month preceding that of submission of the certificate application, adjusted, where appropriate, by the accession compensatory amounts in force in the Member State of dispatch in respect of third countries, plus ECU 1 per 100 kg.

⁽¹⁾ OJ No L 173, 27. 6. 1992, p. 13.

⁽²⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽³⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁴⁾ OJ No L 179, 1. 7. 1992, p. 1.

⁽⁵⁾ OJ No L 331, 2. 12. 1988, p. 1.

⁽⁶⁾ OJ No L 151, 15. 6. 1990, p. 29.

Article 2

The Member State shall designate the authority responsible for:

- (a) issuing import licences;
- (b) issuing the aid certificate provided for in Article 4 (1) of Regulation (EEC) No 1695/92; and
- (c) paying the aid to the operators concerned.

Article 3

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

Article 4

1. Applications for import licences and aid certificates shall be lodged with the competent authority during the first five working days of each month. For July 1992, however, they shall be lodged before 25 July 1992. Importers may submit only one application per month. Applications shall not be admissible unless:

- (a) submitted by a natural or legal person active in the olive-oil sector and enrolled to that effect in a public register of a Member State at 30 June 1992;
- (b) the total quantity requested by the operator does not exceed 400 tonnes, within the limit of the maximum quantity available when the application is lodged;
- (c) proof is furnished before the end of the period for lodging applications that the importer has provided a security of ECU 10 per 100 kg.

2. The application and box 16 of the licence/certificate itself shall indicate the appropriate code as shown in the annexed estimate and the type of packaging of the product.

3. If, pursuant to Article 5 of Regulation (EEC) No 1695/92, licences/certificates are issued for quantities smaller than applied for, importers may withdraw their applications in writing within three working days of the date of issue.

4. Licences/certificates shall be issued not later than the tenth working day of each month. For July 1992, however, they shall be issued on 31 July.

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

Done at Brussels, 22 July 1992.

Article 5

1. The validity of import licences shall expire on the last day of the month following that of issue.

2. The validity of aid certificates shall expire on the last day of the second month following that of issue.

Article 6

The aid provided for in Article 3 of Regulation (EEC) No 1601/92 shall be paid on quantities actually delivered to the Canary Islands. The rate applicable for payment in the national currency shall be the agricultural conversion rate applicable on the first day of the month in which the aid application is submitted.

Article 7

Security provided against licences/certificates shall be released:

- (a) if the competent authority has rejected the application;
- (b) if the importer has withdrawn his application under Article 4 (3);
- (c) when proof is furnished that the licence/certificate has been used; the security shall be released pro rata to the quantities charged to the licence/certificate; the full security shall be released when 95 % of the scheduled quantity has been used;
- (d) when proof is furnished that the product has become unfit for any use or that importation has been prevented by *force majeure*.

Article 8

Within three months of publication of this Regulation Spain shall adopt and notify to the Commission all further rules required, in particular to ensure that the benefit of the supply measures is actually passed on to the end user.

Article 9

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

It shall apply with effect from 1 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

Canary Islands : forecast supply balance for olive oil for the period 1 July to 31 October 1992

(in tonnes)		
Code	Description	Quantity
1509 10 90 100	Virgin olive oil in immediate containers holding no more than 5 litres	300
1509 10 90 900	Virgin olive oil in immediate containers holding more than 5 litres	100
1509 90 00 100	Olive oil (Riviera) in immediate containers holding no more than 5 litres	3 600
1509 90 00 900	Olive oil (Riviera) in immediate containers holding more than 5 litres	300
1510 00 90 100	Olive-residue oil in immediate containers holding no more than 5 litres	100
1510 00 90 900	Olive-residue oil in immediate containers holding more than 5 litres	—
Total		4 400

COMMISSION REGULATION (EEC) No 2026/92

of 22 July 1992

**on detailed rules for the application of the specific supply measures for Madeira
as regards olive oil 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 1600/92 of 15 June 1992 concerning specific measures for the Azores and Madeira relating to certain agricultural products ⁽¹⁾, and in particular Article 10 thereof,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the conversion rate to be applied for the purposes of the common agricultural policy ⁽²⁾, as last amended by Regulation (EEC) No 2205/90 ⁽³⁾, and in particular Article 12 thereof,

Whereas common detailed rules for implementation of the specific arrangements for the supply of certain agricultural products to the Azores and Madeira are laid down by Commission Regulation (EEC) No 1696/92 ⁽⁴⁾;

Whereas Commission Regulation (EEC) No 3719/88 ⁽⁵⁾, as last amended by Regulation (EEC) No 1599/90 ⁽⁶⁾ lays down in particular detailed rules for the application of the system of import licences;

Whereas, pursuant to Article 2 of Regulation (EEC) No 1600/92 the forecast supply balance for olive oil for Madeira until the end of the present marketing year should be drawn up; whereas this must permit interchangeability of the quantities set for certain products and must if necessary be reviewed in line with Madeira's actual requirements;

Whereas under the terms of Article 3 of Regulation (EEC) No 1600/92 Madeira's olive oil requirements in terms of quantity, price and quality are to be met by mobilization of Community products on terms equivalent for the end user to exemption from import duties; whereas this requires the granting of aid on Community supplies; whereas this aid must reflect the costs of the various sources of supply and the prices of exports to third countries; whereas this will involve differentiating the aid by type of product;

Whereas the Member State in question should designate the authority responsible for issuing import licences and aid certificates, receiving aid applications and paying aid;

Whereas a time schedule should be set for the lodging of applications for licences and certificates and the terms of acceptability of applications, particularly in regard to the lodging of security, whereas the periods of validity of import licences and aid certificates should be set in line with supply requirements and administrative needs; whereas accordingly, given the special situation of Madeira, a longer period of validity for aid certificates should be granted;

Whereas the arrangements introduced by Regulation (EEC) No 1600/92 came into force on 1 July 1992; whereas the detailed rules of application must be effective from the same date;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Pursuant to Articles 2 and 3 of Regulation (EEC) No 1600/92 the quantities of olive oil covered by the forecast supply balance which qualify, during the period 1 July to 31 October 1992, for exemption from duties on imports from third countries or for Community aid shall be those shown in the Annex.

Without prejudice to possible review during the period for which the balance is valid, the quantities set for each type of oil may be exceeded by 20 % provided that the overall quantity is not exceeded.

2. Pursuant to Article 3 (2) of Regulation (EEC) No 1600/92 the aid granted on olive oil of Community origin under the specific supply arrangements for Madeira shall be equal, for each type of oil, to the average of the maximum export refund amounts set by tendering procedure for oil in small containers in the course of the month preceding that of submission of the certificate application, adjusted, where appropriate, by the accession compensatory amounts in force in the Member State of dispatch in respect of third countries, plus ECU 1 per 100 kg.

⁽¹⁾ OJ No L 173, 27. 6. 1992, p. 1.

⁽²⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽³⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁴⁾ OJ No L 179, 1. 7. 1992, p. 6.

⁽⁵⁾ OJ No L 331, 2. 12. 1988, p. 1.

⁽⁶⁾ OJ No L 151, 15. 6. 1990, p. 29.

Article 2

The Member State shall designate the authority responsible for :

- (a) issuing import licences ;
- (b) issuing the aid certificate provided for in Article 4 (1) of Regulation (EEC) No 1696/92 ; and
- (c) paying the aid to the operators concerned.

Article 3

The provisions of Regulation (EEC) No 1696/92 shall apply.

Article 4

1. Applications for import licences and aid certificates shall be lodged with the competent authority during the first five working days of each month. For July 1992, however, they shall be lodged before 25 July 1992. Importers may submit only one application per month. Applications shall not be admissible unless :

- (a) submitted by a natural or legal person active in the olive-oil sector and enrolled to that effect in a public register of a Member State at 30 June 1992 ;
- (b) it does not exceed the quantity available when the application is lodged ;
- (c) proof is furnished before the end of the period for lodging applications that the importer has provided a security of ECU 10 per 100 kg.

2. The application and box 16 of the licence/certificate itself shall indicate the appropriate code as shown in the annexed estimate and the type of packaging of the product.

3. If, pursuant to Article 5 of Regulation (EEC) No 1696/92, licences/certificates are issued for quantities smaller than applied for, importers may withdraw their applications in writing within three working days of the date of issue.

4. Licences/certificates shall be issued not later than the tenth working day of each month. For July 1992, however, they shall be issued on 31 July.

Article 5

1. The validity of import licences shall expire on the last day of the month following that of issue.

2. The validity of aid certificates shall expire on the last day of the second month following that of issue.

Article 6

The aid provided for in Article 3 of Regulation (EEC) No 1600/92 shall be paid on quantities actually delivered to Madeira. The rate applicable for payment in the national currency shall be the agricultural conversion rate applicable on the first day of the month in which the aid application is submitted.

Article 7

Security provided against licences/certificates shall be released :

- (a) if the competent authority has rejected the application ;
- (b) if the importer has withdrawn his application under Article 4 (3) ;
- (c) when proof is furnished that the licence/certificate has been used ; the security shall be released pro rata to the quantities charged to the licence/certificate ; the full security shall be released when 95 % of the scheduled quantity has been used ;
- (d) proof is furnished that the product has become unfit for any use or that importation has been prevented by *force majeure*.

Article 8

Within three months of publication of this Regulation Portugal shall adopt and notify to the Commission all further rules required, in particular to ensure that the benefit of the supply measures is actually passed on to the end user.

Article 9

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

It shall apply with effect from 1 July 1992.

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

Done at Brussels, 22 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

Madeira : forecast supply balance for olive oil for the period 1 July to 31 October 1992

(in tonnes)		
Code	Description	Quantity
1509 10 90 100	Virgin olive oil in immediate containers holding no more than 5 litres	50
1509 10 90 900	Virgin olive oil in immediate containers holding more than 5 litres	—
1509 90 00 100	Olive oil (Riviera) in immediate containers holding no more than 5 litres	150
1509 90 00 900	Olive oil (Riviera) in immediate containers holding more than 5 litres	—
1510 00 90 100	Olive-residue oil in immediate containers holding no more than 5 litres	—
1510 00 90 900	Olive-residue oil in immediate containers holding more than 5 litres	—
Total		200

COMMISSION REGULATION (EEC) No 2027/92

of 22 July 1992

amending Regulation (EEC) No 388/92 laying down detailed rules for implementation of the specific arrangements for the supply of cereal products to the French overseas departments (FOD) and establishing the forecast supply balance, and fixing the level of aid for the supply of groats and meal of durum wheat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas, pursuant to Article 2 of Regulation (EEC) No 3763/91, Commission Regulation (EEC) No 388/92⁽²⁾ as amended by Regulation (EEC) No 467/92⁽³⁾, lays down the forecast supply balance in cereals for the French overseas departments (FODs); whereas that supply balance permits interchangeability between certain of the products concerned and, where necessary, an increase during the course of the financial year in the overall quantity fixed for feed grains; whereas, as a result of experience gained and in order to satisfy the cereal needs of the FOD that forecast supply balance must be amended; whereas the Annex to Regulation (EEC) No 388/92 must therefore be amended;

Whereas, pursuant to Article 2 (3) of Regulation (EEC) No 3763/91, aid should be fixed for the delivery of groat and meal of durum wheat from the Community to the FOD; whereas for the purpose of determining equal to the export refund plus a fixed amount to take account of small deliveries would make Community products competitive with products from third countries;

Whereas export refunds are fixed on the basis of the prices of cereals and cereal products on the Community

market and of their prices on the world market; whereas refunds must in particular bridge the gap between those prices;

Whereas the measures provided for in this Regulation must be capable of being applied in full during the second half of 1992;

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

In the Annex to Regulation (EEC) No 388/92 the table headed 'Second half of 1992' is hereby replaced by the table in the Annex hereto.

Article 2

Aid for the supply to the FOD of groats and meal of durum wheat falling within CN code 1103 11 10 manufactured from cereals processed elsewhere in the Community shall be equal to the export refund for that product plus ECU 6 per tonne.

Article 3

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

It shall apply with effect from 1 July 1992.

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

Done at Brussels, 22 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 356, 24. 12. 1991, p. 1.

⁽²⁾ OJ No L 43, 19. 2. 1992, p. 16.

⁽³⁾ OJ No L 53, 28. 2. 1992, p. 14.

ANNEX

'Second half of 1992

<i>(in tonnes)</i>				
Cereals originating in third countries (ACP/developing countries) or the Community	Common wheat	Barley	Maize	Groat and meal of durum wheat
Guadeloupe	30 000	5 000	10 000	—
Martinique	5 000	5 000	10 000	1 500
French Guyana	1 000	500	1 000	—
Réunion	30 000	10 000	60 000	—
Total	66 000	20 500	81 000	1 500
169 000'				

COMMISSION REGULATION (EEC) No 2028/92

of 22 July 1992

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

Whereas the refund on raw sugar must be fixed in respect of the standard quality; whereas the latter is defined in Article 1 of Council Regulation (EEC) No 431/68 of 9 April 1968 determining the standard quality for raw sugar and fixing the Community frontier crossing point for calculating cif prices for sugar⁽⁵⁾; whereas, furthermore, this refund should be fixed in accordance with Article 5 (2) of Regulation (EEC) No 766/68; whereas candy sugar is defined in Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar⁽⁶⁾, as last amended by Regulation (EEC) No 1684/92⁽⁷⁾; whereas the refund thus calculated for

sugar containing added flavouring or colouring matter must apply to their sucrose content and, accordingly, be fixed per 1 % of the said content;

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

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

Whereas by its Regulation (EEC) No 1432/92⁽⁸⁾, as amended by Regulation (EEC) No 2015/92⁽⁹⁾, the Council prohibited trade between the Community and the Republics of Serbia and of Montenegro; that it is important to take account of it at the time of the fixing of the refunds;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽¹⁰⁾, as last amended by Regulation (EEC) No 2205/90⁽¹¹⁾,
- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

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

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

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

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 6, 11. 1. 1992, p. 19.

⁽³⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁴⁾ OJ No L 167, 26. 6. 1976, p. 13.

⁽⁵⁾ OJ No L 89, 10. 4. 1968, p. 3.

⁽⁶⁾ OJ No L 50, 4. 3. 1970, p. 1.

⁽⁷⁾ OJ No L 176, 30. 6. 1992, p. 31.

⁽⁸⁾ OJ No L 151, 3. 6. 1992, p. 4.

⁽⁹⁾ OJ No L 205, 22. 7. 1992, p. 2.

⁽¹⁰⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽¹¹⁾ OJ No L 201, 31. 7. 1990, p. 9.

HAS ADOPTED THIS REGULATION :

and exported in the natural state, are hereby fixed to the amounts shown in the Annex hereto.

Article 1

2. Export refunds towards the Republics of Montenegro and Serbia are not fixed.

1. The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured

Article 2

This Regulation shall enter into force on 23 July 1992.

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

Done at Brussels, 22 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 22 July 1992 fixing the export refunds on white sugar and raw sugar exported in its unaltered state

Product code	Amount of refund (ECU)	
	per 100 kg	per percentage point of sucrose content and per 100 kg net of the product in question
1701 11 90 100	36,14 ⁽¹⁾	0,3929
1701 11 90 910	34,25 ⁽¹⁾	
1701 11 90 950	⁽²⁾	
1701 12 90 100	36,14 ⁽¹⁾	
1701 12 90 910	34,25 ⁽¹⁾	
1701 12 90 950	⁽²⁾	
1701 91 00 000		0,3929
1701 99 10 100	39,29	0,3929
1701 99 10 910	39,84	
1701 99 10 950	38,34	
1701 99 90 100		

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

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

COMMISSION REGULATION (EEC) No 2029/92

of 22 July 1992

determining the extent to which applications lodged in July 1992 for import
licences for certain poultrymeat products can be accepted

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 3834/90
of 20 December 1990 reducing for 1991 the levies on
certain agricultural products originating in developing
countries ⁽¹⁾, as last amended by Regulation (EEC) No
1509/92 ⁽²⁾,

Whereas Commission Regulation (EEC) No 1733/92 ⁽³⁾
set the quantity of poultrymeat that can be imported at a
reduced levy for the period 1 July to 30 September 1992;

Whereas Article 4 (5) of Commission Regulation (EEC)
No 3809/91 ⁽⁴⁾, as amended by Regulation (EEC) No
581/92 ⁽⁵⁾, stipulates that the quantities applied for can be
reduced; whereas applications for import licences for
duckmeat lodged pursuant to that Regulation are for total
quantities in excess of those available under Regulation
(EEC) No 1733/92; whereas in order to ensure a fair allo-
cation of those quantities those applied for should be
reduced proportionately,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for import licences for the period 1 July to
30 September 1992 submitted pursuant to Regulations
(EEC) No 3809/91 and (EEC) No 1733/92 shall be
granted:

- (a) for 2,7397 % of the quantity applied for, in the case of
products covered by No 59.0020 in Regulation (EEC)
No 3834/90;
- (b) for 19,3485 % of the quantity applied for, in the case
of products covered by No 59.0025 in Regulation
(EEC) No 3834/90.

Article 2

This Regulation shall enter into force on 23 July 1992.

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

Done at Brussels, 22 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 370, 31. 12. 1990, p. 121.

⁽²⁾ OJ No L 159, 12. 6. 1992, p. 1.

⁽³⁾ OJ No L 179, 1. 7. 1992, p. 118.

⁽⁴⁾ OJ No L 357, 28. 12. 1991, p. 48.

⁽⁵⁾ OJ No L 62, 7. 3. 1992, p. 28.

COMMISSION REGULATION (EEC) No 2030/92

of 22 July 1992

determining the extent to which applications lodged in July 1992 for import licences for certain pigmeat products can be accepted

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3834/90 of 20 December 1990 reducing for 1991 the levies on certain agricultural products originating in developing countries⁽¹⁾, as last amended by Regulation (EEC) No 1509/92⁽²⁾,

Whereas Commission Regulation (EEC) No 1732/92⁽³⁾ set the quantities of pigmeat products that can be imported at a reduced levy for the period 1 July to 30 September 1992;

Whereas Article 4 (5) of Commission Regulation (EEC) No 3745/91⁽⁴⁾ stipulates that the quantities applied for can be reduced; whereas applications for import licences lodged under the said Regulation are for total quantities in excess of those available under Article 2 for products named against order number 59.0010 in Regulation (EEC) No 3834/90; whereas in order to ensure a fair distribution of these quantities those applied for should be reduced by a fixed percentage;

Whereas the applications made for licences for products named against order number 59.0080 in Regulation (EEC) No 3834/90 are for quantities lower than those available; whereas these applications can therefore be met in full;

Whereas Article 4 (5) of Regulation (EEC) No 3745/91 stipulates that if the total quantity for which applications have been submitted is less than that available the Commission shall calculate the quantity remaining, which is to be added to that available for the following period; whereas the quantity available for the fourth period of 1992 of the products named against order number 59.0040, 59.0060, 59.0070 and 59.0080 in Regulation (EEC) No 3834/90 should therefore be determined;

Whereas it is appropriate to draw the attention of operators to the fact that licences may only be used for products which comply with all veterinary rules currently in force in the Community,

HAS ADOPTED THIS REGULATION:

Article 1

1. Applications for import licences for the period 1 July to 30 September 1992 submitted under Regulations (EEC) No 3745/91 and (EEC) No 1732/92 shall be met:

- (a) for 7,6965 % of the quantity applied for, in the case of products named against order number 59.0010 in Regulation (EEC) No 3834/90;
- (b) in full, for products named against order number 59.0080 in Regulation (EEC) No 3834/90.

2. During the first 10 days of the fourth period of 1992 applications may be lodged pursuant to Regulations (EEC) No 3745/91 and (EEC) No 1732/92 for import licences for the total quantity of:

- (a) 275 tonnes in the case of products named against order No 59.0040 in Regulation (EEC) No 3834/90;
- (b) 50 tonnes for products named against order No 59.0060 in Regulation (EEC) No 3834/90;
- (c) 50 tonnes in the case of products named against order No 59.0070 in Regulation (EEC) No 3834/90;
- (d) 27,21 tonnes for products named against order No 59.0080 in Regulation (EEC) No 3834/90.

3. Licences may only be used for products which comply with all veterinary rules currently in force in the Community.

Article 2

This Regulation shall enter into force on 23 July 1992.

⁽¹⁾ OJ No L 370, 31. 12. 1990, p. 121.

⁽²⁾ OJ No L 159, 12. 6. 1992, p. 1.

⁽³⁾ OJ No L 179, 1. 7. 1992, p. 116.

⁽⁴⁾ OJ No L 352, 21. 12. 1991, p. 48.

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

Done at Brussels, 22 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 2031/92
of 22 July 1992
fixing the import levies on rice and broken rice

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

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

Having regard to Council Regulation (EEC) No 1418/76
of 21 June 1976 on the common organization of the
market in rice ⁽¹⁾, as last amended by Regulation (EEC)
No 674/92 ⁽²⁾, and in particular Article 11 (2) thereof,

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

Whereas the import levies on rice and broken rice were
fixed by Commission Regulation (EEC) No 1714/92 ⁽⁵⁾, as
last amended by Regulation (EEC) No 1954/92 ⁽⁶⁾,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 23 July 1992.

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

Done at Brussels, 22 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 73, 19. 3. 1992, p. 7.

⁽³⁾ OJ No L 80, 24. 3. 1987, p. 20.

⁽⁴⁾ OJ No L 75, 21. 3. 1991, p. 29.

⁽⁵⁾ OJ No L 179, 1. 7. 1992, p. 61.

⁽⁶⁾ OJ No L 197, 16. 7. 1992, p. 21.

ANNEX

to the Commission Regulation of 22 July 1992 fixing the import levies on rice and broken rice

(ECU/tonne)

CN code	Levies (°)		
	Arrangement in Regulation (EEC) No 3877/86 (°)	ACP Bangladesh (⁽¹⁾) (⁽²⁾) (⁽³⁾)	Third countries (except ACP) (⁽⁴⁾)
1006 10 21	—	164,05	335,31
1006 10 23	—	168,09	343,39
1006 10 25	—	168,09	343,39
1006 10 27	257,54	168,09	343,39
1006 10 92	—	164,05	335,31
1006 10 94	—	168,09	343,39
1006 10 96	—	168,09	343,39
1006 10 98	257,54	168,09	343,39
1006 20 11	—	205,97	419,14
1006 20 13	—	211,02	429,24
1006 20 15	—	211,02	429,24
1006 20 17	321,93	211,02	429,24
1006 20 92	—	205,97	419,14
1006 20 94	—	211,02	429,24
1006 20 96	—	211,02	429,24
1006 20 98	321,93	211,02	429,24
1006 30 21	—	255,23	534,32 (⁽⁵⁾)
1006 30 23	—	300,92	625,61 (⁽⁵⁾)
1006 30 25	—	300,92	625,61 (⁽⁵⁾)
1006 30 27	469,21 (⁽⁵⁾)	300,92	625,61 (⁽⁵⁾)
1006 30 42	—	255,23	534,32 (⁽⁵⁾)
1006 30 44	—	300,92	625,61 (⁽⁵⁾)
1006 30 46	—	300,92	625,61 (⁽⁵⁾)
1006 30 48	469,21 (⁽⁵⁾)	300,92	625,61 (⁽⁵⁾)
1006 30 61	—	272,18	569,06 (⁽⁵⁾)
1006 30 63	—	322,98	670,66 (⁽⁵⁾)
1006 30 65	—	322,98	670,66 (⁽⁵⁾)
1006 30 67	503,00 (⁽⁵⁾)	322,98	670,66 (⁽⁵⁾)
1006 30 92	—	272,18	569,06 (⁽⁵⁾)
1006 30 94	—	322,98	670,66 (⁽⁵⁾)
1006 30 96	—	322,98	670,66 (⁽⁵⁾)
1006 30 98	503,00 (⁽⁵⁾)	322,98	670,66 (⁽⁵⁾)
1006 40 00	—	76,87	159,74

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

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

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

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

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

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

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

COMMISSION REGULATION (EEC) No 2032/92**of 22 July 1992****fixing the premiums to be added to the import levies on rice and broken rice**

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

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

Having regard to Council Regulation (EEC) No 1418/76
of 21 June 1976 on the common organization of the
market in rice ⁽¹⁾, as last amended by Regulation (EEC)
No 674/92 ⁽²⁾, and in particular Article 13 (6) thereof,

Whereas the premiums to be added to the levies on rice
and broken rice were fixed by Commission Regulation
(EEC) No 2591/91 ⁽³⁾, as last amended by Regulation
(EEC) No 1955/92 ⁽⁴⁾;

Whereas, on the basis of today's cif prices and cif forward
delivery prices, the premiums at present in force, which

are to be added to the levies, should be altered to the
amounts shown in the Annex hereto,

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 23 July 1992.

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

Done at Brussels, 22 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 73, 19. 3. 1992, p. 7.

⁽³⁾ OJ No L 243, 31. 8. 1991, p. 8.

⁽⁴⁾ OJ No L 197, 16. 7. 1992, p. 23.

ANNEX

to the Commission Regulation of 22 July 1992 fixing the premiums to be added to the import levies on rice and broken rice

CN code	(ECU/tonne)			
	Current 7	1st period 8	2nd period 9	3rd period 10
1006 10 21	0	0	0	—
1006 10 23	0	0	0	—
1006 10 25	0	0	0	—
1006 10 27	0	0	0	—
1006 10 92	0	0	0	—
1006 10 94	0	0	0	—
1006 10 96	0	0	0	—
1006 10 98	0	0	0	—
1006 20 11	0	0	0	—
1006 20 13	0	0	0	—
1006 20 15	0	0	0	—
1006 20 17	0	0	0	—
1006 20 92	0	0	0	—
1006 20 94	0	0	0	—
1006 20 96	0	0	0	—
1006 20 98	0	0	0	—
1006 30 21	0	0	0	—
1006 30 23	0	0	0	—
1006 30 25	0	0	0	—
1006 30 27	0	0	0	—
1006 30 42	0	0	0	—
1006 30 44	0	0	0	—
1006 30 46	0	0	0	—
1006 30 48	0	0	0	—
1006 30 61	0	0	0	—
1006 30 63	0	0	0	—
1006 30 65	0	0	0	—
1006 30 67	0	0	0	—
1006 30 92	0	0	0	—
1006 30 94	0	0	0	—
1006 30 96	0	0	0	—
1006 30 98	0	0	0	—
1006 40 00	0	0	0	0

COMMISSION REGULATION (EEC) No 2033/92

of 22 July 1992

determining the extent to which applications lodged in July 1992 for import licences for certain eggs and poultrymeat products under the regime provided for by the Intermediate Agreements concluded by the Community with the Republic of Poland, the Republic of Hungary and the Czech and Slovak Federal Republic can be accepted

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Commission Regulation (EEC) No 579/92 of 5 March 1992⁽¹⁾ laying down detailed rules for the application in the eggs and poultrymeat sector of the regime provided for by the Intermediate Agreements concluded by the Community with the Republic of Poland, the Czech and Slovak Federal Republic, and the Republic of Hungary and in particular Article 4 (5),

Whereas applications for import licences lodged under the said Regulation are for total quantities in excess of those available under Article 2 for products named against group Nos 1, 2, 12 and 19 in the said Regulation; whereas in order to ensure a fair distribution of these quantities those applied for should be reduced by a fixed percentage;

Whereas the applications made for licences for products named against group Nos 4, 5, 6, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 21, 22, 23, 24, 25, 26 and 27 in Regulation (EEC) No 579/92 are for quantities lower than those available; whereas these applications can therefore be met in full;

Whereas Article 4 (5) of Regulation (EEC) No 579/92 stipulates that if the total quantity for which applications

have been submitted is less than that available the Commission shall calculate the quantity remaining, which is to be added to that available for the following period; whereas the quantity available for the third period 1 October to 31 December 1992 of the products named against group Nos 4, 5, 6, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 21, 22, 23, 24, 25, 26 and 27 in Regulation (EEC) No 579/92 should therefore be determined,

HAS ADOPTED THIS REGULATION:

Article 1

1. Applications for import licences for the period 1 July to 30 September 1992 submitted under Regulation (EEC) No 579/92 shall be met as referred to in Annex I.
2. During the first 10 days of the period 1 October to 31 December 1992 applications may be lodged pursuant to Regulation (EEC) No 579/92 for import licences for a total quantity as referred to in Annex II.

Article 2

This Regulation shall enter into force on 23 July 1992.

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

Done at Brussels, 22 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 62, 7. 3. 1992, p. 15.

ANNEX I

Group No	Percentage of acceptance of import licences submitted
1	9,3
2	18,9
4	100,0
5	100,0
6	100,0
7	100,0
8	100,0
9	100,0
10	100,0
11	100,0
12	12,5
14	100,0
15	100,0
16	100,0
17	100,0
18	100,0
19	18,2
21	100,0
22	100,0
23	100,0
24	100,0
25	100,0
26	100,0
27	100,0

ANNEX II

(tonnes)	
Group No	Total quantity available for third period
1	217,7
2	169,8
4	5 290,0
5	1 560,3
6	2 402,0
7	858,8
8	1 210,0
9	890,0
10	875,0
11	175,0
12	326,0
14	2 083,0
15	2 917,0
16	833,0
17	917,0
18	133,0
19	104,5
21	1 339,0
22	718,6
23	1 554,0
24	417,0
25	4 278,0
26	267,0
27	1 792,0

COMMISSION REGULATION (EEC) No 2034/92**of 22 July 1992**

determining the extent to which application lodged in July 1992 for import licences for certain pigmeat products under the regime provided for by the Intermediate Agreements concluded by the Community with the Republic of Poland, the Republic of Hungary and the Czech and Slovak Federal Republic can be accepted

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Commission Regulation (EEC) No 564/92 of 5 March 1992, laying down detailed rules for the application in the pigmeat sector of the regime provided for by the Intermediate Agreements concluded by the Community with the Republic of Poland, the Czech and Slovak Federal Republic⁽¹⁾, and the Republic of Hungary and in particular Article 4 (5) thereof,

Whereas applications for import licences lodged under the said Regulation are for total quantities in excess of those available under Article 2 for products named against group Nos 1 and 4 in the said Regulation; whereas in order to ensure a fair distribution of these quantities those applied for should be reduced by a fixed percentage;

Whereas the applications made for licences for products named against group Nos 2, 3, 5, 6, 7, 8, 9, 10 and 11 in Regulation (EEC) No 564/92 are for quantities lower than those available; whereas these applications can therefore be met in full;

Whereas Article 4 (5) of Regulation (EEC) No 564/92 stipulates that if the total quantity for which applications have been submitted is less than that available the Commission shall calculate the quantity remaining, which is to be added to that available for the following period; whereas the quantity available for the third period

1 October to 31 December 1992 of the products named against group Nos 2, 3, 5, 6, 7, 8, 9, 10 and 11 in Regulation (EEC) No 564/92 should therefore be determined;

Whereas it is appropriate to draw the attention of operators to the fact that licences may only be used for products which comply with all veterinary rules currently in force in the Community,

HAS ADOPTED THIS REGULATION:

Article 1

1. Applications for import licences for the period 1 July to 30 September 1992 submitted under Regulation (EEC) No 564/92 shall be met as referred to in Annex I.
2. During the first 10 days of the period 1 October to 31 December 1992 applications may be lodged pursuant to Regulation (EEC) No 564/92 for import licences for a total quantity as referred to in Annex II.
3. Licences may only be used for products which comply with all veterinary rules currently in force in the Community.

Article 2

This Regulation shall enter into force on 23 July 1992.

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

Done at Brussels, 22 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 61, 6. 3. 1992, p. 9.

ANNEX I

Group No	Percentage of acceptance of import licences submitted
1	15,1
2	100,0
3	100,0
4	57,1
5	100,0
6	100,0
7	100,0
8	100,0
9	100,0
10	100,0
11	100,0

ANNEX II

(tonnes)	
Group No	Total quantity available for third period
1	1 116,0
2	179,8
3	737,5
4	5 369,4
5	2 115,0
6	626,9
7	4 065,0
8	833,0
9	4 149,6
10	3 640,4
11	417,0

COMMISSION REGULATION (EEC) No 2035/92**of 22 July 1992**

determining the extent to which applications lodged in July 1992 for import licences for certain milk products and products covered by the arrangements provided for in the Interim Agreements concluded by the Community with the Republic of Poland, the Republic of Hungary and the Czech and Slovak Federal Republic can be accepted

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Commission Regulation (EEC) No 584/92 of 6 March 1992 laying down detailed rules for the application to milk and milk products of the arrangements provided for in the Interim Agreements between the Community and the Republic of Poland, the Republic of Hungary and the Czech and Slovak Federal Republic⁽¹⁾, and in particular Article 4 (5) thereof,

Whereas the quantities of the products referred to in Regulation (EEC) No 584/92 and covered by import licence applications do not exceed the quantities available; whereas licences can therefore be granted in respect of the full quantities applied for;

Whereas Article 4 (5) of Regulation (EEC) No 584/92 stipulated that if the total quantity covered by applications submitted is less than that available, the Commission is to calculate the quantity remaining, which is to be added to that available for the following period; whereas

the available quantity of the products covered by that Regulation for the third period (1 October to 31 December 1992) should therefore be determined,

HAS ADOPTED THIS REGULATION:

Article 1

1. Import licences shall be granted in response to applications submitted in the period 1 July to 30 September 1992 pursuant to Regulation (EEC) No 584/92.

2. During the first 10 days of the period 1 October to 31 December 1992 applications may be lodged pursuant to Regulation (EEC) No 584/92 for import licences for the total quantity specified in the Annex.

Article 2

This Regulation shall enter into force on 23 July 1992.

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

Done at Brussels, 22 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 62, 7. 3. 1992, p. 34.

ANNEX

Total quantity available for the period 1 October to 31 December 1992

(tonnes)							
	Poland			Czechoslovakia			Hungary
CN code and product	0402 10 19 0402 21 19 0402 21 99	0405 00 10 butter	0406 cheese	0402 10 19 0402 21 19 0402 21 91	0405 00 10 butter	ex 0406 40-Niva ex 0406 90-Moravsky blok ⁽¹⁾	ex 0406 90 89 Balaton ⁽²⁾
Quantity available	2 500	883	1 646	2 083	883	813	753

⁽¹⁾ Primator, Otava, Javor, Uzeny block, Kaskhaval, Akawi, Istambul, Jadel Hermelin, Ostepek, Koliba, Inovec.⁽²⁾ Cream-white, Hajdu, Marvany, Ovari, Pannonia, Trappista.

COMMISSION REGULATION (EEC) No 2036/92

of 22 July 1992

fixing the maximum export refund for white sugar for the 12th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EEC) No 920/92

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas Commission Regulation (EEC) No 920/92 of 10 April 1992 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar⁽³⁾, as amended by Regulation (EEC) No 1684/92⁽⁴⁾, requires partial invitations to tender to be issued for the export of this sugar;

Whereas, pursuant to Article 9 (1) of Regulation (EEC) No 920/92, a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question;

Whereas, following an examination of the tenders submitted in response to the 12th partial invitation to tender, the provisions set out in Article 1 should be adopted;

Whereas by its Regulation (EEC) No 1432/92⁽⁵⁾, as amended by Regulation (EEC) No 2015/92⁽⁶⁾, the Council prohibited trade between the Community and the Republics of Serbia and of Montenegro; that it is important to take account of it at the time of the fixing of the refunds;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. For the 12th partial invitation to tender for white sugar issued pursuant to amended Regulation (EEC) No 920/92 the maximum amount of the export refund is fixed at ECU 42,375 per 100 kilograms.
2. Export refunds towards the Republics of Montenegro and Serbia are not fixed.

Article 2

This Regulation shall enter into force on 23 July 1992.

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

Done at Brussels, 22 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 98, 11. 4. 1992, p. 11.

⁽⁴⁾ OJ No L 176, 30. 6. 1992, p. 31.

⁽⁵⁾ OJ No L 151, 3. 6. 1992, p. 4.

⁽⁶⁾ OJ No L 205, 22. 7. 1992, p. 2.

COMMISSION REGULATION (EEC) No 2037/92

of 22 July 1992

adopting interim protective measures in so far as concerns Spain in regard to applications for STM licences coming from the Community of Ten for milk and milk products lodged between 13 and 17 July 1992

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 85 (1) thereof,

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

Whereas applications for STM licences in the Community of Ten for cheese of categories 4 and 5a have reached the ceiling set for July 1992;

Whereas Article 85 (1) of the Act of Accession states that the Commission may take interim protective measures necessary by an emergency procedure where the situation indicates that the ceiling will be attained or exceeded; whereas to this end it is necessary, for the products concerned and only for the Community of Ten, to suspend all further issuing of licences for the products in

question; whereas new applications may be lodged for these products from 20 July 1992 pursuant to Commission Regulation (EEC) No 1811/92⁽³⁾,

HAS ADOPTED THIS REGULATION:

Article 1

1. Applications for STM licences as referred to in Regulation (EEC) No 606/86, lodged between 13 and 17 July 1992 for the Community of Ten and lodged with the Commission, for milk products falling within:

- category 4 of CN code ex 0406 are hereby accepted up to 63,37 %,
- category 5a of CN code ex 0406 are hereby accepted up to 4,20 %.

2. The issuing of STM licences in the Community of Ten is hereby provisionally suspended for products falling within categories 4 and 5a.

Article 2

This Regulation shall enter into force on 27 July 1992.

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

Done at Brussels, 22 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 58, 1. 3. 1986, p. 28.

⁽²⁾ OJ No L 75, 21. 3. 1992, p. 29.

⁽³⁾ OJ No L 183, 3. 7. 1992, p. 16.

COMMISSION REGULATION (EEC) No 2038/92
of 22 July 1992
abolishing a countervailing charge on cherries originating in Bulgaria

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 1591/92⁽³⁾ introduced a countervailing charge on cherries originating in Bulgaria;

Whereas for cherries originating in Bulgaria 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 Bulgaria can be abolished,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1591/92 is hereby repealed.

Article 2

This Regulation shall enter into force on 23 July 1992.

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

Done at Brussels, 22 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 168, 23. 6. 1992, p. 19.

COMMISSION REGULATION (EEC) No 2039/92

of 22 July 1992

abolishing a countervailing charge on cherries originating in the Czech and Slovak Federal Republic

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

Having regard to 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 1915/92⁽³⁾ introduced a countervailing charge on cherries originating in the Czech and Slovak Federal Republic;

Whereas for cherries originating in the Czech and Slovak Federal Republic 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 the Czech and Slovak Federal Republic can be abolished,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1915/92 is hereby repealed.

Article 2

This Regulation shall enter into force on 23 July 1992.

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

Done at Brussels, 22 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 192, 11. 7. 1992, p. 40.

COMMISSION REGULATION (EEC) No 2040/92
of 22 July 1992
amending Regulation (EEC) No 1835/92 introducing a countervailing charge on
fresh lemons originating in Argentina

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 1835/92⁽³⁾, as amended by Regulation (EEC) No 1968/92⁽⁴⁾, introduced a countervailing charge on fresh lemons originating in Argentina;

Whereas Article 26 (1) of Regulation (EEC) No 1035/72 laid down the conditions under which a charge intro-

duced in application of Article 25 of that Regulation is amended; whereas if those conditions are taken into consideration, the countervailing charge on the import of fresh lemons originating in Argentina must be altered,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 1835/92 'ECU 4,12' is hereby replaced by 'ECU 6,59'.

Article 2

This Regulation shall enter into force on 23 July 1992.

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

Done at Brussels, 22 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 185, 4. 7. 1992, p. 31.

⁽⁴⁾ OJ No L 197, 16. 7. 1992, p. 65.

COMMISSION REGULATION (EEC) No 2041/92

of 22 July 1992

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 3709/89 of 4 December 1989 laying down general rules for implementing the Act of Accession of Spain and Portugal as regards the compensatory mechanism for imports of fruit and vegetables from Spain ⁽¹⁾, and in particular Article 4 (2) thereof,

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

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

Whereas Commission Regulation (EEC) No 1677/92 ⁽²⁾ fixed, for the 1992/93 marketing year, the Community offer price for pears applicable with regard to Spain;Whereas Commission Regulation (EEC) No 3815/89 ⁽³⁾ lays down detailed rules for applying the compensatory mechanism on imports of fruit and vegetables from Spain;

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

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

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

- in the case of currencies the spot market rates for which are maintained in relationship to each other within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽⁴⁾, as last amended by Regulation (EEC) No 2205/90 ⁽⁵⁾,
- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent,

HAS ADOPTED THIS REGULATION:

Article 1

On import into the Community of Ten of pears (CN codes 0808 20 31, 0808 20 33, 0808 20 35 and 0808 20 39) from Spain a corrective amount of ECU 1,50 per 100 kilograms net shall be levied.

Article 2

This Regulation shall enter into force on 24 July 1992.

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

Done at Brussels, 22 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 363, 13. 12. 1989, p. 3.⁽²⁾ OJ No L 176, 30. 6. 1992, p. 13.⁽³⁾ OJ No L 371, 20. 12. 1989, p. 28.⁽⁴⁾ OJ No L 164, 24. 6. 1985, p. 1.⁽⁵⁾ OJ No L 201, 31. 7. 1990, p. 9.

COMMISSION REGULATION (EEC) No 2042/92

of 22 July 1992

fixing the aid for cotton

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

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

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

Whereas the amount of the additional aid referred to in Article 5 (1) of Regulation (EEC) No 2169/81 was fixed by Commission Regulation (EEC) No 1171/92⁽⁴⁾, as last amended by Regulation (EEC) No 1966/92⁽⁵⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 1171/92 to

the information at present available to the Commission that the amount of the aid at present in force should be altered as shown in Article 1 to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

1. The aid for unginned cotton referred to in Article 5 of Regulation (EEC) No 2169/81 shall be ECU 67,038 per 100 kilograms.
2. However, the amount of the aid will be confirmed or replaced with effect from 23 July 1992 to take account of the guide price of cotton adopted in respect of the 1992/1993 marketing year and which appear to have been offered in the largest quantities.

Article 2

This Regulation shall enter into force on 23 July 1992.

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

Done at Brussels, 22 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 377, 31. 12. 1987, p. 49.

⁽²⁾ OJ No L 211, 31. 7. 1981, p. 2.

⁽³⁾ OJ No L 85, 30. 3. 1989, p. 7.

⁽⁴⁾ OJ No L 122, 7. 5. 1992, p. 29.

⁽⁵⁾ OJ No L 197, 16. 7. 1992, p. 57.

COMMISSION REGULATION (EEC) No 2043/92
of 22 July 1992
fixing the import levy on molasses

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 market in sugar ⁽¹⁾, as last amended by Regulation (EEC) No 61/92 ⁽²⁾, and in particular Article 16 (8) thereof,

Whereas the import levy on molasses was fixed by Commission Regulation (EEC) No 1887/92 ⁽³⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 1887/92 to the information at present available to the Commission that the levy at present in force should be altered pursuant to Article 1 of this Regulation;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽⁴⁾, as last amended by Regulation (EEC) No 2205/90 ⁽⁵⁾,

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

Whereas these exchange rates being those recorded on 22 July 1992,

HAS ADOPTED THIS REGULATION:

Article 1

1. The import levy referred to in Article 16 (1) of Regulation (EEC) No 1785/81 shall be, in respect of molasses falling within CN codes 1703 10 00 and 1703 90 00, ECU 0,96 per 100 kilograms.
2. However, no import levy applies to OCT originating products according to Article 101 (1) of Council Decision 91/482/EEC ⁽⁶⁾.

Article 2

This Regulation shall enter into force on 23 July 1992.

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

Done at Brussels, 22 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 189, 9. 7. 1992, p. 34.

⁽⁴⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁵⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁶⁾ OJ No L 263, 19. 9. 1991, p. 1.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 25 July 1990

concerning the State aid provided in for in Decree-Laws No 174 of 15 May 1989 and No 254 of 13 July 1989 and in draft Law No 4230 regularizing the effects produced by the abovementioned Decree-Laws

(Only the Italian text is authentic)

(92/389/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the first subparagraph of Article 93 (2) thereof,

Having given the interested parties the opportunity to submit their comments pursuant to Article 93 and having regard to those comments,

Whereas :

I

By letter dated 23 December 1988, the Italian Government notified the Commission of draft Law No 3435 on tax measures to promote the reorganization of manufacturing industry.

The Commission requested the Italian authorities by letter dated 1 March 1989 for further information required for the assessment of the draft Law.

By letter dated 20 April 1989, the Italian Government replied in part to the questions.

By letter dated 26 May 1989, the Italian Government sent the Commission the text of Decree-Law No 174, published in the *Gazzetta Ufficiale della Repubblica Italiana* of 15 May 1989. By telex message dated 14 June 1989, the Office of the Italian Permanent Representative answered the questions posed by the Commission which had not been answered before.

Decree-Law No 174 provided that the transfer to existing companies or companies to be created of businesses, business units relating to various branches of a company, and other depreciable tangible and intangible assets, as well as of shares and other participating interests, carried out by companies in existence at the time of the entry into force of this Decree is to be subject until 31 December 1990 to the system whereby 75 % of the difference between the value of the shares and other participating interests received and the final value of the assets transferred does not form part of the taxable income of the transferring company, provided that it is entered in the balance sheet and clearly shown under a separate heading or in the appropriate notes, until such time as it is realized, distributed to shareholders, used to increase capital or to cover operating losses, while the balance forms part of taxable income either, at the choice of the transferor, for the entire year in which the transaction takes place or in regular instalments in the same year or over the next four years.

Transfers must contribute to the in-depth restructuring of national industry and to the development of industrial production. The CIPE (Interministerial Economic Planning Committee) determines whether transfers satisfy those requirements. The increase in the capital of the company or the capital of the existing company to be set up must exceed Lit 50 000 million.

On 13 July 1989 the Italian Government adopted Decree-Law No 254, which is identical in content to Decree-Law No 174 and was published in the *Gazzetta Ufficiale* of 15 July 1989.

The measures in question constitute a derogation from the general principle of the Italian tax system whereby transfers are subject in full to taxation of the amount of value added.

The Italian measure, furthermore, is not intended as a permanent modification of the Italian tax system as it is limited to operations carried out by 31 December 1990, provided that the increase in the capital of the existing or the capital of the company to be set up exceeds LIT 50 000 million and that the CIPE has determined that the transfers comply with the requirements of the Decree-Law.

II

The Commission, having examined the information received in accordance with the case-law of the Court of Justice (Judgment of 20 March 1984 in Case 84/82⁽¹⁾), which requires it to initiate the Article 93 (2) procedure if it has doubts, after a preliminary examination, as to the compatibility of the proposed measure with the common market, initiated the procedure provided for in Article 93 (2) in respect of Decree-Law No 174. It had reason to believe that the tax measures provided for in the Law would be applied only to a very small number of firms, and perhaps only to Montedison for the Enimont operation.

It informed the Italian Government of its decision by letter dated 7 August 1989. The decision was published in the *Official Journal of the European Communities*⁽²⁾. In the decision, the Commission also asked the other Member States and interested parties to submit their comments on the measures in question.

By telex message dated 12 September 1989, the Italian Government informed the Commission that it had decided to adopt a new Decree-Law which would take account of the objections set out by the Commission in this letter of 7 August 1989.

By letter dated 18 September 1989, the Italian Government sent the Commission the text of Decree-law No 318 of 13 September 1989 on urgent fiscal measures to promote the reorganization of industrial production structures and rules on the interpretation of Articles 14 and 21 of Decree-law No 69 March 1989, as ratified and amended by Law No 154 of 27 April 1989.

By letter dated 24 October 1989, the Commission informed the Italian Government that it has learnt that the Italian Parliament had, on 27 September 1989, refused to ratify Decree-Law No 318 and that, following this refusal, the Italian Government had tabled draft Law No 4230 on the regularization of the effects produced by Decree-Laws No 174 and No 254.

The Commission also informed the Italian Government that, for the same reasons which had prompted it to initiate the Article 93 (2) procedure in respect of Decree-Law No 174, it would be extending the procedure to include the new draft Law.

The Italian Government, by letter dated 3 November 1989, did not challenge the Commission's findings and assured it at the same time that, within a short period, and not later than the end of the year, it would be tabling a general law on the tax measures applicable to the reorganization of industrial structures. The law would comply with the Treaty rules on competition and would be modelled on the proposal for a Community directive on the common system of taxation applying to mergers, divisions and contributions of assets, which was currently before the Council.

The Italian Government also stated it would not be contradicting its position, as described above, by immediately tabling draft Law No 4230 on the regularization of the effects produced by Decree-Laws No 174 and No 254 since, in accordance with settled constitutional procedure, this was mandatory, the two Decree-Laws not having been ratified.

By letter dated 21 November 1989, the Commission informed the Italian Government that it had decided to extend the Article 93 (2) procedure initiated on 7 August 1989 to draft Law No 4230, which had been presented to Parliament on 4 October and was essentially designed to safeguard the provisions adopted and the effects produced by Decree-Laws No 174 and No 254 (decision published in the *Official Journal of the European Communities*⁽³⁾).

The Commission gave notice to the other Member States and interested parties to submit their comments on the measures in question.

As part of the two sets of proceedings initiated in respect of Decree-Law No 174 and draft Law No 4230, the United Kingdom Government, Montedison and the CID-ITAL-Business group submitted comments, copies of which were forwarded to the Italian Government.

By letter dated 14 May 1990, the Commission informed the Italian Government that no comments had been submitted by the Italian Government in response to its letter of 21 November 1989. It therefore invited the Italian authorities to submit any comments they might have to make before it adopted a final decision pursuant to Article 93 (2).

By telex message dated 18 June 1990, the Italian Government informed the Commission that draft Law No 4230 would not be placed before Parliament for the time being

⁽¹⁾ Germany v. Commission [1984] ECR 1451.

⁽²⁾ OJ No C 281, 7. 11. 1989, p. 9.

⁽³⁾ OJ No C 48, 28. 2. 1990, p. 6.

and would not, therefore, be approved by Parliament in time for it to affect the Enimont operation, since the company concerned, Montedison, was in the process of adopting its balance sheet and would then be preparing its IRPEG (income tax on legal persons) tax return.

The Commission notes that, as Decree-Law No 174 and subsequent Decree-Law No 254 were not ratified by Parliament within the time-limits set, they have lapsed and cannot, therefore, produce legal effects beneficial to potential recipients. As regards those Decree-Laws, the Commission considers that the procedure can be terminated as the aid scheme they introduced is no longer in force.

The Commission considers it necessary, however, to take a decision on draft Law No 4230 aimed at safeguarding the effects of Decree-Laws No 174 and No 254 in respect of the transactions carried out in the short time they were in force, i.e. from 15 May 1989 to 12 September 1989. When the draft Law is adopted by Parliament and brought into force, the firms benefiting from the measures introduced by the two Decree-Laws will enjoy an undue advantage.

III

Draft Law No 4230 of 4 October 1989 has no justification and does not pursue any purpose other than to safeguard the effects of Decree-Laws No 174 and No 254. The tax measures in question constitute aid within the meaning of Article 92 (1) for the following reasons.

The tax measures can be regarded as State aid within the meaning of Article 92 (1) of the EEC Treaty. This principle was laid down by the Court of Justice in its judgment of 23 February 1961 in Case 30/59⁽¹⁾ and confirmed in its Judgment of 10 December 1969 in Joined Cases 6 and 11/69⁽²⁾.

The tax measures introduced by the Decree-Laws in question, which would undoubtedly confer considerable advantages on recipient enterprises, are structured in such a way as to apply only to a very small number of operations, if not just to a single operation, viz. Enimont. This conclusion is based on the information in the Commission's possession and on the fact that it has never been denied by the Italian Government. The Commission also notes that the CIPE had ascertained that the transfer made by Montedison to set up Enimont satisfied the

requirements laid down. It is not aware of any CIPE decisions concerning other firms and the Italian Government has not provided any information in this respect.

The measures introduced by Decree-Law No 174 are limited in time. They concern only transfers carried out before 31 December 1990 and do not, therefore, constitute a permanent modification of the Italian tax system.

A second limitation provided for by the Decree-Law concerns the size of the new company. The increase in the capital of the existing company or the capital of the company to be set up must exceed Lit 50 000 million. The tax relief envisaged would thus apply to only a few enterprises.

The Commission notes that the two restrictions referred to above greatly reduce the scope of the legislation, undermining the claim that the measure is general and permanent. It should be recalled that, in its Judgment of 2 July 1974 in Case 173/73⁽³⁾, the Court of Justice found that the partial reduction of public charges devolving upon undertakings in a particular sector of industry — textiles in that particular case — constituted an aid within the meaning of Article 92 of the EEC Treaty. A third feature indicates that the Italian measure does not have the general characteristics of the systems in the other Member States. The Italian provisions are not automatically applicable as the CIPE has the discretionary power to ensure, on the one hand, that the objective of the transfer is the in-depth restructuring of national industry and the development of industrial production and, on the other, that sufficient account has been taken of industrial development in the Mezzogiorno, of employment aspects and of questions of environmental protection. In the opinion of the Commission, the fact that the CIPE has such extremely delicate responsibilities shows unequivocally that this high-level body has extensive discretionary powers that are incompatible with the principles of aid transparency and equal treatment of the enterprises concerned.

The Commission is, in principle, in favour of mergers, especially transnational mergers, and it would have no objections whatsoever if the Italian measures were amended in order to bring them into line with the laws of the other Member States, which, to a greater or lesser extent, enable mergers to take place under more favourable conditions than those provided for in Italian legislation.

⁽¹⁾ *Gezamenlijke Steenkolenmijnen v. A. Autorità*, [1961] ECR 40.

⁽²⁾ *Commission v. France*, [1969] ECR 523.

⁽³⁾ *Italy v. Commission*, [1974] ECR 709.

It is not, however, for the Commission to take the place of the Italian legislator or to investigate the reasons why the latter has adopted laws which would be unfavourable to mergers.

Furthermore, the Commission does not intend to express an opinion concerning the merger operation resulting in the creation of Enimont but rather to assess the aid that would be granted in the form of tax reliefs to Montedison in the course of setting up Enimont.

Montedison, as the sole recipient of the tax reliefs, which constitute operating aid, could improve its cash position appreciably and thereby strengthen its financial position and influence competition both on the domestic market, in relation to Italian competitors in the same industrial sector, and more generally on the Community market.

In this way, Montedison would improve the structure of its balance sheet and the return on assets while, at the same time, also adding artificially to its assets. The financial gain consists in particular in suspension of payment of value added tax. Since this amounted in 1989 to Lit 1 647 000 million, the advance tax not paid would be Lit 774 000 million. It should again be said that these conclusions have not been contested by the Italian Government and should, therefore, be regarded as well founded.

In Commission's opinion, there is no justification for either the argument that the value added is purely theoretical as the tax would become payable the moment the value added generates a return or the argument that the tax measure in question does not improve the firm's liquidity since it would merely enable the firm to avoid being subject to what is essentially a tax on assets. The Commission considers that the distortion of competition stems from the fact that Montedison will avoid paying a tax which, irrespective of its nature, other competing enterprises in Italy are required to pay.

Lastly, the Commission does not agree with the comment of the Italian Government that draft Law No 4230 is a mandatory act following the failure by Parliament to ratify Decree-Laws No 174 and No 254. Article 77 of the Italian Constitution provides that decrees no longer have force of law if they are not converted into law within sixty days of their publication although the Chambers of

Parliament may enact laws which regulate legal relationships established by decrees which have not been ratified.

The Chambers of Parliament thus have discretionary powers in this respect and are not bound to legislate in order to consolidate the provisional effects of decree-laws which have not been ratified. As mentioned above, the case at issue also concerns legal relationships regulated by decree-laws which provide for aid that is unlawful since it was granted in breach of Article 93 (3) of the EEC Treaty and incompatible with the common market since it does not qualify for any of the exemptions under Article 92 (3). The discretionary powers of the Chambers of Parliament cannot, therefore, be exercised in a particular case in order to render permanent an infringement of the EEC Treaty.

Lastly, the fact that a mandatory act is not involved is implicitly acknowledged by the Italian Government in its telex message dated 18 June 1990, in which it states that the draft Law would not be ratified by Parliament in time for it to benefit Montedison. However, there is no guarantee that this will not happen since Parliament could at any time decide to approve the draft Law. Furthermore, if the draft Law is no longer of any practical value, it should be definitively withdrawn by the Government.

In view of the above considerations, the Commission considers that the measure introduced by Decree-Law No 174 cannot be regarded as a general measure but rather as granting aid within the meaning of Article 92 (1) to a very small number of enterprises, if not just to Montedison, the only firm, according to the information available to the Commission, to carry out a transfer — approved by the CIPE — in the short time Decree-Laws No 174 and No 254 were in force.

It should also be noted, for the purposes of Article 92 (1), that Montedison operates in the chemicals sector through Montefluos, which produces fluorides, elastomers, chloro-fluorine derivatives, peroxides, etc., through Himont, which manufactures polypropylenes and other polymers, and through SIR, which produces resins, polyesters, etc.

It is the main shareholder in Enimont, which is present in virtually all sectors of the chemical industry. In these sectors, intra-Community competition is intense and substantial overcapacity is a frequent feature at Community level.

The Commission notes that, in 1987, Italy's exports of chemical products to other Member States were worth ECU 4 234 million while exports to third countries were valued at ECU 3 813 million, the respective figures for 1988 being ECU 5 074 million and ECU 4 151 million.

Italian imports from other Member States in 1987 and 1988 were worth ECU 9 633 million and 10 974 million, while those from third countries amounted to ECU 3 085 million and 3 472 million respectively.

In 1988, Montedison achieved a turnover of Lit 14 122 000 million, of which Lit 7 412 000 million (52,5 %) represented sales in Italy and Lit 2 964 000 million, (21 %) sales elsewhere in western Europe. Thus, it is clear that Montedison holds a substantial share of the Italian market and has a significant presence on the markets in the other Member States.

Even if the turnover of the companies subsequently transferred to Enimont were to be deducted from the total turnover, Montedison's remaining turnover, i.e. Lit 5 446 000 million, would still be considerable.

The Commission is of the opinion that, as the Court ruled on 17 September 1980 in Case 730/79⁽¹⁾, when State financial aid strengthens the position of an undertaking compared with other undertakings competing in intra-Community trade, the latter must be regarded as affected by that aid.

Under the circumstances, there is no doubt that the tax relief amounting to Lit 774 000 million would considerably strengthen Montedison's financial position. Article 92 (1) embodies the principle of a general prohibition on aid having the characteristics which are set out in that Article and present in the case in question.

IV

The exceptions to the above principle provided for in Article 92 (2) are inapplicable to the aid at issue because of its nature and objectives.

Article 92 (3) lists the aid which can be considered compatible with the common market. Compatibility with the Treaty should be considered within the Community

context and not within the context of a single Member State. In order to maintain a properly functioning common market and to observe the principle laid down in Article 3 (f) of the Treaty, the exceptions provided for in Article 92 (3) must be construed in a restrictive manner.

In particular, the exceptions are applicable only when the Commission is satisfied that, without the aid, the interplay of market forces would alone be insufficient to prompt potential recipients to adopt patterns of behaviour that would serve one of the objectives of common interest pursued by those exceptions.

To apply the exceptions in the case of aid that did not serve such an objective or in cases where aid was not necessary for that purpose would be to confer an unfair advantage on the enterprises or industries of certain Member States, thereby strengthening their financial position, and to affect trade between Member States and distort competition without any justification on grounds of common interest within the meaning of Article 92 (3).

In the case in point, the Italian Government has been unable to provide, and the Commission to find, any reason for classifying the planned aid in any of the categories of exemption under Article 92 (3).

Since the aid is operating aid and is not designed to finance productive investments, the exceptions provided for in Article 92 (3) (a) and (c) in respect of aid to promote or facilitate the development of certain areas are not applicable.

As regards the exceptions provided for in Article 92 (3) (b), it is clear that the aid in question is not intended to promote the execution of an important project of common European interest or to remedy a serious disturbance in the Italian economy.

As for the exception provided for in Article 92 (3) (c) for aid to facilitate the development of certain economic activities, it is clear, as stated above, that the aid in question is operating aid and is not aimed at financing productive investments. Market conditions in the relevant sector seem likely to ensure a normal development without State aid. Such aid cannot, therefore, be justified on grounds of common interest,

⁽¹⁾ *Philip Morris v. Commission*, [1980] ECR 2671.

HAS ADOPTED THIS DECISION :

Article 1

The tax incentive scheme provided for in draft Law No 4230 of 4 October 1989 is incompatible with the common market within the meaning of Article 92 (1) of the EEC Treaty.

Italy shall not implement the scheme in question and, in particular, shall not grant any tax relief in respect of transfers by Montedison or by any other firms under Decree-Laws No 174 of 15 May 1989 and No 254 of 13 July 1989.

Article 2

Italy shall inform the Commission, within two months of the date of notification of this Decision, of the measures it has taken to comply with Article 1.

Article 3

This Decision is addressed to the Italian Republic.

Done at Brussels, 25 July 1990.

For the Commission

Leon BRITTAN

Vice-President

COMMISSION DECISION

of 2 July 1992

concerning animal health conditions and veterinary certification for imports of fresh meat from the Republic of Croatia

(92/390/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine, ovine and caprine animals and swine, fresh meat or meat products from third countries ⁽¹⁾, as last amended by Council Regulation 3763/91/EEC ⁽²⁾, and in particular Article 16 thereof,

Whereas it is necessary to lay down animal health conditions for imports of fresh meat from Croatia;

Whereas, following a Community veterinary mission, it appears that the animal health situation in Croatia compares favourably with that in most of the Community countries, particularly as regards diseases transmissible through meat;

Whereas, in addition, the responsible veterinary authorities of Croatia have confirmed that Croatia has for at least 12 months been free from rinderpest, foot-and-mouth disease and that no vaccinations have been carried out against those diseases during that time;

Whereas animals vaccinated against classical swine fever are present in Croatia; whereas therefore imports of fresh meat of the porcine species from this country should not be authorized;

Whereas the responsible veterinary authorities of Croatia have undertaken to notify the Commission and the Member States, by telex or telegram, within 24 hours, of confirmation of the occurrence of any of the abovementioned diseases or the adoption of vaccination against them;

Whereas animal health conditions and veterinary certification must be adapted in the light of the animal health situation in Croatia;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

1. Member States shall authorize the importation of the following categories of fresh meat from Croatia:

- (a) fresh meat of domestic animals of the bovine, ovine or caprine species, conforming to the guarantees laid down in the animal health certificate in accordance with Annex A, which must accompany the consignment;
- (b) fresh meat of domestic solipeds, conforming to the guarantees laid down in the animal health certificate in accordance with Annex B, which must accompany the consignment.

2. Member States shall not authorize the importation of categories of fresh meat from Croatia other than those referred to in paragraph 1.

Article 2

This Decision shall not apply to imports of glands and organs authorized by the country of destination for pharmaceutical manufacturing purposes.

Article 3

This Decision shall apply from 1 July 1992.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 2 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 302, 31. 12. 1972, p. 28.⁽²⁾ OJ No L 356, 24. 12. 1991, p. 1.

ANNEX A

ANIMAL HEALTH CERTIFICATE

for fresh meat ⁽¹⁾ of domestic animals of the bovine, ovine and caprine species, intended for consignment to the European Economic Community

Country of destination :

Reference number of the public health certificate ⁽²⁾ :

Exporting country : Republic of Croatia

Ministry :

Department :

Reference :

(Optional)

I. Identification of meat

Meat of :

(Animal species)

Nature of cuts :

Nature of packaging :

Number of cuts or packages :

Net weight :

II. Origin of meat

Address(es) and veterinary approval number(s) of the approved slaughterhouse(s) ⁽²⁾ :

Address(es) and veterinary approval number(s) of the approved cutting plant(s) ⁽²⁾ :

Address(es) and veterinary approval number(s) of the approved cold stores ⁽²⁾ :

III. Destination of meat

The meat will be sent from :

(Place of loading)

to :

(Country and place of destination)

by the following means of transport ⁽³⁾ :

Name and address of consignor :

Name and address of consignee :

⁽¹⁾ Fresh meat means all parts fit for human consumption from domestic animals of the bovine, ovine and caprine species which have not undergone any preserving process ; however, chilled and frozen meat shall be considered as fresh meat.

⁽²⁾ Optional when the country of destination authorizes the importation of fresh meat for uses other than human consumption in application of Article 19 (a) of Directive 72/462/EEC.

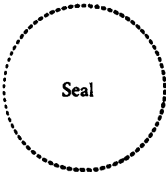
⁽³⁾ For railway wagons or lorries, the registration number should be given, for aircraft the flight number and for ships the name.

IV. Attestation of health

I, the undersigned, official veterinarian, certify that :

1. the fresh meat described above is obtained from :
- animals which have remained in the territory of the Republic of Croatia for at least three months before being slaughtered or since birth in the case of animals less than three months old,
 - animals which come from holdings in which there has been no outbreak of foot-and-mouth disease in the previous 30 days, and around which within a radius of 10 km there has been no case of foot-and-mouth disease for 30 days,
 - animals which have been transported from their holdings of origin to the approved slaughterhouse concerned without contact with animals which do not comply with the conditions required for export of their meat to the Community, and, if conveyed in a means of transport, that the latter has been cleaned and disinfected before loading,
 - animals which have passed the ante-mortem health inspection referred to in Directive 72/462/EEC at the slaughterhouse during the 24 hours before slaughter and have showed no evidence of foot-and-mouth disease,
 - in the case of fresh meat from sheep and goats, animals which have not come from a holding which for health reasons is subject to prohibition as a result of an outbreak of ovine or caprine brucellosis during the previous six weeks ;
2. the fresh meat described above is obtained from an establishment or establishments in which, after a case of foot-and-mouth disease has been diagnosed, further preparation of meat for export to the Community has been authorized only after slaughter of all animals present, removal of all meat, and the total cleaning and disinfection of the establishments under the control of an official veterinarian.

Done at , on
(Place) (Date)



.....
(Signature of official veterinarian)

.....
(Name in capital letters, qualification and title)

ANNEX B

ANIMAL HEALTH CERTIFICATE

for fresh meat ⁽¹⁾ of domestic solipeds intended for consignment to the European Economic Community

Country of destination :

Reference number of the public health certificate ⁽²⁾ :

Exporting country : Republic of Croatia

Ministry :

Department :

Reference :

(Optional)

I. Identification of meat

Meat of domestic solipeds

Nature of cuts :

Nature of packaging :

Number of cuts or packages :

Net weight :

II. Origin of meat

Address(es) and veterinary approval number(s) of the approved slaughterhouse(s) ⁽²⁾ :

Address(es) and veterinary approval number(s) of the approved cutting plant(s) ⁽²⁾ :

Address(es) and veterinary approval number(s) of the approved cold stores ⁽²⁾ :

III. Destination of meat

The meat will be sent from :

(Place of loading)

to :

(Country and place of destination)

by the following means of transport ⁽³⁾ :

Name and address of consignor :

Name and address of consignee :

⁽¹⁾ Fresh meat means all parts fit for human consumption from domestic solipeds which have not undergone any preserving process; however, chilled and frozen meat shall be considered as fresh meat.

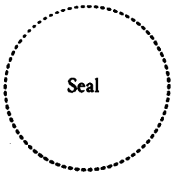
⁽²⁾ Optional when the country of destination authorizes the importation of fresh meat for uses other than human consumption in application of Article 19 (a) of Directive 72/462/EEC.

⁽³⁾ For railway wagons or lorries, the registration number should be given, for aircraft the flight number and for ships the name.

IV. Attestation of health

I, the undersigned, official veterinarian, certify that the fresh meat described above is obtained from animals which have remained in the territory of the Republic of Croatia for at least three months before being slaughtered or since birth in the case of animals less than three months old.

Done at on
(Place) (Date)



.....
(Signature of official veterinarian)

.....
(Name in capital letters, qualification and title)

COMMISSION DECISION

of 13 July 1992

altering the adjustment aid to the Portuguese refining industry for raw sugar imported from third countries at a reduced levy for the 1992/93 marketing year into Portugal

(92/391/EEC)

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 the seventh indent of Article 9 (6) thereof,

Whereas Article 9 (4) (c) of Regulation (EEC) No 1785/81 provides that, during the 1991 and 1992/93 marketing years, adjustment aid is to be granted as an intervention measure to the refining industry for raw sugar imported into Portugal at a reduced levy pursuant to Article 303 of the Act of Accession of Spain and Portugal and refined into white sugar in Portugal; whereas that aid amounts to ECU 0,08 per 100 kilograms of sugar expressed as white sugar for quantities of such sugar thus imported and refined in Portugal; whereas the quantities of raw sugar imported at a reduced levy are those referred to in the first paragraph of Article 303 of the Act of Accession as well as the quantities lacking referred to in the third paragraph of that Article, the import of which at a reduced levy is authorized for the marketing year under consideration;

Whereas the third subparagraph of Article 9 (4c) of Regulation (EEC) No 1785/81 provides that the abovementioned adjustment aid may be altered for a given marketing year, in the light in particular of the amount of the storage levy fixed for that year; whereas although sugar imported into Portugal at a reduced levy is not subject to the storage levy, in view of the quantities of such sugar refined that levy is a determining factor for the prices as a whole on the market for white sugar and therefore for the margin of the Portuguese refineries;

Whereas the amount of the storage levy for the 1992/93 marketing year was fixed by Commission Regulation

(EEC) No 1799/92 ⁽³⁾ at ECU 2,50 per 100 kilograms of white sugar; whereas this amount is identical to that applicable for the 1991/92 marketing year;

Whereas account should, however, be taken in the alteration in the aid in question that has already been made for the 1990/91 and 1991/92 marketing years in order to neutralize the effect of successive storage levy reductions on the refining margin for the 1992/93 marketing year;

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

HAS ADOPTED THIS DECISION:

Article 1

The adjustment aid provided for in the second subparagraph of Article 9 (4) (c) of Regulation (EEC) No 1785/81 shall be fixed at ECU 1,58 per 100 kilograms of sugar expressed as white sugar for the 1992/93 marketing year.

Article 2

This Decision is addressed to the Portuguese Republic.

Done at Brussels, 13 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 182, 2. 7. 1992, p. 80.

CORRIGENDA

Corrigendum to Commission Regulation (EEC) No 1855/92 of 7 July 1992 fixing the rates of the refunds applicable to certain cereal and rice products exported in the form of goods not covered by Annex II to the Treaty

(Official Journal of the European Communities No L 188 of 8 July 1992)

On page 15 in Article 2 (1):

for: '... potato starch falling within CN code 1008 ...',

read: '... potato starch falling within CN code 1108 ...';

Article 2 (2) should read as follows:

'2. Where the dry-extract content of potato starch assimilated to maize starch pursuant to Article 1 (2) (a) of Regulation (EEC) No 3035/80 is 80 % or higher, the rate of the export refund shall be as laid down in the Annex; where the dry-extract content is less than 80 % the rate of the refund shall be the amount laid down in the Annex multiplied by 1/80th of the actual dry-extract percentage.'
