

Official Journal

of the European Communities

ISSN 0378-6978

L 217

Volume 35

31 July 1992

English edition

Legislation

Contents

I *Acts whose publication is obligatory*

- ★ **Council Regulation (EEC) No 2157/92 of 23 July 1992 amending Regulation (EEC) No 3528/86 on the protection of the Community's forests against atmospheric pollution** 1
- ★ **Council Regulation (EEC) No 2158/92 of 23 July 1992 on protection of the Community's forests against fire** 3
- ★ **Council Regulation (EEC) No 2159/92 of 23 July 1992 on the financing of expenditure for the establishment and updating of the register of olive cultivation** 8
- Commission Regulation (EEC) No 2160/92 of 30 July 1992 fixing the import levies on cereals and on wheat or rye flour, groats and meal 9
- Commission Regulation (EEC) No 2161/92 of 30 July 1992 fixing the premiums to be added to the import levies on cereals, flour and malt 11
- Commission Regulation (EEC) No 2162/92 of 30 July 1992 fixing the minimum levies on the importation of olive oil and levies on the importation of other olive oil sector products 13
- ★ **Commission Regulation (EEC) No 2163/92 of 30 July 1992 on the levying of the additional amount provided for by Regulations (EEC) No 3429/80, (EEC) No 796/81, and (EEC) No 1755/81 adopting protective measures applicable to imports of preserved cultivated mushrooms** 16
- ★ **Commission Regulation (EEC) No 2164/92 of 30 July 1992 laying down detailed rules for the application of the specific supply arrangements for the Canary Islands relating to milk products and establishing the forecast supply balance** 17
- ★ **Commission Regulation (EEC) No 2165/92 of 30 July 1992 laying down detailed rules for the application of the specific measures for Madeira and the Azores as regards potatoes and endives** 29

Price : ECU 19

(Continued overleaf)

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other Acts are printed in bold type and preceded by an asterisk.

★ Commission Regulation (EEC) No 2166/92 of 30 July 1992 fixing the reference prices applicable to wine sector products for 1992/93	33
★ Commission Regulation (EEC) No 2167/92 of 30 July 1992 fixing the buying-in prices, aids and certain other amounts applicable for the 1992/93 wine year to intervention measures in the wine sector	35
★ Commission Regulation (EEC) No 2168/92 of 30 July 1992 laying down detailed implementing rules for the specific measures for the Canary Islands with regard to potatoes	44
★ Commission Regulation (EEC) No 2169/92 of 30 July 1992 fixing the storage aid for unprocessed dried grapes from the 1991/92 marketing year	47
★ Commission Regulation (EEC) No 2170/92 of 30 July 1992 fixing the minimum price applicable to dried grapes during the 1992/93 marketing year as well as the countervailing charges to be imposed where that price is not observed	49
★ Commission Regulation (EEC) No 2171/92 of 30 July 1992 fixing for the 1992/93 marketing year the amount of the aid for the cultivation of certain varieties of grape intended for drying	52
★ Commission Regulation (EEC) No 2172/92 of 30 July 1992 fixing for the 1992/93 marketing year the minimum price to be paid to producers for unprocessed sultanas, currants and muscatels and the amount of production aid for dried grapes	54
★ Commission Regulation (EEC) No 2173/92 of 30 July 1992 laying down detailed rules for the application of specific measures adopted in respect of fruit, vegetables, plants and flowers for the benefit of the Canary Islands	56
★ Commission Regulation (EEC) No 2174/92 of 30 July 1992 laying down detailed rules governing the grant of private storage aid for São Jorge and Ilha cheese	64
★ Commission Regulation (EEC) No 2175/92 of 30 July 1992 laying down detailed rules for the application of the specific measures for the supply of processed fruit and vegetable products to the Canary Islands	67
★ Commission Regulation (EEC) No 2176/92 of 30 July 1992 supplementing Annex A to Regulation (EEC) No 1164/89 laying down detailed rules concerning the aid for fibreflex and hemp	70
★ Commission Regulation (EEC) No 2177/92 of 30 July 1992 laying down detailed rules for the application of the specific supply arrangements for the Azores, Madeira and the Canary Islands with regard to sugar and amending Regulation (EEC) No 2670/81	71
★ Commission Regulation (EEC) No 2178/92 of 30 July 1992 determining, for tobacco from the 1991 harvest, the quantity actually produced and the prices and premiums payable under the system of maximum guaranteed quantities	75
★ Commission Regulation (EEC) No 2179/92 of 30 July 1992 laying down detailed rules for the application of the specific import measures for the Canary Islands as regards tobacco	79
★ Commission Regulation (EEC) No 2180/92 of 30 July 1992 determining the Member States in which the campaigns to promote the consumption of grape juice are to be carried out during the 1991/92 wine year	82

★ Commission Regulation (EEC) No 2181/92 of 30 July 1992 amending Regulation (EEC) No 2677/85 laying down implementing rules in respect of the system of consumption aid for olive oil	84
★ Commission Regulation (EEC) No 2182/92 of 30 July 1992 amending Regulation (EEC) No 1833/92 setting the amounts of aid for the supply of cereals products from the Community to the Azores and Madeira	85
★ Commission Regulation (EEC) No 2183/92 of 30 July 1992 amending Regulation (EEC) No 1832/92 setting the amounts of aid for the supply of cereals products from the Community to the Canary Islands	86
Commission Regulation (EEC) No 2184/92 of 30 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 20 and 24 July 1992	87
Commission Regulation (EEC) No 2185/92 of 30 July 1992 adopting interim protective measures on applications for STM licences in the beef and veal sector submitted for trade with Portugal during the period 20 to 23 July 1992	88
Commission Regulation (EEC) No 2186/92 of 30 July 1992 fixing the import levies on milk and milk products	89
Commission Regulation (EEC) No 2187/92 of 30 July 1992 fixing the import levies on white sugar and raw sugar	94
Commission Regulation (EEC) No 2188/92 of 30 July 1992 fixing the export refunds on milk and milk products	96
Commission Regulation (EEC) No 2189/92 of 30 July 1992 introducing a countervailing charge on fresh lemons originating in Uruguay	115
Commission Regulation (EEC) No 2190/92 of 30 July 1992 fixing the export refunds on cereals and on wheat or rye flour, groats and meal	117
Commission Regulation (EEC) No 2191/92 of 30 July 1992 fixing the corrective amount applicable to the refund on cereals	121
Commission Regulation (EEC) No 2192/92 of 30 July 1992 altering the import levies on products processed from cereals and rice	124

I

*(Acts whose publication is obligatory)***COUNCIL REGULATION (EEC) No 2157/92****of 23 July 1992****amending Regulation (EEC) No 3528/86 on the protection of the Community's forests against atmospheric pollution**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 130S thereof,

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

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

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas the declining health of the Community's forests continues to give cause for concern and steps should therefore be taken to prolong and supplement the Community scheme introduced by Regulation (EEC) No 3528/86 ⁽⁴⁾;

Whereas precise data should be collected on the extent and development of a number of forest pollutants, together with detailed information on basic ecological parameters, in order to be able better to pinpoint the cause-and-effect relationships that lead to the declining health of forests; whereas a European network of permanent observation plots for monitoring the forest ecosystem would be the appropriate instrument for this purpose;

Whereas provision should be made, for the purposes of Regulation (EEC) No 3528/86, as amended by this Regulation, for a programme lasting 10 years from 1 January 1987;

Whereas an amount of ECU 29,4 million is deemed necessary for the implementation of that multiannual programme; whereas for 1992, in the context of the

present financial perspective, the amount deemed necessary is ECU 4,2 million;

Whereas the amounts to be committed for financing the programme for the period after the financial year 1992 will have to form part of the Community financial framework in force,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3528/86 is hereby amended as follows:

1. Article 2 shall be replaced by the following:

Article 2

1. The aim of the scheme shall be to help the Member States to:

- establish, on the basis of common methods, a periodic inventory of damage caused to forests, in particular by atmospheric pollution;
- establish or extend, in a coordinated and harmonious way, the network of observation plots required to draw up that inventory;
- conduct intensive, continuous surveillance of forestry ecosystems;
- establish or extend, in a coordinated and harmonious way, a network of permanent observation plots required for such intensive, continuous surveillance.

2. The Member States shall forward to the Commission the data gathered by the network of observation plots and by the network of observation plots for intensive, continuous surveillance referred to in paragraph 1.

3. The detailed rules for the implementation of this Article and in particular those relating to the gathering, type, comparability and transmission of the data collected shall be laid down in accordance with the procedure provided for in Article 7.

⁽¹⁾ OJ No C 312, 3. 12. 1991, p. 6.

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

⁽³⁾ OJ No C 106, 27. 4. 1992, p. 1.

⁽⁴⁾ OJ No L 326, 21. 11. 1986, p. 2. Regulation as amended by Regulation (EEC) No 1613/89 (OJ No L 165, 15. 6. 1989, p. 8).

2. Article 7 shall be replaced by the following:

'Article 7

1. Where the procedure laid down in this Article is to be followed, matters shall be referred to the Standing Forestry Committee set up by Decision 89/367/EEC (*), by its Chairman, either on his own initiative or at the request of a Member State.

2. The representative of the Commission shall submit to the Committee a draft of the measures to be adopted. The Committee shall deliver its opinion on the draft within a time limit which the Chairman may lay down according to the urgency of the matter. The opinion shall be delivered by the majority provided for in Article 148 (2) of the Treaty in the case of decisions which the Council is required to adopt on a proposal from the Commission. The votes of the representatives of the Member States within the Committee shall be weighted in the manner set out in that Article. The Chairman shall not vote.

3. (a) The Commission shall adopt the intended measures when they are in accordance with the Committee's opinion.

(b) Where the intended measures are not in accordance with the opinion of the Committee, or in the absence of any opinion, the Commission shall forthwith submit to the Council a proposal relating to the measures to be taken. The Council shall act by a qualified majority.

If, on the expiry of three months from the date on which the matter was referred to it, the Council has not adopted any measures, the Commission shall adopt the proposed measures and apply them immediately.

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

Done at Brussels, 23 July 1992.

(*) OJ No L 165, 15. 6. 1989, p. 14.'

3. Article 11 shall be replaced by the following:

'Article 11

1. The scheme is scheduled to run for 10 years from 1 January 1987.

2. The amount of Community financial resources deemed necessary for implementation of the scheme is ECU 29,4 million for the period 1992 to 1996, including ECU 4,2 million for 1992 in the context of the 1988 to 1992 financial perspective.

For the subsequent period of application of the programme, the amount will have to form part of the Community financial framework in force.

The budgetary authority shall determine the appropriations available for each financial year, taking into account the principles of sound management referred to in Article 2 of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities. (*)

3. Before expiry of the period referred to in paragraph 1, the Commission shall submit to the Council a report on the application of this Regulation accompanied, if appropriate, by a proposal for its extension.

(*) OJ No L 356, 31. 12. 1977, p. 1. Regulation as last amended by Regulation (EEC) No 610/90 (OJ No L 70, 16. 3. 1990, p. 1).'

Article 2

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

It shall apply from 1 January 1992.

For the Council

The President

John COPE

COUNCIL REGULATION (EEC) No 2158/92
of 23 July 1992
on protection of the Community's forests against fire

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 130s thereof,

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

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

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas forests play an essential role in maintaining basic equilibria, particularly as regards the soil, water resources, climate, fauna and flora;

Whereas forests therefore contribute towards the safeguarding and development of agriculture and the countryside, which may be greatly dependent on the presence and good upkeep of the surrounding forests;

Whereas, especially in the southern parts of the Community, this role of forests is under threat from fire, which damages vast tracts of forested land every year;

Whereas the protection of forests against fire is an urgent and important issue for the Community and whereas the Community must make a greater contribution to the efforts of Member States to improve such protection;

Whereas, in order to reduce the number and extent of fire outbreaks and areas burnt, the Community's contribution must be directed towards the need to combat the causes of fire and to provide fire prevention and forest surveillance measures;

Whereas the Community's contribution must be concentrated primarily in the areas which face a permanent or cyclical fire risk; whereas the territory of the Community must therefore be classified according to the degree of risk of forest fire and the contribution must vary with the degree of risk in a given area;

Whereas, especially in areas of high fire risk, the Community must contribute to the implementation of integrated

forest fire protection plans, comprising measures to eliminate causes and to institute or improve systems of prevention and monitoring;

Whereas the setting-up of a data bank covering the Member States and the Community can constitute an important tool for improving the system of forest fire protection;

Whereas, in order to facilitate the implementation of the measures contemplated, close cooperation must be established between the Member States and the Commission; whereas such cooperation may be achieved through the Standing Forestry Committee;

Whereas provision should be made, for the purposes of this Regulation, for a programme with a duration of five years;

Whereas an amount of ECU 70 million is deemed necessary for the implementation of that multiannual programme; whereas, for 1992, in the context of the present financial perspective, the amount deemed necessary is ECU 12 million;

Whereas the amounts to be committed for financing the programme for the period after the financial year 1992 will have to form part of the Community financial framework in force,

HAS ADOPTED THIS REGULATION:

Article 1

1. In order to provide increased protection for forests and in particular to step up efforts undertaken to maintain and monitor forest ecosystems and to safeguard the various functions which forests fulfil for the benefit of rural areas, a Community scheme for the protection of forests against fire, hereinafter referred to as 'the scheme', is hereby instituted.

2. The purpose of the scheme is:

- to reduce the number of forest fire outbreaks,
- to reduce the extent of areas burnt.

3. The scheme shall comprise:

- (a) measures to identify the causes of forest fires and the means of combating them, and in particular:

⁽¹⁾ OJ No C 312, 3. 12. 1991, p. 7.

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

⁽³⁾ OJ No C 106, 27. 4. 1992, p. 1.

- studies to identify the causes of fires and the background thereto;
- studies to devise proposals for schemes to eliminate such causes and background;
- campaigns to inform and educate the public;

(b) measures to set up or improve systems of prevention, with particular emphasis on the launching of protective infrastructures such as forest paths, tracks, water supply points, firebreaks, cleared and felled areas, the launching of operations to maintain firebreaks, cleared and felled areas and preventive forestry measures, within the framework of a global strategy for the protection of forested land against fire;

(c) measures to set up or improve forest monitoring systems, including deterrent monitoring, with particular emphasis on the installation of fixed or mobile monitoring facilities and the purchase of communications equipment;

(d) accompanying measures, including:

- training of highly specialized personnel;
- analytical studies and pilot or demonstration projects to try out new methods, techniques and technologies and intended to boost the effectiveness of the scheme.

Article 2

1. Member States shall classify their territory according to the degree of forest-fire risk. An area classified by degree of risk must normally correspond to an administrative area at least equivalent to NUTS level III.

2. Only areas where the permanent or cyclical risk of forest fire presents a serious threat to the ecological balance and the safety of persons and goods or constitutes a factor which is hastening the process of desertification of rural areas may be classified as areas of high risk.

Only areas situated in:

- Portugal,
- Spain,
- France, (in the regions of Aquitaine, Midi-Pyrénées, Corsica, Languedoc-Roussillon, Provence-Alpes-Côte d'Azur and the departments of Ardèche and Drôme),
- Italy (in the Mezzogiorno, Lazio, Tuscany, Liguria, Umbria, Marche, Emilia-Romagna, the provinces of Cuneo and Alessandria in Piedmont and the province

of Pavia in Lombardy, and in afforested mountain areas in the north of the country),

- Greece;

may be classified as areas of high risk.

Where a Member State submits a substantiated request to that effect, areas in regions of the Community other than those referred to in the previous subparagraph may be recognized as areas of high risk.

3. Areas where the forest fire risk is not permanent or cyclical but presents a significant threat to forest ecosystems may be classified as areas of medium risk.

4. The other areas of the Community shall be classified as areas of low risk.

5. Member States shall send the lists of areas classified by degree of risk to the Commission not later than six months after the entry into force of this Regulation.

The Commission shall decide to approve the lists in accordance with the procedure laid down in Article 9.

Article 3

1. Member States shall forward to the Commission forest-fire protection plans for the areas classified as high risk and medium risk and shall also provide information on forest-fire protection measures already implemented with a financial contribution from the Community, together with an assessment of the effectiveness of the different types of measures.

2. For areas of high risk the plans shall comprise:

(a) a description of the present situation in the area or sub-area in question as regards the system of prevention and monitoring and the available means of fire control, together with the methods and techniques used to protect forests against fire;

(b) an account of fires over the previous five years and a description and analysis of the principal causes identified;

(c) an indication of the objectives to be attained by the end of the plan's duration as regards:

- elimination or reduction of principal causes,
- improvement of systems of prevention and monitoring,
- improvement of control systems;

(d) a description of the measures contemplated for achieving the objectives;

(e) particulars of the partners associated with the protection of forests against fire and the procedures for coordinating their participation.

3. For areas of medium risk the plans shall comprise at least :

(a) a description of the present situation in the area or sub-area as regards the system of prevention and monitoring and the methods and techniques used to protect forests against fire ;

(b) an indication of the objectives to be attained by the end of the plan's duration as regards :

- the elimination or reduction of the principal causes, and
- the improvement of systems of prevention and monitoring ;

(c) a description of the measures contemplated for achieving the objectives ;

(d) particulars of the partners associated with the protection of forests against fire and the procedure for coordinating their participation.

4. After consulting the Standing Forestry Committee set up by Decision 89/367/EEC ⁽¹⁾, the Commission shall deliver an opinion on the forest-fire protection plans within three months of their being forwarded.

5. From 1 January 1993, Community financing of forestry measures in areas classified as high risk or medium risk shall be subject to the adoption of forest-fire protection plans and the implementation of measures in accordance with such plans.

Article 4

1. Before 1 November each year Member States shall submit to the Commission their projects or programmes for improving the protection of forests against fire.

2. Projects and programmes may concern :

- for high-risk areas, measures as specified in Article 1 (3) (a) to (d),
- for medium-risk areas, measures as specified in Article 1 (3) (b) and (d), and campaigns to inform and educate the public.

3. From 1 November 1992 only projects and programmes covered by plans as referred to in Article 3 which have received a favourable opinion from the Commission may be submitted.

From 1 November 1992 priority shall be given to programmes.

4. Detailed rules for applying paragraph 1 shall be adopted in accordance with the procedure laid down in Article 9.

5. The multi-purpose programmes will contain particulars of the breakdown of costs to be allocated to the various protection measures contemplated.

Article 5

1. The Commission shall see to the coordination and monitoring of the forest-fire protection scheme covered by this Regulation. In particular, it may seek the assistance of research institutes and scientific and technical advisers.

2. Coordination and monitoring of the scheme shall also cover assistance by the Community to help Member States set up a system of information on forest fires with the following aims :

- encouragement of exchanges of information on forest fires,
- ongoing evaluation of the impact of measures taken by Member States and the Commission to protect forests against fire,
- evaluation of the periods, degree and causes of risk,
- development of strategies for the protection of forests against fire, with particular emphasis on the elimination or reduction of causes.

3. Detailed rules for the application of paragraph 2 shall be adopted in accordance with the procedure laid down in Article 9. They shall cover, in particular, the type, comparability and collection of data and the procedures for access to the data gathered.

4. Member States may confine the collection of data to areas classified as high risk and medium risk.

5. In preparation for the setting-up of information systems as referred to in paragraph 2, the Commission may finance pilot projects to explore the feasibility of the various objectives of the system. Projects shall be set up in consultation with the competent authorities of the Member States.

⁽¹⁾ OJ No L 165, 15. 6. 1989, p. 14.

Article 6

1. The Commission shall decide on the Community's financial contribution to the projects and programmes submitted by the Member States and defined in Article 4. The granting of the financial aid shall be decided after the Standing Forestry Committee has been consulted.

2. The Community's financial contribution towards the measures referred to in Article 1 (3) (a) to (d) shall be :

- not more than 50 % of the expenditure approved by the Commission in high-risk areas ;
- not more than 30 % of the expenditure approved by the Commission in medium-risk areas.

3. Expenditure on coordination as referred to in Article 5 (1) shall be borne by the Community. However, the Community's financial contribution towards the expenditure of the Member States on setting up the information system referred to in Article 5 (2) shall be :

- not more than 50 % for operations in respect of high-risk areas ;
- not more than 30 % for operations in respect of medium-risk areas ;
- not more than 15 % for operations in respect of other areas.

4. Projects and programmes receiving aid under another Community financial instrument shall not be eligible for financial aid under this Regulation.

Article 7

Member States shall designate the departments and agencies authorized to implement measures taken pursuant to this Regulation and the departments and agencies to which the Commission departments are to reimburse the sums corresponding to the Community's contribution.

Article 8

Member States shall take the necessary measures, in accordance with national laws, regulations and administrative provisions, in order to :

- ascertain the effective and regular nature of the operations financed by the Community,
- prevent irregularities,
- recover sums lost as a result of irregularities or negligence.

Member States shall make available to the Commission all the information necessary for the purposes of the first subparagraph and shall take all appropriate steps to facilitate any checks the Commission may deem fit to make in connection with the management of Community funding, including on-site verifications. Member States shall inform the Commission of the measures taken to this end.

Article 9

1. Where the procedure laid down in this Article is to be followed, the matter shall be referred by its Chairman to the Standing Forestry Committee, either on his own initiative or at the request of the representative of a Member State.

2. The representative of the Commission shall submit to the Committee a draft of the measures to be taken. The Committee shall deliver its opinion on the draft within a time limit which the Chairman may lay down according to the urgency of the matter. The opinion shall be delivered by the majority laid down in Article 148 (2) of the Treaty in the case of decisions which the Council is required to adopt on a proposal from the Commission. The votes of the representatives of the Member States within the Committee shall be weighted in the manner set out in that Article. The Chairman shall not vote.

3. (a) The Commission shall adopt the intended measures when they are in accordance with the Committee's opinion.

(b) Where the intended measures are not in accordance with the opinion of the Committee, or in the absence of any opinion, the Commission shall forthwith submit to the Council a proposal relating to the measures to be taken. The Council shall act by a qualified majority.

If, on the expiry of three months from the date on which the matter was referred to it, the Council has not adopted any measures, the Commission shall adopt the proposed measures and apply them immediately.

Article 10

1. The scheme is scheduled to run for five years from 1 January 1992.

2. The amount of Community financial resources deemed necessary for the scheme's implementation shall be ECU 70 million, including ECU 12 million for 1992 in the context of the 1988 to 1992 financial perspective.

For the subsequent period of application of the programme, the amount will have to form part of the Community financial framework in force.

The budget authority shall determine the appropriation available for each financial year, taking into account the principles of sound management referred to in Article 2 of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities⁽¹⁾.

3. Before expiry of the period referred to in paragraph 1, this Regulation shall be reviewed by the Council on a proposal from the Commission and on the basis of a progress report, supplemented in particular by information on the assessment of the effectiveness of measures,

described in Article 5 (2), relating to the sector covered by this Regulation.

Article 11

Council Regulation (EEC) No 3529/86 of 17 November 1986 on protection of the Community's forests against fire⁽²⁾ shall remain applicable to projects or programmes submitted before 1 January 1992.

Article 12

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

It shall apply from 1 January 1992.

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

Done at Brussels, 23 July 1992.

For the Council

The President

John COPE

⁽¹⁾ OJ No L 356, 31. 12. 1977, p. 1. Regulation last amended by Regulation (EEC) No 610/90 (OJ No L 70, 16. 3. 1990, p. 1).

⁽²⁾ OJ No L 326, 21. 11. 1986, p. 5. Regulation last amended by Regulation (EEC) No 1614/89 (OJ No L 165, 15. 6. 1989, p. 10).

COUNCIL REGULATION (EEC) No 2159/92**of 23 July 1992****on the financing of expenditure for the establishment and updating of the register of olive cultivation**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 154/75 of 21 January 1975 on the establishment of a register of olive cultivation in the Member States producing olive oil⁽¹⁾ and in particular Article 3 (4) thereof,

Having regard to the proposal from the Commission,

Whereas Regulation (EEC) No 154/75 lays down that a part of the production aid paid to olive growers during a certain period be deducted and allocated for funding the work necessary for establishing the register of olive cultivation;

Whereas, where the sums resulting from the said deductions would not cover the level of expenditure, Article 3 (4) of the said Regulation provides for the possibility of making further deductions to cover the remaining expenditure;

Whereas the sums resulting from deductions made hereto have fallen considerably short of what is required for

funding the work for the establishment and updating of the register;

Whereas the percentage of production aid during the coming marketing years to be used for financing the said expenditure should be laid down,

HAS ADOPTED THIS REGULATION:

Article 1

In order to finance expenditure for the establishment and updating of the register of olive cultivation, the competent authorities of the producer Member States responsible for paying the aid provided for in Article 5 of Regulation No 136/66/EEC⁽²⁾ shall, when making payment, reduce the amount of aid paid during the marketing years from 1992/93 to 1997/98 by 2,4 %.

Article 2

This Regulation shall enter into force on 1 November 1992.

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

Done at Brussels, 23 July 1992.

For the Council

The President

John COPE

⁽¹⁾ OJ No L 19, 24. 1. 1975, p. 1. Regulation as last amended by Regulation (EEC) No 3788/85 (OJ No L 367, 31. 12. 1985, p. 1).

⁽²⁾ OJ No 172, 30. 9. 1966, p. 3025/66. Regulation as last amended by Regulation (EEC) No 2046/92 (OJ No L 215, 30. 7. 1992, p. 1).

COMMISSION REGULATION (EEC) No 2160/92

of 30 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 29 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 31 July 1992.

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

Done at Brussels, 30 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 30 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	149,13 ⁽²⁾ ⁽³⁾
0712 90 19	149,13 ⁽²⁾ ⁽³⁾
1001 10 10	159,58 ⁽¹⁾ ⁽³⁾ ⁽¹⁰⁾
1001 10 90	159,58 ⁽¹⁾ ⁽³⁾ ⁽¹⁰⁾
1001 90 91	140,60
1001 90 99	140,60 ⁽¹¹⁾
1002 00 00	152,26 ⁽⁶⁾
1003 00 10	125,08
1003 00 90	125,08 ⁽¹¹⁾
1004 00 10	107,99
1004 00 90	107,99
1005 10 90	149,13 ⁽²⁾ ⁽³⁾
1005 90 00	149,13 ⁽²⁾ ⁽³⁾
1007 00 90	152,15 ⁽⁴⁾
1008 10 00	51,55 ⁽¹¹⁾
1008 20 00	101,90 ⁽⁴⁾
1008 30 00	49,80 ⁽²⁾
1008 90 10	⁽⁷⁾
1008 90 90	49,80
1101 00 00	209,84 ⁽⁸⁾ ⁽¹¹⁾
1102 10 00	226,53 ⁽⁸⁾
1103 11 10	260,35 ⁽⁸⁾ ⁽¹⁰⁾
1103 11 90	226,63 ⁽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 2161/92

of 30 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 29 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 31 July 1992.

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

Done at Brussels, 30 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 30 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 2162/92**of 30 July 1992****fixing the minimum levies on the importation of olive oil and levies on the importation of other olive oil sector products**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 2046/92⁽²⁾, and in particular Article 16 (2) thereof,

Having regard to Council Regulation (EEC) No 1514/76 of 24 June 1976 on imports of olive oil originating in Algeria⁽³⁾, as last amended by Regulation (EEC) No 1900/92⁽⁴⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1521/76 of 24 June 1976 on imports of olive oil originating in Morocco⁽⁵⁾, as last amended by Regulation (EEC) No 1901/92⁽⁶⁾, and in particular Article 5 thereof,

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

Having regard to Council Regulation (EEC) No 1180/77 of 17 May 1977 on imports into the Community of certain agricultural products originating in Turkey⁽⁹⁾, as last amended by Regulation (EEC) No 1902/92⁽¹⁰⁾, and in particular Article 10 (2) thereof,

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

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

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

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

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

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

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 27 and 28 July 1992 leads to the minimum levies being fixed as indicated in Annex I to this Regulation;

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

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

⁽²⁾ OJ No L 215, 30. 7. 1992, p. 1.

⁽³⁾ OJ No L 169, 28. 6. 1976, p. 24.

⁽⁴⁾ OJ No L 192, 11. 7. 1992, p. 1.

⁽⁵⁾ OJ No L 169, 28. 6. 1976, p. 43.

⁽⁶⁾ OJ No L 192, 11. 7. 1992, p. 2.

⁽⁷⁾ OJ No L 169, 28. 6. 1976, p. 9.

⁽⁸⁾ OJ No L 48, 26. 2. 1986, p. 1.

⁽⁹⁾ OJ No L 142, 9. 6. 1977, p. 10.

⁽¹⁰⁾ OJ No L 192, 11. 7. 1992, p. 3.

⁽¹¹⁾ OJ No L 181, 21. 7. 1977, p. 4.

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

⁽¹³⁾ OJ No L 331, 28. 11. 1978, p. 6.

⁽¹⁴⁾ OJ No L 263, 19. 9. 1991, p. 1.

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

Article 3

This Regulation shall enter into force on 31 July 1992.

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

Done at Brussels, 30 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX I

Minimum import levies on olive oil ⁽¹⁾

(ECU/100 kg)	
CN code	Non-member countries
1509 10 10	76,00 ⁽²⁾
1509 10 90	76,00 ⁽²⁾
1509 90 00	88,00 ⁽²⁾
1510 00 10	77,00 ⁽²⁾
1510 00 90	122,00 ⁽³⁾

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

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

- (a) Lebanon : ECU 0,60 per 100 kg ;
- (b) Tunisia : ECU 12,69 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force ;
- (c) Turkey : ECU 22,36 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force ;
- (d) Algeria and Morocco : ECU 24,78 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force.

⁽³⁾ For imports of oil falling within this CN code :

- (a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by ECU 3,86 per 100 kg ;
- (b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by ECU 3,09 per 100 kg.

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

- (a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by ECU 7,25 per 100 kg ;
- (b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by ECU 5,80 per 100 kg.

ANNEX II

Import levies on other olive oil sector products ⁽¹⁾

(ECU/100 kg)	
CN code	Non-member countries
0709 90 39	16,72
0711 20 90	16,72
1522 00 31	38,00
1522 00 39	60,80
2306 90 19	6,16

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

COMMISSION REGULATION (EEC) No 2163/92

of 30 July 1992

on the levying of the additional amount provided for by Regulations (EEC) No 3429/80, (EEC) No 796/81, and (EEC) No 1755/81 adopting protective measures applicable to imports of preserved cultivated mushrooms

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 18 thereof,

Whereas Commission Regulations (EEC) No 3429/80⁽³⁾, (EEC) No 796/81⁽⁴⁾ and (EEC) No 1755/81⁽⁵⁾, adopting protective measures applicable to imports of preserved cultivated mushrooms, provided for an additional flat-rate amount to be levied on the release into free circulation in the Community of preserved cultivated mushrooms exceeding the quantities laid down in those Regulations; whereas those Regulations were declared invalid by the Court of Justice in its judgments of 16 October 1991 in Cases 24/90, 25/90 and 26/90⁽⁶⁾ to the extent that the aforementioned amount was fixed, without any distinction, for preserved mushrooms from all origins and of all classes, the effect of which was to increase the cost of imported preserved mushrooms, particularly those of lower quality thus penalising imports of lower quality mushrooms to a greater extent;

Whereas the aim of the Regulations in question was to discourage imports of preserved mushrooms into the Community beyond the quantities laid down; whereas, to achieve that objective, protective measures must be applied to imports of all classes of preserved mushrooms from all third countries;

Whereas the amount should be set at a sufficiently high level to achieve the desired aim; whereas the amount should be fixed at the same level for all the products in

question so as not to encourage the declaration of imports, particularly of preserved mushrooms, as being of lower quality than is actually the case, given that varying the amount according to the quality of the products would, in the absence of a precise Community definition of the different classes, hamper effective control of the goods concerned;

Whereas the Court did not criticize the levying of an amount based on the Community cost price of preserved mushrooms; whereas, so that the additional amount for lower-quality preserved mushrooms imported from third countries does not significantly exceed the production cost of the same type of preserved mushrooms in the Community, the amount should be fixed at a level equal to the Community cost price of Class III preserved mushrooms,

HAS ADOPTED THIS REGULATION:

Article 1

The additional amount referred to in Article 1 of Regulations (EEC) No 3429/80, (EEC) No 796/81 and (EEC) No 1755/81 shall be ECU 105 per 100 kg net.

Article 2

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

It shall apply to all imports made between 1 January 1981 and 30 September 1981 for which a file is still open.

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

Done at Brussels, 30 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ OJ No L 166, 20. 6. 1992, p. 5.

⁽³⁾ OJ No L 358, 31. 12. 1980, p. 66.

⁽⁴⁾ OJ No L 82, 28. 3. 1981, p. 8.

⁽⁵⁾ OJ No L 175, 1. 7. 1981, p. 23.

⁽⁶⁾ Not yet published.

COMMISSION REGULATION (EEC) No 2164/92

of 30 July 1992

laying down detailed rules for the application of the specific supply arrangements for the Canary Islands relating to milk products and establishing the forecast supply balance

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas, to take account of the specific needs of the milk products sector, additional rules to the provisions of Regulation (EEC) No 1695/92 or derogations therefrom should be laid down;

Whereas, pursuant to Article 2 of Regulation (EEC) No 1601/92 an annual forecast supply balance relating to milk products should be established for the Canary Islands;

Whereas to ensure that requirements are met in terms of quantities, prices and quality, supplies to the Canary Islands consist of products originating in third countries on which no levies or customs duties are charged of Community products on terms equivalent to the advantage resulting from exemption from import duties; whereas products of Community origin must qualify for aids for that purpose;

Whereas such aids must be fixed taking into account in particular the supply costs from the world market, the conditions resulting from the geographical situation of the archipelago and the pricing of exports to third countries for the products in question;

Whereas provision should be made for the appointment by the Member State concerned of the authority to be responsible for the management of the supply arrangements;

Whereas a timetable should be drawn up for the submission of licence applications and the conditions of acceptance of such applications should be laid down, in particular as regards the provision of a security; whereas the duration of the validity of import licences and aid certificates should also be fixed having regard to the supply

requirements and the need for sound management, a longer period of validity being allowed for aid certificates in view of the special situation of the Canary Islands;

Whereas, for the sake of sound management of the supply arrangements, conditions should be laid down for the release of the security;

Whereas Council Regulation (EEC) No 3035/80⁽³⁾, as last amended by Regulation (EEC) No 3381/90⁽⁴⁾, lays down the general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II of the Treaty; whereas those rules should be applied for determining the amount of the aid relating to goods falling within CN codes 1901 90 90 and 2106 90 91;

Whereas pursuant to Council Regulation (EEC) No 1601/92 the supply arrangements are applicable from 1 July 1992; whereas it should be laid down that the detailed rules of application are to apply from the same date;

Whereas the Management Committee for Milk and Milk Products has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

1. Pursuant to Article 2 of Regulation (EEC) No 1601/92 the quantities of the forecast supply balance for the Canary Islands which qualify for Community aid or exemption from the levy on imports from third countries shall be as set out in Annex 1.

2. Pursuant to Article 3 of Regulation (EEC) No 1601/92 the amount of the aids shall be as set out in Annex II.

Article 2

The amount of the aids fixed for skimmed-milk powder and butter shall also apply to goods falling within CN codes 1901 90 90 and 2106 90 91, the rules laid down by Regulation (EEC) No 3035/80 for calculating the amount of the refund on such goods applying *mutatis mutandis*.

⁽¹⁾ OJ No L 173, 27. 6. 1992, p. 13.

⁽²⁾ OJ No L 179, 1. 7. 1992, p. 1.

⁽³⁾ OJ No L 323, 29. 11. 1980, p. 29.

⁽⁴⁾ OJ No L 327, 27. 11. 1990, p. 4.

Article 3

Spain shall appoint the authority responsible for :

- (a) issuing the import licence provided for in Article 2 of Regulation (EEC) No 1695/92 ;
- (b) issuing the aid certificate provided for in Article 4 of the abovementioned Regulation ;
- (c) payment of aid to the operators concerned and management of securities.

Article 4

1. Licence applications shall be submitted to the competent authority in the first five working days of each month. A licence application shall be admissible only if :

- (a) it does not exceed the maximum available quantity for each product and for the period concerned ;
- (b) before expiry of the time limit for the submission of licence applications, proof is furnished that the interested party has provided a security. The amount of the security shall be :
 - ECU 5/100 kg for products falling within CN code 0401, 1901 90 90 and 2106 90 91,
 - ECU 10/100 kg for products falling within CN code 0402,
 - ECU 15/100 kg for products falling within CN codes 0405 and 0406.

2. Licences shall be issued on the tenth working day of each month.

Article 5

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

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

Article 6

Notwithstanding Regulation (EEC) No 3719/88, the security shall be released where :

- (a) the competent authority has not accepted an application ; in such cases the security shall be released for the quantities for which the application has not been accepted ;
- (b) the operator has withdrawn his application in accordance with Article 4 (2) of Regulation (EEC) No 1695/92 ;
- (c) proof is furnished that the licence has been used in accordance with Regulation (EEC) No 1695/92 and this Regulation ; in such cases the security shall be released for the quantities charged to the licence.

Article 7

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

It shall apply from 1 July 1992.

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

Done at Brussels, 30 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX I

Supply balance for the Canary Islands relating to milk products for the period 1 July 1992 to 30 June 1993

CN code	Description	Amount (tonnes)
0401	Milk and cream, not concentrated nor containing added sugar or other sweetening matter	65 000
0402	Milk and cream, concentrated or containing added sugar or other sweetening matter	19 000
0405	Butter	4 500
0406	} Cheese	} 12 000
0406 30		
0406 90 23		
0406 90 25		
0406 90 27		
0406 90 77		
0406 90 79		
0406 90 81		
0406 90 89		
1901 90 90	Milk-based preparations containing no fat	12 000
2106 90 91	Milk-based preparations for infants, containing no milkfats, etc.	800

ANNEX II

(in Ecu/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0401	Milk and cream, not concentrated nor containing added sugar or other sweetening matter ⁽¹⁾ :			
0401 10	— Of a fat content, by weight, not exceeding 1 % :			
0401 10 10	— — In immediate packings of a net content not exceeding 2 litres	0401 10 10 000	(¹)	6,36
0401 10 90	— — Other	0401 10 90 000	(¹)	6,36
0401 20	— Of a fat content, by weight, exceeding 1 % but not exceeding 6 % :			
	— — Not exceeding 3 % :			
0401 20 11	— — — In immediate packings of a net content not exceeding 2 litres :			
	— — — Of a fat content, by weight, not exceeding 1,5 %	0401 20 11 100	(¹)	6,36
	— — — Of a fat content, by weight, exceeding 1,5 %	0401 20 11 500	(¹)	9,61
0401 20 19	— — — Other :			
	— — — Of a fat content, by weight, not exceeding 1,5 %	0401 20 19 100	(¹)	6,36
	— — — Of a fat content, by weight, exceeding 1,5 %	0401 20 19 500	(¹)	9,61
	— — Exceeding 3 % :			
0401 20 91	— — — In immediate packings of a net content not exceeding 2 litres :			
	— — — Of a fat content, by weight, not exceeding 4 %	0401 20 91 100	(¹)	12,65
	— — — Of a fat content, by weight, exceeding 4 %	0401 20 91 500	(¹)	14,67
0401 20 99	— — — Other :			
	— — — Of a fat content, by weight, not exceeding 4 %	0401 20 99 100	(¹)	12,65
	— — — Of a fat content, by weight, exceeding 4 %	0401 20 99 500	(¹)	14,67
0401 30	— Of a fat content, by weight, exceeding 6 % :			
	— — Not exceeding 21 % :			
0401 30 11	— — — In immediate packings of a net content not exceeding 2 litres :			
	— — — Of a fat content, by weight :			
	— — — Not exceeding 10 %	0401 30 11 100	(¹)	18,72
	— — — Exceeding 10 % but not exceeding 17 %	0401 30 11 400	(¹)	28,65
	— — — Exceeding 17 %	0401 30 11 700	(¹)	42,84
0401 30 19	— — — Other :			
	— — — Of a fat content, by weight :			
	— — — Not exceeding 10 %	0401 30 19 100	(¹)	18,72
	— — — Exceeding 10 % but not exceeding 17 %	0401 30 19 400	(¹)	28,65
	— — — Exceeding 17 %	0401 30 19 700	(¹)	42,84
	— — Exceeding 21 % but not exceeding 45 % :			
0401 30 31	— — — In immediate packings of a net content not exceeding 2 litres :			
	— — — Of a fat content, by weight :			
	— — — Not exceeding 35 %	0401 30 31 100	(¹)	50,94
	— — — Exceeding 35 % but not exceeding 39 %	0401 30 31 400	(¹)	79,31
	— — — Exceeding 39 %	0401 30 31 700	(¹)	87,41

(in Ecu/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0401 30 39	- - - Other : - Of a fat content, by weight : - Not exceeding 35 % - Exceeding 35 % but not exceeding 39 % - Exceeding 39 % - - Exceeding 45 % :	0401 30 39 100 0401 30 39 400 0401 30 39 700	(1) (1) (1)	50,94 79,31 87,41
0401 30 91	- - - In immediate packings of a net content not exceeding 2 litres : - Of a fat content, by weight : - Not exceeding 68 % - Exceeding 68 % but not exceeding 80 % - Exceeding 80 %	0401 30 91 100 0401 30 91 400 0401 30 91 700	(1) (1) (1)	99,57 146,17 170,49
0401 30 99	- - - Other : - Of a fat content, by weight : - Not exceeding 68 % - Exceeding 68 % but not exceeding 80 % - Exceeding 80 %	0401 30 99 100 0401 30 99 400 0401 30 99 700	(1) (1) (1)	99,57 146,17 170,49
0402	Milk and cream, concentrated or containing added sugar or other sweetening matter :			
0402 10	- In powder, granules or other solid forms, of a fat content, by weight, not exceeding 1,5 % : - - Not containing added sugar or other sweetening matter (2) :			
0402 10 11	- - - In immediate packings of a net content not exceeding 2,5 kg	0402 10 11 000	(2)	65,00
0402 10 19	- - - Other - - Other (3) :	0402 10 19 000	(2)	65,00
0402 10 91	- - - In immediate packings of a net content not exceeding 2,5 kg	0402 10 91 000	(3)	0,6500
0402 10 99	- - - Other - In powder, granules or other solid forms, of a fat content, by weight, exceeding 1,5 % :	0402 10 99 000	(3)	0,6500
0402 21	- - Not containing added sugar or other sweetening matter (2) : - - - Of a fat content, by weight, not exceeding 27 % :			
0402 21 11	- - - - In immediate packings of a net content not exceeding 2,5 kg : - Of a fat content, by weight : - Not exceeding 11 % - Exceeding 11 % but not exceeding 17 % - Exceeding 17 % but not exceeding 25 % - Exceeding 25 %	0402 21 11 200 0402 21 11 300 0402 21 11 500 0402 21 11 900	(2) (2) (2) (2)	65,00 99,72 106,00 112,00
0402 21 17	- - - - - Other :			
0402 21 19	- - - - - Of a fat content, by weight, not exceeding 11 % - - - - - Of a fat content, by weight, exceeding 11 % but not exceeding 27 % : - Not exceeding 17 % - Exceeding 17 % but not exceeding 25 % - Exceeding 25 %	0402 21 17 000 0402 21 19 300 0402 21 19 500 0402 21 19 900	(2) (3) (2) (2)	65,00 99,72 106,00 112,00
	- - - Of a fat content, by weight, exceeding 27 % :			

(in Ecu/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0402 21 91	— — — — In immediate packings of a net content not exceeding 2,5 kg : — Of a fat content, by weight : — Not 28 % — Exceeding 28 % but not exceeding 29 % — Exceeding 29 % but not exceeding 41 % — Exceeding 41 % but not exceeding 45 % — Exceeding 45 % but not exceeding 59 % — Exceeding 59 % but not exceeding 69 % — Exceeding 69 % but not exceeding 79 % — Exceeding 79 %	0402 21 91 100 0402 21 91 200 0402 21 91 300 0402 21 91 400 0402 21 91 500 0402 21 91 600 0402 21 91 700 0402 21 91 900	(2) (2) (2) (2) (2) (2) (2) (2)	115,96 116,87 118,53 128,15 131,43 143,96 151,51 159,88
0402 21 99	— — — — Other : — Of a fat content, by weight : — Not exceeding 28 % — Exceeding 28 % but not exceeding 29 % — Exceeding 29 % but not exceeding 41 % — Exceeding 41 % but not exceeding 45 % — Exceeding 45 % but not exceeding 59 % — Exceeding 59 % but not exceeding 69 % — Exceeding 69 % but not exceeding 79 % — Exceeding 79 %	0402 21 99 100 0402 21 99 200 0402 21 99 300 0402 21 99 400 0402 21 99 500 0402 21 99 600 0402 21 99 700 0402 21 99 900	(2) (2) (2) (2) (2) (2) (2) (2)	115,96 116,87 118,53 128,15 131,43 143,96 151,51 159,88
ex 0402 29	— — Other (3) : — — — Of a fat content, by weight, not exceeding 27 % : — — — — Other :			
0402 29 15	— — — — — In immediate packings of a net content not exceeding 2,5 kg : — Of a fat content, by weight : — Not exceeding 11 % — Exceeding 11 % but not exceeding 17 % — Exceeding 17 % but not exceeding 25 % — Exceeding 25 %	0402 29 15 200 0402 29 15 300 0402 29 15 500 0402 29 15 900	(3) (3) (3) (3)	0,6500 0,9972 1,0600 1,1500
0402 29 19	— — — — — Other : — Of a fat content, by weight : — Not exceeding 11 % — Exceeding 11 % but not exceeding 17 % — Exceeding 17 % but not exceeding 25 % — Exceeding 25 % — — — Of a fat content, by weight, exceeding 27 % :	0402 29 19 200 0402 29 19 300 0402 29 19 500 0402 29 19 900	(3) (3) (3) (3)	0,6500 0,9972 1,0600 1,1500

(in Ecu/100 kg weight, if no other indication)				
CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0402 29 91	— — — — In immediate packings of a net content not exceeding 2,5 kg : — Of a fat content, by weight : — Not exceeding 41 % — Exceeding 41 %	0402 29 91 100 0402 29 91 500	(³) (³)	1,1596 1,2815
0402 29 99	— — — — Other : — Of a fat content, by weight : — Not exceeding 41 % — Exceeding 41 % — Other :	0402 29 99 100 0402 29 99 500	(³) (³)	1,1596 1,2815
0402 91	— — Not containing added sugar or other sweetening matter (²) :			
0402 91 11	— — — — Of a fat content, by weight, not exceeding 8 % :			
0402 91 11	— — — — In immediate packings of a net content not exceeding 2,5 kg : — Of a non-fat lactic dry matter content : — Of less than 15 % and of a fat content, by weight : — Not exceeding 3 % — Exceeding 3 % — Of 15 % or more and of a fat content, by weight : — Not exceeding 3 % — Exceeding 3 % but not exceeding 7,4 % — Exceeding 7,4 %	0402 91 11 110 0402 91 11 120 0402 91 11 310 0402 91 11 350 0402 91 11 370	(²) (²) (²) (²) (²)	6,36 12,65 19,53 24,42 30,28
0402 91 19	— — — — Other : — Of a non-fat lactic dry matter content : — Of less than 15 % and of a fat content, by weight : — Not exceeding 3 % — Exceeding 3 % — Of 15 % or more and of a fat content, by weight : — Not exceeding 3 % — Exceeding 3 % but not exceeding 7,4 % — Exceeding 7,4 % — — — — Of a fat content, by weight, exceeding 8 % but not exceeding 10 % :	0402 91 19 110 0402 91 19 120 0402 91 19 310 0402 91 19 350 0402 91 19 370	(²) (²) (²) (²) (²)	6,36 12,65 19,53 24,42 30,28
0402 91 31	— — — — In immediate packings of a net content not exceeding 2,5 kg : — Of a non-fat lactic dry matter content : — Of less than 15 % — Of 15 % or more	0402 91 31 100 0402 91 31 300	(²) (²)	24,60 35,78
0402 91 39	— — — — Other : — Of a non-fat lactic dry matter content : — Of less than 15 % — Of 15 % or more — — — — Of a fat content, by weight, exceeding 10 % but not exceeding 45 % :	0402 91 39 100 0402 91 39 300	(²) (²)	24,60 35,78
0402 91 51	— — — — In immediate packings of a net content not exceeding 2,5 kg	0402 91 51 000	(²)	28,65
0402 91 59	— — — — Other — — — — Of a fat content, by weight, exceeding 45 % :	0402 91 59 000	(²)	28,65

(in Ecu/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0402 91 91	— — — — In immediate packings of a net content not exceeding 2,5 kg	0402 91 91 000	(²)	99,57
0402 91 99	— — — — Other	0402 91 99 000	(²)	99,57
0402 99	— — Other :			
	— — — Of a fat content, by weight, not exceeding 9,5 % :			
0402 99 11	— — — — In immediate packings of a net content not exceeding 2,5 kg :			
	— Of a non-fat lactic dry matter content of less than 15 % and of a fat content, by weight (³) :			
	— Not exceeding 3 %	0402 99 11 110	(³)	0,0636
	— Exceeding 3 % but not exceeding 6,9 %	0402 99 11 130	(³)	0,1265
	— Exceeding 6,9 %	0402 99 11 150	(³)	0,1967
	— Of a non-fat lactic dry matter content of 15 % or more and of a fat content, by weight (⁴) :			
	— Not exceeding 3 %	0402 99 11 310	(⁴)	22,53
	— Exceeding 3 % but not exceeding 6,9 %	0402 99 11 330	(⁴)	27,52
	— Exceeding 6,9 %	0402 99 11 350	(⁴)	37,32
0402 99 19	— — — — Other :			
	— Of a non-fat lactic dry matter content of less than 15 % and of a fat content, by weight (³) :			
	— Not exceeding 3 %	0402 99 19 110	(³)	0,0636
	— Exceeding 3 % but not exceeding 6,9 %	0402 99 19 130	(³)	0,1265
	— Exceeding 6,9 %	0402 99 19 150	(³)	0,1967
	— Of a non-fat lactic dry matter content of 15 % or more and of a fat content, by weight (⁴) :			
	— Not exceeding 3 %	0402 99 19 310	(⁴)	22,53
	— Exceeding 3 % but not exceeding 6,9 %	0402 99 19 330	(⁴)	27,52
	— Exceeding 6,9 %	0402 99 19 350	(⁴)	37,32
	— — — Of a fat content, by weight, exceeding 9,5 % but not exceeding 45 % :			
0402 99 31	— — — — In immediate packings not exceeding 2,5 kg :			
	— Of a fat content, by weight, not exceeding 21 % :			
	— Of a non-fat lactic dry matter content, by weight, of less than 15 % (³)	0402 99 31 110	(³)	0,2663
	— Of a non-fat lactic dry matter content, by weight, of 15 % or more (⁴)	0402 99 31 150	(⁴)	38,94
	— Of a fat content, by weight, exceeding 21 % but not exceeding 39 % (³)	0402 99 31 300	(³)	0,5094
	— Of a fat content, by weight, exceeding 39 % (³)	0402 99 31 500	(³)	0,8741
0402 99 39	— — — — Other :			
	— Of a fat content, by weight, not exceeding 21 % :			
	— Of a non-fat lactic dry matter content, by weight, of less than 15 % (³)	0402 99 39 110	(³)	0,2663
	— Of a non-fat lactic dry matter content, by weight, of 15 % or more (⁴)	0402 99 39 150	(⁴)	38,94
	— Of a fat content, by weight, exceeding 21 % but not exceeding 39 % (³)	0402 99 39 300	(³)	0,5094
	— Of a fat content, by weight, exceeding 39 % (³)	0402 99 39 500	(³)	0,8741
	— — — Of a fat content, by weight, exceeding 45 % :			

(in Ecu/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0402 99 91	— — — — In immediate packings not exceeding 2,5 kg ⁽²⁾	0402 99 91 000	(2)	0,9957
0402 99 99	— — — — Other ⁽²⁾	0402 99 99 000	(2)	0,9957
0405 00	Butter and other fats and oils derived from milk :			
0405 00 10	— Of a fat content, by weight, not exceeding 85 % :			
	— Of less than 62 %	0405 00 10 100	(6)	—
	— Of 62 % or more but less than 78 %	0405 00 10 200	(6)	127,02
	— Of 78 % or more but less than 80 %	0405 00 10 300	(6)	159,80
	— Of 80 % or more but less than 82 %	0405 00 10 500	(6)	163,90
	— Of 82 % or more	0405 00 10 700	(6)	168,00
0405 00 90	— Other :			
	— Of a fat content, by weight :			
	— Not exceeding 99,5 %	0405 00 90 100	(6)	168,00
	— Exceeding 99,5 %	0405 00 90 900	(6)	215,32
0406 10	— Fresh (unripened or uncured) cheese, including whey cheese, and curd :			
0406 30	— Processed, cheese, not grated or powdered ⁽⁶⁾ :			
0406 30 10	— — In the blending of which only Emmentaler, Gruyere and Appenzell have been used and which may contain, as an addition, Glarus herb cheese (known as Schabziger) ; put up for retail sale, of a fat content by weight in the dry matter, not exceeding 56 % :			
	— — — In the blending of which only Emmentaler and Gruyere have been used of a fat content by weight in the dry matter, not exceeding 56 % :			
	— — — — Of a fat content, by weight, not exceeding 36 % and of a fat content, by weight, in the dry matter :			
	— — — — — Not exceeding 48 % :			
	— Of a dry matter content, by weight :			
	— Of less than 27 %	0406 30 10 100		—
	— Of 27 % or more but less than 33 %	0406 30 10 150		22,83
	— Of 33 % or more but less than 38 %	0406 30 10 200		48,68
	— Of 38 % or more but less than 43 % and of a fat content, by weight, in the dry matter :			
	— Of less than 20 %	0406 30 10 250		48,68
	— Of 20 % or more	0406 30 10 300		71,42
	— Of 43 % or more and of a fat content, by weight, in the dry matter :			
	— Of less than 20 %	0406 30 10 350		48,68
	— Of 20 % or more but less than 40 %	0406 30 10 400		71,42
	— Of 40 % or more	0406 30 10 450		103,95
	— — — — — Exceeding 48 % :			
	— Of a dry matter content, by weight :			
	— Of less than 33 %	0406 30 10 500		—
	— Of 33 % or more but less than 38 %	0406 30 10 550		48,68
	— Of 38 % or more but less than 43 %	0406 30 10 600		71,42

(in Ecu/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0406 30 10 (cont'd)	— Of 43 % or more but less than 46 % — Of 46 % or more and of a fat content, by weight, in the dry matter : — Of less than 55 % — Of 55 % or more — — — Of a fat content, by weight, exceeding 36 % — — — Other — — Other : — — — Of a fat content, by weight, not exceeding 36 % and of a fat content, by weight, in the dry matter :	0406 30 10 650		103,95
		0406 30 10 700		103,95
		0406 30 10 750		126,87
		0406 30 10 800		126,87
		0406 30 10 900		—
0406 30 31	— — — Not exceeding 48 % : — Of a dry matter content, by weight : — Of less than 27 % — Of 27 % or more but less than 33 % — Of 33 % or more but less than 38 % — Of 38 % or more but less than 43 % and of a fat content, by weight, in the dry matter : — Of less than 20 % — Of 20 % or more — Of 43 % or more and of a fat content, by weight, in the dry matter : — Of less than 20 % — Of 20 % or more but less than 40 % — Of 40 % or more	0406 30 31 100		—
		0406 30 31 300	(⁹)	22,83
		0406 30 31 500	(⁹)	48,68
		0406 30 31 710	(⁹)	48,68
		0406 30 31 730	(⁹)	71,42
		0406 30 31 910	(⁹)	48,68
		0406 30 31 930	(⁹)	71,42
		0406 30 31 950	(⁹)	103,95
0406 30 39	— — — Exceeding 48 % : — Of a dry matter content, by weight : — Of less than 33 % — Of 33 % or more but less than 38 % — Of 38 % or more but less than 43 % — Of 43 % or more but less than 46 % — Of 46 % or more and of a fat content, by weight, in the dry matter : — Of less than 55 % — Of 55 % or more	0406 30 39 100		—
		0406 30 39 300	(⁹)	48,68
		0406 30 39 500	(⁹)	71,42
		0406 30 39 700	(⁹)	103,95
		0406 30 39 930	(⁹)	103,95
		0406 30 39 950	(⁹)	126,87
0406 30 90	— — — Of a fat content, by weight, exceeding 36 %	0406 30 90 000	(⁹)	135,35
0406 90 23	— — — Edam : — Of a fat content, by weight, in the dry matter : — Of less than 39 % — Of 39 % or more	0406 90 23 100		—
		0406 90 23 900	(⁹)	135,35
0406 90 25	— — — Tilsit : — Of a fat content, by weight, in the dry matter : — Of less than 39 % — Of 39 % or more	0406 90 25 100		—
		0406 90 25 900	(⁹)	114,71
0406 90 27	— — — Butterkäse : — Of a fat content, by weight, in the dry matter : — Of less than 39 % — Of 39 % or more	0406 90 27 100		—
		0406 90 27 900	(⁹)	110,79

(in Ecu/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0406 90 77	----- Danbo, Fontal, Fontina, Fynbo, Gouda, Havarti, Maribo and Samsø : - Of a fat content, by weight, in the dry matter of less than 39 % - Of a fat content, by weight, in the dry matter of 39 % or more but less than 55 % - Of a fat content, by weight, in the dry matter of 55 % or more	0406 90 77 100 0406 90 77 300 0406 90 77 500	(?) (?) (?)	135,35 135,35 114,71
0406 90 79	----- Estrom, Italico, Kernhem, Saint-Nectaire, Saint-Paulin and Taleggio : - Of a fat content, by weight, in the dry matter of less than 39 % - Of a fat content, by weight, in the dry matter of 39 % or more	0406 90 79 100 0406 90 79 900	 (?)	— 130,00
0406 90 81	----- Cantal, Cheshire, Wensleydale, Lancashire, Double Gloucester, Blarney, Colby and Monterey : - Of a fat content, by weight, in the dry matter of less than 39 % - Of a fat content, by weight, in the dry matter of 39 % or more	0406 90 81 100 0406 90 81 900	 (?)	— 130,00
0406 90 89	----- Other : - Of a fat content, by weight, in the dry matter of less than 39 % : - Of a fat content, by weight, in the dry matter : - Of less than 5 % and of a content, by weight, in the dry matter of 32 % or more - Of 5 % or more but less than 19 % and of a content, by weight, in the dry matter of 32 % or more - Of 19 % or more but less than 39 % and of a water content, calculated by weight, of the non-fatty matter not exceeding 62 % - Of a fat content, by weight, in the dry matter of 39 % or more : - Cheeses produced from whey - Other cheeses of a water content, calculated by weight, of the non-fatty matter : - Exceeding 47 % but not exceeding 52 % : - Idiasabal, manchego, roncal, manufactured exclusively from sheep's and/or goats' milk - Other - Exceeding 52 % but not exceeding 62 % : - Maasdam - Manouri of a fat content, by weight, of 30 % or more - Other - Exceeding 62 %	0406 90 89 100 0406 90 89 200 0406 90 89 300 0406 90 89 910 0406 90 89 951 0406 90 89 959 0406 90 89 971 0406 90 89 972 0406 90 89 979 0406 90 89 990	(?) (?) (?) (?) (?) (?) (?) (?) (?) (?) (?)	89,49 98,13 110,79 — 151,00 130,00 135,35 47,97 135,35 —

- (¹) When the product falling within this subheading is a mixture containing added whey and/or added lactose and/or casein and/or caseinates, no aid shall be granted. When completing customs formalities, the applicant shall state on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added to the product.
- (²) The weight of the added non-lactic matter and/or added whey and/or added lactose and/or added casein and/or added caseinates shall not be taken into account for the purpose of calculation of the fat content by weight. When the product falling within this subheading is a mixture containing added whey and/or added lactose and/or added casein and/or added caseinates, the whey and/or added casein and/or caseinates shall not be taken into account in the added calculation of the amount of aid.
- When completing customs formalities, the applicant shall state, on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added, and where this is the case :
- the actual content by weight of whey and/or lactose and/or casein and/or caseinates added per 100 kilograms of finished product, and in particular,
 - the lactose content of the added whey.
- (³) The weight of added non-lactic matter and/or added whey and/or added lactose and/or added casein and/or added caseinates shall not be taken into account for the purpose of calculation the fat content, by weight.
- The aid per 100 kilograms of product falling within this subheading shall be equal to the sum of the following components :
- (a) the amount per kilogram shown, multiplied by the weight of the lactic part contained in 100 kilograms of product ; however, where whey and/or lactose and/or casein and/or caseinates have been added to the product, the amount per kilogram shown shall be multiplied by the weight of lactic part excluding the weight of added whey and/or added lactose and/or added caseinates, contained in 100 kilograms of product ;
- (b) a component calculated in accordance with the provisions of Article 2 (3) of Regulation (EEC) No 1098/68 (OJ No L 184, 29. 7. 1968, p. 10).
- When completing customs formalities, the applicant shall state, on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added, and where this is the case :
- the actual content by weight of whey and/or lactose and/or casein and/or caseinates added per 100 kilograms of finished products, and in particular,
 - the lactose content of the added whey.
- (⁴) The aid on 100 kilograms of product falling within this subheading is equal to the sum of the following elements :
- (a) the amount per 100 kilograms shown ; however, where whey and/or lactose and/or casein and/or caseinates have been added to the products, the amount per 100 kilograms shown shall be :
- multiplied by the weight of the lactic part other than the added whey and/or added lactose and/or added casein and/or added caseinates contained in 100 kilograms of product, and then
 - divided by the weight of the lactic part contained in 100 kilograms of product ;
- (b) a component calculated in accordance with the provisions of Article 2 (3) of Regulation (EEC) No 1098/68.
- When completing customs formalities, the applicant shall state, on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added, and where this is the case :
- the actual content by weight of whey and/or lactose and/or casein and/or caseinates added per 100 kilograms of finished product, and, in particular,
 - the lactose content of the added whey.
- (⁵) In the case of cheeses presented in containers which also contain conserving liquid, in particular brine, the aid is granted on the net weight, the weight of the liquid being deducted.
- (⁶) Where the product contains casein and/or caseinates, the part corresponding to the casein and/or the added caseinates will not be taken into account for the purpose of calculating the aid.
- When completing customs formalities, the party concerned is to state, on the declaration provided for the purpose, whether or not casein and/or caseinates have been added per 100 kilograms and where this is the case, the actual content by weight of added casein and/or added caseinates of finished product.

COMMISSION REGULATION (EEC) No 2165/92**of 30 July 1992****laying down detailed rules for the application of the specific measures for
Madeira and the Azores as regards potatoes and endives**

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 Articles 10, 16 (3) and 27 (4) thereof,

Whereas, pursuant to Articles 2 and 3 of Council Regulation (EEC) No 1600/92, the forecast supply balance and amount of aid for supplies to Madeira of seed potatoes from the rest of the Community should be determined; whereas such aid should be determined with particular regard to the costs of supply from the world market and the situation resulting from the geographical location of Madeira;

Whereas Commission Regulation (EEC) No 1696/92 ⁽²⁾ lays down common detailed rules for the implementation of the specific arrangements for the supply of certain agricultural products to the Azores and Madeira; whereas additional detailed rules, which are adapted to commercial practices in force in the seed potato sector, governing in particular the period of validity of aid certificates and the amount of the securities guaranteeing fulfilment by operators of their obligations, should be laid down;

Whereas Article 16 of Regulation (EEC) No 1600/92 provides for aid per hectare to be granted in Madeira for the production of potatoes up to a cultivated and harvested area of 2 000 hectares per year; whereas Article 27 of that Regulation provides for aid per hectare to be granted in the Azores for the production of seed potatoes up to 200 hectares and aid for the production of endives up to 400 hectares;

Whereas, as regards measures to assist marketing of seed potatoes produced in the Azores, it is necessary to define the concept of an annual contract, to specify the basis of assessment to be adopted for the calculation of the aid and to lay down the detailed rules on apportionment of aid where the quantity of 3 000 tonnes laid down in Articles 27 (3) and 12 (1) of Regulation (EEC) No 1600/92 is exceeded;

Whereas the measures provided for by Regulation (EEC) No 1600/92 apply from 1 July 1992; whereas the

measures under this Regulation should apply from the same date;

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

HAS ADOPTED THIS REGULATION:

TITLE I**Specific supply measures***Article 1*

Pursuant to Articles 2 and 3 of Regulation (EEC) No 1600/92, the quantity of the forecast supply balance for seed potatoes falling within CN code ex 0701 10 00 which qualifies for exemption from the levy on direct imports into Madeira from third countries or for Community aid is fixed at 1 500 tonnes for the period 1 July 1992 to 30 June 1993.

Article 2

The aid provided for in Article 3 (2) of Regulation (EEC) No 1600/92 for the supply to Madeira of seed potatoes under the forecast supply balance and coming from the Community market is hereby fixed at ECU 3,50 per 100 kg.

Article 3

Portugal shall designate the authority competent for:

- (a) the issue of the exemption certificate provided for in Article 3 (1) of Regulation (EEC) No 1696/92;
- (b) the issue of the aid certificate provided for in Article 4 (1) of Regulation (EEC) No 1696/92;
- (c) payment of the aid to the operators concerned.

Article 4

1. Applications for certificates shall be submitted to the competent authority during the first five working days of each month. An application shall be valid only if:

- (a) the quantity does not exceed the maximum available quantity of seed potatoes published by Portugal;
- (b) evidence is provided, before the deadline for the submission of applications, that the party concerned has lodged a security of ECU 1,75 per 100 kg.

⁽¹⁾ OJ No L 173, 27. 6. 1992, p. 1.

⁽²⁾ OJ No L 179, 1. 7. 1992, p. 6.

2. Certificates shall be issued no later than the tenth working day of each month.
3. If certificates are issued for a quantity smaller than that applied for, the operator concerned may withdraw his application in writing within three working days from the issue of the certificate. In such a case the security relating to the certificate shall be released.
4. The maximum available quantity shall be published by the competent authority during the last week of the month preceding that in which the applications are submitted.

Article 5

Exemption certificates and aid certificates shall expire on the last day of the second month following that of their issue.

TITLE II

Aid for the production of ware potatoes, seed potatoes and endives

Article 6

1. The production aid referred to in Articles 16 and 27 (1) and (2) of Regulation (EEC) No 1600/92 shall be paid in respect of areas:
 - (a) which have been sown and had normal cultivation work carried out on them;
 - (b) for which an application for aid has been submitted in accordance with Article 7, such application to be treated as equivalent to a declaration of the areas cultivated.
2. In the case of seed potatoes, payment of the aid shall also be conditional on the potatoes harvested having been certified in accordance with Commission Directive 66/403/EEC⁽¹⁾.
3. Where a crop fails to reach maturity, the competent Portuguese authorities may accept cases of *force majeure* and natural disasters having a major effect on the area farmed by the declarant as justifying maintenance of the entitlement to aid.

All cases of alleged *force majeure* or natural disasters shall be notified within five working days to the competent Portuguese authority. Evidence thereof shall be provided within one month from such notification.

Portugal shall notify the Commission of cases which it recognizes as constituting *force majeure* or natural disasters likely to justify maintenance of the entitlement to aid.

Article 7

1. Producers concerned shall submit an application for aid to the competent Portuguese agency before a date to be fixed by Portugal. This date shall be fixed in such way as to allow the competent authorities to carry out the necessary on-the-spot checks.

2. Applications for aid shall include at least the following particulars:

- the name, forenames and address of the applicant,
- the areas cultivated in hectares and in ares, the cadastral reference of such areas or an indication recognized as equivalent by the agency responsible for checking the areas,
- the product concerned.

3. Where the area for which aid is requested exceeds the maximum area as referred to in Articles 16 and 27 of Regulation (EEC) No 1600/92, the aid shall be granted to the applicant producers in proportion to the areas stated in the applications.

Article 8

Portugal shall take the necessary control measures, including the measuring of a minimum number of plots for which an aid application has been submitted. It shall determine the minimum number of plots to be checked and the criteria for their selection, and shall inform the Commission thereof.

Article 9

1. If the check reveals an excess of up to 10 % but of not more than one hectare in the area declared, aid shall be calculated on the basis of the area measured, less that excess.
2. If the excess exceeds the limits laid down in paragraph 1, the application for the year in question shall be rejected and the applicant shall be ineligible for aid in the following year.
3. If, for reasons attributable to the applicant, a check cannot be carried out, paragraph 2 shall apply, except in cases of *force majeure*. Grounds for *force majeure* shall be supplied in writing by the party concerned to the competent authorities within 10 days of the planned date of the check.

TITLE III

Aid for marketing of seed potatoes from the Azores under annual contracts

Article 10

1. For the purposes of Article 27 (3) of Regulation (EEC) No 1600/92, 'annual contract' means a contract by which a buyer, whether a natural or legal person established elsewhere in the Community, undertakes, before the beginning of the marketing period, to purchase all or part of the production of a single producer, producers' association or union in the Azores, with a view to marketing it outside the area of production.
2. Operators who intend to submit an application for aid shall send the annual contract to the competent authorities designated by Portugal before the start of the marketing period.

⁽¹⁾ OJ No 125, 11. 7. 1966, p. 2320/66.

The contract shall include at least the following particulars:

- (a) the business names of the contracting parties and their places of establishment;
- (b) the variety of certified seed potatoes;
- (c) the quantities concerned;
- (d) the duration of the undertaking;
- (e) the timetable for deliveries;
- (f) the method of packaging and information relating to transport (conditions and costs);
- (g) the exact delivery stage.

3. The competent authorities shall assess the contracts for conformity with the provisions of Articles 12 and 27 of Regulation (EEC) No 1600/92 and with this Regulation.

They shall verify that the contracts contain all the information specified in paragraph 2.

If necessary, they shall inform the operators that paragraph 6 will apply.

4. For the purpose of calculating the aid, the value of the marketed production, delivered to the destination area, shall be assessed in ecus on the basis of the annual contract, the specific transport documents and all supporting documents submitted in respect of the application for payment.

The value of the marketed production to be taken into account shall be that of a delivery at the first port or airport of unloading.

The authorities may request any additional information or evidence appropriate for determining the amount of the aid.

5. Applications for aid shall be submitted by buyers who have given an undertaking to market the product in the month following the contractual payment of the price or the delivery, if the latter follows the payment of the price.

Where the management of the aid scheme so requires, the competent authorities may fix specific deadlines for submission of annual contracts and aid applications.

6. Where, for a given product and for the Azores, the quantities for which aid is requested exceed the volume of 3 000 tonnes laid down in Articles 12 (1) and 27 (3) of Regulation (EEC) No 1600/92, the aid shall be paid to the applicant buyers in proportion to the quantities actually marketed under the annual contracts.

7. The additional aid provided for in Article 12 (4) of Regulation (EEC) No 1600/92 shall be paid on submission of the undertakings given by the partners to pool, for a period of not less than three years, the knowledge and

know-how required to complete the joint enterprise. These undertakings shall contain a clause prohibiting termination of the contract before the end of the aforementioned three-year period. The latter period shall not begin before 1 July 1992.

In the event of a breach of the abovementioned undertakings, the buyer may not submit an application for aid for the marketing year concerned.

Article 11

1. Applications for aid for marketing shall be submitted, in the form laid down in the Annex, to the competent authorities designated by Portugal.

2. The applications shall be accompanied by invoices and all other supporting documents relating to the measures undertaken.

3. The competent authorities, having verified the applications for aid and the relevant supporting documents, shall pay the aid in the two months following the submission of the application.

TITLE IV

Final provisions

Article 12

1. The rate to be applied for converting the aid per hectare referred to in Article 6 into national currency shall be the agricultural conversion rate applicable on the last date for the submission of applications referred to in Article 7 (1).

2. The rate to be applied for determining and paying marketing aid shall be the representative market rate referred to in Article 3a of Commission Regulation (EEC) No 3152/85⁽¹⁾ applicable on the first day the purchaser takes over the products.

Amounts expressed in the national currency of a non-member country shall be converted into the national currency of a Member State using the conversion rate applied to determine the value for customs purposes on the date referred to in the previous subparagraph.

Article 13

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

It shall apply from 1 July 1992.

⁽¹⁾ OJ No L 310, 21. 11. 1985, p. 1.

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

Done at Brussels, 30 July 1992.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX

APPLICATION FOR AID UNDER ARTICLE 10 (marketing measures)

Product :

Marketing year : from to

Business name of producer or producers' organization :

Address for administrative purposes :

(Street, number, place, telephone, telex) :

Business name of the natural or legal person established elsewhere in the Community :

Administrative address :

Bank and account number to which the aid is to be paid :

Legal relationship between the two parties (annual contract, association contract)

To be completed by the Member State (for each product and marketing year)

Application received on :	Amount (national currency)
ELIGIBLE EXPENDITURE	
1. Quantities marketed :	
2. Value of the production marketed, delivered to destination area :	
3. Expenditure to be taken into consideration : following calculation of the value indicated at 2 above, on the basis of supporting documents :	
4. Reduction coefficient $\left\{ \frac{3\,000 \text{ tonnes}}{\text{(quantity actually marketed)}} \right\} :$	
5. Eligible expenditure (4 × 3) :	
6. Percentage rate of aid (10 % or 13 %) :	
7. Amount payable (5 × 6) :	

COMMISSION REGULATION (EEC) No 2166/92

of 30 July 1992

fixing the reference prices applicable to wine sector products for 1992/93

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine⁽¹⁾, as last amended by Regulation (EEC) No 1756/92⁽²⁾, and in particular Article 53 (6) thereof,

Whereas Article 53 (1) of Regulation (EEC) No 822/87 provides that a reference price for red wine and a reference price for white wine must be fixed annually; whereas those reference prices must be fixed on the basis of the guide price for the types of red and white table wine most representative of Community production plus the costs incurred in bringing Community wines to the same marketing stage as imported wines;

Whereas the types of table wine most representative of Community production are types R I and A I as defined in Annex III to Regulation (EEC) No 822/87; whereas the guide prices for those types of wine were fixed in Council Regulation (EEC) No 1757/92⁽³⁾, at the same levels as those adopted for the previous marketing year;

Whereas the third subparagraph of Article 53 (1) of Regulation (EEC) No 822/87 provides that reference prices are also to be fixed for grape juice (including grape must) covered by CN codes 2009 60 and 2204 30 91, for concentrated grape juice (including grape must) covered by CN codes 2009 60, 2204 30 91 and 2204 30 99 for fresh grape must with fermentation arrested by the addition of alcohol within the meaning of Additional Note 4 (a) of Chapter 22 of the combined nomenclature, for wine fortified for distillation within the meaning of Additional Note 4 (b) of Chapter 22 of the combined nomenclature and for liqueur wine within the meaning of Additional Note 4 (c) of Chapter 22 of the combined nomenclature;

Whereas, since special reference prices are to be fixed for products in accordance with their special characteristics or uses, such prices should be fixed for wines of the Riesling or Sylvaner variety and for liqueur wines to be used in the preparation of products other than those covered by CN code 2204; whereas, lastly, standard amounts corresponding to the normal costs of market

preparation must be established for addition to the reference prices for the various products in cases where they are put up either in containers of not more than two litres or in containers of more than two but not more than 20 litres;

Whereas the reference prices for liqueur wines, which are fixed per hectolitre, must be established having regard to the price levels ruling in the Community for the product in question; whereas a total dry extract exceeding the limits considered normal is a characteristic feature of certain liqueur wines covered by CN codes 2204 21 35, 2204 21 39, 2204 29 35 and 2204 29 39; whereas, pursuant to the rules in Additional Note 3 (b) to Chapter 22 of the combined nomenclature, the said liqueur wines are not classified in the category corresponding to their alcoholic strength but in the next higher category and are therefore subject to a higher reference price than that fixed for the category which corresponds to their alcoholic strength; whereas, moreover, the mechanism referred to above does not apply to certain competing liqueur wines covered by CN codes 2204 21 and 2204 29; whereas, in view of the quantity of imports of such wines, reference prices should be fixed for them so as to ensure equality of treatment between the various liqueur wines;

Whereas the fifth subparagraph of Article 53 (1) of Regulation (EEC) No 822/87 makes provision for the reference price to be adjusted for the non-European parts of the Community; whereas the market situation is such that an adjustment is necessary only for the French overseas department of Réunion;

Whereas the costs incurred in bringing Community wines to the same marketing stage as imported wines, to be established as specified in Article 4 of Council Regulation (EEC) No 344/79⁽⁴⁾, may be assessed at a standard rate;

Whereas the reference prices should be fixed in accordance with the criteria laid down in Regulation (EEC) No 344/79; whereas, having regard to the aims of the Community's wine-growing policy and the contribution which the Community intends to make to the harmonious development of world trade, the reference prices for the 1992/93 marketing year and the standard amount should be fixed at the same levels as those adopted for the previous marketing year;

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 27.

⁽³⁾ OJ No L 180, 1. 7. 1992, p. 29.

⁽⁴⁾ OJ No L 84, 5. 3. 1979, p. 67.

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1992/93 wine year, the reference prices shall be as follows:

A. Products covered by CN codes 2204 21 and 2204 29:

1. red and rosé wine:
ECU 4,37 per % vol actual alcoholic strength per hectolitre;
2. white wine other than that specified in point 3 below:
ECU 4,37 per % vol actual alcoholic strength per hectolitre;
3. white wine put up for import under the name Riesling or Sylvaner:
ECU 88,76 per hectolitre;
4. wine fortified for distillation within the meaning of Additional Note 4 (b) to Chapter 22 of the combined nomenclature:
ECU 2,59 per % vol actual alcoholic strength per hectolitre;
5. fresh grape must with fermentation arrested by the addition of alcohol within the meaning of Additional Note 4 (a) of Chapter 22 of the combined nomenclature:
ECU 2,78 per % vol total alcoholic strength per hectolitre;
6. liqueur wine within the meaning of Additional Note 4 (c) of Chapter 22 of the combined nomenclature covered by the following CN codes:
 - (a) ex 2204 21 35, ex 2204 21 39, ex 2204 29 35 and ex 2204 29 39: ECU 60 per hectolitre;
 - (b) ex 2204 21 41, ex 2204 21 49, ex 2204 29 41 and ex 2204 29 49:

- (aa) 15 % vol with more than 130 grams but not more than 330 grams of total dry extract per litre: ECU 69 per hectolitre,
- (bb) other: ECU 75,20 per hectolitre;
- (c) ex 2204 21 51, ex 2204 21 59, ex 2204 29 51 and ex 2204 29 59: ECU 92 per hectolitre;
- (d) ex 2204 21 90 and ex 2204 29 90: ECU 99,30 per hectolitre;

7. liqueur wine within the meaning of Additional Note 4 (c) to Chapter 22 of the combined nomenclature intended for processing into products other than those covered by CN code 2204:

- (a) ex 2204 21 35, ex 2204 21 39, ex 2204 29 35 and ex 2204 29 39: ECU 60,60 per hectolitre;
- (b) ex 2204 21 41, ex 2204 21 49, ex 2204 29 41 and ex 2204 29 49: ECU 64,80 per hectolitre;
- (c) ex 2204 21 51, ex 2204 21 45, ex 2204 29 51 and ex 2204 29 59: ECU 78,40 per hectolitre;
- (d) ex 2204 21 90, ex 2204 29 90: ECU 86,70 per hectolitre.

B. The reference prices for the products referred to under A(1) and A(2) shall be increased by ECU 1 per % vol actual alcoholic strength per hectolitre where the wine is imported into the French overseas department of Réunion.

C. Products covered by CN codes 2009 60, 2204 30 91 and 2204 30 99 grape juice (including grape must), concentrated or not:

- (a) white: ECU 3,98 per % vol potential alcoholic strength per hectolitre;
- (b) other: ECU 3,98 per % vol potential alcoholic strength per hectolitre.

D. The standard amount per hectolitre to be added in the case of the products specified in A (1), A (2), A (3) and A (6) shall be:

- ECU 42,30 per hectolitre where they are put in containers of a content not exceeding two litres,
- ECU 21,15 per hectolitre where they are put up in containers of a content of more than two litres but not more than 20 litres.

Article 2

This Regulation shall enter into force on 1 September 1992.

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

Done at Brussels, 30 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 2167/92

of 30 July 1992

fixing the buying-in prices, aids and certain other amounts applicable for the
1992/93 wine year to intervention measures in the wine sector

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 257 (1) thereof,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EEC) No 1756/92 ⁽²⁾, and in particular Articles 35 (8), 36 (6), 38 (5), 41 (10), 44, 45 (9) and 46 (5) thereof,

Whereas Council Regulation (EEC) No 1757/92 ⁽³⁾ fixes the guide prices for wine for the 1992/93 wine year; whereas the prices, aids and other amounts for the various intervention measures to be adopted for that wine year should accordingly be fixed on that basis;

Whereas, following the alignment of guide prices in Portugal on Community guide prices and in the absence of special measures, this Regulation applies to Portugal; whereas, however, since wine-growing zones have not been delimited in that country, the oenological practices authorized in accordance with the rules laid down under Title II of Council Regulation (EEC) No 822/87 and the varieties of vines authorized for the production of table wines in Portugal should be defined; whereas, since enrichment is an exceptional practice, the same reduction in the buying-in price for wine provided for in Article 44 of Regulation (EEC) No 822/87 and laid down in Annex VIII should be applied as in wine-growing zone C; whereas, in accordance with Article 341 of the Act of Accession of Spain and Portugal the derogations in force for 'vinho verde';

Whereas, pursuant to Article 70 of the Act of Accession, from this marketing year Spanish prices are set at the same level as the common prices and therefore the prices and aid, as well as the other amounts applicable for 1992/93, laid down in this Regulation apply in that country;

Whereas distillers may, in accordance with Articles 35 (6) and 36 (4) of Regulation (EEC) No 822/87, either receive aid for the product to be distilled or deliver the product

obtained from distillation to the intervention agency; whereas the amount of the aid must be fixed on the basis of the criteria laid down in Article 16 of Regulation (EEC) No 2046/89 ⁽⁴⁾;

Whereas the price of wine to be distilled under Articles 38 and 41 of Regulation (EEC) No 822/87 does not normally allow the marketing at market prices of products obtained from distillation; whereas provision must therefore be made for aid, the amount of which is to be fixed on the basis of the criteria laid down in Article 8 of Regulation (EEC) No 2046/89, account also being taken of the present uncertainty of prices on the market for distillation products;

Whereas some wine delivered for one of the distillation operations may be processed into wine fortified for distillation; whereas the amounts applicable to distillation in accordance with the rules laid down in Article 26 of Regulation (EEC) No 2046/89 should be adjusted accordingly;

Whereas experience gained in sales by invitation to tender of alcohol held by intervention agencies shows that the difference between prices which may be obtained for neutral spirits and raw alcohol does not justify the take-over of the former; whereas, moreover, quantities of neutral spirits currently available are sufficient to satisfy, at least for one wine year, any demand for that product; whereas under these circumstances the possibility provided for in Articles 35, 36 and 39 of Regulation (EEC) No 822/87 should be used by limiting deliveries of neutral spirits to intervention agencies for the 1992/93 wine year;

Whereas the aid for the use in wine-making of concentrated grape must and rectified concentrated grape must as provided for in Article 45 (1) of Regulation (EEC) No 822/87 must be fixed taking into account the difference between the cost of enrichment achieved using concentrated grape must and using sucrose; whereas, in the light of the data available to the Commission, the amount of the aid should be varied with the product used for enrichment; whereas, however, pursuant to Article 128 of the Act of Accession, there should be a different level of aid for Spain;

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 27.

⁽³⁾ OJ No L 180, 1. 7. 1992, p. 29.

⁽⁴⁾ OJ No L 202, 14. 7. 1989, p. 14.

Whereas Article 46 (3) of Regulation (EEC) No 822/87 lays down criteria for fixing the aid provided for in that Article ; whereas, as regards the aid for the use of grapes, grape must and concentrated grape must for the manufacture of grape juice, paragraph 4 of that Article stipulates that a part of the aid should be set aside for the organization of campaigns to promote the consumption of grape juice and whereas the aid may be increased to that end ; whereas, having regard to the criteria laid down and to the need to finance those campaigns, the aid should be fixed at a level permitting sufficient quantities to be obtained for the effective promotion of the product ;

Whereas the reduction in the buying-in price for wine provided for in Article 44 of Regulation (EEC) No 822/87 depends on the average increase in the natural alcoholic strength in each wine-growing zone ; whereas experience shows that that increase corresponds on average to half the maximum increase authorized ; whereas the reduction in the buying-in price must accordingly correspond to the added alcoholic strength as a percentage of the alcoholic strength of wine delivered for distillation ;

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

HAS ADOPTED THIS REGULATION :

Article 1

This Regulation fixes the buying-in prices, the aids and certain other amounts applicable for the 1992/93 wine year to intervention measures in the wine sector in the Community. As regards the measures provided for in Articles 38 and 41 of Regulation (EEC) No 822/87, those amounts shall be fixed subject to a subsequent decision on the activating of those measures.

Article 2

The buying-in prices of the products and of wine delivered during the 1992/93 wine year for compulsory distillation as provided for in Articles 35 and 36 of Regulation (EEC) No 822/87 and, for those products :

- aid to distillers,
- aid to fortifiers of wine for distillation,
- the buying-in prices of alcohol obtained, delivered to an intervention agency,
- the contribution from the European Agricultural Guidance and Guarantee Fund towards the taking over of that alcohol,

shall be as set out in Annexes I and II hereto.

Article 3

The buying-in prices for wine delivered during the 1992/93 wine year for voluntary distillation as provided

for in Articles 38 and 41 of Regulation (EEC) No 822/87 and, for those products :

- aid to distillers,
- aid to fortifiers of wine for distillation,

shall be as set out respectively in Annexes III and IV.

Article 4

1. Notwithstanding Article 17 (4) of Commission Regulation (EEC) No 441/88⁽¹⁾ and Article 13 (3) of Regulation (EEC) No 3105/88⁽²⁾, the intervention agency shall no later than three months after the date on which the alcohol was delivered pay the distiller the price laid down for raw alcohol. In the two months following the final date set for delivery in respect of each of the distillation operations provided for in Articles 35, 36 and 39 of Regulation (EEC) No 822/87 activated for the 1992/93 wine year, the intervention agency shall pay the distiller on additional amount of ECU 0,11 per % vol. and per hl of neutral spirits delivered. This additional amount shall be paid in respect of a quantity of neutral spirits that does not exceed 25 % of the total quantity delivered under each distillation operation, even where the proportion of neutral spirits is greater than 12,5 %.

2. Distillers may request that an advance payment of the additional amount of ECU 0,11 per % vol. and per hl be made in respect of the quantities of neutral spirits delivered provided they have given a security to the intervention agency. This guarantee shall be ECU 14 per hl of pure alcohol in respect of which the advance payment is requested. The advance payment shall be made at the same time as the raw alcohol price is paid. The security shall be released only in respect of a quantity of not more than 12,5 % of the total quantity delivered under each distillation operation. The security shall be forfeit in respect of any quantity in excess of 12,5 %.

Article 5

The aid for utilization during the 1992/93 wine year of concentrated grape must and rectified concentrated grape must as provided for in Article 45 (1) and in the first subparagraph of Article 46 (1) of Regulation (EEC) No 822/87 shall be as set out respectively in Annexes V, VI and VII hereto.

Article 6

The reductions provided for in Article 44 of Regulation (EEC) No 822/87 applicable to the buying-in prices for

⁽¹⁾ OJ No L 45, 18. 2. 1988, p. 15.

⁽²⁾ OJ No L 277, 8. 10. 1988, p. 21.

wine delivered during the 1992/93 wine year for distillation as provided for in Articles 36, 38, 39 or 42 of that Regulation and, for that wine :

- to the aid to the distiller,
- to the buying-in prices of alcohol obtained, delivered to an intervention agency,
- to the contribution from the European Agricultural Guidance and Guarantee Fund to the taking over of that alcohol,

shall be as set out in Annex VIII hereto.

For the purposes of this Article, Portugal shall be considered to form part of wine-growing zone C.

Article 7

1. The rules governing oenological practices and processes laid down in Title II of Regulation (EEC) No 822/87 shall apply to Portugal during the 1992/93 wine year subject to the following conditions :

- (a) increases in alcoholic strenght shall be limited to 2 % vol. Products eligible under this measure shall have a natural alcoholic strength by volume of at least 7,5 % vol, before enrichment and total alcoholic strength by volume of not more than 13 % after enrichment.

However, products upstream of table wine originating in the 'Vinho verde' region must have an alcoholic strength by volume of at least 7 % before enrichment.

The addition of concentrated grape must or rectified concentrated grape must shall not have the effect of increasing the initial volume of fresh crushed grapes, grape must, grape must in fermentation or new wine still in fermentation by more than 6,5 % ;

- (b) fresh grapes, grape must, grape must in fermentation, new wine still in fermentation and wine may be the subject of acidification or deacidification.

2. The wine varieties which may be used to produce table wine shall be those traditionally cultivated in Portugal.

Without prejudice to Article 341 of the Act of Accession, 'vinho verde' may :

- be marketed with a total alcoholic strength by volume of not less than 8,5 % vol in the case of white quality wines psr which have not been enriched,
- have a total sulphur dioxide content of not more than 300 mg/l.

Article 8

This Regulation shall enter into force on 1 September 1992.

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

Done at Brussels, 30 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX I

DISTILLATION AS PROVIDED FOR IN ARTICLE 35 OF REGULATION (EEC) No 822/87

1992/93 WINE YEAR

	(ECU/% vol/hl)
1. Buying-in price to be paid to the producer by the distiller	0,83
2. Aid :	
(a) to distillation :	
1. neutral spirits :	
— flat-rate	0,49
— of marc	0,63
— of wine and lees	0,35
2. spirits distilled from marc	0,26
3. spirits distilled from wine	0,24
4. raw spirits :	
— flat-rate	0,38
— of marc	0,52
— of wine and lees	0,24
(b) to the fortification of wine for distillation	0,23
3. Prices of neutral spirits delivered ⁽¹⁾ :	
— flat-rate	1,45
— spirits distilled from marc	1,59
— spirits distilled from wine and lees	1,31
4. Prices of raw spirits delivered ⁽¹⁾ :	
— flat-rate	1,34
— spirits distilled from marc	1,48
— spirits distilled from wine and lees	1,20
5. EAGGF contribution for spirits ⁽²⁾	0,49

⁽¹⁾ If the distiller has received the aid under 2, these prices are to be reduced by an amount equal to the aid (third subparagraph of Article 18 (2) of Regulation (EEC) No 2046/89).

⁽²⁾ For quantities of alcohol delivered to the intervention agency in respect of which aid has been paid to the distiller, this contribution is to be reduced by the amount of the flat-rate aid paid.

ANNEX II

DISTILLATION AS PROVIDED FOR IN ARTICLE 36 OF REGULATION (EEC) No 822/87

1992/93 WINE YEAR

	(ECU/% vol/hl)
1. Buying-in price to be paid to the producer by the distiller	1,12
2. Aid :	
(a) to distillation :	
1. neutral spirits	0,65
2. spirits distilled from wine and raw spirits	0,54
(b) to the fortification of wine for distillation	0,52
3. Prices of neutral spirits delivered ⁽¹⁾	1,61
4. Prices of raw spirits delivered ⁽¹⁾	1,50
5. EAGGF contribution for spirits ⁽²⁾	0,65

⁽¹⁾ If the distiller has received the aid under 2, these prices are to be reduced by an amount equal to the aid (third subparagraph of Article 18 (2) of Regulation (EEC) No 2046/89).

⁽²⁾ For quantities of alcohol delivered to the intervention agency in respect of which aid has been paid to the distiller, this contribution is to be reduced by the amount of the flat-rate aid paid.

ANNEX III

DISTILLATION AS PROVIDED FOR IN ARTICLE 38 OF REGULATION (EEC) No 822/87

1992/1993 WINE YEAR

	(ECU/% vol/hl)
1. Buying-in price to be paid to the producer by the distiller:	
— type A I, R I and R II ⁽¹⁾	2,09
— type A II	4,52
— type A III	5,16
— type R III	3,23
2. Aid:	
(a) to distillation:	
1. neutral spirits:	
— type A I, R I and R II	1,59
— type A II	4,06
— type A III	4,71
— type R III	2,75
2. spirits distilled from wine and raw spirits:	
— type A I, R I and R II	1,48
— type A II	3,95
— type A III	4,60
— type R III	2,64
(b) to the fortification of wine for distillation:	
— type A I, R I and R II	1,45
— type A II	3,88
— type A III	4,52
— type R III	2,59

⁽¹⁾ And table wine in a close economic relationship with these types of table wine, or wines suitable for yielding table wine.

ANNEX IV

DISTILLATION AS PROVIDED FOR IN ARTICLE 41 OF REGULATION (EEC) No 822/87

1992/1993 YEAR

	(ECU/% vol/hl)
1. Buying-in price to be paid to the producer by the distiller :	
— type A I, R I and R II ⁽¹⁾	2,63
— type A II	5,70
— type A III	6,51
— type R III	4,08
2. Aid :	
(a) to distillation :	
1. neutral spirits :	
— type A I, R I and R II	2,14
— type A II	5,26
— type A III	6,08
— type R III	3,61
2. spirits distilled from wine and raw spirits :	
— type A I, R I and R II	2,03
— type A II	5,15
— type A III	5,97
— type R III	3,50
(b) to the fortification of wine for distillation :	
— type A I, R I and R II	1,99
— type A II	5,06
— type A III	5,87
— type R III	3,44

⁽¹⁾ And table wine in a close economic relationship with these types of table wine.

ANNEX V

AID FOR THE USE IN WINE-MAKING OF CONCENTRATED GRAPE MUST AND RECTIFIED CONCENTRATED GRAPE MUST

(ARTICLE 45 (1) OF REGULATION (EEC) No 822/87)

1992/93 WINE YEAR

	(ECU/% vol/hl)	
	Spain	Other Member States
Amount of the aid :		
(a) concentrated grape must :		
— wine-growing zones C III (a) and C III (b)	1,42	1,52
— others, including Portugal	1,22	1,32
(b) rectified concentrated grape must :		
— wine-growing zones C III (a) and C III (b)	1,88	1,98
— others, if production commenced before 30 June 1982 (EUR 10) or before 1 January 1986 (Spain)	1,88	1,98
— others, including Portugal	1,68	1,78

ANNEX VI

AID FOR THE USE OF GRAPE MUST AND CONCENTRATED GRAPE MUST FOR THE PURPOSE OF MANUFACTURING CERTAIN PRODUCTS IN THE UNITED KINGDOM AND IN IRELAND

(SECOND AND THIRD INDENTS OF ARTICLE 46 (1) OF REGULATION (EEC) No 822/87)

1992/93 WINE YEAR

	(ECU/kg)
Flat-rate amount of the aid :	
1. Products referred to in the second indent of Article 46 (1) of Regulation (EEC) No 822/87	0,20
2. Products referred to in the third indent of Article 46 (1) of Regulation (EEC) No 822/87	0,26

*ANNEX VII***AID FOR THE USE OF GRAPES, GRAPE MUST AND CONCENTRATED GRAPE MUST FOR
THE PURPOSE OF MANUFACTURING GRAPE JUICE****(FIRST INDENT OF ARTICLE 46 (1) OF REGULATION (EEC) No 822/87)****1992/93 WINE YEAR**

	(ECU)
Flat-rate amount of the aid :	
(a) grapes (per 100 kg)	6,39
(b) grape must (per hl)	7,99
(c) concentrated grape must (per hl)	27,95
Percentage of the amount of the aid withheld for the financing of the promotion campaign	35

*ANNEX VIII***REDUCTION IN THE BUYING-IN PRICE OF WINE AS PROVIDED FOR IN ARTICLE 44 OF
REGULATION (EEC) No 822/87****1992/93 WINE YEAR**

(ECU/% vol/hl)		
Zone A	Zone B	Zone C and Portugal
0,30	0,25	0,15

COMMISSION REGULATION (EEC) No 2168/92

of 30 July 1992

laying down detailed implementing rules for the specific measures for the
Canary Islands with regard to potatoes

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⁽¹⁾, of 15 June 1992, introducing specific
measures for the Canary Islands concerning certain agri-
cultural products, and in particular Articles 20 (3) and 21
thereof,

Whereas in application of Articles 2 and 3 of Regulation
(EEC) No 1601/92 it is necessary to determine for seed
potatoes quantities of the forecast supply balance which
benefit from an exemption of the levy on direct imports
from third countries or from aid for deliveries originating
from the rest of the Community;

Whereas this aid must be fixed taking into account the
costs of supply from the world market, and the conditions
due to the geographical situation of the Canary Islands;

Whereas Article 20 of Regulation (EEC) No 1601/92
provides that aid per hectare is granted for the production
of ware potatoes up to a ceiling of an area of 12 000
hectares per year, planted and harvested;

Whereas Article 21 of Regulation 1601/92 provides for a
restriction on deliveries of ware potatoes to the Canary
Islands from third countries, or from the rest of the
Community, in order to avoid disturbance of the market
during the periods which are crucial for the marketing of
the Canary Islands' production; whereas it is appropriate
to fix the sensitive period as well as the maximum quanti-
ties of potatoes to be delivered to the Canary Islands
during the second semester of 1992;

Whereas the provisions provided for in Regulation (EEC)
No 1601/92 are applicable as from 1 July 1992; it is
appropriate to apply the terms of this Regulation as from
the same date;

Whereas the measures provided for in the present regula-
tion are in conformity with the opinion of the Manage-
ment Committee for seeds,

HAS ADOPTED THIS REGULATION:

TITLE I**Specific supply arrangements***Article 1*

Pursuant to Articles 2 and 3 of Regulation (EEC)
No 1601/92, the quantities of the forecast supply balance

with seed potatoes falling under heading CN code
0701 10 00 which benefit from the exoneration from the
import levy on products coming directly from third coun-
tries or which benefit from Community aid are fixed at
12 000 tonnes for the period from 1 July 1992 to 31 June
1993.

Article 2

The aid provided for in Article 3 (2) of Regulation (EEC)
No 1601/92 for seed potatoes included in the forecast
supply balance and which come from the Community
market is fixed at ECU 3,50 per 100 Kg.

Article 3

Spain shall designate the competent authority for:

- (a) the delivery of exemption certificates as provided for
in Article 3 (1) of Regulation (EEC) No 1695/92⁽²⁾;
- (b) the delivery of the aid certificate provided for in
Article 4 (1) of Regulation (EEC) No 1695/92;
- (c) the payment of the aid to the operators concerned.

Article 4

1. Requests for certificates shall be presented to the
competent authority during the first five working days of
every month. A request for a certificate shall only be valid
if:

- (a) it does not exceed the maximum quantity available for
seed potatoes published by Spain;
- (b) before the expiry of the period provided for the
presentation of requests for certificates, proof has been
provided that the interested party has lodged a secu-
rity of ECU 1,75 per 100 Kg.

2. Certificates shall be delivered on the 10th working
day of every month at the latest.

3. Where certificates are issued for quantities which are
less than those requested, the operator concerned can
withdraw his request, in writing, within three working
days following the issue of the certificate. The relative
guarantee is also freed.

⁽¹⁾ OJ No L 173, 27. 6. 1992, p. 13.

⁽²⁾ OJ No L 179, 1. 7. 1992, p. 1.

4. The maximum quantity available shall be published by the competent body during the last week of the month preceding the month when the certificate is requested.

Article 5

The duration of the validity of import certificates and aid certificates shall expire on the last day of the second month following that of their delivery.

TITLE II

Aid for the production of potatoes

Article 6

1. The aid for the production of ware potatoes falling under headings CN codes 0701 90 51, 0701 90 59 and 0701 90 90 as provided for by Article 20 of Regulation (EEC) No 1601/92 is only paid for areas:

- (a) which have been fully sown and had normal cultivation work carried out upon them;
- (b) for which an application has been submitted in accordance with Article 7, such application to be treated as equivalent to a declaration of the areas cultivated.

2. Where cultivation has not been proceeded until the ripening of the product, the competent national authorities may accept cases of *force majeure* and natural disasters having a major effect on the area farmed by the declarant as justifying maintenance of the entitlement to aid.

All cases of *force majeure* or natural disasters as referred to in the preceding subparagraph shall be notified within three days of the event to the competent Spanish authority. Evidence thereof shall be provided within one month from such notification.

Spain shall notify the Commission of cases which they recognize as cases of *force majeure* or as natural disasters.

Article 7

1. Any producer wishing to obtain aid shall submit an application to the competent agency before a date to be fixed by Spain. This date shall be fixed in a way that allows the necessary on-the-spot checks to be carried out.

2. The application for aid shall at least include the following particulars:

- the name, forenames and address of the applicant,
- the areas cultivated in hectares and in ares, the cadastral reference of such areas or an indication recognized as equivalent by the agency responsible for checking the areas.

3. Where the area for which the aid is requested exceeds the maximum area as referred to in Article 20 of

Regulation (EEC) No 1601/92, the aid shall be granted to the applicants in proportion to the area as indicated in the request.

Article 8

Spain shall take the necessary control measures. These include the measurement of a minimum number of fields for which the aid is requested. Spain shall fix the minimum number of fields to be checked and the criteria for their selection, and inform the Commission thereof.

Article 9

1. If the check indicates an excess of up to 10 % but of not more than one hectare in the area declared, aid shall be calculated on the area measured, less that excess.

2. If the excess exceeds the limits provided for in paragraph 1, the application for the marketing year in question shall be rejected. Moreover, the areas forming part of the applicant's holding during the marketing year in question shall be ineligible for aid in the following marketing year.

3. If, for reasons attributable to the applicant, a check cannot be carried out Article 9 (2) shall apply, except in cases of *force majeure*. Grounds for *force majeure* shall be supplied by the interested party in writing, within ten days from the planned date of the check.

TITLE III

Restrictions on deliveries during sensitive periods

Article 10

1. During the period from 1 July to 31 October the delivery of potatoes from third countries and the rest of the Community, to the Canary Islands, as referred to in Article 6, shall be limited to 4 200 tonnes.

During this period the deliveries of the above-mentioned products must be accompanied by a 'potato delivery certificate', hereafter referred to as a 'certificate'.

2. The certificate shall be drawn up on the basis of the import form in the Annex to Regulation (EEC) No 3719/88⁽¹⁾.

Article 8 (3) and (5) and Articles 9, 10, 13 to 16, 19 to 22, 24 to 31 and 33 to 37 of Regulation (EEC) No 3719/88 shall apply, *mutatis mutandis*, subject to the provisions of this Regulation.

3. The words 'potato delivery certificate' shall be printed or stamped in the upper left-hand corner of the certificate.

⁽¹⁾ OJ No L 331, 2. 12. 1988, p. 1.

4. The certificate shall be issued at the request of the parties concerned exclusively by the competent authorities designated by Spain, subject to the quantity provided for in Article 10 (1). Issue of the exemption certificate shall be subject to the lodging of a security, the amount of which shall be fixed for each of the products in question.

The authorities may lay down a time limit for the issue of the certificate.

5. The request for the certificate must not concern a quantity which exceeds the quantity available as regularly published by the competent authorities.

6. Where the quantity for which a certificate is requested exceeds the quantity referred to in Article 10 (1), the certificate shall be awarded to the applicants in proportion to the quantities available.

7. Where certificates are issued for quantities which are less than those requested, the operator concerned can withdraw his request, in writing, within three working days following the issue of the certificate. The relative guarantee is also freed.

8. The application for the certificate and the certificate itself, shall be marked in box No 24 with the words 'certificate to be used for the Canary Islands'.

9. Proof of utilization of the certificate must be furnished within thirty days following expiry of the period of validity of the certificate, except in cases of *force majeure*.

10. The competent authorities administer the system of restrictions on deliveries in a way that allows for the delivery of the quantity referred to in Article 10 (1) to the Canary Islands.

TITLE IV

Final provisions

Article 11

The rate to be applied for converting the aid per hectare into national currency, as referred to in Article 6, shall be the agricultural conversion rate in force on the date fixed for the submission of the application for aid, in conformity with Article 7 (1).

Article 12

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

It shall apply from 1 July 1992.

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

Done at Brussels, 30 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 2169/92

of 30 July 1992

fixing the storage aid for unprocessed dried grapes from the 1991/92 marketing year

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 8 (7) thereof,

Whereas Article 1 (1) of Commission Regulation (EEC) No 627/85 of 12 March 1985 on storage aid and financial compensation for unprocessed dried grapes and figs ⁽³⁾, as amended by Regulation (EEC) No 3602/90 ⁽⁴⁾ provides that storage aid shall be fixed per day and per 100 kilograms net of sultanas of category 4; whereas paragraph 2 of the same Article provides that one rate of storage aid for dried grapes shall apply until the end of February of the year following that in which the products were bought and another rate shall apply to storage beyond that period;

Whereas the storage aid shall be calculated taking into consideration the technical cost of storage and the financing of the purchase price paid for dried grapes;

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

HAS ADOPTED THIS REGULATION:

Article 1

The storage aid referred to in Article 1 of Regulation (EEC) No 627/85 shall, for dried grapes from the 1991/92 marketing year, be as set out in the Annex.

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, 30 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ OJ No L 166, 20. 6. 1992, p. 5.

⁽³⁾ OJ No L 72, 13. 3. 1985, p. 17.

⁽⁴⁾ OJ No L 350, 14. 12. 1990, p. 56.

ANNEX

STORAGE AID FOR UNPROCESSED DRIED GRAPES FROM THE 1991/92
MARKETING YEAR

DRIED GRAPES

(ECU per day per 100 kilograms net)

	Until the end of February 1993	From 1 March 1993
Sultanas of eategory 4	0,0327	0,0083

COMMISSION REGULATION (EEC) No 2170/92

of 30 July 1992

fixing the minimum price applicable to dried grapes during the 1992/93 marketing year as well as the countervailing charges to be imposed where that price is not observed

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 9 (6) thereof,

Whereas, in accordance with Article 9 (2) of Regulation (EEC) No 426/86, the minimum import price for dried grapes shall be determined having regard to:

- the free-at-frontier price on import into the Community,
- the prices obtaining in international trade,
- the situation on the internal Community market,
- the trend of trade with third countries;

Whereas Article 2 (1) of Council Regulation (EEC) No 2089/85 of 23 July 1985 laying down general rules relating to the system of minimum import prices for dried grapes ⁽³⁾ provides that countervailing charges shall be fixed by reference to a scale of import prices; whereas the maximum countervailing charge shall be determined on the basis of the most favourable prices applied on the

world market for significant quantities by the most representative non-member countries;

Whereas a minimum import price must be fixed for currants and other dried grapes;

Whereas the Management Committee for Fruit and Vegetables has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

1. The minimum import price applicable to dried grapes during the 1992/93 marketing year shall be as set out in Annex I.
2. The countervailing charge to be imposed where the minimum import price referred to in paragraph 1 is not observed shall be as set out in Annex II.

Article 2

This Regulation shall enter into force on 1 September 1992.

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

Done at Brussels, 30 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ OJ No L 166, 20. 6. 1992, p. 5.

⁽³⁾ OJ No L 197, 27. 7. 1985, p. 10.

ANNEX I

Minimum import prices

<i>(ECU per tonne)</i>		
CN code	Description	Minimum import price
0806 20	— Dried grapes :	
	— — In immediate containers of a net capacity of 2 kg or less :	
0806 20 11	— — — Currants	983,12
0806 20 12	— — — Sultanas	1 028,50
0806 20 18	— — — Other	1 028,50
	— — Other :	
0806 20 91	— — — Currants	854,39
0806 20 92	— — — Sultanas	893,83
0806 20 98	— — — Other	893,83

ANNEX II

Countervailing charges

1. Currants falling within CN code 0806 20 11

(ECU per tonne)

Import price applied		Countervailing charge to be levied
less than	but not less than	
983,12	973,29	9,83
973,29	953,63	29,49
953,63	924,13	58,99
924,13	894,64	88,48
894,64		313,14

2. Currants falling within CN code 0806 20 91

(ECU per tonne)

Import price applied		Countervailing charge to be levied
less than	but not less than	
854,39	845,84	8,54
845,84	828,76	25,63
828,76	803,13	51,26
803,13	773,49	76,90
777,49		184,41

3. Dried grapes falling within CN codes 0806 20 12 and 0806 20 18

(ECU per tonne)

Import price applied		Countervailing charge to be levied
less than	but not less than	
1 028,50	1 018,23	10,27
1 018,23	997,64	30,86
997,64	966,79	61,71
966,79	935,93	92,57
935,93		358,52

4. Dried grapes falling within CN codes 0806 20 92 and 0806 20 98

(ECU per tonne)

Import price applied		Countervailing charge to be levied
less than	but not less than	
893,83	884,89	8,94
884,89	867,02	26,81
867,02	840,20	53,63
840,20	813,39	80,44
813,39		223,85

COMMISSION REGULATION (EEC) No 2171/92
of 30 July 1992

**fixing for the 1992/93 marketing year the amount of the aid for the cultivation of
certain varieties of grape intended for drying**

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 6(6) thereof,

Whereas, under Article 6 of Regulation (EEC) No 426/86,
new aid arrangements in respect of specialized areas for
the cultivation of sultanas, currants and muscatels took
effect as from the 1990/91 marketing year; whereas these
arrangements will gradually replace the system of produc-
tion aid provided for in Article 6a;

Whereas, under Article 6a (1) of the abovementioned
Regulation, per hectare aid may, for the 1992/93
marketing year, account for only 45 % of the minimum
price to be paid to producers for the 1989/90 marketing
year; whereas the Community aid per hectare should be
set at the level laid down in this Regulation;

Whereas Article 6 (1), third subparagraph, of Regulation
(EEC) No 426/86 provides for the possibility to differen-
tiate the amount of aid on the basis of the varieties of
grapes and on other factors which may affect yield;
whereas it is appropriate to provide such a differentiation
by a coefficient derived from the ratio of average yield by
category to total average yield;

Whereas, however, it is appropriate to provide that areas
having a yield lower than one-third of average yield
differentiated for the varieties concerned shall not be
considered as specialized areas for the application of the
aid arrangements; whereas therefore aid shall not be
granted for the cultivation of such areas;

Whereas it is necessary to determine the aid to be granted
to producers who replant their vineyards in order to
combat phylloxera under the conditions laid down in
Article 6 (4) of Regulation (EEC) No 426/86;

Whereas verification of the areas used for growing these
grapes has revealed no overrun of the maximum guaran-
teed area fixed in Article 4 of Commission Regulation
(EEC) No 2911/90 of 9 October 1990 laying down
detailed rules of application for aid for the production of
certain varieties of grapes for drying ⁽³⁾, as amended by
Regulation (EEC) No 1577/91 ⁽⁴⁾;

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. For the 1992/93 marketing year, the per hectare aid
for the cultivation of sultanas, currants and muscatels
intended for processing pursuant to Article 6 of Regula-
tion (EEC) No 426/86 shall be ECU 1 534 per hectare of
specialized area harvested.

For each variety the amount of aid shall be adjusted by
the coefficient listed in the Annex.

2. For the application of Article 6 (6) of Regulation
(EEC) No 426/86, areas having a yield per hectare less
than:

- 1 000 kilograms of dried grapes for sultanas,
- 750 kilograms of dried grapes for currants,
- 200 kilograms of dried grapes for muscatels,

shall not be considered as specialized areas. The aid shall
not be paid for the cultivation of the abovementioned
products on these areas.

3. Member States shall take all necessary measures for
checking this minimum yield.

Article 2

Pursuant to Article 6 (4) of Regulation (EEC) No 426/86,
the per hectare aid to be granted to producers who replant
their vineyards in order to combat phylloxera and who do
not receive the aid provided for under the operational
programme to combat that disease shall be ECU 3 244
per hectare.

The Member States concerned take the administrative
provisions needed for the granting of this aid.

Article 1 (2) shall not apply in such cases.

Article 3

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

It shall apply from 1 September 1992.

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ OJ No L 166, 20. 6. 1992, p. 5.

⁽³⁾ OJ No L 278, 10. 10. 1990, p. 35.

⁽⁴⁾ OJ No L 147, 12. 6. 1991, p. 6.

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

Done at Brussels, 30 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

Coefficients applicable for varieties of dried grapes

Variety	Coefficient
Sultanas	1,1454
Currants	0,9434
Muscatels	0,3511

COMMISSION REGULATION (EEC) No 2172/92

of 30 July 1992

fixing for the 1992/93 marketing year the minimum price to be paid to producers for unprocessed sultanas, currants and muscatels and the amount of production aid for dried grapes

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 6a (5) thereof,

Whereas Council Regulation (EEC) No 1206/90⁽³⁾, as amended by Regulation (EEC) No 2202/90⁽⁴⁾, lays down general rules for the system of production aid for processed fruit and vegetables;

Whereas, under Article 6a (1) of Regulation (EEC) No 426/86, the minimum price to be paid to producers is reduced by ECU 19,941 per 100 kg per marketing year, from the 1990/91 marketing year and up to the 1993/94 marketing year; whereas Article 6 of the said Regulation provides for the gradual introduction of a per hectare aid for the cultivation of these grapes;

Whereas Article 6a (2) 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, if necessary, the pattern of processing costs assessed on a flat-rate basis; whereas a minimum import price is applicable in respect of dried grapes pursuant to Article 9 of the same Regulation; whereas the third country price must be replaced by this price;

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

Committee for Products Processed from Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

For the marketing year 1992/93:

- (a) the minimum price referred to in Article 4 of Regulation (EEC) No 426/86 to be paid to producers for unprocessed dried sultanas of category 4; and
- (b) the production aid referred to in Article 5 of the same Regulation for processed dried sultanas of category 4

shall be as set out in the Annex hereto.

Article 2

For the marketing year 1992/93, the minimum price for unprocessed dried grapes and the production aid for the other categories of sultanas, currants and for muscatels shall be fixed on the basis of the coefficient by application set out in Annex I to Commission Regulation (EEC) No 2347/84⁽⁵⁾.

Article 3

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

It shall apply from 1 September 1992.

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

Done at Brussels, 30 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽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 201, 31. 7. 1990, p. 4.⁽⁵⁾ OJ No L 219, 16. 8. 1984, p. 1.

ANNEX**Minimum price to be paid to producers**

Product	ECU/100 kg net, ex producer
Unprocessed sultanas of category 4	73,119

Production aid

Product	ECU/100 kg net
Dried sultanas of category 4	30,134

COMMISSION REGULATION (EEC) No 2173/92**of 30 July 1992****laying down detailed rules for the application of specific measures adopted in respect of fruit, vegetables, plants and flowers for the benefit of the Canary Islands**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 concerning specific measures for the Canary Islands with regard to certain agricultural products ⁽¹⁾, and in particular Articles 15 (5), 16 (5) and 17 (2) 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 rates 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 Regulation (EEC) No 1601/92 introduces an aid scheme for the implementation of programmes of initiatives on behalf of the Canary Islands in respect of fruit, vegetables, plants and flowers; whereas detailed rules should be adopted for the application of this scheme; whereas the rules concern the specification of the works which may be included in the programmes of initiatives, the definition of the measures to be adopted as part of the technical assistance to producer groups, the procedure for accepting the programmes of initiatives and their monitoring and implementation;

Whereas the rules relating to the undertaking of an economic analysis and forward study of the fruit and vegetable processing industry in the Canary Islands should be adopted;

Whereas, as regards aid measures for marketing, it is necessary to define the concept of an annual contract, to specify the basis of assessment to be adopted for the calculation of the aid and to adopt the detailed rules on apportionment of aid where the quantity of 10 000 tonnes for each product and year as laid down in Article 16 (1) of Regulation (EEC) No 1601/92 is exceeded;

Whereas the measures provided for in this Regulation are in accordance with the joint opinion of the Management

Committees for Fruit and Vegetables and Processed Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

This Regulation lays down detailed rules for the grant of Community assistance to undertake programmes of initiatives and for the grant of aid for marketing under annual contracts, as provided for in Articles 15 and 16 of Council Regulation (EEC) No 1601/92.

It also lays down general rules relating to the economic study on the processed fruit and vegetable industry.

TITLE I

Aid for programmes of initiatives*Article 2*

The programmes of initiatives for the expansion of production and/or the quantitative improvement of the products referred to in Article 15 of Regulation (EEC) No 1601/92 relate to one or more of the following measures:

- developing production, in particular by new plantings or new crops,
- varietal improvements to improve productivity and to bring about adjustments in respects to environmental conditions and market demand,
- the adoption of cultivation techniques specific to the climatic and physical conditions in the region,
- the planting and cultivation of experimental crops in conjunction with research centres.

Article 3

The additional aid provided for in Article 15 (3) of Regulation (EEC) No 1601/92 shall be paid where programmes of initiatives:

- are submitted by a producer group or organization recognized under Council Regulations (EEC) No 1360/78 ⁽⁴⁾ and (EEC) No 1035/72 ⁽⁵⁾ respectively, and

⁽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 166, 23. 6. 1978, p. 1.

⁽⁵⁾ OJ No L 118, 20. 5. 1972, p. 1.

— are drawn up and implemented with the assistance, or under the supervision, of technical specialists in the crops in question who are not members of the above-mentioned groups or organizations. Assistance shall cover in particular one or more of the following objectives :

- adapting crop production,
- choosing the most appropriate varieties,
- cultivation techniques suitable for local crops and conditions.

Article 4

1. Draft programmes of initiatives shall be submitted each year to the competent authorities, before a date to be set by them. They shall be submitted in accordance with the model set out in Annex I hereto and shall be accompanied by all appropriate information requested.

2. The competent authorities shall ensure that :

- the programme of initiatives complies with the objectives of Regulation (EEC) No 1601/92 and with the provisions of this Regulation,
- the draft programme displays economic coherence and technical quality and that the estimates and the financing plan, as well as the programming of its implementation, are all justified,
- the information given in the draft programme is correct.

The authorities shall carry out all appropriate checks, including on-site inspections where necessary.

3. The competent authorities shall decide to accept or reject the programmes within three months from the end of the period laid down for the submission of drafts. They may make approval conditional upon amendment of the draft so that it conforms to Community rules and regulations. The decision may be made later than the above deadline where an additional appraisal is made by the authorities or where amendments are requested by them.

4. Each year, and at least 30 days before the end of the period specified in paragraph 3, the competent authorities shall send the Commission a summary sheet for each programme likely to be approved, in accordance with the outline given in Annex I. The Commission may ask for further information and make observations before the end of the period laid down for the approval or rejection of the programmes of initiatives.

5. The programme may be amended during implementation where such amendments can be justified for technical reasons, without, however, being intended to extend the implementation phase originally provided for.

The competent authorities shall take all appropriate measures to approve or reject the said amendments.

The approval or rejection procedure as laid down in paragraphs 3 and 4 shall be followed.

6. While the programme of initiatives is being implemented, the competent authorities shall verify on a regular basis the progress made in programme implementation, the conformity of the measures on a technical and financial level and the veracity of the supporting documents submitted. Each programme of initiatives shall give rise to at least one on-the-spot check during its implementation.

7. Each year the producers, producer groups or producers' organizations shall submit applications for assistance before a date stipulated by the competent authorities.

Article 5

Each year, and before 31 October at the latest, the competent authorities shall send the Commission a report summarizing the progress made in implementing the approved programmes and the results of the checks carried out. They shall also provide the Commission with all appropriate information where difficulties of implementation arise which are liable to affect adversely the successful completion of the commitments entered into by the operators to evaluate the application of Article 15 of Regulation (EEC) No 1601/92.

Article 6

Measures already in receipt of financial assistance or which are the subject of a request for assistance from the existing Structural Funds shall not be eligible under this Regulation.

TITLE II

Study on processed fruit and vegetables

Article 7

1. The competent authorities shall be responsible for awarding the study by means of an invitation to tender.

2. The draft invitation to tender, including the contract conditions, shall be sent to the Commission by the competent authorities. The Commission shall comment on the draft, where appropriate, within one month following its receipt.

3. The competent authorities shall forward the final study to the Commission, which shall put forward its observations, where appropriate, within 45 days following receipt of the study.

4. Payment of the Community contribution shall be conditional upon :

- compliance with the provisions of Article 17 of Regulation (EEC) No 1601/92, the contract specifications and the comments put forward,
- payment of the Spanish public authorities' contribution.

TITLE III

Aid for marketing under annual contracts

Article 8

1. For the purposes of Article 16 of Regulation (EEC) No 1601/92, 'annual contract' means a contract by which an operator, either a natural or legal person established elsewhere in the Community, undertakes, before the beginning of the marketing period for the product or products in question, to purchase all or part of the production of a single producer, producers' association or producers' union in the Canary Islands, with a view to marketing it outside the area of production.

2. Operators who intend to submit an application for aid shall send the annual contract to the competent Spanish authorities before the start of the marketing period for the product or products in question.

The contract shall at the very least include the following information :

- (a) the business names of the Contracting Parties and their place of establishment ;
- (b) the description of the products ;
- (c) the quantities concerned ;
- (d) the duration of the commitment ;
- (e) the marketing schedule ;
- (f) the packaging and presentation method and the information relating to transport (conditions and costs) ;
- (g) the exact delivery stage.

3. The competent authorities shall assess the contracts for conformity with the provisions of Article 16 of Regulation (EEC) No 1601/92 and with this Regulation.

They shall verify that the contracts contain all the information specified in paragraph 2 above.

They shall indicate whether paragraph 6 is likely to be applied.

4. For the purpose of calculating the aid, the value of marketed production, delivered to destination zone, shall be evaluated in ecus on the basis of the annual contract, the particular transport documents and any other sup-

porting documents submitted to justify the application for payment.

The value of the marketed production to be taken into account shall be equivalent to that of a delivery at the first port or airport of unloading.

The competent authorities may request any information or additional supporting documentation appropriate for calculating the aid.

5. Applications for aid shall be submitted by the buyer who entered into the commitment to market the product in the month following the end of the marketing period.

Where the management of the aid scheme so requires, the competent authorities may specify marketing periods or years for each product.

6. Where, for a given product, the quantities for which aid is requested exceed the volume of 10 000 tonnes laid down in Article 16 (1) of Regulation (EEC) No 1601/92, the aid shall be awarded to the applicant buyers in proportion to the quantities actually marketed under the annual contracts.

7. The increase in aid provided for in Article 16 (4) of Regulation (EEC) No 1601/92 shall be paid on presentation of the commitments entered into by the partners to pool, for a period of not less than three years, the knowledge and know-how required to achieve the objective of the joint venture. These commitments shall include a clause prohibiting cancellation of the contract before the end of the aforementioned three-year period. This period may not begin before 1 July 1992.

Where the aforementioned commitments are broken, the buyer may not submit an application for aid for the marketing year concerned.

TITLE IV

General provisions and financing

Article 9

1. Applications for Community aid for the programmes of initiatives and for marketing shall be submitted, in accordance with Annexes II and III, to the competent Spanish authorities.

2. The applications shall be accompanied by invoices and all other supporting documents relating to the measures undertaken.

In the case of programmes of initiatives, the invoices or supporting documents shall contain a reference to that part of the programme area to which the work instalments refer.

3. The competent authorities, having verified the applications for aid and the relative supporting documents, shall pay out, in the two months following the filing of the relevant application for aid, the contribution of the Member State and the Community contribution determined in accordance with Articles 15 and 16 of Regulation (EEC) No 1601/92. The contribution of the Member State concerned may not be paid out later than the Community contribution.

Article 10

1. The rate to be applied for converting the aid per hectare for the programmes of initiatives into national currency each year shall be the agricultural conversion rate in force on 1 January of the current year of implementation of the programme.

2. In the case of the payment for the study relating to the processed fruit and vegetable industry provided for in Article 7, the applicable conversion rate shall be the representative market rate referred to in Article 3a of Commission Regulation (EEC) No 3152/85⁽¹⁾ in force on the day of issue of the invitation to tender for the award of the study.

3. The rate to be applied for the calculation and payment of the marketing aid shall be the representative market rate referred to in Article 3a of Regulation (EEC) No 3152/85 applicable on the first day on which the products are taken over by the buyer.

Amounts expressed in the national currency of a third country shall be converted into the national currency of a Member State using the conversion rate to be applied for

determining the customs value in force on the date referred to in the preceding sentence.

Article 11

1. Where aid has been paid out unduly, the competent authorities shall recover the sums paid out, with interest from the date on which the aid was paid out to the date on which it was actually recovered. The applicable rate of interest shall be that in force for similar recovery operations under national law.

2. The aid recovered and, where applicable, interest shall be paid to the disbursing authorities or paying agencies and deducted by them from the expenditure financed by the European Agricultural Guidance and Guarantee Fund in proportion to the Community contribution.

Article 12

The competent authorities shall send the Commission, within three months following the entry into force of this Regulation, the additional detailed rules adopted for the application of Articles 15, 16 and 17 of Regulation (EEC) No 1601/92.

TITLE V

Final provisions

Article 13

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, 30 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 310, 21. 11. 1985, p. 1.

ANNEX I**DESCRIPTION OF THE PROGRAMME OF INITIATIVES**

- A. Demarcation of the geographical area involved and precise geographical identification of the parcels covered by the programme.**
- B. Description of the position at the start of the programme as regards :**
1. *Production :*
 - number of holdings, cultivated area, yield per hectare, volume of production harvested. This information must be broken down by product,
 - technical infrastructure of the holdings.
 2. *Technical assistance*
- C. Production potential — aims and prospective outlets**
- D. Programme aims in regard to :**
1. *the means of production :*
 - development of production, in particular by new plantings or new crops,
 - varietal improvements to increase productivity and to adjust to environmental conditions,
 - adoption of cultivation techniques specific to the climatic and physical conditions of the region,
 - planting and cultivation of experimental crops in conjunction with research centres.
 2. *Technical assistance linked to production (conversion of production and cultivation techniques)*
- E. Investments required**
1. Total cost of the plan, broken down by measure proposed.
 2. Anticipated cost broken down by year of implementation.
- F. Expected time limit for completion and annual phasing of implementation (over a minimum period of three years).**
-

ANNEX II

APPLICATION FOR AID UNDER ARTICLE 4
(programme of initiatives)

Business name of the producer or producers' organization :.....

Address for administrative purposes :

(street, number, locality, telephone and telex number) :.....

.....

Bank and account number to which the aid is to be paid :

Total area of the holding :

Reference year of the works, from :

to :

LIST OF THE WORKS CARRIED OUT DURING THE REFERENCE YEAR

(in national currency)

Type of measure and supporting documents attached	Amount
A. New crops or plantings	
1. Invoice No dated	
2.	
3.	
B. Varietal improvements	
1. Invoice No dated	
2.	
3.	
C. Adoption of farming techniques appropriate to the region	
1. Invoice No dated	
2.	
3.	
D. Planting and cultivation of experimental crops	
1. Invoice No dated	
2.	
3.	
Total	

To be completed by the Member State					
	National currency	Number of hectares	Unit cost per ha (in national currency)	Conversion rate	Unit cost per ha (in ecus)
1. Total expenditure					
— Year one :					
— Year two :					
— Year three :					
Total					
2. Producers' contribution					
— Year one :					
— Year two :					
— Year three :					
Total					
3. Member State's contribution					
— Year one :					
— Year two :					
— Year three :					
Total					
4. Total contributions of Producers and Member State :					
5. Community contributions					
— Year one :					
— Year two :					
Total					
6. Maximum amount of Community contributions :					500 cf 4
7. Definitive Community contribution :					

(in national currency)

Increase in aid per hectare	Amount
Provision of technical assistance for supervision and crop management	
1. Invoice No dated	
2.	
3.	
Hectares involved : (minimum 2 ha)	
Annual amount to be paid ECU 100/ha × conversion rate	

ANNEX III

APPLICATION FOR AID UNDER ARTICLE 8
(marketing measures)

Product :
Marketing year : from to
Business name of producer or producer's organization :
.....
Address for administrative purposes :
(Street, number, locality, telephone and telex numbers) :
.....
Business name of the natural or legal person established elsewhere in the Community :
.....
Address for administrative purposes :
.....
Bank and account number to which the aid is to be paid :
Legal relationship between the two operators (annual contract, association contract)
.....

To be completed by the Member State (for each product and marketing year)

Application received on :	Amount (in national currency)
ELIGIBLE EXPENDITURE	
1. Quantities marketed :	
2. Value of the production marketed, delivered to destination zone :	
3. Expenditure to be taken into consideration : following calculation of the value indicated at point 2 above, on the basis of supporting documents :	
4. Reduction coefficient $\left\{ \frac{10\,000\text{ tonnes}}{\text{(quantity actually marketed)}} \right\}$:	
5. Eligible expenditure (4 × 3) :	
6. Percentage rate of aid (10 % ou 13 %) :	
7. Amount payable (5 × 6) :	

COMMISSION REGULATION (EEC) No 2174/92

of 30 July 1992

laying down detailed rules governing the grant of private storage aid for São Jorge and Ilha cheese

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 24 (6) thereof,

Whereas Article 24 (5) of that Regulation provides for the granting of aid for private storage of São Jorge cheese at least three months old and Ilha cheese at least 45 days old, in order to support essential traditional milk sector activities in the Azores; whereas the detailed rules for this provision should in all main points be identical to those for corresponding provisions for other cheese; whereas the amount of the aid should be set using the same criteria as in the case of these provisions;

Whereas in application of Commission Regulation (EEC) No 1600/92, the regime is applicable from 1 July 1992; whereas it is necessary to provide for application of the detailed implementing rules from the same date;

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

HAS ADOPTED THIS REGULATION:

Article 1

Private storage aid shall be granted for 1 000 tonnes of São Jorge cheese and 2 000 tonnes of Ilha cheese produced in the Azores. The requirements of Articles 2 and 3 must be met.

Article 2

1. The responsible agency designated by Portugal shall not conclude storage contracts unless the following requirements are met:

- (a) the quantity of cheese to which the contract relates is not less than two tonnes;
- (b) the cheese was manufactured at least 90 days (São Jorge) or 45 days (Ilha) before the date specified in the contract as being the date of commencement of storage;

(c) the cheese has undergone tests which show that it meets the condition laid down in (b) and that it is of first quality;

(d) the storer undertakes:

- to keep the cheese during the entire period of storage in premises where the maximum temperature is + 16° C,
- not, during the term of the contract, to alter the composition of the lot which is the subject of the contract without authorization from the responsible agency. If the condition concerning the minimum quantity for contracts continues to be met, the agency may authorize an alteration limited to the removal or replacement of cheeses found to have deteriorated to such an extent that they can no longer be stored.

In the event of removal from store of certain quantities:

- (i) if the aforesaid quantities are replaced with the authorization of the agency, the contract shall be deemed not to have undergone any alteration,
- (ii) if the aforesaid quantities are not replaced, the contract shall be deemed to have been concluded *ab initio* for the quantity retained.

Any supervisory costs arising from an alteration shall be met by the storer,

- to keep stock accounts and to inform the agency each week of the quantity of cheese put into storage during the previous week and of any planned withdrawals.

2. The storage contract shall be concluded:

- (a) in writing, stating the date when storage covered by the contract begins; this may not be earlier than the day following that on which entry of the cheese covered by the contract into storage is completed;
- (b) after completion of entry of the cheese covered by the contract into storage and at the latest 40 days after the date on which the storage covered by the contract begins.

Article 3

1. No aid shall be granted in respect of storage under contract for less than 60 days.

2. The aid payable may not exceed an amount corresponding to 90 days storage under contract. By way of derogation from the second indent of Article 2 (1) (d), when the period of 60 days specified in paragraph 1 has

⁽¹⁾ OJ No L 173, 27. 6. 1992, p. 1.

elapsed, the storer may remove all or part of the quantity under contract. The minimum quantity that may be removed shall be 500 kilograms. Portugal may, however, increase this quantity to two tonnes.

The date of the start of operations to remove cheese covered by the contract shall not be included in the period of storage under contract.

Article 4

1. The amount of aid shall be ECU 2,80 per tonne per day.
2. The amount of aid in ecus applicable to a storage contract shall be that applying on the first day of storage under contract. It shall be converted into national currency at the representative rate applicable on the last day of storage under contract.
3. Aid shall be paid not later than 90 days from the last day of storage under contract.

Article 5

The periods, dates and time-limits mentioned in this Regulation shall be determined in accordance with Regulation (EEC, Euratom) No 1182/71 ⁽¹⁾. However, Article (4) of that Regulation shall not apply for determination of the duration of storage under contract.

Article 6

1. Portugal shall ensure that the conditions granting entitlement to payment of the aid are fulfilled.
2. The contractor shall make available to the national authorities responsible for verifying execution of the measure all documentation permitting the following particulars of products placed in private storage to be verified :
 - (a) ownership at the time of entry into storage,
 - (b) origin and date of manufacture of the cheeses,
 - (c) date of entry into storage,
 - (d) presence in the store,
 - (e) date of removal from storage.
3. The contractor or, where applicable, the operator of the store shall keep stock accounts available at the store, covering :
 - (a) identification, by contract number, of products placed in private storage,
 - (b) the dates of entry into and removal from storage,
 - (c) the number of cheeses in each lot and their weight,
 - (d) the location of the products in the store.
4. Products stored must be easily identifiable by contract. A special mark shall be affixed to cheese covered by a contract.

5. Without prejudice to Article 2 (1) (d), on entry into storage, the responsible agency shall conduct checks in particular to ensure that products stored are eligible for the aid and to prevent any possibility of substitution of products during storage under contract.

6. The national authorities responsible for controls shall undertake :

- (a) an unannounced check to see that the products are present in the store. The sample concerned must be representative and must correspond to at least 10 % of the overall quantity under contract for a private storage aid measure. Such checks must include, in addition to an examination of the accounts referred to in paragraph 3, a physical check of the weight and type of product and their identification. Such physical checks must relate to at least 5 % of the quantity subject to the unannounced check ;
- (b) a check to see that the products are present at the end of the storage period under contract.

7. Checks conducted pursuant to paragraphs 5 and 6 must be the subject of a report stating :

- the date of the check,
- its duration,
- the operations conducted.

The report must be signed by the official responsible and countersigned by the contractor or, where applicable, by the store operator.

8. In the case of irregularities affecting at least 5 % of the quantities of products checked the check shall be extended to a larger sample to be determined by the responsible agency.

Portugal shall notify such cases to the Commission within four weeks.

9. Portugal may provide that the costs of checks will be borne partly or fully by the contractor.

Article 7

Portugal shall communicate to the Commission on or before the Tuesday of each week :

- (a) the quantities of cheese for which storage contracts have been concluded during the previous week ;
- (b) any quantities in respect of which the authorization referred to in the second indent of Article 2 (d) has been given.

Article 8

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

It shall apply to cheese put into storage from 1 July 1992.

⁽¹⁾ OJ No L 124, 8. 6. 1971, p. 1.

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

Done at Brussels, 30 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 2175/92**of 30 July 1992****laying down detailed rules for the application of the specific measures for the supply of processed fruit and vegetable products to the Canary Islands**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 concerning specific measures for the Canary Islands with regard to certain agricultural products⁽¹⁾, and in particular Article 3 (4) 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 rates 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, pursuant to Articles 2 and 3 of Regulation (EEC) No 1601/92, the quantities of certain processed fruit and vegetable products in the forecast supply balance, covered by CN codes 2007 99 and 2008 and qualifying for exemption from duty on direct imports from third countries or for aid for consignments from the rest of the Community should be determined;

Whereas the abovementioned aid should be fixed for supplies of processed fruit products to Canary Islands; whereas that aid must be fixed taking account in particular of the costs of supply from the world market, the conditions deriving from the Canary Islands' geographical location and the prices applying on export to the latter;

Whereas Commission Regulation (EEC) No 1695/92⁽⁴⁾ lays down the common rules for the application of the arrangements for the supply of certain agricultural products to the Canary Islands; whereas additional detailed rules in line with commercial practice for processed fruit and vegetable products should be laid down as regards in particular the term of validity of licences and certificates and the amounts of the securities guaranteeing operators' compliance with their obligations;

Whereas, with a view to sound management of the supply arrangements, provision should be made for a timetable for the lodging of licence and certificate applications and for a period of reflection for their issue;

Whereas, pursuant to Regulation (EEC) No 1601/92, the supply arrangements apply from 1 July 1992; whereas provision should be made for the detailed rules to apply from the same date;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. For the purposes of applying Articles 2 and 3 of Regulation (EEC) No 1601/92, the quantities covered by the forecast supply balance of processed fruit products qualifying for exemption from duty on imports from third countries or for Community aid shall be as set out in Annex I.

2. Without prejudice to a revision of the supply balance during the period concerned, the quantities laid down for the various products listed in Part II of Annex I may be exceeded by up to 20 % provided that the overall quantity is not exceeded.

Article 2

The aid provided for in Article 3 (2) of Regulation (EEC) No 1601/92 for products covered by the forecast supply balance and coming from the Community market shall be as set out in Annex II.

Article 3

1. Regulation (EEC) No 1695/92 shall apply.

2. Products covered by CN codes 2007 99, 2008 20, 2008 30, 2008 40, 2008 50, 2008 70, 2008 80, 2008 92 and 2008 99, with the exception of those listed in Annex IV 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⁽⁵⁾, as last amended by Regulation (EEC) No 1569/92⁽⁶⁾, shall qualify for exemption from import duties on presentation of an exemption certificate as provided for in Article 3 of Regulation (EEC) No 1695/92.

⁽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 49, 27. 2. 1986, p. 1.

⁽⁶⁾ OJ No L 166, 20. 6. 1992, p. 5.

Article 4

Spain shall designate the authority competent for:

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

Article 5

1. Licence and certificate applications shall be submitted to the competent authority in the first five working days of each month. Certificate or licence applications shall only be admissible if:

- (a) they do not cover a quantity in excess of that available for each product code as set out in Annex I and published by the competent authority;
- (b) before expiry of the time limit laid down for the submission of certificate or licence applications, proof has been provided that the party concerned has lodged a security of ECU 20 per 100 kg; in the case of products covered by CN codes 2008 30 and 2008 70, the security shall be ECU 15 per 100 kg.

2. Licences and certificates shall be issued on the 10th working day of each month.

3. Where licences or certificates are issued for less than the quantities applied for pursuant to Article 5 of Regulation (EEC) No 1695/92, the operator may withdraw his application in writing within three working days of the date of issue; the security covering the licence or certificate shall be released in such cases.

Article 6

The term of validity of certificates and licences shall expire on the last day of the month following that of issue.

Article 7

The aid provided for in Article 2 shall be paid in respect of quantities actually supplied.

The rate to be used for payment of the aid in national currency shall be the agricultural conversion rate applicable on the first day of the month of submission of the aid certificate application.

Article 8

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

It shall apply from 1 July 1992.

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

Done at Brussels, 30 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX I

Forecast supply balance covering processed fruit and vegetable products for the Canary Islands over the period 1 July 1992 to 30 June 1993

(tonnes)		
CN code	Description	Quantity
Part I		
2007 99	Preparations other than homogenized, containing fruit other than citrus fruit	1 250
Part II		
2008	Fruit, nuts and other edible parts of plants, otherwise prepared or preserved, whether or not containing added sugar or other sweetening matter or spirit, not elsewhere specified or included :	
2008 20	— pineapples	1 700
2008 30	— citrus fruit	500
2008 40	— pears	1 600
2008 50	— apricots	150
2008 70	— peaches	7 600
2008 80	— strawberries	100
	— other, including mixtures other than those of subheading 2008 19	
2008 92	— — mixtures	1 450
2008 99	— — other than palm hearts and mixtures	650
		<u>13 750</u>

ANNEX II

Aid granted in respect of the products listed in Annex I from the Community market

(Ecu/100 kg)	
CN code	Aid
2007 99	54
2008 20	41
2008 30	16
2008 40	—
2008 50	21
2008 70	15
2008 80	85
2008 92	31
2008 99	47

COMMISSION REGULATION (EEC) No 2176/92**of 30 July 1992****supplementing Annex A to Regulation (EEC) No 1164/89 laying down detailed rules concerning the aid for fibreflax and hemp**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1308/70 of 29 June 1970 on the common organization of the market in flax and hemp ⁽¹⁾, as last amended by Regulation (EEC) No 2057/92 ⁽²⁾, and in particular Article 4 (5) thereof,Whereas Annex A to Commission Regulation (EEC) No 1164/89 ⁽³⁾ contains a list of varieties of flax grown mainly for fibre in order to distinguish those varieties from those grown mainly for seed; whereas, as a result of the use of new varieties of flax grown mainly for fibre, the said Annex should be supplemented;

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

HAS ADOPTED THIS REGULATION:

Article 1

The 'Argos', 'Bertelin', 'Evelin', 'Hermes' and 'Nike' varieties are hereby added to Annex A to Regulation (EEC) No 1164/89.

Article 2

This Regulation shall enter into force on 1 August 1992.

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

Done at Brussels, 30 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 146, 4. 7. 1970, p. 1.⁽²⁾ OJ No L 215, 30. 7. 1992, p. 16.⁽³⁾ OJ No L 121, 29. 4. 1989, p. 4.

COMMISSION REGULATION (EEC) No 2177/92

of 30 July 1992

laying down detailed rules for the application of the specific supply arrangements for the Azores, Madeira and the Canary Islands with regard to sugar and amending Regulation (EEC) No 2670/81

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 1601/92 of 15 June 1992 concerning specific measures for the Canary Islands with regard to certain agricultural products ⁽²⁾, and in particular Articles 3 (4) and 7 (2) 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 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 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 ⁽⁵⁾ and 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 ⁽⁶⁾;

Whereas Commission Regulation (EEC) No 3719/88 ⁽⁷⁾, as last amended by Regulation (EEC) No 92/91 ⁽⁸⁾, lays down in particular detailed rules for the application of the system of import licences; whereas Commission Regulation (EEC) No 2630/81 ⁽⁹⁾, as last amended by Regulation (EEC) No 1170/92 ⁽¹⁰⁾, lays down special detailed rules for the sugar sector in that connection; whereas those common and special detailed rules apply to imports of sugar under the specific supply arrangements for the regions in question;

Whereas, for each region concerned, the quantity eligible, for the marketing year in question, for exemption from

the import levy or for Community aid under the specific supply arrangements provided for in Article 3 of Regulation (EEC) No 1600/92 and Article 3 of Regulation (EEC) No 1601/92 respectively should be fixed on the basis of estimates;

Whereas, in line with the objectives set by the above-mentioned specific supply arrangements, provision should be made for granting a Community aid representing the refund required for exporting sugar or sugar syrups to the regions in question, without discrimination between them;

Whereas the main objective of the specific supply arrangements for the regions in question is to ensure coverage of their requirements on terms equivalent, for the end user, to the advantage resulting from exemption from import duties on products from third countries; whereas supplies of sugar from other regions of the Community are ensured by virtue of Community aid; whereas therefore the possibility of granting production refunds provided for in Article 9 (3) of Council Regulation (EEC) No 1785/81 ⁽¹¹⁾, as last amended by Regulation (EEC) No 61/92 ⁽¹²⁾, designed in particular to put Community processors on the same footing as regards supplied as those on the world market, is not justified in this case;

Whereas, for the sake of sound management of the supply arrangements, a sufficient security should be fixed and appropriate conditions laid down for its release;

Whereas, to keep as close as possible to the provisions on export refunds for sugar, it should be laid down that if, following a change in the prices fixed in ecus at the time of transition from one marketing year to the next, an adjustment is made to export refunds, the amount of the aid is also to be adjusted accordingly for products on which, if they were exported to third countries, the amount of the refund would be adjusted;

Whereas, for the purposes of conversion into pesetas or escudos of the amounts of aids, the rate to be applied should be the agricultural conversion rate in force on the day on which the application for an aid certificate is submitted so that not only the amount of the aid in ecus but also that expressed in national currency is fixed in advance;

⁽¹⁾ OJ No L 173, 27. 6. 1992, p. 1.

⁽²⁾ OJ No L 173, 27. 6. 1992, p. 13.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁵⁾ OJ No L 179, 1. 7. 1992, p. 6.

⁽⁶⁾ OJ No L 179, 1. 7. 1992, p. 1.

⁽⁷⁾ OJ No L 331, 2. 12. 1988, p. 1.

⁽⁸⁾ OJ No L 11, 16. 1. 1991, p. 11.

⁽⁹⁾ OJ No L 258, 11. 9. 1981, p. 16.

⁽¹⁰⁾ OJ No L 122, 7. 5. 1992, p. 27.

⁽¹¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽¹²⁾ OJ No L 6, 11. 1. 1992, p. 19.

Whereas the specific supply arrangements for the Canary Islands provided for in Article 3 of Regulation (EEC) No 1601/92 lay down that the arrangements are to be implemented in such a way as to take account in particular of traditional trade flows with the rest of the Community;

Whereas such trade flows exist in the case of deliveries of white C sugar and raw C sugar within the meaning of Article 24 (1a) of Regulation (EEC) No 1785/81; whereas, to safeguard that type of trade with the Canary Islands, Madeira and the Azores, it should be specified in Commission Regulation (EEC) No 2670/81 of 14 September 1981 laying down detailed implementing rules in respect of sugar production in excess of the quota⁽¹⁾, as last amended by Regulation (EEC) No 3559/91⁽²⁾, that white C sugar and raw C sugar imported into these regions under the import levy exemption scheme is to be regarded as having been exported to third countries within the meaning of Article 26 (1) of Regulation (EEC) No 1785/81;

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 purposes of application to the sugar sector of the supply arrangements provided for in Article 3 of Regulation (EEC) No 1600/92 and Article 3 of Regulation (EEC) No 1601/92 respectively, the quantities of sugar which qualify for the Community aid referred to in Articles 2, 3 and 4 of this Regulation or which qualify for exemption from the import levy provided for in Article 3 (1) of Regulation (EEC) No 1600/92 and Article 3 (1) of Regulation (EEC) No 1601/92 respectively, shall be for the marketing year in question and by region, as set out in the Annex hereto.

2. Article 9 (3) of Regulation (EEC) No 1785/81 shall not apply to white sugar, raw sugar and sucrose syrups qualifying for the Community aid scheme or for exemption from the exemption from the import levy referred to in paragraph 1.

3. The C sugar referred to in Article 24 (1a) of Regulation (EEC) No 1785/81 exported in accordance with the relevant provisions of Regulation (EEC) No 2670/81 and imported for consumption into the Canary Islands and Madeira in the form of white sugar falling within CN code 1701 or into the Azores in the form of raw sugar falling within CN code 1701 12 10 shall qualify, subject

to the conditions laid down in this Regulation, for exemption from the import levy within the limit of the corresponding quantity fixed in the Annex hereto.

4. The quantities specified in the Annex hereto may be reduced or increased during the marketing year in the light, in particular, of trends in consumption and stocks.

Article 2

1. White sugar of Community origin produced under quotas within the meaning of Article 24 (1a) of Regulation (EEC) No 1785/81 which is sent to Madeira and the Canary Islands for consumption in those regions shall qualify, upon application to be submitted in accordance with Article 4 of, as appropriate, Regulation (EEC) No 1600/92 or Regulation (EEC) No 1601/92, for the supply aid referred to in paragraph 2 of this Article.

2. The amount of the supply aid applicable on the day on which the application is submitted shall be equal, per 100 kilograms of white sugar, to the latest maximum amount of the export refund fixed for white sugar under the standing invitation to tender for export of white sugar. Where two standing invitations to tender are in progress simultaneously, the maximum amount to be taken into consideration shall be that fixed most recently in connection with the standing invitation to tender issued for export for the following marketing year.

Article 3

1. Raw sugar of Community origin produced under The quotas within the meaning of Article 24 (1a) of Regulation (EEC) No 1785/81 and falling within CN code ex 1701 12 10 sent to the Azores for refining and consumption in that region shall qualify, upon application to be submitted in accordance with Article 4 of Regulation (EEC) No 1600/92, for the supply aid referred to in paragraph 2 of this Article.

2. The amount of the supply aid applicable on the day on which the application is submitted shall be, per 100 kilograms of raw sugar, 92 % of the maximum amount referred to in Article 2 (2) of this Regulation.

3. If the yield of the raw sugar sent is not 92 %, the amount of the aid shall be adjusted by applying Article 5 (3) of Council Regulation (EEC) No 766/68⁽³⁾.

Article 4

1. Sucrose syrups falling within CN codes 1702 60 90, 1702 90 60, 1702 90 71 or 1702 90 90 produced under quotas within the meaning of Article 24 (1a) of Regulation (EEC) No 1785/81 which are sent to Madeira and the

⁽¹⁾ OJ No L 262, 16. 9. 1981, p. 14.

⁽²⁾ OJ No L 336, 7. 12. 1991, p. 26.

⁽³⁾ OJ No L 143, 25. 6. 1968, p. 6.

Canary Islands shall qualify, non upon application to be submitted in accordance with Article 4 of, as appropriate, Regulation (EEC) No 1600/92 or of Regulation (EEC) No 1601/92, for the supply aid referred to in paragraph 2 of this Article.

2. The amount of the supply aid applicable on the day on which the application is submitted shall be equal, per 1 % of sucrose content and per 100 kilograms net of the syrup in question, to one hundredth of the maximum amount in question referred to in Article 2 (2) of this Regulation.

Article 5

1. the security in respect of the aid certificate shall be ECU 4.5 per 100 kilograms of sugar expressed in terms of white sugar.

2. Save in the case of *force majeure*, the security shall be released:

- (a) where proof has been furnished within the time limit set that at least 95 % of the quantity specified on the certificate has been used;
- (b) for the quantity for which the competent authority has not accepted the application by reason of application of Article 5 of, as appropriate, Regulation (EEC) No 1695/92 or of Regulation (EEC) No 1696/92.

The security or the part of the security which is not released shall be forfeited.

3. In the case of *force majeure* the competent authorities of the Member State concerned shall adopt the measures which they deem appropriate in the circumstances invoked by the party concerned.

4. The aid certificate shall be valid from the date of actual issue until the end of the fifth month following that date but may not extend beyond 30 June immediately following the date of actual issued. However, if the actual issue occurs in the month of June, the period of validity shall run until the end of the fifth month thereafter.

Article 6

Where export refunds on white sugar or unprocessed raw sugar or sucrose syrups referred to in Article 4 (1) are

adjusted pursuant to Article 12 of Regulation (EEC) No 766/68, the amounts of the supply aid shall also be adjusted to the same extent as the refund on export to third countries for the same product.

Article 7

Where one of the products qualifying for supply aid is sent from mainland Spain to the Canary Islands, Madeira or the Azores, the amount of the aid in question shall be increased by the latest accession compensatory amount fixed by Commission Regulation (EEC) No 581/86⁽¹⁾ for the product in question.

Article 8

The supply aid shall be converted into pesetas or escudos using the agricultural conversion rate in force for the national currency concerned on the date on which the aid certificate application is submitted.

Article 9

The following paragraph 1a shall be inserted in Article 1 of Regulation (EEC) No 2670/81:

'1a. Notwithstanding paragraph 1 (a), (b) and (d), where C sugar is imported into the Canary Islands or into Madeira in the form of white sugar falling within CN code 1701 or into the Azores in the form of raw sugar falling within CN code 1701 12 10 under the scheme of exemption from import levies provided for in Article 3 of Regulation (EEC) No 1600/92 or Article 3 of Regulation (EEC) No 1601/92, it shall be regarded as being exported to a third country within the meaning of Article 26 (1) of Regulation (EEC) No 1785/81 and originating in that third country for the purposes of the application of the said scheme.'

Article 10

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

It shall apply from 1 July 1992.

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

Done at Brussels, 30 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 57, 1. 3. 1986, p. 27.

ANNEX

Quantities of sugar, expressed in terms of tonnes of white sugar, referred to in Article 1 of this Regulation for the 1992/93 marketing year

Region	Quantity
Azores	7 000
Madeira	6 000
Canary Islands	60 000

COMMISSION REGULATION (EEC) No 2178/92

of 30 July 1992

determining, for tobacco from the 1991 harvest, the quantity actually produced and the prices and premiums payable under the system of maximum guaranteed quantities

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 727/70 of 21 April 1970 on the common organization of the market in raw tobacco ⁽¹⁾, as last amended by Regulation (EEC) No 860/92 ⁽²⁾, and in particular Article 4 (5) thereof,

Having regard to Commission Regulation (EEC) No 2824/88 of 13 September 1988 laying down certain detailed rules for the application of the system of maximum guaranteed quantities in the tobacco sector and amending Regulations (EEC) No 1076/78 and (EEC) No 1726/70 ⁽³⁾, and in particular Articles 1 and 2 (4) thereof,

Whereas Regulation (EEC) No 727/70 provides for a system of maximum guaranteed quantities; whereas that system provides in particular that where the quantities fixed for a variety or a group of varieties are exceeded, the prices and premiums concerned must be reduced in accordance with Article 4 (5) of that Regulation;

Whereas Regulation (EEC) No 2824/88 lays down that, before 31 July of the year following that of harvest, the Commission must, for each of the varieties or groups of varieties of tobacco for which a maximum guaranteed quantity has been fixed, determine in particular on the basis of the figures notified by the Member States, the quantity actually produced which, if exceeded, causes the prices and premiums for the variety or group of varieties concerned to be reduced by 1 % for each 1 % by which the maximum guaranteed quantity is exceeded; whereas when that occurs the norm price is reduced by an amount equal to the reduction in the premium; whereas in the case of the 1991 harvest the maximum reduction allowed is 15 %;

Whereas Council Regulation (EEC) No 1738/91 ⁽⁴⁾, fixes *inter alia* the maximum guaranteed quantities of leaf tobacco and the prices and premiums for the 1991 harvest;

Whereas on the basis of the figures available the quantities actually produced in respect of the 1991 harvest are those set out below; whereas the prices and premiums for that harvest should accordingly be adjusted as shown below;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. For the 1991 harvest the actual production of each variety or group of varieties of tobacco and the overrun of the maximum guaranteed quantities fixed by Regulation (EEC) No 1738/91 shall be those set out in Annex I to this Regulation.

2. For the 1991 harvest the norm and intervention prices and the amounts of the premium granted to purchasers of leaf tobacco, as referred to in Articles 2 and 3 of Regulation (EEC) No 727/70, and the derived intervention prices for baled tobacco, as referred to in Article 6 of the said Regulation, which are payable under the system of maximum guaranteed quantities, shall be as set out in Annex II to this Regulation.

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, 30 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 1.

⁽²⁾ OJ No L 91, 7. 4. 1992, p. 1.

⁽³⁾ OJ No L 254, 14. 9. 1988, p. 9.

⁽⁴⁾ OJ No L 163, 26. 6. 1991, p. 13.

ANNEX I

Tobacco from the 1991 harvest : maximum guaranteed quantities by variety and group of varieties, quantities actually produced, and overrun of the maximum guaranteed quantities

Group and varieties (serial number)	Maximum guaranteed quantity (tonnes)	Quantity actually produced (tonnes)	Overrun of the maximum guaranteed quantity (%)
GROUP I			
3 Virgin D	14 050	7 199	—
7 Bright	46 750	60 094	28,54
31 Virginia E	20 000	32 501	62,51
33 Virginia P	4 500	4 632	2,93
17 Basmas	30 000	26 928	—
18 Katerini	23 000	19 933	—
26 Virginia EL	17 000	39 703	133,55
Total	155 300	190 990	
GROUP II			
2 Badischer Burley			
— for area A	11 200	8 800	—
— for area B	4 300	6 027	40,16
8 Burley I	46 750	55 843	19,45
9 Maryland	3 500	3 468	—
25 Burley EL	11 000	8 651	—
28 Burley Ferm.	22 000	7 520	—
32 Burley E	2 500	5 286	—
34 Burley P		818	—
Total	101 250	96 413	
GROUP III			
1 Badischer Geudertheimer :	5 050	3 209	—
4 Paraguay :			
— for area A	16 000	18 969	18,56
— for area B	2 700	10 207	278,04
— for area C	2 000	623	—
5 Nijkerk		229	—
6 Misionero		66	—
27 Santa Fé	1 500	23	—
29 Havanna E		501	—
10 Kentucky	8 500	8 187	—
16 Round Tip		231	—
30 Round Scafati	200	114	72,50
Total	35 950	42 359	
GROUP IV			
13 Xanti-Yakà		6 693	—
14 Perustitza	20 000	8 090	—
15 Erzegovina		2 339	—
19 Kaba Koulak classic		13 163	—
20 Kaba Koulak non classic	30 000	1 590	—
21 Myrodata		4 740	—
22 Zychnomyrodata		342	—
Total	50 000	36 957	
GROUP V			
11 (a) Forchheimer Havanna II c		6 309	—
(b) Nostrano del Brenta		12	—
(c) Resistente 142			—
(d) Gojano	21 000	26 391	55,80
(e) Hybrids of Badischer Geudertheimer			—
12 Beneventano		5	—
23 Tsebelia	26 500	21 292	—
24 Mavra		9 813	17,38
Total	47 500	63 822	

ANNEX II

Norm prices, intervention prices, premiums and derived intervention prices for tobacco from the 1991 harvest, in accordance with the system of maximum guaranteed quantities

(ECU/kg)

Serial No	Variety	Norm price	Intervention price	Premium	Derived intervention price
1	Badischer Geudertheimer, Pereg, Korso	3,637	3,091	2,530	4,636
2	Badischer Burley E and hybrids thereof				
	— for area A	4,504	3,829	2,956	5,417
	— for area B	4,061	3,255	2,513	4,734
3	Virginia D and hybrids thereof	4,618	3,925	2,922	5,171
4	Paraguay and hybrids thereof				
	— for area A	3,042	2,452	1,996	—
	— for area B	2,647	2,134	1,737	—
	— for area C	3,394	2,885	2,348	—
5	Nijkerk	3,351	2,849	2,128	—
6	(a) Misionero and hybrids thereof (b) Rio Grande and hybrids thereof	3,123	2,654	2,155	—
7	Bright	3,694	2,936	2,088	4,175
8	Burley I	2,212	1,787	1,486	2,844
9	Maryland	3,307	2,811	1,872	4,007
10	(a) Kentucky and hybrids thereof (b) Moro di Cori (c) Salento	2,791	2,373	1,902	3,341
11	(a) Forchheimer Havanna II c (b) Nostrano del Brenta (c) Resistente 142 (d) Gojano (e) Hybrids of Badischer Geudertheimer	2,102	1,499 (1)	1,409	2,635 (1)
12	(a) Beneventano (b) Brasile Selvaggio and similar varieties	1,130	0,917	0,795	1,641
13	Xanti-Yakà	3,056	2,598	2,251	4,324
14	(a) Perustitza (b) Samsun	2,893 —	2,459 —	2,142 2,085	3,737 3,761
15	Erzegovina and similar varieties	2,599	2,209	1,930	3,371
16	(a) Round Tip (b) Scafati (b) Sumatra I	12,564	9,982	7,093	16,706
17	Basmas	6,080	5,168	3,067	6,902
18	Katerini and similar varieties	5,064	4,305	2,729	6,185
19	(a) Kaba Koulak classic (b) Ellassona	3,774	3,208	1,950	4,687
20	(a) Kaba Koulak non-classic (b) Myrodata Smyrne, Trapezous and Phi I	2,843	2,417	1,335	3,799
21	Myrodata Agrinion	3,752	3,189	1,970	4,608

(ECU/kg)

Serial No	Variety	Norm price	Intervention price	Premium	Derived intervention price
22	Zichnomyrodata	3,898	3,313	2,078	4,805
23	Tsebelia	2,072	1,504 (¹)	1,627	2,774 (¹)
24	Mavra	2,068	1,468 (¹)	1,330	2,734 (¹)
25	Burley EL	2,247	1,910	1,496	3,031
26	Virginia EL	3,129	2,581	2,508	3,729
27	Santa Fé	1,381	1,174	0,300	2,031
28	Fermented Burley	2,236	1,901	0,929	2,918
29	Havanna E	2,873	2,442	1,949	3,627
30	Round Scafati	7,529	6,400	5,134	11,408
31	Virginia E	3,921	3,072	1,878	4,408
32	Burley E	2,960	2,516	1,717	3,782
33	Virginia P	4,209	3,545	2,303	4,863
34	Burley P	3,067	2,607	1,717	3,890

(¹) Account being taken of the application of Article 13 of Regulation (EEC) No 727/70.

COMMISSION REGULATION (EEC) No 2179/92

of 30 July 1992

laying down detailed rules for the application of the specific import measures
for the Canary Islands as regards tobacco

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 6 (2) thereof,

Whereas Article 6 of Regulation (EEC) No 1601/92 provides for exemption from customs duties for direct imports into the Canary Islands of a maximum quantity of 20 000 tonnes of raw and semi-manufactured tobacco intended for the local manufacture of tobacco products ;

Whereas, in order to administer the exemption scheme and to ease the administrative burden, the provisions of Commission Regulation (EEC) No 1695/92 of 30 June 1992 laying down common detailed rules for implementation of the specific arrangements for the supply of certain agricultural products to the Canary Islands⁽²⁾ should be applied as far as possible ;

Whereas the maximum quantity of raw and semi-manufactured tobacco benefiting from the scheme should be broken down according to the requirements of local industry and commerce, taking into account the traditional patterns of use ;

Whereas, for the purposes of good management, a timetable for the submission of applications for certificates and a period for deciding on their issue should be set ;

Whereas the provisions of Regulation (EEC) No 1601/92 apply from 1 July 1992 ; whereas the detailed rules contained in this Regulation should apply from the same date ;

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

HAS ADOPTED THIS REGULATION :

Article 1

The importation into the Canary Islands, with exemption from customs duties, of the maximum annual quantity of 20 000 tonnes of raw stripped tobacco equivalent pursuant to Article 6 of Regulation (EEC) No 1601/92

shall be effected in accordance with the rules laid down in this Regulation.

The maximum quantity shall be broken down in accordance with the provisions of the Annex. This breakdown may be revised during the period of application following a justified request from the Spanish authorities.

The period of application of the arrangements shall run from 1 July of a given year to 30 June of the following year.

Article 2

The importation of the products listed in the Annex shall be subject to the presentation of a certificate of exemption.

Except where otherwise provided in this Regulation, the provisions of Articles 3, 7, 8, 9 and 10 of Regulation (EEC) No 1695/92 shall apply *mutatis mutandis*.

Article 3

1. Applications for certificates of exemption shall be submitted during the first five working days of each month. Spain shall designate the authority competent to issue the certificates.

2. The competent authority shall publish the quantities available during the last week of the month preceding the month in which applications are to be submitted.

The competent authority shall allocate the available quantities among the different subheadings with reference to the maximum quantities set out in the Annex, the requirements of industry and commerce and the traditional patterns of use. The quantities of the different products shall be converted into quantities of stripped tobacco using the coefficients of equivalence set out in the Annex.

3. Applications for certificates shall not be accepted unless :

- they relate to a quantity which does not exceed the quantity available,
- the applicant provides proof, prior to the expiry of the time limit set for the presentation of applications for certificates, that a security of ECU 0,7/kg has been lodged.

4. Box 20 of the application for a certificate and the certificate shall contain the words :

'product intended for industries manufacturing tobacco products'.

⁽¹⁾ OJ No L 173, 27. 6. 1992, p. 13.

⁽²⁾ OJ No L 179, 1. 7. 1992, p. 1.

5. Certificates shall be issued on the 10th working day of each month at the latest.

Article 4

If, in respect of one of the products, the quantities for which certificates of exemption have been applied for exceed the quantities available, the competent authorities shall apply to each application a uniform coefficient of reduction in order to comply with the quantity available. The measure shall be applied in a way that ensures that all applicants are treated equally.

When certificates are issued for quantities less than those applied for, the applicant may withdraw the application in writing within three working days of the issue of the certificate. The security shall then be released.

Article 5

The certificate of exemption shall be valid for two months from its date of issue.

Article 6

The quantity imported with exemption from customs duties shall not exceed that indicated in boxes 17 and 18 of the certificate of exemption. Box 19 of the certificate shall contain the figure 0 to that effect.

Article 7

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

It shall apply from 1 July 1992.

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

Done at Brussels, 30 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

Forward estimate for tobacco imports into the Canary Islands for the period 1 July 1992 to 30 June 1993

CN code	Product description	Coefficient of equivalence	Maximum quantity (tonnes)
2401 10	Tobacco, not stemmed/stripped	0,72	27 780 ⁽¹⁾
2401 20	Tobacco, partly or wholly stemmed/stripped	1,00	20 000 ⁽¹⁾
ex 2402 10 00	Unfinished cigars without wrapping	1,05	20
ex 2403 10 00	Final tobacco mixture used to manufacture cigarettes, cigars and cigarillos	1,05	500
ex 2403 91 00	Homogenized or reconstituted tobacco, whether or not put up in sheets or strip	1,05	400
ex 2403 99 90	Expanded tobacco	1,05	1 500
	Outer coverings for cigars presented on supports, in reels for the manufacture of tobacco ⁽²⁾	1,05	10

⁽¹⁾ Actual quantity to be determined on basis of utilization of other headings (CN codes) pursuant to Article 3 (2).

⁽²⁾ Monitoring arrangements for this end-use are laid down in the relevant Community provisions.

COMMISSION REGULATION (EEC) No 2180/92

of 30 July 1992

determining the Member States in which the campaigns to promote the consumption of grape juice are to be carried out during the 1991/92 wine year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EEC) No 1756/92 ⁽²⁾, and in particular Article 46 (5) and 81 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 rates to be applied for the purposes of the common agricultural policy ⁽³⁾, as last amended by Regulation (EEC) No 2205/90 ⁽⁴⁾,

Having regard to Council Regulation (EEC) No 1678/85 of 11 June 1985 fixing the conversion rates to be applied in agriculture ⁽⁵⁾, as last amended by Regulation (EEC) No 1380/92 ⁽⁶⁾,

Whereas Article 1 (2) of Commission Regulation (EEC) No 3461/85 of 9 December 1985 on the organization of campaigns to promote the consumption of grape juice ⁽⁷⁾, as last amended by Regulation (EEC) No 2083/91 ⁽⁸⁾, provides that the Member States in which the campaigns to promote the consumption of grape juice are to be carried out and the total amounts allocated for the financing of the campaigns in each of the said Member States must be determined for each wine year;

Whereas Article 4 (2) of Commission Regulation (EEC) No 2641/88 laying down detailed rules for the application of the aid scheme for the use of grapes, grape must and concentrated grape must to produce grape juice ⁽⁹⁾, as last amended by Regulation (EEC) No 2056/91 ⁽¹⁰⁾, fixes that part of the aid intended to finance 35 % of the promotion campaign;

Whereas Annex IV to Commission Regulation (EEC) No 2209/91 of 25 July 1991 fixing the buying-in prices, aids

and certain other amounts applicable for the 1991/92 wine year to intervention measures in the wine sector ⁽¹¹⁾, fixes the amount of aid for the 1991/92 wine year;

Whereas the amount available for such financing depends on the quantities of the products in respect of which the aid is to be granted; whereas the estimate adopted for the 1985/86, 1986/87, 1987/88, 1988/89, 1989/90 and 1990/91 campaigns will make it possible to finance an efficiency study covering an amount of approximately ECU 200 000; whereas the amount available for financing the measure for 1991/92 is estimated at ECU 6 000 000;

Whereas the amount adopted is not sufficient to enable effective campaigns to be mounted throughout the Community; whereas it therefore appears advisable to continue to operate promotional schemes in those Member States where campaigns have been mounted in previous years;

Whereas, in order to ensure better management of the budget funds, a final date must be fixed for the signing and payment of contracts;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. For the 1991/92 wine year, campaigns to promote the consumption of grape juice as provided for in Article 1 (1) of Regulation (EEC) No 3461/85 shall be carried out in the Federal Republic of Germany, France, Italy, Spain and the Netherlands.

The total amount for the financing of those campaigns shall be:

- ECU 1 820 000 for the Federal Republic of Germany,
- ECU 1 470 000 for France,
- ECU 1 160 000 for Italy,
- ECU 1 220 000 for Spain,
- ECU 330 000 for the Netherlands.

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 27.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁶⁾ OJ No L 147, 29. 5. 1992, p. 15.

⁽⁷⁾ OJ No L 332, 10. 12. 1985, p. 22.

⁽⁸⁾ OJ No L 193, 17. 7. 1991, p. 14.

⁽⁹⁾ OJ No L 236, 26. 8. 1988, p. 25.

⁽¹⁰⁾ OJ No L 187, 13. 7. 1991, p. 30.

⁽¹¹⁾ OJ No L 203, 25. 7. 1991, p. 31.

2. Contracts for that campaign shall be signed within nine months at the latest following the date of entry into force of this Regulation. The payment of contracts shall be made three months at the latest after the contracts are fulfilled.

3. The amounts referred to in paragraph 1 shall be converted into national currency using the agricultural

conversion rate in force in the wine sector on 1 September 1992.

Article 2

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

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

Done at Brussels, 30 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 2181/92
of 30 July 1992
amending Regulation (EEC) No 2677/85 laying down implementing rules in
respect of the system of consumption aid for olive oil

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION :

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 1720/91⁽²⁾, and in particular Article 11 (8) thereof,

Whereas Article 14 of Commission Regulation (EEC) No 2677/85⁽³⁾, as last amended by Regulation (EEC) No 1882/92⁽⁴⁾, lays down rules on the denaturing of by-products of the refining of olive oil ; whereas, in order to make those rules easier to apply, the list of substances to be used to denature the by-products in question should be supplemented ;

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

Article 1

The following subparagraph is hereby added to Article 14 (1) of Regulation (EEC) No 2677/85 :

'In addition, the following denaturing products may be added :

- cetyl alcohol,
- stearyl alcohol,
- oleyl alcohol,

until the percentage of the denaturing product in the resulting mixture thus obtained is at least :

- 1 % in the case of cetyl alcohol or stearyl alcohol,
- 0,2 % in the case of oleyl alcohol.'

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, 30 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

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

⁽²⁾ OJ No L 162, 26. 6. 1991, p. 1.

⁽³⁾ OJ No L 254, 25. 9. 1985, p. 5.

⁽⁴⁾ OJ No L 189, 9. 7. 1992, p. 27.

COMMISSION REGULATION (EEC) No 2182/92
of 30 July 1992
amending Regulation (EEC) No 1833/92 setting the amounts of aid for the supply
of cereals products from the Community to the Azores and Madeira

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 introducing specific measures in respect of certain agricultural products for the benefit of the Azores and Madeira⁽¹⁾, and in particular Article 10 thereof,

Whereas the amounts of aid for the supply of cereals products to the Azores and Madeira has been settled by Commission Regulation (EEC) No 1833/92⁽²⁾, whereas, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the world market, the aid for supply to the Azores and Madeira should be set at the amounts given in the Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annex of Regulation (EEC) No 1833/92 is replaced by the Annex to the present Regulation.

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, 30 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

Product (CN code)		(Ecu/tonne)	
		Amount of aid	
		Destination	
		Azores	Madeira
Common wheat	(1001 90 99)	70,00	70,00
Barley	(1003 00 90)	80,00	80,00
Durum wheat	(1001 10 90)	113,00	113,00
Maize	(1005 90 00)	105,00	105,00

⁽¹⁾ OJ No L 173, 27. 6. 1992, p. 1.

⁽²⁾ OJ No L 185, 3. 7. 1992, p. 28.

COMMISSION REGULATION (EEC) No 2183/92

of 30 July 1992

amending Regulation (EEC) No 1832/92 setting the amounts of aid for the supply of cereals products from the Community to the Canary Islands

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

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

Whereas the amounts of aid for the supply of cereals products to the Canary Islands has been settled by Commission Regulation (EEC) No 1832/92 ⁽²⁾, whereas, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the world market, the aid for supply to the Canary Islands should be set at the amounts given in the Annex;

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

Article 1

The Annex of Regulation (EEC) No 1832/92 is replaced by the Annex to the present Regulation.

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, 30 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

		(Ecu/tonne)
Product (CN code)		Amount of aid
Common wheat	(1001 90 99)	70,00
Barley	(1003 00 90)	80,00
Durum wheat	(1001 10 90)	113,00
Maize	(1005 90 00)	105,00
Oats	(1004 00 90)	80,00

⁽¹⁾ OJ No L 173, 27. 6. 1992, p. 13.

⁽²⁾ OJ No L 185, 3. 7. 1992, p. 26.

COMMISSION REGULATION (EEC) No 2184/92

of 30 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 20 and 24 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, 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 5 and 6 lodged between 20 and 24 July 1992 relate to quantities higher than the ceiling set for the month of August 1992;

Whereas Article 85 (1) of the Act of Accession states that the Commission may take interim protective measures necessary by an emergency procedure where the situation indicates that the initiative ceiling will be attained or exceeded; whereas to this it is necessary, as an interim protective measure, in view of the number of requests, for the products concerned and only for the Community of Ten, to issue licences up to a percentage of the quantities applied for categories 5 and 6 and to suspend all further issuing of licences for the products in question,

HAS ADOPTED THIS REGULATION:

Article 1

1. Applications for STM licences as referred to in Regulation (EEC) No 606/86, lodged between 20 and 24 July 1992 for the Community of Ten and lodged with the Commission, for milk products falling within:

— category 5 of CN code ex 0406 are hereby accepted up to 11,44 %;

— category 6 of CN code ex 0406 are hereby accepted up to 9,17 %.

2. The issuing of STM licences in the Community of Ten is hereby provisionally suspended for products falling within categories 5 and 6.

3. Without prejudice to any definitive measures the Commission may take, further applications for STM licences may be lodged from 24 August 1992 for all products in respect of that fraction of the indicative ceiling applicable from 1 September 1992.

Article 2

This Regulation shall enter into force on 3 August 1992.

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

Done at Brussels, 30 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.

COMMISSION REGULATION (EEC) No 2185/92**of 30 July 1992****adopting interim protective measures on applications for STM licences in the beef and veal sector submitted for trade with Portugal during the period 20 to 23 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 252 (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 constituted at 31 December 1985 and Spain and Portugal and repealing Regulations (EEC) No 4026/89 and (EEC) No 3815/90 ⁽¹⁾, as last amended by Regulation (EEC) No 1844/92 ⁽²⁾, set the indicative ceilings applicable in the beef and veal sector and the maximum quantities for which STM licences may be issued in July and August 1992;

Whereas Article 252 (1) of the Act of Accession makes provision for the Commission to take the interim protective measures necessary if the indicative ceiling for the year in course or part of it is reached or exceeded;

Whereas the licence applications lodged between 20 and 23 July 1992 are for a quantity in excess of that set for

the months of July and August 1992 for frozen beef and veal; whereas as an interim protective measure only a percentage of the amounts applied for in that period should be granted and no further certificates issued for the time being,

HAS ADOPTED THIS REGULATION:

Article 1

For frozen beef and veal:

1. applications for STM licences submitted by Portugal between 20 and 23 July 1992 and notified to the Commission shall be accepted for 30,00 %;
2. the issuing of STM licences in response to applications submitted by Portugal from 27 July 1992 onwards is suspended for the time being.

Article 2

This Regulation shall enter into force on 31 July 1992.

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

Done at Brussels, 30 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 357, 28. 12. 1991, p. 53.

⁽²⁾ OJ No L 187, 7. 7. 1992, p. 36.

COMMISSION REGULATION (EEC) No 2186/92
of 30 July 1992
fixing the import levies on milk and milk products

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

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 816/92 ⁽²⁾, and in particular Article 14 (8) thereof,

Whereas the import levies on milk and milk products were fixed by Commission Regulation (EEC) No 1528/92 ⁽³⁾, as last amended by Regulation (EEC) No 1943/92 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1528/92 to the prices

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 referred to in Article 14 of Regulation (EEC) No 804/68 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 August 1992.

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

Done at Brussels, 30 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 86, 1. 4. 1992, p. 83.

⁽³⁾ OJ No L 160, 13. 6. 1992, p. 14.

⁽⁴⁾ OJ No L 196, 15. 7. 1992, p. 24.

ANNEX

to the Commission Regulation of 30 July 1992 fixing the import levies on milk and milk products

(ECU/100 kg net weight, unless otherwise indicated)

CN code	Note (*)	Import levy
0401 10 10		15,75
0401 10 90		14,54
0401 20 11		21,99
0401 20 19		20,78
0401 20 91		27,51
0401 20 99		26,30
0401 30 11		71,39
0401 30 19		70,18
0401 30 31		138,15
0401 30 39		136,94
0401 30 91		232,73
0401 30 99		231,52
0402 10 11	(*)	106,04
0402 10 19	(*) (*)	98,79
0402 10 91	(*) (*)	0,9879/kg + 29,78
0402 10 99	(*) (*)	0,9879/kg + 22,53
0402 21 11	(*)	181,00
0402 21 17	(*)	173,75
0402 21 19	(*) (*)	173,75
0402 21 91	(*) (*)	215,19
0402 21 99	(*) (*)	207,94
0402 29 11	(*) (*) (*)	1,7375/kg + 29,78
0402 29 15	(*) (*)	1,7375/kg + 29,78
0402 29 19	(*) (*)	1,7375/kg + 22,53
0402 29 91	(*) (*)	2,0794/kg + 29,78
0402 29 99	(*) (*)	2,0794/kg + 22,53
0402 91 11	(*)	30,28
0402 91 19	(*)	30,28
0402 91 31	(*)	37,85
0402 91 39	(*)	37,85
0402 91 51	(*)	138,15
0402 91 59	(*)	136,94
0402 91 91	(*)	232,73
0402 91 99	(*)	231,52
0402 99 11	(*)	49,85
0402 99 19	(*)	49,85
0402 99 31	(*) (*)	1,3452/kg + 26,16
0402 99 39	(*) (*)	1,3452/kg + 24,95
0402 99 91	(*) (*)	2,2910/kg + 26,16
0402 99 99	(*) (*)	2,2910/kg + 24,95
0403 10 02		106,04
0403 10 04		181,00

(ECU/100 kg net weight, unless otherwise indicated)

CN code	Note (°)	Import levy
0403 10 06		215,19
0403 10 12	(¹)	0,9879/kg + 29,78
0403 10 14	(¹)	1,7375/kg + 29,78
0403 10 16	(¹)	2,0794/kg + 29,78
0403 10 22		24,40
0403 10 24		29,92
0403 10 26		73,80
0403 10 32	(¹)	0,1836/kg + 28,57
0403 10 34	(¹)	0,2388/kg + 28,57
0403 10 36	(¹)	0,6776/kg + 28,57
0403 90 11		106,04
0403 90 13		181,00
0403 90 19		215,19
0403 90 31	(¹)	0,9879/kg + 29,78
0403 90 33	(¹)	1,7375/kg + 29,78
0403 90 39	(¹)	2,0794/kg + 29,78
0403 90 51		24,40
0403 90 53		29,92
0403 90 59		73,80
0403 90 61	(¹)	0,1836/kg + 28,57
0403 90 63	(¹)	0,2388/kg + 28,57
0403 90 69	(¹)	0,6776/kg + 28,57
0404 10 11 * 11		21,76
0404 10 11 * 14		181,00
0404 10 11 * 17		215,19
0404 10 11 * 21		106,04
0404 10 11 * 24		181,00
0404 10 11 * 27		215,19
0404 10 19 * 11	(¹)	0,2176/kg + 22,53
0404 10 19 * 14	(¹)	1,7375/kg + 29,78
0404 10 19 * 17	(¹)	2,0794/kg + 29,78
0404 10 19 * 21	(¹)	0,9879/kg + 29,78
0404 10 19 * 24	(¹)	1,7375/kg + 29,78
0404 10 19 * 27	(¹)	2,0794/kg + 29,78
0404 10 91 * 11	(²)	0,2176/kg
0404 10 91 * 14	(²)	1,7375/kg + 6,04
0404 10 91 * 17	(²)	2,0794/kg + 6,04
0404 10 91 * 21	(²)	0,9879/kg + 6,04
0404 10 91 * 24	(²)	1,7375/kg + 6,04
0404 10 91 * 27	(²)	2,0794/kg + 6,04
0404 10 99 * 11	(²)	0,2176/kg + 22,53
0404 10 99 * 14	(²)	1,7375/kg + 28,57
0404 10 99 * 17	(²)	2,0794/kg + 28,57
0404 10 99 * 21	(²)	0,9879/kg + 28,57
0404 10 99 * 24	(²)	1,7375/kg + 28,57
0404 10 99 * 27	(²)	2,0794/kg + 28,57
0404 90 11		106,04
0404 90 13		181,00
0404 90 19		215,19
0404 90 31		106,04
0404 90 33		181,00
0404 90 39		215,19
0404 90 51	(¹)	0,9879/kg + 29,78
0404 90 53	(¹) (²)	1,7375/kg + 29,78
0404 90 59	(¹)	2,0794/kg + 29,78
0404 90 91	(¹)	0,9879/kg + 29,78
0404 90 93	(¹) (²)	1,7375/kg + 29,78
0404 90 99	(¹)	2,0794/kg + 29,78

(ECU/100 kg net weight, unless otherwise indicated)

CN code	Note (*)	Import levy
0405 00 10	(*)	239,79
0405 00 90		292,54
0406 10 20	(*) (*)	239,01
0406 10 80	(*) (*)	292,57
0406 20 10	(*) (*) (*)	412,88
0406 20 90	(*) (*)	412,88
0406 30 10	(*) (*) (*)	187,15
0406 30 31	(*) (*) (*)	180,76
0406 30 39	(*) (*) (*)	187,15
0406 30 90	(*) (*) (*)	283,87
0406 40 00	(*) (*) (*)	148,14
0406 90 11	(*) (*) (*)	230,15
0406 90 13	(*) (*) (*)	172,10
0406 90 15	(*) (*) (*)	172,10
0406 90 17	(*) (*) (*)	172,10
0406 90 19	(*) (*) (*)	412,88
0406 90 21	(*) (*) (*)	230,15
0406 90 23	(*) (*) (*)	195,85
0406 90 25	(*) (*) (*)	195,85
0406 90 27	(*) (*) (*)	195,85
0406 90 29	(*) (*) (*)	195,85
0406 90 31	(*) (*) (*)	195,85
0406 90 33	(*) (*)	195,85
0406 90 35	(*) (*) (*)	195,85
0406 90 37	(*) (*) (*)	195,85
0406 90 39	(*) (*) (*)	195,85
0406 90 50	(*) (*) (*)	195,85
0406 90 61	(*) (*)	412,88
0406 90 63	(*) (*)	412,88
0406 90 69	(*) (*)	412,88
0406 90 73	(*) (*)	195,85
0406 90 75	(*) (*)	195,85
0406 90 77	(*) (*)	195,85
0406 90 79	(*) (*)	195,85
0406 90 81	(*) (*)	195,85
0406 90 85	(*) (*)	195,85
0406 90 89	(*) (*) (*)	195,85
0406 90 93	(*) (*)	239,01
0406 90 99	(*) (*)	292,57
1702 10 10		24,98
1702 10 90		24,98
2106 90 51		24,98
2309 10 15		76,51
2309 10 19		99,23
2309 10 39		93,66
2309 10 59		78,85
2309 10 70		99,23
2309 90 35		76,51
2309 90 39		99,23
2309 90 49		93,66
2309 90 59		78,85
2309 90 70		99,23

-
- (1) The levy on 100 kg of product falling within this code is equal to the sum of the following:
- (a) the amount per kilogram shown, multiplied by the weight of lactic matter contained in 100 kg of product;
and
 - (b) the other amount indicated.
- (2) The levy on 100 kg of product falling within this code is equal to:
- (a) the amount per kilogram shown, multiplied by the weight of the dry lactic matter contained in 100 kg of product plus, where appropriate,
 - (b) the other amount indicated.
- (3) Products falling within this code imported from a third country under special arrangements concluded between that country and the Community for which an IMA 1 certificate issued under the conditions provided for in Regulation (EEC) No 1767/82 is issued are subject to the levies in Annex I to that Regulation.
- (4) The levy applicable is limited under the conditions laid down in Regulation (EEC) No 715/90.
- (5) No levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.
- (6) 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 584/92 have been presented, are subject to the levies set out in the Annex to that Regulation.
-

COMMISSION REGULATION (EEC) No 2187/92

of 30 July 1992

fixing the import levies on white sugar and raw sugar

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

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

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 1813/92 ⁽³⁾, as amended by Regulation (EEC) No 2003/92 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Commission Regulation (EEC) 1813/92 to the information known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto;

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

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

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

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

Whereas these exchange rates being those recorded on 29 July 1992,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 31 July 1992.

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

Done at Brussels, 30 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 6, 11. 1. 1992, p. 19.

⁽³⁾ OJ No L 183, 3. 7. 1992, p. 18.

⁽⁴⁾ OJ No L 199, 18. 7. 1992, p. 31.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 9.

ANNEX

to the Commission Regulation of 30 July 1992 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy ⁽²⁾
1701 11 10	38,02 ⁽¹⁾
1701 11 90	38,02 ⁽¹⁾
1701 12 10	38,02 ⁽¹⁾
1701 12 90	38,02 ⁽¹⁾
1701 91 00	45,40
1701 99 10	45,40
1701 99 90	45,40 ⁽²⁾

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

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

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

COMMISSION REGULATION (EEC) No 2188/92

of 30 July 1992

fixing the export refunds on milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

fixing regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 816/92 ⁽²⁾, and in particular Article 17 (4) thereof,

Whereas Article 17 of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 876/68 of 28 June 1968 laying down general rules for granting export refunds on milk and milk products and criteria for fixing the amount of such refunds ⁽³⁾, as last amended by Regulation (EEC) No 1344/86 ⁽⁴⁾, provides that when the refunds on the products listed in Article 1 of Regulation (EEC) No 804/68, exported in the natural state, are being fixed account must be taken of:

- the existing situation and the future trend with regard to prices and availabilities of milk and milk products on the Community market and prices for milk and milk products in international trade,
- marketing costs and the most favourable transport charges from Community markets to ports or other points of export in the Community, as well as costs incurred in placing the goods on the market of the country of destination,
- the aims of the common organization of the market in milk and milk products which are to ensure equilibrium and the natural development of prices and trade on this market,
- the need to avoid disturbances on the Community market, and

— the economic aspect of the proposed exports;

Whereas Article 3(1) of Regulation (EEC) No 876/68 provides that when prices within the Community are being determined account should be taken of the ruling prices which are most favourable for exportation, and that when prices in international trade are being determined particular account should be taken of:

- (a) prices ruling on third country markets;
- (b) the most favourable prices in third countries of destination for third country imports;
- (c) producer prices recorded in exporting third countries, account being taken, where appropriate, of subsidies granted by those countries; and
- (d) free-at-Community-frontier offer prices;

Whereas Article 4 of Regulation (EEC) No 876/68 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund on the products listed in Article 1 of Regulation (EEC) No 804/68 according to destination;

Whereas Article 5(1) of Regulation (EEC) No 876/68 provides that the list of products on which export refunds are granted and the amount of such refunds should be fixed at least once every four weeks; whereas the amount of the refund may, however, remain at the same level for more than four weeks;

Whereas, in accordance with Article 2 of Commission Regulation (EEC) No 1098/68 of 27 July 1968 on detailed rules for the application of export refunds on milk and milk products ⁽⁵⁾, as last amended by Regulation (EEC) No 2767/90 ⁽⁶⁾, the refund granted for milk products containing added sugar is equal to the sum of the two components, one of which is intended to take account of the quantity of milk products and the other is intended to take account of the quantity of added sucrose; whereas, however, the latter component is applied only if the added sucrose was produced from sugar beet or cane harvested in the Community;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 86, 1. 4. 1992, p. 83.

⁽³⁾ OJ No L 155, 3. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 119, 8. 5. 1986, p. 36.

⁽⁵⁾ OJ No L 184, 29. 7. 1968, p. 10.

⁽⁶⁾ OJ No L 267, 29. 9. 1990, p. 14.

Whereas, for products falling within CN codes ex 0402 99 11, ex 0402 99 19, ex 0404 90 51, ex 0404 90 53, ex 0404 90 91 and ex 0404 90 93, with a fat content by weight not exceeding 9,5 % and a non-fatty milk content in the dry matter equal to or greater than 15 % by weight, the former abovementioned component is fixed for 100 kilograms of the whole product; whereas, for the other products containing added sugar falling within codes 0402 and 0404, that component is calculated by multiplying the basic amount by the milk products content of the product concerned; whereas that basic amount is equal to the refund to be fixed for one kilogram of milk products contained in the whole product;

Whereas the second component is calculated by multiplying the sucrose content of the product by the basic amount of the refund valid on the day of exportation for the products listed in Article 1 (1) (d) of 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⁾;

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 paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽³⁾, as last amended by Regulation (EEC) No 2205/90⁽⁴⁾,
- 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 level of refund for cheeses is calculated for products intended for direct consumption; whereas the cheese rinds and cheese wastes are not products intended for this purpose; whereas, to avoid any confusion in interpretation, it should be specified that there will be no refund for cheeses of a free-at-frontier value less than ECU 150 per 100 kilograms;

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

Done at Brussels, 30 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

Whereas Commission Regulation (EEC) No 896/84⁽⁵⁾, as last amended by Regulation (EEC) No 222/88⁽⁶⁾, laid down additional provisions concerning the granting of refunds on the change from one milk year to another; whereas those provisions provide for the possibility of varying refunds according to the date of manufacture of the products;

Whereas for the calculation of the refund for processed cheese provision must be made where casein or caseinates are added for that quantity not to be taken into account;

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

Whereas Council Regulation (EEC) No 1432/92⁽⁷⁾, as amended by Regulation (EEC) No 2015/92⁽⁸⁾, prohibits trade between the Community and the Republics of Serbia and Montenegro; whereas this prohibition does not apply to certain situations as given in the limitative enumeration laid down in Articles 2 and 3; whereas this should be taken into account when refunds are fixed;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The export refunds referred to in Article 17 of Regulation (EEC) No 804/68 on products exported in the natural state shall be as set out in the Annex.
2. There shall be no refunds for exports to Zone E for products falling within CN codes 0401, 0402, 0403, 0404, 0405 and 2309.

Article 2

This Regulation shall enter into force on 31 July 1992.

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.
⁽²⁾ OJ No L 6, 11. 1. 1992, p. 19.
⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.
⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁵⁾ OJ No L 91, 1. 4. 1984, p. 71.
⁽⁶⁾ OJ No L 28, 1. 2. 1988, p. 1.
⁽⁷⁾ OJ No L 151, 3. 6. 1992, p. 4.
⁽⁸⁾ OJ No L 205, 22. 7. 1992, p. 2.

ANNEX

to the Commission Regulation of 30 July 1992 fixing the export refunds on milk and milk products

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund (")
0401 10 10 000		6,36
0401 10 90 000		6,36
0401 20 11 100		6,36
0401 20 11 500		9,61
0401 20 19 100		6,36
0401 20 19 500		9,61
0401 20 91 100		12,65
0401 20 91 500		14,67
0401 20 99 100		12,65
0401 20 99 500		14,67
0401 30 11 100		18,72
0401 30 11 400		28,65
0401 30 11 700		42,84
0401 30 19 100		18,72
0401 30 19 400		28,65
0401 30 19 700		42,84
0401 30 31 100		50,94
0401 30 31 400		79,31
0401 30 31 700		87,41
0401 30 39 100		50,94
0401 30 39 400		79,31
0401 30 39 700		87,41
0401 30 91 100		99,57
0401 30 91 400		146,17
0401 30 91 700		170,49
0401 30 99 100		99,57
0401 30 99 400		146,17
0401 30 99 700		170,49
0402 10 11 000		65,00
0402 10 19 000		65,00
0402 10 91 000		0,6500
0402 10 99 000		0,6500
0402 21 11 200		65,00
0402 21 11 300		99,72
0402 21 11 500		106,00
0402 21 11 900		112,00
0402 21 17 000		65,00
0402 21 19 300		99,72
0402 21 19 500		106,00
0402 21 19 900		112,00
0402 21 91 100		115,96
0402 21 91 200		116,87
0402 21 91 300		118,53
0402 21 91 400		128,15
0402 21 91 500		131,43
0402 21 91 600		143,96
0402 21 91 700		151,51
0402 21 91 900		159,88
0402 21 99 100		115,96
0402 21 99 200		116,87
0402 21 99 300		118,53
0402 21 99 400		128,15
0402 21 99 500		131,43
0402 21 99 600		143,96
0402 21 99 700		151,51
0402 21 99 900		159,88

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund (")
0402 29 15 200		0,6500
0402 29 15 300		0,9972
0402 29 15 500		1,0600
0402 29 15 900		1,1500
0402 29 19 200		0,6500
0402 29 19 300		0,9972
0402 29 19 500		1,0600
0402 29 19 900		1,1500
0402 29 91 100		1,1596
0402 29 91 500		1,2815
0402 29 99 100		1,1596
0402 29 99 500		1,2815
0402 91 11 110		6,36
0402 91 11 120		12,65
0402 91 11 310		19,53
0402 91 11 350		24,42
0402 91 11 370		30,28
0402 91 19 110		6,36
0402 91 19 120		12,65
0402 91 19 310		19,53
0402 91 19 350		24,42
0402 91 19 370		30,28
0402 91 31 100		24,60
0402 91 31 300		35,78
0402 91 39 100		24,60
0402 91 39 300		35,78
0402 91 51 000		28,65
0402 91 59 000		28,65
0402 91 91 000		99,57
0402 91 99 000		99,57
0402 99 11 110		0,0636
0402 99 11 130		0,1265
0402 99 11 150		0,1967
0402 99 11 310		22,53
0402 99 11 330		27,52
0402 99 11 350		37,32
0402 99 19 110		0,0636
0402 99 19 130		0,1265
0402 99 19 150		0,1967
0402 99 19 310		22,53
0402 99 19 330		27,52
0402 99 19 350		37,32
0402 99 31 110		0,2663
0402 99 31 150		38,94
0402 99 31 300		0,5094
0402 99 31 500		0,8741
0402 99 39 110		0,2663
0402 99 39 150		38,94
0402 99 39 300		0,5094
0402 99 39 500		0,8741
0402 99 91 000		0,9957
0402 99 99 000		0,9957
0403 10 02 000		—
0403 10 04 200		—
0403 10 04 300		—
0403 10 04 500		—
0403 10 04 900		—
0403 10 06 000		—
0403 10 12 000		—
0403 10 14 200		—
0403 10 14 300		—

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund (")
0403 10 14 500		—
0403 10 14 900		—
0403 10 16 000		—
0403 10 22 100		6,36
0403 10 22 300		9,61
0403 10 24 000		12,65
0403 10 26 000		18,72
0403 10 32 100		0,0636
0403 10 32 300		0,0961
0403 10 34 000		0,1265
0403 10 36 000		0,1872
0403 90 11 000		65,00
0403 90 13 200		65,00
0403 90 13 300		99,72
0403 90 13 500		106,00
0403 90 13 900		115,00
0403 90 19 000		115,96
0403 90 31 000		0,6500
0403 90 33 200		0,6500
0403 90 33 300		0,9972
0403 90 33 500		1,0600
0403 90 33 900		1,1500
0403 90 39 000		1,1596
0403 90 51 100		6,36
0403 90 51 300		9,61
0403 90 53 000		12,65
0403 90 59 110		18,72
0403 90 59 140		28,65
0403 90 59 170		42,84
0403 90 59 310		50,94
0403 90 59 340		79,31
0403 90 59 370		87,41
0403 90 59 510		99,57
0403 90 59 540		146,17
0403 90 59 570		170,49
0403 90 61 100		0,0636
0403 90 61 300		0,0961
0403 90 63 000		0,1265
0403 90 69 000		0,1872
0404 90 11 100		65,00
0404 90 11 910		6,36
0404 90 11 950		19,53
0404 90 13 120		65,00
0404 90 13 130		99,72
0404 90 13 140		106,00
0404 90 13 150		115,00
0404 90 13 911		6,36
0404 90 13 913		12,65
0404 90 13 915		18,72
0404 90 13 917		28,65
0404 90 13 919		42,84
0404 90 13 931		19,53
0404 90 13 933		24,42
0404 90 13 935		30,28
0404 90 13 937		35,78
0404 90 13 939		37,44
0404 90 19 110		115,96
0404 90 19 115		116,87
0404 90 19 120		118,53
0404 90 19 130		128,15
0404 90 19 135		131,43

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund (")
0404 90 19 150		143,96
0404 90 19 160		151,51
0404 90 19 180		159,88
0404 90 19 900		—
0404 90 31 100		65,00
0404 90 31 910		6,36
0404 90 31 950		19,53
0404 90 33 120		65,00
0404 90 33 130		99,72
0404 90 33 140		106,00
0404 90 33 150		115,00
0404 90 33 911		6,36
0404 90 33 913		12,65
0404 90 33 915		18,72
0404 90 33 917		28,65
0404 90 33 919		42,84
0404 90 33 931		19,53
0404 90 33 933		24,42
0404 90 33 935		30,28
0404 90 33 937		35,78
0404 90 33 939		37,44
0404 90 39 110		115,96
0404 90 39 115		116,87
0404 90 39 120		118,53
0404 90 39 130		128,15
0404 90 39 150		131,43
0404 90 39 900		—
0404 90 51 100		0,6500
0404 90 51 910		0,0636
0404 90 51 950		22,53
0404 90 53 110		0,6500
0404 90 53 130		0,9972
0404 90 53 150		1,0600
0404 90 53 170		1,1500
0404 90 53 911		0,0636
0404 90 53 913		0,1265
0404 90 53 915		0,1872
0404 90 53 917		0,2865
0404 90 53 919		0,4284
0404 90 53 931		22,53
0404 90 53 933		27,52
0404 90 53 935		37,32
0404 90 53 937		38,94
0404 90 53 939		—
0404 90 59 130		1,1596
0404 90 59 150		1,2815
0404 90 59 930		0,6107
0404 90 59 950		0,8741
0404 90 59 990		0,9957
0404 90 91 100		0,6500
0404 90 91 910		0,0636
0404 90 91 950		22,53
0404 90 93 110		0,6500
0404 90 93 130		0,9972
0404 90 93 150		1,0600

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund (")
0404 90 93 170		1,1500
0404 90 93 911		0,0636
0404 90 93 913		0,1265
0404 90 93 915		0,1872
0404 90 93 917		0,2865
0404 90 93 919		0,4284
0404 90 93 931		22,53
0404 90 93 933		27,52
0404 90 93 935		37,32
0404 90 93 937		38,94
0404 90 93 939		—
0404 90 99 130		1,1596
0404 90 99 150		1,2815
0404 90 99 930		0,6107
0404 90 99 950		0,8741
0404 90 99 990		0,9957
0405 00 10 100		—
0405 00 10 200		127,02
0405 00 10 300		159,80
0405 00 10 500		163,90
0405 00 10 700		168,00
0405 00 90 100		168,00
0405 00 90 900		215,32
0406 10 20 100		—
0406 10 20 200		—
0406 10 20 210		—
0406 10 20 230	---	47,97
	028	—
	032	—
	400	39,03
	404	—
0406 10 20 290	---	47,97
	028	—
	032	—
	400	39,03
	404	—
0406 10 20 610	---	89,49
	028	13,50
	032	13,50
	036	—
	038	—
	400	87,23
	404	—
0406 10 20 620	---	98,13
	028	20,00
	032	20,00
	036	—
	038	—
	400	96,18
	404	—
0406 10 20 630	---	110,79
	028	24,00
	032	24,00
	036	—
	038	—
	400	109,31
	404	—

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund (")
0406 10 20 640	---	130,00
	028	—
	032	—
	036	—
	038	—
	400	130,00
	404	—
0406 10 20 650	---	135,35
	028	27,50
	032	27,50
	036	—
	038	—
	400	65,00
	404	—
0406 10 20 660	---	—
0406 10 20 810	---	21,06
	028	—
	032	—
	036	—
	038	—
	400	21,46
	404	—
0406 10 20 830	---	35,97
	028	—
	032	—
	036	—
	038	—
	400	37,62
	404	—
0406 10 20 850	---	43,62
	028	—
	032	—
	036	—
	038	—
	400	45,81
	404	—
0406 10 20 870	---	—
0406 10 20 900	---	—
0406 10 80 000	---	—
0406 20 90 100	---	—
0406 20 90 913	---	84,94
	028	—
	032	—
	400	87,74
	404	—
0406 20 90 915	---	113,25
	028	—
	032	—
	400	116,99
	404	—
0406 20 90 917	---	120,33
	028	—
	032	—
	400	124,30
	404	—

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund (")
0406 20 90 919	...	134,49
	028	—
	032	—
	400	138,92
	404	—
0406 20 90 990		—
0406 30 10 100		—
0406 30 10 150	...	22,83
	028	—
	032	—
	036	—
	038	—
	400	20,03
	404	—
0406 30 10 200	...	48,68
	028	—
	032	—
	036	—
	038	—
	400	43,52
	404	—
0406 30 10 250	...	48,68
	028	—
	032	—
	036	—
	038	—
	400	43,52
	404	—
0406 30 10 300	...	71,42
	028	—
	032	—
	036	—
	038	—
	400	63,88
	404	—
0406 30 10 350	...	48,68
	028	—
	032	—
	036	—
	038	—
	400	43,52
	404	—
0406 30 10 400	...	71,42
	028	—
	032	—
	036	—
	038	—
	400	63,88
	404	—
0406 30 10 450	...	103,95
	028	—
	032	—
	036	—
	038	—
	400	93,03
	404	—

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund (")
0406 30 10 500		—
0406 30 10 550	...	48,68
	028	—
	032	—
	036	—
	038	—
	400	43,52
	404	20,00
0406 30 10 600	...	71,42
	028	—
	032	—
	036	—
	038	—
	400	63,88
	404	28,00
0406 30 10 650	...	103,95
	028	—
	032	—
	036	—
	038	—
	400	93,03
	404	—
0406 30 10 700	...	103,95
	028	—
	032	—
	036	—
	038	—
	400	93,03
	404	—
0406 30 10 750	...	126,87
	028	—
	032	—
	036	—
	038	—
	400	113,54
	404	—
0406 30 10 800	...	126,87
	028	—
	032	—
	036	—
	038	—
	400	113,54
	404	—
0406 30 10 900		—
0406 30 31 100		—
0406 30 31 300	...	22,83
	028	—
	032	—
	036	—
	038	—
	400	20,03
	404	—

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund (")
0406 30 31 500	...	48,68
	028	—
	032	—
	036	—
	038	—
	400	43,52
	404	—
0406 30 31 710	...	48,68
	028	—
	032	—
	036	—
	038	—
	400	43,52
	404	—
0406 30 31 730	...	71,42
	028	—
	032	—
	036	—
	038	—
	400	63,88
	404	—
0406 30 31 910	...	48,68
	028	—
	032	—
	036	—
	038	—
	400	43,52
	404	—
0406 30 31 930	...	71,42
	028	—
	032	—
	036	—
	038	—
	400	63,88
	404	—
0406 30 31 950	...	103,95
	028	—
	032	—
	036	—
	038	—
	400	93,03
	404	—
0406 30 39 100	...	—
0406 30 39 300	...	48,68
	028	—
	032	—
	036	—
	038	—
	400	43,52
	404	20,00

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund (")
0406 30 39 500	...	71,42
	028	—
	032	—
	036	—
	038	—
	400	63,88
	404	28,00
0406 30 39 700	...	103,95
	028	—
	032	—
	036	—
	038	—
	400	93,03
	404	—
0406 30 39 930	...	103,95
	028	—
	032	—
	036	—
	038	—
	400	93,03
	404	—
0406 30 39 950	...	126,87
	028	—
	032	—
	036	—
	038	—
	400	113,54
	404	—
0406 30 90 000	...	126,87
	028	—
	032	—
	036	—
	038	—
	400	113,54
	404	—
0406 40 00 100	...	—
0406 40 00 900	...	126,51
	028	—
	032	—
	038	—
	400	120,00
	404	—
	...	159,34
0406 90 13 000	028	—
	032	—
	036	—
	038	—
	400	113,00
	404	—

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund (")
0406 90 15 100	...	159,34
	028	—
	032	—
	036	—
	038	—
	400	113,00
	404	—
0406 90 15 900		—
0406 90 17 100	...	159,34
	028	—
	032	—
	036	—
	038	—
	400	113,00
	404	—
0406 90 17 900		—
0406 90 21 100		—
0406 90 21 900	...	151,68
	028	—
	032	—
	036	—
	038	—
	400	130,00
	404	—
	732	139,68
0406 90 23 100		—
0406 90 23 900	...	135,35
	028	—
	032	—
	036	—
	038	—
	400	65,00
	404	—
0406 90 25 100		—
0406 90 25 900	...	135,35
	028	—
	032	—
	036	—
	038	—
	400	65,00
	404	—
0406 90 27 100		—
0406 90 27 900	...	114,71
	028	—
	032	—
	036	—
	038	—
	400	56,14
	404	—

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund (")
0406 90 31 111		—
0406 90 31 119	...	89,96
	028	—
	032	—
	036	—
	038	15,00
	400	62,48
	404	16,00
0406 90 31 151	...	83,83
	028	—
	032	—
	036	—
	038	—
	400	58,40
	404	14,96
0406 90 31 159		—
0406 90 31 900		—
0406 90 33 111		—
0406 90 33 119	...	89,96
	028	—
	032	—
	036	—
	038	15,00
	400	62,48
	404	16,00
0406 90 33 151	...	83,83
	028	—
	032	—
	036	—
	038	—
	400	58,40
	404	14,96
0406 90 33 159		—
0406 90 33 911		—
0406 90 33 919	...	89,96
	028	—
	032	—
	036	—
	038	15,00
	400	62,48
	404	16,00
0406 90 33 951	...	83,83
	028	—
	032	—
	036	—
	038	—
	400	58,40
	404	14,96

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund (")
0406 90 33 959		—
0406 90 35 110		—
0406 90 35 190	...	158,54
	028	—
	032	—
	036	42,66
	400	160,00
	404	90,00
0406 90 35 910		—
0406 90 35 990	...	130,00
	028	—
	032	—
	036	—
	038	—
	400	130,00
	404	—
0406 90 61 000	...	185,00
	028	—
	032	—
	036	90,00
	400	190,00
	404	140,00
0406 90 63 100	...	212,12
	028	—
	032	—
	036	105,03
	400	220,00
	404	160,00
0406 90 63 900	...	165,00
	028	—
	032	—
	036	70,00
	400	150,00
	404	80,00
0406 90 69 100		—
0406 90 69 910	...	165,00
	028	—
	032	—
	036	70,00
	400	150,00
	404	80,00
0406 90 69 990		—
0406 90 73 100		—
0406 90 73 900	...	151,00
	028	—
	032	—
	036	42,66
	400	160,00
	404	120,00
0406 90 75 100		—
0406 90 75 900	...	125,96
	028	—
	032	—
	036	—
	400	65,00
	404	—

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund (")
0406 90 77 100	...	110,79
	028	24,00
	032	24,00
	036	—
	038	—
	400	58,77
	404	—
0406 90 77 300	...	135,35
	028	—
	032	—
	036	—
	038	—
	400	65,00
	404	—
0406 90 77 500	...	135,35
	028	—
	032	—
	036	—
	038	—
	400	75,00
	404	—
0406 90 79 100	...	—
0406 90 79 900	...	114,71
	028	—
	032	—
	036	—
	038	—
	400	56,14
	404	—
0406 90 81 100	...	—
0406 90 81 900	...	130,00
	028	—
	032	—
	036	—
	038	—
	400	130,00
	404	—
0406 90 85 100	...	—
0406 90 85 910	...	158,54
	028	—
	032	—
	036	42,67
	400	160,00
	404	90,00
	...	130,00
0406 90 85 991	028	—
	032	—
	036	—
	038	—
	400	130,00
	404	—

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund (")
0406 90 85 995	...	135,35
	028	27,50
	032	27,50
	036	—
	038	—
	400	65,00
	404	—
0406 90 85 999		—
0406 90 89 100	...	89,49
	028	13,50
	032	13,50
	036	—
	038	—
	400	87,23
	404	—
0406 90 89 200	...	98,13
	028	20,00
	032	20,00
	036	—
	038	—
	400	96,18
	404	—
0406 90 89 300	...	110,79
	028	24,00
	032	24,00
	036	—
	038	—
	400	109,31
	404	—
0406 90 89 910		—
0406 90 89 951	...	151,00
	028	—
	032	—
	036	42,66
	400	160,00
	404	90,00
0406 90 89 959	...	130,00
	028	—
	032	—
	036	—
	038	—
	400	130,00
	404	—
0406 90 89 971	...	135,35
	028	27,50
	032	27,50
	036	—
	038	—
	400	74,00
	404	—

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund (")
0406 90 89 972	***	47,97
	028	—
	032	—
	400	39,03
	404	—
0406 90 89 979	***	135,35
	028	27,50
	032	27,50
	036	—
	038	—
	400	74,00
	404	—
0406 90 89 990		—
0406 90 93 000		—
0406 90 99 000		—
2309 10 15 010		—
2309 10 15 100		—
2309 10 15 200		—
2309 10 15 300		—
2309 10 15 400		—
2309 10 15 500		—
2309 10 15 700		—
2309 10 15 900		—
2309 10 19 010		—
2309 10 19 100		—
2309 10 19 200		—
2309 10 19 300		—
2309 10 19 400		—
2309 10 19 500		—
2309 10 19 600		—
2309 10 19 700		—
2309 10 19 800		—
2309 10 19 900		—
2309 10 70 010		—
2309 10 70 100		19,50
2309 10 70 200		26,00
2309 10 70 300		32,50
2309 10 70 500		39,00
2309 10 70 600		45,50
2309 10 70 700		52,00
2309 10 70 800		57,20
2309 10 70 900		—
2309 90 35 010		—
2309 90 35 100		—
2309 90 35 200		—
2309 90 35 300		—
2309 90 35 400		—
2309 90 35 500		—
2309 90 35 700		—
2309 90 35 900		—
2309 90 39 010		—
2309 90 39 100		—

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund (")
2309 90 39 200		—
2309 90 39 300		—
2309 90 39 400		—
2309 90 39 500		—
2309 90 39 600		—
2309 90 39 700		—
2309 90 39 800		—
2309 90 39 900		—
2309 90 70 010		—
2309 90 70 100		19,50
2309 90 70 200		26,00
2309 90 70 300		32,50
2309 90 70 500		39,00
2309 90 70 600		45,50
2309 90 70 700		52,00
2309 90 70 800		57,20
2309 90 70 900		—

(*) The code numbers for the destinations are those set out in the Annex to Commission Regulation (EEC) No 3518/91.

For destinations other than those indicated for each 'product code', the amount of the refund applying is indicated by '—'.

Where no destination is indicated, the amount of the refund is applicable for exports to any destination other than those referred to in Article 1 (2).

(") Refunds for exports to the Republics of Serbia and Montenegro may only be granted for humanitarian aid supplied by charitable organizations fulfilling the conditions laid down in Article 2 (a) and Article 3 of Council Regulation (EEC) No 1432/92.

NB: The product codes and the footnotes are defined in amended Commission Regulation (EEC) No 3846/87.

COMMISSION REGULATION (EEC) No 2189/92

of 30 July 1992

introducing a countervailing charge on fresh lemons originating in Uruguay

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 Article 25a (1) of Regulation (EEC) No 1035/72 provides that, if the entry price of a product imported from a non-member country is alternatively above and below the reference price for five to seven consecutive market days a countervailing charge is introduced in respect of that non-member country, save in exceptional cases; whereas that charge is introduced when three entry prices fall below the reference price and one of those entry prices is at least ECU 0,6 below the reference price; whereas that charge is equal to the difference between the reference price and the last available entry price by at least ECU 0,6 below the reference price;

Whereas Commission Regulation (EEC) No 1413/92 of 27 May 1992 fixing for the 1992/93 marketing year the reference prices for fresh lemons⁽³⁾ fixed the reference price for products of class I for the months of July and August 1992 at ECU 60,82 per 100 kilograms net;

Whereas the entry price for a given exporting country is equal to the lowest representative prices recorded for at least 30 % of the quantities from the exporting country concerned which are marketed on all representative markets for which prices are available less the duties and the charges indicated in Article 24 (3) of Regulation (EEC) No 1035/72; whereas the meaning of representative price is defined in Article 24 (2) of Regulation (EEC) No 1035/72;

Whereas, in accordance with Article 3 (1) of Commission Regulation (EEC) No 2118/74⁽⁴⁾, as last amended by

Regulation (EEC) No 3811/85⁽⁵⁾, the prices to be taken into consideration must be recorded on the representative markets or, in certain circumstances, on other markets;

Whereas for fresh lemons originating in Uruguay the entry prices calculated in this way have for five consecutive market days been alternatively above and below the reference price; whereas two of these entry prices are at least ECU 0,6 below the reference prices; whereas a countervailing charge should therefore be introduced for these fresh lemons;

Whereas, if the system is to operate normally, the entry price 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⁽⁶⁾, as last amended by Regulation (EEC) No 2205/90⁽⁷⁾,
- 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

A countervailing charge of ECU 2,40 per 100 kilograms net is applied to fresh lemons (CN code ex 0805 30 10) originating in Uruguay.

Article 2

This Regulation shall enter into force on 1 August 1992.

Subject to the provisions of the second subparagraph of Article 26 (2) of Regulation (EEC) No 1035/72, this Regulation shall be applicable until 6 August 1992.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 23.

⁽³⁾ OJ No L 146, 28. 5. 1992, p. 71.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 201, 31. 7. 1990, p. 9.

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

Done at Brussels, 30 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 2190/92**of 30 July 1992****fixing the export refunds 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 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 the fourth subparagraph of Article 16 (2) thereof,

Whereas Article 16 of Regulation (EEC) No 2727/75 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products in the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds⁽³⁾ provides that when refunds are being fixed, account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals on the Community market on the one hand, and prices for cereals and cereal products on the world market on the other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on cereal markets and, furthermore, to take into account the economic aspect of the proposed exports and the need to avoid disturbances on the Community market;

Whereas export possibilities exist for a quantity of 200 000 tonnes of soft wheat flour to certain destinations; whereas the procedure laid down in Article 9 (4) of Commission Regulation (EEC) No 891/89⁽⁴⁾, as last amended by Regulation (EEC) No 337/92⁽⁵⁾, should be used; whereas account should be taken of this when the refunds are fixed;

Whereas Article 3 of Regulation (EEC) No 2746/75 defines the specific criteria to be taken into account when the refund on cereals is being calculated;

Whereas these specific criteria are defined, as far as wheat and rye flour, groats and meal are concerned, in Article 4 of Regulation (EEC) No 2746/75; whereas furthermore, when the refund on these products is being calculated, account must be taken of the quantities of cereals required for their manufacture; whereas these quantities were fixed in Commission Regulation No 162/67/EEC⁽⁶⁾, as last amended by Regulation (EEC) No 468/92⁽⁷⁾;

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

Whereas the refund must be fixed once a month; whereas it may be altered in the intervening period;

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 paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁸⁾, as last amended by Regulation (EEC) No 2205/90⁽⁹⁾,
- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

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

Whereas Council Regulation (EEC) No 1432/92⁽¹⁰⁾, as amended by Regulation (EEC) No 2015/92⁽¹¹⁾, prohibits

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 171, 26. 6. 1992, p. 47.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 94, 7. 4. 1989, p. 13.

⁽⁵⁾ OJ No L 36, 13. 2. 1992, p. 15.

⁽⁶⁾ OJ No 128, 27. 6. 1967, p. 2574/67.

⁽⁷⁾ OJ No L 53, 28. 2. 1992, p. 15.

⁽⁸⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁹⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽¹⁰⁾ OJ No L 151, 3. 6. 1992, p. 4.

⁽¹¹⁾ OJ No L 205, 22. 7. 1992, p. 2.

trade between the Community and the Republics of Serbia and Montenegro; whereas this prohibition does not apply to certain situations as given in the limitative enumeration laid down in Articles 2 and 3; whereas this should be taken into account when refunds are fixed;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 2727/75, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 31 July 1992.

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

Done at Brussels, 30 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 30 July 1992 fixing the export refunds on cereals and on wheat or rye flour, groats and meal

Product code	Destination (1)	Amount of refund (2) (ECU/tonne)
0709 90 60 000	—	—
0712 90 19 000	—	—
1001 10 10 000	—	—
1001 10 90 000	04	50,00
	02	20,00
1001 90 91 000	05	70,00
	02	0
1001 90 99 000	04	40,00
	06	60,00 (2)
	02	20,00
1002 00 00 000	03	21,00
	02	20,00
1003 00 10 000	05	73,00
	06	73,00
	02	0
1003 00 90 000	04	40,00
	02	20,00
1004 00 10 000	06	73,00
	02	0
1004 00 90 000	—	—
1005 10 90 000	—	—
1005 90 00 000	04	60,00
	02	0
1007 00 90 000	—	—
1008 20 00 000	—	—
1101 00 00 100	01	96,00
1101 00 00 130	01	90,00
1101 00 00 150	01	83,00
1101 00 00 170	01	76,00
1101 00 00 180	01	71,00
1101 00 00 190	—	—
1101 00 00 900	—	—
1102 10 00 500	01	96,00
1102 10 00 700	—	0
1102 10 00 900	—	—
1103 11 10 200	01	166,50
1103 11 10 400	01	148,00
1103 11 10 900	01	0
1103 11 90 200	01	96,00
1103 11 90 800	—	—

(¹) The destinations are identified as follows :

- 01 All third countries,
- 02 Other third countries,
- 03 Switzerland, Austria and Liechtenstein,
- 04 Switzerland, Austria, Liechtenstein, Ceuta and Melilla,
- 05 Romania,
- 06 Algeria.

(²) Refunds for exports to the Republics of Serbia and Montenegro may only be granted for humanitarian aid supplied by charitable organizations fulfilling the conditions laid down in Article 2 (a) and Article 3 of Council Regulation (EEC) No 1432/92.

(³) Refund fixed under the procedure laid down in Article 9 (4) of amended Regulation (EEC) No 891/89 in respect of a quantity of 200 000 tonnes of soft wheat flour destined for Algeria.

NB: The zones are those defined in Commission Regulation (EEC) No 1124/77, as last amended by Regulation (EEC) No 3049/89.

COMMISSION REGULATION (EEC) No 2191/92

of 30 July 1992

fixing the corrective amount applicable to the refund on cereals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 674/92⁽²⁾,

Having regard to Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds⁽³⁾,

Whereas Article 16 (4) of Regulation (EEC) No 2727/75 provides that the export refund applicable to cereals on the day on which application for an export licence is made, adjusted for the threshold price in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the export licence; whereas, in this case, a corrective amount must be applied to the refund;

Whereas Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice⁽⁴⁾, as last amended by Regulation (EEC) No 1906/87⁽⁵⁾, made possible the fixing of a corrective amount for certain products listed in Article 1 (c) of Regulation (EEC) No 2727/75;

Whereas Commission Regulation (EEC) No 1281/75⁽⁶⁾ laid down detailed rules for the advance fixing of export refunds for cereals and certain products processed from cereals;

Whereas, pursuant to that Regulation, when the corrective amount is being fixed, account must be taken of the existing situation and the future trend with regard to prices

and availabilities of cereals on the Community market on the one hand and possibilities and conditions for the sale of cereals and cereal products on the world market on the other; whereas the same Regulation provides that it is also important to ensure equilibrium and the natural development of prices and trade on cereal markets and, furthermore, to take into account the economic aspect of exports and the need to avoid disturbances on the Community market;

Whereas for the products listed in Article 1 (c) of Regulation (EEC) No 2727/75 account should be taken of the specific criteria laid down in Article 2 (2) of Regulation (EEC) No 1281/75;

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

Whereas the corrective amount must be fixed at the same time as the refund and according to the same procedure; whereas it may be altered in the period between fixings;

Whereas, if the system of corrective amounts is to operate normally, corrective amounts 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 Council Regulation (EEC) No 1676/85⁽⁷⁾, as last amended by Regulation (EEC) No 2205/90⁽⁸⁾,
- 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 it follows from applying the provisions set out above that the corrective amount must be as set out in the Annex hereto;

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 73, 19. 3. 1992, p. 7.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁶⁾ OJ No L 131, 22. 5. 1975, p. 15.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁸⁾ OJ No L 201, 31. 7. 1990, p. 9.

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

export refunds fixed in advance in respect of cereals shall be as set out in the Annex hereto.

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 16 (4) of Regulation (EEC) No 2727/75 which is applicable to

Article 2

This Regulation shall enter into force on 31 July 1992.

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

Done at Brussels, 30 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 30 July 1992 fixing the corrective amount applicable to the refund on cereals

(ECU/tonne)

Product code	Destination (1)	Current 7	1st period 8	2nd period 9	3rd period 10	4th period 11	5th period 12	6th period 1
0709 90 60 000	—	—	—	—	—	—	—	—
0712 90 19 000	—	—	—	—	—	—	—	—
1001 10 10 000	—	—	—	—	—	—	—	—
1001 10 90 000	01	0	0	0	0	0	—	—
1001 90 91 000	01	0	0	0	0	0	—	—
1001 90 99 000	03	0	0	0	+ 21,00	+ 21,00	—	—
	02	0	0	0	0	0	—	—
1002 00 00 000	01	0	0	0	0	0	—	—
1003 00 10 000	01	0	0	0	0	0	—	—
1003 00 90 000	01	0	0	0	0	0	—	—
1004 00 10 000	01	0	0	0	0	0	—	—
1004 00 90 000	—	—	—	—	—	—	—	—
1005 10 90 000	—	—	—	—	—	—	—	—
1005 90 00 000	01	0	0	0	0	0	—	—
1007 00 90 000	—	—	—	—	—	—	—	—
1008 20 00 000	—	—	—	—	—	—	—	—
1101 00 00 100	01	0	0	0	0	0	—	—
1101 00 00 130	01	0	0	0	0	0	—	—
1101 00 00 150	01	0	0	0	0	0	—	—
1101 00 00 170	01	0	0	0	0	0	—	—
1101 00 00 180	01	0	0	0	0	0	—	—
1101 00 00 190	—	—	—	—	—	—	—	—
1101 00 00 900	—	—	—	—	—	—	—	—
1102 10 00 500	01	0	0	0	0	0	—	—
1102 10 00 700	01	0	0	0	0	0	—	—
1102 10 00 900	—	—	—	—	—	—	—	—
1103 11 10 200	01	0	0	0	0	0	0	0
1103 11 10 400	01	0	0	0	0	0	0	0
1103 11 10 900	01	0	0	0	0	0	0	0
1103 11 90 200	01	0	0	0	0	0	0	0
1103 11 90 800	—	—	—	—	—	—	—	—

(1) For the following destinations:

- 01 all third countries,
- 02 other third countries,
- 03 Algeria.

NB: The zones are those defined in Commission Regulation (EEC) No 1124/74, as last amended by Regulation (EEC) No 3049/89.

COMMISSION REGULATION (EEC) No 2192/92

of 30 July 1992

altering the import levies on products processed from cereals and 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 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 14 (4) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EEC) No 674/92⁽⁴⁾, and in particular Article 12 (4) 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⁽⁵⁾ as last amended by Regulation (EEC) No 2205/90⁽⁶⁾, and in particular Article 3 thereof,

Whereas the import levies on products processed from cereals and rice were fixed by Commission Regulation (EEC) No 1780/92⁽⁷⁾, as last amended by Regulation (EEC) No 2136/92⁽⁸⁾;

Whereas Council Regulation (EEC) No 1906/87⁽⁹⁾, amended Council Regulation (EEC) No 2744/75⁽¹⁰⁾, as regards products falling within CN codes 2302 10, 2302 20, 2302 30 and 2302 40;

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 29 July 1992;

Whereas the aforesaid corrective factor affects the entire calculation basis for the levies, including the equivalence coefficients;

Whereas the levy on the basic product as last fixed differs from the average levy by more than ECU 3,02 per tonne of basic product; whereas, pursuant to Article 1 of Commission Regulation (EEC) No 1579/74⁽¹¹⁾, as last amended by Regulation (EEC) No 1740/78⁽¹²⁾, the levies at present in force must therefore 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 processed from cereals and rice covered by Regulation (EEC) No 2744/75 as fixed in the Annex to amended Regulation (EEC) No 1780/92 are hereby altered to the amounts set out in the Annex.

Article 2

This Regulation shall enter into force on 31 July 1992.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 73, 19. 3. 1992, p. 7.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁷⁾ OJ No L 182, 2. 7. 1992, p. 34.

⁽⁸⁾ OJ No L 213, 29. 7. 1992, p. 33.

⁽⁹⁾ OJ No L 188, 8. 7. 1992, p. 30.

⁽¹⁰⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽¹¹⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽¹²⁾ OJ No L 202, 26. 7. 1978, p. 8.

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

Done at Brussels, 30 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 30 July 1992 altering the import levies on products processed from cereals and rice

(ECU / tonne)

CN code	Import levies (*)	
	ACP	Third countries (other than ACP) (†)
2302 10 10	57,92	63,92
2302 10 90	124,11	130,11
2302 20 10	57,92	63,92
2302 20 90	124,11	130,11
2302 30 10	57,92 ⁽¹⁰⁾	63,92
2302 30 90	124,11 ⁽¹⁰⁾	130,11
2302 40 10	57,92	63,92
2302 40 90	124,11	130,11

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

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

⁽¹⁰⁾ Under the terms of Regulation (EEC) No 3763/91 the levy does not apply to wheat bran originating in the African, Caribbean and Pacific States (ACP) and directly imported into the French department of Réunion.