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Council

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2193/92

of 31 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 30 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 1 August 1992.

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

Done at Brussels, 31 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 31 July 1992 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CN code	Levy (°) (ECU/tonne)
0709 90 60	149,13 (°) (°)
0712 90 19	149,13 (°) (°)
1001 10 10	161,09 (°) (°) (°)
1001 10 90	161,09 (°) (°) (°)
1001 90 91	142,53
1001 90 99	142,53 (°)
1002 00 00	153,99 (°)
1003 00 10	126,07
1003 00 90	126,07 (°)
1004 00 10	109,13
1004 00 90	109,13
1005 10 90	149,13 (°) (°)
1005 90 00	149,13 (°) (°)
1007 00 90	152,15 (°)
1008 10 00	52,35 (°)
1008 20 00	102,90 (°)
1008 30 00	50,53 (°)
1008 90 10	(°)
1008 90 90	50,53
1101 00 00	212,50 (°) (°)
1102 10 00	228,55 (°)
1103 11 10	262,59 (°) (°)
1103 11 90	229,34 (°)

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

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

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

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

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

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

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

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

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

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

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

COMMISSION REGULATION (EEC) No 2194/92

of 31 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 30 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 1 August 1992.

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

Done at Brussels, 31 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 31 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 8	1st period 9	2nd period 10	3rd period 11
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 8	1st period 9	2nd period 10	3rd period 11	4th period 12
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 2195/92
of 31 July 1992
fixing the import levies on rice and broken rice

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

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

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

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

Whereas the import levies on rice and broken rice were fixed by Commission Regulation (EEC) No 1714/92 ⁽⁵⁾, as last amended by Regulation (EEC) No 2031/92 ⁽⁶⁾,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 August 1992.

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

Done at Brussels, 31 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 73, 19. 3. 1992, p. 7.

⁽³⁾ OJ No L 80, 24. 3. 1987, p. 20.

⁽⁴⁾ OJ No L 75, 21. 3. 1991, p. 29.

⁽⁵⁾ OJ No L 179, 1. 7. 1992, p. 61.

⁽⁶⁾ OJ No L 207, 23. 7. 1992, p. 28.

ANNEX

to the Commission Regulation of 31 July 1992 fixing the import levies on rice and broken rice

(ECU/tonne)

CN code	Levies (°)		
	Arrangement in Regulation (EEC) No 3877/86 (°)	ACP Bangladesh (°) (°) (°) (°)	Third countries (except ACP) (°)
1006 10 21	—	164,05	335,31
1006 10 23	—	168,09	343,39
1006 10 25	—	168,09	343,39
1006 10 27	257,54	168,09	343,39
1006 10 92	—	164,05	335,31
1006 10 94	—	168,09	343,39
1006 10 96	—	168,09	343,39
1006 10 98	257,54	168,09	343,39
1006 20 11	—	205,97	419,14
1006 20 13	—	211,02	429,24
1006 20 15	—	211,02	429,24
1006 20 17	321,93	211,02	429,24
1006 20 92	—	205,97	419,14
1006 20 94	—	211,02	429,24
1006 20 96	—	211,02	429,24
1006 20 98	321,93	211,02	429,24
1006 30 21	—	255,23	534,32 (°)
1006 30 23	—	299,43	622,64 (°)
1006 30 25	—	299,43	622,64 (°)
1006 30 27	466,98 (°)	299,43	622,64 (°)
1006 30 42	—	255,23	534,32 (°)
1006 30 44	—	299,43	622,64 (°)
1006 30 46	—	299,43	622,64 (°)
1006 30 48	466,98 (°)	299,43	622,64 (°)
1006 30 61	—	272,18	569,06 (°)
1006 30 63	—	321,38	667,47 (°)
1006 30 65	—	321,38	667,47 (°)
1006 30 67	500,60 (°)	321,38	667,47 (°)
1006 30 92	—	272,18	569,06 (°)
1006 30 94	—	321,38	667,47 (°)
1006 30 96	—	321,38	667,47 (°)
1006 30 98	500,60 (°)	321,38	667,47 (°)
1006 40 00	—	77,82	161,65

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

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

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

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

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

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

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

COMMISSION REGULATION (EEC) No 2196/92

of 31 July 1992

fixing the premiums to be added to the import levies on rice and broken rice

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

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

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

Whereas the premiums to be added to the levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2591/91 ⁽³⁾, as last amended by Regulation (EEC) No 2032/92 ⁽⁴⁾;

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

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

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 1 August 1992.

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

Done at Brussels, 31 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 73, 19. 3. 1992, p. 7.

⁽³⁾ OJ No L 243, 31. 8. 1991, p. 8.

⁽⁴⁾ OJ No L 207, 23. 7. 1992, p. 30.

ANNEX

to the Commission Regulation of 31 July 1992 fixing the premiums to be added to the import levies on rice and broken rice

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

COMMISSION REGULATION (EEC) No 2197/92

of 31 July 1992

fixing 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,

Whereas the rules to be applied in calculating the variable component of the import levy on products processed from cereals and rice are laid down in Article 14 (1) (A) of Regulation (EEC) No 2727/75 and Article 12 (1) (a) of Regulation (EEC) No 1418/76; whereas Article 2 of Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and rice⁽⁵⁾, as last amended by Regulation (EEC) No 1906/87⁽⁶⁾, provides that the incidence on the prime costs of these products of the levies applicable to their basic products should be calculated on the basis of the average of the levies applicable to these basic products for the first 25 days of the month preceding that of importation; whereas this average, adjusted on the basis of the threshold price valid for the basic products in question during the month of importation is calculated on the basis of the quantities of basic products considered to have been used in the manufacture of the processed product or the competing product which serves as a reference for processed products not containing cereals;

Whereas Commission Regulation (EEC) No 1579/74 of 24 June 1974 on the procedure for calculating the import levy on products processed from cereals and from rice

and for the advance fixing of this levy for these products and for compound feedingstuffs manufactured from cereals⁽⁷⁾, as last amended by Regulation (EEC) No 1740/78⁽⁸⁾, provides that the levy thus determined, increased by the fixed component, is valid in general for one month but is altered where the levy applicable to the basic product concerned differs by not less than ECU 3,02 per tonne from the average of the levies calculated as described above;

Whereas the fixed component of the levy is specified in Regulation (EEC) No 2744/75; on importation into Portugal of products listed in Annex XXIV to the Act of Accession an additional amount is added to the levy; whereas these amounts were set by Commission Regulation (EEC) No 3808/90⁽⁹⁾;

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States, the levy relating to them in respect of certain products processed from cereals must be reduced by the amount of the fixed component and, in respect of some of these products, by part of the variable component; whereas this reduction must be made in accordance with Article 14 of Council Regulation (EEC) No 715/90 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the ACP States⁽¹⁰⁾, as amended by Regulation (EEC) No 297/91⁽¹¹⁾;

Whereas Article 3 (4) of Council Regulation (EEC) No 3763/91⁽¹²⁾ allows that within the limit of an annual quantity of 8 000 tonnes, the levy shall not be applied to imports into the French department of Réunion of wheat bran falling within CN code 2302 30 from the African, Caribbean and Pacific (ACP) States;

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⁽¹³⁾ no levies shall apply on imports of products originating in the overseas countries

(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 281, 1. 11. 1975, p. 65.

(6) OJ No L 182, 3. 7. 1987, p. 49.

(7) OJ No L 168, 25. 6. 1974, p. 7.

(8) OJ No L 202, 26. 7. 1978, p. 8.

(9) OJ No L 366, 29. 12. 1990, p. 1.

(10) OJ No L 84, 30. 3. 1990, p. 85.

(11) OJ No L 36, 8. 2. 1991, p. 9.

(12) OJ No L 356, 24. 12. 1991, p. 1.

(13) OJ No L 263, 19. 9. 1991, p. 1.

and territories ; whereas, 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 Council Regulation (EEC) No 3834/90 of 20 December 1990 reducing for 1991 the levies on certain agricultural products originating in developing countries ⁽¹⁾ prolonged by Regulation (EEC) No 1509/92 ⁽²⁾ reduces by 50 % the levy on importation into the Community of products of CN code 1108 13 00, within the limit of a fixed amount of 5 000 tonnes a year ;

Whereas Council Regulations (EEC) No 518/92 ⁽³⁾, (EEC) No 519/92 ⁽⁴⁾ and (EEC) No 520/92 ⁽⁵⁾ of 27 February 1992 on certain procedures for applying the Interim Agreements on trade and trade-related matters between the European Economic Community and the European Coal and Steel Community, of the one part, and the Republic of Poland, the Republic of Hungary and the Czech and Slovak Federal Republic respectively, of the other part, introduce arrangements for reducing import levies on certain products ; whereas Commission Regulation (EEC) No 585/92 ⁽⁶⁾, as amended by Regulation (EEC) No 955/92 ⁽⁷⁾, lays down detailed rules for applying the arrangements provided for in these agreements as regards cereals ;

Whereas Council Regulation (EEC) No 430/87 of 9 February 1987 concerning the import arrangements applicable to products falling within CN codes 0714 10 and 0714 90 originating in certain third countries ⁽⁸⁾, as last amended by Regulation (EEC) No 3842/90 ⁽⁹⁾, lay down the terms on which the import levy is limited to 6 % *ad valorem* ;

Whereas Council Regulation (EEC) No 2730/75 of 29 October 1975 on glucose and lactose ⁽¹⁰⁾, as amended by Regulation (EEC) No 222/88 ⁽¹¹⁾, stipulates that the treatment provided for glucose and glucose syrup falling

within CN codes 1702 30 91, 1702 30 99 and 1702 40 90 by Regulation (EEC) No 2727/75 it is to be extended to glucose and glucose syrup falling within CN codes 1702 30 51 and 1702 30 59 ; whereas consequently the levy fixed for products falling within CN codes 1702 30 91, 1702 30 99 and 1702 40 90 also applies to products falling within CN codes 1702 30 51 and 1702 30 59 ; whereas, to ensure that the provision in question is properly applied, these products and the levy thereon should be explicitly mentioned in the list of levies ;

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 Council Regulation (EEC) No 1676/85 ⁽¹²⁾, as last amended by Regulation (EEC) No 2205/90 ⁽¹³⁾,
- 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, in accordance with Article 18 (1) of Regulation (EEC) No 2727/75, the nomenclature provided for in this Regulation is incorporated in the combined nomenclature,

HAS ADOPTED THIS REGULATION :

Article 1

The import levies to be charged on the products listed in Article 1 (d) of Regulation (EEC) No 2727/75 and in Article 1 (1) (c) of Regulation (EEC) No 1418/76 and subject to Regulation (EEC) No 2744/75 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 August 1992.

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

⁽²⁾ OJ No L 159, 12. 6. 1992, p. 1.

⁽³⁾ OJ No L 56, 29. 2. 1992, p. 3.

⁽⁴⁾ OJ No L 56, 29. 2. 1992, p. 6.

⁽⁵⁾ OJ No L 56, 29. 2. 1992, p. 9.

⁽⁶⁾ OJ No L 62, 7. 3. 1992, p. 40.

⁽⁷⁾ OJ No L 102, 16. 4. 1992, p. 26.

⁽⁸⁾ OJ No L 43, 13. 2. 1987, p. 9.

⁽⁹⁾ OJ No L 367, 29. 12. 1990, p. 8.

⁽¹⁰⁾ OJ No L 281, 1. 11. 1975, p. 20.

⁽¹¹⁾ OJ No L 28, 1. 2. 1988, p. 1.

⁽¹²⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽¹³⁾ 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, 31 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 31 July 1992 fixing the import levies on products processed from cereals and rice

(ECU/tonne)

CN code	Import levies ⁽¹⁾	
	ACP	Third countries (other than ACP) ⁽²⁾
0714 10 10 ⁽¹⁾	121,88	128,53
0714 10 91	125,51 ^{(3) (7)}	125,51
0714 10 99	123,70	128,53
0714 90 11	125,51 ^{(3) (7)}	125,51
0714 90 19	123,70 ⁽³⁾	128,53
1102 20 10	259,09	265,13
1102 20 90	146,82	149,84
1102 30 00	164,67	167,69
1102 90 10	225,92	231,96
1102 90 30	196,85	202,89
1102 90 90	152,28	155,30
1103 12 00	196,85	202,89
1103 13 10	259,09	265,13
1103 13 90	146,82	149,84
1103 14 00	164,67	167,69
1103 19 10	276,19	282,23
1103 19 30	225,92	231,96
1103 19 90	152,28	155,30
1103 21 00	247,39	253,43
1103 29 10	276,19	282,23
1103 29 20	225,92	231,96
1103 29 30	196,85	202,89
1103 29 40	259,09	265,13
1103 29 50	164,67	167,69
1103 29 90	152,28	155,30
1104 11 10	128,02	131,04
1104 11 90	251,02	257,06
1104 12 10	111,55	114,57
1104 12 90	218,72	224,76
1104 19 10	247,39	253,43
1104 19 30	276,19	282,23
1104 19 50	259,09	265,13

CN code	(ECU/tonne)	
	Import levies (°)	
	ACP	Third countries (other than ACP) (°)
1104 19 91	279,63	285,67
1104 19 99	268,72	274,76
1104 21 10	200,82	203,84
1104 21 30	200,82	203,84
1104 21 50	313,78	319,82
1104 21 90	128,02	131,04
1104 22 10 10 (°)	111,55	114,57
1104 22 10 90 (°)	196,85	199,87
1104 22 30	196,85	199,87
1104 22 50	174,98	178,00
1104 22 90	111,55	114,57
1104 23 10	230,30	233,32
1104 23 30	230,30	233,32
1104 23 90	146,82	149,84
1104 29 11	182,80	185,82
1104 29 15	204,08	207,10
1104 29 19	238,86	241,88
1104 29 31	219,90	222,92
1104 29 35	245,50	248,52
1104 29 39	238,86	241,88
1104 29 91	140,19	143,21
1104 29 95	156,51	159,53
1104 29 99	152,28	155,30
1104 30 10	103,08	109,12
1104 30 90	107,96	114,00
1106 20 10	121,88 (°)	128,53
1106 20 90	228,11 (°)	252,29
1107 10 11	244,64	255,52
1107 10 19	182,80	193,68
1107 10 91	223,41	234,29 (°)
1107 10 99	166,93	177,81 (°)
1107 20 00	194,54	205,42 (°)
1108 11 00	302,37	322,92
1108 12 00	231,74	252,29
1108 13 00	231,74	252,29 (°)
1108 14 00	115,87	252,29
1108 19 10	236,13	266,96
1108 19 90	115,87 (°)	252,29
1109 00 00	549,76	731,10
1702 30 51	302,27	398,99
1702 30 59	231,74	298,23
1702 30 91	302,27	398,99
1702 30 99	231,74	298,23
1702 40 90	231,74	298,23
1702 90 50	231,74	298,23
1702 90 75	316,67	413,39
1702 90 79	220,23	286,72

(ECU/tonne)

CN code	Import levies ⁽⁷⁾	
	ACP	Third countries (other than ACP) ⁽⁷⁾
2106 90 55	231,74	298,23
2302 10 10	56,96	62,96
2302 10 90	122,07	128,07
2302 20 10	56,96	62,96
2302 20 90	122,07	128,07
2302 30 10	56,96 ⁽¹⁰⁾	62,96
2302 30 90	122,07 ⁽¹⁰⁾	128,07
2302 40 10	56,96	62,96
2302 40 90	122,07	128,07
2303 10 11	287,88	469,22

⁽¹⁾ 6 % *ad valorem*, subject to certain conditions.

⁽²⁾ In accordance with Council Regulation (EEC) No 1180/77 this levy is reduced by ECU 5,44 per tonne for products originating in Turkey.

⁽³⁾ In accordance with Regulation (EEC) No 715/90 the levy shall not be charged on the following products originating in the African, Caribbean and Pacific States:

- products falling within CN code ex 0714 10 91,
- products falling within CN code 0714 90 11 and arrow-root falling within CN code 0714 90 19,
- flours and meal of arrow-root falling within CN code 1106 20,
- arrow-root starch falling within CN code 1108 19 90.

⁽⁴⁾ Taric code: clipped oats.

⁽⁵⁾ Taric code: CN code 1104 22 10, other than 'clipped oats'.

⁽⁶⁾ Pursuant to Regulation (EEC) No 3834/90, the levy on importation into the Community of products of CN code 1108 13 00 is reduced by 50 % within the limit of a fixed quantity of 5 000 tonnes.

⁽⁷⁾ 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.

⁽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 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.

⁽¹¹⁾ Products falling within this code, imported from Poland, the Czech and Slovak Federal Republic 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 2198/92

of 31 July 1992

fixing the import levies on compound feedingstuffs

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,

Whereas the rules to be applied in calculating the variable component of the import levy on compound feedingstuffs are laid down in Article 14 (1) (A) of Regulation (EEC) No 2727/75; whereas Article 4 of Council Regulation (EEC) No 2743/75 of 29 October 1975 on the system to be applied to cereal-based compound feedingstuffs⁽³⁾, as last amended by Regulation (EEC) No 944/87⁽⁴⁾, provides that the incidence on the prime costs of these feedingstuffs of the levies applicable to their basic products should be calculated on the basis of the average of the levies applicable during the first 25 days of the month preceding that month of importation to the quantities of basic products considered to have been used in the manufacture of such compound feedingstuffs, this average being adjusted on the basis of the threshold price for the basic products in question ruling during the month of importation;

Whereas the levy thus determined, increased by the fixed component, is valid for one month; whereas the amount of the fixed component of the levy is laid down in Article 6 of Regulation (EEC) No 2743/75; whereas on importation into Portugal of products listed in Annex XXIV to the Act of Accession an additional amount is added to the levy; whereas these amounts were set by Commission Regulation (EEC) No 3808/90⁽⁵⁾;

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States, the levy relating to them in respect of certain products processed from cereals must be reduced by the amount of the fixed

component and, in respect of some of these products, by part of the variable component; whereas this reduction must be made in accordance with Article 14 of Council Regulation (EEC) No 715/90 of 5 March 1990 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories⁽⁶⁾, as amended by Regulation (EEC) No 297/91⁽⁷⁾;

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⁽⁸⁾, no levies shall apply on imports of products originating in the overseas countries and territories; whereas, 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, 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 Council Regulation (EEC) No 1676/85⁽⁹⁾, as last amended by Regulation (EEC) No 2205/90⁽¹⁰⁾,
- 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, in accordance with Article 18 (1) of Regulation (EEC) No 2727/75, the nomenclature provided for in this Regulation is incorporated in the combined nomenclature,

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 60.

⁽⁴⁾ OJ No L 90, 2. 4. 1987, p. 2.

⁽⁵⁾ OJ No L 366, 29. 12. 1990, p. 1.

⁽⁶⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽⁷⁾ OJ No L 36, 8. 2. 1991, p. 9.

⁽⁸⁾ OJ No L 263, 19. 9. 1991, p. 1.

⁽⁹⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽¹⁰⁾ OJ No L 201, 31. 7. 1990, p. 9.

HAS ADOPTED THIS REGULATION:

and subject to Regulation (EEC) No 2743/75 shall be as set out in the Annex.

Article 1

The import levies to be charged on the compound feedingstuffs covered by Regulation (EEC) No 2727/75

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, 31 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 31 July 1992 fixing the import levies on compound feedingstuffs

(ECU/tonne)

CN code	Levies ^(?)	
	ACP	Third countries (other than ACP) ⁽¹⁾
2309 10 11	23,03	33,91
2309 10 13	519,83	530,71
2309 10 31	71,97	82,85
2309 10 33	568,77	579,65
2309 10 51	143,94	154,82
2309 10 53	640,74	651,62
2309 90 31	23,03	33,91
2309 90 33	519,83	530,71
2309 90 41	71,97	82,85
2309 90 43	568,77	579,65
2309 90 51	143,94	154,82
2309 90 53	640,74	651,62

⁽¹⁾ 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.

COMMISSION REGULATION (EEC) No 2199/92

of 31 July 1992

fixing the export refunds 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 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,

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 the fourth subparagraph of Article 17 (2) thereof,

Whereas Article 16 of Regulation (EEC) No 2727/75 and Article 17 of Regulation (EEC) No 1418/76 provide that the difference between quotations or prices on the world market for the products listed in Article 1 of those Regulations and prices for those products within the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 2746/75⁽⁵⁾, and Article 2 of Council Regulation (EEC) No 1431/76⁽⁶⁾ laying down general rules for granting export refunds on cereals and rice respectively and criteria for fixing the amount of such refunds, provide 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, rice and broken rice on the Community market on the one hand and prices for cereals, rice, broken rice and cereal products on the world market on the other; whereas the same Articles provide that it is also important to ensure equilibrium and the natural development of prices and trade on the markets in cereals and rice and, furthermore, to take into account the economic aspect of the proposed exports, and the need to avoid disturbances on the Community market;

Whereas Article 6 of Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice⁽⁷⁾, as last amended by Regulation (EEC) No 1906/87⁽⁸⁾, defines the specific criteria to be taken into account when the refund on these products is being calculated;

Whereas, on the basis of the criteria laid down in Regulation (EEC) No 2744/75, particular account should be taken of the prices and quantities of basic products used to calculate the variable component of the levy;

Whereas it follows from applying these detailed rules to the present situation on the market in products processed from cereals and rice that the export refund should be fixed at an amount which will cover the difference between Community prices and world market prices;

Whereas when the refund is being calculated account should be taken of the quantities of raw materials used to determine the variable component of the levy; whereas the quantities of raw materials used for certain processed products may vary according to the end use of the product; whereas, depending on the manufacturing process used, products other than the main product are obtained, the quantity and value of which may vary with the nature and quality of the main products being manufactured; whereas cumulation of the refunds on the various products manufactured by a single process from the same basic product may make it possible, in certain cases, to export to third countries at prices which are lower than world market prices; whereas the refund on certain products should therefore be limited to an amount which, while allowing access to the world market, will ensure that the aims of the common organization of the markets are respected;

Whereas the refund to be granted in respect of certain processed products should be graduated on the basis of the ash, crude fibre, tegument, protein, fat and starch content of the individual product concerned, this content being a particularly good indicator of the quantity of basic product actually incorporated in the processed product;

⁽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 281, 1. 11. 1975, p. 78.

⁽⁶⁾ OJ No L 166, 25. 6. 1976, p. 36.

⁽⁷⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁸⁾ OJ No L 182, 3. 7. 1987, p. 49.

Whereas there is no need at present to fix an export refund for manioc, other tropical roots and tubers or flours obtained therefrom, given the economic aspect of potential exports and in particular the nature and origin of these products; whereas, for certain products processed from cereals, the insignificance of Community participation in world trade makes it unnecessary to fix an export refund at the present time;

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, 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⁽¹⁾, as last amended by Regulation (EEC) No 2205/90⁽²⁾,
- 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;

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

Done at Brussels, 31 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

Whereas the refund must be fixed once a month; whereas it may be altered in the intervening period;

Whereas Council Regulation (EEC) No 1432/92⁽³⁾, as amended by Regulation (EEC) No 2015/92⁽⁴⁾, 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 Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (d) of Regulation (EEC) No 2727/75 and in Article 1 (1) (c) of Regulation (EEC) No 1418/76 and subject to Regulation (EEC) No 2744/75 are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 August 1992.

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 1.
⁽²⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽³⁾ OJ No L 151, 3. 6. 1992, p. 4.
⁽⁴⁾ OJ No L 205, 22. 7. 1992, p. 2.

ANNEX

to the Commission Regulation of 31 July 1992 fixing the export refunds on products processed from cereals and rice

(ECU/tonne)		(ECU/tonne)	
Product code	Refund (¹)	Product code	Refund (¹)
1102 20 10 100	139,37	1104 23 10 900	—
1102 20 10 300	119,46	1104 29 11 000	77,46
1102 20 10 900	—	1104 29 15 000	—
1102 20 90 100	119,46	1104 29 19 000	—
1102 20 90 900	—	1104 29 91 000	75,94
1102 30 00 000	—	1104 29 95 000	103,15
1102 90 10 100	101,04	1104 30 10 000	18,99
1102 90 10 900	68,71	1104 30 90 000	24,89
1102 90 30 100	134,32	1107 10 11 000	135,17
1102 90 30 900	—	1107 10 91 000	119,90
1103 12 00 100	134,32	1108 11 00 200	151,88
1103 12 00 900	—	1108 11 00 300	151,88
1103 13 10 100	179,19	1108 11 00 800	—
1103 13 10 300	139,37	1108 12 00 200	159,28
1103 13 10 500	119,46	1108 12 00 300	159,28
1103 13 10 900	—	1108 12 00 800	—
1103 13 90 100	119,46	1108 13 00 200	159,28
1103 13 90 900	—	1108 13 00 300	159,28
1103 14 00 000	—	1108 13 00 800	—
1103 19 10 000	103,15	1108 14 00 200	—
1103 19 30 100	104,41	1108 14 00 300	—
1103 19 30 900	—	1108 14 00 800	—
1103 21 00 000	77,46	1108 19 10 200	181,90
1103 29 20 000	68,71	1108 19 10 300	181,90
1103 29 30 000	—	1108 19 10 800	—
1103 29 40 000	—	1108 19 90 200	—
1104 11 90 100	101,04	1108 19 90 300	—
1104 11 90 900	—	1108 19 90 800	—
1104 12 90 100	149,24	1109 00 00 100	0,00
1104 12 90 300	119,39	1109 00 00 900	—
1104 12 90 900	—	1702 30 51 000	208,06
1104 19 10 000	77,46	1702 30 59 000	159,28
1104 19 50 110	159,28	1702 30 91 000	208,06
1104 19 50 130	129,42	1702 30 99 000	159,28
1104 19 50 150	—	1702 40 90 000	159,28
1104 19 50 190	—	1702 90 50 100	208,06
1104 19 50 900	—	1702 90 50 900	159,28
1104 19 91 000	—	1702 90 75 000	218,01
1104 21 10 100	101,04	1702 90 79 000	151,32
1104 21 10 900	—	2106 90 55 000	159,28
1104 21 30 100	101,04	2302 10 10 000	19,43
1104 21 30 900	—	2302 10 90 100	19,43
1104 21 50 100	134,72	2302 10 90 900	—
1104 21 50 300	107,78	2302 20 10 000	19,43
1104 21 50 900	—	2302 20 90 100	19,43
1104 22 10 100	119,39	2302 20 90 900	—
1104 22 10 900	—	2302 30 10 000	19,43
1104 22 30 100	126,85	2302 30 90 000	19,43
1104 22 30 900	—	2302 40 10 000	19,43
1104 22 50 000	—	2302 40 90 000	19,43
1104 23 10 100	149,33	2303 10 11 100	79,64
1104 23 10 300	114,48	2303 10 11 900	—

(¹) 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 2200/92**of 31 July 1992****fixing the export refunds on cereal-based compound feedingstuffs**

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 within 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 other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on the cereal markets;

Whereas it follows from applying these detailed rules to the present situation on the market in cereal-based compound feedingstuffs that the export refund should be fixed at an amount which will cover the difference between Community prices and world market prices;

Whereas Article 7 (1) of Council Regulation (EEC) No 2743/75 of 29 October 1975 on the system to be applied to cereal-based compound feedingstuffs⁽⁴⁾, as last amended by Regulation (EEC) No 944/87⁽⁵⁾, provides that, when export refunds on cereal-based compound feedingstuffs are being fixed, only certain products used

in the manufacture of compound feedingstuffs for which a refund may be fixed should be taken into account;

Whereas Commission Regulation (EEC) No 1913/69 of 29 September 1969 on the granting and the advance fixing of the export refund on cereal-based compound feedingstuffs⁽⁶⁾, as last amended by Regulation (EEC) No 3630/91⁽⁷⁾, provides that calculation of the export refund must be based on the averages of the refunds granted and the levies calculated on the most commonly used basic cereals, adjusted on the basis of the threshold price in force during the current month; whereas that calculation must also take account of the cereal products content; whereas, therefore, in the interest of simplification, compound feedingstuffs should be placed in categories and the refund for each category should be fixed on the basis of the quantity of cereal products content for the category concerned; whereas, furthermore, the amount of the refund must also take into account the possibilities and conditions for the sale of those products on the world market, the need to avoid disturbances on the Community market and the economic aspect of the export;

Whereas, however, in fixing the rate of refund it would seem advisable to base it at this time on the difference in the cost of raw inputs widely used in compound feedingstuffs as between the Community and world markets, allowing more accurate account to be taken of the commercial conditions under which such products are exported;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for compound feedingstuffs according to composition and destination; whereas, for purposes of varying the refund, the destination zones laid down in Annex II to Commission Regulation (EEC) No 1124/77 of 27 May 1977 redefining the destination zones for export refunds or levies and for certain export licences for cereals and rice⁽⁸⁾, as last amended by Regulation (EEC) No 3049/89⁽⁹⁾, should be used;

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 60.

⁽⁵⁾ OJ No L 90, 2. 4. 1987, p. 2.

⁽⁶⁾ OJ No L 246, 30. 9. 1969, p. 11.

⁽⁷⁾ OJ No L 344, 14. 12. 1991, p. 40.

⁽⁸⁾ OJ No L 134, 28. 5. 1977, p. 53.

⁽⁹⁾ OJ No L 292, 11. 10. 1989, p. 10.

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 ⁽¹⁾, as last amended by Regulation (EEC) No 2205/90 ⁽²⁾,
- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

Whereas the refund must be fixed once a month; whereas it may be altered in the intervening period;

Whereas Council Regulation (EEC) No 1432/92 ⁽³⁾, as amended by Regulation (EEC) No 2015/92 ⁽⁴⁾, 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 Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the compound feedingstuffs covered by Regulation (EEC) No 2727/75 and subject to Regulation (EEC) No 2743/75 are hereby fixed as shown in the Annex to this Regulation.

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, 31 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽²⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽³⁾ OJ No L 151, 3. 6. 1992, p. 4.

⁽⁴⁾ OJ No L 205, 22. 7. 1992, p. 2.

ANNEX

to the Commission Regulation of 31 July 1992 fixing the export refunds on cereal-based compound feedingstuffs

(ECU/tonne)

Product code	Amount of refund (')
2309 10 11 110	4,98
2309 10 13 110	4,98
2309 10 31 110	4,98
2309 10 33 110	4,98
2309 10 51 110	4,98
2309 10 53 110	4,98
2309 90 31 110	4,98
2309 90 33 110	4,98
2309 90 41 110	4,98
2309 90 43 110	4,98
2309 90 51 110	4,98
2309 90 53 110	4,98
2309 10 11 190	3,40
2309 10 13 190	3,40
2309 10 31 190	3,40
2309 10 33 190	3,40
2309 10 51 190	3,40
2309 10 53 190	3,40
2309 90 31 190	3,40
2309 90 33 190	3,40
2309 90 41 190	3,40
2309 90 43 190	3,40
2309 90 51 190	3,40
2309 90 53 190	3,40
2309 10 11 210	9,96
2309 10 13 210	9,96
2309 10 31 210	9,96
2309 10 33 210	9,96
2309 10 51 210	9,96
2309 10 53 210	9,96
2309 90 31 210	9,96
2309 90 33 210	9,96
2309 90 41 210	9,96
2309 90 43 210	9,96
2309 90 51 210	9,96
2309 90 53 210	9,96
2309 10 11 290	6,80
2309 10 13 290	6,80
2309 10 31 290	6,80
2309 10 33 290	6,80
2309 10 51 290	6,80
2309 10 53 290	6,80
2309 90 31 290	6,80
2309 90 33 290	6,80
2309 90 41 290	6,80
2309 90 43 290	6,80
2309 90 51 290	6,80
2309 90 53 290	6,80
2309 10 11 310	19,91
2309 10 13 310	19,91
2309 10 31 310	19,91
2309 10 33 310	19,91

Product code	Amount of refund (')
2309 10 51 310	19,91
2309 10 53 310	19,91
2309 90 31 310	19,91
2309 90 33 310	19,91
2309 90 41 310	19,91
2309 90 43 310	19,91
2309 90 51 310	19,91
2309 90 53 310	19,91
2309 10 11 390	13,60
2309 10 13 390	13,60
2309 10 31 390	13,60
2309 10 33 390	13,60
2309 10 51 390	13,60
2309 10 53 390	13,60
2309 90 31 390	13,60
2309 90 33 390	13,60
2309 90 41 390	13,60
2309 90 43 390	13,60
2309 90 51 390	13,60
2309 90 53 390	13,60
2309 10 31 410	29,87
2309 10 33 410	29,87
2309 10 51 410	29,87
2309 10 53 410	29,87
2309 90 41 410	29,87
2309 90 43 410	29,87
2309 90 51 410	29,87
2309 90 53 410	29,87
2309 10 31 490	20,40
2309 10 33 490	20,40
2309 10 51 490	20,40
2309 10 53 490	20,40
2309 90 41 490	20,40
2309 90 43 490	20,40
2309 90 51 490	20,40
2309 90 53 490	20,40
2309 10 31 510	39,82
2309 10 33 510	39,82
2309 10 51 510	39,82
2309 10 53 510	39,82
2309 90 41 510	39,82
2309 90 43 510	39,82
2309 90 51 510	39,82
2309 90 53 510	39,82
2309 10 31 590	27,20
2309 10 33 590	27,20
2309 10 51 590	27,20
2309 10 53 590	27,20
2309 90 41 590	27,20
2309 90 43 590	27,20
2309 90 51 590	27,20
2309 90 53 590	27,20
2309 10 31 610	49,78
2309 10 33 610	49,78
2309 10 51 610	49,78
2309 10 53 610	49,78
2309 90 41 610	49,78
2309 90 43 610	49,78

(ECU/tonne)

Product code	Amount of refund (1)
2309 90 51 610	49,78
2309 90 53 610	49,78
2309 10 31 690	34,01
2309 10 33 690	34,01
2309 10 51 690	34,01
2309 10 53 690	34,01
2309 90 41 690	34,01
2309 90 43 690	34,01
2309 90 51 690	34,01
2309 90 53 690	34,01
2309 10 51 710	59,73
2309 10 53 710	59,73
2309 90 51 710	59,73
2309 90 53 710	59,73
2309 10 51 790	40,81
2309 10 53 790	40,81
2309 90 51 790	40,81
2309 90 53 790	40,81
2309 10 51 810	69,69
2309 10 53 810	69,69
2309 90 51 810	69,69
2309 90 53 810	69,69
2309 10 51 890	47,61
2309 10 53 890	47,61
2309 90 51 890	47,61
2309 90 53 890	47,61

(1) 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.

There are no refunds for products falling within CN codes 2309 10 11, 2309 10 13, 2309 10 31, 2309 10 33, 2309 10 51, 2309 10 53, 2309 90 31, 2309 90 33, 2309 90 41, 2309 90 43, 2309 90 51 and 2309 90 53 not included in the above table.

COMMISSION REGULATION (EEC) No 2201/92

of 31 July 1992

fixing the export refunds on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽¹⁾, as last amended by Regulation (EEC) No 674/92⁽²⁾, and in particular the first sentence of the fourth subparagraph of Article 17 (2) thereof,

Whereas Article 17 of Regulation (EEC) No 1418/76 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 within the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 1431/76 of 21 June 1976 laying down general rules for granting export refunds on rice 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 rice and broken rice on the Community market on the one hand and prices for rice and broken rice 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 the rice market and, furthermore, to take into account the economic aspect of the proposed exports and the need to avoid disturbances of the Community market;

Whereas export possibilities exist for a quantity of 15 000 tonnes of wholly milled rice, falling within CN codes 1006 30 92 900, 1006 30 94 900 and 1006 30 96 900 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 Commission Regulation (EEC) No 1361/76⁽⁶⁾ lays down the maximum percentage of broken rice

allowed in rice for which an export refund is fixed and specifies the percentage by which that refund is to be reduced where the proportion of broken rice in the rice exported exceeds that maximum;

Whereas Article 3 of Regulation (EEC) No 1431/76 defines the specific criteria to be taken into account when the export refund on rice and broken rice is being calculated;

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 a separate refund should be fixed for packaged long grain rice to accommodate current demand for the product on certain markets;

Whereas the refund must be fixed at least 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⁽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 these rules and criteria to the present situation on the market in rice and in particular to quotations or prices for rice and broken rice within the Community and on the world market, that the refund should be fixed as set out in the Annex hereto;

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 73, 19. 3. 1992, p. 7.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 36.

⁽⁴⁾ OJ No L 94, 7. 4. 1989, p. 13.

⁽⁵⁾ OJ No L 36, 13. 2. 1992, p. 15.

⁽⁶⁾ OJ No L 154, 15. 6. 1976, p. 11.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁸⁾ OJ No L 201, 31. 7. 1990, p. 9.

Whereas Council Regulation (EEC) No 1432/92 ⁽¹⁾, as amended by Regulation (EEC) No 2015/92 ⁽²⁾, 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 Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 of Regulation (EEC) No 1418/76 with the exception of those listed in paragraph 1 (c) of that Article, exported in the natural state, 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, 31 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 151, 3. 6. 1992, p. 4.
⁽²⁾ OJ No L 205, 22. 7. 1992, p. 2.

ANNEX

to the Commission Regulation of 31 July 1992 fixing the export refunds on rice and broken rice

Product code	Destination (1)	(ECU/tonne) Amount of refunds (2)
1006 20 11 000	—	—
1006 20 13 000	01	216,00
1006 20 15 000	01	216,00
1006 20 17 000	—	—
1006 20 92 000	—	—
1006 20 94 000	01	216,00
1006 20 96 000	01	216,00
1006 20 98 000	—	—
1006 30 21 000	—	—
1006 30 23 000	01	216,00
1006 30 25 000	01	216,00
1006 30 27 000	—	—
1006 30 42 000	—	—
1006 30 44 000	01	216,00
1006 30 46 000	01	216,00
1006 30 48 000	—	—
1006 30 61 100	01	270,00
	02	276,00
	03	281,00
	04	270,00
1006 30 61 900	01	270,00
	04	270,00
1006 30 63 100	01	270,00
	02	276,00
	03	281,00
	04	270,00
1006 30 63 900	01	270,00
	04	270,00
1006 30 65 100	01	270,00
	02	276,00
	03	281,00
	04	270,00
1006 30 65 900	01	270,00
	04	270,00
1006 30 67 100	—	—
1006 30 67 900	—	—

(ECU / tonne)		
Product code	Destination ⁽¹⁾	Amount of refunds ⁽²⁾
1006 30 92 100	01	270,00
	02	276,00
	03	281,00
	04	270,00
1006 30 92 900	01	270,00
	04	270,00
	05	284,00
1006 30 94 100	01	270,00
	02	276,00
	03	281,00
	04	270,00
1006 30 94 900	01	270,00
	04	270,00
	05	284,00
1006 30 96 100	01	270,00
	02	276,00
	03	281,00
	04	270,00
1006 30 96 900	01	270,00
	04	270,00
	05	284,00
1006 30 98 100	—	—
1006 30 98 900	—	—
1006 40 00 000	—	—

⁽¹⁾ The destinations are identified as follows :

01 Austria, Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italia,

02 Zones I, II, III, VI, Ceuta and Melilla,

03 Zones IV, VII c), Canada and Zone VIII excluding Surinam, Guyana and Madagascar,

04 Destinations mentioned in Article 34 of Commission Regulation (EEC) No 3665/87,

05 Refund fixed under the procedure laid down in Article 9 (4) of amended Regulation (EEC) No 891/89 in respect of a quantity of 15 000 tonnes of wholly milled rice for destination Zones I to VI and Zone VIII, excluding Guyana, Surinam and Madagascar.

⁽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 zones are those defined in the Annex to Commission Regulation (EEC) No 1124/77, as last amended by Regulation (EEC) No 3049/89.

COMMISSION REGULATION (EEC) No 2202/92

of 31 July 1992

fixing the corrective amount applicable to the refund on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽¹⁾, as last amended by Regulation (EEC) No 674/92⁽²⁾, and in particular the second subparagraph of Article 17 (4) thereof,

Whereas the first subparagraph of Article 17 (4) of Regulation (EEC) No 1418/76 provides that the export refund applicable to rice and broken rice on the day on which application for an export licence is made, adjusted for the threshold price which will be in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the licence ;

Whereas Commission Regulation No 474/67/EEC⁽³⁾, as amended by Regulation (EEC) No 1397/68⁽⁴⁾, lays down detailed rules for the advance fixing of the export refund on rice and broken rice ;

Whereas that Regulation provides that the refund applicable on the day on which application for an export licence is made must, when it is fixed in advance, be reduced by an amount no greater than the difference between the cif forward delivery price and the cif price, where the former exceeds the latter by more than ECU 0,30 per tonne ; whereas on the other hand, the refund must be increased by an amount no greater than the difference between the cif price and the cif forward delivery price, where the former exceeds the latter by more than ECU 0,30 per tonne ;

Whereas the cif price is that determined in accordance with Article 16 of Regulation (EEC) No 1418/76 ; whereas the cif forward delivery price is that determined in accordance with Article 3 (2) of Council Regulation (EEC) No

1428/76⁽⁵⁾, based in respect of each month for which the export licence is valid, on the cif price calculated on the basis of offers for shipment during the month of exportation ;

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⁽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 ;

Whereas it follows from applying the provisions set out above that the corrective amount must be as set out in the Annex hereto ;

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

HAS ADOPTED THIS REGULATION :

Article 1

The corrective amount referred to in Article 17 (4) of Regulation (EEC) No 1418/76 which is applicable to the export refunds fixed in advance in respect of rice and broken rice shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 August 1992.

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 73, 19. 3. 1992, p. 7.

⁽³⁾ OJ No 204, 24. 8. 1967, p. 20.

⁽⁴⁾ OJ No L 222, 10. 9. 1968, p. 6.

⁽⁵⁾ OJ No L 166, 25. 6. 1976, p. 30.

⁽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, 31 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 31 July 1992 fixing the corrective amount applicable to the refund on rice and broken rice

(ECU/tonne)

Product code	Destination (1)	Current 8	1st period 9	2nd period 10	3rd period 11
1006 20 11 000	—	—	—	—	—
1006 20 13 000	01	0	0	0	0
1006 20 15 000	01	0	0	0	0
1006 20 17 000	—	—	—	—	—
1006 20 92 000	—	—	—	—	—
1006 20 94 000	01	0	0	0	0
1006 20 96 000	01	0	0	0	0
1006 20 98 000	—	—	—	—	—
1006 30 21 000	—	—	—	—	—
1006 30 23 000	01	0	0	0	0
1006 30 25 000	01	0	0	0	0
1006 30 27 000	—	—	—	—	—
1006 30 42 000	—	—	—	—	—
1006 30 44 000	01	0	0	0	0
1006 30 46 000	01	0	0	0	0
1006 30 48 000	—	—	—	—	—
1006 30 61 100	01	0	0	0	0
	02	0	0	0	0
	03	0	0	0	0
	04	0	0	0	0
1006 30 61 900	01	0	0	0	0
	04	0	0	0	0
1006 30 63 100	01	0	0	0	0
	02	0	0	0	0
	03	0	0	0	0
	04	0	0	0	0
1006 30 63 900	01	0	0	0	0
	04	0	0	0	0
1006 30 65 100	01	0	0	0	0
	02	0	0	0	0
	03	0	0	0	0
	04	0	0	0	0

(ECU/tonne)

Product code	Destination (1)	Current 8	1st period 9	2nd period 10	3rd period 11
1006 30 65 900	01	0	0	0	0
	04	0	0	0	0
1006 30 67 100	—	—	—	—	—
1006 30 67 900	—	—	—	—	—
1006 30 92 100	01	0	0	0	0
	02	0	0	0	0
	03	0	0	0	0
	04	0	0	0	0
1006 30 92 900	01	0	0	0	0
	04	0	0	0	0
	05	0	34,09	0	0
1006 30 94 100	01	0	0	0	0
	02	0	0	0	0
	03	0	0	0	0
	04	0	0	0	0
1006 30 94 900	01	0	0	0	0
	04	0	0	0	0
	05	0	38,28	0	0
1006 30 96 100	01	0	0	0	0
	02	0	0	0	0
	03	0	0	0	0
	04	0	0	0	0
1006 30 96 900	01	0	0	0	0
	04	0	0	0	0
	05	0	38,28	0	0
1006 30 98 100	—	—	—	—	—
1006 30 98 900	—	—	—	—	—
1006 40 00 000	—	—	—	—	—

(1) The destinations are identified as follows:

01 Austria, Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italia,

02 Zones I, II, III, VI, Ceuta and Melilla,

03 Zones IV, VII c), Canada and zone VIII, except Suriname, Guyana and Madagascar,

04 Destinations mentioned in Article 34 of Commission Regulation (EEC) No 3665/87,

05 Refund fixed under the procedure laid down in Article 9 (4) of Regulation (EEC) No 891/89, as last amended by Regulation (EEC) No 337/92, in respect of a quantity of 15 000 tonnes of wholly milled rice for destination Zones I to VI and Zone VIII, excluding Guyana, Surinam and Madagascar.

NB: The zones are those defined in the Annex to Commission Regulation (EEC) No 1124/77, as last amended by Regulation (EEC) No 3049/89.

COMMISSION REGULATION (EEC) No 2203/92

of 31 July 1992

fixing the refunds applicable to cereal and rice sector products supplied as
Community and national food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 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,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 11 (2) thereof,Whereas Article 2 of Council Regulation (EEC) No 2681/74 of 21 October 1974 on Community financing of expenditure incurred in respect of the supply of agricultural products as food aid⁽⁵⁾ lays down that the portion of the expenditure corresponding to the export refunds on the products in question fixed under Community rules is to be charged to the European Agricultural Guidance and Guarantee Fund, Guarantee Section;

Whereas, in order to make it easier to draw up and manage the budget for Community food aid actions and to enable the Member States to know the extent of Community participation in the financing of national food aid actions, the level of the refunds granted for these actions should be determined;

Whereas the general and implementing rules provided for in Article 16 of Regulation (EEC) No 2727/75 and in Article 17 of Regulation (EEC) No 1418/76 on export refunds are applicable *mutatis mutandis* to the above-mentioned operations;Whereas Article 3 of Council Regulation (EEC) No 2746/75⁽⁶⁾ and Article 6 of Council Regulation (EEC) No 2744/75⁽⁷⁾, as last amended by Regulation (EEC) No 1906/87⁽⁸⁾, lay down specific criteria to be taken into account for calculating the refunds on cereals and on products processed from cereals; whereas specific criteria applying in the case of wheat flours are set out in Article 4 of Regulation (EEC) No 2746/75;Whereas the specific criteria to be used for calculating the export refund on rice are set out in Article 3 of Council Regulation (EEC) No 1431/76⁽⁹⁾;

Whereas the refunds fixed by this Regulation are applicable without any variations, for all destinations;

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

HAS ADOPTED THIS REGULATION:

Article 1

For Community and national food aid operations the refunds applicable for August 1992 to cereals and rice sector products shall be as set out in the Annex.

Article 2

The refunds fixed in this Regulation shall not be regarded as refunds varying according to destination.

Article 3

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, 31 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 166, 25. 6. 1976, p. 1.⁽⁴⁾ OJ No L 73, 19. 3. 1992, p. 7.⁽⁵⁾ OJ No L 288, 25. 10. 1974, p. 1.⁽⁶⁾ OJ No L 281, 1. 11. 1975, p. 78.⁽⁷⁾ OJ No L 281, 1. 11. 1975, p. 65.⁽⁸⁾ OJ No L 182, 3. 7. 1987, p. 49.⁽⁹⁾ OJ No L 166, 25. 6. 1976, p. 36.

ANNEX

to the Commission Regulation of 31 July 1992 fixing the refunds applicable to cereal and rice sector products supplied as Community and national food aid

(ECU/tonne)	
Product code	Refund
1001 10 90 000	110,00
1001 90 99 000	70,00
1002 00 00 000	70,00
1003 00 90 000	73,00
1004 00 90 000	73,00
1005 90 00 000	105,00
1006 20 92 000	243,00
1006 20 94 000	243,00
1006 30 42 000	—
1006 30 44 000	—
1006 30 92 100	304,00
1006 30 92 900	304,00
1006 30 94 100	304,00
1006 30 94 900	304,00
1006 30 96 100	304,00
1006 30 96 900	304,00
1006 40 00 000	—
1007 00 90 000	105,00
1101 00 00 100	96,00
1101 00 00 130	96,00
1102 20 10 100	139,37
1102 20 10 300	119,46
1102 30 00 000	—
1102 90 10 100	101,04
1103 11 10 500	166,50
1103 11 90 100	96,00
1103 13 10 100	179,19
1103 14 00 000	—
1104 12 90 100	149,24
1104 21 50 100	134,73

NB: The product codes and the footnotes are defined in amended Commission Regulation (EEC) No 3846/87.

COMMISSION REGULATION (EEC) No 2204/92**of 31 July 1992****fixing the export refunds on syrups and certain other sugar products exported in the natural state**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas Article 8 of Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar⁽³⁾, as last amended by Regulation (EEC) No 1489/76⁽⁴⁾, provides that the export refund on 100 kilograms of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 is equal to the basic amount multiplied by the sucrose content, including, where appropriate, other sugars expressed as sucrose; whereas the sucrose content of the product in question is determined in accordance with Article 13 of Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar⁽⁵⁾, as last amended by Regulation (EEC) No 1684/92⁽⁶⁾;

Whereas Article 7 of Regulation (EEC) No 766/68 provides that the basic amount of the refund on sorbose exported in the natural state must be equal to the basic amount of the refund less one-hundredth of the production refund applicable, pursuant to Council Regulation (EEC) No 1400/78 of 20 June 1978 laying down general

rules for the production refund on sugar used in the chemical industry⁽⁷⁾, to the products listed in the Annex to the last mentioned Regulation;

Whereas the basic amount of the refund on the other products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 exported in the natural state must be equal to one-hundredth of an amount which takes account, on the one hand, of the difference between the intervention price for white sugar for the Community areas without deficit for the month for which the basic amount is fixed and quotations or prices for white sugar on the world market and, on the other, of the need to establish a balance between the use of Community basic products in the manufacture of processed goods for export to third countries and the use of third country products brought in under inward processing arrangements;

Whereas the application of the basic amount may be limited to some of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81;

Whereas Article 19 of Regulation (EEC) No 1785/81 makes provision for setting refunds for export in the natural state of products referred to in Article 1 (1) (f) and (g) of that Regulation; whereas the refund must be fixed per 100 kilograms of dry matter, taking account of the export refund for products falling within CN code 1702 30 91 and for products referred to in Article 1 (1) (d) of Regulation (EEC) No 1785/81 and of the economic aspects of the intended exports; whereas the refund is to be granted only for products complying with the conditions in Article 3 of Commission Regulation (EEC) No 1469/77 of 30 June 1977 laying down rules for applying the levy and the refund in respect of isoglucose and amending Regulation (EEC) No 192/75⁽⁸⁾, as amended by Regulation (EEC) No 1714/88⁽⁹⁾;

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

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 6, 11. 1. 1992, p. 19.

⁽³⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁴⁾ OJ No L 167, 26. 6. 1976, p. 13.

⁽⁵⁾ OJ No L 50, 4. 3. 1970, p. 1.

⁽⁶⁾ OJ No L 176, 30. 6. 1992, p. 31.

⁽⁷⁾ OJ No L 170, 27. 6. 1978, p. 9.

⁽⁸⁾ OJ No L 162, 1. 7. 1977, p. 9.

⁽⁹⁾ OJ No L 152, 18. 6. 1988, p. 23.

- 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 ⁽¹⁾, as last amended by Regulation (EEC) No 2205/90 ⁽²⁾,
- 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 refunds referred to above must be fixed every month; whereas they may be altered in the intervening period;

Whereas application of these quotas results in fixing refunds for the products in question at the levels given in the Annex to this Regulation;

Whereas Council Regulation (EEC) No 1432/92 ⁽³⁾, as amended by Regulation (EEC) No 2015/92 ⁽⁴⁾, 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 Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (d), (f) and (g) of Regulation (EEC) No 1785/81, exported in the natural state, shall be 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, 31 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽²⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽³⁾ OJ No L 151, 3. 6. 1992, p. 4.

⁽⁴⁾ OJ No L 205, 22. 7. 1992, p. 2.

ANNEX

to the Commission Regulation of 31 July 1992 fixing the export refunds on syrups and certain other sugar products exported in the natural state

(ECU)

Product code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question ⁽¹⁾ ⁽²⁾	Amount of refund per 100 kg of dry matter ⁽³⁾ ⁽²⁾
1702 40 10 100		40,06
1702 60 10 000		40,06
1702 60 90 000	0,4006	
1702 90 30 000		40,06
1702 90 60 000	0,4006	
1702 90 71 000	0,4006	
1702 90 90 900	0,4006	
2106 90 30 000		40,06
2106 90 59 000	0,4006	

⁽¹⁾ The basic amount is not applicable to syrups which are less than 85 % pure (Regulation (EEC) No 394/70). Sucrose content is determined in accordance with Article 13 of Regulation (EEC) No 394/70.

⁽²⁾ Applicable only to products referred to in Article 3 of Regulation (EEC) No 1469/77.

⁽³⁾ 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 2205/92**of 31 July 1992****altering the export refunds on white sugar and raw sugar exported in the natural state**

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

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

Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EEC) No 2028/92 ⁽³⁾, as amended by Regulation (EEC) No 2144/92 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2028/92 to the information known to the Commission that the export refunds at present in force should be altered to the amounts set out in the Annex hereto;

Whereas Council Regulation (EEC) No 1432/92 ⁽⁵⁾, as amended by Regulation (EEC) No 2015/92 ⁽⁶⁾, 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,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, as fixed in the Annex to amended Regulation (EEC) No 2028/92 are hereby altered to the amounts shown 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, 31 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 207, 23. 7. 1992, p. 23.

⁽⁴⁾ OJ No L 214, 30. 7. 1992, p. 18.

⁽⁵⁾ OJ No L 151, 3. 6. 1992, p. 4.

⁽⁶⁾ OJ No L 205, 22. 7. 1992, p. 2.

ANNEX

to the Commission Regulation of 31 July 1992 altering the export refunds on white sugar and raw sugar exported in the natural state

(ECU)

Product code	Amount of refund (1)	
	per 100 kg	per percentage point of sucrose content and per 100 kg net of the product in question
1701 11 90 100	36,85 (2)	
1701 11 90 910	34,38 (2)	
1701 11 90 950	(3)	
1701 12 90 100	36,85 (2)	
1701 12 90 910	34,38 (2)	
1701 12 90 950	(3)	
1701 91 00 000		0,4006
1701 99 10 100	40,06	
1701 99 10 910	40,06	
1701 99 10 950	38,56	
1701 99 90 100		0,4006

(1) 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.

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

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

(3) Regulation (EEC) No 3251/85.

COMMISSION REGULATION (EEC) No 2206/92

of 31 July 1992

fixing the reduced levy on imports into Portugal of certain quantities of raw sugar intended for Portuguese refineries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas, in accordance with Article 303 of the Act of Accession, a reduced levy is applied during the period of seven years following accession on imports into Portugal of certain quantities of raw sugar originating in certain third countries ;

Whereas Commission Regulation (EEC) No 599/86⁽³⁾, as last amended by Regulation (EEC) No 1783/92⁽⁴⁾, fixes the reduced levy applicable on imports into Portugal of certain quantities of raw sugar intended for Portuguese refineries ;

Whereas the levy should, in the light of the application of the detailed rules and arrangements specified in Regulation (EEC) No 599/86 to the data available to the Commission, be fixed as shown in Article 1 of this Regulation ;

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

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

HAS ADOPTED THIS REGULATION :

Article 1

The reduced levy on imports into Portugal of raw sugar intended for refining (CN codes 1701 11 10 and 1701 12 10) is fixed for this quality type at ECU 27,34 per 100 kilograms.

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, 31 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 58, 1. 3. 1986, p. 18.

⁽⁴⁾ OJ No L 182, 2. 7. 1992, p. 44.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 9.

COMMISSION REGULATION (EEC) No 2207/92
of 31 July 1992
fixing the aid for cotton

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to Council Regulation (EEC) No 2169/81 of 27 July 1981 laying down the general rules for the system of aid for cotton ⁽²⁾, as last amended by Regulation (EEC) No 2053/92 ⁽³⁾, and in particular Article 5 (1) thereof,

Whereas, pursuant to Article 5 of Regulation (EEC) No 2169/81, aid must be granted for unginning cotton harvested in the Community when the world market price for unginning cotton is below the guide price;

Whereas the aid is equal to the difference between these two prices;

Whereas the guide price for cotton has been fixed by Council Regulation (EEC) No 2055/92 for the 1992/93 marketing year ⁽⁴⁾;

Whereas the abatement of the subsidy which arises, where appropriate, from the system of maximum guaranteed quantities for the 1992/1993 marketing year, has not, to date, been fixed; whereas the amount of the subsidy for the 1992/1993 marketing year has been provisionally calculated on the basis of an abatement of ECU 15,419 per 100 kilograms;

Whereas the world market price for unginning cotton is determined periodically on the basis of the world market prices recorded for ginned cotton and cotton seed, taking into account the estimated yield of the Community harvest in cotton seed and in ginned cotton and also the net cost of ginning;

Whereas the world market price for ginned cotton and cotton seed is determined in accordance with Article 4 of Regulation (EEC) No 2169/81;

Whereas, if the world market price for unginning cotton cannot be determined as described above, this price shall be established on the basis of the most recent price determined;

Whereas the world market price for unginning cotton is equal to the sum of the values for ginned cotton and cotton seed defined in Article 1 of Commission Regulation (EEC) No 1201/89 of 3 May 1989 laying down rules implementing the system of aid for cotton ⁽⁵⁾, as last amended by Regulation (EEC) No 2756/91 ⁽⁶⁾, minus the cost of ginning;

Whereas the above values are established on the basis of the prices determined in accordance with Articles 2 and 3 of Commission Regulation (EEC) No 1201/89; whereas the world market price is determined on the basis of the most favourable offers and quotations recorded, excluding offers and quotations which cannot be regarded as representative of the real market trend;

Whereas the necessary adjustments must be made in cases where the offers and quotations recorded do not satisfy the requirements indicated above;

Whereas, pursuant to Article 4 (4) of Regulation (EEC) No 2169/81, if there are no suitable offers or quotations for determining the world market price for cotton seed, that price shall be established on the basis of the most favourable offers and quotations for cotton seed recorded on the Community market or, if those offers and quotations cannot be established on the basis of the value of the products obtained from processing the seed in the Community, less the processing cost; whereas this value is determined in accordance with Article 4 of Regulation (EEC) No 1201/89;

Whereas, if the subsidy system is to operate normally, subsidies 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⁾,

⁽¹⁾ OJ No L 377, 31. 12. 1987, p. 49.

⁽²⁾ OJ No L 211, 31. 7. 1981, p. 2.

⁽³⁾ OJ No L 215, 30. 7. 1992, p. 12.

⁽⁴⁾ OJ No L 215, 30. 7. 1992, p. 14.

⁽⁵⁾ OJ No L 123, 4. 5. 1989, p. 23.

⁽⁶⁾ OJ No L 264, 20. 9. 1991, p. 21.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁸⁾ OJ No L 201, 31. 7. 1990, p. 9.

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

Whereas the aid must be fixed once a month, and in such a way that it can be applied from the first day of the month following the date of fixing; whereas it may be altered between fixings;

Whereas it follows from applying these provisions to the offers and quotations known to the Commission that the aid for cotton should be as set out in this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

1. The aid for unginned cotton provided for in Article 5 of Regulation (EEC) No 2169/81 shall be ECU 72,666 per 100 kilograms.
2. However, the amount of the aid will be confirmed or replaced with effect from 1 August 1992, which appear to have been offered in the largest quantities.

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, 31 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 2208/92

of 31 July 1992

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1431/82 of 18 May 1982 laying down special measures for peas, field beans and sweet lupins ⁽¹⁾, as last amended by Regulation (EEC) No 1750/92 ⁽²⁾, and in particular Article 3 (6) (a) thereof,Having regard to Commission Regulation (EEC) No 3540/85 of 5 December 1985 laying down detailed rules for the application of the special measures for peas, field beans and sweet lupins ⁽³⁾, as last amended by Regulation (EEC) No 1734/92 ⁽⁴⁾, and in particular Article 26a (7) thereof,

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

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

Whereas the threshold price activating the aid for peas, field beans and sweet lupins for the 1992/93 marketing year was fixed by Council Regulation (EEC) No 1751/92 ⁽⁷⁾; whereas, as provided for in Article 2a of Regulation (EEC) No 1431/82, the activating price for the aid for peas, field beans and sweet lupins is increased monthly as from the beginning of the third month of the marketing year; whereas the amount of the monthly increases in the threshold price was fixed by Council Regulation (EEC) No 1752/92 ⁽⁸⁾;

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

Whereas, owing to the lack of the adjustment in the rate of aid resulting from the maximum guaranteed quantity arrangements for the 1992/93 marketing year, the amount of the aid for this marketing year has only been able to be calculated provisionally on the basis of the abatement applicable for the 1991/92 marketing year; whereas this amount should, therefore, only be applied provisionally and should be confirmed or replaced once the consequences of the maximum guaranteed quantity arrangements are known;

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

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

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

⁽¹⁾ OJ No L 162, 12. 6. 1982, p. 28.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 17.

⁽³⁾ OJ No L 342, 19. 12. 1985, p. 1.

⁽⁴⁾ OJ No L 179, 30. 6. 1992, p. 120.

⁽⁵⁾ OJ No L 219, 28. 7. 1982, p. 1.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 11.

⁽⁷⁾ OJ No L 180, 1. 7. 1992, p. 18.

⁽⁸⁾ OJ No L 180, 1. 7. 1992, p. 20.

⁽⁹⁾ OJ No L 243, 31. 8. 1991, p. 55.

⁽¹⁰⁾ OJ No L 219, 28. 7. 1982, p. 36.

⁽¹¹⁾ OJ No L 117, 5. 5. 1987, p. 9.

⁽¹²⁾ OJ No L 133, 21. 5. 1986, p. 21.

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

- in the case of currencies which are maintained in relation to each other at any moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the correcting factor provided for in Article 6 (1) of Council Regulation (EEC) No 1676/85 ⁽¹⁾, as last amended by Regulation (EEC) No 2205/90 ⁽²⁾,
- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent ;

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

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

Whereas, pursuant to Article 26a of Regulation (EEC) No 3540/85, the gross aid expressed in ecus that results from

Article 3 of Regulation (EEC) No 1431/82 shall be weighted by the differential amount referred to in Article 12a of Regulation (EEC) No 2036/82 and then converted into the final aid in the currency of the Member State in which the products are harvested using the agricultural conversion rate of that Member State,

HAS ADOPTED THIS REGULATION :

Article 1

1. The amounts of aid provided for in Article 3 (1) of Regulation (EEC) No 1431/82 is indicated in the Annexes hereto.

2. However, the amount of the subsidy for the 1992/93 marketing year for peas, field beans and sweet lupins will be confirmed or replaced as from 1 August 1992 to take into account the effects of the application of maximum guaranteed quantities.

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, 31 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽²⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽³⁾ OJ No L 169, 29. 6. 1991, p. 29.

ANNEX I

Gross aid

Products intended for human consumption :

(ECU per 100 kg)

	Current 8 (°)	1st period 9 (°)	2nd period 10 (°)	3rd period 11 (°)	4th period 12 (°)	5th period 1 (°)	6th period 2 (°)
Peas used :							
— in Spain	8,162	8,320	8,478	8,636	8,794	8,952	9,110
— in Portugal	8,170	8,328	8,486	8,644	8,802	8,960	9,118
— in another Member State	8,230	8,388	8,546	8,704	8,862	9,020	9,178
Field beans used :							
— in Spain	8,230	8,388	8,546	8,704	8,862	9,020	9,178
— in Portugal	8,170	8,328	8,486	8,644	8,802	8,960	9,118
— in another Member State	8,230	8,388	8,546	8,704	8,862	9,020	9,178

Products used in animal feed :

(ECU per 100 kg)

	Current 8 (°)	1st period 9 (°)	2nd period 10 (°)	3rd period 11 (°)	4th period 12 (°)	5th period 1 (°)	6th period 2 (°)
A. Peas used :							
— in Spain	9,253	9,410	9,511	9,668	9,826	9,897	10,055
— in Portugal	9,290	9,447	9,548	9,706	9,863	9,936	10,093
— in another Member State	9,290	9,447	9,548	9,706	9,863	9,936	10,093
B. Field beans used :							
— in Spain	9,253	9,410	9,511	9,668	9,826	9,897	10,055
— in Portugal	9,290	9,447	9,548	9,706	9,863	9,936	10,093
— in another Member State	9,290	9,447	9,548	9,706	9,863	9,936	10,093
C. Sweet lupins harvested in Spain and used :							
— in Spain	12,425	12,425	12,349	12,349	12,349	12,235	12,235
— in Portugal	12,475	12,475	12,399	12,399	12,399	12,286	12,286
— in another Member State	12,475	12,475	12,399	12,399	12,399	12,286	12,286
D. Sweet lupins harvested in another Member State and used :							
— in Spain	12,425	12,425	12,349	12,349	12,349	12,235	12,235
— in Portugal	12,475	12,475	12,399	12,399	12,399	12,286	12,286
— in another Member State	12,475	12,475	12,399	12,399	12,399	12,286	12,286

[illegible]

[illegible]

ANNEX VIII

Corrective amount to be added to amounts in Annex VII

(in national currency per 100 kg)

Use of products :	BLEU	DK	DE	EL	ES	FR	IRL	IT	NL	PT	UK
Products harvested in :											
— BLEU (Bfrs/Lfrs)	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
— Denmark (Dkr)	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
— Federal Republic of Germany (DM)	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
— Greece (Dr)	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
— Spain (Pta)	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
— France (FF)	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
— Ireland (£ Irl)	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,000
— Italy (Lit)	0	0	0	0	0	0	0	0	0	0	0
— Netherlands (Fl)	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
— Portugal (Esc)	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
— United Kingdom (£)	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,000

ANNEX IX

Exchange rate of the ecu to be used

	BLEU	DK	DE	EL	ES	FR	IRL	IT	NL	PT	UK
In national currency, ECU 1 =	42,4032	7,84195	2,05586	249,150	130,552	6,89509	0,767417	1 538,24	2,31643	172,969	0,696904

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

COMMISSION REGULATION (EEC) No 2209/92**of 31 July 1992****fixing the rate of the aid for dried fodder**

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 1117/78 of 22 May 1978 on the common organization of the market in dried fodder⁽¹⁾, as last amended by Regulation (EEC) No 2275/89⁽²⁾, and in particular Article 5 (3) thereof,

Whereas, under Article 5 (1) of Regulation (EEC) No 1117/78, when the guide price is higher than the average world market price, aid is granted for dried fodder as described under Article 1 (b) and (c) of that Regulation and obtained from fodder plants harvested in the Community; whereas that aid takes account of a percentage of the difference between these two prices;

Whereas the guide price was fixed by Council Regulation (EEC) No 1379/92⁽³⁾ for the 1992/93 marketing year;

Whereas Regulation (EEC) No 1627/91 sets the percentage referred to in Article 5 of Regulation (EEC) No 1117/78 for the 1992/93 marketing year at 80 %;

Whereas the average world market price is determined for a bulk pelleted product, delivered to Rotterdam, of the standard quality for which the guide price has been fixed;

Whereas, under Council Regulation (EEC) No 1417/78 of 19 June 1978 on the aid system for dried fodder⁽⁴⁾, as last amended by Regulation (EEC) No 1110/89⁽⁵⁾, the average world market price for the products described in the first and third indents of Article 1 (b) of Regulation (EEC) No 1117/78 is to be determined on the basis of the most favourable actual purchase possibilities excepting those which cannot be considered representative of the real market trend; whereas offers and quotations recorded

during the first 25 days of the month in question for quantities that can be delivered during the following calendar month are to be used; whereas the average world market price thus determined is used to fix the aid rate applicable on the following month;

Whereas the necessary adjustments must be made in the case of offers and quotations not of the type referred to above; whereas these adjustments were defined in Article 3 of Commission Regulation (EEC) No 1528/78 of 30 June 1978 laying down detailed rules for the application of the system of aid for dried fodder⁽⁶⁾, as last amended by Regulation (EEC) No 1757/90⁽⁷⁾;

Whereas, in accordance with Article 3 of Regulation (EEC) No 1417/78, when no offer or quotation can be used to determine the average world market price, that price is determined on the basis of the sum of the value of competing products; whereas those products are defined in Article 3 (3) of Regulation (EEC) No 1528/78;

Whereas, pursuant to Article 11 of Regulation (EEC) No 1417/78, when forward prices differ from that applying in the month when the application is lodged, the aid rate is adjusted by a correcting amount calculated from the trend of forward prices;

Whereas, where the average world market price is determined in accordance with Article 3 of Regulation (EEC) No 1417/78, the corrective amount must be equal to the difference between the average world market price and the average forward world market price determined by applying the criteria laid down in Article 3 (3) of Regulation (EEC) No 1528/78 and valid for delivery during a month other than that in which the aid is introduced, adjusted by the percentage fixed under Article 5 (2) of Regulation (EEC) No 1117/78; whereas where the average forward world market price for one or more months cannot be determined by applying the criteria laid down in Article 3 (3) of Regulation (EEC) No 1528/78, the corrective amount must be fixed for the month or months in question at a level such that the aid is equal to zero;

⁽¹⁾ OJ No L 142, 30. 5. 1978, p. 1.

⁽²⁾ OJ No L 218, 28. 7. 1989, p. 1.

⁽³⁾ OJ No L 147, 29. 5. 1992, p. 14.

⁽⁴⁾ OJ No L 171, 28. 6. 1978, p. 1.

⁽⁵⁾ OJ No L 118, 29. 4. 1989, p. 1.

⁽⁶⁾ OJ No L 179, 1. 7. 1978, p. 10.

⁽⁷⁾ OJ No L 162, 28. 6. 1990, p. 21.

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a conversion rate 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 ⁽¹⁾, as last amended by Regulation (EEC) No 2205/90 ⁽²⁾,
- 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 rate of the additional aid must be fixed once per month so as to ensure application of the aid from the first day of the month following the date of its fixing;

Whereas, pursuant to Articles 120 (2) and 306 (2) of the Act of Accession, the additional aid applicable in these two Member States is to be adjusted by an amount equal to the amount of customs duties on imports of these

products from third countries; whereas, in addition, in Spain the amount is to be adjusted by the difference, multiplied by the percentage referred to in Article 5 (2) of Regulation (EEC) No 1117/78, between the guide price applied in Spain and the common guide price;

Whereas, as the result of the applications of all these provisions to the offers and quotations which the Commission has recorded, the rate of the additional aid for dried fodder must be fixed as indicated in the table annexed to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The rate of the aid referred to in Article 5 (3) of Regulation (EEC) No 1117/78 is fixed in the Annex to this Regulation.

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, 31 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽²⁾ OJ No L 201, 31. 7. 1990, p. 9.

ANNEX**to the Commission Regulation of 31 July 1992 fixing the rate of the aid for dried fodder**

Aid applicable from 1 August 1992 to dried fodder:

(ECU/tonne)

	Fodder dehydrated by artificial heat drying Protein concentrates			Fodder otherwise dried	
	Spain	Portugal	Other Member States	Portugal	Other Member States
Aid	86,738	86,527	86,738	53,587	53,798

Aid in case of advance fixing for the month of:

(ECU/tonne)

September 1992	85,957	85,743	85,957	52,803	53,017
October 1992	85,702	85,487	85,702	52,547	52,762
November 1992	85,381	85,165	85,381	52,225	52,441
December 1992	85,381	85,165	85,381	52,225	52,441
January 1993 ⁽¹⁾	82,161	81,933	82,161	48,993	49,221
February 1993 ⁽¹⁾	0,000	0,000	0,000	0,000	0,000
March 1993 ⁽¹⁾	0,000	0,000	0,000	0,000	0,000

⁽¹⁾ In accordance with Article 6 (b) of Regulation (EEC) No 1528/78.

COMMISSION REGULATION (EEC) No 2210/92

of 31 July 1992

fixing the rates of the refunds applicable to certain cereal and rice-products
exported in the form of goods not covered by Annex II to the Treaty

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 first sentence of the fourth subparagraph of Article 16 (2) 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 the first sentence of the fourth subparagraph of Article 17 (2) thereof,

Whereas Article 16 (1) of Regulation (EEC) No 2727/75 and Article 17 (1) of Regulation (EEC) No 1418/76 provide that the difference between quotations of prices on the world market for the products listed in Article 1 of each of those Regulations and the prices within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds⁽⁵⁾, as last amended by Regulation (EEC) No 3381/90⁽⁶⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex B to Regulation (EEC) No 2727/75 or in Annex B to Regulation (EEC) No 1418/76 as appropriate;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 3035/80, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

Whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products in question on the Community market and the prices ruling on the world markets;
- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions;
- (c) the need to ensure equality of competition for the industries which use Community products and those which use third-country products under inward processing arrangements;

Whereas in the absence of evidence that no production refund was granted pursuant to Council Regulation (EEC) No 1009/86 of 25 March 1986 establishing general rules applying to production refunds in the cereals and rice sector⁽⁷⁾, as last amended by Regulation (EEC) No 1309/92⁽⁸⁾, the export refund should be reduced by the amount of the production refund applicable on the day of acceptance of the export declaration; whereas this system is the only one which avoids the risk of fraud;

Whereas Council Regulation (EEC) No 565/80 of 4 March 1980 on the advance payment of export refunds in respect of agricultural products⁽⁹⁾, as amended by Regulation (EEC) No 2026/83⁽¹⁰⁾, and Commission Regulation (EEC) No 3665/87 of 27 November 1987 laying down common detailed rules for the application of the system of export refunds on agricultural products⁽¹¹⁾, as last amended by Regulation (EEC) No 887/92⁽¹²⁾, lay down rules on the advance payment of export refunds that must be adhered to when these are adjusted;

Whereas, now that a settlement has been reached between the European Economic Community and the United States of America on Community exports of pasta products to the United States and has been approved by Council Decision 87/482/EEC⁽¹³⁾, it is necessary to differentiate the refund on goods falling within CN codes

⁽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 323, 29. 11. 1980, p. 27.

⁽⁶⁾ OJ No L 327, 27. 11. 1990, p. 4.

⁽⁷⁾ OJ No L 94, 9. 4. 1986, p. 6.

⁽⁸⁾ OJ No L 139, 22. 5. 1992, p. 47.

⁽⁹⁾ OJ No L 62, 7. 3. 1980, p. 5.

⁽¹⁰⁾ OJ No L 199, 22. 7. 1983, p. 12.

⁽¹¹⁾ OJ No L 351, 14. 12. 1987, p. 1.

⁽¹²⁾ OJ No L 95, 9. 4. 1992, p. 20.

⁽¹³⁾ OJ No L 275, 29. 9. 1987, p. 36.

1902 11 00 and 1902 19 according to their destination ;

Whereas, for the application of Article 4 (2) (b) of Regulation (EEC) No 3035/80, it is necessary to differentiate the refunds ;

Whereas Council Regulation (EEC) No 1432/92 ⁽¹⁾, as amended by Regulation (EEC) No 2015/92 ⁽²⁾, 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 in particular the export refund for unprocessed starches falling within CN code 1108 is granted only if the dry matter content is at least 77 % in the case of potato starch and at least 84 % in the case of cereal starches ;

Whereas with regard to potatoes, only potato starches are subject to common organization of the market, consequently steps should be taken to specify the terms that these potato starches should meet in order to qualify for refunds ;

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

1. Without prejudice to paragraphs 2 and 3 the rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EEC) No 3035/80 and listed either in Article 1 of Regulation (EEC) No 2727/75 or in Article 1 (1) of Regulation (EEC) No 1418/76, exported in the form of goods listed in Annex B to Regulation (EEC) No 2727/75 or in Annex B to Regulation (EEC) No 1418/76 respectively, are hereby fixed as shown in the Annex to this Regulation.

2. For the products listed in the Annex to Regulation (EEC) No 1009/86, the refunds given in the Annex to this Regulation shall be applied on presentation, at the acceptance of the export declaration and the request for obtaining the export refund, of proof that the basic products used in the manufacture of the products to be exported have not benefited from the production refund provided for in that Regulation, and that such refund will not be applied for.

The proof referred to in the first subparagraph is provided by the presentation by the exporter of a declaration from the processor of the basic product in question attesting that the latter product has not benefited from a production refund as provided for in Regulation (EEC) No 1009/86, and that no application for such refund will be made.

3. When the proof referred to in paragraph 2 is not provided, the export refund :

(a) applicable on the date of acceptance of the export declaration for the goods, or on the day specified in Article 26 (2) of Regulation (EEC) No 3665/87, where the rate is not fixed in advance ;

(b) of which the rate is fixed in advance,

will be reduced by the amount of the production refund applicable pursuant to Regulation (EEC) No 1009/86 to the basic product in question on the day of acceptance of the export declaration for the goods, or on the day specified in Article 26 (2) of Regulation (EEC) No 3665/87, if the goods have been placed under the export refund advance payment arrangements.

Article 2

1. The refund for starches and potato starch falling within CN code 1108 or products falling within Annex A to Regulation (EEC) No 2727/75 resulting from the processing of these starches and potato starch is granted only on production of a declaration from the suppliers of those products attesting that they have been directly produced from cereals, potatoes or rice excluding all use of subproducts obtained in the production of other agricultural products or goods.

The above declaration can be considered valid, until revocation, for all supplies from the same producer ; it shall be verified in accordance with the provisions of Article 8 (1) and the first indent of paragraph 2 of Regulation (EEC) No 3035/80.

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

For all other starches with a dry-extract content of 87 % or more, the rate of the export refund shall be as laid down in the Annex ; where the dry-extract content is less than 87 % the amount of the refund shall be the rate laid down in the Annex multiplied by 1/87th of the actual dry-extract percentage.

⁽¹⁾ OJ No L 151, 3. 6. 1992, p. 4.

⁽²⁾ OJ No L 205, 22. 7. 1992, p. 2.

3. For the purposes of paragraph 1 above, the dryextract content of starches shall be determined using the method applied to flour in Annex II to Commission Regulation (EEC) No 1908/84 ⁽¹⁾.

4. At the time of application for the export refund for the goods the applicant must declare the dry-extract content of the starches concerned, unless this information has been recorded by the competent authorities referred

to in Article 3 (2) of Regulation (EEC) No 3035/80, in accordance with the provisions of that paragraph.

Article 3

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, 31 July 1992.

For the Commission

Jean DONDELINGER

Member of the Commission

⁽¹⁾ OJ No L 178, 5. 7. 1984, p. 22.

ANNEX

to the Commission Regulation of 31 July 1992 fixing the rates of the refunds applicable to certain cereals and rice products exported in the form of goods not covered by Annex II to the Treaty

CN code	Description of products (1)	Rate of refund per 100 kg of basic product (2)
1001 10 90	Durum wheat : — used unprocessed : — — on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America — — in all other cases — used in the form of : — — pellets of CN code 1103, or grains otherwise worked (other than hulled, kibbled, or germ) of CN code 1104 — — hulled grains of CN code 1104 and starch of CN code 1108 — — germ of CN code 1104 — — gluten of CN code 1109 — — other (except flours of CN code 1101 and groats and meal of CN code 1103)	 5,937 10,795 4,557 6,835 2,658 — 7,594
1001 90 99	Common wheat and meslin : — used unprocessed : — — on exports of goods falling within CN code 1902 11 and 1902 19 to the United States of America — — in all other cases — used in the form of : — — pellets of CN code 1103, or grains otherwise worked (other than hulled, kibbled, or germ) of CN code 1104 — — hulled grains of CN code 1104 and starch of CN code 1108 — — germ of CN code 1104 — — gluten of CN code 1109 — — other (except flours of CN code 1101, and groats and meal of CN code 1103)	 4,177 7,594 4,557 6,835 2,658 — 7,594
1002 00 00	Rye : — used unprocessed — used in the form of : — — pellets of CN code 1103, or pearled grains of CN code 1104 — — rolled or flaked grains and hulled grains of CN code 1104 — — germ of CN code 1104 — — starch of CN code 1108 19 90 — — gluten of CN code 2303 10 90 — — other (except flours of CN code 1102)	 9,157 5,494 8,241 3,127 8,935 — 9,157
1003 00 90	Barley : — used unprocessed — used in the form of : — — flours of CN code 1102, groats and meal of CN code 1103, or rolled, flaked or pearled grains of CN code 1104 — — pellets of CN code 1103 — — germs of CN code 1104 — — starch of CN code 1108 19 90 — — gluten of CN code 2303 10 90 — — other	 6,587 4,611 3,952 3,127 8,935 — 6,587

CN code	Description of products (1)	Rate of refund per 100 kg of basic product (2)
1004 00 90	Oats : — used unprocessed — used in the form of : — — pellets of CN code 1103, and pearled grains of CN code 1104 — — rolled or flaked grains and hulled grains of CN code 1104 — — germs of CN code 1104 — — starch of CN code 1108 19 90 — — gluten of CN code 2303 10 90 — — other	7,303 4,382 6,572 3,127 8,935 — 7,303
1005 90 00	Maize (Corn) : — used unprocessed — used in the form of : — — flours of CN codes 1102 20 10 and 1102 20 90 — — groats and meal of CN code 1003 and rolled or flaked grains of CN code 1104 — — pellets of CN code 1103 — — hulled or perled grains of CN code 1104 — — germs of CN code 1104 — — starch of CN code 1108 12 00 — — gluten of CN code 2303 10 11 — — other	9,955 6,969 7,964 5,973 8,960 3,484 9,955 3,982 9,955
1006 20	Round grain husked rice Medium grains husked rice Long grain husked rice	24,878 25,029 25,029
ex 1006 30	Round grain wholly-milled rice Medium grain wholly-milled rice Long grain wholly-milled rice	32,280 39,750 39,750
1006 40 00	Broken rice : — used unprocessed — used in the form of : — — flour of CN code 1102, groats and meal or pellets of CN code 1103 — — flaked grains of CN 1104 — — starch of CN code 1108 19 10 — — other	11,967 11,967 7,180 11,967 —
1007 00 90	Sorghum	6,382
1101 00 00	Wheat or meslin flour : — on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America — in all other cases	4,920 8,945
1102 10 00	Rye flour	19,300
1103 11 10	Durum wheat groats and meal : — on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America — in all other cases	9,203 16,732
1103 11 90	Common wheat groats and meal : — on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America — in all other cases	4,920 8,945

(1) The quantities of semi-processed products used must be multiplied, as the case may be by the coefficients shown in Annex I to Regulation (EEC) No 2744/75.

(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.

COMMISSION REGULATION (EEC) No 2211/92

of 31 July 1992

fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

which use third-country products under inward-processing arrangements;

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 17 (4) thereof,

Whereas Article 17 (1) of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 (a), (b), (c) and (e) of that Regulation and prices within the Community may be covered by an export refund; whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and criteria for fixing the amount of such refunds⁽³⁾, as last amended by Regulation (EEC) No 3381/90⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 3035/80, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

Whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products in question on the Community market and the prices ruling on the world markets;
- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions;
- (c) the need to ensure equality of competition for the industries which use Community products and those

Whereas Article 4 (3) of Regulation (EEC) No 3035/80 provides that, when the rate of the refund is being fixed, account should be taken, where necessary, of production refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question to the basic products listed in Annex A to that Regulation or to assimilated products;

Whereas Article 11 (1) of Regulation (EEC) No 804/68 provides for the payment of aid for Community-produced skimmed milk processed into casein if such milk and the casein manufactured from it fulfil certain conditions set out in Article 1 of Council Regulation (EEC) No 987/68 of 15 July 1968 laying down general rules for granting aid for skimmed milk processed into casein or caseinates⁽⁵⁾, as last amended by Regulation (EEC) No 1435/90⁽⁶⁾;

Whereas Commission Regulation (EEC) No 570/88 of 16 February 1988 on the sale of butter at reduced prices and the granting of aid for butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs⁽⁷⁾, as last amended by Regulation (EEC) No 124/92⁽⁸⁾, lay down that butter and cream at reduced prices should be made available to industries which manufacture certain goods;

Whereas Council Regulation (EEC) No 1432/92⁽⁹⁾, as amended by Regulation (EEC) No 2015/92⁽¹⁰⁾, 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,

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.⁽²⁾ OJ No L 146, 28. 5. 1992, p. 83.⁽³⁾ OJ No L 323, 29. 11. 1980, p. 27.⁽⁴⁾ OJ No L 327, 27. 11. 1990, p. 4.⁽⁵⁾ OJ No L 169, 18. 7. 1968, p. 6.⁽⁶⁾ OJ No L 138, 31. 5. 1990, p. 8.⁽⁷⁾ OJ No L 55, 1. 3. 1988, p. 31.⁽⁸⁾ OJ No L 14, 21. 1. 1992, p. 28.⁽⁹⁾ OJ No L 151, 3. 6. 1992, p. 4.⁽¹⁰⁾ OJ No L 205, 22. 7. 1992, p. 2.

HAS ADOPTED THIS REGULATION:

Article 1

1. The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EEC) No 3035/80 and listed in Article 1 of Regulation (EEC) No 804/68, exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68, are hereby fixed as shown in the Annex to this Regulation.

2. No rates of refund are fixed for any of the products referred to in the preceding paragraph which are not listed in the Annex to this Regulation.

Article 2

Where Article 8 (2) of Regulation (EEC) No 3035/80 is applied to exports of one of the goods referred to in Article 4 (1), (2) or (3) of Regulation (EEC) No 570/88, the rate of the refund on milk products shall be that applicable to the use of reduced price butter, unless the exporter provides proof that the product does not contain reduced-price butter.

Article 3

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, 31 July 1992.

For the Commission

Jean DONDELINGER

Member of the Commission

ANNEX

to the Commission Regulation of 31 July 1992 fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty

(ECU/100 kg)		
CN code	Description	Rate of refund (*)
ex 0402 10 19	Powdered milk, obtained by the spray process, with a fat content of less than 1,5 % by weight and with a water content of less than 5 % by weight (PG 2):	
	a) On exportation of goods of CN code 3501	—
	b) On exportation of other goods	65,00
ex 0402 21 19	Powdered milk, obtained by the spray process, with a fat content of 26 % by weight and a water content of less than 5 % by weight (PG 3):	
	a) Where goods containing reduced-price butter or cream which have been manufactured in accordance with the conditions provided for in Regulation (EEC) No 570/88 are exported	52,86
	b) On exportation of other goods	112,00
ex 0405 00 10	Butter, with a fat content by weight of 82 % (PG 6):	
	a) Where goods containing reduced-price butter or cream which have been manufactured in accordance with the conditions provided for in Regulation (EEC) No 570/88 are exported	15,00
	b) On exportation of goods of CN code 2106 90 99 containing 40 % or more by weight of milk fat	174,00
	c) On exportation of other goods	168,00

(*) 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.

COMMISSION REGULATION (EEC) No 2212/92

of 31 July 1992

fixing the rates of the refunds applicable to certain products from the sugar sector exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the market in sugar ⁽¹⁾, as last amended by Regulation (EEC) No 61/92 ⁽²⁾, and in particular Article 19 (4) (a) and (7) thereof,

Whereas Article 19 (1) and (2) of Regulation (EEC) No 1785/81 provides that, for the products listed in Article 1 (1) (a), (c), (d), (f) and (g) of that Regulation, an export refund may be granted when these goods are exported in the form of goods listed in Annex I to that same Regulation; whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds for certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds ⁽³⁾, as last amended by Regulation (EEC) No 3381/90 ⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex I to Regulation (EEC) No 1785/81;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 3035/80, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month; and whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products on the Community market and the prices ruling on the world market;
- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions;
- (c) the need to ensure equality of competition for the industries which use Community products and those which use third-country products under inward processing arrangements;

Whereas Article 4(3) of Regulation (EEC) No 3035/80 provides that, when the rate of the refund is being fixed, account should be taken, where appropriate, of refunds, aids or other measures having equivalent effect, applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question, to the basic products listed in Annex A to that Regulation or to assimilated products;

Whereas Council Regulation (EEC) No 1010/86 of 26 March 1986 laying down general rules for production refunds on certain products of the chemical industry ⁽⁵⁾, as last amended by Regulation (EEC) 464/91 ⁽⁶⁾, provides for the granting of production refunds of white sugar, raw sugar, certain sucrose syrups falling within CN codes ex 1702 60 90 and ex 1702 90 90 having a certain purity, and unprocessed isoglucose falling within CN codes 1702 30 10, 1702 40 10, 1702 60 10 and 1702 90 30, which are used in the manufacture of the chemical products listed in the Annex thereto; whereas this production refunds' scheme has been established in particular to bring the conditions under which Community processors operate progressively into line with those of processors employing sugar at world market prices; whereas, therefore, in the absence of proof that the basic product has not benefited from the production refund, the amount of the export refund must be reduced by the amount of the production refund applicable to the basic product on the day of acceptance of the export declaration; whereas this system is the only one which discards the risk of fraud;

Whereas Council Regulation (EEC) No 565/80 of 4 March 1980 on the advance payment of export refunds in respect of agricultural products ⁽⁷⁾, as amended by Regulation (EEC) No 2026/83 ⁽⁸⁾, and Commission Regulation (EEC) No 3665/87 of 27 November 1987 laying down common detailed rules for the application of the system of export refunds on agricultural products ⁽⁹⁾, as last amended by Regulation (EEC) No 887/92 ⁽¹⁰⁾, lay down rules on the advance payment of export refunds that must be adhered to when these are adjusted;

⁽¹⁾ OJ No L 94, 9. 4. 1986, p. 9.

⁽²⁾ OJ No L 54, 28. 2. 1991, p. 22.

⁽³⁾ OJ No L 62, 7. 3. 1980, p. 5.

⁽⁴⁾ OJ No L 199, 22. 7. 1983, p. 12.

⁽⁵⁾ OJ No L 351, 14. 12. 1987, p. 1.

⁽¹⁰⁾ OJ No L 95, 9. 4. 1992, p. 20.

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 6, 11. 1. 1992, p. 19.

⁽³⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁴⁾ OJ No L 327, 27. 11. 1990, p. 4.

Whereas Council Regulation (EEC) No 1432/92 ⁽¹⁾, as amended by Regulation (EEC) No 2015/92 ⁽²⁾, 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 Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

1. Without prejudice to paragraphs 2 and 3, the rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EEC) No 3035/80 and listed in Article 1 (1) and (2) of Regulation (EEC) No 1785/81, exported in the form of goods listed in Annex I to Regulation (EEC) No 1785/81, are fixed as shown in the Annex hereto.

2. For the chemical products listed in the Annex to Regulation (EEC) No 1010/86, the refunds given in the Annex to this Regulation shall be applied on presentation, at the acceptance of the export declaration and the request for obtaining the export refund, of proof that the

basic products used in the manufacture of the chemical products to be exported have not benefited from the production refund provided for in that Regulation, and that such refund will not be applied for.

The proof referred to in the first subparagraph is provided by the presentation by the exporter of a declaration from the processor of the basic product in question attesting that the latter product has not benefited from a production refund as provided for in Regulation (EEC) No 1010/86, and that no application for such refund will be made.

3. When the proof referred to in paragraph 2 is not provided, the export refund:

- (a) applicable on the date of export of the goods, when the rate is not fixed in advance; or
- (b) of which the rate is fixed in advance,

will be reduced by the amount of the production refund applicable under Regulation (EEC) No 1010/86 to the basic product in question on the day of acceptance of the export declaration for the goods, or on the day specified in Article 3 (2) of Commission Regulation (EEC) No 3665/87, if the goods have been placed under the export refund advance payment arrangements.

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, 31 July 1992.

For the Commission

Jean DONDELINGER

Member of the Commission

⁽¹⁾ OJ No L 151, 3. 6. 1992, p. 4.

⁽²⁾ OJ No L 205, 22. 7. 1992, p. 2.

ANNEX

to the Commission Regulation of 31 July 1992 fixing the rates of the refunds applicable to certain products in the sugar sector exported in the form of goods not covered by Annex II to the Treaty

Rate of refund in ECU/100 kg^():*

White sugar :	40,06
Raw sugar :	36,85
Syrups of beet sugar or cane sugar, other than the syrups obtained by dissolving white or raw sugar in the solid state, containing, in the dry state, 85 % or more by weight of sucrose (including invert sugar expressed as sucrose) :	$40,06 \times \frac{S^{(1)}}{100}$ or
For syrups obtained by dissolving white or raw sugar in the solid state, whether or not the dissolving is followed by inversion :	the rate fixed above for 100 kg of white or raw sugar used for the dissolution
Molasses :	—
Isoglucose ⁽²⁾ :	40,06 ⁽³⁾

(*) 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.

(1) 'S' represents in 100 kilograms of syrup

- the sucrose content (including invert sugar expressed as sucrose) of the syrup in question, where the latter is not less than 98 % pure,
- the extractable sugar content of the syrup in question, where the latter is not less than 85 %, but less than 98 % pure.

(2) Products obtained by isomerization of glucose, which have a content by weight in the dry state of at least 41 % fructose and of which the total content by weight in the dry state of polysaccharides and oligosaccharides, including the di- or trisaccharides content, does not exceed 8,5 %.

(3) Amount of refund per 100 kilograms of dry matter.

COMMISSION REGULATION (EEC) No 2213/92

of 31 July 1992

suspending advance fixing of export refunds on certain cereal products exported
in the form of goods not covered by Annex II to the Treaty

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 first sub-paragraph of Article 16 (7) thereof,

Having regard to Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds ⁽³⁾, as last amended by Regulation (EEC) No 3381/90 ⁽⁴⁾, and in particular the first sub-paragraph of Article 5 (3) thereof,

Whereas Article 16 (7) of Regulation (EEC) No 2727/75 and Article 5 (3) of Regulation (EEC) No 3035/80 make provision for advance fixing of the refund to be suspended for basic products applied in the form of certain goods;

Whereas the situation on certain markets may make it necessary for the refunds on certain products to be

adjusted; whereas in order to prevent applications for advance fixing of refunds for speculative purposes, the above-mentioned advance fixing should be suspended until this adjustment comes into force;

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

HAS ADOPTED THIS REGULATION:

Article 1

Advance fixing of export refunds on maize (corn) exported in the form of goods listed in Annex B to Regulation (EEC) No 2727/75 is suspended until 31 August 1992 inclusive.

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, 31 July 1992.

For the Commission

Jean DONDELINGER

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 323, 29. 11. 1980, p. 27.

⁽⁴⁾ OJ No L 327, 27. 11. 1990, p. 4.

COMMISSION REGULATION (EEC) No 2214/92**of 31 July 1992****altering 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⁾, and in particular the fourth sentence of the second subparagraph of Article 16(4) thereof,

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 the corrective amount applicable to the refund on cereals was fixed by Commission Regulation (EEC) No 2191/92 ⁽⁴⁾;

Whereas, on the basis of today's cif prices and cif forward delivery prices, taking foreseeable developments on the market into account, the corrective amount at present applicable to the refund on cereals should be altered,

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 16(4) of Regulation (EEC) No 2727/75, fixed in the Annex to Regulation (EEC) No 2191/92 which is applicable to the export refunds fixed in advance in respect of cereals, is hereby altered to the amounts 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, 31 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 73, 19. 3. 1992, p. 7.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 217, 31. 7. 1992, p. 121.

ANNEX

to the Commission Regulation of 31 July 1992 altering the corrective amount applicable to the refund on cereals

(ECU/tonne)

Product code	Destination (1)	Current 8	1st period 9	2nd period 10	3rd period 11	4th period 12	5th period 1	6th period 2
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	+ 22,50	0	—	—
	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 2215/92**of 31 July 1992****altering the corrective amount applicable to the refund on malt**

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 674/92 ⁽²⁾, and in particular the fourth sentence of the second subparagraph of Article 16 (4) thereof,

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 the corrective amount applicable to the refund on malt was fixed by Regulation (EEC) No 1706/92 ⁽⁴⁾;

Whereas, on the basis of today's cif prices and cif forward delivery prices, taking foreseeable developments on the

market into account, the corrective amount at present applicable to the refund on malt should be altered,

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 the export refunds fixed in advance in respect of malt is hereby altered to the amount 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, 31 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 73, 19. 3. 1992, p. 7.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 179, 1. 7. 1992, p. 36.

ANNEX

to the Commission Regulation of 31 July 1992 altering the corrective amount applicable to the refund on malt

Product code	(ECU/tonne)					
	Current 8	1st period 9	2nd period 10	3rd period 11	4th period 12	5th period 1
1107 10 11 000	0	0	0	- 35	- 35	- 35
1107 10 19 000	0	0	0	- 35	- 35	- 35
1107 10 91 000	0	0	0	- 35	- 35	- 35
1107 10 99 000	0	0	0	- 35	- 35	- 35
1107 20 00 000	0	0	0	- 35	- 35	- 35

Product code	(ECU/tonne)					
	6th period 2	7th period 3	8th period 4	9th period 5	10th period 6	11th period 7
1107 10 11 000	- 35	- 35	- 35	- 35	- 35	- 35
1107 10 19 000	- 35	- 35	- 35	- 35	- 35	- 35
1107 10 91 000	- 35	- 35	- 35	- 35	- 35	- 35
1107 10 99 000	- 35	- 35	- 35	- 35	- 35	- 35
1107 20 00 000	- 35	- 35	- 35	- 35	- 35	- 35

COMMISSION REGULATION (EEC) No 2216/92**of 31 July 1992****fixing the import levies on syrups and certain other products in the sugar sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

levies, where that levy differs by at least ECU 0,73 from that average ;

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 Article 16 (1) of Regulation (EEC) No 1785/81 provides for charging a levy on imports of the products listed in Article 1 (1) of that Regulation ;

Whereas the levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 must be calculated, where appropriate, at a standard rate on the basis of the sucrose content (including other sugars expressed as sucrose) of the product concerned and of the levy on white sugar ; whereas, however, the levies on maple sugar and maple syrup are limited to the amount resulting from application of the rate of duty bound within GATT ;

Whereas Article 7 of Commission Regulation (EEC) No 837/68 of 28 June 1968 on detailed rules for the application of levies on sugar ⁽³⁾, as last amended by Regulation (EEC) No 1428/78 ⁽⁴⁾, provides that the basic amount of the levy for 100 kilograms of product must be fixed per percentage point of sucrose content ;

Whereas the basic amount of the levy must be equal to one-hundredth of the average of the levies applicable to 100 kilograms of white sugar during the first 20 days of the month preceding the month for which the basic amount of the levy is fixed ; whereas, however, the levy applicable to white sugar on the day of the fixing of the basic amount must be substituted for the average of the

Whereas the basic amount must be fixed each month ; whereas it must, however, be altered during the period between the day on which it is fixed and the first day of the month following the month for which the basic amount is applicable, if the levy on white sugar differs by at least ECU 0,73 from the average referred to above or from the levy on white sugar used to fix the basic amount ; whereas, in this case, the basic amount must be equal to one-hundredth of the levy on white sugar used to calculate the alteration ;

Whereas the basic amount thus fixed must be adjusted on the basis of variations in the threshold price for white sugar occurring between the month in which the basic amount is fixed and the period of application ; whereas this adjustment, equal to one-hundredth of the difference between these two threshold prices, must be deducted from or added to the basic amount in the circumstances provided for in Article 7 (6) of Regulation (EEC) No 837/68 ;

Whereas the levy on the products referred to in Article 1 (1) (f) and (g) of Regulation (EEC) No 1785/81 comprises, under Article 16 (6) of that Regulation, a variable element and a fixed element, with the latter, per 100 kilograms of dry matter, being equal to one-tenth of the fixed element established pursuant to point B of Article 14 (1) of Council Regulation (EEC) No 2727/75 ⁽⁵⁾, as last amended by Regulation (EEC) No 1738/92 ⁽⁶⁾ for the fixing of the import levy on the products falling within CN codes 1702 30 91, 1702 30 99, 1702 40 90 and 1702 90 50, and the variable element, per 100 kilograms of dry matter, being equal to 100 times the basic import levy applicable as from the first of each month in the case of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 ; whereas the levy must be fixed each month ;

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 ⁽⁷⁾, no levies shall apply on

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 6, 11. 1. 1992, p. 19.

⁽³⁾ OJ No L 151, 30. 6. 1968, p. 42.

⁽⁴⁾ OJ No L 171, 28. 6. 1978, p. 34.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽⁶⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽⁷⁾ OJ No L 263, 19. 9. 1991, p. 1.

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, 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 ⁽¹⁾, as last amended by Regulation (EEC) No 2205/90 ⁽²⁾,
- 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 the application of these provisions that the import levies on the products concerned should be as indicated in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on the products listed in Article 1 (1) (d), (f) and (g) of Regulation (EEC) No 1785/81 shall be as indicated 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, 31 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 31 July 1992 fixing the import levies on syrups and certain other products in the sugar sector

(ECU)

CN code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question ⁽¹⁾	Amount of levy per 100 kg of dry matter ⁽¹⁾
1702 20 10	0,4505	—
1702 20 90	0,4505	—
1702 30 10	—	54,72
1702 40 10	—	54,72
1702 60 10	—	54,72
1702 60 90	0,4505	—
1702 90 30	—	54,72
1702 90 60	0,4505	—
1702 90 71	0,4505	—
1702 90 90	0,4505	—
2106 90 30	—	54,72
2106 90 59	0,4505	—

⁽¹⁾ 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.

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽²⁾ OJ No L 201, 31. 7. 1990, p. 9.

COMMISSION REGULATION (EEC) No 2217/92
of 31 July 1992
fixing the export refunds on poultrymeat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Regulation (EEC) No 2777/75 of the Council of 29 October 1975 on the common organization of the market in poultrymeat ⁽¹⁾, as last amended by Regulation (EEC) No 1235/89 ⁽²⁾, and in particular the first sentence of the fifth subparagraph of Article 9 (2) thereof,

Whereas Article 9 of Regulation (EEC) No 2777/75 provides that the difference between prices on the world market for the products listed in Article 1 (1) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Regulation (EEC) No 2779/75 of the Council ⁽³⁾, lays down general rules for granting export refunds and criteria for fixing the amount of such refunds;

Whereas it follows from applying these rules and criteria to the present situation on the market in poultrymeat that the refund should be fixed at an amount which would permit Community participation in world trade and would also take account of the nature of these exports and their importance at the present time;

Whereas Council Regulation (EEC) No 1432/92 ⁽⁴⁾, as amended by Regulation (EEC) No 2015/92 ⁽⁵⁾, 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 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 ⁽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;

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

HAS ADOPTED THIS REGULATION:

Article 1

The list of products for which, when they are exported, the export refund referred to in Article 9 of Regulation (EEC) No 2777/75 is granted, and the amount of that refund shall be as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 4 August 1992.

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

Done at Brussels, 31 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 77.

⁽²⁾ OJ No L 128, 11. 5. 1989, p. 29.

⁽³⁾ OJ No L 282, 1. 11. 1975, p. 90.

⁽⁴⁾ OJ No L 151, 3. 6. 1992, p. 4.

⁽⁵⁾ OJ No L 205, 22. 7. 1992, p. 2.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 201, 31. 7. 1990, p. 9.

ANNEX
to the Commission Regulation of 31 July 1992 fixing the export refunds on
poultrymeat

Product code	Destination of refund (1)	Amount of refund (2)
		ECU/100 units
0105 11 00 000	09	5,00
	10	4,20
0105 19 10 000	01	8,40
0105 19 90 000	01	4,20
		ECU/100 kg
0105 91 00 000	01	17,00
0207 10 11 000	01	15,00
0207 10 15 000	04	44,00
	05	34,00
	06	25,00
0207 10 19 100	04	48,00
	05	38,00
	06	25,00
0207 10 19 900	11	34,00
	12	25,00
0207 10 31 000	01	28,00
0207 10 39 000	01	28,00
0207 10 51 000	07	30,00
	08	35,00
0207 10 55 000	07	30,00
	08	40,00
0207 10 59 000	07	30,00
	08	40,00
0207 21 10 000	04	44,00
	05	34,00
	06	25,00
0207 21 90 100	04	48,00
	05	38,00
	06	25,00
0207 21 90 900	11	34,00
	12	25,00
0207 22 10 000	01	28,00
0207 22 90 000	01	28,00
0207 23 11 000	07	30,00
	08	40,00
0207 23 19 000	07	30,00
	08	40,00
0207 39 11 110	01	8,00
0207 39 11 190	—	—
0207 39 11 910	—	—
0207 39 11 990	01	50,00
0207 39 13 000	02	48,00
	03	28,00
0207 39 15 000	01	10,00
0207 39 21 000	01	37,00
0207 39 23 000	02	59,00
	03	36,00
0207 39 25 100	02	48,00
	03	28,00
0207 39 25 200	02	48,00
	03	28,00
0207 39 25 300	02	48,00
	03	28,00
0207 39 25 400	01	5,00
0207 39 25 900	—	—
0207 39 31 110	01	8,00
0207 39 31 190	—	—

Product code	Destination of refund (1)	Amount of refund (2)
		ECU/100 kg
0207 39 31 910	—	—
0207 39 31 990	01	50,00
0207 39 33 000	01	28,00
0207 39 35 000	01	13,00
0207 39 41 000	01	37,00
0207 39 43 000	01	18,00
0207 39 45 000	01	36,00
0207 39 47 100	01	13,00
0207 39 47 900	—	—
0207 39 55 110	01	8,00
0207 39 55 190	—	—
0207 39 55 910	—	—
0207 39 55 990	01	54,00
0207 39 57 000	01	44,00
0207 39 65 000	01	15,00
0207 39 73 000	07	30,00
	08	44,00
0207 39 77 000	07	29,00
	08	43,00
0207 41 10 110	01	8,00
0207 41 10 190	—	—
0207 41 10 910	—	—
0207 41 10 990	01	50,00
0207 41 11 000	02	48,00
	03	28,00
0207 41 21 000	01	10,00
0207 41 41 000	01	37,00
0207 41 51 000	02	59,00
	03	36,00
0207 41 71 100	02	48,00
	03	28,00
0207 41 71 200	02	48,00
	03	28,00
0207 41 71 300	02	48,00
	03	28,00
0207 41 71 400	01	5,00
0207 41 71 900	—	—
0207 42 10 110	01	8,00
0207 42 10 190	—	—
0207 42 10 910	—	—
0207 42 10 990	01	50,00
0207 42 11 000	01	28,00
0207 42 21 000	01	13,00
0207 42 41 000	01	37,00
0207 42 51 000	01	18,00
0207 42 59 000	01	36,00
0207 42 71 100	01	13,00
0207 42 71 900	—	—
0207 43 15 110	01	8,00
0207 43 15 190	—	—
0207 43 15 910	—	—
0207 43 15 990	01	54,00
0207 43 21 000	01	44,00
0207 43 31 000	01	15,00
0207 43 53 000	07	30,00
	08	44,00
0207 43 63 000	07	29,00
	08	43,00
1602 39 11 100	01	19,00
1602 39 11 900	—	—

(¹) The destinations are as follows :

- 01 All destinations except the United States of America,
 - 02 Egypt, Ceuta and Melilla, Saudi Arabia, Kuwait, Bahrain, Qatar, Oman, the United Arab Emirates, the Republic of Yemen, Iraq, Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine, Uzbekistan, Lithuania, Estonia, Latvia, Iran, Singapore and Angola,
 - 03 All destinations except the United States of America and those of 02 above,
 - 04 Egypt, Saudi Arabia, Kuwait, Bahrain, Qatar, Oman, the United Arab Emirates, Jordan, Singapore, the Republic of Yemen, Iraq, Iran and Angola,
 - 05 Ceuta and Melilla, Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine, Uzbekistan, Lithuania, Estonia and Latvia,
 - 06 All destinations except the United States of America and those of 04 and 05 above,
 - 07 Hungary, Poland, Romania, the Republics of Croatia, Slovenia, Bosnia-Herzegovina and Yugoslavia, the Czech and Slovak Federal Republic and Bulgaria,
 - 08 All destinations except the United States of America and those of 07 above,
 - 09 Saudi Arabia, Kuwait, Bahrain, Oman, Qatar, the United Arab Emirates and the Republic of Yemen,
 - 10 All destinations except the United States of America and those of 09 above,
 - 11 Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine, Uzbekistan, Lithuania, Estonia and Latvia,
 - 12 All destinations except the United States of America and that of 11 above.
- (²) Refunds 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 2218/92

of 31 July 1992

fixing the export refunds on eggs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organization of the market in eggs⁽¹⁾, as last amended by Regulation (EEC) No 1235/89⁽²⁾, and in particular the first sentence of the fifth subparagraph of Article 9 (2) thereof,

Whereas Article 9 of Regulation (EEC) No 2771/75 provides that the difference between prices on the world market for the products listed in Article 1 (1) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 2774/75⁽³⁾ lays down general rules for granting export refunds and criteria for fixing the amount of such refunds;

Whereas the present market situation in certain third countries and that regarding competition on particular third country markets make it necessary to fix a refund differentiated by destination for certain products in the egg sector;

Whereas Council Regulation (EEC) No 1432/92⁽⁴⁾, as amended by Regulation (EEC) No 2015/92⁽⁵⁾, 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, 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⁽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;

Whereas it follows from applying these rules and criteria to the present situation on the market in eggs that the refund should be fixed at an amount which would permit Community participation in world trade and would also take account of the nature of these exports and their importance at the present time;

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

HAS ADOPTED THIS REGULATION:

Article 1

The list of codes of products for which, when they are exported, the export refund referred to in Article 9 of Regulation (EEC) No 2771/75 is granted, and the amount of that refund shall be as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 4 August 1992.

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

Done at Brussels, 31 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 49.

⁽²⁾ OJ No L 128, 11. 5. 1989, p. 29.

⁽³⁾ OJ No L 282, 1. 11. 1975, p. 68.

⁽⁴⁾ OJ No L 151, 3. 6. 1992, p. 4.

⁽⁵⁾ OJ No L 205, 22. 7. 1992, p. 2.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 201, 31. 7. 1990, p. 9.

ANNEX

to the Commission Regulation of 31 July 1992 fixing the export refunds on eggs

Product code	Destination ⁽¹⁾	Amount of refund ⁽²⁾
		ECU/100 units
0407 00 11 000	02	5,20
0407 00 19 000	05	3,80
	06	3,00
		ECU/100 kg
0407 00 30 000	03	32,00
	04	18,00
0408 11 10 000	01	96,00
0408 19 11 000	01	47,00
0408 19 19 000	01	51,00
0408 91 10 000	01	90,00
0408 99 10 000	01	15,00

⁽¹⁾ The destinations are as follows :

- 01 All destinations,
- 02 All destinations except the United States of America,
- 03 Kuwait, Bahrain, Oman, Qatar, the United Arab Emirates, the Republic of Yemen, and Hong Kong,
- 04 All destinations except those of 03,
- 05 Saudi Arabia, Kuwait, Bahrain, Oman, Qatar, the United Arab Emirates and the Republic of Yemen,
- 06 All destinations except the United States of America and those of 05 above.

⁽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 2219/92

of 30 July 1992

laying down detailed rules for the application of the specific supply arrangements for Madeira 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 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,

Whereas Commission Regulation (EEC) No 1696/92⁽²⁾ lays down in particular the detailed rules for the application of the specific supply arrangements for the Azores and Madeira 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 1696/92 or derogations therefrom should be laid down;

Whereas pursuant to Article 2 of Regulation (EEC) No 1600/92 an annual forecast supply balance relating to milk products should be established for Madeira;

Whereas to ensure that requirements are met in terms of quantities, prices and quality, supplies to Madeira consist of products originating in third countries on which no levies or customs duties are charged or 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 Madeira;

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

Whereas pursuant to Council Regulation (EEC) No 1600/92 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 1600/92 the quantities of the forecast supply balance for Madeira 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 Annex 10 of Regulation (EEC) No 1600/92 the amount of the aids shall be as set out in Annex II.

Article 2

Portugal shall appoint the authority responsible for:

- (a) issuing the import licence provided for in Article 2 of Regulation (EEC) No 1696/92;
- (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 3

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;

⁽¹⁾ OJ No L 173, 27. 6. 1992, p. 1.

⁽²⁾ OJ No L 179, 1. 7. 1992, p. 6.

(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 products falling within CN-code 0401
- 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 10th working day of each month.

Article 4

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 5

Notwithstanding Commission Regulation (EEC) No 3719/88 ⁽¹⁾, 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 1696/92 ;
- (c) proof is furnished that the licence has been used in accordance with Regulation (EEC) No 1696/92 and this Regulation ; in such cases the security shall be released for the quantities charged to the licence.

Article 6

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

⁽¹⁾ OJ No L 331, 2. 12. 1988, p. 15.

ANNEX I

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

<i>(tonnes)</i>		
CN code	Description	Amount
0401	Milk and cream, not concentrated nor containing added sugar or other sweetening matter	6 000
ex 0402	Skimmed-milk powder	800
ex 0402	Whole-milk powder	600
0405	Butter	500
0406	Cheese	600

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	(') (') (')	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	(') (') (')	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	(') (') (')	99,57 146,17 170,49
ex 0402	Skimmed milk powder of a fat content, by weight, not exceeding 1.5 %			65
ex 0402	Whole milk powder of a fat content, by weight, not exceeding 27 %			112
ex 0405	Butter of a fat content, by weight, equal to or greater than 82 %			168
ex 0406	Cheeses :			
0406 90 23	Edam			135,35
0406 90 25	Tilsit			135,35
0406 90 77	Danbo, Fontal, Fontina, Fynbo, Gouda, Havarti, Maribo Samsø			110,79
0406 90 79	Esrom, Italico, Kernhem, Saint-Nectaire, Saint-Paulin, Taleggio			114,71
0406 90 81	Cantal, Cheshire, Wensleydale, Lancashire, Double Gloucester, Blarney, Colby, Monterey			130,00

(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.

COMMISSION REGULATION (EEC) No 2220/92

of 30 July 1992

derogating from the detailed rules for the application of compulsory distillation
as regards table wine in respect of 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 39 (9) thereof,

Whereas Commission Regulation (EEC) No 3720/91 of 18 December 1991 opening compulsory distillation as provided for in Article 39 of Council Regulation (EEC) No 822/87 and derogating for the 1991/92 wine year from certain detailed rules for the application thereof⁽³⁾ opens compulsory distillation of table wine as provided for in Article 39 of Regulation (EEC) No 822/87 for the 1991/92 wine year; whereas Commission Regulation (EEC) No 505/92 of 28 February 1992⁽⁴⁾ lays down the percentages of table wine production to be delivered for compulsory distillation by each person subject to the obligation;

Whereas, in accordance with Article 12 (4) of Commission Regulation (EEC) No 441/88 of 17 February 1988 laying down detailed rules for applying compulsory distillation as referred to in Article 39 of Council Regulation (EEC) No 822/87⁽⁵⁾, as amended by Regulation (EEC) No 2070/91⁽⁶⁾, producers are required to deliver table wine to a distillery by 31 July 1992 at the latest;

Whereas Regulation (EEC) No 1756/92 provides for the possibility of terminating long-term storage contracts in order to send such wine for compulsory distillation; whereas, in view of the date of entry into force of that provision, the final date for the delivery of table wine to distilleries should be put back to 14 August 1992;

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 1991/92 wine year and by way of derogation from the first indent of Article 12 (4) of Regulation (EEC) No 441/88, persons subject to the obligation to deliver for compulsory distillation as provided for in Article 39 of Regulation (EEC) No 822/87 shall deliver the table wine to a distillery by 14 August 1992 at the latest.

Article 2

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

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

Done at Brussels, 30 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 27.

⁽³⁾ OJ No L 351, 20. 12. 1991, p. 27.

⁽⁴⁾ OJ No L 55, 29. 2. 1992, p. 72.

⁽⁵⁾ OJ No L 45, 18. 2. 1988, p. 15.

⁽⁶⁾ OJ No L 191, 16. 7. 1991, p. 25.

COMMISSION REGULATION (EEC) No 2221/92
of 31 July 1992

**amending Regulation (EEC) No 1274/91 introducing detailed rules for
implementing Council Regulation (EEC) No 1907/90 on certain marketing
standard for eggs**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 1907/90
of 2 June 1990 on certain marketing standards for eggs ⁽¹⁾
and in particular Articles 10 (3), 20 (1) and 22 (2) thereof,

Whereas Commission Regulation (EEC) No 1274/91 ⁽²⁾,
as amended by Regulation (EEC) No 3540/91 ⁽³⁾, provides
for the detailed rules necessary for the implementation of
such marketing standards;

Whereas experience has shown that the provisions regard-
ing the optional indication of the laying date should be
amended; whereas it should be made unequivocally clear
that the laying date, if used, must appear on both eggs
and packs; whereas conditions under which packing
stations supplied by production units situated at the same
site are to indicate the laying date should be brought in
line with those applied for other packing centers if use is
made of sealed containers; whereas rules should be laid
down for indicating the laying date on eggs laid on a
non-working day;

Whereas the optical indication of the type of farming
should be limited to the terms listed in Regulation (EEC)
No 1274/91, with the exception of organic or biological
farming; whereas in order to facilitate checks throughout
the Community, the lists of registered producers should
be exchanged between Member States and records of
stocks of graded eggs should be kept by packing centres
on a weekly basis;

Whereas the terms used for the food industry should be
harmonized;

Whereas the provisions concerning the use of the term
'extra' should be amended in order to specify the condi-
tions under which this term may appear on the pack;

Whereas a positive weight tolerance should be introduced
to assure fair competition between operators;

Whereas the measures provided for in this regulation are
in accordance with the opinion of the Management
Committee for Poultrymeat and Eggs,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1274/91 is hereby amended as
follows:

1. Article 1 is amended as follows:

— Article 1 (1), second subparagraph is replaced by
the following:

'However, delivery or collection from producers to
packing centres or to the industry may take place
once a week only in those cases where ambient
temperatures at which eggs are kept at the farm do
not exceed 18 °C.'

— Article 1 (6), second indent is replaced by the
following text:

'— it is intended to indicate the laying date on
eggs which are supplied by production units
situated at the same site as the packing centre
and which are not in sealed containers in
which case they shall be graded and packed on
the day of laying or, if the day of laying falls
on a non-working day, on the first subsequent
working day.'

2. Article 15 is replaced by the following text:

'Article 15

1. In addition to the packing date, the recom-
mended sell-by date and/or best-before date may be
indicated by the operator at the time of packing on
eggs or on packs containing them or on both.

2. The laying date may be indicated by the operator
on packs at the time of packing, in which case it shall
also be indicated on the eggs contained in the packs.
The laying date may, however, also be stamped on eggs
at the farm.

3. For the indication of the dates referred to in this
Article on eggs, and in the case of the laying date also
on packs, one or more of the terms listed in Annex I
shall be used.

4. The dates referred to in this Article shall be indi-
cated by two sets of figures representing, in the follo-
wing order:

⁽¹⁾ OJ No L 173, 6. 7. 1990, p. 5.

⁽²⁾ OJ No L 121, 16. 5. 1991, p. 11.

⁽³⁾ OJ No L 335, 6. 12. 1991, p. 12.

- the day, from 01 to 31,
- the month, from 01 to 12;

3. Article 17 is replaced by the following text:

Article 17

Where the laying date is indicated on eggs and on packs containing them in accordance with the provisions of Article 15, the following conditions shall apply:

1. packing centres shall keep separate records:

- of the names and addresses of the producers supplying such eggs, who shall be registered following an inspection by the competent authority of the Member State,
- at the request of this authority, of the number of laying hens kept by each producer;

2. the producers referred to in paragraph 1 shall subsequently be inspected regularly. They shall keep current records:

- of the date of placing, the age at placing and the number of laying hens, broken down by henhouse,
- of the daily egg production of each henhouse;
- of the number or weight of eggs delivered and on which it is intended to indicate the laying date, or on which the laying date has already been stamped at the farm, broken down by buyer, and to include the latter's name, address, and packing centre number;

3. eggs on which it is intended to indicate the laying date shall be delivered to packing centres in sealed containers except in cases of production units situated at the same site. Deliveries of these eggs and of eggs on which the laying date has already been stamped at the farm shall be identified by:

- the laying date,
- name, address and number of producer, together with a coded reference to the henhouse from which the eggs came,
- the date of dispatch,
- the number or weight of the eggs in the delivery.

This information shall be shown on the container and on accompanying documents, the latter to be kept at the packing centre for a period of at least six months;

4. containers referred to in point 3 shall be opened in the packing centre immediately before grading starts. All eggs from a single container shall be graded and packed without interruption. The laying down shall be stamped during or immediately after grading on those eggs intended for such marking;

5. in the case of packing centres supplied from their own production units situated at the same site with

eggs which are not in sealed containers, eggs are to be:

- stamped with the laying date on the day of laying; however, eggs laid on non-working days may be stamped on the first subsequent working day, together with the eggs laid on that day with the date of the first non-working day, or
- graded and packed in accordance with the provisions of Article 1 (6), or
- delivered to other packing centres or industry on the day of laying or, if the day of laying falls on a non-working day, on the first subsequent working day.

If these packing centres are also supplied with eggs from external producers on which it is not intended to indicate the laying date, these eggs shall be stored and handled separately. Daily records of collection or reception and grading of such eggs shall be kept;

6. packing centres shall keep separate records of:

- daily quantities, by producer, of eggs arriving at the centre and on which it is intended to indicate the laying date, or on which the laying date has already been stamped at the farm, including the producer's name, address, and registration number,
- daily quality and weight grading of these eggs,
- the number and/or weight of eggs sold, by weight grade and buyer, together with the latter's name and address;

7. production units and packing centres referred to in point 1 shall be inspected at least once every two months.';

4. Article 18 is amended as follows:

- in paragraph 1 the introductory phrase 3 replaced by the following:

'In order to indicate types of farming as referred to in Article 10 (3) of Regulation (EEC) No 1907/90 with the exception of organic or biological farming, on grade A eggs and on small packs containing such eggs, no other terms except those set out hereunder may be used, and in any case only if the relevant conditions laid down in Annex II are fulfilled:'

- in paragraph 1 the second subparagraph B deleted,
- the following subparagraph is added to paragraph 2:

'Each Member State shall provide the other Member States and the Commission, before 1 January 1993 with the list of the registered producers in its territory, for each type of farming showing the name and address of each of them and any number allotted to them. Any alteration of that list shall be communicated at the beginning of each calendar year to the other Member States and to the Commission.'

- paragraph 6 is replaced by the following:
'Packing centres as referred to in paragraph 2 shall keep separate record of daily quality and weight grading and of sales of eggs and small packs marked in accordance with paragraph 1 including the name and address of the buyer, the number of packs, the number and/or weight of eggs sold by grade of weight and date of delivery as well as of stocks of graded eggs on a weekly basis. Instead of keeping sales records, they may, however, keep files of invoices or delivery notes marked as indicated in paragraph 1.';
5. Article 22 (2), point (c) is replaced by the following text:
'(c) the marking "EGGS FOR THE FOODS INDUSTRY" in letters, 2 cm high, in one or more languages of the Community.';
6. Article 24 is replaced by the following:
Article 24
1. The band or label mentioned in Article 12 of Regulation (EEC) No 1907/90 must be printed or affixed in such a way that none of the information on the pack is obscured by the position of the band or label. The word "extra" shall be printed on the band or label in italics at least 1 cm high.

2. Where the band or label referred to in paragraph 1 cannot be removed from the pack the band or pack must be removed from the sales area not later than the seventh day after packing and the eggs repacked.
3. Large packs containing small packs marked in capital letters 2 cm high "PACK CONTAINING SMALL "EXTRA" PACKS" in one or more languages of the Community.';
7. Article 32 is replaced by the following:
Article 32
With the exception of the case provided for in Article 13 (3) of Regulation (EEC) No 1907/90, in the checking of a batch of Grade A eggs, a tolerance shall be allowed as regards the weight per egg. Such a batch may contain not more than 12 % of eggs of weight grades bordering on that marked on the packing, but not more than 6 % of eggs of the next lower weight grade.
Where the batch checked is of less than 180 eggs, the abovementioned percentages shall be doubled.';
8. Annex I is replaced by the Annex to this Regulation.

Article 2

This Regulation shall enter in force on 1 August 1992.

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

Done at Brussels, 31 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

*ANNEX**ANNEX I***1. Packing date :**

emb.
pakket
verp.
συσκ.
packed
emb. le
imb.
verp.
emb.

3. Best-before date :

cons. preferente
Mindst holdbar til
Mind.-haltbar
Λήξη
Best before
à cons. de préf. av. or DCR ⁽¹⁾
da consumarsi
tenm. houdb. tot
Lim. de consumo

2. Sell-by date :

vender antes
Sælges til
Verkauf bis
Πώληση
Sell by
à vend. de préf. av. or DVR ⁽¹⁾
da vendersi
uit. verk. dat.
Lim. de venda

4. Laying date :

puesta
lagt
gelegt
ωροτοκία
laid
pondu le
deposizione
gelegd
post

⁽¹⁾ If the terms DVR or DCR are used, the indication on the pack must be worded in such a way that the meaning of these initials is clear.

COMMISSION REGULATION (EEC) No 2222/92
of 31 July 1992

on the release of securities lodged for import licences provided for by Regulation (EEC) No 564/92 in the pigmeat sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 520/92 of 27 February 1992 on certain procedures for applying the Interim Agreement on trade and trade-related matters between the European Economic Community and the European Coal and Steel Community, of the one part, and the Czech and Slovak Federal Republic, of the other part⁽²⁾, and in particular Article 1 thereof,

Whereas Commission Regulation (EEC) No 564/92⁽³⁾ laid down detailed rules for the application in the pigmeat sector of the regime provided for *inter alia*, by the Intermediate Agreements concluded by the Community with the Republic of Poland and the Czech and Slovak Republic;

Whereas Council Directive 91/688/EEC⁽⁴⁾ amended Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine, ovine and caprine animals and swine, fresh meat, or meat products from third countries⁽⁵⁾, as last amended by Directive 91/266/EEC⁽⁶⁾, to the effect that, as of 1 July 1992, in respect of classical swine fever pigs must come from the territory of a third country which :

- has been free from classical swine fever for at least 12 months,
- has not permitted vaccination for the preceding 12 months;

Whereas Commission Decision 92/244/EEC⁽⁷⁾, amended Commission Decision 91/449/EEC of 26 July 1991

laying down the specimen animal health certificates in respect of meat products imported from third countries concerning certain eastern European countries⁽⁸⁾ since incompletely heat-treated meat products are not allowed to be imported from, *inter alia*, the Czech and Slovak Federal Republic and Poland because vaccinations against classical swine fever are carried out in those countries;

Whereas the import ban introduced by these veterinary measures will prevent, as of 1 July 1992, the import of certain pigmeat products from the Republic of Poland and the Czech and Slovak Federal Republic into the Community;

Whereas it is therefore necessary to provide for the release of the securities provided for in Article 6 of Regulation (EEC) No 564/92 in respect of import licences which could not be used due to these veterinary measures;

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

HAS ADOPTED THIS REGULATION :

Article 1

Securities lodged for import licences for the products falling under Group No 5, 6, 7, 8, 9, 10, and 11 of Annex I of Regulation (EEC) No 564/92 which have been used prior to 1 July 1992 or which are to be issued on 23 July 1992 but of which the import obligations cannot be fulfilled, because the products do not respect the requirements laid down in Directive 72/462/EEC or in Annex D of Decision 91/449/EEC, shall be released.

Article 2

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

⁽¹⁾ OJ No L 56, 29. 2. 1992, p. 3.
⁽²⁾ OJ No L 56, 29. 2. 1992, p. 6.
⁽³⁾ OJ No L 61, 6. 3. 1992, p. 9.
⁽⁴⁾ OJ No L 377, 31. 12. 1991, p. 18.
⁽⁵⁾ OJ No L 302, 31. 12. 1972, p. 28.
⁽⁶⁾ OJ No L 268, 24. 9. 1991, p. 69.
⁽⁷⁾ OJ No L 124, 9. 5. 1992, p. 40.

⁽⁸⁾ OJ No L 240, 29. 8. 1991, p. 28.

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

Done at Brussels, 31 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 2223/92

of 31 July 1992

on the release of securities lodged for import licences provided for by Regulation (EEC) No 3745/91 in the pigmeat sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3834/90 of 20 December 1990 reducing for 1991 the levies on certain agricultural products originating in developing countries⁽¹⁾, as last amended by Regulation (EEC) No 1509/92⁽²⁾, and in particular Article 3 thereof,

Whereas Commission Regulation (EEC) No 3745/91⁽³⁾, as amended by Regulation (EEC) No 566/92⁽⁴⁾, laid down detailed rules for the application in the pigmeat sector of Council Regulation (EEC) No 3588/91 of 3 December 1991 extending to 1992 the application of Regulation (EEC) No 3834/90 reducing for 1991 the levies on certain agricultural products originating in developing countries⁽⁵⁾, as amended by Regulation (EEC) No 282/92⁽⁶⁾;

Whereas Council Directive 91/688/EEC⁽⁷⁾ of 12 December 1972 amended Directive 72/462/EEC on health and veterinary inspection problems upon importation of bovine, ovine, and caprine animals and swine, fresh meat, or meat products from third countries⁽⁸⁾, as last amended by Directive 91/497/EEC⁽⁹⁾, to the effect that, as of 1 July 1992, in respect of classical swine fever pigs must come from the territory of a third country which:

- has been free from classical swine fever for at least 12 months,
- has not permitted vaccination for the preceding 12 months;

Whereas Commission Decision 92/244/EEC⁽¹⁰⁾, amended Commission Decision 91/449/EEC of 26 July 1991

laying down the specimen animal health certificates in respect of meat products imported from third countries concerning certain eastern European countries⁽¹¹⁾ since incompletely heat-treated meat products are not allowed to be imported from, *inter alia*, Romania, Bulgaria, Croatia and Slovenia because vaccinations against classical swine fever are carried out in those countries;

Whereas the import ban introduced by these veterinary measures will prevent, as of 1 July 1992, the import of certain pigmeat products from Romania, Bulgaria, Croatia and Slovenia into the Community;

Whereas it is therefore necessary to provide for the release of the securities provided for in Article 6 of Regulation (EEC) No 3745/91 in respect of import licences which could not be used due to these veterinary measures;

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

HAS ADOPTED THIS REGULATION:

Article 1

Securities lodged for import licences for the products originating from Romania, Bulgaria, Croatia or Slovenia falling under order Nos 59.0010, 59.0040, 59.0060, 59.0070, and 59.0080 provided for in the Annex to Regulation (EEC) No 3834/90 which have been issued prior to 1 July 1992 or which are to be issued on 23 July 1992 but of which the import obligations cannot be fulfilled, because the products do not respect the requirements laid down in Directive 72/462/EEC or in Annex D of Decision 91/449/EEC, shall be released.

Article 2

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

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

⁽²⁾ OJ No L 159, 12. 6. 1992, p. 1.

⁽³⁾ OJ No L 352, 21. 12. 1991, p. 48.

⁽⁴⁾ OJ No L 61, 6. 3. 1992, p. 18.

⁽⁵⁾ OJ No L 341, 12. 12. 1991, p. 6.

⁽⁶⁾ OJ No L 31, 7. 2. 1992, p. 1.

⁽⁷⁾ OJ No L 377, 31. 12. 1991, p. 18.

⁽⁸⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽⁹⁾ OJ No L 268, 24. 9. 1991, p. 69.

⁽¹⁰⁾ OJ No L 124, 9. 5. 1992, p. 40.

⁽¹¹⁾ OJ No L 240, 29. 8. 1991, p. 28.

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

Done at Brussels, 31 July 1992.

For the Commission
Ray MAC SHARRY
Member of the Commission

COMMISSION REGULATION (EEC) No 2224/92

of 31 July 1992

on the detailed rules for the implementation of the specific arrangements for the supply of hops 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,

Whereas, pursuant to Articles 2 and 3 of Regulation (EEC) No 1601/92, the forecast supply balance and the level of aid for the supply of hops to the Canary Islands from the rest of the Community should be established; whereas the aid should be fixed on the basis of, in particular, the costs of supply from the world market and the situation resulting from the geographical position of the Canary Islands;

Whereas Commission Regulation (EEC) No 1695/92⁽²⁾ lays down the common detailed rules for implementation of the specific arrangements for the supply of certain agricultural products to the Canary Islands; whereas additional detailed rules tailored to the commercial practices current in the hop sector should be adopted with regard, in particular, to the term of validity of aid certificates and the level of securities guaranteeing the fulfilment of obligations by operators;

Whereas the measures laid down in Regulation (EEC) No 1601/92 apply from 1 July 1992; whereas the detailed rules laid down in the 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 Hops,

HAS ADOPTED THIS REGULATION:

Article 1

For the purposes of Articles 2 and 3 of Regulation (EEC) No 1601/92, the forecast supply balance for hops covered by CN code 1210 and exempt from import levies or eligible for Community aid when imported directly into the Canary Islands from third countries is hereby fixed at 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 1601/92 for the supply of hops to the Canary Islands

in accordance with the forecast supply balance is hereby fixed at ECU 10 per 100 kg.

Article 3

Spain shall designate the authority competent for:

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

Article 4

1. Applications for certificates shall be submitted to the competent authority within the first five working days of each month. Applications for certificates shall only be admissible if:

- (a) the quantity does not exceed the maximum available quantity of hops published by the Spanish authorities;
- (b) prior to expiry of the time limit laid down for submission of certificate applications, proof has been provided that the party concerned has lodged a security of ECU 5 per 100 kg.

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

3. Where certificates are issued for quantities less than the quantities applied for, operators may withdraw their applications in writing within three working days of the date of issue of the certificate. The security relating to that certificate shall then be released.

4. The maximum available quantity shall be published by the competent authority in the last week of the month preceding the month in which the application is submitted.

Article 5

The term of validity of exemption certificates and aid certificates shall expire on the last day of the second month following the month in which they are issued.

Article 6

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 173, 27. 6. 1992, p. 13.

⁽²⁾ OJ No L 179, 1. 7. 1992, p. 1.

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

Done at Brussels, 31 July 1992.

For the Commission
Ray MAC SHARRY
Member of the Commission

COMMISSION REGULATION (EEC) No 2225/92

of 31 July 1992

on the detailed rules for the implementation of the specific arrangements for the supply of hops 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 concerning specific measures for the Azores and Madeira relating to certain agricultural products⁽¹⁾, and in particular Article 10 thereof,

Whereas, pursuant to Articles 2 and 3 of Regulation (EEC) No 1600/92, the forecast supply balance and the level of aid for the supply of hops from the rest of the Community to the Azores and Madeira should be established; whereas the aid should be fixed on the basis of, in particular, the costs of supply from the world market and the situation resulting from the geographical position of Madeira;

Whereas Commission Regulation (EEC) No 1696/92⁽²⁾ lays down the common detailed rules for implementation of the specific arrangements for the supply of certain agricultural products to the Azores and Madeira; whereas additional detailed rules tailored to the commercial practices current in the hop sector should be adopted with regard, in particular, to the term of validity of aid certificates and the level of securities guaranteeing the fulfilment of obligations by operators;

Whereas the measures laid down in Regulation (EEC) No 1600/92 apply from 1 July 1992; whereas the detailed rules laid down in the 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 Hops,

HAS ADOPTED THIS REGULATION:

Article 1

For the purposes of Articles 2 and 3 of Regulation (EEC) No 1600/92, the forecast supply balance for hops covered by CN code 1210 and exempt from import levies or eligible for Community aid when imported directly into Madeira from third countries is hereby fixed at 10 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 of hops from the Community

market to Madeira in accordance with the forecast supply balance is hereby fixed at ECU 10 per 100 kg.

Article 3

Portugal shall designate the authority competent for:

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

Article 4

1. Applications for certificates shall be submitted to the competent authority within the first five working days of each month. Applications for certificates shall only be admissible if:

- (a) the quantity does not exceed the maximum available quantity of hops published by the Spanish authorities;
- (b) prior to expiry of the time limit laid down for submission of certificate applications, proof has been provided that the party concerned has lodged a security of ECU 5 per 100 kg.

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

3. Where certificates are issued for quantities less than the quantities applied for, operators may withdraw their applications in writing within three working days of the date of issue of the certificate. The security relating to that certificate shall then be released.

4. The maximum available quantity shall be published by the competent authority in the last week of the month preceding the month in which the application is submitted.

Article 5

The term of validity of exemption certificates and aid certificates shall expire on the last day of the second month following the month in which they are issued.

Article 6

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 173, 27. 6. 1992, p. 1.

⁽²⁾ OJ No L 179, 1. 7. 1992, p. 6.

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

Done at Brussels, 31 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 2226/92

of 31 July 1992

on import and export licences and advance-fixing certificates issued for trade in agricultural products between the Community and the Canary Islands before 1 July 1992

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 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⁾,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽³⁾, as last amended by Regulation (EEC) No 1738/92⁽⁴⁾, and in particular Article 12 (2) thereof, and to the corresponding provisions of the other Regulations on the common organization of the markets,

Whereas imports from and exports to the Canary Islands were subject until 30 June 1992 to the system of licences and certificates provided for in Commission Regulation (EEC) No 3719/88⁽⁵⁾, as last amended by Regulation (EEC) No 2101/92⁽⁶⁾, and whereas the specific arrangements for the supply of certain agricultural products apply from 1 July 1992; whereas operations involving trade in certain products could not be completed before 30 June 1992; whereas commitments involving licences issued from those products with a term of validity extending

beyond 30 June 1992 must be met if securities lodged are not to be forfeited; whereas, since those commitments have become pointless, it should be possible to waive them and to release the securities lodged;

Whereas an endorsement of the licence or certificate may in particular constitute proof of utilization;

Whereas the measures provided for in this Regulation are in accordance with the opinions of the Management Committees concerned,

HAS ADOPTED THIS REGULATION:

Article 1

Securities lodged for import and export licences and for advance-fixing certificates which:

- have been shown to have been used for products coming from or sent to the Canary Islands,
 - expire after 1 July 1992, and
 - had been used only partly or not at all at that date,
- shall be released on application by the parties concerned.

Article 2

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

It shall apply from 1 July 1992.

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

Done at Brussels, 31 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 173, 27. 6. 1992, p. 13.

⁽²⁾ OJ No L 179, 1. 7. 1992, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽⁴⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽⁵⁾ OJ No L 331, 16. 11. 1988, p. 1.

⁽⁶⁾ OJ No L 210, 25. 7. 1992, p. 18.

COMMISSION REGULATION (EEC) No 2227/92

of 31 July 1992

amending Regulation (EEC) No 2048/90 laying down detailed rules for the application of the system of aid in favour of small cotton producers

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

Having regard to Council Regulation (EEC) No 1152/90 of 27 April 1990 instituting a system of aid in favour of small cotton producers⁽¹⁾ as amended by Regulation (EEC) No 2056/92⁽²⁾ and in particular Article 7 (1) thereof,

Whereas Regulation (EEC) No 2054/92 extended the system of aid in favour of small cotton producers instituted by Regulation (EEC) No 1152/90 to the marketing years 1989/90 to 1991/92; whereas the detailed rules of application provided for in Commission Regulation (EEC) No 2048/90⁽³⁾, as amended by Regulation (EEC) No 3218/90⁽⁴⁾, are limited to those marketing years; whereas, therefore, that limit should be removed;

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

HAS ADOPTED THIS REGULATION:

Article 1

In the first paragraph of Article 6 (1) of Regulation (EEC) No 2048/90 the words 'for the 1990/91 and 1991/92 marketing years' shall be deleted.

Article 2

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

It shall apply from the 1992/93 marketing year.

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

Done at Brussels, 31 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 116, 8. 5. 1990, p. 1.

⁽²⁾ OJ No L 215, 30. 7. 1992, p. 13.

⁽³⁾ OJ No L 187, 19. 7. 1990, p. 29.

⁽⁴⁾ OJ No L 308, 8. 11. 1990, p. 20.

COMMISSION REGULATION (EEC) No 2228/92**of 31 July 1992****adopting definitive measures on the issuing of STM licences for milk and milk products in regard to Spain**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas Commission Regulation (EEC) No 606/86 of 28 February 1986 laying down detailed rules for applying the supplementary trade mechanism to milk products imported into Spain from the Community of Ten and Portugal⁽³⁾, as last amended by Regulation (EEC) No 705/92⁽⁴⁾, fixes the indicative ceiling for imports into Spain of certain products in the milk and milk products sector for 1992;

Whereas applications for STM licences lodged in the Community of Ten during the period 25 to 29 May 1992, for cheese categories 5 and 6, relate to quantities in excess of that fraction of the indicative ceiling set aside for the month of June 1992;

Whereas the Commission adopted, by an emergency procedure, suitable interim protective measures by Regulation (EEC) No 1456/92⁽⁵⁾; whereas definitive measures must be adopted; whereas, in view of the market situation

in Spain, an increase in indicative ceilings cannot be contemplated at present;

Whereas, as part of the definitive measures referred to in Article 85 (3) of the Act, the suspension of the issuing of STM licences provided for in the abovementioned Regulation until the end of the month of June 1992 should be confirmed; whereas Regulation (EEC) No 1456/92 set the date from which further applications could be lodged for all products;

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

The issuing of STM licences applied for in the Community of Ten for products in the milk and milk products sector as referred to in Regulations (EEC) No 1456/92 is hereby definitively suspended for the month of June 1992.

Article 2

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

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

Done at Brussels, 31 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 55, 1. 3. 1986, p. 106.

⁽²⁾ OJ No L 293, 27. 10. 1988, p. 7.

⁽³⁾ OJ No L 58, 1. 3. 1986, p. 28.

⁽⁴⁾ OJ No L 75, 31. 3. 1992, p. 29.

⁽⁵⁾ OJ No L 152, 4. 6. 1992, p. 36.

COMMISSION REGULATION (EEC) No 2229/92

of 31 July 1992

amending Regulation (EEC) No 3695/91 adopting measures for the supply of raw sugar from beet harvested in the Community to Portuguese refineries during the 1992/93 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 1785/81 of 30th 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 9 (6) thereof,

Whereas Commission Regulation (EEC) No 3695/91 of 18 December 1991 adopting measures for the supply of raw sugar from beet harvested in the Community to Portuguese refineries during the 1992/93 marketing year⁽³⁾ provided for the granting of flat rate Community aids in respect of the transport to and refining in Portugal of 65 000 tonnes of Community raw beet sugar to be delivered until 30 June 1992 and refined from 1 July 1992; whereas the payment of an advance on these aids as well as the very granting of the aids is only possible, in so far as the advance on the payment of the refining aid is concerned, if the bill of lading is drawn up between the entry into force of the said Regulation and 30 June 1992 and, in so far as the payment of the aid is concerned, if the relevant sugar is brought into Portugal before 1 July 1992;

Whereas, for reasons beyond the control of the parties concerned, a part of the specified quantity of raw beet sugar could not be brought into Portugal before 1 July 1992 even though the corresponding bill of lading had been drawn up before that date; whereas it therefore

appears to be necessary, in order that the supplying of the refineries should not be affected, for the competent Portuguese authorities to be permitted to allow a supplementary period, upon request by the interested parties, for the missing sugar to be brought into Portugal; whereas by virtue of the urgency involved, the immediate entry into force of this measure should be provided for together with retroactive effect from 1 July 1992;

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

HAS ADOPTED THIS REGULATION:

Article 1

The following second subparagraph is added to Article 6 (1) of Regulation (EEC) No 3695/91:

'However, if for reasons beyond the control of the parties concerned the sugar cannot be brought into Portugal before 1 July 1992, the competent Portuguese authorities may, upon demand by the parties concerned, extend the time limit to 10 July 1992.'

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 from 1 July 1992.

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

Done at Brussels, 31 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 350, 19. 12. 1991, p. 19.

COMMISSION REGULATION (EEC) No 2230/92

of 31 July 1992

laying down certain detailed rules for the application in the Canary Islands of the ewe and she-goat premium scheme

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3013/89 of 23 September 1989 on the organization of the market in sheepmeat and goatmeat ⁽¹⁾, as last amended by Regulation (EEC) No 1741/91 ⁽²⁾, and in particular Article 5 ⁽⁹⁾ 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 ⁽³⁾, and in particular Article 13 thereof,

Whereas Regulation (EEC) No 1601/92 lays down specific measures relating to agricultural production in the Canary Islands; whereas those measures include the granting of a supplement to the ewe and she-goat premium; whereas, for the sake of administrative simplification, provision should be made for that premium to be granted within the framework of applications submitted for the premium provided for under the common organization of the market;

Whereas producers in the Canary Islands should also be able to qualify for an advance on the ewe and she-goat premium from the 1992 marketing year and on the supplement thereto; whereas, to that end, provision must be made for a derogation from the requirement concerning submission of premium applications during a period laid down pursuant to Article 3 (2) of Commission Regulation (EEC) No 3007/84 of 26 October 1984 laying down detailed rules for the application of the premium for producers of sheepmeat ⁽⁴⁾, as last amended by Regulation (EEC) No 3340/91 ⁽⁵⁾;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The supplement of the premium provided for in Article 13 of Regulation (EEC) No 1601/92 shall be granted within the framework of applications as referred to in Article 3 (2) of Regulation (EEC) No 3007/84.

Article 2

By way of a derogation from Article 3 (2) of Regulation (EEC) No 3007/84, premium applications in respect of the 1992 marketing year from producers in the territory of the Canary Islands shall be submitted to the authority designated by Spain during a fixed period within the period commencing on 15 August and ending on 15 October 1992.

*Article 3*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, 31 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.⁽²⁾ OJ No L 163, 26. 6. 1991, p. 41.⁽³⁾ OJ No L 173, 27. 6. 1992, p. 13.⁽⁴⁾ OJ No L 283, 27. 10. 1984, p. 28.⁽⁵⁾ OJ No L 316, 16. 11. 1991, p. 24.

COMMISSION REGULATION (EEC) No 2231/92**of 31 July 1992****closing an invitation to tender for the supply of skimmed-milk powder to the
World Food Programme as food aid**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION :

Having regard to the Treaty establishing the European Economic Community,

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

For lots A, B and C of the Annex I to Regulation (EEC) No 1896/92 the invitation to tender is closed.

Whereas, by Regulation (EEC) No 1896/92 ⁽³⁾, the Commission issued an invitation to tender for the supply of 5 955 tonnes of skimmed-milk powder to Euronaid as food aid ; whereas the conditions of the supply, as regards lots A, B and C, should be reviewed and the invitation to tender for these lots should consequently be closed,*Article 2*This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

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

Done at Brussels, 31 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.⁽²⁾ OJ No L 174, 7. 7. 1990, p. 6.⁽³⁾ OJ No L 191, 10. 7. 1992, p. 12.

COMMISSION REGULATION (EEC) No 2232/92
of 31 July 1992
amending Regulation (EEC) No 2353/89 laying down detailed rules for the grant
of aid for certain grain legumes

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 762/89 of 20 March 1989 introducing a specific measure for certain grain legumes ⁽¹⁾, as last amended by Regulation (EEC) No 1753/92 ⁽²⁾, and in particular Article 4 thereof,

Whereas Regulation (EEC) No 1753/92 extends the application of the specific measure for certain grain legumes for the 1992/93 marketing year;

Whereas Commission Regulation (EEC) No 2353/89 of 28 July 1989 ⁽³⁾ should be adapted to take account of that extension in order to give producers the possibility of introducing aid applications;

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

Article 1

Article 1 of Regulation (EEC) No 2353/89 is hereby replaced by :

'Article 1

The aid provided for in Regulation (EEC) No 762/89 shall be granted under the conditions laid down in this Regulation during the 1989/90 to 1992/93 marketing years.'

Article 2

In Article 3 (1) of Regulation (EEC) No 2353/89, '1989/90' is hereby replaced by '1992/93' and the date '14 August 1989' is hereby replaced by '7 August 1992'.

Article 3

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

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

Done at Brussels, 31 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 80, 23. 3. 1989, p. 76.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 22.

⁽³⁾ OJ No L 222, 1. 8. 1989, p. 56.

COMMISSION REGULATION (EEC) No 2233/92

of 31 July 1992

laying down detailed rules for the application of the specific premium for the maintenance of dairy herds in the Azores

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,

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 Article 24 (4) of Regulation (EEC) No 1600/92 provides for the granting of specific annual premiums for the maintenance of dairy herds in respect of up to 78 000 head;

Whereas, in order to make verification of applications easier, the Member State in question should take the necessary measures to prevent the premium in question from being used for purposes other than those laid down and whereas there is provision for the Commission staff to be informed as to whether the scheme is working properly;

Whereas the scheme introduced by Regulation (EEC) No 1600/92 came into force on 1 July 1992; whereas the detailed rules for its application should take effect on 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

1. In accordance with Article 24 of Regulation (EEC) No 1600/92, producers may qualify on application for a specific annual premium for the maintenance of their dairy herds.

⁽¹⁾ OJ No L 173, 27. 6. 1992, p. 1.

⁽²⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽³⁾ OJ No L 201, 31. 7. 1990, p. 9.

2. The aid, amounting to ECU 80 per cow, shall be converted using the agricultural conversion rate applying on the first day of the month in which the premium application is submitted.

3. In order to qualify for the premium, producers must show to the satisfaction of the competent authority that they deliver milk and milk products from the holdings under their management on the day on which the application is submitted.

In addition, the premium shall be granted subject to an undertaking by the recipient to:

- deliver milk and milk products for 12 months from the day on which the application is submitted,
- maintain the number of dairy cows on his holding in respect of which he has submitted a premium application on his holding for a period of 12 months.

Article 2

Portugal shall take all measures necessary to ensure that:

- (a) premiums are granted in respect of no more than 78 000 cows;
- (b) a single period is fixed each year for the submission of premium applications;
- (c) detailed rules are laid down for monitoring the number of cows covered by applications;
- (d) other detailed rules, including rules to ensure that premiums are paid solely to dairy farmers, are laid down.

Article 3

1. Where the number of animals actually shown to be eligible as a result of checks is less than that in respect of which premium applications have been submitted, no premium shall be paid, without prejudice to paragraphs 2, 3 and 4.

2. Where the reduction in the number of animals may be ascribed to natural circumstances affecting the life of the herd, premiums shall be paid in respect of the number of animals actually eligible provided that the recipient has notified the competent authority of the circumstances in writing within 10 days of the event in question.

3. Producers shall continue to qualify for the premium in respect of the number of animals actually eligible where they have been unable to fulfil the undertaking laid down in Article 2 for reasons of *force majeure*. Producers shall notify the competent authorities of the circumstances within 10 days of the event in question.

4. In cases other than those covered by paragraphs 2 and 3, where the difference between the number of animals actually eligible and the declared number is less than 5 % or one head at most if the number of declared animals is equal to or less than 20 head, premiums shall be paid in respect of the number of eligible animals, less 20 %, provided that, in the opinion of the competent authority, no false declaration submitted deliberately or through serious negligence is involved.

5. Amounts paid unduly shall be recovered, plus interest to be determined by the Member State running from the date of payment of the premium until its recovery.

6. Where paragraph 1 is applied, if the competent authority finds that a false declaration made deliberately or through serious negligence is involved, the producer in

question shall not be eligible for the premium for 12 months from the date of such finding.

Article 4

Portugal shall notify the Commission staff within three months of the entry into force of this Regulation of measures taken pursuant to Article 2, including the system of controls introduced.

Article 5

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

It shall apply from 1 July 1992.

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

Done at Brussels, 31 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 2234/92

of 31 July 1992

laying down detailed rules for the application of the aid for the consumption of fresh milk products in Madeira

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 1600/92 of 15 June 1992 concerning specific measures for the Azores and Madeira relating to certain agricultural products⁽¹⁾, and in particular Article 15 (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 Article 15 (1) of the said Regulation provides for an aid to be granted for the human consumption of fresh cows' milk products produced in Madeira, within the limits of the consumption needs of the island; whereas the aid is to be paid to dairies; whereas payment of the aid is subject to the benefit therefrom being actually passed on to the consumer;

Whereas certain detailed rules for the application of the measure in question should be laid down, including the quantity of milk products qualifying for the aid;

Whereas the administrative authorities should be endowed with appropriate instruments for preventing the aid in question from being diverted from its objectives, which are regular disposal on the local market of locally produced fresh cows' milk products and the passing on of the benefit to the final consumer;

Whereas control measures should be established by the national authorities to ensure that the aid scheme operates properly; whereas provision should be made for periodic reporting to the Commission;

Whereas the arrangements established by Regulation (EEC) No 1600/92 entered into force on 1 July 1992; whereas the detailed rules for their application should take effect on the same date;

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

⁽¹⁾ OJ No L 173, 27. 6. 1992, p. 1.

⁽²⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽³⁾ OJ No L 201, 31. 7. 1990, p. 9.

Article 1

1. The aid for the human consumption of fresh cows' milk products produced in Madeira provided for in Article 15 of Regulation (EEC) No 1600/92 shall be paid, subject to the limit of 7 000 tonnes of whole milk, for a period of 12 months.

2. The amount of the aid shall be ECU 7 per 100 kilograms of whole milk used in the production of the various products listed in the Annex hereto. It shall be converted into the national currency on the basis of the agricultural conversion rate applicable on the first day of the month in which the aid application is submitted.

3. For the purposes of this Regulation, 'whole milk' means the product which is obtained by milking one or more cows and whose composition has not been modified since milking.

Article 2

1. The aid shall be granted upon written application by dairies which undertake to:

- (a) keep accounts showing, in particular, the quantities of each milk product and the quantities of milk used in those products;
- (b) submit to any control measure determined by the Member State concerned, in particular with regard to the verification of the accounts and control of the quality of the products in question.

2. Applications for payment of the aid must be made using a standard printed form as required by the competent authority of the Member State and contain at least the following particulars:

- the quantities of milk used in each product by category of product,
- the name and address of the dairy,
- the amount of the corresponding aid.

Article 3

1. Portugal shall take all appropriate measures, in particular with regard to control, to ensure that:

- (a) the aid is granted only for the milk products referred to in Article 1 intended for direct human consumption in Madeira;

- (b) benefit from the aid is passed on to the consumer by actual impact on the final retail price.

2. Portugal shall notify the Commission within three months of the entry into force of this Regulation of the measures referred to in paragraph 1.

Article 4

1. The controls carried out pursuant to Article 2 (1) must be the subject of a report specifying :

- the date of the control,
- the place of the control,
- the results obtained.

2. The competent authorities shall notify the Commission of cases of irregularities within four weeks.

Article 5

Where the benefit of the aid is not passed on to the final consumer, the competent authorities in Portugal :

- shall recover the aid in whole or in part,
- may limit or suspend entitlement to the aid either temporarily or permanently, according to the seriousness of the failure to fulfil the obligations.

Article 6

Portugal shall send to the Commission, not later than the last day of each month, the following particulars concerning the preceding month :

- the quantities for which aid applications have been made,
- the quantities for which aid has been approved.

Article 7

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

It shall apply from 1 July 1992.

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

Done at Brussels, 31 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

**List of products eligible for the Community aid referred to in Article 15 (1) of Regulation
(EEC) No 1600/92**

1. Raw milk.
 2. Whole milk, pasteurized.
 3. Cream.
 4. Whole-milk yogurt.
 5. Fresh cheese with a fat content, by weight of dry matter, not exceeding 40 %.
-

COMMISSION REGULATION (EEC) No 2235/92

of 31 July 1992

laying down detailed rules for the application of the aid for the consumption of fresh milk products in 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 11 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 the said Regulation provides for an aid to be granted for the human consumption of fresh cows' milk products produced in the Canary Islands, within the limits of the consumption needs of the Canary Islands; whereas payment of the aid is subject to the benefit therefrom being actually passed on to the consumer so as to prevent an increase in the consumer price of those products;

Whereas, to promote the consumption of locally produced fresh milk products, certain detailed rules for the application of the measure in question should be laid down, including the quantity of milk products qualifying for the aid;

Whereas the administrative authorities should be endowed with appropriate instruments for preventing the aid in question from being diverted from its objectives, which are regular disposal on the local market of locally produced fresh cows' milk products and the passing on of the benefit to the final consumer;

Whereas control measures should be established by the national authorities to ensure that the aid scheme operates properly; whereas provision should be made for periodic reporting to the Commission;

Whereas the arrangements established by Regulation (EEC) No 1601/92 entered into force on 1 July 1992; whereas the detailed rules for their application should take effect on the same date;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The aid for the human consumption of fresh cows' milk products produced in the Canary Islands provided for in Article 11 of Council Regulation (EEC) No 1601/92 shall be paid, subject to the limit of 44 000 tonnes of whole milk, for a period of twelve months.
2. The amount of the aid shall be ECU 7 per 100 kilograms of whole milk used in the production of the various products listed in the Annex hereto. It shall be converted into the national currency on the basis of the agricultural conversion rate applicable on the first day of the month in which the aid application is submitted.
3. For the purposes of this Regulation, 'whole milk' means the product which is obtained by milking one or more cows and whose composition has not been modified since milking.

Article 2

1. The aid shall be granted upon written application by dairies which undertake to:
 - (a) keep accounts showing, in particular, the quantities of each milk product and the quantities of milk used in those products;
 - (b) submit to any control measure determined by the Member State concerned, in particular with regard to the verification of the accounts and control of the quality of the products in question.
2. Applications for payment of the aid must be made using a standard printed form as required by the competent authority of the Member State and contain at least the following particulars:
 - the quantities of milk used in each product by category of product,
 - the name and address of the dairy,
 - the amount of the corresponding aid.

Article 3

1. Spain shall take all appropriate measures, in particular with regard to control, to ensure that:
 - (a) the aid is granted only for the milk products referred to in Article 1 intended for direct human consumption in the Canary Islands;

⁽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.

- (b) benefit from the aid is passed on to the consumer by actual impact on the final retail price.

2. Spain shall notify the Commission within three months of the entry into force of this Regulation of the measures referred to in paragraph 1.

Article 4

1. The controls carried out pursuant to Article 2 (1) must be the subject of a report specifying :

- the date of the control,
- the place of the control,
- the results obtained.

2. The competent authorities shall notify the Commission of cases of irregularities within four weeks.

Article 5

Where the benefit of the aid is not passed on to the final consumer, the competent authorities in Spain :

- shall recover the aid in whole or in part,
- may limit or suspend entitlement to the aid either temporarily or permanently, according to the seriousness of the failure to fulfil the obligations.

Article 6

Spain shall send to the Commission, not later than the last day of each month, the following particulars concerning the preceding month :

- the quantities for which aid applications have been made,
- the quantities for which aid has been approved.

Article 7

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

It shall apply from 1 July 1992.

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

Done at Brussels, 31 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

List of products eligible for the Community aid referred to in Article 11 (1) of Regulation (EEC) No 1601/92

1. Raw milk.
 2. Whole milk, pasteurized.
 3. Cream.
 4. Whole-milk yogurt.
 5. Fresh cheese with a fat content, by weight of dry matter, not exceeding 40 %.
-

COMMISSION REGULATION (EEC) No 2236/92
of 31 July 1992
suspending advance fixing of the export refunds for certain products processed
from 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 1738/92 ⁽²⁾, and in particular the first subparagraph of Article 16 (7) thereof,

Whereas Article 16 (7) of Regulation (EEC) No 2727/75 provides that the provisions concerning advance fixing of the refund may be suspended if the market situation shows that the application of these provisions is causing or is likely to cause difficulties;

Whereas there is a danger that, if arrangements are adhered to, refunds could be fixed in advance in the short term for quantities considerably in excess of the quantities which might be expected under more normal conditions;

Whereas the above situation requires that application of the provisions concerning advance fixing of refunds for the product concerned be temporarily suspended;

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

HAS ADOPTED THIS REGULATION:

Article 1

Advance fixing of the export refund for products listed in the Annex is suspended from 1 to 31 August 1992 inclusive.

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, 31 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.

ANNEX

to the Regulation of 31 July 1992 suspending advance fixing of the export refunds for certain products processed from cereals

CN code	Description
	Products derived from maize, consisting of the following subheadings:
1102 20	Maize flour
1103 13	Maize groats
1103 29 40	Maize pellets
1104 19 50	Rolled or flaked maize
1104 23	Hulled maize
1108 12 00	Maize starch
1108 13 00	Potato starch
1702 30	} Glucose and glucose syrup
1702 40	
1702 90	Other invert sugar
2106 90	Food preparations not elsewhere specified
2302 10	Maize brans
2303 10	Residues of starch manufacture
2309 10	Preparations of a kind used in animal feeding
2309 90	

COMMISSION REGULATION (EEC) No 2237/92

of 31 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 last amended by Regulation (EEC) No 2187/92 ⁽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 30 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 1 August 1992.

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

Done at Brussels, 31 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 217, 31. 7. 1992, p. 94.

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

(ECU/100 kg)

CN code	Levy ⁽²⁾
1701 11 10	37,78 ⁽¹⁾
1701 11 90	37,78 ⁽¹⁾
1701 12 10	37,78 ⁽¹⁾
1701 12 90	37,78 ⁽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 2238/92
of 31 July 1992
fixing production refunds on cereals and rice

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 11a (5) thereof,

Having regard to Council Regulation (EEC) No 1009/86 of 25 March 1986 establishing general rules applying to production refunds in the cereals and rice sectors ⁽³⁾, as last amended by Regulation (EEC) No 1309/92 ⁽⁴⁾ and in particular Article 6 thereof,

Whereas Article 2 of Commission Regulation (EEC) No 2169/86 of 10 July 1986 laying down detailed rules for the control and payment of production refunds in the cereals and rice sectors ⁽⁵⁾, as last amended by Regulation (EEC) No 1398/91 ⁽⁶⁾, provides that the production refund is to be fixed one per month; whereas the same Article provides for the possibility of altering the calculated refund in the event of significant movements in the prices of maize and wheat;

Whereas the production refunds to be fixed in this Regulation should be adjusted by the coefficients listed in the

Annex to Regulation (EEC) No 2169/86 to establish the exact amount payable;

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 production refunds payable on cereals and rice in accordance with Regulation (EEC) No 1009/86 and calculated in accordance with Regulation (EEC) No 2169/86 as amended shall be as follows in ECU 124,90 per tonne.

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, 31 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 94, 9. 4. 1986, p. 6.

⁽⁴⁾ OJ No L 139, 22. 5. 1992, p. 47.

⁽⁵⁾ OJ No L 189, 11. 7. 1986, p. 12.

⁽⁶⁾ OJ No L 134, 29. 5. 1991, p. 19.

COMMISSION REGULATION (EEC) No 2239/92

of 31 July 1992

fixing the maximum buying-in price and the quantities of beef bought in for the
73rd partial invitation to tender under Regulation (EEC) No 1627/89

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

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

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

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

Whereas, after the tenders submitted for the 73rd partial
invitation to tender have been examined and taking
account, pursuant to Article 6 (1) of Regulation (EEC)
No 805/68, of the requirements for reasonable support of
the market and the seasonal trend in slaughterings, the

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 73rd partial invitation to tender opened by Regu-
lation (EEC) No 1627/89:

(a) for category A:

- the maximum buying-in price is hereby fixed at
ECU 255,70 per 100 kilograms of carcasses or half-
carcasses of quality R3,
- the maximum quantity of carcasses or half-carcasses
accepted is hereby fixed at 19 587 tonnes; the
quantities offered are hereby reduced by 30 %
pursuant to Article 11 (3) of Regulation (EEC)
No 859/89;

(b) for category C:

- the maximum buying-in price is hereby fixed at
ECU 255,70 per 100 kilograms of carcasses or half-
carcasses of quality R3,
- the maximum quantity accepted of carcasses or
half-carcasses is hereby fixed at 11 092 tonnes; the
quantities offered are hereby reduced by 30 %
pursuant to Article 11 (3) of Regulation (EEC)
No 859/89.

Article 2

This Regulation shall enter into force on 3 August 1992.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 150, 15. 6. 1991, p. 16.

⁽³⁾ OJ No L 91, 4. 4. 1989, p. 5.

⁽⁴⁾ OJ No L 74, 20. 3. 1992, p. 42.

⁽⁵⁾ OJ No L 159, 10. 6. 1989, p. 36.

⁽⁶⁾ OJ No L 131, 16. 5. 1992, p. 10.

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

Done at Brussels, 31 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 2240/92**of 31 July 1992****fixing the amount by which the variable component of the levy applicable to
bran and sharps originating in Egypt must be reduced**

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

Having regard to Council Regulation (EEC) No 1030/77
of 17 May 1977 concluding the Interim Agreement
between the European Economic Community and the
Arab Republic of Egypt⁽¹⁾, and in particular the second
subparagraph of paragraph 3 of the exchange of letters
relating to Article 13 of the Agreement,

Whereas the exchange of letters covered by Regulation
(EEC) No 1030/77 provides that the variable component
of the levy calculated in accordance with Article 2 of
Council Regulation (EEC) No 2744/75 of 29 October
1975 on the import and export system for products
processed from cereals and rice⁽²⁾, as last amended by
Regulation (EEC) No 1906/87⁽³⁾, is to be reduced by an
amount fixed by the Commission each quarter; whereas
this amount must be equal to 60 % of the average of the
levies in force during the three months preceding the
month during which the amount is fixed;

Whereas the variable components applicable during April,
May and June 1992 to the products falling within CN
codes 2302 10, 2302 20, 2302 30 and 2302 40 are to be
taken into consideration,

HAS ADOPTED THIS REGULATION:

Article 1

The amounts referred to in the second subparagraph of
paragraph 3 of the exchange of letters covered by Regula-
tion (EEC) No 1030/77 to be deducted from the variable
component applicable to bran and sharps originating in
Egypt shall be as shown 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, 31 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 126, 23. 5. 1977, p. 1.

⁽²⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽³⁾ OJ No L 182, 3. 7. 1987, p. 49.

ANNEX

to the Commission Regulation of 31 July 1992 fixing the amount by which the variable component of the levy applicable to bran and sharps originating in Egypt must be reduced

(ECU/tonne)	
CN code	Amount
2302 10 10	37,31
2302 10 90	79,94
2302 20 10	37,31
2302 20 90	79,94
2302 30 10	37,31
2302 30 90	79,94
2302 40 10	37,31
2302 40 90	79,94

COMMISSION REGULATION (EEC) No 2241/92

of 31 July 1992

fixing the amount by which the levy on imports of rice from the Arab Republic of Egypt must be reduced

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

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

Having regard to Council Regulation (EEC) No 1250/77 of 17 May 1977 on imports of rice from the Arab Republic of Egypt ⁽³⁾, and in particular Article 1 thereof,

Whereas Regulation (EEC) No 1250/77 provides that the levy calculated in accordance with Article 11 of Regulation (EEC) No 1418/76 is to be reduced by an amount to be fixed by the Commission each quarter; whereas this amount must be equal to 25 % of the average of the levies applied during a reference period;

Whereas, pursuant to Commission Regulation (EEC) No 2942/73 of 30 October 1973 laying down detailed rules for the application of Regulation (EEC) No 2412/73 ⁽⁴⁾, as

last amended by Regulation (EEC) No 560/91 ⁽⁵⁾, the reference period is to be the quarter preceding the month in which the amount is fixed;

Whereas the levies to be taken into consideration are therefore those applicable during April, May and June 1992,

HAS ADOPTED THIS REGULATION:

Article 1

The amount referred to in Article 1 of Regulation (EEC) No 1250/77 by which the levy on imports of rice originating in and coming from the Arab Republic of Egypt is to be reduced shall be as shown 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, 31 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽³⁾ OJ No L 146, 14. 6. 1977, p. 9.

⁽⁴⁾ OJ No L 302, 31. 10. 1973, p. 1.

⁽⁵⁾ OJ No L 62, 8. 3. 1991, p. 26.

ANNEX

to the Commission Regulation of 31 July 1992 fixing the amount by which the levy on imports of rice from the Arab Republic of Egypt must be reduced

(ECU/tonne)	
CN code	Amounts to be deducted
1006 10 21	80,05
1006 10 23	79,12
1006 10 25	79,12
1006 10 27	79,12
1006 10 92	80,05
1006 10 94	79,12
1006 10 96	79,12
1006 10 98	79,12
1006 20 11	100,06
1006 20 13	98,90
1006 20 15	98,90
1006 20 17	98,90
1006 20 92	100,06
1006 20 94	98,90
1006 20 96	98,90
1006 20 98	98,90
1006 30 21	127,61
1006 30 23	149,53
1006 30 25	149,53
1006 30 27	149,53
1006 30 42	127,61
1006 30 44	149,53
1006 30 46	149,53
1006 30 48	149,53
1006 30 61	135,91
1006 30 63	160,30
1006 30 65	160,30
1006 30 67	160,30
1006 30 92	135,91
1006 30 94	160,30
1006 30 96	160,30
1006 30 98	160,30
1006 40 00	35,39

COMMISSION REGULATION (EEC) No 2242/92

of 31 July 1992

fixing the amount by which the variable component of the levy applicable to bran and sharps originating in Algeria, Morocco and Tunisia must be reduced

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1512/76 of 24 June 1976 concluding the Agreement in the form of an exchange of letters relating to Article 22 of the Cooperation Agreement and Article 15 of the Interim Agreement between the European Economic Community and the Republic of Tunisia and concerning the import into the Community of bran and sharps originating in Tunisia⁽¹⁾, and in particular the second subparagraph of paragraph 3 of the exchange of letters,

Having regard to Council Regulation (EEC) No 1518/76 of 24 June 1976 concluding the Agreement in the form of an exchange of letters relating to Article 21 of the Cooperation Agreement and Article 14 of the Interim Agreement between the European Economic Community and the People's Democratic Republic of Algeria and concerning the import into the Community of bran and sharps originating in Algeria⁽²⁾, and in particular the second subparagraph of paragraph 3 of the exchange of letters,

Having regard to Council Regulation (EEC) No 1525/76 of 24 June 1976 concluding the Agreement in the form of an exchange of letters relating to Article 23 of the Cooperation Agreement and Article 16 of the Interim Agreement between the European Economic Community and the Kingdom of Morocco and concerning the import into the Community of bran and sharps originating in Morocco⁽³⁾, and in particular the second subparagraph of paragraph 3 of the exchange of letters,

Whereas the Agreement in the form of an exchange of letters annexed to Regulations (EEC) No 1512/76, (EEC) No 1518/76 and (EEC) No 1525/76 provides that the variable component of the levy calculated in accordance with Article 2 of 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⁾, is to be reduced by an amount fixed by the Commission each quarter; whereas this amount must be equal to 60 % of the average of the variable components of the levies in force during the three months preceding the month during which the amount is fixed;

Whereas the variable components applicable to the products falling within CN codes 2302 30 and 2302 40 during April, May and June 1992 have been taken into consideration,

HAS ADOPTED THIS REGULATION:

Article 1

The amount referred to in the second subparagraph of paragraph 3 of the exchange of letters forming the Agreement annexed to Regulations (EEC) No 1512/76, (EEC) No 1518/76 and (EEC) No 1525/76 to be deducted from the variable component applicable to bran and sharps originating in Tunisia, Algeria and Morocco respectively, 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, 31 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 169, 28. 6. 1976, p. 19.

⁽²⁾ OJ No L 169, 28. 6. 1976, p. 37.

⁽³⁾ OJ No L 169, 28. 6. 1976, p. 53.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 182, 3. 7. 1987, p. 49.

ANNEX

to the Commission Regulation of 31 July 1992 fixing the amount by which the variable component of the levy applicable to bran and sharps originating in Algeria, Morocco and Tunisia must be reduced

<i>(ECU/tonne)</i>	
CN code	Amount
2302 30 10	37,31
2302 30 90	79,94
2302 40 10	37,31
2302 40 90	79,94

COMMISSION REGULATION (EEC) No 2243/92

of 31 July 1992

fixing the amount by which the variable component of the levy applicable to
bran and sharps originating in Argentina must be reduced

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

Having regard to Council Regulation (EEC) No 1058/88
of 28 March 1988 on the import of bran, sharps and other
residues derived from the sifting, milling or other working
of cereals other than maize and rice and amending
Regulation (EEC) No 2658/87 on the tariff and statistical
nomenclature and on the Common Customs Tariff⁽¹⁾,
and in particular Article 2 (2) thereof,

Whereas Regulation (EEC) No 1058/88 provides that the
variable component of the levy, calculated in accordance
with Article 2 of Council Regulation (EEC) No 2744/75
of 29 October 1975 on the import and export system for
products processed from cereals and from rice⁽²⁾ as last
amended by Regulation (EEC) No 1906/87⁽³⁾, is to be
reduced by an amount equal to 40 % of the average of
the variable components of the levies applicable to the
product in question in the three months preceding the
months during which that amount is fixed; whereas that
reduction is applicable to products falling within CN
codes 2302 30 10, 2302 30 90, 2302 40 10 and 2302 40 90
for up to a maximum of 550 000 tonnes per year on the
import of the products in question originating in
Argentina and from any other third country which applies
to exports of those products a special tax of an amount

equal to that by which the variable amount of the levy is
reduced and which provides satisfactory proof of payment
of that tax;

Whereas Commission Regulation (EEC) No 1193/88⁽⁴⁾,
as amended by Regulation (EEC) No 84/89⁽⁵⁾, lays down
the detailed rules of application of the special
arrangements for imports of bran, sharps and other
residues, whether or not in the form of pellets, derived
from the sifting, milling or other working of cereals other
than maize and rice falling within CN codes 2302 30 and
2302 40,

HAS ADOPTED THIS REGULATION:

Article 1

The amount referred to in Article 1 of Regulation (EEC)
No 1058/88 by which the variable amount of the levy
applicable to imports of bran, sharps and other residues
originating in Argentina and in any other third country
meeting the conditions laid down in that Article must be
reduced shall be as set out in the Annex.

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, 31 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 104, 23. 4. 1988, p. 1.

⁽²⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽³⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁴⁾ OJ No L 111, 30. 4. 1988, p. 87.

⁽⁵⁾ OJ No L 13, 17. 1. 1989, p. 13.

ANNEX

to the Commission Regulation of 31 July 1992 fixing the amount by which the variable component of the levy applicable to bran and sharps originating in Argentina must be reduced

<i>(ECU/tonne)</i>	
CN code	Amount
2302 30 10	24,87
2302 30 90	53,29
2302 40 10	24,87
2302 40 90	53,29

COUNCIL REGULATION (EEC) No 2244/92**of 27 July 1992****opening, allocating and providing for the administration of a Community tariff quota for prepared or preserved sardines, originating in Morocco, for the period 1 May to 31 December 1992**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas Annex II to the new Agreement on relations in the sea fisheries sector between the European Economic Community and the Kingdom of Morocco, initialled in Brussels on 15 May 1992, states that prepared or preserved sardines falling within CN codes ex 1604 13 10 or ex 1604 20 50 and originating in Morocco shall be imported duty-free into the Community within the limits of a Community tariff quota of 10 000 tonnes (net weight) for the period from 1 May to 31 December 1992;

Whereas, by the Agreement in the form of an Exchange of Letters approved on behalf of the Community by Decision 92/395/EEC⁽¹⁾, the two parties decided to apply the abovementioned new Agreement on a provisional basis;

Whereas, within the limits of the said tariff quota, Spain and Portugal shall apply the customs duties calculated according to the provisions of Council Regulation (EEC) No 3189/88 of 14 October 1988 laying down the arrangements to be applied by Spain and Portugal to trade with Morocco and Syria⁽²⁾;

Whereas equal and continuous access to the quota should be ensured for all Community importers and the rate laid down for the quota should be applied consistently to all imports of the products in question into all the Member States until the quota is exhausted;

Whereas the prepared and preserved sardines sector is encountering, in certain regions of the Community, economic constraints of a particular nature, bearing in mind notably the importance which sardine production may have in the fisheries production structure as a whole, thus justifying the fact that the traditional commercial outlets for producers on external markets and, as a matter of priority, on the Community market, should not be adversely affected; whereas these specific economic circumstances make it necessary to maintain the allocation between the Member States of the quota

concerned for the period during which this Regulation applies;

Whereas, bearing in mind the way in which trade has developed traditionally, the allocation maintained among Member States should, in order to correspond as closely as possible to the real trend of the market for the products in question, be carried out on a pro rata basis according to the needs of the Member States, calculated on the basis of statistics of imports of the said products from Morocco during a representative reference period and on the economic outlook for the quota periods in question;

Whereas, over the last few years, the products in question have been imported regularly only by certain Member States and not at all or only occasionally by the other Member States; whereas, in these circumstances, in the first phase, initial shares should be allocated to the genuine importing Member States and the other Member States should be guaranteed access to the tariff quota when imports actually take place; whereas these arrangements for allocation will equally ensure the uniform collection of the duties applicable;

Whereas, to allow for the trend of imports of the products concerned in the various Member States, the quota volume should be divided into two parts, the first being allocated among certain Member States and the second held as a reserve to cover any subsequent requirements of Member States which have used up their initial shares and any requirements which might arise in the other Member States; whereas, to afford importers in each Member State some degree of certainty, an appropriate level for the first part of the Community quota would, in the present circumstances, be 20 % of the quota volume, the second part, 80 %, constituting the reserve to which shall also be returned any amounts remaining from the shares allocated when the quota volume was divided up;

Whereas, for the period concerned, the initial shares may be used up at different rates in each of the periods concerned; whereas, to provide for this eventuality and to avoid any break in the continuity of supplies, any Member State which has entirely used up its initial share should draw an additional share from the Community reserve; whereas each Member State should effect its drawing whenever its additional share is almost used up, and as many times as the reserve allows; whereas this form of administration requires close cooperation between Member States and the Commission and the latter must be able to monitor the extent to which the quota volume has been used up and to inform the Member States accordingly;

⁽¹⁾ See page 135 of this Official Journal.

⁽²⁾ OJ No L 287, 20. 10. 1988, p. 1.

Whereas if, during the period concerned, the Community reserve is almost completely used up, it is essential that Member States return to the reserve the whole of the unused part of their initial shares and any drawings in order to prevent part of the Community tariff quota remaining unused in one Member State when it could be used in others ;

Whereas since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any operation concerning the adminis-

tration of the quota may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION :

Article 1

From 1 May to 31 December 1992, the customs duty applicable to imports into the Community of the following products, originating in Morocco, shall be suspended at the level indicated and within the limits of a Community tariff quota as shown below :

Order No	CN code (1)	Description	Amount of quota (in tonnes)	Quota duty (%)
09.1101	ex 1604 13 10 ex 1604 20 50	Prepared or preserved sardines of the species <i>Sardina pilchardus</i>	10 000 net weight	0

(1) Taric codes : 1604 13 10*10
1604 20 50*11

Within the limit of this tariff quota, the Kingdom of Spain and the Portuguese Republic shall apply customs duties calculated in accordance with Regulation (EEC) No 3189/88.

Article 2

1. The tariff quota referred to in Article 1 shall be divided into two parts.
2. The first part of the quota, 2 000 tonnes, shall be allocated among certain Member States ; the quota shares, which, subject to Article 4, shall be valid until 31 December 1992, shall be as follows :

	(tonnes)
Benelux	183
Denmark	—
Germany	432
Greece	22
Spain	—
France	840
Ireland	—
Italy	111
Portugal	—
United Kingdom	412
	2 000.

3. The second part of the quota, 8 000 tonnes, shall constitute the Community reserve.

4. If the products concerned are presented in the other Member States along with a declaration of entry into free circulation accepted by the customs authorities, the Member State concerned shall inform the Commission and draw a corresponding amount pursuant to Article 3.

Article 3

When the initial share of a Member State, as fixed in Article 2 (2), has been exhausted, the following provisions shall apply.

If an importer presents, in a Member State, a declaration of entry into circulation for a product covered by this Regulation and if this is accepted by the customs authorities, the Member State concerned shall inform the Commission and draw an amount corresponding to its requirements from the reserve referred to in Article 2 (3).

Requests for drawings, with an indication of the date of acceptance of the said declarations, must be transmitted to the Commission without delay.

The drawing shall be granted by the Commission, by reference to the date of acceptance of the declarations of entry into free circulation by the customs authorities of the Member State concerned, to the extent that the available balance so permits.

If a Member State does not use the quantities drawn, it shall return them as soon as possible to the reserve.

If the quantities requested are greater than the available balance of the reserve, allocation shall be made on a basis proportionate to the requests. Member States shall be so informed by the Commission.

Article 4

Once at least 80 % of the reserve, as defined in Article 2 (3), has been used up, the Commission shall inform the Member States thereof,

It shall also notify Member States in this case of the date from which drawings on the Community reserve must be made according to the provisions laid down in the second subparagraph of Article 3, if these provisions are not already in effect.

Within a time limit fixed by the Commission as from the date referred to in the second subparagraph, Member States shall be required to return to the reserve all their initial shares which have not been used on that date.

Article 5

The Commission shall keep account of the shares opened to Member States pursuant to Articles 2 and 3 and shall inform each Member State of the extent to which the reserve has been used up as soon as it has been notified.

It shall inform the Member States of the amount of the reserve following any return of quota shares pursuant to Article 4.

Article 6

Member States and the Commission shall cooperate closely to ensure that this Regulation is complied with.

Article 7

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 May 1992.

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

Done at Brussels, 27 July 1992.

For the Council

The President

N. LAMONT

COUNCIL REGULATION (EEC) No 2245/92

of 27 July 1992

establishing Community statistical surveillance for certain agricultural products originating in Cyprus, Egypt, Jordan, Israel, Tunisia, Syria, Malta, Morocco and Lebanon which are subject to reference quantities (1992)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113,

Having regard to the proposal from the Commission,

Whereas the Additional Protocols to the Cooperation Agreements between the European Economic Community, of the one part, and Cyprus ⁽¹⁾, Egypt ⁽²⁾, Jordan ⁽³⁾, Israel ⁽⁴⁾, Tunisia ⁽⁵⁾, Syria ⁽⁶⁾, Malta ⁽⁷⁾, Morocco ⁽⁸⁾ and Lebanon ⁽⁹⁾, of the other, have been concluded; whereas these Protocols provide for the progressive reduction, subject to reference quantities and to a Community surveillance within a set timetable, of the customs duties applicable to certain agricultural products originating in those countries and covered by the respective Agreements;

Whereas Council Regulation (EEC) No 451/89 of 20 February 1989 concerning the procedure to be applied to certain agricultural products originating in various Mediterranean third countries ⁽¹⁰⁾ determined the surveillance procedure in question;

Whereas, by Council Regulation (EEC) No 1764/92 of 29 June 1992 amending the arrangements for the import into the Community of certain agricultural products originating in Algeria, Cyprus, Egypt, Israel, Jordan, Lebanon, Malta, Morocco, Syria and Tunisia ⁽¹¹⁾, the Community unilaterally increased the amount of these reference quantities in equal steps of 3 % or 5 % per year starting on 1 January 1992 and whereas for 1992 they have thus reached the levels shown in the Annex;

Whereas, in order to enable the competent departments of the Commission to establish an annual trade balance sheet for each of the products concerned and, if necessary, to put into application the arrangement provided for in Article 3 (1) of Regulation (EEC) No 451/89, these products are subject to a statistical surveillance;

Whereas imports of the products in question are charged against the reference quantities at Community level within pre-established timetables, as and when the

products are entered with the customs authorities for free circulation; whereas, therefore, it is appropriate to establish, in 1992, reference quantities for the products listed in the Annex,

HAS ADOPTED THIS REGULATION:

Article 1

1. Imports into the Community in 1992 of certain products originating in Cyprus, Egypt, Jordan, Israel, Tunisia, Syria, Malta, Morocco and Lebanon shall be subject to reference quantities within the established timetables and to a statistical surveillance.

The description of the products referred to in the first subparagraph, their serial numbers, their CN codes, Taric codes and the quantities and timetable applying to the reference quantities are given in the table in the Annex.

2. Amounts shall be charged by Member States against the reference quantities as and when products are entered with customs authorities for free circulation, accompanied by a movement certificate conforming to the rules laid down in the Protocol concerning the definition of the concept of originating products annexed to each Cooperation Agreement between the European Economic Community of the one part and the countries referred to in the first subparagraph of paragraph 1 of the other.

Where the movement certificate is produced at a later date, the amount shall be charged against the corresponding reference quantity at the date of acceptance of the declaration of release for free circulation.

The extent to which the reference quantities are used up shall be determined at Community level on the basis of the imports charged against them in the manner defined in the first subparagraph, as communicated to the Statistical Office of the European Communities pursuant to Regulations (EEC) No 2658/87 ⁽¹²⁾ and (EEC) No 1736/75 ⁽¹³⁾.

Article 2

The Member States and the Commission shall cooperate closely to ensure that this Regulation is complied with.

⁽¹⁾ OJ No L 393, 31. 12. 1987, p. 2.

⁽²⁾ OJ No L 297, 21. 10. 1987, p. 11.

⁽³⁾ OJ No L 297, 21. 10. 1987, p. 19.

⁽⁴⁾ OJ No L 327, 30. 11. 1988, p. 36.

⁽⁵⁾ OJ No L 297, 21. 10. 1987, p. 36.

⁽⁶⁾ OJ No L 327, 30. 11. 1988, p. 58.

⁽⁷⁾ OJ No L 81, 23. 3. 1989, p. 1.

⁽⁸⁾ OJ No L 224, 13. 8. 1988, p. 18.

⁽⁹⁾ OJ No L 297, 21. 10. 1987, p. 28.

⁽¹⁰⁾ OJ No L 52, 24. 2. 1989, p. 7.

⁽¹¹⁾ OJ No L 181, 1. 7. 1992, p. 9.

⁽¹²⁾ OJ No L 256, 7. 9. 1987, p. 1. Regulation as last amended by Commission Regulation (EEC) No 1039/92 (OJ No L 110, 28. 4. 1992, p. 42), as corrected by Commission Regulation (EEC) No 1590/92 (OJ No L 168, 23. 6. 1992, p. 17).

⁽¹³⁾ OJ No L 183, 14. 7. 1975, p. 3. Regulation last amended by Regulation (EEC) No 1629/88 (OJ No L 147, 14. 6. 1988, p. 1).

Article 3

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 be applicable from 1 January 1992.

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

Done at Brussels, 27 July 1992.

For the Council

The President

N. LAMONT

ANNEX

Serial No	CN code	Taric code	Description (a)	Timetable	Origin	Reference quantity (in tonnes)
(1)	(2)	(3)	(4)	(5)	(6)	(7)
18.0010	ex 0701 90 51	0701 90 51*10 0701 90 51*20	New potatoes	1. 1.-31. 3.	Tunisia	2 678
18.0015	0701 90 51 ex 0701 90 59 }	0701 90 59*10	New potatoes	1. 1.-15. 5. 16. 5.-31. 5.	Malta	3 090
18.0030	ex 0703 20 00	0703 20 00*10 0703 20 00*20 0703 20 00*30	Garlic	1. 2.-31. 5.	Egypt	1 680
18.0040	ex 0707 00 11	0707 00 11*12	Cucumbers of a length not exceeding 15 cm	1. 1.-28. 2. 1. 1.-28. 2. 1. 1.-28. 2.	Egypt Jordan Malta	105 105 52
18.0050	ex 0709 10 00	0709 10 00*10 0709 10 00*20	Artichokes	1. 10.-31. 12. 1. 10.-31. 12.	Egypt Cyprus	105 105
18.0060	ex 0709 30 00	0709 30 00*20 0709 30 00*30	Aubergines (egg-plants)	15. 1.-30. 4.	Israel	1 260
18.0070	0709 60 10		Sweet peppers	1. 1.-31. 12.	Morocco	1 050
18.0080	0712 20 00		Onions, dried	1. 1.-31. 12.	Syria	735
18.0090	ex 0712 90 90	0712 90 90*20	Garlic, dried	1. 1.-31. 12.	Egypt	1 050
18.0100	0713 10 11 0713 10 19		Peas, for sowing	1. 1.-31. 12.	Morocco	420
18.0110	0713 10 90 0713 20 90 0713 31 90 0713 32 90 0713 33 90 0713 39 90 0713 40 90 0713 50 90 0713 90 90		Dried leguminous vegetables	1. 1.-31. 12.	Lebanon	2 310
18.0120	0804 40 10 0804 40 90 }		Avocados	1. 1.-31. 12.	Israel	32 550
18.0130	ex 0806 10 15	0806 10 15*50 0806 10 15*60 0806 10 15*70 0806 10 15*80 0806 10 15*91	Fresh table grapes	1. 2.-30. 6.	Israel	1 995
18.0140	ex 0807 10 90	0807 10 90*13 0807 10 90*33	Melons of a weight not exceeding 600 grams	1. 1.-31. 3. 1. 1.-31. 3.	Egypt Jordan	105 105
18.0150	ex 0810 90 10	0810 90 10*10	Kiwifruit (<i>Actinidia Chinensis Planch.</i>)	1. 1.-30. 4. 1. 1.-30. 4. 1. 1.-30. 4.	Israel Cyprus Morocco	210 210 210
18.0160	ex 0812 90 90	0812 90 90*11 0812 90 90*20	Citrus fruit comminuted	1. 1.-31. 12.	Israel	1 155
18.0190	2008 30 51 2008 30 71		Grapefruit segments	1. 1.-31. 12.	Israel	14 385

Serial No	CN code	Taric code	Description (a)	Timetable	Origin	Reference quantity (in tonnes)
(1)	(2)	(3)	(4)	(5)	(6)	(7)
18.0200	2008 50 61 2008 50 69		Apricots	1. 1.—31. 12.	Morocco	6 615
18.0210	ex 2008 30 79	2008 30 79*10 2008 30 79*20	Grapefruit Oranges and lemons comminuted	1. 1.—31. 12.	Israel	2 100
18.0220	ex 2008 30 91	2008 30 91*11 2008 30 91*12 2008 30 91*13 2008 30 91*19 2008 30 91*91 2008 30 91*92	Grapefruit segments Grapefruit Pulp of citrus fruit Citrus fruit comminuted	1. 1.—31. 12.	Israel	3 045
18.0230	ex 2008 50 99 ex 2008 70 99	2008 50 99*10 2008 70 99*10	Apricots and peaches in halves (including nectarine halves)	1. 1.31. 12.	Morocco	6 300
18.0240	2009 20 11 2009 20 19 2009 20 99		Grapefruit juice	1. 1.—31. 12.	Israel	30 135
18.0245	2009 20 99		Grapefruit juice	1. 1.—31. 12.	Morocco	840

(a) Notwithstanding the rules for the interpretation of the combined nomenclature, the wording for the designation of the products is to be considered as having no more than an indicative value, the preferential scheme being determined, within the context of this Annex, by the application of the CN code. Where ex CN code positions are indicated, the preferential scheme is to be determined by application of the CN code and corresponding description taken together.

COUNCIL REGULATION (EEC) No 2246/92

of 27 July 1992

opening and providing for the administration of Community tariff quotas for certain agricultural products originating in Cyprus, Morocco, Israel, Tunisia and Egypt (1992/93)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas the relevant articles and the Additional Protocols to the Agreements between the European Economic Community, on the one hand, and the Kingdom of Morocco ⁽¹⁾, the State of Israel ⁽²⁾, the Tunisian Republic ⁽³⁾ and the Arab Republic of Egypt ⁽⁴⁾, on the other, and the Protocol defining the conditions and procedures for the implementation of the second stage of the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus and adapting certain provisions of the Agreement ⁽⁵⁾ provide for the opening of Community tariff quotas for:

- 86 000 tonnes of tomatoes, fresh or chilled, falling within CN code ex 0702 00 10 originating in Morocco (15 November to 30 April), of which 15 000 tonnes in April,
- 300 tonnes of aubergines, falling within CN code ex 0709 30 00 originating in Cyprus (1 October to 30 November),
- 100 tonnes, 450 tonnes and 100 tonnes of Chinese cabbage, falling within CN code ex 0704 90 90 originating in Morocco, Israel and Cyprus respectively (1 November to 31 December),
- 100, 250 and 100 tonnes of 'iceberg' lettuce, falling within CN codes ex 0705 11 10 and ex 0705 11 90 originating in Morocco, Israel and Cyprus respectively (1 November to 31 December),
- 265 000 tonnes, 293 000 tonnes and 7 000 tonnes of oranges, fresh, falling within CN code ex 0805 10 originating in Morocco, Israel, Tunisia and Egypt respectively (1 July to 30 June),
- 14 200 tonnes and 110 000 tonnes of fresh mandarins, clementines etc, falling within CN code ex 0805 20 originating in Israel and Morocco respectively (1 July to 30 June);

Whereas, however, the quotas relating to Cyprus must be increased in equal steps of 5 % per annum, starting with

the entry into force of the abovementioned Protocol, by virtue of its Articles 18 and 19; whereas for 1992 they will therefore be at the levels indicated in Article 1;

Whereas the volumes of the tariff quotas for the other countries covered by this Regulation must be increased annually by 3 or 5 % according to the products, pursuant to Council Regulation (EEC) No 1764/92 of 29 June 1992 amending the arrangements for the import into the Community of certain agricultural products originating in Algeria, Cyprus, Egypt, Israel, Jordan, Lebanon, Malta, Morocco, Syria and Tunisia ⁽⁶⁾;

Whereas, under these tariff quotas, customs duties are to be abolished progressively:

- over the same periods and in accordance with the same timetables as laid down in Articles 75 and 268 of the Act of Accession of Spain and Portugal in the case of the tariff quotas opened for Morocco, Israel, Tunisia and Egypt,
- in accordance with the timetable and conditions laid down in Articles 5 and 16 of the abovementioned Protocol and Cyprus in the case of the tariff quotas opened for Cyprus;

Whereas, pursuant to Regulation (EEC) No 1764/92, it is appropriate to abolish on 1 January 1993 the customs duties applicable to products covered by Annex II of the Treaty and originating in the Mediterranean third countries concerned and in respect of which it was provided that tariff dismantling would continue after 1 January 1993;

Whereas Council Regulations (EEC) No 4162/87 of 21 December 1987 laying down arrangements for Spain's and Portugal's trade with Israel ⁽⁷⁾, (EEC) No 3189/88 of 14 October 1988 laying down the arrangements to be applied by Spain and Portugal to trade with Morocco and Syria ⁽⁸⁾ and (EEC) No 2573/87 of 11 August 1987 laying down the arrangements for trade between Spain and Portugal on the one hand and Algeria, Egypt, Jordan, Lebanon, Tunisia and Turkey on the other ⁽⁹⁾ and the Protocol to the Agreement establishing an association between the European Economic Community and the Republic of Cyprus consequent on the accession of the Kingdom of Spain and the Portuguese Republic to the Community ⁽¹⁰⁾ provide that Spain and Portugal shall

⁽¹⁾ OJ No L 224, 13. 8. 1988, p. 18.

⁽²⁾ OJ No L 327, 30. 11. 1988, p. 36.

⁽³⁾ OJ No L 265, 27. 9. 1978, p. 2.

⁽⁴⁾ OJ No L 266, 27. 9. 1978, p. 2.

⁽⁵⁾ OJ No L 393, 31. 12. 1987, p. 2.

⁽⁶⁾ OJ No L 181, 1. 7. 1992, p. 9.

⁽⁷⁾ OJ No L 396, 31. 12. 1987, p. 1.

⁽⁸⁾ OJ No L 287, 20. 10. 1988, p. 1.

⁽⁹⁾ OJ No L 250, 1. 9. 1987, p. 1.

⁽¹⁰⁾ OJ No L 393, 31. 12. 1987, p. 37.

apply duties which progressively reduce the gap between the base duty rates and the preferential duty rates, whereas the Community tariff quotas in question should therefore be opened for the periods mentioned in Article 1;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any operation concerning the administration of these quotas may be carried out by any of its members,

HAS ADOPTED THIS REGULATION:

Whereas, all Community importers should be ensured equal and continuous access to the said quotas and the duty rates laid down for the quotas should be applied consistently to all imports of the products in question into all Member States until the quotas are exhausted; whereas the necessary measures should be taken to provide for effective Community management of the quotas, so that the Member States may draw against the quotas such quantities as they may need, corresponding to actual imports; whereas this method of administration requires close cooperation between the Member States and the Commission;

Article 1

The customs duties applicable to imports into the Community of the products listed below originating in Cyprus, Morocco, Israel, Tunisia and Egypt shall be suspended during the periods, at the levels and within the limits of the Community tariff quotas shown below.

Order No	CN code (a)	Description	Origin	Quota volume (in tonnes)	Rate of (duty %)
(1)	(2)	(3)	(4)	(5)	(6)
09.1117	ex 0702 00 10	Tomatoes fresh or chilled, from 15 November 1992 to 30 April 1993	Morocco	90 462	— from 15 de November to 31 December : ECU 0,3/100 kg/net (1) — from 1 January to 30 April : 0
09.1118	ex 0702 00 10	Of which : Tomatoes, fresh or chilled, from 1 to 30 April 1993	Morocco	15 900	0
09.1405	ex 0709 30 00	Aubergines, from 1 October to 30 November 1992	Cyprus	378	0
09.1109 09.1311 09.1425	ex 704 90 90	Chinese cabbage, from 1 November to 31 December 1992	Morocco Israel Cyprus	105 472 126	3,4 3,4 4,8
09.1111 09.1313	ex 0705 11 10 ex 0705 11 90	'Iceberg' lettuce (<i>Lactuca sativa</i> L. <i>capitata</i> L.) from 1 November to 31 December 1992	Morocco Israel	105 262	— from 1 to 10 November : 2,5 MIN : ECU 0,4/100 kg/gross — from 1 to 31 December : 2,1 MIN : ECU 0,2/100 kg/gross
09.1427			Cyprus	126	— from 1 to 30 November : 4,8 MIN : ECU 0,8/100 kg/gross — from 1 to 31 December : 4,1 MIN : ECU 0,5/100 kg/gross

Order No	CN code (a)	Description	Origin	Quota volume (in tonnes)	Rate of (duty %)
(1)	(2)	(3)	(4)	(5)	(6)
09.1323	0805 10 11 0805 10 15 0805 10 19	Fresh oranges from 1 July 1992 to 30 June 1993	Israel Egypt	306 185 7 315	} 0
09.1707	0805 10 21 0805 10 25 0805 10 29				
	0805 10 31 0805 10 35 0805 10 39				
	0805 10 41 0805 10 45 0805 10 49				
	ex 0805 10 70				
	ex 0805 10 90				
09.1121 09.1207	0805 10 11 0805 10 15 0805 10 19	Fresh oranges from 1 July 1992 to 30 June 1993	Morocco Tunisia	277 640 29 335	} 0
	0805 10 21 0805 10 25 0805 10 29				
	0805 10 31 0805 10 35 0805 10 39				
	ex 0805 10 41 ex 0805 10 45 ex 0805 10 49				
	ex 0805 10 70				
	ex 0805 10 90				
09.1325	ex 0805 20 10 ex 0805 20 30 ex 0805 20 50 ex 0805 20 70 ex 0805 20 90	Mandarins (including tangerines and satsumas); clementines, wilkings and similar citrus hybrids, fresh, from 1 July 1992 to 30 June 1993	Israel	14 839	} — from 1 July to 31 December 1992: 3,3 — from 1 January to 30 June 1993: 0
	ex 0805 20 90	Minneolas, fresh from 1 July 1992 to 30 June 1993			

Order No	CN code (a)	Description	Origin	Quota volume (in tonnes)	Rate of (duty %)
(1)	(2)	(3)	(4)	(5)	(6)
09.1129	ex 0805 20 10 ex 0805 20 30 ex 0805 20 50 ex 0805 20 70 ex 0805 20 90 ex 0805 20 90	Mandarins (including, tangerines and satsumas), clementines, wilkings and similar citrus hybrids, fresh, from 1 July 1992 to 30 June 1993 Minneolas, fresh from 1 July 1992 to 30 June 1993	Morocco	114 950	— from 1 July to 31 December 1992 : 3,3 — from 1 January to 30 June 1993 : 0 0

(a) See Taric codes in the Annex.

(¹) This specific customs duty is only levied when it exceeds 2 % *ad valorem*.

Within the limits of these tariff quotas, the Kingdom of Spain and the Portuguese Republic shall apply customs duties calculated in accordance with the relevant provisions of Regulations (EEC) No 4162/87, (EEC) No 3189/88 and (EEC) No 2573/87 and of the Protocol to the Agreement establishing an association between the European Economic Community and the Republic of Cyprus consequent on the accession of Spain and Portugal to the Community.

Article 2

The tariff quotas referred to in Article 1 shall be managed by the Commission, which may take all appropriate administrative measures in order to ensure effective management thereof.

The drawings shall be granted by the Commission by reference to the date of acceptance of the declarations of entry for free circulation by the customs authorities of the Member States concerned, to the extent that the available balance so permits.

If a Member State does not use the quantities drawn, it shall return them as soon as possible to the corresponding quota amount.

If the quantities requested are greater than the available balance of the quota amount, the requests shall be met on a pro-rata basis. Member States shall be informed by the Commission of the drawings made.

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

Done at Brussels, 27 July 1992.

Article 3

If an importer presents in a Member State a declaration of entry for free circulation, including a request for preferential benefit for a product covered by this Regulation, and if this declaration is accepted by the customs authorities, the Member State concerned shall inform the Commission and draw an amount corresponding to its requirements from the corresponding quota amount.

Requests for drawings, indicating the date of acceptance of the said declarations, must be transmitted to the Commission without delay.

Article 4

Each Member State shall ensure that importers of the products concerned have equal and continuous access to the quotas for such time as the residual balance of the quota volumes so permits.

Article 5

The Member States and the Commission shall cooperate closely to ensure that this Regulation is complied with.

Article 6

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

It shall apply as from 1 July 1992.

For the Council

The President

N. LAMONT

ANNEX

Taric code

Order No	CN code	Taric Code
09.1117	ex 0702 00 10	0702 00 10*21 0702 00 10*29 0702 00 10*31 0702 00 10*39 0702 00 10*41 0702 00 10*49 0702 00 10*51 0702 00 10*59 0702 00 10*61 0702 00 10*69 0702 00 10*71 0702 00 10*79 0702 00 10*81 0702 00 10*84
09.1118	ex 0702 00 10	0702 00 10*71 0702 00 10*79 0702 00 10*81 0702 00 10*84
09.1405	ex 0709 30 00	0709 30 00*50
09.1109 09.1311 09.1425	ex 0704 90 90	0704 90 90*92
09.1111 09.1313 09.1427	ex 0705 11 10 ex 0705 11 90	0705 11 10*35 0705 11 90*11
09.1323 09.1707	ex 0805 10 70 ex 0805 10 90	0805 10 70*11 0805 10 70*13 0805 10 70*14 0805 10 70*18 0805 10 90*11 0805 10 90*19
09.1121 09.1207	ex 0805 10 41 ex 0805 10 45 ex 0805 10 49 ex 0805 10 70 ex 0805 10 90	0805 10 41*13 *18 *98 0805 10 45*13 *18 *98 0805 10 49*13 *18 *98 0805 10 70*11 *13 0805 10 90*19
09.1325	ex 0805 20 10 ex 0805 20 30	0805 20 10*31 0805 20 10*33 0805 20 10*35 0805 20 10*38 *39 0805 20 30*31 0805 20 30*33 0805 20 30*35 0805 20 30*38 *39

Order No	CN code	Taric Code
09.1325	ex 0805 20 50	0805 20 50*31
		0805 20 50*33
		0805 20 50*35
		0805 20 50*38
	ex 0805 20 70	*39
		0805 20 70*31
		0805 20 70*33
		0805 20 70*35
	ex 0805 20 90	0805 20 70*38
		*39
		0805 20 90*51
		0805 20 90*53
09.1325	ex 0805 20 90	0805 20 90*55
		0805 20 90*58
		*59
		0805 20 90*11
		0805 20 90*15
09.1129	ex 0805 20 10	0805 20 90*16
		0805 20 90*17
		*18
		0805 20 10*31
	ex 0805 20 30	*33
		*35
		*38
		*39
	ex 0805 20 50	0805 20 30*31
		*33
		*35
		*38
	ex 0805 20 70	*39
		0805 20 50*31
		*33
		*35
	ex 0805 20 90	*38
		*39
		0805 20 70*31
		*33
	ex 0805 20 90	*35
		*38
		*39
		0805 20 90*51
	ex 0805 20 90	*53
		*55
		*58
		*59
	ex 0805 20 90	0805 20 90*11
		*15
		*16
		*17
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II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 20 July 1992

on the conclusion of an Agreement in the form of an exchange of letters concerning the provisional application of the Agreement on relations in the sea fisheries sector between the European Economic Community and the Kingdom of Morocco initialled in Brussels on 15 May 1992

(92/395/EEC)

THE COUNCIL 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 155 (2) (b) thereof,

Having regard to the Agreement on relations in the sea fisheries sector between the European Economic Community and the Kingdom of Morocco signed in Rabat on 25 May 1988 ⁽¹⁾,

Having regard to the proposal from the Commission,

Whereas the Community and the Kingdom of Morocco began negotiations pursuant to Article 12 (2) of the Agreement to determine the arrangements to apply after expiry of the Agreement, which meanwhile was provisionally extended until 30 April 1992 ⁽²⁾;

Whereas following those negotiations the Community and the Kingdom of Morocco initialled a new Agreement on their relations in the sea fisheries sector which ensures fishing opportunities for Community fishermen in the waters over which Morocco has sovereignty or jurisdiction;

Whereas, pursuant to Article 155 (2) (b) of the Act of Accession, the Council is required to determine the procedures appropriate to take into consideration all or part of the interests of Ceuta and Melilla when it adopts decisions, case by case, particularly with a view to the conclusion of fisheries agreements with third countries; whereas the said procedures need to be determined in this particular case;

Whereas, in order to avoid a long interruption in the fishing activities of Community vessels, the two Parties also initialled an exchange of letters providing for the provisional application of the Agreement from 1 May 1992; whereas it is therefore urgent that this exchange of letters be concluded as soon as possible, pending the conclusion of the Agreement in accordance with Articles 43 and 113 of the Treaty,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement in the form of an exchange of letters concerning the provisional application of the Agreement on relations in the sea fisheries sector between the European Economic Community and the Kingdom of Morocco is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Decision.

⁽¹⁾ OJ No L 181, 12. 7. 1988, p. 1.

⁽²⁾ OJ No L 91, 7. 4. 1992, p. 27.

Article 2

In order to take into consideration the interests of Ceuta and Melilla, the Agreement and, to the extent required for its application, the provisions of the common fisheries policy relating to the conservation and management of fishery resources shall also apply to vessels flying the flag of Spain which are recorded on a permanent basis in the registers of the competent authorities at local level (registros de base) in Ceuta and Melilla, under the conditions defined in note 6 of Annex I to Council Regulation (EEC) No 1135/88 of 7 March 1988 concerning the definition of the concept of 'originating products' and methods of administrative cooperation in trade between the customs territory of the Community, Ceuta, Melilla and the Canary Islands ⁽¹⁾.

Article 3

The President of the Council is hereby authorized to designate the persons empowered to sign the Agreement in the form of an exchange of letters in order to bind the Community ⁽²⁾.

Done at Brussels, 20 July 1992.

For the Council

The President

D. HURD

⁽¹⁾ OJ No L 114, 2. 5. 1988, p. 1.

⁽²⁾ The date of entry into force of the Agreement will be published in the *Official Journal of the European Communities* by the General Secretariat of the Council.

AGREEMENT

in the form of an exchange of letters concerning the provisional application of the agreement on relations in the sea fisheries sector between the European Economic Community and the Kingdom of Morocco initialled in Brussels on 15 May 1992

A. Letter from the Community

Sir,

With reference to the Agreement on relations in the sea fisheries sector between the European Economic Community and the Kingdom of Morocco, initialled in Brussels on 15 May 1992, I have the honour to inform you that the European Economic Community is ready to apply this Agreement on a provisional basis from 1 May 1992, pending the entry into force of the Agreement, in accordance with Article 15 thereof, provided that the Kingdom of Morocco is disposed to do the same.

This is on the understanding that the first annual instalment of the financial compensation specified in Articles 2, 3.1 and 4.1 of the Protocol to the Agreement shall be paid by 31 October 1992.

Until fishing licences are issued in accordance with the provisions of the Agreement, vessels flying the flag of a Community Member State that held a licence to fish in Moroccan waters on 30 April 1992 shall be authorized to fish within the limits set out in the Protocol to the Agreement and in accordance with the conditions laid down in Annex I thereto until 30 June 1992. In this case, the fees, licence fees and observers' expenses shall be paid no later than 30 June 1992 in accordance with sections B, C, D and G of Annex I to the Agreement.

I should be obliged if you would acknowledge receipt of this letter on such provisional application and confirm your agreement with its contents.

Please accept, Sir, the assurance of my highest consideration.

*On behalf of the
Council of the European Communities*

B. Letter from the Government of the Kingdom of Morocco

Sirs,

I am in receipt of your letter of today's date which reads as follows :

'With reference to the Agreement on relations in the sea fisheries sector between the European Economic Community and the Kingdom of Morocco, initialled in Brussels on 15 May 1992, I have the honour to inform you that the European Economic Community is ready to apply this Agreement on a provisional basis from 1 May 1992, pending the entry into force of the Agreement in accordance with Article 15 thereof, provided that the Kingdom of Morocco is disposed to do the same.

This is on the understanding that the first annual instalment of the financial compensation specified in Articles 2, 3.1 and 4.1 of the Protocol to the Agreement shall be paid by 31 October 1992.

Until fishing licences are issued in accordance with the provisions of the Agreement, vessels flying the flag of a Community Member State that held a licence to fish in Moroccan waters on 30 April 1992 shall be authorized to fish within the limits set out in the Protocol to the Agreement and in accordance with the conditions laid down in Annex I thereto until 30 June 1992. In this case, the fees, licence fees and observers' expenses shall be paid not later than 30 June 1992 in accordance with sections B, C, D and G of Annex I to the Agreement.

I should be obliged if you would acknowledge receipt of this letter on such provisional application, and confirm your agreement with its contents.'

I have the honour to confirm that the contents of your letter are acceptable to the Government of the Kingdom of Morocco and that your letter and this one constitute an Agreement in accordance with your proposal.

Please accept, Sir, the assurance of my highest consideration.

*For the
Government of the Kingdom of Morocco*
