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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 2282/92

of 3 August 1992

opening and providing for the administration of a Community tariff quota for herring, fresh or chilled, originating in Sweden

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 Act of Accession of Spain and Portugal,

Having regard to the proposal from the Commission,

Whereas an Agreement between the European Economic Community and the Kingdom of Sweden was concluded on 22 July 1972; whereas, following the accession of Spain and Portugal, an Agreement in the form of an Exchange of Letters was concluded between the European Economic Community and the Kingdom of Sweden on the agricultural and fisheries sector; whereas this Agreement was adopted by Decision 86/558/EEC⁽¹⁾;

Whereas this Agreement provides for the opening, over a period to be determined by common accord, of a 20 000 tonne duty-free Community tariff quota for herring, fresh or chilled, whole, headless or in pieces, originating in Sweden; whereas, therefore, the tariff quota in question should be opened for the period 15 August 1992 to 14 February 1993;

Whereas equal and continuous access to the quota should be ensured for all Community importers and the rate of

levy for the tariff quota should be applied consistently to all imports until the quota is used up; whereas, it is appropriate to take the necessary measures to ensure efficient Community administration of this tariff quota while offering the Member States the opportunity to draw from the quota volume the necessary quantities corresponding to actual imports; whereas this method of administration requires close cooperation between the Member States and the Commission;

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, all transactions concerning the administration of this quota may be carried out by one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 15 August 1992 to 14 February 1993 the Common Customs Tariff duty on the following products shall be suspended at the level and within the time limit of the Community tariff quota as shown herewith:

Order No	CN code (¹)	Description	Amount of quota (in tonnes)	Quota duty (%)
09.0615	ex 0302 40 90 ex 0304 10 93 ex 0304 10 98	Herring and meat of herring, fresh or chilled, originating in Sweden	20 000	0 (²)

(¹) Taric codes: ex 0302 40 90 * 20, ex 0304 10 93 * 20, ex 0304 10 98 * 16.

(²) However, within the limits of this quota, Portugal shall benefit from a reduced duty of 1,9 % in 1991 and 0 % in 1992.

(¹) OJ No L 328, 22. 11. 1986, p. 89.

2. Imports of the products in question shall not benefit from the tariff quotas referred to in paragraph 1 unless the free-at-frontier prices, which are determined by the Member States according to Article 21 of Council Regulation (EEC) No 3796/81 of 29 December 1981 on the common organization of the market in fishery products⁽¹⁾, are at least equal to the reference prices if such prices have been fixed or are to be fixed by the Community for the product under consideration or the levy of the products concerned. For the calculation of the reference price, the following coefficients shall be applicable:

- whole herring: 1,
- flaps of herring: 2,32,
- pieces of herring: 1,96.

3. The Protocol on the definition of the concept of originating products and on methods of administrative cooperating, annexed to the Agreement between the European Economic Community and Sweden, shall be applicable.

Article 2

The tariff quota referred to in Article 1 shall be administered by the Commission, which may take all appropriate administrative measures in order to ensure effective administration thereof.

Article 3

If an importer presents, in a Member State, a declaration of entry into 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 quota amount.

The drawing requests, with indication of the date of acceptance of the said declarations, must be transmitted to the Commission without delay.

The drawings are granted by the Commission by reference to the date of acceptance of the declaration 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 quota amount.

If the quantities requested are greater than the available balance of the quota amount, allocation shall be made on a pro rata basis with respect to the requests. Member States shall be informed by the Commission thereof.

Article 4

Each Member State shall ensure that importers of the products concerned have equal and continuous access to the quota for such time as the residual balance of the quota volume so permits.

Article 5

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

Article 6

This Regulation shall enter into force on 15 August 1992.

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

Done at Brussels, 3 August 1992.

For the Council

The President

N. LAMONT

⁽¹⁾ OJ No L 379, 31. 12. 1981, p. 1. Last amended by Regulation (EEC) No 2886/89, (OJ No L 282, 2. 10. 1989, p. 1).

COMMISSION REGULATION (EEC) No 2283/92

of 5 August 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 4 August 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 6 August 1992.

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

Done at Brussels, 5 August 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 5 August 1992 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CN code	Levy (°)
0709 90 60	150,14 (°) (°)
0712 90 19	150,14 (°) (°)
1001 10 10	161,09 (°) (°) (°)
1001 10 90	161,09 (°) (°) (°)
1001 90 91	146,38
1001 90 99	146,38 (°)
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	150,14 (°) (°)
1005 90 00	150,14 (°) (°)
1007 00 90	153,23 (°)
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	217,89 (°) (°)
1102 10 00	228,55 (°)
1103 11 10	262,59 (°) (°)
1103 11 90	235,16 (°)

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

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

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

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

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

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

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

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

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

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

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

COMMISSION REGULATION (EEC) No 2284/92

of 5 August 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 4 August 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 6 August 1992.

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

Done at Brussels, 5 August 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 5 August 1992 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CN code	<i>(ECU/tonne)</i>			
	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

CN code	<i>(ECU/tonne)</i>				
	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 2285/92

of 5 August 1992

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

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

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

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

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

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

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

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

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

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

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

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 6, 11. 1. 1992, p. 19.

⁽³⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁴⁾ OJ No L 167, 26. 6. 1976, p. 13.

⁽⁵⁾ OJ No L 89, 10. 4. 1968, p. 3.

⁽⁶⁾ OJ No L 50, 4. 3. 1970, p. 1.

⁽⁷⁾ OJ No L 176, 30. 6. 1992, p. 31.

⁽⁸⁾ OJ No L 151, 3. 6. 1992, p. 4.

⁽⁹⁾ OJ No L 205, 22. 7. 1992, p. 2.

⁽¹⁰⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽¹¹⁾ OJ No L 201, 31. 7. 1990, p. 9.

HAS ADOPTED THIS REGULATION :

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

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

Article 1

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

Article 2

This Regulation shall enter into force on 6 August 1992.

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

Done at Brussels, 5 August 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 5 August 1992 fixing the export refunds on white sugar and raw sugar exported in its unaltered state

Product code	<i>(ECU)</i> Amount of refund	
	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 ⁽¹⁾	0,4006
1701 11 90 910	35,20 ⁽¹⁾	
1701 11 90 950	⁽²⁾	
1701 12 90 100	36,85 ⁽¹⁾	
1701 12 90 910	35,20 ⁽¹⁾	
1701 12 90 950	⁽²⁾	
1701 91 00 000		0,4006
1701 99 10 100	40,06	0,4006
1701 99 10 910	40,42	
1701 99 10 950	38,92	
1701 99 90 100		

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

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

COMMISSION REGULATION (EEC) No 2286/92

of 5 August 1992

fixing the import levy on molasses

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

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

Whereas the import levy on molasses was fixed by Commission Regulation (EEC) No 1887/92⁽³⁾, as last amended by Regulation (EEC) No 2151/92⁽⁴⁾;

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

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽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 28 July 1992,

HAS ADOPTED THIS REGULATION:

Article 1

1. The import levy referred to in Article 16 (1) of Regulation (EEC) No 1785/81 shall be, in respect of molasses falling within CN codes 1703 10 00 and 1703 90 00, ECU 0,95 per 100 kilograms.

2. However, no import levy applies to OCT originating products according to Article 101 (1) of Council Decision 91/482/EEC⁽⁷⁾.

Article 2

This Regulation shall enter into force on 6 August 1992.

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

Done at Brussels, 5 August 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 6, 11. 1. 1992, p. 19.

⁽³⁾ OJ No L 189, 9. 7. 1992, p. 34.

⁽⁴⁾ OJ No L 214, 30. 7. 1992, p. 29.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁷⁾ OJ No L 263, 19. 9. 1991, p. 1.

COMMISSION REGULATION (EEC) No 2287/92

of 5 August 1992

amending Regulation (EEC) No 1301/92 increasing to 1 200 000 tonnes the quantity of bread-making wheat held by the German intervention agency for which a standing invitation to tender for export has been opened

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1738/92⁽²⁾, and in particular Article 7 (6) thereof,

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

Whereas Commission Regulation (EEC) No 1301/92⁽⁵⁾, as last amended by Regulation (EEC) No 2096/92⁽⁶⁾, opened a standing invitation to tender for the export of 1 000 000 tonnes of bread-making wheat held by the German intervention agency; whereas, in a communication of 30 July 1992, Germany informed the Commission of the intention of its intervention agency to increase by 200 000 tonnes the quantity for which a standing invitation to tender for export has been opened; whereas the total quantity of bread-making wheat held by the German intervention agency for which a standing invitation to tender for export has been opened should be increased to 1 200 000 tonnes;

Whereas this increase in the quantity put out to tender makes it necessary to alter the list of regions and quantities in store; whereas Annex I to Regulation (EEC) No 1301/92 must therefore be amended;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 2 of Regulation (EEC) No 1301/92 is replaced by the following:

Article 2

1. The invitation to tender shall cover a maximum of 1 200 000 tonnes of bread-making wheat to be exported to all third countries.

2. The regions in which the 1 200 000 tonnes of bread-making wheat are stored are stated in Annex I to this Regulation.

Article 2

Annex I to Regulation (EEC) No 1301/92 is replaced by the Annex hereto.

Article 3

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

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

Done at Brussels, 5 August 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽³⁾ OJ No L 202, 9. 7. 1982, p. 23.

⁽⁴⁾ OJ No L 288, 18. 10. 1991, p. 21.

⁽⁵⁾ OJ No L 139, 22. 5. 1992, p. 24.

⁽⁶⁾ OJ No L 210, 25. 7. 1992, p. 12.

ANNEX

ANNEX I

(tonnes)	
Place of storage	Quantity
Schleswig-Holstein/Hamburg	260 880
Lower Saxony/Bremen	257 026
North-Rhine Westphalia	129 420
Hesse	30 158
Rheinland-Palatinate	38 743
Baden-Württemberg	35 616
Bavaria	219 002
Berlin/Brandenburg	27 495
Mecklenburg-Upper Pomerania	41 090
Saxony	14 041
Saxony-Anhalt	105 820
Thüringia	35 639
Saarland	5 000'

COMMISSION REGULATION (EEC) No 2288/92

of 5 August 1992

amending Regulation (EEC) No 1306/92 increasing to 2 000 000 tonnes the quantity of bread-making wheat held by the French intervention agency for which a standing invitation to tender for export has been opened

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1738/92⁽²⁾, and in particular Article 7 (6) thereof,

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

Whereas Commission Regulation (EEC) No 1306/92⁽⁵⁾, as last amended by Regulation (EEC) No 2096/92⁽⁶⁾, opened a standing invitation to tender for the export of 1 500 000 tonnes of bread-making wheat held by the French intervention agency; whereas, in a communication of 30 July 1992, France informed the Commission of the intention of its intervention agency to increase by 500 000 tonnes the quantity for which a standing invitation to tender for export has been opened; whereas the total quantity of bread-making wheat held by the French intervention agency for which a standing invitation to tender for export has been opened should be increased to 2 000 000 tonnes;

Whereas this increase in the quantity put out to tender makes it necessary to alter the list of regions and quantities in store; whereas Annex I to Regulation (EEC) No 1306/92 must therefore be amended;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 2 of Regulation (EEC) No 1306/92 is replaced by the following:

Article 2

1. The invitation to tender shall cover a maximum of 2 000 000 tonnes of bread-making wheat to be exported to all third countries.

2. The regions in which the 2 000 000 tonnes of bread-making wheat are stored are stated in Annex I to this Regulation.

Article 2

Annex I to Regulation (EEC) No 1306/92 is replaced by the Annex hereto.

Article 3

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

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

Done at Brussels, 5 August 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽³⁾ OJ No L 202, 9. 7. 1982, p. 23.

⁽⁴⁾ OJ No L 288, 18. 10. 1991, p. 21.

⁽⁵⁾ OJ No L 139, 22. 5. 1992, p. 39.

⁽⁶⁾ OJ No L 210, 25. 7. 1992, p. 12.

ANNEX

ANNEX I

(tonnes)	
Place of storage	Quantity
Amiens	155 000
Bordeaux	60 000
Châlons	457 000
Dijon	62 000
Lille	136 000
Nancy	96 000
Nantes	90 000
Orléans	416 000
Paris	138 000
Poitiers	147 000
Rennes	25 000
Rouen	127 000
Toulouse	85 000
Clermont-Ferrand	6 000

COMMISSION REGULATION (EEC) No 2289/92

of 4 August 1992

laying down further transitional measures to support the market for beef in Spain

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

Whereas the period laid down in Article 90 of the Act of Accession was extended to 31 December 1992 by Council Regulation (EEC) No 477/92⁽¹⁾;

Whereas Commission Regulation (EEC) No 1320/92 of 22 May 1990 laying down further transitional measures to support the beef market in Spain⁽²⁾ authorized the Spanish intervention agency to purchase beef at fixed prices between 25 May and 31 July; whereas in view of the persistence of beef market difficulties in Spain a fresh transitional measure should be adopted;

Whereas, in order to be effective, such transitional measures should involve the buying-in at fixed prices of beef products in accordance with the conditions laid down in Section I of Title I and Titles II and III of 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⁾; whereas, with a view to the gradual adaptation of the Spanish market to the conditions obtaining on the Community market, the buying-in price should be linked to the maximum price fixed under the normal intervention arrangements;

Whereas, so that the measure is not interrupted, this Regulation should be applicable from 1 August 1992;

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

1. The Spanish intervention agency mentioned in Annex V to Regulation (EEC) No 859/89 shall buy in up to 10 000 tonnes of carcasses, half-carcasses, forequarters and hindquarters of adult bovine animals as described in Annex III thereto and of Spanish origin in the period 1 August to 30 September 1992.

2. The buying-in price per 100 kilograms of carcass or half-carcass of category A and quality class R3 for each take-over period under the arrangements for buying-in by invitation to tender provided for in Article 2 (b) of Regulation (EEC) No 859/89 shall be equal to the average market rate recorded in Spain by quality or group of qualities converted into quality class R3, plus the increase provided for in Article 12 (1) of that Regulation; however, if the average market price recorded in Spain by quality or group of qualities converted into quality class R3 exceeds 75 % of the intervention price, the maximum buying-in price shall not exceed 75 % of the intervention price, plus the abovementioned increase. The prices for the other eligible qualities shall be arrived at using the coefficients set out in Annex IV to that Regulation.

3. The prices for forequarters and hindquarters shall be calculated by applying the coefficients 0,80 and 1,20 respectively for the straight cut and 0,75 and 1,25 respectively for the cut known as 'pistola' to the carcass price.

4. The Spanish intervention agency shall buy in products offered under the conditions laid down in Section I of Title I and in Titles II and III of Regulation (EEC) No 859/89.

5. Products bought in shall be paid for by the intervention agency between the 45th and 65th day following that of take-over.

Article 2

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

It shall be applicable as from 1 August 1992.

⁽¹⁾ OJ No L 55, 29. 2. 1992, p. 1.

⁽²⁾ OJ No L 140, 23. 5. 1992, p. 14.

⁽³⁾ OJ No L 91, 4. 4. 1989, p. 5.

⁽⁴⁾ OJ No L 74, 20. 3. 1992, p. 42.

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

Done at Brussels, 4 August 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 2290/92

of 4 August 1992

re-establishing the levying of customs duties on products falling within CN code 2941 40 00, originating in China, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3831/90 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3831/90 of 20 December 1990 applying generalized tariff preferences for 1991 in respect of certain industrial products originating in developing countries⁽¹⁾, extended into 1992 by Regulation (EEC) No 3587/91⁽²⁾ and in particular Article 9 thereof,

Whereas, pursuant to Articles 1 and 6 of Regulation (EEC) No 3831/90, suspension of customs duties shall be accorded to each of the countries or territories listed in Annex III other than those listed in column 4 of Annex I within the framework of the preferential tariff ceilings fixed in column 6 of Annex I;

Whereas, as provided for in Article 7 of that Regulation, as soon as the individual ceilings in question are reached at Community level, the levying of customs duties on imports of the products in question originating in each of

the countries and territories concerned may at any time be re-established;

Whereas, in the case of products falling within CN code 2941 40 00, originating in China, the individual ceiling was fixed at 926 000; whereas, on 5 February 1992, imports of these products into the Community originating in China reached the ceiling in question after being charged thereagainst; whereas, it is appropriate to re-establish the levying of customs duties in respect of the products in question against China,

HAS ADOPTED THIS REGULATION:

Article 1

As from 9 August 1992, the levying of customs duties, suspended pursuant to Regulation (EEC) No 3831/90, shall be re-established on imports into the Community of the following products originating in China:

Order No	CN code	Description
10.0387	2941 40 00	Chloramphenicol and its derivatives, salts thereof

Article 2

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

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

Done at Brussels, 4 August 1992.

For the Commission

Jean DONDELINGER

Member of the Commission

⁽¹⁾ OJ No L 370, 31. 12. 1990, p. 1.

⁽²⁾ OJ No L 341, 12. 12. 1991, p. 1. Last amended by Council Regulation (EEC) No 282/92 (OJ No L 31, 7. 2. 1992, p. 1).

COMMISSION REGULATION (EEC) No 2291/92

of 4 August 1992

re-establishing the levying of customs duties on products falling within CN codes 4302 30 10 and 4303, originating in Hong Kong, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3831/90 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3831/90 of 20 December 1990 applying generalized tariff preferences for 1991 in respect of certain industrial products originating in developing countries⁽¹⁾, extended into 1992 by Regulation (EEC) No 3587/91⁽²⁾ and in particular Article 9 thereof,

Whereas, pursuant to Articles 1 and 6 of Regulation (EEC) No 3831/90, suspension of customs duties shall be accorded to each of the countries or territories listed in Annex III other than those listed in column 4 of Annex I within the framework of the preferential tariff ceilings fixed in column 6 of Annex I;

Whereas, as provided for in Article 7 of that Regulation, as soon as the individual ceilings in question are reached at Community level, the levying of customs duties on imports of the products in question originating in each of

the countries and territories concerned may at any time be re-established;

Whereas, in the case of products falling within CN codes 4302 30 10 and 4303, originating in Hong Kong, the individual ceiling was fixed at 21 536 000; whereas, on 26 May 1992, imports of these products into the Community originating in Hong Kong reached the ceiling in question after being charged thereagainst; whereas, it is appropriate to re-establish the levying of customs duties in respect of the products in question against Hong Kong,

HAS ADOPTED THIS REGULATION:

Article 1

As from 9 August 1992, the levying of customs duties, suspended pursuant to Regulation (EEC) No 3831/90, shall be re-established on imports into the Community of the following products originating in Hong Kong:

Order No	CN code	Description
10.0600	4302 30 10	Tanned and dressed furskins (including heads, tails, paws and other pieces or cuttings), unassembled or assembled (without the addition of other materials) other than those of headings No 4303 – Whole skins and pieces or cuttings thereof, assembled – – ‘Dropped’ furskins
	4303	Articles of apparel and clothing accessories and other articles of fur skin

Article 2

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

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

Done at Brussels, 4 August 1992.

For the Commission

Jean DONDELINGER

Member of the Commission

⁽¹⁾ OJ No L 370, 31. 12. 1990, p. 1.

⁽²⁾ OJ No L 341, 12. 12. 1991, p. 1. Last amended by Council Regulation (EEC) No 282/92 (OJ No L 31, 7. 2. 1992, p. 1).

COMMISSION REGULATION (EEC) No 2292/92

of 4 August 1992

amending Regulations (EEC) No 1105/68 and (EEC) No 1634/85 as regards the amount of aid granted for skimmed milk and skimmed-milk powder for use as feed

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

Having regard to Regulation (EEC) No 804/68 of the Council of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 2071/92 ⁽²⁾, and in particular Article 10 (3) thereof,

Whereas Article 2a of Regulation (EEC) No 986/68 of the Council of 15 July 1968 laying down general rules for granting aid for skimmed milk and skimmed-milk powder for use as feed ⁽³⁾, as last amended by Regulation (EEC) No 1115/89 ⁽⁴⁾, determines the factors required to fix that aid;

Whereas in view of recent developments on the market in skimmed milk and skimmed-milk powder and the large reduction in public stocks resulting, the aid can be reduced; whereas Article 1a (3) of Commission Regulation (EEC) No 1105/68 of 27 July 1968 on detailed rules for granting aid for skimmed milk for use as feed ⁽⁵⁾, as last amended by Regulation (EEC) No 992/91 ⁽⁶⁾, and Article 1 of Commission Regulation (EEC) No 1634/85 of 17 June 1985 fixing the amount of the aid for skimmed milk and skimmed-milk powder for use as feed ⁽⁷⁾, as last

amended by Regulation (EEC) No 992/91 should accordingly be amended;

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

In Article 1a (3) of Regulation (EEC) No 1105/68, 'ECU 52,74' is hereby replaced by 'ECU 48,65'.

Article 2

In Article 1 of Regulation (EEC) No 1634/85, 'ECU 5,27' is hereby replaced by 'ECU 4,86' and 'ECU 65' is replaced by 'ECU 60'.

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, 4 August 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 215, 30. 7. 1992, p. 64.

⁽³⁾ OJ No L 169, 18. 7. 1968, p. 4.

⁽⁴⁾ OJ No L 118, 29. 4. 1989, p. 7.

⁽⁵⁾ OJ No L 184, 29. 7. 1968, p. 24.

⁽⁶⁾ OJ No L 104, 24. 4. 1991, p. 17.

⁽⁷⁾ OJ No L 158, 18. 6. 1985, p. 7.

COMMISSION REGULATION (EEC) No 2293/92

of 31 July 1992

laying down detailed rules for the application of Council Regulation (EEC) No 1765/92 with regard to the set-aside scheme referred to in Article 7

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1765/92 of 30 June 1992 establishing a support system for producers of certain arable crops⁽¹⁾, and in particular Article 12 thereof,

Whereas, to be eligible for the compensatory payments referred to in Article 2 (5) of Regulation (EEC) No 1765/92, the producers concerned are required to set aside part of their holding; whereas detailed rules for the application of the scheme should be laid down;

Whereas, to ensure that the set-aside of land contributes to stabilizing markets, the detailed rules of application should be laid down in such a way as to ensure the necessary effectiveness of the scheme and maintain consistency with the entire set-aside scheme established by Regulation (EEC) No 1765/92; whereas, to that end, while not permanently excluding from the scheme other areas than those referred to in Article 9 of the said Regulation, it should be laid down that the areas taken into consideration for set aside are to be comparable with those that have been taken into consideration for calculating the regional base area; whereas it may help the effectiveness of the scheme to lay down also that set-aside is to be applied to continuous land of a minimum area and that its duration must cover a period corresponding to the growing cycle of the arable crops referred to in Regulation (EEC) No 1765/92; whereas provisions should also be laid down regarding maintenance and use of the areas set aside and regarding rotation;

Whereas the effectiveness of the scheme also requires that risks of abuse be avoided; whereas, except in social situations which Member States are to assess on a case-by-case basis, restricting set-aside undertaking by one and the same person to land he has farmed for the previous two years is likely to avoid such risks;

Whereas it should also be laid down that set-aside is to be undertaken in a manner respectful of the environment;

whereas, to that end, it is the task of the Member States to adopt appropriate provisions and penalties;

Whereas the areas set aside should be subject to declaration; whereas, to permit the set-aside of whole parcels and allow for a certain margin of error in the declaration, some flexibility must be accepted; whereas the limits to this flexibility should be established, while at the same time avoiding the negative consequences it might have for the Community budget as regards the maximum area eligible for compensatory payments;

Whereas the detailed rules provided for by this Regulation shall apply without prejudice to subsequent provisions to be adopted pursuant to the third and fourth sentences of the second subparagraph of Article 7 (1) of Regulation (EEC) No 1765/92;

Whereas the Management Committee for Cereals, Oils and Fats and Dried Fodder did not give an opinion within the time required by its President,

HAS ADOPTED THIS REGULATION:

Article 1

This Regulation lays down detailed rules for the application of Regulation (EEC) No 1765/92 with regard to rotational set-aside.

Article 2

Without prejudice to Article 7 (4) of Regulation (EEC) No 1765/92, 'set-aside' shall mean the leaving fallow of an area which has been cultivated in the previous year with a view to a harvest. However, areas set aside the previous year under Council Regulations (EEC) Nos 1703/91⁽²⁾ and 2328/91⁽³⁾ shall be treated as areas under cultivation.

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 12.

⁽²⁾ OJ No L 162, 26. 6. 1991, p. 1.

⁽³⁾ OJ No L 218, 6. 8. 1991, p. 1.

TITLE I

Conditions relating to land set aside

Article 3

1. Land set aside under this Regulation must cover an area of at least 0,3 contiguous hectares and have a width of at least 20 metres. Smaller areas shall not be considered unless they involve whole fields with permanent boundaries such as walls, hedges or watercourses.

2. The areas set aside must be cared for so as to maintain good cropping conditions. They may not be used for agricultural production of any sort other than that referred to in Article 7 (4) of Regulation (EEC) No 1765/92, nor put to any lucrative use incompatible with the growing of an arable crop.

3. Member States shall apply the appropriate measures which correspond to the specific situation of the land set aside so as to ensure the protection of the environment. These measures may also concern a green cover. Member States shall decide the penalties which are appropriate and proportional to the seriousness of the environmental consequences of not observing the said measures. These penalties may provide for a reduction or, where appropriate, cancellation of the benefits accruing from the scheme provided for in Regulation (EEC) No 1765/92. Member States shall inform the Commission of the measures taken to apply this provision.

4. To be considered under the scheme provided for in Regulation (EEC) No 1765/92, the areas set aside must:

- have been farmed by the applicant during the previous two years, save in special cases, duly justified according to objective criteria laid down by the Member State concerned, such as circumstances relating to the type of tenure, installation, or expansion of the holding by succession,
- remain set aside for a minimum period of seven months commencing, at the choice of the Member State on 15 December at the earliest and ending on 15 August at the latest.

5. A plot which has been set aside to fulfil the obligation imposed in Article 7 of Regulation (EEC) No 1765/92 may not be reused for that purpose for a subsequent five-year period.

TITLE II

Declarations and monitoring

Article 4

1. For the purposes of this Regulation, the producers concerned must submit a set-aside declaration to the competent authorities. This declaration sets the maximum

area eligible for the various compensatory payments to producers of arable crops.

2. Each producer shall submit a single set-aside declaration, which may be broken down by region within the meaning of Article 3 of Regulation (EEC) No 1765/92.

For each declaration of land set aside in a given region three must be a corresponding application for a compensatory payment for the corresponding number of hectares cultivated in that region.

Derogations may be allowed from the second subparagraph according to objective criteria laid down by the Member State.

3. The time limit for the submission of the declaration, the contents of the declaration, the monitoring and inspection procedures and the penalties applying in the case of false declarations will be adopted at a later date.

Article 5

1. If the land actually set aside exceeds the percentage laid down in Article 7 of Regulation (EEC) No 1765/92, the compensation provided for in paragraph 5 of that Article shall be limited to the areas corresponding to that percentage plus 10 %, or at most one hectare.

The first subparagraph shall not affect the extent of the maximum area eligible for compensatory payments to producers of arable crops.

2. If the set-aside undertaken is smaller than the area corresponding to the percentage laid down in Article 7 of Regulation (EEC) No 1765/92 by 10 % or less, or at most one hectare, the compensation provided for in paragraph 5 of that Article shall apply to the land actually set aside. In that case the maximum area eligible for compensatory payments to producers of arable crops shall be calculated on the basis of the land actually set aside and pro rata to the various crops.

TITLE III

General provisions

Article 6

Member States shall notify the Commission of the measures taken to apply this Regulation by 31 December 1992 at the latest.

Article 7

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

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

Done at Brussels, 31 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 2294/92

of 31 July 1992

on detailed rules for the application of the support system for producers of the oil seeds referred to in Council Regulation (EEC) No 1765/92

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

TITLE I

Having regard to Council Regulation (EEC) No 1765/92 of 30 June 1992 establishing a support system for producers of certain arable crops⁽¹⁾, and in particular Articles 11 (1) and 12 thereof,

General provisions

Article 1

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 5 (3) thereof,

Whereas, to avoid the risk of an increase in the area under oil seed crops, access to compensatory payments should be restricted to producers sowing crops in climatically and agronomically suitable regions;

Whereas, in accordance with the policy of improvement of quality pursued by the Community, access to compensatory payments for growers of rape should be limited to those producers who cultivate certain varieties and qualities of seed;

Whereas the Commission has proposed an integrated control system⁽⁴⁾;

Whereas the contents of the application of the control arrangements and the penalties applicable in the event of false declarations shall be defined at a later date in accordance with the conditions of the integrated control system;

Whereas producers may apply for the compensatory payments under either the general scheme or the simplified scheme; whereas certain criteria should be common to both schemes;

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

1. This Regulation establishes the detailed rules for the application of Regulation (EEC) No 1765/92 with effect from the 1993/94 marketing year.

2. For the purposes of this Regulation:

- (a) 'oil seed crops' means arable crops producing oil seeds as referred to in Annex I to the above Regulation;
- (b) 'compensatory payment' means a transfer of funds to the producer from the competent authority of the Member State in whose territory the eligible areas are located;
- (c) 'production region' means a region determined within the meaning of Article 3 (1) of Council Regulation (EEC) No 1765/92 in respect of which compensatory payments per hectare have been fixed for oil seed crops.

TITLE II

Eligibility for compensatory payments

Article 2

1. The compensatory payment provided for in Article 5 (1) and (2), first subparagraph, of Council Regulation (EEC) No 1765/92 shall be allocated solely to areas under oil seed crops:

- (a) situated in production regions or parts of production regions declared climatically and agronomically suitable for the cultivation of oil seed crops by the Member State;
- (b) included in a 'general scheme' as referred to in Article 2 (5) (a) of Regulation (EEC) No 1765/92;
- (c) covered by an application including a cultivation plan and lodged with the competent authority by the date set by the Member State for that seed and region in question, which may not be later than the date mentioned in Annex I;

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 12.

⁽²⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽³⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁴⁾ COM(91) 533 final, OJ No C 9, 15. 1. 1992, p. 4.

- (d) entirely sown by that date at the latest with rape, sunflower or soya in accordance with locally-recognized standards and the provisions of Article 3 of this Regulation ;
- (e) in respect of which the total area in the application is at least 0,3 hectares and each cultivated plot of which exceeds the minimum size set by the Member State for the production region in question.

2. In the event that climatic conditions prevent the oil seeds from being sown prior to the date mentioned in Annex I, the area satisfying the conditions referred to in paragraph 1 above shall not be eligible until confirmation of sowing is lodged with the competent authority. The zones to which this provision shall apply and the time limits for lodging the confirmation of sowing shall be fixed in accordance with the procedure laid down in Article 38 of Council Regulation No 136/66/EEC⁽¹⁾.

Article 3

1. The Member States shall put into practice a quality policy for rape seed by restricting access to the compensatory payments for rape to any or all of the following seed categories :

- (a) certified seed of a variety listed in Annex II ;
- (b) seed conforming to the requirements of Annex III, such seed being the product of the harvest obtained by planting certified seed of a variety listed in Annex II on the same holding ;
- (c) seed of stocks other than those listed in Annex II conforming to the requirements of Annex IV and for which, before sowing, a cultivation contract was made with an approved first buyer to produce a crop the seed of which is destined either for a specified non-food use or for use as seed for sowing to produce such a crop ; or
- (d) seed of stocks whether or not listed in Annex II which was registered, before sowing, for inspection and control with the intention to produce a crop the seed of which is destined for use as breeder's seed, prebasic, basic or certified seed for sowing or for research or testing purposes to determine whether the stock may be added to a Member State's national variety list ;
- (e) certified seed of a variety listed in Annex V for which a cultivation contract was signed prior to sowing between the producer and a buyer, specially approved for that purpose by the competent authority of the Member State, with a view to obtaining seed to produce an oil intended for specific food uses.

2. Where a Member State decides to regard seed as referred to in (b) above as eligible, it shall take all suitable

measures to establish that the seed in question satisfies the requirements of Annex III prior to being sown.

Article 4

One plot of land may not be the subject of more than one application for a compensatory payment as provided for in Regulation (EEC) No 1765/92 in the same marketing year.

Article 5

The areas in respect of which an application is submitted shall be reduced by the competent authority of the Member State in accordance with the provisions :

- a Article 2 of Regulation (EEC) No 1765/92 ; where the regional base area or, as the case may be, the individual base area is exceeded,
- of Article 4 (2) of Commission Regulation (EEC) No 2293/92⁽²⁾ (set-aside),
- adopted for control purposes.

TITLE III

Payment of aid

Article 6

If a producer's eligible areas are located in several production regions the amount to be paid shall be determined by the location of each area included in the application.

Article 7

1. Land under sunflowers in Spain and Portugal which is not allocated the compensatory payment referred to in Article 2 of this Regulation may receive a compensatory payment in addition to that referred to in Article 8 (3) of Regulation (EEC) No 1765/92.

2. The additional compensatory payment referred to above for the 1993/94 marketing year shall be fixed prior to 15 December 1992.

Article 8

1. The agricultural conversion rate to be used for any payment made in the course of the marketing year in question shall be that in force on the first day of the said marketing year.

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

⁽²⁾ See page 19 of this Official Journal.

2. Advances paid prior to that date shall be paid on the basis of the rate in force on the last day for submission of applications. Notwithstanding the above, the rate in force on the actual date of submission of the application may be used.

TITLE IV

Final provisions

Article 9

1. The Member States shall transmit to the Commission the information specified in Annex VI within the time limits indicated therein.

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

Done at Brussels, 31 July 1992.

2. Where a region comprises several non-adjacent areas the information required by paragraph 1 shall be provided for each non-adjacent area within the region.

Article 10

The Member States shall notify the Commission by 31 December 1992 at the latest of the measures adopted pursuant to this Regulation.

Article 11

Regulation (EEC) No 615/92⁽¹⁾ is hereby repealed.

However, it shall continue to apply to the 1992/93 marketing year.

Article 12

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

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 67, 12. 3. 1992, p. 11.

ANNEX I

Final dates for sowing and the submission of applications applicable to the dates set by Member States

Product	Final dates
Soya seed	} 15 May prior to the marketing year
Rape seed	
— autumn sown	
— spring sown	
Sunflower seed	
— autumn sown	}
— spring sown	

ANNEX II

Varieties which have been demonstrated to produce a seed with a maximum glucosinolate content of 25 µmol/g at a moisture content of 9 % and which have been admitted to the aid scheme

Accord	Envol	Liropa
Activ	Eol	Lisandra
Amanda	Eurol	Lisonne
Andol	Evita	Madora
Anima	Falcon	Mari
Anka	Forte	Maxol
Apache	Galaxy	Moneta
Arabella	Global	Nimbus
Arcol	Golda	Olymp
Ariana	Granit	Optima
Atol	Hanna	Pactol
Aurora	Helios	Palle
Aztec	Honk	Paloma
Basalte	Idol	Paula
Bingo	Inca	Printol
Bristol	Iris	Puma
Callypso	Jaguar	Quartz
Capricorn	Jespe	Rally
Carmen	Kabel	Rocket
Ceres	Karat	Sabrina
Cesar	Kometa	Samourai
Cobalt	Kova	Santana
Cobol	Kreta	Score
Cobra	Liberator	Senta
Colking 4	Liberia	Silex
Collo	Liborius	Silvia
Comet	Librador	Spok
Conny	Libraska	Sputnik
Consul	Libravo	Star
Corvette	Lictor	Starlight
Creol	Limerick	Susana
Darmor	Lincoln	Tanto
Derby	Lineker	Tapidor
Diadem	Link	Tarok
Diana	Lirabon	Topas
Doublol	Liradonna	Tor
Dragon	Lirajet	Tyrol
Drakkar	Liraspa	Vega
Dubla	Lirawell	Vivol
Duetol	Lirektor	Wotan
		Zeus

*ANNEX III***Specifications for farm-produced seed**

Seed obtained from sowing of the same holding certified seed of one of the varieties listed in Annex II must satisfy the minimum quality criterion as determined by the analysis of a representative sample taken by an appointed agent of the competent national authority according to the procedures defined in Annexes I and II to Commission Regulation (EEC) No 1470/68 ⁽¹⁾.

Notably, glucosinolate content less than or equal to 18,0 µmoles/g seed, at a moisture content of 9 % as determined by the procedures defined in Annex VIII to Regulation (EEC) No 1470/68 or the procedure referred to in Article 32 of Regulation (EEC) No 2681/83 ⁽²⁾.

*ANNEX IV***Specifications for rapeseed produced for industrial use**

Erucic acid content greater than or equal to 40 % of total fatty acid content.

*ANNEX V***Varieties used to produce an oil for specific food use**

Bienvenu
Jet Neuf

*ANNEX VI***Communication of statistical information to the Commission by the Member States**

The Member States are requested to supply the Commission with the following information

- by production region,
- by crop (and total oil seed crops),
- by scheme (general and simplified),

at the latest by the dates corresponding to the following time limits, starting from the deadline set for the lodging of applications in the region in question :

1. 45 days :
 - the number of applications,
 - the corresponding total area of land ;
2. 120 days :
 - the number of applications in respect of which an advance has been paid,
 - the corresponding total area of land ;
3. 180 days :
 - the final number of applications, plus the number of applications which were inadmissible, corrected, etc.,
 - the corresponding area of land,
 - an estimate of yields ;
4. 300 days :
 - the number of applications in respect of which final payment has been made,
 - the total area of land to which the payments relate,
 - a revised estimate of yields.

Intermediate or final updates may be made by the Member States at any time.

⁽¹⁾ OJ No L 239, 28. 9. 1968, p. 2.

⁽²⁾ OJ No L 266, 28. 9. 1983, p. 1.

COMMISSION REGULATION (EEC) No 2295/92

of 31 July 1992

on detailed rules for the application of the support system for producers of the protein crops referred to in Article 6 of Council Regulation (EEC) No 1765/92

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1765/92 of 30 June 1992 establishing a support system for producers of certain arable crops⁽¹⁾, and in particular Article 12 thereof,

Whereas, to avoid the risk of an increase in the area under protein crops, access to compensatory payments should be restricted to producers sowing crops in climatically and agronomically suitable regions;

Whereas the Commission has proposed an integrated control system⁽²⁾;

Whereas the contents of the application of the control arrangements and the penalties applicable in the event of false declarations shall be defined at a later date in accordance with the conditions of the integrated control system;

Whereas producers may apply for the compensatory payments under either the general scheme or the simplified scheme; whereas certain criteria should be common to both schemes;

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

HAS ADOPTED THIS REGULATION:

TITLE I**General Provisions***Article 1*

1. This Regulation establishes the detailed rules for the application of Regulation (EEC) No 1765/92 with effect from the 1993/94 marketing year.

2. For the purposes of this Regulation:

- (a) 'protein crops' means arable crops producing protein seeds as referred to in Annex I to the above Regulation;

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 12.

⁽²⁾ COM(91) 533 final, OJ No C 9, 15. 1. 1992, p. 4.

- (b) 'compensatory payment' means a transfer of funds to the producer from the competent authority of the Member State in whose territory the eligible areas are located;

- (c) 'production region' means a region determined within the meaning of Article 3 (1) of Council Regulation (EEC) No 1765/92 in respect of which compensatory payments per hectare have been fixed for protein crops.

TITLE II**Eligibility for compensatory payments***Article 2*

The compensatory payment provided for in Article 6 of Regulation (EEC) No 1765/92 shall be allocated solely to areas under protein crops:

- (a) situated in production regions or parts of production regions declared climatically and agronomically suitable for the cultivation of protein crops by the Member State;
- (b) included in a 'general scheme' as referred to in Article 2 (5) (a) of Regulation (EEC) No 1765/92;
- (c) covered by an application including reference documents enabling the land in question to be identified, and lodged with the competent authority by 15 May at the latest;
- (d) entirely sown by that date at the latest with peas, field beans or sweet lupins in accordance with locally-recognized standards;
- (e) in respect of which the total area in the application is at least 0,3 hectares and each cultivated plot of which exceeds the minimum size set by the Member State for the production region in question.

Article 3

The areas in respect of which an application is submitted shall be reduced by the competent authority of the Member State in accordance with the provisions:

- of Article 2 of Regulation (EEC) No 1765/92; where the regional base area or, as the case may be, the individual base area is exceeded,

- of Article 4 (2) of Commission Regulation (EEC) No 2293/92⁽¹⁾ (set-aside),
- adopted for control purposes.

TITLE III

Payment of aid

Article 4

If a producer's eligible areas are located in several production regions the amount to be paid shall be determined by the location of each area included in the application.

Article 5

The agricultural conversion rate to be used for the compensatory payment shall be that in force on the first day of the said marketing year.

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

Done at Brussels, 31 July 1992.

TITLE IV

Final provisions

Article 6

1. The Member States shall transmit to the Commission the information specified in Annex within the time limits indicated therein.

2. Where a region comprises several non-adjacent areas the information required by paragraph 1 shall be provided for each non-adjacent area within the region.

Article 7

The Member States shall notify the Commission by 31 December 1992 at the latest of the measures adopted pursuant to this Regulation.

Article 8

One plot of land may not be the subject of more than one application for a compensatory payment as provided for in Regulation (EEC) No 1765/92 in the same marketing year.

Article 9

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

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ See page 19 of this Official Journal.

*ANNEX***Communication of statistical information to the Commission by the Member States**

The Member States are requested to supply the Commission with the following information

- by production region,
- by crop (and total protein crops),
- by scheme (general and simplified),

at the latest by the dates corresponding to the following time limits, starting from the deadline set for the lodging of applications :

1. 45 days :

- the number of applications,
- the corresponding total area of land ;

2. 250 days :

- the number of applications in respect of which payment has been made,
- the total area of land to which the payments relate,
- an estimate of yields.

Intermediate or final updates may be made by the Member States at any time.

COMMISSION REGULATION (EEC) No 2296/92

of 31 July 1992

laying down certain rules of application of the use of land set aside for the provision of materials for the manufacture within the Community of products not primarily intended for human or animal consumption

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1765/92 of 30 June 1992 establishing a support system for producers of certain arable crops⁽¹⁾, in particular Article 12 thereof,

Whereas Article 7 (4) of Council Regulation (EEC) No 1765/92 allows set aside land to be used for the provision of materials for the manufacture within the Community of products not primarily intended for human or animal consumption, provided that effective control systems are applied;

Whereas it is necessary to define the types of agricultural product which may be grown on set aside land as well as the final end uses to which these products may be destined in order to allow the agricultural producer to benefit from this regime without delay;

Whereas it is necessary to define what shall be considered as a product not primarily intended for human or animal consumption;

Whereas, for reasons of control, it is necessary to require the agricultural producer to enter into a contract with the first processor before the first sowing of the agricultural produce; whereas, for the 1993/94 marketing year, the contracting parties may exceptionally conclude this contract after the first sowing of the agricultural produce;

Whereas the claimant for the payment to compensate for the obligation to set aside land must submit each year to the competent authority a cultivation declaration for reasons of control; whereas, it is necessary to require the first processor to lodge a guarantee;

Whereas the areas put into set aside should be the subject of a declaration;

Whereas, it is necessary to assure that the quantity of raw material harvested on the area under contract is entirely delivered to the first processor;

Whereas, the need to introduce effective controls could imply the non application of this scheme during the first marketing year;

Whereas it will be necessary for the Commission to propose a further Regulation setting out the details of, in particular, the valuation of by-products, methods of control and the transfer of set aside obligations;

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

1. The raw materials which may be grown on set aside land as well as their end uses, within the context of Article 7 (4) of Council Regulation (EEC) No 1765/92, are set out in Annex I and Annex II respectively.
2. The economic valuation of the non-food products obtained from any processing of the raw materials in Annex I must be higher than that of all other products destined for human or animal consumption obtained during the same processing.
3. Those raw materials specified in Annex I may only be grown on set aside land on the condition that their primary final use is for the manufacture of one of the products specified in Annex II.
4. Any raw material specified in Annex I grown on set aside land must be the subject of the contract mentioned in Article 3 (1).
5. Member States shall exclude any of the raw materials listed in Annex 1 for agronomic and environmental reasons, notably in the case of rapeseed in respect of those listed in Articles 3 (1) a and 3 (1) c of Commission Regulation (EEC) No 2294/92 laying down the detailed rules of application for the support system for producers of oilseeds foreseen in Council Regulation (EEC) No 1765/92⁽²⁾.

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 12.

⁽²⁾ See page 22 of this Official Journal.

6. These raw materials may, furthermore, only be grown on set aside land provided that effective control systems are applied.

7. Member States may exceptionally exclude any of the raw materials or final products listed in Annexes I and II respectively during the 1993/94 marketing year of the set aside scheme if adequate control measures have not been introduced in time.

Article 2

1. Any raw material which is grown on set aside land which is the subject of a payment to compensate for the obligation to set land aside in accordance with the second subparagraph of Article 2 (5) of Regulation (EEC) No 1765/92 will not be eligible for any measures under Article 1 (2) of Council Regulation (EEC) No 729/70 ⁽¹⁾.

2. The quantities of raw material cultivated on set aside land shall be counted against any maximum guaranteed quantity applied to the raw material in question.

Article 3

1. The claimant for the payment to compensate for the obligation to set aside land, or the agent of the claimant shall submit in support of the application a contract, dated before the first sowing of the raw material concerned, concluded between the raw material producer or producers and the first processor specifying at least the following:

- the name and address of the parties concerned,
- the contract's duration,
- the areas concerned and their location,
- the species and the variety of raw material concerned,
- the forecast yield, and any conditions which may apply to the delivery to the first processor of the actual quantity of raw material harvested,
- the principal end use of the raw material,
- the obligation for the claimant to deliver all of the raw material contracted for on the arable areas concerned, and the obligation of the first processor or his agent to take delivery of all of this raw material and to guarantee its principal use in the manufacture of one of the end products specified in Annex II to this Regulation within the Community.

2. The contract shall be deposited with the competent authority of the Member State of first processing before the first sowing.

3. The first processor shall lodge the security referred to in the eighth paragraph at the same time as the contract foreseen at paragraph 1 is deposited.

4. For the 1993/94 marketing year, the contracting parties may contract after sowing.

5. In the case of a producer's group, the particulars referred to in the first paragraph must be specified for each of the members of the producer's group.

6. In all cases, the claimant shall submit to the competent authority each year at a date to be determined a cultivation declaration showing, for each raw material the following particulars:

- the species of the raw material and its variety to be cultivated on the set aside land,
- the variety of the raw material to be cultivated on non set aside land, in the case where the same variety is cultivated on set aside land in the same exploitation,
- the areas to be cultivated on the set aside land and the forecast yields for each species and variety to be cultivated.

7. Member States may provide that each claimant may conclude only one supply contract for each raw material.

8. The security shall be equal to 120 % of the value of the aid to be granted each year for the area to be covered by the contract so as to guarantee the proper execution of the contract by the first processor. When the first processing takes place in a Member State other than that of harvest, the competent authority of the Member State where the processing takes place shall confirm to the competent authority in the Member State of harvest that the security has been lodged. The guarantee will be released when the competent authority has received proof that the quantities of raw materials under contract have been processed primarily into the final product specified in the contract. The guarantee may be released on a pro rata basis as a function of the quantities processed into the same final product.

The processing of the quantities of raw materials primarily into the final product specified in the contract constitutes the primary requirement within the meaning of Article 20 of Commission Regulation (EEC) No 2220/85 ⁽²⁾.

9. Payment of the compensation for the obligation to set aside land will only be made when the competent authority of the Member State in which the claim for payment has been made receives proof that the amount of raw material harvested on the area contracted has been delivered to the first processor or his agent.

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽²⁾ OJ No L 205, 3. 8. 1985, p. 5.

Article 4

1. With a view to the application of this Regulation, the claimant shall deposit with the competent authority a set aside declaration at a date to be determined.

The contents of this declaration, the control methods, as well as the sanctions applicable in case of false declaration will be defined later.

2. The Commission will adopt a subsequent Regulation setting out further details relating to this measure and will include in particular specific rules concerning :

- valuation of by-products and co-products,
- methods of control.

Article 5

Member States may take complementary measures necessary for the application of this Regulation.

Article 6

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

ANNEX I

Raw materials which may be grown on set-aside land when destined for use in the manufacture of the permissible end products set out in Annex II

CN Code	Brief description
ex 0602 99 41	Short rotation forest trees having a maximum cultivation period of 10 years inclusive
0602 99 51	Perennial plants (eg <i>miscanthus sinensis</i>)
0701 90 10	Potatoes
0713 10 90	Peas (<i>Pisum arvense</i> L.) other than those for sowing
0909 40 11	Seeds of caraway, neither crushed nor ground for the industrial manufacture of essential oils or resinoids
1001 90 99	Spelt, common wheat and meslin other than for sowing
1002 00 00	Rye
1003 00 90	Barley other than seed
1004 00 90	Oats other than seed
1005 90 00	Maize (corn) other than seed
1007 00 90	Grain sorghum, other than hybrids for sowing
ex 1008 10 00	Buckwheat other than seed
ex 1008 20 00	Millet other than seed
ex 1008 90 10	Triticale other than seed
ex 1008 90 90	Other cereals other than seed
1201 00 90	Soya beans other than for sowing
1202 20 00	Shelled ground nuts
1204 00 90	Linseed other than for sowing
1205 00 90	Rape or colza seeds other than for sowing
1206 00 90	Sunflower seeds other than for sowing
1207 20 90	Cotton seeds other than for sowing
1207 30 90	Castor oil seeds other than for sowing
1207 40 90	Sesamum seeds other than for sowing
1207 50 90	Mustard seeds other than for sowing
1207 60 90	Safflower seeds other than for sowing
1207 99 99	Other oil seeds and oleaginous fruits other than for sowing
1211	Plants and parts of plants (including seeds and fruits), of a kind used primarily in perfumery, in pharmacy or for insecticidal, fungicidal or similar purposes
Chapter 14	Vegetable plaiting, stuffing or padding materials, or those used in brooms or brushes; vegetable products not elsewhere specified or included
5301	Flax, raw or processed but not spun; flax tow and waste (including yarn waste and garnetted stock)

*ANNEX II***End products which are to be considered as permissible destinations when based on the raw materials in Annex I**

All products of the combined nomenclature :

(a) with the exception of :

those products which appear in Council Regulations (EEC) No 1009/80 ⁽¹⁾ and (EEC) No 1010/86 ⁽²⁾,

all of the products falling within Chapters 1 to 24 of the combined nomenclature with the exception of :

- all products falling within CN Chapter 15 which are intended for uses other than for human or animal consumption,
- CN code 2207 20 00, for direct use in motor fuel or for processing for use in motor fuel,

(b) with the inclusion of :

all agricultural products set out in Annex I and their derivatives obtained by an intermediate transforming process which are burned in power stations for energy.

⁽¹⁾ OJ No L 107, 25. 4. 1980, p. 42.

⁽²⁾ OJ No L 94, 9. 4. 1986, p. 9.

COMMISSION DECISION No 2297/92/ECSC

of 31 July 1992

amending Decision No 2131/88/ECSC, accepting undertakings offered in connection with imports of certain sheets and plates, of iron or steel, originating in the Republic of Slovenia and the Yugoslav republics of Macedonia, Montenegro and Serbia, and terminating the anti-dumping proceeding with regard to the Republic of Croatia and the Republic of Bosnia-Herzegovina

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community,

Having regard to Commission Decision No 2424/88/ECSC of 29 July 1988 on protection against dumped or subsidized imports from countries not members of the European Coal and Steel Community⁽¹⁾, and in particular Articles 9 and 14 thereof,

After consultation within the Advisory Committee as provided for by the above Decision,

Whereas :

A. PREVIOUS PROCEDURE

- (1) In February 1986, the Commission initiated an anti-dumping proceeding concerning imports of certain sheets and plates, of iron or steel, originating in Yugoslavia⁽²⁾.
- (2) By Commission Decision No 2767/86/ECSC⁽³⁾, a provisional anti-dumping duty was imposed on the products subject to the proceeding, originating in Yugoslavia.
- (3) In December 1986 the Commission, by Decision No 86/639/ECSC⁽⁴⁾, accepted an undertaking offered by the Yugoslav exporters concerned. This undertaking was designed to eliminate the injury caused by the dumped imports.
- (4) In June 1987, the Commission received complaints from the Community industry and the Italian Government that Yugoslav imports of sheets and plates were again causing material injury to the Community industry.
- (5) Based on the evidence submitted, the Commission concluded that the undertaking had been infringed.

Consequently, the Commission, by Decision No 229/88/ECSC⁽⁵⁾, as amended by Decision No 980/88/ECSC⁽⁶⁾, reimposed a provisional anti-dumping duty on the products concerned. At the request of the Yugoslav exporters, the Commission, by Decision No 1321/88/ECSC⁽⁷⁾, extended the validity of the provisional duty for a further period of two months and finally imposed a definitive anti-dumping duty by Decision No 2131/88/ECSC⁽⁸⁾.

B. REVIEW

- (6) In January and February 1990 the Commission received requests for review with regard to the anti-dumping measures applicable to imports of the products in question originating in Mexico and Yugoslavia. The requests were lodged by Sidermex SA de CV, a Mexican exporter involved in the proceeding and by the Yugoslav Iron and Steel Federation, pursuant to Article 14 of Decision No 2424/88/ECSC.
- (7) The requests alleged that following the imposition of the definitive anti-dumping duties the circumstances with regard to the situation of the exports to the Community market of sheets and plates, of iron or steel, have changed and that a review of the anti-dumping measures in force was warranted.
- (8) The Commission considered that the evidence submitted concerning the changed circumstances was sufficient to justify the need for a review and accordingly announced, by a notice published in the *Official Journal of the European Communities*⁽⁹⁾, the reopening of the investigation concerning imports of certain sheets and plates, of iron or steel, originating in Mexico and Yugoslavia.

⁽¹⁾ OJ No L 209, 2. 8. 1988, p. 18, as corrected in OJ No L 273, 5. 10. 1988, p. 19.

⁽²⁾ OJ No C 38, 19. 2. 1986, p. 3.

⁽³⁾ OJ No L 254, 6. 9. 1986, p. 18.

⁽⁴⁾ OJ No L 371, 31. 12. 1986, p. 84.

⁽⁵⁾ OJ No L 23, 28. 1. 1988, p. 13.

⁽⁶⁾ OJ No L 98, 15. 4. 1988, p. 33.

⁽⁷⁾ OJ No L 123, 17. 5. 1988, p. 20.

⁽⁸⁾ OJ No L 188, 19. 7. 1988, p. 14.

⁽⁹⁾ OJ No C 118, 12. 5. 1990, p. 3.

- (9) Subsequently, however, given that the definitive duties were the subject of two separate decisions, it was considered appropriate that the Commission's conclusions in the review proceeding be also dealt with in separate Decisions. Since the review proceeding with regard to Mexico was terminated by Commission Decision No 322/92/ECSC (¹), the present investigation concerns the new political entities which have emerged from the former Socialist Federal Republic of Yugoslavia.
- (10) The Commission officially advised the producers/exporters and importers known to the Commission to be concerned, the representatives of the exporting countries and the complainants of the reopening of the investigation and gave the parties concerned the opportunity to make known their views in writing and to request a hearing.
- (11) Most of the Community producers and all exporters concerned made known their views in writing. Some of them requested and were granted hearings.
- (12) No submissions were made by or on behalf of Community purchasers or processors of the sheets and plates, of iron or steel, in question.
- (13) The Commission sought and verified all the information it deemed necessary for the purpose of its determination and carried out investigations at the premises of the following companies:

Community producers:

- Dillinger Hüttenwerk, Dillingen, Germany,
 - Thyssen Stahl AG, Duisburg, Germany,
 - Stahlwerke Peine-Salzgitter AG, Salzgitter, Germany,
 - ILVA SpA, Genoa, Italy,
 - Cockerill Sambre SA, Seraing, Belgium,
 - Forges de Clabecq SA, Tubize (Clabecq), Belgium,
 - Sidmar NV, Gent, Belgium,
 - British Steel plc, London, United Kingdom.
- (14) The investigation of dumping covered the period from 1 January to 31 December 1989.
- (15) Due to the complexity of the proceeding, in particular the difficulties met by the Commission under the prevailing political conditions in the countries concerned in obtaining from some of the interested parties the relevant data, the investigation exceeded the normal period of one year laid down in Article 7 (9) of Decision No 2424/88/ECSC.

C. PRODUCTS

- (16) The products concerned are the same as those in the original proceeding i.e. certain flat-rolled

products, of iron or non-alloy steel, of a width exceeding 500 mm, of a thickness of 3 mm or more, not in coils, not further worked than hot-rolled, containing by weight less than 0,6 % of carbon, falling within CN codes: ex 7208 32 10, ex 7208 32 30, ex 7208 32 51, ex 7208 32 59, ex 7208 32 91, ex 7208 32 99, ex 7208 33 10, ex 7208 33 91, ex 7208 33 99, ex 7208 34 10, ex 7208 34 90, ex 7208 42 10, ex 7208 42 30, ex 7208 42 51, ex 7208 42 59, ex 7208 42 91, ex 7208 42 99, ex 7208 43 10, ex 7208 43 91, ex 7208 43 99, ex 7208 44 10, ex 7208 44 90, ex 7211 12 10, ex 7211 19 10, ex 7211 22 10 and ex 7211 29 10.

D. RESULTS OF THE REOPENED INVESTIGATION

(a) Preliminary observation

- (17) In accordance with the review request filed by the exporters concerned, the investigation reopened by the Commission had to assess whether circumstances since the imposition of definitive anti-dumping duties had changed to the extent justifying the amendment, repeal or annulment of the anti-dumping measures introduced by the Commission. Within the framework of the present review the Commission therefore examined whether there are changed circumstances independent of the imposition of anti-dumping measures which warrant the revision of the said measures in force.

(b) Normal value

- (18) The information submitted by the producers/exporters concerned with regard to domestic sales and production costs of the products in question was incomplete and not sufficiently documented. In the absence of a reliable basis for price comparison, the Commission could also not assess whether exports to third countries had been dumped. As apparently no other method to determine normal value could produce a different result, the Commission decided to determine normal value in accordance with Article 2 (6) (b) of Decision No 2424/88/ECSC on the import basis prices published by the Commission for the products in question, as they applied during the investigation period.

(c) Export prices

- (19) Export prices were determined on the basis of prices actually paid or payable for hot-rolled sheets and plates sold for export to the Community for which evidence concerning relevant invoices was supplied.

(¹) OJ No L 35, 12. 2. 1992, p. 9.

(d) Comparison

- (20) Export prices have been adjusted, where appropriate evidence was available, for transport, insurance, handling and ancillary costs. All comparisons were made at the level cif Community frontier, duty unpaid.

(e) Dumping margin

- (21) The examination of the facts shows further existence of dumping for the countries concerned. The margins of dumping being equal to the amount by which the normal values as established exceed the prices for export to the Community. The weighted average dumping margin amounts to 14,4 % of the net free-at-Community-frontier price before duty. This margin is lower than the margin found in the original proceeding and its reduced amount is independent of the measures in force.

(f) Level of injury

- (22) The Commission has considered whether the prices at which the dumped imports from countries concerned were sold to the Community undercut the prices of Community producers during the investigation period. The weighted average export prices of the producers concerned (cif Community frontier, including anti-dumping duty of ECU 48 per tonne and handling costs) have been compared to the weighted average net sales prices of Community producers on the domestic market in commercial quality. On this basis the Commission found that prices of Community producers continued to be undercut by the imports in question despite the anti-dumping duty in force, the weighted average margin of price undercutting being 17,5 %.

(g) Conclusion

- (23) Taking into account the continued dumping and price undercutting despite anti-dumping measures in force, the Commission concludes that the present circumstances do not justify the repeal of the measures but call for an amendment in accordance with the decrease of the dumping margin found given that the level of the remaining price undercutting exceeds the dumping margin.

E. COMMUNITY INTEREST

- (24) In assessing whether protective measures against the countries concerned are in the interest of the Community, the Commission had to take into

consideration that steel production is a key industry in the Community which went through a severe crisis in the last decade and is continuing the implementation of restructuring plans. Employment in the Community steel industry which fell from about 600 000 people in 1980 to 425 000 in 1985 and to 385 000 in 1990 is expected to be further eroded by the effects of restructuring. The Community steel industry is undertaking further restructuring efforts in order to adapt capacities to demand prospects, to modernize equipment and to rationalize production processes. This can be achieved only if fair trading conditions are established in the market.

- (25) In the light of this situation, the Commission considers that it is in the Community's interest to maintain protective measures concerning the countries in question thus contributing to the maintenance of a viable and healthy steel industry in the Community.

- (26) No submissions were made by purchasers or processors that it would be against the Community interest to keep the anti-dumping measures in force. It is also considered that the maintenance of the protective measures will continue to have a limited effect on the costs of processing the final product. In any event, Community processors cannot expect to benefit from price advantages resulting from unfair competition.

F. PROTECTIVE MEASURES

- (27) As a result of the above findings, the anti-dumping duty should be retained in an amended form. Since price undercutting was higher than the dumping, a duty deemed sufficient to eliminate the dumping margins determined should be imposed and expressed as an amount in ECU per tonne. This form of duty seems more appropriate in the light of the specific circumstances of the market for the relevant products in order to ensure the effectiveness of the measures and to prevent circumvention. Taking account of the reduced dumping margin, the Commission calculated the amount of the duty necessary to eliminate the dumping margin at ECU 44,00 per tonne to be paid on each tonne of hot-rolled sheets and plates originating in the Republic of Slovenia and the Yugoslav republics of Macedonia, Montenegro and Serbia and imported into the Community.

- (28) Since the investigation concerns a review of existing measures, it has been decided to proceed directly to the amendment of the Decision imposing a definitive anti-dumping duty without recourse to a provisional stage. The Commission, before making its proposal in this case, informed the parties directly concerned and known to the Commission of the essential facts and considerations on the basis of which it was intended to recommend the amendment of the definitive duty and gave them ample time to comment.

G. UNDERTAKINGS

- (29) Having been informed of the essential facts and considerations on the basis of which it was intended to maintain protective measures, all the producers/exporters concerned offered undertakings concerning their exports of certain sheets and plates, of iron or steel, to the Community.
- (30) The Commission considers the terms and conditions of these undertakings as sufficient to eliminate the injurious effects of the exports in question and to bring a certain stability to the Community market of sheets and plates while allowing the producers/exporters concerned to maintain a share of the Community market. It appears furthermore that correct operation of the undertakings can be effectively monitored.

Moreover the Commission notes that in case of infringement of these undertakings it can impose immediate provisional duties pursuant to Article 10 (6) of Decision No 2424/88/ECSC and subsequently definitive duties based on the facts established in the present investigation and without carrying out new investigations concerning dumping and injury resulting therefrom.

The Commission therefore, after consultation, considers that the undertakings offered by the producers/exporters in question are acceptable and that the investigation against these companies may be terminated without imposition of definitive duties.

H. DUTY

- (31) For the companies which did not cooperate or otherwise be themselves known to the Commission, the findings were based on the facts available in accordance with Article 7 (7) (b) of Decision No 2424/88/ECSC. The Commission is of the opinion that the most appropriate facts are those established during the investigation and that in order to prevent circumvention, a definitive duty of ECU 44 per tonne as indicated in recital 27 should be imposed on imports of the products in question

originating in the Republic of Slovenia and the Yugoslav republics of Macedonia, Montenegro and Serbia realized by companies other than those which have offered undertakings.

- (32) Article 1 of Decision No 2131/88/ECSC relating to the rate of definitive duty should be amended accordingly.
- (33) The complainant was informed of the facts and principal considerations on the basis of which the Commission intends to conclude the review proceeding.

I. TERMINATION

- (34) The investigation carried out by the Commission revealed that the products concerned are not produced and exported to the Community by the Republic of Croatia and the Republic of Bosnia-Herzegovina. It is therefore considered that the proceeding concerning these countries may be terminated without imposition of defensive measures,

HAS ADOPTED THIS DECISION :

Article 1

Article 1 of Decision No 2131/88/ECSC is hereby replaced by the following :

Article 1

1. A definitive anti-dumping duty is hereby imposed on imports of certain flat-rolled products, of iron or non-alloy steel, of a width exceeding 500 mm, of a thickness of 3 mm or more, not in coils, not further worked than hot-rolled, containing by weight less than 0,6 % of carbon, falling within CN codes :

ex 7208 32 10,	ex 7208 32 30,	ex 7208 32 51,
ex 7208 32 59,	ex 7208 32 91,	ex 7208 32 99,
ex 7208 33 10,	ex 7208 33 91,	ex 7208 33 99,
ex 7208 34 10,	ex 7208 34 90,	ex 7208 42 10,
ex 7208 42 30,	ex 7208 42 51,	ex 7208 42 59,
ex 7208 42 91,	ex 7208 42 99,	ex 7208 43 10,
ex 7208 43 91,	ex 7208 43 99,	ex 7208 44 10,
ex 7208 44 90,	ex 7211 12 10,	ex 7211 19 10,

ex 7211 22 10 and ex 7211 29 10. originating in the Republic of Slovenia (Taric additional code : 8684) and the Yugoslav republics of Macedonia (Taric additional code : 8683), Montenegro (Taric additional code : 8682) and Serbia (Taric additional code : 8681).

2. The amount of the duty shall be ECU 44 per 1 000 kilograms.

3. Notwithstanding paragraph 1, the duty shall not apply for the products concerned :

- produced by Zelezarna Jesenice, Jesenice, (Taric additional code : 8680),
- produced by Rudnici i Zelezarnica Skopje, Skopje, (Taric additional code : 8679),
- produced by Metalurski Kombinat Smederevo, Smederevo, (Taric additional code : 8678).

4. The undertakings offered by the companies referred to in paragraph 3 are hereby accepted and the investigation with regard to these companies is terminated.

5. The provisions in force concerning customs duties shall apply.'

Article 2

The proceeding concerning imports of certain sheets and plates, of iron or steel, originating in the Republic of Croatia and the Republic of Bosnia-Herzegovina is hereby terminated.

Article 3

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

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

Done at Brussels, 31 July 1992.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 2298/92**of 4 August 1992****suspending the period of application of the arrangements on the supplementary trade mechanism to imports of common wheat and barley into Portugal 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 the Act of Accession of Spain and Portugal, and in particular Article 251 thereof,

Having regard to Council Regulation (EEC) No 3659/90 of 11 December 1990 on products subject to the supplementary trade mechanism during the second stage of Portuguese accession⁽¹⁾, as last amended by Regulation (EEC) No 831/92⁽²⁾, and in particular Article 1 thereof,

Whereas Regulation (EEC) No 3659/90 provides that the supplementary trade mechanism is to apply during the second stage in accordance with the conditions laid down in Article 250, 251 and 252 of the Act of Accession; whereas, in the case of the products covered by CN codes 1001 90 99, 1003 00 90 and 1005 90 00, that mechanism is to apply during periods which are sensitive as regards the marketing of Portuguese production; whereas those periods must be determined for each of the cereals in question taking account of the period of harvest;

Whereas Commission Regulation (EEC) No 1351/92 of 26 May 1992 laying down detailed rules for applying the supplementary trade mechanism to imports of cereals into Portugal during the 1992/93 marketing year⁽³⁾ provides for that mechanism to apply to imports of barley and common wheat into Portugal during the period 1 June to 30 November;

Whereas the Portuguese common wheat and barley production from the 1992/93 marketing year may be considered sold; whereas, under these circumstances, imports of common wheat and barley into Portugal should not continue to be subject to the supplementary trade mechanism;

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

Notwithstanding Article 1 of Regulation (EEC) No 1351/92, the application of the supplementary trade mechanism is suspended for imports of common wheat and barley into Portugal.

Article 2

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

It shall apply from 27 July 1992.

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

Done at Brussels, 4 August 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 362, 27. 12. 1990, p. 38.

⁽²⁾ OJ No L 88, 3. 4. 1992, p. 14.

⁽³⁾ OJ No L 145, 27. 5. 1992, p. 47.

COMMISSION REGULATION (EEC) No 2299/92
of 5 August 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 2237/92 ⁽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 4 August 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 6 August 1992.

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

Done at Brussels, 5 August 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 218, 1. 8. 1992, p. 109.

⁽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 5 August 1992 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy ⁽²⁾
1701 11 10	38,10 ⁽¹⁾
1701 11 90	38,10 ⁽¹⁾
1701 12 10	38,10 ⁽¹⁾
1701 12 90	38,10 ⁽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 2300/92
of 5 August 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 2195/92 ⁽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 6 August 1992.

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

Done at Brussels, 5 August 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 218, 1. 8. 1992, p. 5.

ANNEX

to the Commission Regulation of 5 August 1992 fixing the import levies on rice and broken rice

(ECU / tonne)

CN code	Levies (°)		
	Arrangement in Regulation (EEC) No 3877/86 (°)	ACP Bangladesh (⁽¹⁾) (⁽²⁾) (⁽³⁾)	Third countries (except ACP) (⁽⁴⁾)
1006 10 21	—	164,05	335,31
1006 10 23	—	167,51	342,23
1006 10 25	—	167,51	342,23
1006 10 27	256,67	167,51	342,23
1006 10 92	—	164,05	335,31
1006 10 94	—	167,51	342,23
1006 10 96	—	167,51	342,23
1006 10 98	256,67	167,51	342,23
1006 20 11	—	205,97	419,14
1006 20 13	—	210,29	427,79
1006 20 15	—	210,29	427,79
1006 20 17	320,84	210,29	427,79
1006 20 92	—	205,97	419,14
1006 20 94	—	210,29	427,79
1006 20 96	—	210,29	427,79
1006 20 98	320,84	210,29	427,79
1006 30 21	—	255,23	534,32 (⁽⁵⁾)
1006 30 23	—	299,43	622,64 (⁽⁵⁾)
1006 30 25	—	299,43	622,64 (⁽⁵⁾)
1006 30 27	466,98 (⁽⁵⁾)	299,43	622,64 (⁽⁵⁾)
1006 30 42	—	255,23	534,32 (⁽⁵⁾)
1006 30 44	—	299,43	622,64 (⁽⁵⁾)
1006 30 46	—	299,43	622,64 (⁽⁵⁾)
1006 30 48	466,98 (⁽⁵⁾)	299,43	622,64 (⁽⁵⁾)
1006 30 61	—	272,18	569,06 (⁽⁵⁾)
1006 30 63	—	321,38	667,47 (⁽⁵⁾)
1006 30 65	—	321,38	667,47 (⁽⁵⁾)
1006 30 67	500,60 (⁽⁵⁾)	321,38	667,47 (⁽⁵⁾)
1006 30 92	—	272,18	569,06 (⁽⁵⁾)
1006 30 94	—	321,38	667,47 (⁽⁵⁾)
1006 30 96	—	321,38	667,47 (⁽⁵⁾)
1006 30 98	500,60 (⁽⁵⁾)	321,38	667,47 (⁽⁵⁾)
1006 40 00	—	77,82	161,65

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

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

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

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

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

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

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

COMMISSION REGULATION (EEC) No 2301/92**of 5 August 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 2196/92 ⁽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 6 August 1992.

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

Done at Brussels, 5 August 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 218, 1. 8. 1992, p. 7.

ANNEX

to the Commission Regulation of 5 August 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 2302/92
of 5 August 1992

fixing the maximum export refund for white sugar for the 14th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EEC) No 920/92

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

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

Whereas, following an examination of the tenders submitted in response to the 14th partial invitation to tender, the provisions set out in Article 1 should be adopted;

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;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. For the 14th partial invitation to tender for white sugar issued pursuant to amended Regulation (EEC) No 920/92 the maximum amount of the export refund is fixed at ECU 43,068 per 100 kilograms.

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.

Article 2

This Regulation shall enter into force on 6 August 1992.

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

Done at Brussels, 5 August 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 6, 11. 1. 1992, p. 19.

⁽³⁾ OJ No L 98, 11. 4. 1992, p. 11.

⁽⁴⁾ OJ No L 176, 30. 6. 1992, p. 31.

⁽⁵⁾ OJ No L 151, 3. 6. 1992, p. 4.

⁽⁶⁾ OJ No L 205, 22. 7. 1992, p. 2.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DIRECTIVE 92/63/EEC

of 10 July 1992

amending the Annexes to Council Directive 74/63/EEC on undesirable substances and products in animal nutrition

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Article 2

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 74/63/EEC of 17 December 1973 on undesirable substances and products in animal nutrition ⁽¹⁾, as last amended by Directive 87/519/EEC ⁽²⁾, and in particular Article 6 thereof,

Whereas Directive 74/63/EEC provides for regular amendment of the content of its Annexes to take account of advances in scientific and technical knowledge;

Whereas there are grounds to reduce the level of cadmium and to limit the level of arsenic in phosphates used as raw materials in compound feedingstuffs in order to improve the protection for animal and human health;

Whereas the measures provided for in this Directive are in accordance with the opinion of the Standing Committee for Feedingstuffs,

Member States shall bring into force the laws, regulations or administrative provisions necessary to comply with this Directive by 31 March 1993. They shall immediately inform the Commission thereof.

When Member States adopt these measures, these shall contain a reference to this Directive or shall be accompanied by such reference at the time of their official publication. The procedure for such reference shall be adopted by Member States.

Article 3

This Directive is addressed to the Member States.

Done at Brussels, 10 July 1992.

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annex II to Directive 74/63/EEC is hereby amended as set out in the Annex hereto.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 38, 11. 2. 1974, p. 31.

⁽²⁾ OJ No L 304, 27. 10. 1987, p. 38.

ANNEX

In Annex II, Part A :

1. in item 2 'Cadmium', the number '15' in column 3 is replaced by the number '10' and in the note at the bottom of the page the number '0,75' is replaced by the number '0,50';
2. the following item is added :

Substances/Products	Raw materials	Maximum content in mg/kg (ppm) of raw material, referred a moisture content of 12 %
(1)	(2)	(3)
'3. Arsenic	Phosphates	20'

COMMISSION DIRECTIVE 92/64/EEC

of 13 July 1992

amending Council Directive 70/524/EEC concerning additives in feedingstuffs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 70/524/EEC of 23 November 1970 concerning additives in feedingstuffs⁽¹⁾, as last amended by Commission Directive 91/620/EEC⁽²⁾, and in particular Article 7 thereof,

Whereas Directive 70/524/EEC provides for regular amendment of the content of its Annexes to take account of advances in scientific and technical knowledge; whereas the Annexes have been codified by Commission Directive 91/248/EEC⁽³⁾;

Whereas the use of the antibiotic 'Avilamycin', of the coccidiostats 'Lasalocid sodium' and 'Maduramicin ammonium', as well as of the binder 'synthetic calcium aluminates' has been widely tested in certain Member States; whereas, on the basis of experience gained, it appears that these new uses can be authorized throughout the Community;

Whereas the additive 'zinc oxide' can, according to its origins, contain significant quantities of lead and whereas it is appropriate to limit the content of this substance in order to prevent undesirable effects on health;

Whereas new uses of the coccidiostat 'halofuginone' and of the binder 'synthetic calcium aluminates' have been successfully tested in certain Member States; whereas it is appropriate to authorize these new uses provisionally at national level, while waiting for them to be authorized at Community level;

Whereas the measures provided for in this Directive are in accordance with the opinion of the Standing Committee on Feedingstuffs,

HAS ADOPTED THIS DIRECTIVE:

Article 1

The Annexes to Directive 70/524/EEC are hereby amended as set out in the Annex hereto.

Article 2

Member States shall bring into force the laws, regulations or administrative provisions necessary to comply with this Directive by 31 March 1993 at the latest. They shall immediately inform the Commission thereof.

When Member States adopt these measures, these shall contain a reference to this Directive or shall be accompanied by such reference at the time of their official publication. The procedure for such reference shall be adopted by Member States.

Article 3

This Directive is addressed to the Member States.

Done at Brussels, 13 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 270, 14. 12. 1970, p. 1.

⁽²⁾ OJ No L 334, 5. 12. 1991, p. 62.

⁽³⁾ OJ No L 124, 18. 5. 1991, p. 1.

ANNEX

1. In Annex I:

(a) in part A 'Antibiotics', the following item is added:

EEC No	Additive	Chemical formula, description	Species or category of animal	Maximum age	Minimum content		Other provisions
					mg/kg of complete feedingstuff	Maximum content	
E 717	Avilamycin	$C_{57.42}H_{42.90}Cl_{1.2}O_{31.32}$ (Mixture of oligosaccharides of the orthosomycin group produced by <i>Streptomyces viridochromogenes</i>)	Piglets Pigs	4 months 6 months	20	40	—
					10	20	—

(b) in part D 'Coccidiostats and other medicinal substances':

(aa) the wording of item E 763 'Lasalocid sodium' is completed as follows:

EEC No	Additive	Chemical formula, description	Species or category of animal	Maximum age	Minimum content		Other provisions
					mg/kg of complete feedingstuff	Maximum content	
			Turkeys	12 weeks	90	125	Use prohibited at least five days before slaughter Indicate in the instructions for use: 'This feedingstuff contains an ionophore; simultaneous use with certain medicinal substances can be contra-indicated'

(bb) the following item is added:

EEC No	Additive	Chemical formula, description	Species or category of animal	Maximum age	Minimum content		Other provisions
					mg/kg of complete feedingstuff	Maximum content	
E 770	Maduramicin ammonium	$C_{47}H_{83}O_{17}N$ (ammonium salt of a polyether monocarboxylic acid produced by <i>Actinomadura yumaensis</i>)	Chickens for fattening	—	5	5	Indicate in the instructions for use: '— Use prohibited at least five days before slaughter — Dangerous for Equidae' 'This feedingstuff contains an ionophore; simultaneous use with certain medicinal substances (e.g. tiamulin) can be contra-indicated'

- (c) in part I 'Trace elements' item E 6 'Zinc — Zn', the provision 'Maximum content of lead : 600 mg/kg', is indicated in the column 'Other provisions' for the additive 'Zinc oxide'.
- (d) in part L 'Binders, anti-caking agents and coagulants' :
- (aa) item E 558 'Bentonite montmorillonite' in the column 'Other provisions', the words 'and Robenidine' are replaced by the words 'Robenidine, maduramicin ammonium'
- (bb) the following item is added :

EBC No	Additive	Chemical formula, description	Species or category of animal	Maximum age	Minimum content mg/kg of complete feedingstuff	Maximum content	Other provisions
E 598	Synthetic calcium aluminates	Mixture of calcium aluminates containing between 35 and 51 % of Al ₂ O ₃ Maximum molybdenum content of 20 mg/kg	Poultry, rabbits and pigs	—	—	20 000	All feedingstuffs

2. In Annex II :

- (a) in part D 'Coccidiostats and other medicinal substances', the following item is added :

No	Additive	Chemical formula, description	Species or category of animal	Maximum age	Minimum content mg/kg of complete feedingstuff	Maximum content	Other provisions	Period of authorization
25	Halofuginone	di-trans-7-bromo-6-chloro-3-[3-(3-hydroxy-2-piperidyl) acetonyl] quinazolin-4(3H)-one hydrobromide	Chickens reared for laying	16 weeks	3	3	—	30. 11. 1993

- (b) in part L 'Binders, anti-caking agents and coagulants', the wording of the item No 1 'Synthetic calcium aluminates' is completed as follows :

No	Additive	Chemical formula, description	Species or category of animal	Maximum age	Minimum content mg/kg of complete feedingstuff	Maximum content	Other provisions	Period of authorization
			Dairy cows Cattle for fattening calves, lambs, kids	—	—	8 000	All feedingstuffs	30. 11. 1993

COMMISSION DECISION

of 9 July 1992

relating to certain transitional measures which are necessary to facilitate the move to the new system of veterinary checks provided for in Council Directive 90/675/EEC

(92/399/EEC)

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

Having regard to Council Directive 90/675/EEC of 10 December 1990 laying down the principles governing the organization of veterinary checks on products entering the Community from third countries⁽¹⁾, as amended by Directive 91/496/EEC⁽²⁾, and in particular Article 30 thereof,

Whereas Directive 90/675/EEC makes arrangements for a new system of veterinary checks for products entering the Community coming from third countries;

Whereas this new system in particular provides for a physical check on each consignment at the border inspection post, subject to the Commission's fixing a reduced frequency of checks, in accordance with the procedure provided for in Article 24 of Directive 90/675/EEC;

Whereas, in principle, all checks on products for which the veterinary requirements governing trade have been harmonized at Community level, must be carried at the external frontier;

Whereas it is important to provide for a period of adaptation before moving to the new system, and that transitional measures must be limited to those that are strictly necessary, as regards their scope and duration, so as to facilitate the move to the new system;

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

HAS ADOPTED THIS DECISION:

Article 1

1. Member States shall carry out documentary checks on products coming from third countries at preselected border inspection posts or at border crossing points.

2. Subject to the provisions of Council Directive 89/662/EEC⁽³⁾ and without prejudice to paragraph 3, Member States shall continue to carry out identification and physical checks according to the currently-used frequency and methods, until 31 December 1992.

3. Until 31 December 1992:

(a) in addition to the checks laid down by Article 20 of Directive 89/662/EEC and in so far as a Member State finds that the checks referred to in paragraph 2 have not been carried out, the Member State shall carry out the said checks either:

- during the course of transportation, or
- at the destination;

(b) Member States referred to in point (b) of Article 11 (2) of Directive 90/675/EEC may also, by prior agreement, dispatch products coming from third countries, under customs control, to the Member State of destination, there to be subjected to the checks referred to in paragraph 2. Under these circumstances, the Member States concerned shall inform the Commission and the other Member States;

(c) documents to justify the checks which have been carried out shall accompany the products to the destination.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 9 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 373, 31. 12. 1990, p. 1.

⁽²⁾ OJ No L 268, 24. 9. 1991, p. 56.

⁽³⁾ OJ No L 395, 30. 12. 1989, p. 13.

COMMISSION DECISION

of 15 July 1992

amending the lists of standards institutions annexed to Council Directive 89/189/EEC

(92/400/EEC)

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

Having regard to Council Directive 83/189/EEC of 28 March 1983 laying down a procedure for the provision of information in the field of technical standards and regulations⁽¹⁾, as last amended by Commission Decision 90/230/EEC⁽²⁾,

Having regard to the opinion of the Standing Committee set up by Article 5 of that Directive,

Whereas the Commission, in its 1987 Green Paper on telecommunications, recommended a substantial increase in standardization activity in the Community, in particular by means of the creation of a European standardization body in the telecommunications field;

Whereas the PTT authorities of the countries of the European Conference of Postal and Telecommunications Administrations (CEPT) acted on this recommendation from the Commission in March 1988 by setting up ETSI (European Telecommunications Standards Institute), a non-profit-making association under French law;

Whereas the set of rules of the procedure adopted by the ETSI General Assembly on 21 November 1990, on 7 March 1991 and on 3 April 1992 designed to ensure its smooth functioning as a European standardization body after the start-up phase;

Whereas the Member States responded positively to the Council resolution of 27 April 1989 on standardization in the field of information technology and telecommunica-

tions⁽³⁾, and in particular to the call for national standardization bodies to be nominated without delay to take part in the procedure for the adoption of ETSI standards;

Whereas CEN, Cenelec and ETSI responded favourably to this resolution, in particular by setting up a Joint Presidents Group of CEN, Cenelec and ETSI in December 1989, signing a general agreement on cooperation between the three bodies in June 1990, and defining the terms of reference for collaboration within the ITSTC (Information Technology Steering Committee),

HAS ADOPTED THIS DECISION :

Article 1

The lists annexed to Directive 83/189/EEC are hereby replaced by the lists annexed to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 15 July 1992.

For the Commission

Martin BANGEMANN

Vice-President

⁽¹⁾ OJ No L 109, 26. 4. 1983, p. 8.

⁽²⁾ OJ No L 128, 18. 5. 1990, p. 15.

⁽³⁾ OJ No C 117, 11. 5. 1989, p. 1.

ANNEX

LIST 1

Standards institutions

1. Aenor (Spain)
Asociación Española de Normalización y
Certificación,
C/Fernández de la Hoz, nº 52,
E-28010 Madrid
2. Afnor (France)
Association française de normalisation,
Tour Europe — Cedex 7,
F-92049 Paris La Défense

UTE (France):
Union technique de l'électricité,
Cedex 64,
F-92052 Paris La Défense
3. BSI (United Kingdom)
British Standards Institution,
2, Park Street,
UK-London W1A 2BS

BEC (United Kingdom):
British Electrotechnical Committee,
British Standards Institution,
2, Park Street,
UK-London W1A 2BS;
4. DS (Denmark)
Dansk Standardiseringsråd,
Baunegårdsvej, 73,
DK-2900 Hellerup 12

DEK (Denmark)
Dansk Elektroteknisk Komité,
Strandgade, 36 st.,
DK-1401 København K
5. DIN (Germany)
Deutsches Institut für Normung eV,
Burggrafenstraße 6,
Postfach 1107,
D-1000 Berlin 30;

DKE (Germany)
Deutsche Elektrotechnische Kommission im
DIN und VDE,
Stresemannallee 15,
D-6000 Frankfurt am Main 70
6. ELOT (Greece)
Hellenic Organization for Standardization,
Acharnon St, 313,
GR-11145 Athens
7. IBN/BIN (Belgium)
Institut belge de normalisation,
Belgisch Instituut voor Normalisatie,
29, avenue de la Brabançonne/
Brabançonnelaan,
B-1040 Bruxelles/Brussel

CEB/BEC (Belgium)
Comité électrotechnique Belge,
Belgisch Elektrotechnisch Comité,
28, Galerie Ravenstein, boîte 2,
28, Ravensteingalerij, bus 2,
B-1000 Bruxelles/Brussel
8. IPQ (Portugal)
Instituto Português da Qualidade,
Rua José Estêvão, 83 A,
P-1199 Lisboa Codex
9. ITM (Luxemburg)
Inspection du travail et des mines,
26, rue Zithe — BP 27,
L-2010 Luxembourg

Service de l'énergie de l'État,
34, avenue Marie-Thérèse,
L-2010 Luxembourg
10. NSAI (Ireland)
National Standards Authority of Ireland,
Glasnevin,
IRL-Dublin 9

ETCI (Ireland)
Electro-Technical Council of Ireland,
Parnell Avenue, Harold's Cross
IRL-Dublin 9
11. NNI (Netherlands)
Nederlands Normalisatie Instituut,
Kalfjeslaan 2,
Postbus 5059,
NL-2600 GB Delft

NEC (Netherlands)
Nederlands Elektrotechnisch Comité,
Kalfjeslaan 2,
Postbus 5059,
NL-2600 GB Delft;
12. UNI (Italy)
Ente Nazionale italiano di unificazione,
Via Battistotti Sassi 11,
I-20100 Milano

CEI (Italy)
Comitato Elettrotecnico Italiano,
Viale Monza 259,
I-20126 Milano
13. CEN
Comité Européen de normalisation,
36, rue de Strassart
B-1050 Bruxelles

CENELEC
Comité Européen de normalisation électro-
technique,
35, rue Strassart
B-1050 Bruxelles.

ETSI
European Telecommunications
Standards Institute
BP 152
F-06561 Valbonne Cédex

LIST 2

National standards institutions in the Member States of the European Community

Same as those in List 1 except for CEN, Cenelec and ETSI.

CORRIGENDA

Corrigendum to Commission Regulation (EEC) No 2128/92 of 28 July 1992 reintroducing the levying of the customs duties applicable to a number of products originating in Hungary, to which the tariff ceilings of Council Regulation (EEC) No 521/92 apply

(Official Journal of the European Communities No L 213 of 29 July 1992)

On page 18, in Article 1 :

for: 'From 24 July to 31 December 1992, the levying of customs duties applicable to third countries shall be re-imposed on imports into the Community of the products listed in the Annex, originating in Hungary.'

read: 'From 1 August to 31 December 1992, the levying of customs duties resulting from the Association Agreement between the European Economic Community and Hungary shall be re-imposed on imports into the Community of the products listed in the Annex, originating in Hungary.'

Corrigendum to Commission Regulation (EEC) No 2129/92 of 28 July 1992 reintroducing the levying of the customs duties applicable to a number of products originating in Poland, to which the tariff ceilings of Council Regulation (EEC) No 521/92 apply

(Official Journal of the European Communities No L 213 of 29 July 1992)

On page 20, in Article 1 :

for: 'For 26 July to 31 December 1992, the levying of customs duties applicable to third countries shall be re-imposed on imports into the Community of the products listed in the Annex, originating in Poland.'

read: 'From 1 August to 31 December 1992, the levying of customs duties resulting from the Association Agreement between the European Economic Community and Poland shall be re-imposed on imports into the Community of the products listed in the Annex, originating in Poland.'
