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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2424/92

of 20 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 19 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 21 August 1992.

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

Done at Brussels, 20 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 20 August 1992 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CN code	Levy (°)
0709 90 60	150,86 (°) (°)
0712 90 19	150,86 (°) (°)
1001 10 10	172,41 (°) (°) (°)
1001 10 90	172,41 (°) (°) (°)
1001 90 91	146,78
1001 90 99	146,78 (°)
1002 00 00	153,99 (°)
1003 00 10	126,95
1003 00 90	126,95 (°)
1004 00 10	109,86
1004 00 90	109,86
1005 10 90	150,86 (°) (°)
1005 90 00	150,86 (°) (°)
1007 00 90	153,97 (°)
1008 10 00	53,53 (°)
1008 20 00	103,75 (°)
1008 30 00	52,60 (°)
1008 90 10	(°)
1008 90 90	52,60
1101 00 00	217,48 (°) (°)
1102 10 00	229,35 (°)
1103 11 10	280,96 (°) (°)
1103 11 90	234,72 (°)

- (°) 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 2425/92

of 20 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 19 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 21 August 1992.

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

Done at Brussels, 20 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 20 August 1992 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CN code	(ECU/tonne)			
	Current 8	1st period 9	2nd period 10	3rd period 11
0709 90 60	0	0	0	0,63
0712 90 19	0	0	0	0,63
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	0,63
1005 90 00	0	0	0	0,63
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	(ECU/tonne)				
	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 2426/92

of 20 August 1992

fixing the minimum levies on the importation of olive oil and levies on the importation of other olive oil sector products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

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

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

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

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

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

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

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

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

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

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 17 and 18 August 1992 leads to the minimum levies being fixed as indicated in Annex I to this Regulation;

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

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

⁽²⁾ OJ No L 215, 30. 7. 1992, p. 1.

⁽³⁾ OJ No L 169, 28. 6. 1976, p. 24.

⁽⁴⁾ OJ No L 192, 11. 7. 1992, p. 1.

⁽⁵⁾ OJ No L 169, 28. 6. 1976, p. 43.

⁽⁶⁾ OJ No L 192, 11. 7. 1992, p. 2.

⁽⁷⁾ OJ No L 169, 28. 6. 1976, p. 9.

⁽⁸⁾ OJ No L 48, 26. 2. 1986, p. 1.

⁽⁹⁾ OJ No L 142, 9. 6. 1977, p. 10.

⁽¹⁰⁾ OJ No L 192, 11. 7. 1992, p. 3.

⁽¹¹⁾ OJ No L 181, 21. 7. 1977, p. 4.

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

⁽¹³⁾ OJ No L 331, 28. 11. 1978, p. 6.

⁽¹⁴⁾ OJ No L 263, 19. 9. 1991, p. 1.

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

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

Article 3

This Regulation shall enter into force on 21 August 1992.

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

Done at Brussels, 20 August 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX I

Minimum import levies on olive oil ⁽¹⁾

(ECU/100 kg)	
CN code	Non-member countries
1509 10 10	76,00 ⁽²⁾
1509 10 90	76,00 ⁽²⁾
1509 90 00	88,00 ⁽³⁾
1510 00 10	77,00 ⁽²⁾
1510 00 90	122,00 ⁽⁴⁾

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

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

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

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

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

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

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

ANNEX II

Import levies on other olive oil sector products ⁽¹⁾

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

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

COMMISSION REGULATION (EEC) No 2427/92

of 18 August 1992

re-establishing the levying of customs duties on products of category 35 (order No 40.0350), originating in Malaysia, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3832/90 apply

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

Having regard to Council Regulation (EEC) No 3832/90 of 20 December 1990 applying generalized tariff preferences for 1991 in respect of textile products originating in developing countries ⁽¹⁾, extended into 1992 by Council Regulation (EEC) No 3387/91 ⁽²⁾, and in particular Article 12 thereof,

Whereas Article 10 of Regulation (EEC) No 3832/90 provides that preferential tariff treatment shall be accorded for each category of products in Annexes I and II thereto individual ceilings, within the limits of the quantities specified in column 8 of Annex I and column 7 of Annex II, in respect of certain or each of the countries or territories of origin referred to in column 5 of the same Annexes;

Whereas Article 11 of the abovementioned Regulation provides that the levying of customs duties may be re-establish at any time in respect of imports of the products in question once the relevant individual ceilings have been reached at Community level;

Whereas, in respect of products of category 35 (order No 40.0350), originating in Malaysia, the relevant ceiling amounts to 264 tonnes;

Whereas on 9 June 1992 imports of the products in question into the Community, originating in Malaysia, a country covered by preferential tariff arrangements, reached and were charged against that ceiling;

Whereas it is appropriate to re-establish the levying of customs duties for the products in question with regard to Malaysia,

HAS ADOPTED THIS REGULATION:

Article 1

As from 24 August 1992 the levying of customs duties, suspended pursuant to Regulation (EEC) No 3832/90, shall be re-established in respect of the following products, imported into the Community and originating in Malaysia:

Order No	Category (unit)	CN code	Description
40.0350	35 (tonnes)	5407 10 00	Woven fabrics of synthetic fibres (continuous), other than those for tyres of category 114
		5407 20 90	
		5407 30 00	
		5407 41 00	
		5407 42 10	
		5407 42 90	
		5407 43 00	
		5407 44 10	
		5407 44 90	
		5407 51 00	
		5407 52 00	
		5407 53 10	
		5407 53 90	
		5407 54 00	
		5407 60 10	
		5407 60 30	
		5407 60 51	
		5407 60 59	
		5407 60 90	
		5407 71 00	
		5407 72 00	
		5407 73 10	
		5407 73 91	
		5407 73 99	
		5407 74 00	

⁽¹⁾ OJ No L 370, 31. 12. 1990, p. 39.

⁽²⁾ OJ No L 341, 12. 12. 1991, p. 1. Last amended by Council Regulation (EEC) No 282/90 (OJ No L 31, 7. 2. 1992, p. 1).

Order No	Category (unit)	CN code	Description
40.0350 (cont'd)		5407 81 00	
		5407 82 00	
		5407 83 10	
		5407 83 90	
		5407 84 00	
		5407 91 00	
		5407 92 00	
		5407 93 10	
		5407 93 90	
		5407 94 00	
		ex 5811 00 00	
		ex 5905 00 70	

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, 18 August 1992.

For the Commission

Karel VAN MIERT

Member of the Commission

COMMISSION REGULATION (EEC) No 2428/92

of 18 August 1992

re-establishing the levying of customs duties on products of category 65 (order No 40.0650), originating in Brazil, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3832/90 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3832/90 of 20 December 1990 applying generalized tariff preferences for 1991 in respect of textile products originating in developing countries ⁽¹⁾, extended into 1992 by Council Regulation (EEC) No 3387/91 ⁽²⁾, and in particular Article 12 thereof,

Whereas Article 10 of Regulation (EEC) No 3832/91 provides that preferential tariff treatment shall be accorded for each category of products in Annexes I and II thereto individual ceilings, within the limits of the quantities specified in column 8 of Annex I and column 7 of Annex II, in respect of certain or each of the countries or territories of origin referred to in column 5 of the same Annexes ;

Whereas Article 11 of the abovementioned Regulation provides that the levying of customs duties may be re-establish at any time in respect of imports of the products in question once the relevant individual ceilings have been reached at Community level ;

Whereas, in respect of products of category 65 (order No 40.0650), originating in Brazil, the relevant ceiling amounts to 166 tonnes ;

Whereas on 19 May 1992 imports of the products in question into the Community, originating in Brazil, a country covered by preferential tariff arrangements, reached and were charged against that ceiling ;

Whereas it is appropriate to re-establish the levying of customs duties for the products in question with regard to Brazil,

HAS ADOPTED THIS REGULATION :

Article 1

As from 24 August 1992 the levying of customs duties, suspended pursuant to Regulation (EEC) No 3832/90, shall be re-established in respect of the following products, imported into the Community and originating in Brazil :

Order No	Category (unit)	CN code	Description
40.0650	65 (tonnes)	5606 00 10	Knitted or crocheted fabric other than of categories 38 A and 63, of wool, of cotton or of man-made fibres
		ex 6001 10 00	
		6001 21 00	
		6001 22 00	
		6001 29 10	
		6001 91 10	
		6001 91 30	
		6001 91 50	
		6001 91 90	
		6001 92 10	
		6001 92 30	
		6001 92 50	
		6001 92 90	
		6001 99 10	
		ex 6002 10 10	
		6002 20 10	
		6002 20 39	
		6002 20 50	
		6002 20 70	

⁽¹⁾ OJ No L 370, 31. 12. 1990, p. 39.

⁽²⁾ OJ No L 341, 12. 12. 1991, p. 1. Last amended by Council Regulation (EEC) No 282/90 (OJ No L 31, 7. 2. 1992, p. 1).

Order No	Category (unit)	CN code	Description
40.0650 (cont'd)		ex 6002 30 10 6002 41 00 6002 42 10 6002 42 30 6002 42 50 6002 42 90 6002 43 31 6002 43 33 6002 43 35 6002 43 39 6002 43 50 6002 43 91 6002 43 93 6002 43 95 6002 43 99 6002 91 00 6002 92 10 6002 92 30 6002 92 50 6002 92 90 6002 93 31 6002 93 33 6002 93 35 6002 93 39 6002 93 91 6002 93 99	

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, 18 August 1992.

For the Commission

Karel VAN MIERT

Member of the Commission

COMMISSION REGULATION (EEC) No 2429/92

of 18 August 1992

re-establishing the levying of customs duties on products of category 24 (order No 40.0240), originating in India, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3832/90 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3832/90 of 20 December 1990 applying generalized tariff preferences for 1991 in respect of textile products originating in developing countries ⁽¹⁾, extended into 1992 by Council Regulation (EEC) No 3387/91 ⁽²⁾, and in particular Article 12 thereof,

Whereas Article 10 of Regulation (EEC) No 3832/90 provides that preferential tariff treatment shall be accorded for each category of products in Annexes I and II thereto individual ceilings, within the limits of the quantities specified in column 8 of Annex I and column 7 of Annex II, in respect of certain or each of the countries or territories of origin referred to in column 5 of the same Annexes ;

Whereas Article 11 of the abovementioned Regulation provides that the levying of customs duties may be re-establish at any time in respect of imports of the products in question once the relevant individual ceilings have been reached at Community level ;

Whereas, in respect of products of category 24 (order No 40.0240), originating in India, the relevant ceiling amounts to 499 000 pieces ;

Whereas on 13 March 1992 imports of the products in question into the Community, originating in India, a country covered by preferential tariff arrangements, reached and were charged against that ceiling ;

Whereas it is appropriate to re-establish the levying of customs duties for the products in question with regard to India,

HAS ADOPTED THIS REGULATION :

Article 1

As from 24 August 1992 the levying of customs duties, suspended pursuant to Regulation (EEC) No 3832/90, shall be re-established in respect of the following products, imported into the Community and originating in India :

Order No	Category (unit)	CN code	Description
40.0240	24 (1 000 pieces)	6107 21 00	Men's or boys' nightshirts, pyjamas, bathrobes, dressing gowns and similar articles, knitted or crocheted
		6107 22 00	
		6107 29 00	
		6107 91 00	
		6107 92 00	
		ex 6107 99 00	Women's or girls' nightdresses, pyjamas, négligés, bathrobes, dressing gowns and similar articles, knitted or crocheted
		6108 31 10	
		6108 31 90	
		6108 32 11	
		6108 32 19	
		6108 32 90	
		6108 39 00	
		6108 91 00	
		6108 92 00	
		6108 99 10	

Article 2

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

⁽¹⁾ OJ No L 370, 31. 12. 1990, p. 39.

⁽²⁾ OJ No L 341, 12. 12. 1991, p. 1. Last amended by Council Regulation (EEC) No 282/90 (OJ No L 31, 7. 2. 1992, p. 1).

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

Done at Brussels, 18 August 1992.

For the Commission

Karel VAN MIERT

Member of the Commission

COMMISSION REGULATION (EEC) No 2430/92**of 19 August 1992****derogating from Regulation (EEC) No 689/92 fixing the procedure and conditions for the taking-over of cereals by intervention agencies**

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,

Whereas Commission Regulation (EEC) No 689/92⁽³⁾, as amended by Regulation (EEC) No 1941/92⁽⁴⁾, fixes the conditions for the acceptance of cereals into intervention ;

Whereas the continuation of the restrictive price policy and the application of the stabilizer mechanisms to cereals may result in difficulties for producers of certain cereals in certain Community regions ; whereas, in order to alleviate the impact of the mechanisms on the incomes of those producers, Regulation (EEC) No 1941/92 makes provision for derogations from certain quality provisions for the 1992/93 marketing year, as had been done for the 1991/92 marketing year, particularly as regards the maximum moisture content, fixed at 15 %, for cereals offered for intervention with the exception of durum wheat ;

Whereas the Italian authorities have made the same request in respect of durum wheat, prompted by the

exceptional weather conditions during the harvest ;
whereas action should be taken in response to this request ;

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 2 of Regulation (EEC) No 689/92, the Italian intervention agency is hereby authorized to fix the maximum moisture content at 15 % for durum wheat offered for intervention in the 1992/93 marketing year.

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 1 August 1992.

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

Done at Brussels, 19 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 74, 20. 3. 1992, p. 18.

⁽⁴⁾ OJ No L 196, 15. 7. 1992, p. 20.

COMMISSION REGULATION (EEC) No 2431/92

of 20 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 2393/92⁽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 19 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 21 August 1992.

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

Done at Brussels, 20 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 233, 15. 8. 1992, p. 17.⁽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 20 August 1992 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy ⁽¹⁾
1701 11 10	38,67 ⁽¹⁾
1701 11 90	38,67 ⁽¹⁾
1701 12 10	38,67 ⁽¹⁾
1701 12 90	38,67 ⁽¹⁾
1701 91 00	45,93
1701 99 10	45,93
1701 99 90	45,93 ⁽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 2432/92

of 20 August 1992

fixing the export refunds on cereals and on wheat or rye flour, groats and meal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1738/92⁽²⁾, and in particular the fourth subparagraph of Article 16 (2) thereof,

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

Whereas Article 2 of Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds⁽³⁾ provides that when refunds are being fixed, account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals on the Community market on the one hand, and prices for cereals and cereal products on the world market on the other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on cereal markets and, furthermore, to take into account the economic aspect of the proposed exports and the need to avoid disturbances on the Community market;

Whereas Article 3 of Regulation (EEC) No 2746/75 defines the specific criteria to be taken into account when the refund on cereals is being calculated;

Whereas these specific criteria are defined, as far as wheat and rye flour, groats and meal are concerned, in Article 4 of Regulation (EEC) No 2746/75; whereas furthermore, when the refund on these products is being calculated, account must be taken of the quantities of cereals required for their manufacture; whereas these quantities were fixed in Commission Regulation No 162/67/EEC⁽⁴⁾, as last amended by Regulation (EEC) No 468/92⁽⁵⁾;

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

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

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 % a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁶⁾, as last amended by Regulation (EEC) No 2205/90⁽⁷⁾,
- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

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

Whereas Council Regulation (EEC) No 1432/92⁽⁸⁾, as amended by Regulation (EEC) No 2015/92⁽⁹⁾, prohibits trade between the Community and the Republics of Serbia and Montenegro; whereas this prohibition does not apply to certain situations as given in the limitative enumeration laid down in Articles 2 and 3; whereas this should be taken into account when refunds are fixed;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 2727/75, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 21 August 1992.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 171, 26. 6. 1992, p. 47.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No 128, 27. 6. 1967, p. 2574/67.

⁽⁵⁾ OJ No L 53, 28. 2. 1992, p. 15.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁸⁾ OJ No L 151, 3. 6. 1992, p. 4.

⁽⁹⁾ OJ No L 205, 22. 7. 1992, p. 2.

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

Done at Brussels, 20 August 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 20 August 1992 fixing the export refunds on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)		
Product code	Destination (1)	Amount of refund (2)
0709 90 60 000	—	—
0712 90 19 000	—	—
1001 10 10 000	05	122,00
	02	0
1001 10 90 000	04	50,00
	02	20,00
1001 90 91 000	05	71,00
	02	0
1001 90 99 000	04	68,00
	02	20,00
1002 00 00 000	03	21,00
	02	20,00
1003 00 10 000	06	77,00
	02	0
1003 00 90 000	04	40,00
	02	20,00
1004 00 10 000	—	—
1004 00 90 000	—	—
1005 10 90 000	—	—
1005 90 00 000	04	60,00
	02	0
1007 00 90 000	—	—
1008 20 00 000	—	—
1101 00 00 100	01	107,00
1101 00 00 130	01	100,00
1101 00 00 150	01	93,00
1101 00 00 170	01	86,00
1101 00 00 180	01	80,00
1101 00 00 190	—	—
1101 00 00 900	—	—
1102 10 00 500	01	107,00
1102 10 00 700	—	—
1102 10 00 900	—	—
1103 11 10 200	01	166,50
1103 11 10 400	01	148,00
1103 11 10 900	01	0
1103 11 90 200	01	107,00
1103 11 90 800	—	—

(¹) The destinations are identified as follows :

- 01 All third countries,
- 02 Other third countries,
- 03 Switzerland, Austria and Liechtenstein,
- 04 Switzerland, Austria, Liechtenstein, Ceuta and Melilla,
- 05 Algeria,
- 06 Turkey.

(²) Refunds for exports to the Republics of Serbia and Montenegro may only be granted for humanitarian aid supplied by charitable organizations fulfilling the conditions laid down in Article 2 (a) and Article 3 of Council Regulation (EEC) No 1432/92.

NB : The zones are those defined in Commission Regulation (EEC) No 2145/92 (OJ No L 214, 30. 7. 1992, p. 20).

COMMISSION REGULATION (EEC) No 2433/92

of 20 August 1992

fixing the corrective amount applicable to the refund on cereals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds ⁽³⁾,

Whereas Article 16 (4) of Regulation (EEC) No 2727/75 provides that the export refund applicable to cereals on the day on which application for an export licence is made, adjusted for the threshold price in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the export licence; whereas, in this case, a corrective amount must be applied to the refund;

Whereas Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice ⁽⁴⁾, as last amended by Regulation (EEC) No 1906/87 ⁽⁵⁾, made possible the fixing of a corrective amount for certain products listed in Article 1 (c) of Regulation (EEC) No 2727/75;

Whereas Commission Regulation (EEC) No 1281/75 ⁽⁶⁾ laid down detailed rules for the advance fixing of export refunds for cereals and certain products processed from cereals;

Whereas, pursuant to that Regulation, when the corrective amount is being fixed, account must be taken of the existing situation and the future trend with regard to prices

and availabilities of cereals on the Community market on the one hand and possibilities and conditions for the sale of cereals and cereal products on the world market on the other; whereas the same Regulation provides that it is also important to ensure equilibrium and the natural development of prices and trade on cereal markets and, furthermore, to take into account the economic aspect of exports and the need to avoid disturbances on the Community market;

Whereas for the products listed in Article 1 (c) of Regulation (EEC) No 2727/75 account should be taken of the specific criteria laid down in Article 2 (2) of Regulation (EEC) No 1281/75;

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

Whereas the corrective amount must be fixed at the same time as the refund and according to the same procedure; whereas it may be altered in the period between fixings;

Whereas, if the system of corrective amounts is to operate normally, corrective amounts should be calculated on the following basis:

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽⁷⁾, as last amended by Regulation (EEC) No 2205/90 ⁽⁸⁾,
- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

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

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 171, 26. 6. 1992, p. 47.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁶⁾ OJ No L 131, 22. 5. 1975, p. 15.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁸⁾ OJ No L 201, 31. 7. 1990, p. 9.

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

export refunds fixed in advance in respect of cereals shall be as set out in the Annex hereto.

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 16 (4) of Regulation (EEC) No 2727/75 which is applicable to

Article 2

This Regulation shall enter into force on 21 August 1992.

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

Done at Brussels, 20 August 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 20 August 1992 fixing the corrective amount applicable to the refund on cereals

Product code	Destination (1)	(ECU/tonne)						
		Current 8	1st period 9	2nd period 10	3rd period 11	4th period 12	5th period 1	6th period 2
0709 90 60 000	—	—	—	—	—	—	—	—
0712 90 19 000	—	—	—	—	—	—	—	—
1001 10 10 000	01	0	0	0	0	0	—	—
1001 10 90 000	01	0	0	0	0	0	—	—
1001 90 91 000	01	0	0	0	0	0	—	—
1001 90 99 000	01	0	0	0	0	0	—	—
1002 00 00 000	01	0	0	0	0	0	—	—
1003 00 10 000	01	0	0	0	0	0	—	—
1003 00 90 000	01	0	0	0	0	0	—	—
1004 00 10 000	—	—	—	—	—	—	—	—
1004 00 90 000	—	—	—	—	—	—	—	—
1005 10 90 000	—	—	—	—	—	—	—	—
1005 90 00 000	01	0	0	0	0	0	—	—
1007 00 90 000	—	—	—	—	—	—	—	—
1008 20 00 000	—	—	—	—	—	—	—	—
1101 00 00 100	01	0	0	0	0	0	—	—
1101 00 00 130	01	0	0	0	0	0	—	—
1101 00 00 150	01	0	0	0	0	0	—	—
1101 00 00 170	01	0	0	0	0	0	—	—
1101 00 00 180	01	0	0	0	0	0	—	—
1101 00 00 190	—	—	—	—	—	—	—	—
1101 00 00 900	—	—	—	—	—	—	—	—
1102 10 00 500	01	0	0	0	0	0	—	—
1102 10 00 700	01	0	0	0	0	0	—	—
1102 10 00 900	—	—	—	—	—	—	—	—
1103 11 10 200	01	0	0	0	0	0	0	0
1103 11 10 400	01	0	0	0	0	0	0	0
1103 11 10 900	01	0	0	0	0	0	0	0
1103 11 90 200	01	0	0	0	0	0	0	0
1103 11 90 800	—	—	—	—	—	—	—	—

(1) For the following destinations:

01 all third countries.

NB: The zones are those defined in Commission Regulation (EEC) No 2145/92 (OJ No L 214, 30. 7. 1992, p. 20).

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 14 August 1992

imposing protective measures in respect of certain steel pipes originating in the Czech and Slovak Federal Republic and imported into the Federal Republic of Germany

(Only the German and Italian texts are authentic)

(92/433/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 520/92 of 27 February 1992, and in particular Article 6 thereof⁽¹⁾,

Whereas :

- (1) An Interim Agreement on trade and trade-related matters between the European Economic Community, of the one part, and the Czech and Slovak Federal Republic, of the other part, was signed in Brussels on 16 December 1991.

Safeguard measures may be taken under Articles 24 and 27 (3) (d) of this Interim Agreement.

- (2) On 29 July and 3 August 1992 respectively, Germany and Italy requested that the Commission adopt forthwith safeguard measures under the Interim Agreement in respect of imports of steel pipes falling within CN codes 7304 and 7306 originating in Czechoslovakia.

- (3) In their requests the German and Italian authorities claimed that the products in question were being

imported in such increased quantities and under such conditions as to cause or threaten to cause :

— serious injury to domestic producers of like or directly competing products,

or

— serious disturbances in the sector concerned or difficulties which could bring about serious deterioration in the economic situation of a region.

- (4) In support of their claim, the German authorities told the Commission that imports from Czechoslovakia of unwelded steel pipes falling within CN code 7304 totalled 37 377 tonnes during the first four months of 1992, compared with 7 226 tonnes in the same period of 1991, an increase of 420 %. The result has been an increase in the share of German consumption held by piping from Czechoslovakia from 8,3 to 18%. During the same period, imports of welded pipes falling within CN code 7306 increased by 652 %, from 3 125 to 23 500 tonnes.

Prices for these imports undercut Community market prices by 20 to 30 %.

- (5) The German authorities argued that the suddenness and magnitude of this increase in imports, the volumes concerned and the prices charged were seriously disturbing the German market in the products in question.

⁽¹⁾ OJ No L 56, 29. 2. 1992, p. 9.

German pipe manufacturers have recorded an appreciable decline in orders and a fall in output. The amount of unwelded-pipe-making capacity in use has fallen below 50 % in Germany, well below the 75 % regarded as the threshold for profitability in the sector. A similar situation can be found in the industry producing threaded welded pipe, where business has fallen off seriously. The downward trend has led to an overall worsening in the situation of German pipe producers, who have had to introduce short-time working, close some production lines and prepare to lay off staff. It is also reflected in the financial results of most of the firms involved, which have registered losses. The adverse impact on German producers of the increase in imports from Czechoslovakia is compounded by the general tailing-off of economic activity.

- (6) The German authorities also argued that without protective measures it was highly probable that the very rapid growth of imports originating in Czechoslovakia would continue and perhaps increase even further owing to the increase in Czechoslovakia's capacity to export to Germany. This is attributable both to the reduction in Czechoslovakia's domestic consumption and the major decline in orders from its traditional clients in other countries of Eastern Europe, and to the fact that the German market's geographical location makes it a natural outlet for Czechoslovakia's industry. Such a trend would further aggravate the serious injury to German pipe producers.
- (7) In the light of the above the Commission considers that the criteria laid down in Articles 24 and 27 (d) of the Interim Agreement have been met and that it is necessary to adopt forthwith protective measures in respect of pipes falling within CN codes 7304 and 7306 originating in Czechoslovakia in order to counter the injury caused to German pipe producers. The Commission considers that the imports in question should be limited using the level of imports in 1991 as a reference. This quantitative limit should, however, be increased by 20 % to allow for a reasonable growth in imports.

- (8) The Italian authorities have also provided the Commission with information on trends in imports of the products concerned entering the Italian market from Czechoslovakia. The Commission will closely monitor trends in those imports and, in the light of its findings, re-examine, if necessary, the situation on the Italian market,

HAS ADOPTED THIS DECISION :

Article 1

1. The importation into the Federal Republic of Germany of steel pipes falling within CN codes 7304 and 7306 originating in the Czech and Slovak Federal Republic shall be subject to presentation of an import authorization issued by the German authorities.

2. The import authorization referred to in paragraph 1 shall be issued by the German authorities against an annual quota of 62 230 tonnes for CN code 7304 and 26 650 tonnes for CN code 7306 for the year 1992, with account being taken of amounts already imported.

Article 2

This Decision shall not prevent the release for free circulation of products which, at the time of its entry into force, were already under way to the Community.

Article 3

This Decision is addressed to Germany and Italy.

It shall be applicable until 31 December 1992.

Done at Brussels, 14 August 1992.

For the Commission

Frans ANDRIESSEN

Vice-President

COMMISSION RECOMMENDATION**of 14 August 1992****imposing protective measures in respect of certain ECSC iron and steel products
originating in the Czech and Slovak Federal Republic****(Only the French, German and Italian texts are authentic)****(92/434/ECSC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Coal and Steel Community,Having regard to Commission Decision 524/92/ECSC,
and in particular Article 5 thereof⁽¹⁾,

Whereas :

- (1) An Interim Agreement on trade and trade-related matters between the European Economic Community, of the one part, and the Czech and Slovak Federal Republic (hereinafter referred to as 'Czechoslovakia'), of the other part, was signed in Brussels on 16 December 1991.

Safeguard measures may be taken under Articles 24
and 27 (3) (d) of this Interim Agreement.

- (2) On 29 July, 31 July and 3 August 1992 respectively, Germany, France and Italy requested that the Commission adopt forthwith safeguard measures under the Interim Agreement in respect of imports of certain ECSC iron and steel products originating in Czechoslovakia.

- (3) In their requests the authorities of the Member States concerned claimed that the products in question were being imported in such increased quantities and under such conditions as to cause or threaten to cause :

— serious injury to domestic producers of like or
directly competing products,

or

— serious disturbances in the sector concerned or
difficulties which could bring about serious
deterioration in the economic situation of a
region.

- (4) In support of their claim, the Member States in question supplied the Commission with information showing that imports from Czechoslovakia of hot-rolled coils, cold-rolled sheets and bars and rods increased considerably in the first few months of 1992.

- (a) Hot-rolled coils falling within the CN codes listed in Annex I: the import documents requested or issued show an upward trend of up to 320 % over 1991 levels for certain products imported into Germany and of up to 575 % over 1991 levels for certain products imported into France.

The market share of imports from Czechoslovakia consequently rose from 0,9 % in 1991 to 3,2 % in Germany, from 1 % to 4,6 % in France and from 2,2 % to 3,3 % in Italy. In the case of particular CN codes, market share reached 15,3 % in Germany, 12 % in France and 10,7 % in Italy.

- (b) Cold-rolled sheets falling within the CN codes listed in Annex II: the import documents requested or issued show an upward trend of up to 320 % for certain products imported into France.

The market share of imports from Czechoslovakia consequently rose from 1,4 % to 2,8 % in France, and reached 13,6 % in the case of certain products. The market share achieved was 3 % in Germany and 2,2 % in Italy.

- (c) Bars and rods falling within the CN codes listed in Annex III: the extremely rapid increase in imports from Czechoslovakia brought a rise in their share of the German market from 5,5 % in 1991 to 14 % in 1992.

- (5) The information provided by the Member States moreover indicates that the prices of these imports were very low (20 to 30 % below Community market prices).

⁽¹⁾ OJ No L 56, 29. 2. 1992, p. 41.

The Member States claim that the suddenness, scale, volume and price of these imports have caused a disturbance of their markets and that the situation threatens to worsen further. These are markets where demand is already low and prices falling, and where production capacity is severely under-used, with even the most efficient firms working at a loss. There is a risk of additional job losses and even closure of some plants.

- (6) Because of these factors, the iron and steel industry in certain parts of the Community is especially vulnerable where certain products are concerned to any sudden and substantial increase in the market share of non-member country producers, particularly where this is achieved by charging low prices. Such transactions depress prices within the Community and take sales away from Community firms, reducing the use they make of their production capacity and contributing to a dramatic increase in losses.

This pattern of imports from Czechoslovakia, which has brought its exporters a market share of up to 27 %, is indicative of a momentum which has no reason to diminish. The Member States have pointed to :

- the greater frequency of requests for import documents,
- Czechoslovakia's production capacity, which is the largest in central Europe,
- the increase in export opportunities arising from the fact that the country has lost many of its markets in central and eastern Europe, particularly the Commonwealth of Independent States (CIS),
- the decrease in domestic demand in Czechoslovakia,
- the geographical proximity of the Community, which makes it a natural market for exports from Czechoslovakia.

Under these circumstances, there is an imminent danger that the disturbance already caused by imports from Czechoslovakia will increase.

- (7) In the light of the above, the Commission considers that the criteria laid down in Articles 24 and 27 (3) (d) of the Interim Agreement have been met and that it is necessary to adopt forthwith protective measures in respect of the products listed below, in order to counter the injury which the imports from Czechoslovakia threaten to cause.

The products in question are :

- hot-rolled coils imported into France, Germany and Italy,
 - cold-rolled sheets imported into France,
 - bars and rods imported into Germany.
- (8) The Commission considers that the imports in question should be limited using the level of

imports in 1991 as a reference. This quantitative limit should, however, be increased by 20 % to allow for a reasonable growth in imports.

- (9) The Commission will, moreover, closely monitor the pattern of imports from Czechoslovakia on the markets of each of the Member States, and will review the situation in the light of the results which emerge,

HAS ADOPTED THIS RECOMMENDATION :

Article 1

1. Imports from Czechoslovakia into the Member States listed below of the products listed below shall be subject to presentation of an import authorization issued by the authorities of the appropriate Member State.

Member State	Products
Germany	} Products listed in Annex I
France	
Italy	
France	Products listed in Annex II
Germany	Products listed in Annex III

2. The import authorization referred to in paragraph 1 shall be issued by the authorities of the Member State in question against the annual quotas listed below for the year 1992, with account being taken of amounts already imported.

Products	Member State	Quantity (tonnes)
Products listed in Annex I	{ Germany	39 845
	{ France	24 770
	{ Italy	36 355
Products listed in Annex II	France	30 975
Products listed in Annex III	Germany	163 635

Article 2

This Recommendation shall not prevent the release for free circulation of products which, at the time of its entry into force, were already under way to the Community.

Article 3

This Recommendation is addressed to France, Germany and Italy. It shall be applicable until 31 December 1992.

Done at Brussels, 14 August 1992.

For the Commission

Frans ANDRIESEN

Vice-President

*ANNEX I***HOT-ROLLED COILS**

CN code		
7208 11 00	7208 22 10	7211 29 10
7208 12 10	7208 22 91	7219 11 10
7208 12 91	7208 22 95	7219 11 90
7208 12 95	7208 22 98	7219 12 10
7208 12 98	7208 23 10	7219 12 90
7208 13 10	7208 23 91	7219 13 10
7208 13 91	7208 23 95	7219 13 90
7208 13 95	7208 23 98	7219 14 10
7208 13 98	7208 24 10	7219 14 90
7208 14 10	7208 24 91	7225 10 10
7208 14 91	7208 24 99	7225 20 10
7208 14 99	7211 12 10	7225 30 00
7208 21 10	7211 19 10	
7208 21 90	7211 22 10	

*ANNEX II***COLD-ROLLED SHEETS**

CN code		
7209 11 00	7209 24 91	7209 42 90
7209 12 90	7209 24 99	7209 43 90
7209 13 90	7209 31 00	7209 44 90
7209 14 90	7209 32 90	7211 30 10
7209 21 00	7209 33 90	7211 41 10
7209 22 90	7209 34 90	7211 41 91
7209 23 90	7209 41 00	7211 49 10

*ANNEX III***BARS AND RODS**

CN code		
7213 10 00	7213 49 00	7227 10 00
7213 20 00	7213 50 10	7227 20 00
7213 31 00	7213 50 90	7227 90 10
7213 39 00	7221 00 10	7227 90 30
7213 41 00	7221 00 90	7227 90 80