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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2483/92

of 27 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 26 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 28 August 1992.

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

Done at Brussels, 27 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 27 August 1992 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CN code	Levy ^(*)
0709 90 60	152,07 ⁽²⁾ ⁽³⁾
0712 90 19	152,07 ⁽²⁾ ⁽³⁾
1001 10 10	171,52 ⁽¹⁾ ⁽³⁾ ⁽¹⁰⁾
1001 10 90	171,52 ⁽¹⁾ ⁽³⁾ ⁽¹⁰⁾
1001 90 91	146,11
1001 90 99	146,11 ⁽¹¹⁾
1002 00 00	155,76 ⁽⁹⁾
1003 00 10	129,61
1003 00 90	129,61 ⁽¹¹⁾
1004 00 10	112,48
1004 00 90	112,48
1005 10 90	152,07 ⁽²⁾ ⁽³⁾
1005 90 00	152,07 ⁽²⁾ ⁽³⁾
1007 00 90	156,07 ⁽⁴⁾
1008 10 00	58,79 ⁽¹¹⁾
1008 20 00	107,51 ⁽⁴⁾
1008 30 00	57,56 ⁽³⁾
1008 90 10	⁽⁷⁾
1008 90 90	57,56
1101 00 00	217,51 ⁽⁸⁾ ⁽¹¹⁾
1102 10 00	231,03 ⁽⁸⁾
1103 11 10	278,76 ⁽⁸⁾ ⁽¹⁰⁾
1103 11 90	234,75 ⁽⁸⁾

- (¹) Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.
- (²) In accordance with Regulation (EEC) No 715/90 the levies are not applied to products imported directly into the French overseas departments, originating in the African, Caribbean and Pacific States.
- (³) Where maize originating in the ACP is imported into the Community the levy is reduced by ECU 1,81/tonne.
- (⁴) Where millet and sorghum originating in the ACP is imported into the Community the levy is applied in accordance with Regulation (EEC) No 715/90.
- (⁵) Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.
- (⁶) The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 and Commission Regulation (EEC) No 2622/71.
- (⁷) The levy applicable to rye shall be charged on imports of the product falling within CN code 1008 90 10 (triticale).
- (⁸) On importation into Portugal the levy is increased by the amount specified in Article 2 (2) of Regulation (EEC) No 3808/90.
- (⁹) No levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC, except if paragraph 4 of the same Article applies.
- (¹⁰) An amount equal to the amount fixed by Regulation (EEC) No 1825/91 is to be levied in accordance with Article 101 (4) of Decision 91/482/EEC.
- (¹¹) Products falling within this code, imported from Poland, Czechoslovakia or Hungary under the Interim Agreements concluded between those countries and the Community, and in respect of which EUR.1 certificates issued in accordance with Regulation (EEC) No 585/92 have been presented, are subject to the levies set out in the Annex to that Regulation.

COMMISSION REGULATION (EEC) No 2484/92

of 27 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 26 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 28 August 1992.

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

Done at Brussels, 27 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 27 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	0,64
0712 90 19	0	0	0	0,64
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	0,64
1005 90 00	0	0	0	0,64
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 2485/92

of 27 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 24 and 25 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 28 August 1992.

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

Done at Brussels, 27 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 ⁽²⁾
1510 00 10	77,00 ⁽²⁾
1510 00 90	122,00 ⁽²⁾

⁽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 2486/92

of 27 August 1992

amending 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 1766/92 of 30 June 1992 on the common organization of the market in cereals ⁽¹⁾, and in particular Article 5 thereof,

Whereas Commission Regulation (EEC) No 689/92 ⁽²⁾, as amended by Regulation (EEC) No 1941/92 ⁽³⁾, lays down the conditions for the acceptance of cereals into intervention;

Whereas the intervention price is fixed for a standard quality laid down for each cereal; whereas this price may be adjusted by increases or reductions for cereals not complying with this quality;

Whereas cereals offered for intervention must comply with quality standards permitting appropriate use or storage; whereas, as a result, a minimum quality should be laid down;

Whereas, when determining the minimum quality, the differences in climatic conditions in the regions of the Community should be taken into account as far as possible;

Whereas Regulation (EEC) No 1766/92 introduced a single intervention price system for all cereals; whereas this should be taken into account in respect of common wheat by laying down the breadmaking quality as the minimum quantity;

Whereas Regulation (EEC) No 1581/86 of 23 May 1986 laying down general rules for intervention on the market in cereals ⁽⁴⁾, as last amended by Regulation (EEC) No 2203/90 ⁽⁵⁾, will be repealed with effect from 1 July 1993; whereas some of the provisions of this Regulation should be included in the detailed rules for application;

Whereas, under an intervention price system, there can be quality increases and reductions only for certain essential cereal characteristics;

Whereas the required minimum intervention quality may be achieved by mixing different qualities of the cereals in question; whereas this risk is particularly great in the case of common wheat; whereas, as a result, the machinability

test should be maintained in the case of batches of common wheat of poor quality;

Whereas, in order to simplify application of the intervention system, the price increases and reductions and the conditions for taking over should be incorporated into a single regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 689/92 is hereby amended as follows:

1. 'The Annex hereto' in the first subparagraph of Article 2 (2) is replaced by 'Annex I'.
2. The Annex is replaced by Annex I to this Regulation. Annexes II and III to this Regulation are added.
3. The last two subparagraphs of Article 2 (2) are replaced by the following:

'In addition, in cases where analyses indicate that the Zeleny index of a batch of common wheat is between 20 and 30, in order to be deemed sound, fair and of marketable quality within the meaning of paragraph 1, the dough obtained from this wheat must be judged to be non-sticky and machinable in accordance with the method laid down in Annex IV to Regulation (EEC) No 1908/84 of the Commission ⁽⁶⁾.

⁽⁷⁾ OJ No L 178 of 5. 7. 1984, p. 6.'

4. The third subparagraph of Article 3 (7) is replaced by the following:

'The offerer shall bear the costs relating to:

- determination of the tannin content of sorghum,
- the amylasic activity (Hagberg) test,
- determination of the protein content in the case of durum wheat and common wheat,
- the Zeleny test,
- the machinability test.'

5. Article 4 is replaced by the following:

Article 4

1. Without prejudice to paragraph 2, the price payable to the offerer shall be the intervention price referred to in Article 3 (3) of Regulation (EEC)

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 74, 20. 3. 1992, p. 18.

⁽³⁾ OJ No L 196, 15. 7. 1992, p. 20.

⁽⁴⁾ OJ No L 139, 24. 5. 1986, p. 36.

⁽⁵⁾ OJ No L 201, 31. 7. 1990, p. 5.

No 1766/92, valid on the date specified as the first day of delivery when notice was given of acceptance of the offer, for goods delivered at warehouse, before unloading. This price shall be adjusted in accordance with the increases and reductions referred to in Article 4 (a).

However, where delivery takes place in a month in which the intervention price is lower than that of the month of the offer, the latter price shall apply.

2. On receipt of an offer, in compliance with Article 4 of Regulation (EEC) No 1766/92, intervention agencies shall decide on the place where the cereals are to be taken over.

Transport costs from the place where the goods are stored when the offer is made to the intervention centre to which they can be transported at least expense shall be borne by the offerer.

Should the intervention agency take over the goods at a place other than the intervention centre to which they may be transported at least expense, it shall determine and bear the additional transport costs. In this case the transport costs referred to in the preceding subparagraph shall be determined by the intervention agency.

If the intervention agency, in agreement with the offerer, stores the goods at the place at which they are located at the time the offer is made, the costs referred to in the second sentence of the preceding subparagraph and the costs of removal from the warehouse, the latter being assessed on the basis of the rates actually recorded in the Member State concerned, shall be deducted from the intervention price.

3. Payment shall be made between the 30th and the 35th day following the date of takeover, as referred to in Article 3 (4).'

6. The following Article 4 (a) is inserted :

'Article 4 (a)

1. The price increases or reductions by which the intervention price is increased or decreased shall be calculated by applying the percentages provided for in paragraph 2 to the said price without the monthly increases.

2. (a) Where the moisture content of the cereals offered for intervention is lower than the moisture content of the standard quality, the price increases to be applied shall be those listed in Table I of Annex II.

Where the moisture content of durum wheat offered for intervention is higher than the moisture content of the standard quality, the price reductions to be applied shall be those listed in Table II of Annex II.

(b) Where the specific weight of common wheat, rye and barley offered for intervention differs from the specific weight of the standard quality, the price reductions to be applied shall be those listed in Table III of Annex II.

(c) Where the percentage of broken grains exceeds 3 % for durum wheat, common wheat, rye and barley and 4 % for maize and sorghum, a reduction of 0,05 % shall be applied for each excess of 0,1 %.

(d) Where the percentage of grain impurities exceeds 2 % for durum wheat, 3 % for rye, 4 % for maize and sorghum and 5 % for common wheat and barley, a reduction of 0,05 % shall be applied for each excess of 0,1 %.

(e) Where the percentage of sprouted grains exceeds 2,5 %, a reduction of 0,05 % shall be applied for each excess of 0,1 %.

(f) Where the percentage of miscellaneous impurities (Schwarzbesatz) exceeds 0,5 % for durum wheat and 1 % for common wheat, rye, barley, maize and sorghum, a reduction of 0,1 % shall be applied for each excess of 0,1 %.

(g) Where the percentage of piebald grains in durum wheat exceeds 20 %, a reduction of 0,2 % shall be applied for each excess of 1 % or fraction of 1 %.

(h) Where the protein content of common wheat is less than 11,5 %, the reductions to be applied shall be those listed in Table IV of Annex II. These reductions shall be applied to the intervention price valid at the beginning of the marketing year.

(i) Where the tannin content of sorghum offered for intervention is higher than 0,4 % of the dry matter, the reduction to be applied shall be calculated in accordance with the method laid down in Annex III.

3. The price increases and reductions referred to in paragraph 2 shall be applied jointly.'

Article 2

Commission Regulation (EEC) No 1570/77 of 11 July 1977 on price increases and reductions applicable to intervention in cereals⁽¹⁾ is hereby repealed with effect from 1 July 1993.

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

It shall apply with effect from 1 July 1993.

⁽¹⁾ OJ No L 174, 14. 7. 1977, p. 18.

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

Done at Brussels, 27 August 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX I

ANNEX

	Durum wheat	Common wheat	Rye	Barley	Maize	Sorghum
A. Maximum moisture content	14,5 %	14,5 %	14,5 %	14,5 %	14,5 %	14,5 %
B. Maximum percentage of matter which is not basic cereal of unimpaired quality	12 %	12 %	12 %	12 %	12 %	12 %
of which :						
1. Broken grains	6 %	5 %	5 %	5 %	10 %	10 %
2. Impurities consisting of grains (other than indicated at 3)	5 %	7 %	5 %	12 %	5 %	5 %
of which :						
(a) shrivelled grains					—	—
(b) other cereals	3 %			} 5 %		
(c) grains damaged by pests						
(d) grains in which the germ is discoloured			—	—	—	—
(e) grains overheated during drying	0,50 %	0,50 %	3 %	3 %	3 %	3 %
3. Mottled grains and/or grains affected with fusariosis	5 %	—	—	—	—	—
of which :						
— grains affected with fusariosis	1,5 %	—	—	—	—	—
4. Sprouted grains	4 %	6 %	6 %	6 %	6 %	6 %
5. Miscellaneous impurities (Schwarzbesatz)	3 %	3 %	3 %	3 %	3 %	3 %
of which :						
(a) extraneous seeds :						
— noxious	0,10 %	0,10 %	0,10 %	0,10 %	0,10 %	0,10 %
— other						
(b) damaged grains :						
— grains damaged by spontaneous heating or too extreme heating during drying	0,05 %	0,05 %				
— other						
(c) extraneous matter						
(d) husks						
(e) ergot	0,05 %	0,05 %	0,05 %	—	—	—
(f) decayed grains			—	—	—	—
(g) dead insects and fragments of insects						
C. Maximum percentage of wholly or partially mitadine grains	40 %	—	—	—	—	—
D. Maximum tannin content	—	—	—	—	—	1 % (!)
E. Minimum specific weight	78 kg/hl	72 kg/hl	68 kg/hl	62 kg/hl	—	—
F. Protein content	11,5 % (!)	—	—	—	—	—
G. Hagberg falling number	220	220	—	—	—	—
H. Zeleny Index	—	20	—	—	—	—

(!) Percentage calculated on the dry matter.

ANNEX II

TABLE I

Price increases calculated as a percentage of the prices referred to in Article 4a of this Regulation, for cereals the moisture content of which differs from the moisture content of the standard quality

Moisture content	Cereals other than durum wheat	Durum wheat
13,4	0,1	—
13,3	0,2	—
13,2	0,3	—
13,1	0,4	—
13,0	0,5	—
12,9	0,6	—
12,8	0,7	—
12,7	0,8	—
12,6	0,9	—
12,5	1,0	—
12,4	1,1	0,1
12,3	1,2	0,2
12,2	1,3	0,3
12,1	1,4	0,4
12,0	1,5	0,5
11,9	1,6	0,6
11,8	1,7	0,7
11,7	1,8	0,8
11,6	1,9	0,9
11,5	2,0	1,0
11,4	2,1	1,1
11,3	2,2	1,2
11,2	2,3	1,3
11,1	2,4	1,4
11,0	2,5	1,5
10,9	2,6	1,6
10,8	2,7	1,7
10,7	2,8	1,8
10,6	2,9	1,9
10,5	3,0	2,0
10,4	3,1	2,1
10,3	3,2	2,2
10,2	3,3	2,3
10,1	3,4	2,4
10,0	3,5	2,5
9,9	—	2,6
9,8	—	2,7
9,7	—	2,8
9,6	—	2,9
9,5	—	3,0
9,4	—	3,1
9,3	—	3,2
9,2	—	3,3
9,1	—	3,4
9,0	—	3,5

TABLE II

Price reductions calculated as a percentage of the prices referred to in Article 4a of this Regulation, for durum wheat the moisture content of which differs from the moisture content of the standard quality

Moisture content	Percentage
13,6	0,1
13,7	0,2
13,8	0,3
13,9	0,4
14,0	0,5
14,1	0,6
14,2	0,7
14,3	0,8
14,4	0,9
14,5	1,0

TABLE III

Price increases calculated as a percentage of the prices referred to in Article 4a of this Regulation, for cereals the specific weight of which differs from the moisture content of the standard quality

Common wheat

Kilogrammes per hectolitre	%
<i>Price reductions</i>	
less than 76—75	0,5
less than 75—74	1,0
less than 74—73	1,5
less than 73—72	2,0

Rye

Kilogrammes per hectolitre	%
<i>Price reductions</i>	
less than 70—69	0,5
less than 69—68	1,0

Barley

Kilogrammes per hectolitre	%
<i>Price reductions</i>	
less than 64—62	1,0

TABLE IV

Price reductions referred to in Article 4a (2) of this Regulation

Protein content (N × 5,7)	Price reduction as a percentage
Less than 11,5 — 11,0	1,0
Less than 11,0 — 10,5	2,0
Less than 10,5 — 10,0	3,0
Less than 10,0 — 9,5	4,0
Less than 9,5	5,0

ANNEX III

Practical method for determining the reduction to be applied to the price of sorghum by intervention agencies**1. Basic data**

P = the percentage of tannin in raw product

0,4 % = the percentage of tannin above to which the reduction is to be applied

11 % (1) = the reduction corresponding to 1 % tannin in the dry matter

2. Calculation of the reduction

The reduction, expressed as a percentage to be applied to the intervention price, shall be calculated in accordance with the following formula :

$$11 (P - 0,40)$$

(1) Reduction to be applied to the price of sorghum on the basis of the tannin content of 1 000 grams of dry matter :

- (a) Poultry-metabolizable energy of 1 000 g of sorghum dry matter with a theoretical tannin content of 0 % : 3 917 K calories.
- (b) Reduction of the poultry-metabolizable energy of 1 000 g of sorghum dry matter per additional percentage point of tannin : 419 K calories.
- (c) Difference, expressed in percentage points, between the maximum tannin content laid down for sorghum accepted for intervention and the tannin content laid down for the standard quality: 1,0 - 0,30 = 0,70.
- (d) Difference, expressed as a percentage, between the poultry-metabolizable energy of sorghum containing 1,0 % tannin and the poultry-metabolizable energy of sorghum with the same tannin content as the standard quality (0,30 %) :

$$100 - \left(\frac{3\,917 - (419 \times 1,0)}{3\,917 - (419 \times 0,30)} \times 100 \right) = 7,74 \%$$

- (e) Percentage reduction corresponding to a 1 % tannin content in the dry matter, in excess of 0,30 %

$$\frac{7,74}{0,70} = 11 \%$$

COMMISSION REGULATION (EEC) No 2487/92**of 27 August 1992****on the supply of refined sunflower oil as food aid**

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

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

Whereas Council Regulation (EEC) No 1420/87 of 21 May 1987 laying down implementing rules for Regulation (EEC) No 3972/86 on food-aid policy and food-aid management ⁽³⁾ lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas, following the taking of a number of decisions on the allocation of food aid, the Commission has allocated to certain countries and beneficiary organizations 948 tonnes of refined sunflower oil;

Whereas it is necessary to make these supplies in accordance with the rules laid down by Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid ⁽⁴⁾, as amended by Regulation (EEC) No 790/91 ⁽⁵⁾; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs;

Whereas, notably for logistical reasons, certain supplies are not awarded within the first and second deadlines for submission of tenders; whereas, in order to avoid republication of the notice of invitation to tender, a third deadline for submission of tenders should be opened,

HAS ADOPTED THIS REGULATION:

Article 1

Refined sunflower oil shall be mobilized in the Community as Community food aid for supply to the recipients listed in the Annex, in accordance with Regulation (EEC) No 2200/87 and under the conditions set out in the Annex. Supplies shall be awarded by the tendering procedure.

The successful tenderer is deemed to have noted and accepted all the general and specific conditions applicable. Any other condition or reservation included in his tender is deemed unwritten.

Article 2

This Regulation shall enter into force on the 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, 27 August 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 174, 7. 7. 1990, p. 6.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

⁽⁵⁾ OJ No L 81, 28. 3. 1991, p. 108.

ANNEX

LOTS A, B, C and D

1. **Operation Nos⁽¹⁾**: 760/92 to 763/92
2. **Programme**: 1992
3. **Recipient⁽²⁾**: UNRWA Headquarters, Supply Division, Vienna International Centre, PO Box 700, A-1400 Vienna (telex 135310 UNRWA A — fax (1) 230 75 29)
4. **Representative of the recipient⁽²⁾**:

lot A (760/92):	Ashdod:	UNRWA Field Supply and Transport Officer, West Bank, PO Box 19149, Jerusalem Israel, tel.: 82 80 93; telex 26194 UNRWA IL, fax (009722) 81 65 64
lot B (761/92):	Latakia:	UNRWA Field Supply and Transport Officer, PO Box 4313, Damascus, SAR; tel. (00 963 11) 66 02 17; telex 412006 UNRWA SY
lot C (762/92):	Beirut:	UNRWA Field Supply and Transport Officer, Lebanon, PO Box 947, Beirut, Lebanon; tel.: 81 00 12; fax 87 11 45 02 32; telex: 21430 UNRWA LE
lot D (763/92):	Amman:	UNRWA Field Supply and Transport Officer, Jordan, PO Box 484, Amman, Jordan; tel.: (9626) 77 17 41; fax: 68 54 76; telex: 23402 UNRWA JFO
5. **Place or country of destination**:
 - lot A: Israel,
 - lot B: Syria,
 - lot C: Lebanon,
 - lot D: Jordan.
6. **Product to be mobilized**: refined sunflower oil
7. **Characteristics and quality of the goods⁽³⁾ (7)**: see OJ No C 114, 29. 4. 1991, p. 1 (under III A 1 b)
8. **Total quantity**: 948 tonnes
9. **Number of lots**: four (Lot A: 561 tonnes; Lot B: 105 tonnes; Lot C: 160 tonnes; Lot D: 122 tonnes)
10. **Packaging and marking⁽⁶⁾**:

OJ No C 114, 29. 4. 1991, p. 1 (under IIIA 21, IIIA.2.3 and IIIA.3) 200 - litre metal casks

Markings in English

Supplementary markings on the packaging:

 - lots A, B and C: 'UNRWA'
 - lot D: 'UNRWA — Expiry date:'⁽⁸⁾
11. **Method of mobilization**: the Community market
12. **Stage of supply**: lots A, B, C: free at port of landing — landed; Lot D: free at destination
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Lot A: Ashdod; Lot B: Latakia; Lot C: Beirut
16. **Address of the warehouse and, if appropriate, port of landing**: Lot D: UNRWA depots in Amman — Jordan
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 1 — 20. 10. 1992
18. **Deadline for the supply**: Lots A, B and C: 4. 11. 1992; lot D: 11. 11. 1992
19. **Procedure for determining the costs of supply**: tendering procedure
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon on 15. 9. 1992

21. A: In the case of a second invitation to tender:

- (a) deadline for the submission of tenders: 12 noon on 29. 9. 1992
- (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 15. 10 — 3. 11. 1992
- (c) deadline for the supply: Lots A, B and C: 18. 11. 1992; lot D: 25. 11. 1992

B: In the case of a third invitation to tender:

- (a) deadline for the submission of tenders: 12 noon on 13. 10. 1992
- (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 29. 10 — 17. 11. 1992
- (c) deadline for the supply: Lots A, B en C: 2. 12. 1992; lot D: 9. 12. 1992

22. Amount of tendering security: ECU 15 per tonne**23. Amount of delivery security: 10 % of the amount of the tender in ecus****24. Address for submission of tenders (*):** Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, Bâtiment Loi 120, bureau 7/46, 200 rue de la Loi, B-1049 Bruxelles; telex 22037 AGREC B or 25670 AGREC B**25. Refund payable on application by the successful tenderer: —**

Notes :

- (¹) The operation number is to be quoted in all correspondence.
- (²) Commission delegate to be contacted by the successful tenderer: see list published in OJ No C 114, 29. 4. 1991, p. 33.
- (³) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.
- The radioactivity certificate must indicate the caesium-134 and -137 and iodine -131 levels.
- The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following documents:
- certificate of origin,
 - phytosanitary certificate.
- (⁴) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of this Annex, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably:
- either by porter at the office referred to in point 24 of this Annex,
 - or by telecopier on one of the following numbers in Brussels:
 - 295 01 32,
 - 296 10 97,
 - 295 01 30,
 - 296 20 05,
 - 296 33 04.
- (⁵) The successful tenderer shall contact the recipient as soon as possible to establish which consignment documents are required and how they are to be distributed.
- (⁶) Lots B, C and D: consignment to be stowed in 20-foot containers. Lots B and C: the contracted shipping terms shall be considered full liner terms (liner in/liner out) free Latakia/Beirut container year and is to cover 15 days — Saturdays, Sundays and official public and religious holidays excluded — free of container detention charges at the port of discharge taken from the day-time of the arrival of the vessel. The 15 days free of container detention charges should be clearly marked on the bill of loading. Bona fide detention charges levied in respect of container detention(s) in excess of the said 15 days as detailed above will be borne by UNRWA. UNRWA shall not pay/not be charged any container deposit fees.
- After take-over of the goods at the delivery stage, the recipient will bear all costs of shifting the containers to the storage yard outside the port area and of moving them on to the container yard.
- (⁷) The health certificate and the certificate of origin must be signed and stamped by a Syrian consulate, including a statement that consular fees and charges have been paid (action 761/92, Lot B).
- (⁸) The date of expiry shall correspond to the date of manufacture plus two years (action 763/92, Lot D).

COMMISSION REGULATION (EEC) No 2488/92
of 27 August 1992

**opening a standing invitation to tender for the supply to Estonia of 30 000 tonnes
of bread-making common wheat held by the German intervention agency**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2335/92 of 7 August 1991 on an emergency measure for the free supply of food products to the populations of Estonia, Latvia and Lithuania ⁽¹⁾,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽²⁾, as last amended by Regulation (EEC) No 1738/92 ⁽³⁾, and in particular Article 7 (6) thereof,

Whereas Commission Regulation (EEC) No 2388/92 ⁽⁴⁾, provides that contracts for the supply of cereals under Regulation (EEC) No 2335/92 are to be allocated by invitation to tender;

Whereas Commission Regulation (EEC) No 1570/77 ⁽⁵⁾, as last amended by Regulation (EEC) No 606/92 ⁽⁶⁾, lays down in particular quality criteria for bread-making common wheat accepted for intervention;

Whereas a standing invitation to tender should be opened for the supply of an instalment of bread-making common wheat held by the German intervention agency;

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

On the terms laid down in Regulation (EEC) No 2388/92, the German intervention agency shall open a standing invitation to tender for the supply to Estonia of bread-making common wheat held by the said agency.

Article 2

1. The invitation to tender shall cover 30 000 tonnes of bread-making common wheat in bulk to be supplied cif (ex-ship), to the Estonian port of Tallinn.

2. The regions in which the 30 000 tonnes of bread-making common wheat are stored are stated in Annex I to this Regulation.

Article 3

Tenders may relate only to the entire lot of 30 000 tonnes specified in the notice of invitation to tender provided for in Article 13 of Regulation (EEC) No 2388/92 in accordance with the delivery specifications in Annex IV hereto.

Article 4

1. The time limit for the submission of tenders in response to the first partial invitation to tender shall be 11 a.m., Brussels time, on 3 September 1992.

2. The time limit for the submission of tenders in response to the last partial invitation to tender shall be 11 a.m., Brussels time, on 17 September 1992.

Article 5

Tenders must be submitted to the German intervention agency.

The German intervention agency shall forward tenders to the Commission in accordance with the model in Annex II hereto.

Article 6

The taking-over certificate referred to in Article 9 (3) of Regulation (EEC) No 2388/92 shall take the form shown in Annex III.

Certificates shall be issued after unloading of the goods.

Article 7

The successful tenderer shall undertake to provide the Estonian authorities with the documents required for supply purposes as specified in the notice of invitation to tender drawn up by the German intervention agency.

Article 8

For the purposes of entering EAGGF expenditure in the accounts, the book value of the product referred to in Article 1 is hereby fixed at ECU 52 per tonne.

Article 9

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

⁽¹⁾ OJ No L 227, 11. 8. 1992, p. 2.

⁽²⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽³⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽⁴⁾ OJ No L 233, 15. 8. 1992, p. 6.

⁽⁵⁾ OJ No L 174, 14. 7. 1977, p. 18.

⁽⁶⁾ OJ No L 65, 11. 3. 1992, p. 25.

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

Done at Brussels, 27 August 1992.

For the Commission
 Ray MAC SHARRY
Member of the Commission

ANNEX I

	(tonnes)
Place of storage	Quantity
Schleswig-Holstein/Hamburg	23 742
Niedersachsen/Bremen	4 860
Nordrhein-Westfalen	1 408

ANNEX II

Standing invitation to tender for the supply to Estonia of 30 000 tonnes of bread-making wheat held by the German intervention agency

(Regulation (EEC) No 2488/92)

Tenderer number	Quantity (tonnes)	Supply cost applied for (ECU/tonne)
1	2	3
1		
2		
3		
4		
etc.		

ANNEX III**SUPPLY BY SEA****TAKING-OVER CERTIFICATE**

I, the undersigned :
(surname and first name, or business name)

acting on behalf of the Estonian Government, hereby certify that the goods mentioned below have been taken over :

— Name of vessel :

— Place and date of taking-over :

— Product :

— Tonnage taken over :

Remarks or reservations :

.....

.....

ANNEX IV**Delivery specifications**

Delivery in bulk, cif (ex-ship) to the Estonian port of Tallinn.

The stated capacity of the vessel must be complied with.

One lot of 30 000 tonnes in three shipments as follows :

- 15 000 tonnes : to arrive on 25 or 26 September 1992,
- 15 000 tonnes : to arrive on 8 or 9 October 1992,

Delivery may take place at an earlier date on the initiative of the successful tenderer and under his responsibility if the unloading and removal conditions in the port of Tallinn so permit.

If no bid has been accepted by 3 September 1992, the above dates should be put back seven days.

This should also apply where no bid has been accepted by 10 September 1992.

COMMISSION REGULATION (EEC) No 2489/92**of 27 August 1992****opening a standing invitation to tender for the supply to Estonia of 25 000 tonnes
of barley held by the United Kingdom intervention agency**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2335/92 of 7 August 1992 on an emergency measure for the free supply of food products to the populations of Estonia, Latvia and Lithuania ⁽¹⁾,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽²⁾, as last amended by Regulation (EEC) No 1738/92 ⁽³⁾, and in particular Article 7 (6) thereof,

Whereas Commission Regulation (EEC) No 2388/92 ⁽⁴⁾, provides that contracts for the supply of cereals under Regulation (EEC) No 2335/92 are to be allocated by invitation to tender;

Whereas Commission Regulation (EEC) No 1570/77 ⁽⁵⁾, as last amended by Regulation (EEC) No 606/92 ⁽⁶⁾, lays down in particular quality criteria for barley accepted for intervention;

Whereas a standing invitation to tender should be opened for the supply of an instalment of barley held by the United Kingdom intervention agency;

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

On the terms laid down in Regulation (EEC) No 2388/92, the United Kingdom intervention agency shall open a standing invitation to tender for the supply to Estonia of barley held by the said agency.

Article 2

1. The invitation to tender shall cover 25 000 tonnes of barley in bulk to be supplied cif (ex-ship), to the Estonian port of Tallinn.

2. The regions in which the 25 000 tonnes of barley are stored are stated in Annex I to this Regulation.

Article 3

Tenders may relate only to the entire lot of 25 000 tonnes specified in the notice of invitation to tender provided for in Article 13 of Regulation (EEC) No 2388/92, in accordance with the delivery specifications in Annex IV hereto.

Article 4

1. The time limit for the submission of tenders in response to the first partial invitation to tender shall be 11 a. m., Brussels time, on 3 September 1992.

2. The time limit for the submission of tenders in response to the last partial invitation to tender shall be 11 a. m., Brussels time, on 17 September 1992.

Article 5

Tenders must be submitted to the United Kingdom intervention agency.

The United Kingdom intervention agency shall forward tenders to the Commission in accordance with the model in Annex II hereto.

Article 6

The taking-over certificate referred to in Article 9 (3) of Regulation (EEC) No 2388/92 shall take the form shown in Annex III.

Certificates shall be issued after unloading of the goods.

Article 7

The successful tenderer shall undertake to provide the Estonian authorities with the documents required for supply purposes as specified in the notice of invitation to tender drawn up by the United Kingdom intervention agency.

Article 8

For the purposes of entering EAGGF expenditure in the accounts, the book value of the product referred to in Article 1 is hereby fixed at ECU 51 per tonne.

Article 9

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

⁽¹⁾ OJ No L 227, 11. 8. 1992, p. 2.

⁽²⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽³⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽⁴⁾ OJ No L 233, 15. 8. 1992, p. 6.

⁽⁵⁾ OJ No L 174, 14. 7. 1977, p. 18.

⁽⁶⁾ OJ No L 65, 11. 3. 1992, p. 25.

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

Done at Brussels, 27 August 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX I

<i>(tonnes)</i>	
Place of storage	Quantity
Midland and East	25 000

ANNEX II

Standing invitation to tender for the supply to Estonia of 25 000 tonnes of barley held by the United Kingdom intervention agency

(Regulation (EEC) No 2489/92)

Tenderer number	Quantity (tonnes)	Supply cost applied for (ECU/tonne)
1	2	3
1		
2		
3		
4		
etc.		

*ANNEX III***SUPPLY BY SEA****TAKING-OVER CERTIFICATE**

I, the undersigned :
(surname and first name, or business name)

acting on behalf of the Estonian Government, hereby certify that the goods mentioned below have been taken over :

— Name of vessel :

— Place and date of taking-over :

— Product :

— Tonnage taken over :

Remarks or reservations :

.....

.....

*ANNEX IV***Delivery specifications**

Delivery in bulk, cif (ex-ship) to the Estonian port of Tallinn.

One lot of 25 000 tonnes to arrive on 29 or 30 September

Delivery may take place at an earlier date on the initiative of the successful tenderer and under his responsibility if the unloading and removal conditions in the port of Tallinn so permit.

If no bid has been accepted by 3 September 1992, the above dates should be put back seven days.

This should also apply where no bid has been accepted by 10 September 1992.

COMMISSION REGULATION (EEC) No 2490/92**of 27 August 1992****opening a standing invitation to tender for the supply to Estonia of 10 000 tonnes
of feed wheat held by the German intervention agency**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2335/92 of 7 August 1992 on an emergency measure for the free supply of food products to the populations of Estonia, Latvia and Lithuania ⁽¹⁾,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽²⁾, as last amended by Regulation (EEC) No 1738/92 ⁽³⁾, and in particular Article 7 (6) thereof,

Whereas Commission Regulation (EEC) No 2388/92 ⁽⁴⁾, provides that contracts for the supply of cereals under Regulation (EEC) No 2335/92 are to be allocated by invitation to tender;

Whereas Commission Regulation (EEC) No 1570/77 ⁽⁵⁾, as last amended by Regulation (EEC) No 606/92 ⁽⁶⁾, lays down in particular quality criteria for feed wheat accepted for intervention;

Whereas a standing invitation to tender should be opened for the supply of an instalment of feed wheat held by the German intervention agency;

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

On the terms laid down in Regulation (EEC) No 2388/92, the German intervention agency shall open a standing invitation to tender for the supply to Estonia of feed wheat held by the said agency.

Article 2

1. The invitation to tender shall cover 10 000 tonnes of feed wheat in bulk to be supplied cif (ex-ship), to the Estonian port of Tallinn.

2. The regions in which the 10 000 tonnes of feed wheat are stored are stated in Annex I to this Regulation.

Article 3

Tenders may relate only to the entire lot of 10 000 tonnes specified in the notice of invitation to tender provided for in Article 13 of Regulation (EEC) No 2388/92, in accordance with the delivery specifications in Annex IV hereto.

Article 4

1. The time limit for the submission of tenders in response to the first partial invitation to tender shall be 11 a. m., Brussels time, on 3 September 1992.

2. The time limit for the submission of tenders in response to the last partial invitation to tender shall be 11 a. m., Brussels time, on 17 September 1992.

Article 5

Tenders must be submitted to the German intervention agency.

The German intervention agency shall forward tenders to the Commission in accordance with the model in Annex II hereto.

Article 6

The taking-over certificate referred to in Article 9 (3) of Regulation (EEC) No 2388/92 shall take the form shown in Annex III.

Certificates shall be issued after unloading of the goods.

Article 7

The successful tenderer shall undertake to provide the Estonian authorities with the documents required for supply purposes as specified in the notice of invitation to tender drawn up by the German intervention agency.

Article 8

For the purposes of entering EAGGF expenditure in the accounts, the book value of the product referred to in Article 1 is hereby fixed at ECU 51 per tonne.

Article 9

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

⁽¹⁾ OJ No L 227, 11. 8. 1992, p. 2.

⁽²⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽³⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽⁴⁾ OJ No L 233, 15. 8. 1992, p. 6.

⁽⁵⁾ OJ No L 174, 14. 7. 1977, p. 18.

⁽⁶⁾ OJ No L 65, 11. 3. 1992, p. 25.

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

Done at Brussels, 27 August 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX I

<i>(tonnes)</i>	
Place of storage	Quantity
Schleswig-Holstein/Hamburg	4 973
Niedersachsen/Bremen	2 588
Berlin/Brandenburg	2 435

ANNEX II

Standing invitation to tender for the supply to Estonia of 10 000 tonnes of feed wheat held by the German intervention agency

(Regulation (EEC) No 2490/92)

Tenderer number	Quantity (tonnes)	Supply cost applied for (ECU/tonne)
1	2	3
1		
2		
3		
4		
etc.		

ANNEX III**SUPPLY BY SEA****TAKING-OVER CERTIFICATE**

I, the undersigned :
(name, first name, business name)

acting on behalf of the Estonian Government, hereby certify that the goods mentioned below have been taken over :

— Name of vessel :

— Place and date of taking-over :

— Product :

— Tonnage taken over :

Remarks or reservations :

.....

.....

ANNEX IV**Delivery specifications**

Delivery in bulk, cif (ex-ship) to the Estonian port of Tallinn.

One lot of 10 000 tonnes, to arrive on 14 or 15 September 1992,

The deliveries may take place before the dates laid down on the initiative of the successful tenderer and under his responsibility if the necessary conditions are met for unloading and removal conditions in the port of Tallinn.

If no bid has been accepted on 3 September 1992, the above dates should be put back by seven days.

The same should be applied if no bid has been accepted on 10 September 1992.

COMMISSION REGULATION (EEC) No 2491/92

of 27 August 1992

opening a standing invitation to tender for the supply to Estonia of 25 000 tonnes
of barley held by the Belgian intervention agency

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 2335/92
of 7 August 1992 on an emergency measure for the free
supply of food products to the populations of Estonia,
Latvia and Lithuania⁽¹⁾,

Having regard to Council Regulation (EEC) No 2727/75
of 29 October 1975 on the common organization of the
market in cereals⁽²⁾, as last amended by Regulation (EEC)
No 1738/92⁽³⁾, and in particular Article 7 (6) thereof,

Whereas Commission Regulation (EEC) No 2388/92⁽⁴⁾,
provides that contracts for the supply of cereals under
Regulation (EEC) No 2335/92 are to be allocated by invi-
tation to tender;

Whereas Commission Regulation (EEC) No 1570/77⁽⁵⁾,
as last amended by Regulation (EEC) No 606/92⁽⁶⁾, lays
down in particular quality criteria for intervention;

Whereas a standing invitation to tender should be opened
for the supply of an instalment of barley held by the
Belgian intervention agency;

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

On the terms laid down in Regulation (EEC) No 2388/92,
the Belgian intervention agency shall open a standing
invitation to tender for the supply to Estonia of barley
held by the said agency.

Article 2

1. The invitation to tender shall cover 25 000 tonnes of
barley in bulk to be supplied cif (ex-ship), to the Estonian
port of Tallinn.

2. The regions in which the 25 000 tonnes of barley
are stored are stated in Annex I to this Regulation.

Article 3

Tenders may relate only to the entire lot of 25 000 tonnes
specified in the notice of invitation to tender provided for
in Article 13 of Regulation (EEC) No 2388/92, in accor-
dance with the delivery specifications in Annex IV hereto.

Article 4

1. The time limit for the submission of tenders in
response to the first partial invitation to tender shall be
11 a.m., Brussels time, on 3 September 1992.

2. The time limit for the submission of tenders in
response to the last partial invitation to tender shall be
11 a.m., Brussels time, on 17 September 1992.

Article 5

Tenders must be submitted to the Belgian intervention
agency.

The Belgian intervention agency shall forward tenders to
the Commission in accordance with the model in Annex
II hereto.

Article 6

The taking-over certificate referred to in Article 9 (3) of
Regulation (EEC) No 2388/92 shall take the form shown
in Annex III.

Certificates shall be issued after unloading of the goods.

Article 7

The successful tenderer shall undertake to provide the
Estonian authorities with the documents required for
supply purposes as specified in the notice of invitation to
tender drawn up by the Belgian intervention agency.

Article 8

For the purposes of entering EAGGF expenditure in the
accounts, the book value of the product referred to in
Article 1 is hereby fixed at ECU 51 per tonne.

Article 9

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

⁽¹⁾ OJ No L 227, 11. 8. 1992, p. 2.

⁽²⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽³⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽⁴⁾ OJ No L 233, 15. 8. 1992, p. 6.

⁽⁵⁾ OJ No L 174, 14. 7. 1977, p. 18.

⁽⁶⁾ OJ No L 65, 11. 3. 1992, p. 25.

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

Done at Brussels, 27 August 1992.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX I

	(tonnes)
Place of storage	Quantity
Tournai	7 239
Poperinge	2 937
Ath	3 910
Celles	3 984
Merksem	3 666
Racour	3 264

ANNEX II

Standing invitation to tender for the supply to Estonia of 25 000 tonnes of barley held by the Belgian intervention agency

(Regulation (EEC) No 2491/92)

Tenderer number	Quantity (tonnes)	Supply cost applied for (ECU/tonne)
1	2	3
1		
2		
3		
4		
etc.		

*ANNEX III***SUPPLY BY SEA****TAKING-OVER CERTIFICATE**

I, the undersigned :
(name, first name, business name)

acting on behalf of the Estonian Government, hereby certify that the goods mentioned below have been taken over :

— Name of vessel :

— Place and date of taking-over :

— Product :

— Tonnage taken over :

Remarks or reservations :

.....
.....

*ANNEX IV***Delivery specifications**

Delivery in bulk, cif (ex-ship) to the Estonian port of Tallinn.

One lot of 25 000 tonnes in two shipments :

- 12 500 tonnes : Arrival date between 21 and 22 September 1992,
- 12 500 tonnes : Arrival date between 5 and 6 October 1992,

The deliveries may take place before the dates laid down on the initiative of the successful tenderer and under his responsibility if the necessary conditions are met for unloading and removal in the port of Tallinn.

If no bid has been accepted by 3 September 1992, the above dates should be put back by seven days.

The same should be applied if no bid has been accepted on 10 September 1992.

COMMISSION REGULATION (EEC) No 2492/92

of 27 August 1992

fixing the production refund for olive oil used in the manufacture of certain preserved fish and vegetables

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 1720/91⁽²⁾,Having regard to Council Regulation (EEC) No 591/79 of 26 March 1979 laying down general rules relating to the production refund for olive oil used in the manufacture of certain preserved foods⁽³⁾, as last amended by Regulation (EEC) No 2903/89⁽⁴⁾, and in particular Articles 3 and 5 thereof,

Whereas Article 2 of Council Regulation (EEC) No 591/79 provides for the granting of a production refund for olive oil used in the manufacture of certain preserved fish and vegetables;

Whereas under Article 3 of the abovementioned Regulation, without prejudice to the second subparagraph of Article 7 of the said Regulation, the Commission shall fix this refund every two months;

Whereas, by virtue of Article 5 of the Regulation cited above, where the tender system is employed for fixing the levy, the production refund shall be fixed on the basis of the minimum levies determined under the said system for oils falling within subheading 1509 90 00 of the combined nomenclature; whereas, however, if the oil employed for manufacture of the preserves was produced within the Community, the amount referred to above

shall be increased by a sum equal to the consumption aid in force on the day the said refund is applied;

Whereas Council Regulation (EEC) No 3131/91⁽⁵⁾ set the rates of consumption aid applicable in Spain and Portugal;

Whereas application of the above criteria results in the refund being fixed as shown below,

HAS ADOPTED THIS REGULATION:

Article 1

For the months of September and October 1992, the amount of the production refund referred to in Article 2 of Regulation (EEC) No 591/79 shall be:

- ECU 96,36 per 100 kilograms for olive oil produced in the Community and utilized in Member States other than Spain and Portugal,
- ECU 43,00 per 100 kilograms for olive oil other than that referred to in the preceding indent, utilized in the Member States other than Spain and Portugal,
- ECU 64,58 per 100 kilograms for olive oil produced in the Community and utilized in Spain,
- ECU 19,37 per 100 kilograms for olive oil, other than that referred to in the preceding indent, utilized in Spain,
- ECU 89,89 per 100 kilograms for olive oil produced in the Community and utilized in Portugal,
- ECU 40,96 per 100 kilograms for olive oil, other than that referred to in the preceding indent, utilized in Portugal.

Article 2

This Regulation shall enter into force on 1 September 1992.

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

Done at Brussels, 27 August 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.⁽²⁾ OJ No L 162, 26. 6. 1991, p. 27.⁽³⁾ OJ No L 78, 30. 3. 1979, p. 2.⁽⁴⁾ OJ No L 280, 29. 9. 1989, p. 3.⁽⁵⁾ OJ No L 297, 29. 10. 1991, p. 2.

COMMISSION REGULATION (EEC) No 2493/92
of 27 August 1992
fixing the import levies on frozen sheepmeat and goatmeat

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

Having regard to Council Regulation (EEC) No 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat⁽¹⁾, as last amended by Regulation (EEC) No 2069/92⁽²⁾, and in particular the Article 10 thereof,

Whereas the import levies on frozen sheepmeat and goatmeat were fixed by Commission Regulation (EEC) No 456/92⁽³⁾, as last amended by Regulation (EEC) No 2115/92⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 456/92 to the quota-

tions and other information known to the Commission that the levies should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on frozen sheepmeat and goatmeat shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 7 September 1992.

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

Done at Brussels, 27 August 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 215, 30. 7. 1992, p. 59.

⁽³⁾ OJ No L 52, 27. 2. 1992, p. 37.

⁽⁴⁾ OJ No L 212, 28. 7. 1992, p. 25.

ANNEX

to the Commission Regulation of 27 August 1992 fixing the import levies on frozen
sheepmeat and goatmeat ⁽¹⁾ ⁽²⁾

(ECU/100 kg)

CN code	Week No 36 from 7 to 13 September 1992	Week No 37 from 14 to 20 September 1992	Week No 38 from 21 to 27 September 1992	Week No 39 from 28 September to 4 October 1992
0204 30 00	125,575	125,575	125,575	125,958
0204 41 00	125,575	125,575	125,575	125,958
0204 42 10	87,903	87,903	87,903	88,171
0204 42 30	138,133	138,133	138,133	138,554
0204 42 50	163,248	163,248	163,248	163,745
0204 42 90	163,248	163,248	163,248	163,745
0204 43 00	228,547	228,547	228,547	229,244
0204 50 51	125,575	125,575	125,575	125,958
0204 50 53	87,903	87,903	87,903	88,171
0204 50 55	138,133	138,133	138,133	138,554
0204 50 59	163,248	163,248	163,248	163,745
0204 50 71	163,248	163,248	163,248	163,745
0204 50 79	228,547	228,547	228,547	229,244

⁽¹⁾ The levy applicable is limited to the amount bound under GATT or in the conditions laid down in Council Regulations (EEC) No 1985/82, (EEC) No 3643/85, (EEC) No 715/90 and (EEC) No 753/90 and Commission Regulations (EEC) No 19/82, (EEC) No 3652/89, (EEC) No 3989/89, (EEC) No 479/90 and (EEC) No 952/90.

⁽²⁾ No import levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.

COMMISSION REGULATION (EEC) No 2494/92**of 27 August 1992****fixing the import levies on live sheep and goats and on sheepmeat and goatmeat
other than frozen meat**

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

Having regard to Council Regulation (EEC) No 3013/89
of 25 September 1989 on the common organization of
the market in sheepmeat and goatmeat⁽¹⁾, as last
amended by Regulation (EEC) No 2069/92⁽²⁾, and in
particular the Article 10 thereof,

Whereas the import levies on live sheep and goats and on
sheepmeat and goatmeat other than frozen meat were
fixed by Commission Regulation (EEC) No 455/92⁽³⁾, as
last amended by Regulation (EEC) No 2116/92⁽⁴⁾;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 455/92 to the quota-
tions and other information 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 on live sheep and goats and on sheep-
meat and goatmeat other than frozen meat shall be as set
out in the Annex hereto.

Article 2

This Regulation shall enter into force on 7 September
1992.

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

Done at Brussels, 27 August 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 215, 30. 7. 1992, p. 59.

⁽³⁾ OJ No L 52, 27. 2. 1992, p. 34.

⁽⁴⁾ OJ No L 212, 28. 7. 1992, p. 27.

ANNEX

to the Commission Regulation of 27 August 1992 fixing the import levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat (*)

(ECU/100 kg)

CN code	Week No 36 from 7 to 13 September 1992	Week No 37 from 14 to 20 September 1992	Week No 38 from 21 to 27 September 1992	Week No 39 from 28 September to 4 October 1992
0104 10 90 ⁽¹⁾	48,927	48,927	48,927	49,167
0104 20 90 ⁽¹⁾	48,927	48,927	48,927	49,167
0204 10 00 ⁽²⁾	104,100	104,100	104,100	104,610
0204 21 00 ⁽²⁾	104,100	104,100	104,100	104,610
0204 22 10 ⁽²⁾	72,870	72,870	72,870	73,227
0204 22 30 ⁽²⁾	114,510	114,510	114,510	115,071
0204 22 50 ⁽²⁾	135,330	135,330	135,330	135,993
0204 22 90 ⁽²⁾	135,330	135,330	135,330	135,993
0204 23 00 ⁽²⁾	189,462	189,462	189,462	190,390
0204 50 11 ⁽²⁾	104,100	104,100	104,100	104,610
0204 50 13 ⁽²⁾	72,870	72,870	72,870	73,227
0204 50 15 ⁽²⁾	114,510	114,510	114,510	115,071
0204 50 19 ⁽²⁾	135,330	135,330	135,330	135,993
0204 50 31 ⁽²⁾	135,330	135,330	135,330	135,993
0204 50 39 ⁽²⁾	189,462	189,462	189,462	190,390
0210 90 11 ⁽³⁾	135,330	135,330	135,330	135,993
0210 90 19 ⁽³⁾	189,462	189,462	189,462	190,390

⁽¹⁾ The levy applicable is limited in the conditions laid down by Council Regulations (EEC) No 3643/85, (EEC) No 715/90 and (EEC) No 1373/90 and Commission Regulations (EEC) No 19/82, (EEC) No 1249/90, (EEC) No 1580/90 and (EEC) No 2085/90.

⁽²⁾ The levy applicable is limited to the amount bound under GATT or in the conditions laid down in Council Regulations (EEC) No 1985/82, (EEC) No 3643/85, (EEC) No 715/90 and (EEC) No 753/90 and Commission Regulations (EEC) No 19/82, (EEC) No 3652/89, (EEC) No 3989/89, (EEC) No 479/90 and (EEC) No 952/90.

⁽³⁾ The levy applicable is limited in the conditions laid down in Council Regulation (EEC) No 715/90 and Commission Regulation (EEC) No 19/82.

⁽⁴⁾ No import levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.

COMMISSION REGULATION (EEC) No 2495/92**of 27 August 1992****repealing Regulation (EEC) No 2331/92 regarding that the market in pears is in a state of serious crisis**

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

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1754/92⁽²⁾, and in particular Article 19a (3) thereof,

Whereas Commission Regulation (EEC) No 2331/92⁽³⁾ recorded that the market in pears was in a state of serious crisis;

Whereas, pursuant to Article 19a (3) of Regulation (EEC) No 1035/72, purchasing of products offered during a period of serious crisis is suspended as soon as quotations remain higher than the purchase price for two consecutive market days, the Commission finding without delay that these conditions are fulfilled;

Whereas, in the case of pears, the prices known to the Commission show that the conditions specified in the said Article 19a (3) are fulfilled on the markets in the countries where the crisis started; whereas Regulation (EEC) No 2331/92 should therefore be repealed,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2331/92 is hereby repealed.

Article 2

This Regulation shall enter into force on 28 August 1992.

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

Done at Brussels, 27 August 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 23.

⁽³⁾ OJ No L 223, 8. 8. 1992, p. 22.

COMMISSION REGULATION (EEC) No 2496/92
of 27 August 1992
fixing the export refunds on milk and milk products

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

Having regard to Council Regulation (EEC) No 804/68 of
 27 June 1968 on the common organization of the market
 in milk and milk products ⁽¹⁾, as last amended by Regula-
 tion (EEC) No 2071/92 ⁽²⁾, and in particular Article 17 (4)
 thereof,

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

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

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

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

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

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

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

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

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

Whereas the second component is calculated by multi-
 plying the sucrose content of the product by the basic

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 215, 30. 7. 1992, p. 64.

⁽³⁾ OJ No L 155, 3. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 119, 8. 5. 1986, p. 36.

⁽⁵⁾ OJ No L 184, 29. 7. 1968, p. 10.

⁽⁶⁾ OJ No L 267, 29. 9. 1990, p. 14.

amount of the refund valid on the day of exportation for the products listed in Article 1 (1) (d) of Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EEC) No 61/92⁽²⁾;

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

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

Whereas the level of refund for cheeses is calculated for products intended for direct consumption; whereas the cheese rinds and cheese wastes are not products intended for this purpose; whereas, to avoid any confusion in interpretation, it should be specified that there will be no refund for cheeses of a free-at-frontier value less than ECU 150 per 100 kilograms;

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

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

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

Done at Brussels, 27 August 1992.

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

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

Whereas, moreover, so as not to penalize the charitable organizations which have continued to supply humanitarian aid despite the abolition of refunds on 12 June 1992, this new measure should be applied retrospectively;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 28 August 1992.

The conditions for the granting of refunds referred to in footnote (**) shall apply from 12 June 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 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁵⁾ OJ No L 91, 1. 4. 1984, p. 71.

⁽⁶⁾ OJ No L 28, 1. 2. 1988, p. 1.

⁽⁷⁾ OJ No L 151, 3. 6. 1992, p. 4.

⁽⁸⁾ OJ No L 205, 22. 7. 1992, p. 2.

ANNEX

to the Commission Regulation of 27 August 1992 fixing the export refunds on milk and milk products

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

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

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

Product code	Destination (*)	Amount of refund (")
0402 29 15 200		0,6500
0402 29 15 300		0,9972
0402 29 15 500		1,0600
0402 29 15 900		1,1500
0402 29 19 200		0,6500
0402 29 19 300		0,9972
0402 29 19 500		1,0600
0402 29 19 900		1,1500
0402 29 91 100		1,1596
0402 29 91 500		1,2815
0402 29 99 100		1,1596
0402 29 99 500		1,2815
0402 91 11 110		6,36
0402 91 11 120		12,65
0402 91 11 310		19,53
0402 91 11 350		24,42
0402 91 11 370		30,28
0402 91 19 110		6,36
0402 91 19 120		12,65
0402 91 19 310		19,53
0402 91 19 350		24,42
0402 91 19 370		30,28
0402 91 31 100		24,60
0402 91 31 300		35,78
0402 91 39 100		24,60
0402 91 39 300		35,78
0402 91 51 000		28,65
0402 91 59 000		28,65
0402 91 91 000		99,57
0402 91 99 000		99,57
0402 99 11 110		0,0636
0402 99 11 130		0,1265
0402 99 11 150		0,1967
0402 99 11 310		22,53
0402 99 11 330		27,52
0402 99 11 350		37,32
0402 99 19 110		0,0636
0402 99 19 130		0,1265
0402 99 19 150		0,1967
0402 99 19 310		22,53
0402 99 19 330		27,52
0402 99 19 350		37,32
0402 99 31 110		0,2663
0402 99 31 150		38,94
0402 99 31 300		0,5094
0402 99 31 500		0,8741
0402 99 39 110		0,2663
0402 99 39 150		38,94
0402 99 39 300		0,5094
0402 99 39 500		0,8741
0402 99 91 000		0,9957
0402 99 99 000		0,9957
0403 10 02 000		—
0403 10 04 200		—
0403 10 04 300		—
0403 10 04 500		—
0403 10 04 900		—
0403 10 06 000		—
0403 10 12 000		—
0403 10 14 200		—
0403 10 14 300		—

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

Product code	Destination (*)	Amount of refund (")
0403 10 14 500		—
0403 10 14 900		—
0403 10 16 000		—
0403 10 22 100		6,36
0403 10 22 300		9,61
0403 10 24 000		12,65
0403 10 26 000		18,72
0403 10 32 100		0,0636
0403 10 32 300		0,0961
0403 10 34 000		0,1265
0403 10 36 000		0,1872
0403 90 11 000		65,00
0403 90 13 200		65,00
0403 90 13 300		99,72
0403 90 13 500		106,00
0403 90 13 900		115,00
0403 90 19 000		115,96
0403 90 31 000		0,6500
0403 90 33 200		0,6500
0403 90 33 300		0,9972
0403 90 33 500		1,0600
0403 90 33 900		1,1500
0403 90 39 000		1,1596
0403 90 51 100		6,36
0403 90 51 300		9,61
0403 90 53 000		12,65
0403 90 59 110		18,72
0403 90 59 140		28,65
0403 90 59 170		42,84
0403 90 59 310		50,94
0403 90 59 340		79,31
0403 90 59 370		87,41
0403 90 59 510		99,57
0403 90 59 540		146,17
0403 90 59 570		170,49
0403 90 61 100		0,0636
0403 90 61 300		0,0961
0403 90 63 000		0,1265
0403 90 69 000		0,1872
0404 90 11 100		65,00
0404 90 11 910		6,36
0404 90 11 950		19,53
0404 90 13 120		65,00
0404 90 13 130		99,72
0404 90 13 140		106,00
0404 90 13 150		115,00
0404 90 13 911		6,36
0404 90 13 913		12,65
0404 90 13 915		18,72
0404 90 13 917		28,65
0404 90 13 919		42,84
0404 90 13 931		19,53
0404 90 13 933		24,42
0404 90 13 935		30,28
0404 90 13 937		35,78
0404 90 13 939		37,44
0404 90 19 110		115,96
0404 90 19 115		116,87
0404 90 19 120		118,53
0404 90 19 130		128,15
0404 90 19 135		131,43

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

Product code	Destination (*)	Amount of refund (")
0404 90 19 150		143,96
0404 90 19 160		151,51
0404 90 19 180		159,88
0404 90 19 900		—
0404 90 31 100		65,00
0404 90 31 910		6,36
0404 90 31 950		19,53
0404 90 33 120		65,00
0404 90 33 130		99,72
0404 90 33 140		106,00
0404 90 33 150		115,00
0404 90 33 911		6,36
0404 90 33 913		12,65
0404 90 33 915		18,72
0404 90 33 917		28,65
0404 90 33 919		42,84
0404 90 33 931		19,53
0404 90 33 933		24,42
0404 90 33 935		30,28
0404 90 33 937		35,78
0404 90 33 939		37,44
0404 90 39 110		115,96
0404 90 39 115		116,87
0404 90 39 120		118,53
0404 90 39 130		128,15
0404 90 39 150		131,43
0404 90 39 900		—
0404 90 51 100		0,6500
0404 90 51 910		0,0636
0404 90 51 950		22,53
0404 90 53 110		0,6500
0404 90 53 130		0,9972
0404 90 53 150		1,0600
0404 90 53 170		1,1500
0404 90 53 911		0,0636
0404 90 53 913		0,1265
0404 90 53 915		0,1872
0404 90 53 917		0,2865
0404 90 53 919		0,4284
0404 90 53 931		22,53
0404 90 53 933		27,52
0404 90 53 935		37,32
0404 90 53 937		38,94
0404 90 53 939		—
0404 90 59 130		1,1596
0404 90 59 150		1,2815
0404 90 59 930		0,6107
0404 90 59 950		0,8741
0404 90 59 990		0,9957
0404 90 91 100		0,6500
0404 90 91 910		0,0636
0404 90 91 950		22,53
0404 90 93 110		0,6500
0404 90 93 130		0,9972
0404 90 93 150		1,0600

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

Product code	Destination (*)	Amount of refund (")
0404 90 93 170		1,1500
0404 90 93 911		0,0636
0404 90 93 913		0,1265
0404 90 93 915		0,1872
0404 90 93 917		0,2865
0404 90 93 919		0,4284
0404 90 93 931		22,53
0404 90 93 933		27,52
0404 90 93 935		37,32
0404 90 93 937		38,94
0404 90 93 939		—
0404 90 99 130		1,1596
0404 90 99 150		1,2815
0404 90 99 930		0,6107
0404 90 99 950		0,8741
0404 90 99 990		0,9957
0405 00 10 100		—
0405 00 10 200		127,02
0405 00 10 300		159,80
0405 00 10 500		163,90
0405 00 10 700		168,00
0405 00 90 100		168,00
0405 00 90 900		215,32
0406 10 20 100		—
0406 10 20 200		—
0406 10 20 210		—
0406 10 20 230	***	47,97
	028	—
	032	—
	400	39,03
	404	—
0406 10 20 290	***	47,97
	028	—
	032	—
	400	39,03
	404	—
0406 10 20 610	***	89,49
	028	13,50
	032	13,50
	036	—
	038	—
	400	87,23
	404	—
0406 10 20 620	***	98,13
	028	20,00
	032	20,00
	036	—
	038	—
	400	96,18
	404	—
0406 10 20 630	***	110,79
	028	24,00
	032	24,00
	036	—
	038	—
	400	109,31
	404	—

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

Product code	Destination (*)	Amount of refund (")
0406 10 20 640	***	130,00
	028	—
	032	—
	036	—
	038	—
	400	130,00
	404	—
0406 10 20 650	***	135,35
	028	27,50
	032	27,50
	036	—
	038	—
	400	65,00
	404	—
0406 10 20 660	—	—
0406 10 20 810	***	21,06
	028	—
	032	—
	036	—
	038	—
	400	21,46
	404	—
0406 10 20 830	***	35,97
	028	—
	032	—
	036	—
	038	—
	400	37,62
	404	—
0406 10 20 850	***	43,62
	028	—
	032	—
	036	—
	038	—
	400	45,81
	404	—
0406 10 20 870	—	—
0406 10 20 900	—	—
0406 10 80 000	—	—
0406 20 90 100	—	—
0406 20 90 913	***	84,94
	028	—
	032	—
	400	87,74
	404	—
0406 20 90 915	***	113,25
	028	—
	032	—
	400	116,99
	404	—
0406 20 90 917	***	120,33
	028	—
	032	—
	400	124,30
	404	—

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

Product code	Destination (*)	Amount of refund (")
0406 20 90 919	...	134,49
	028	—
	032	—
	400	138,92
	404	—
0406 20 90 990		—
0406 30 10 100		—
0406 30 10 150	...	22,83
	028	—
	032	—
	036	—
	038	—
	400	20,03
	404	—
0406 30 10 200	...	48,68
	028	—
	032	—
	036	—
	038	—
	400	43,52
	404	—
0406 30 10 250	...	48,68
	028	—
	032	—
	036	—
	038	—
	400	43,52
	404	—
0406 30 10 300	...	71,42
	028	—
	032	—
	036	—
	038	—
	400	63,88
	404	—
0406 30 10 350	...	48,68
	028	—
	032	—
	036	—
	038	—
	400	43,52
	404	—
0406 30 10 400	...	71,42
	028	—
	032	—
	036	—
	038	—
	400	63,88
	404	—
0406 30 10 450	...	103,95
	028	—
	032	—
	036	—
	038	—
	400	93,03
	404	—

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

Product code	Destination (*)	Amount of refund (")
0406 30 10 500		—
0406 30 10 550	...	48,68
	028	—
	032	—
	036	—
	038	—
	400	43,52
	404	20,00
0406 30 10 600	...	71,42
	028	—
	032	—
	036	—
	038	—
	400	63,88
	404	28,00
0406 30 10 650	...	103,95
	028	—
	032	—
	036	—
	038	—
	400	93,03
	404	—
0406 30 10 700	...	103,95
	028	—
	032	—
	036	—
	038	—
	400	93,03
	404	—
0406 30 10 750	...	126,87
	028	—
	032	—
	036	—
	038	—
	400	113,54
	404	—
0406 30 10 800	...	126,87
	028	—
	032	—
	036	—
	038	—
	400	113,54
	404	—
0406 30 10 900		—
0406 30 31 100		—
0406 30 31 300	...	22,83
	028	—
	032	—
	036	—
	038	—
	400	20,03
	404	—

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

Product code	Destination (*)	Amount of refund (")
0406 30 31 500	***	48,68
	028	—
	032	—
	036	—
	038	—
	400	43,52
	404	—
0406 30 31 710	***	48,68
	028	—
	032	—
	036	—
	038	—
	400	43,52
	404	—
0406 30 31 730	***	71,42
	028	—
	032	—
	036	—
	038	—
	400	63,88
	404	—
0406 30 31 910	***	48,68
	028	—
	032	—
	036	—
	038	—
	400	43,52
	404	—
0406 30 31 930	***	71,42
	028	—
	032	—
	036	—
	038	—
	400	63,88
	404	—
0406 30 31 950	***	103,95
	028	—
	032	—
	036	—
	038	—
	400	93,03
	404	—
0406 30 39 100	—	—
0406 30 39 300	***	48,68
	028	—
	032	—
	036	—
	038	—
	400	43,52
	404	20,00

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

Product code	Destination (*)	Amount of refund (")
0406 30 39 500	***	71,42
	028	—
	032	—
	036	—
	038	—
	400	63,88
	404	28,00
0406 30 39 700	***	103,95
	028	—
	032	—
	036	—
	038	—
	400	93,03
	404	—
0406 30 39 930	***	103,95
	028	—
	032	—
	036	—
	038	—
	400	93,03
	404	—
0406 30 39 950	***	126,87
	028	—
	032	—
	036	—
	038	—
	400	113,54
	404	—
0406 30 90 000	***	126,87
	028	—
	032	—
	036	—
	038	—
	400	113,54
	404	—
0406 40 00 100	***	126,51
	028	—
0406 40 00 900	032	—
	038	—
	400	120,00
	404	—
	***	159,34
	028	—
	032	—
0406 90 13 000	036	—
	038	—
	400	113,00
	404	—

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

Product code	Destination (*)	Amount of refund (")
0406 90 15 100	...	159,34
	028	—
	032	—
	036	—
	038	—
	400	113,00
	404	—
0406 90 15 900		—
0406 90 17 100	...	159,34
	028	—
	032	—
	036	—
	038	—
	400	113,00
	404	—
0406 90 17 900		—
0406 90 21 100		—
0406 90 21 900	...	151,68
	028	—
	032	—
	036	—
	038	—
	400	130,00
	404	—
	732	139,68
0406 90 23 100		—
0406 90 23 900	...	135,35
	028	—
	032	—
	036	—
	038	—
	400	65,00
	404	—
0406 90 25 100		—
0406 90 25 900	...	135,35
	028	—
	032	—
	036	—
	038	—
	400	65,00
	404	—
0406 90 27 100		—
0406 90 27 900	...	114,71
	028	—
	032	—
	036	—
	038	—
	400	56,14
	404	—

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

Product code	Destination (*)	Amount of refund (")
0406 90 31 111		—
0406 90 31 119	***	89,96
	028	—
	032	—
	036	—
	038	15,00
	400	62,48
	404	16,00
0406 90 31 151	***	83,83
	028	—
	032	—
	036	—
	038	—
	400	58,40
	404	14,96
0406 90 31 159		—
0406 90 31 900		—
0406 90 33 111		—
0406 90 33 119	***	89,96
	028	—
	032	—
	036	—
	038	15,00
	400	62,48
	404	16,00
0406 90 33 151	***	83,83
	028	—
	032	—
	036	—
	038	—
	400	58,40
	404	14,96
0406 90 33 159		—
0406 90 33 911		—
0406 90 33 919	***	89,96
	028	—
	032	—
	036	—
	038	15,00
	400	62,48
	404	16,00
0406 90 33 951	***	83,83
	028	—
	032	—
	036	—
	038	—
	400	58,40
	404	14,96

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

Product code	Destination (*)	Amount of refund (")
0406 90 33 959		—
0406 90 35 110		—
0406 90 35 190	...	158,54
	028	—
	032	—
	036	42,66
	400	160,00
	404	90,00
0406 90 35 910		—
0406 90 35 990	...	130,00
	028	—
	032	—
	036	—
	038	—
	400	130,00
	404	—
0406 90 61 000	...	185,00
	028	—
	032	—
	036	90,00
	400	190,00
	404	140,00
0406 90 63 100	...	212,12
	028	—
	032	—
	036	105,03
	400	220,00
	404	160,00
0406 90 63 900	...	165,00
	028	—
	032	—
	036	70,00
	400	150,00
	404	80,00
0406 90 69 100		—
0406 90 69 910	...	165,00
	028	—
	032	—
	036	70,00
	400	150,00
	404	80,00
0406 90 69 990		—
0406 90 73 100		—
0406 90 73 900	...	151,00
	028	—
	032	—
	036	42,66
	400	160,00
	404	120,00
0406 90 75 100		—
0406 90 75 900	...	125,96
	028	—
	032	—
	036	—
	400	65,00
	404	—

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

Product code	Destination (*)	Amount of refund (")
0406 90 77 100	...	110,79
	028	24,00
	032	24,00
	036	—
	038	—
	400	58,77
	404	—
0406 90 77 300	...	135,35
	028	—
	032	—
	036	—
	038	—
	400	65,00
	404	—
0406 90 77 500	...	135,35
	028	—
	032	—
	036	—
	038	—
	400	75,00
	404	—
0406 90 79 100	—	—
0406 90 79 900	...	114,71
	028	—
	032	—
	036	—
	038	—
	400	56,14
	404	—
0406 90 81 100	—	—
0406 90 81 900	...	130,00
	028	—
	032	—
	036	—
	038	—
	400	130,00
	404	—
0406 90 85 100	—	—
0406 90 85 910	...	158,54
	028	—
	032	—
	036	42,67
	400	160,00
	404	90,00
	...	130,00
0406 90 85 991	028	—
	032	—
	036	—
	038	—
	400	130,00
	404	—
	...	—

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

Product code	Destination (*)	Amount of refund (")
0406 90 85 995	***	135,35
	028	27,50
	032	27,50
	036	—
	038	—
	400	65,00
	404	—
		—
0406 90 85 999		—
0406 90 89 100	***	89,49
	028	13,50
	032	13,50
	036	—
	038	—
	400	87,23
	404	—
		—
0406 90 89 200	***	98,13
	028	20,00
	032	20,00
	036	—
	038	—
	400	96,18
	404	—
		—
0406 90 89 300	***	110,79
	028	24,00
	032	24,00
	036	—
	038	—
	400	109,31
	404	—
		—
0406 90 89 910		—
0406 90 89 951	***	151,00
	028	—
	032	—
	036	42,66
	400	160,00
	404	90,00
		—
		—
0406 90 89 959	***	130,00
	028	—
	032	—
	036	—
	038	—
	400	130,00
	404	—
		—
0406 90 89 971	***	135,35
	028	27,50
	032	27,50
	036	—
	038	—
	400	74,00
	404	—
		—

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

Product code	Destination (*)	Amount of refund (")
0406 90 89 972	***	47,97
	028	—
	032	—
	400	39,03
	404	—
0406 90 89 979	***	135,35
	028	27,50
	032	27,50
	036	—
	038	—
	400	74,00
	404	—
0406 90 89 990		—
0406 90 93 000		—
0406 90 99 000		—
2309 10 15 010		—
2309 10 15 100		—
2309 10 15 200		1,50
2309 10 15 300		2,00
2309 10 15 400		2,50
2309 10 15 500		3,00
2309 10 15 700		3,50
2309 10 15 900		—
2309 10 19 010		—
2309 10 19 100		—
2309 10 19 200		1,50
2309 10 19 300		2,00
2309 10 19 400		2,50
2309 10 19 500		3,00
2309 10 19 600		3,50
2309 10 19 700		3,75
2309 10 19 800		4,00
2309 10 19 900		—
2309 10 70 010		—
2309 10 70 100		19,50
2309 10 70 200		26,00
2309 10 70 300		32,50
2309 10 70 500		39,00
2309 10 70 600		45,50
2309 10 70 700		52,00
2309 10 70 800		57,20
2309 10 70 900		—
2309 90 35 010		—
2309 90 35 100		—
2309 90 35 200		1,50
2309 90 35 300		2,00
2309 90 35 400		2,50
2309 90 35 500		3,00
2309 90 35 700		3,50
2309 90 35 900		—
2309 90 39 010		—
2309 90 39 100		—

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

Product code	Destination (*)	Amount of refund (")
2309 90 39 200		1,50
2309 90 39 300		2,00
2309 90 39 400		2,50
2309 90 39 500		3,00
2309 90 39 600		3,50
2309 90 39 700		3,75
2309 90 39 800		4,00
2309 90 39 900		—
2309 90 70 010		—
2309 90 70 100		19,50
2309 90 70 200		26,00
2309 90 70 300		32,50
2309 90 70 500		39,00
2309 90 70 600		45,50
2309 90 70 700		52,00
2309 90 70 800		57,20
2309 90 70 900		—

(*) The code numbers for the destinations are those set out in the Annex to Commission Regulation (EEC) No 3518/91.

For destinations other than those indicated for each 'product code', the amount of the refund applying is indicated by —.

Where no destination is indicated, the amount of the refund is applicable for exports to any destination other than those referred to in Article 1 (2).

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

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

COMMISSION REGULATION (EEC) No 2497/92

of 27 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 2459/92⁽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 26 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 28 August 1992.

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

Done at Brussels, 27 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 244, 26. 8. 1992, p. 5.

⁽⁵⁾ OJ No L 243, 25. 8. 1992, p. 20.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 9.

*ANNEX***to the Commission Regulation of 27 August 1992 fixing the import levies on white sugar and raw sugar***(ECU/100 kg)*

CN code	Levy ⁽¹⁾
1701 11 10	39,27 ⁽¹⁾
1701 11 90	39,27 ⁽¹⁾
1701 12 10	39,27 ⁽¹⁾
1701 12 90	39,27 ⁽¹⁾
1701 91 00	47,37
1701 99 10	47,37
1701 99 90	47,37 ⁽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 2498/92

of 27 August 1992

fixing the aid for cotton

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

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

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

Whereas the amount of the additional aid referred to in
Article 5 (1) of Regulation (EEC) No 2169/81 was fixed by
Commission Regulation (EEC) No 2452/92 ⁽⁴⁾;

Whereas it follows from applying the rules and other
provisions contained in Regulation (EEC) No 2452/92 to

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The aid for unginned cotton referred to in Article 5
of Regulation (EEC) No 2169/81 shall be ECU 75,036 per
100 kilograms.
2. However, the amount of the aid will be confirmed or
replaced with effect from 28 August 1992 to take into
account the effects of the application of maximum
guaranteed quantities.

Article 2

This Regulation shall enter into force on 28 August 1992.

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

Done at Brussels, 27 August 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 377, 31. 12. 1987, p. 49.

⁽²⁾ OJ No L 211, 31. 7. 1981, p. 2.

⁽³⁾ OJ No L 215, 30. 7. 1992, p. 12.

⁽⁴⁾ OJ No L 243, 25. 8. 1992, p. 25.

COMMISSION REGULATION (EEC) No 2499/92
of 27 August 1992
fixing the import levies on milk and milk products

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

Having regard to Council Regulation (EEC) No 804/68 of
27 June 1968 on the common organization of the market
in milk and milk products ⁽¹⁾, as last amended by Regula-
tion (EEC) No 2071/92 ⁽²⁾, and in particular Article 14 (8)
thereof,

Whereas the import levies on milk and milk products
were fixed by Commission Regulation (EEC) No
1528/92 ⁽³⁾, as last amended by Regulation (EEC) No
2381/92 ⁽⁴⁾;

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

known to the Commission that the levies at present in
force should be altered to the amounts set out in the
Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 September
1992.

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

Done at Brussels, 27 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 160, 13. 6. 1992, p. 14.

⁽⁴⁾ OJ No L 232, 14. 8. 1992, p. 25.

ANNEX

to the Commission Regulation of 27 August 1992 fixing the import levies on milk and milk products

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

CN code	Note (*)	Import levy
0401 10 10		15,61
0401 10 90		14,40
0401 20 11		21,94
0401 20 19		20,73
0401 20 91		27,65
0401 20 99		26,44
0401 30 11		72,20
0401 30 19		70,99
0401 30 31		140,12
0401 30 39		138,91
0401 30 91		236,41
0401 30 99		235,20
0402 10 11	(*)	104,07
0402 10 19	(*) (*)	96,82
0402 10 91	(*) (*)	0,9682/kg + 30,01
0402 10 99	(*) (*)	0,9682/kg + 22,76
0402 21 11	(*)	181,96
0402 21 17	(*)	174,71
0402 21 19	(*) (*)	174,71
0402 21 91	(*) (*)	215,33
0402 21 99	(*) (*)	208,08
0402 29 11	(*) (*) (*)	1,7471/kg + 30,01
0402 29 15	(*) (*)	1,7471/kg + 30,01
0402 29 19	(*) (*)	1,7471/kg + 22,76
0402 29 91	(*) (*)	2,0808/kg + 30,01
0402 29 99	(*) (*)	2,0808/kg + 22,76
0402 91 11	(*)	30,28
0402 91 19	(*)	30,28
0402 91 31	(*)	37,85
0402 91 39	(*)	37,85
0402 91 51	(*)	140,12
0402 91 59	(*)	138,91
0402 91 91	(*)	236,41
0402 91 99	(*)	235,20
0402 99 11	(*)	49,85
0402 99 19	(*)	49,85
0402 99 31	(*) (*)	1,3649/kg + 26,39
0402 99 39	(*) (*)	1,3649/kg + 25,18
0402 99 91	(*) (*)	2,3278/kg + 26,39
0402 99 99	(*) (*)	2,3278/kg + 25,18
0403 10 02		104,07
0403 10 04		181,96

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

CN code	Note (°)	Import levy
0403 10 06		215,33
0403 10 12	(¹)	0,9682/kg + 30,01
0403 10 14	(¹)	1,7471/kg + 30,01
0403 10 16	(¹)	2,0808/kg + 30,01
0403 10 22		24,35
0403 10 24		30,06
0403 10 26		74,61
0403 10 32	(¹)	0,1831/kg + 28,80
0403 10 34	(¹)	0,2402/kg + 28,80
0403 10 36	(¹)	0,6857/kg + 28,80
0403 90 11		104,07
0403 90 13		181,96
0403 90 19		215,33
0403 90 31	(¹)	0,9682/kg + 30,01
0403 90 33	(¹)	1,7471/kg + 30,01
0403 90 39	(¹)	2,0808/kg + 30,01
0403 90 51		24,35
0403 90 53		30,06
0403 90 59		74,61
0403 90 61	(¹)	0,1831/kg + 28,80
0403 90 63	(¹)	0,2402/kg + 28,80
0403 90 69	(¹)	0,6857/kg + 28,80
0404 10 11 * 11		22,60
0404 10 11 * 14		181,96
0404 10 11 * 17		215,33
0404 10 11 * 21		104,07
0404 10 11 * 24		181,96
0404 10 11 * 27		215,33
0404 10 19 * 11	(¹)	0,2260/kg + 22,76
0404 10 19 * 14	(¹)	1,7471/kg + 30,01
0404 10 19 * 17	(¹)	2,0808/kg + 30,01
0404 10 19 * 21	(¹)	0,9682/kg + 30,01
0404 10 19 * 24	(¹)	1,7471/kg + 30,01
0404 10 19 * 27	(¹)	2,0808/kg + 30,01
0404 10 91 * 11	(²)	0,2260/kg
0404 10 91 * 14	(²)	1,7471/kg + 6,04
0404 10 91 * 17	(²)	2,0808/kg + 6,04
0404 10 91 * 21	(²)	0,9682/kg + 6,04
0404 10 91 * 24	(²)	1,7471/kg + 6,04
0404 10 91 * 27	(²)	2,0808/kg + 6,04
0404 10 99 * 11	(²)	0,2260/kg + 22,76
0404 10 99 * 14	(²)	1,7471/kg + 28,80
0404 10 99 * 17	(²)	2,0808/kg + 28,80
0404 10 99 * 21	(²)	0,9682/kg + 28,80
0404 10 99 * 24	(²)	1,7471/kg + 28,80
0404 10 99 * 27	(²)	2,0808/kg + 28,80
0404 90 11		104,07
0404 90 13		181,96
0404 90 19		215,33
0404 90 31		104,07
0404 90 33		181,96
0404 90 39		215,33
0404 90 51	(¹)	0,9682/kg + 30,01
0404 90 53	(¹) (²)	1,7471/kg + 30,01
0404 90 59	(¹)	2,0808/kg + 30,01
0404 90 91	(¹)	0,9682/kg + 30,01
0404 90 93	(¹) (²)	1,7471/kg + 30,01
0404 90 99	(¹)	2,0808/kg + 30,01

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

CN code	Note (3)	Import levy
0405 00 10	(6)	243,65
0405 00 90		297,25
0406 10 20	(*) (6)	232,17
0406 10 80	(*) (6)	285,03
0406 20 10	(3) (*) (6)	417,27
0406 20 90	(*) (6)	417,27
0406 30 10	(3) (*) (6)	183,55
0406 30 31	(3) (*) (6)	174,92
0406 30 39	(3) (*) (6)	183,55
0406 30 90	(3) (*) (6)	280,27
0406 40 00	(3) (*) (6)	148,14
0406 90 11	(3) (*) (6)	223,61
0406 90 13	(3) (*) (6)	172,10
0406 90 15	(3) (*) (6)	172,10
0406 90 17	(3) (*) (6)	172,10
0406 90 19	(3) (*) (6)	417,27
0406 90 21	(3) (*) (6)	223,61
0406 90 23	(3) (*) (6)	188,31
0406 90 25	(3) (*) (6)	188,31
0406 90 27	(3) (*) (6)	188,31
0406 90 29	(3) (*) (6)	188,31
0406 90 31	(3) (*) (6)	188,31
0406 90 33	(*) (6)	188,31
0406 90 35	(3) (*) (6)	188,31
0406 90 37	(3) (*) (6)	188,31
0406 90 39	(3) (*) (6)	188,31
0406 90 50	(3) (*) (6)	188,31
0406 90 61	(*) (6)	417,27
0406 90 63	(*) (6)	417,27
0406 90 69	(*) (6)	417,27
0406 90 73	(*) (6)	188,31
0406 90 75	(*) (6)	188,31
0406 90 77	(*) (6)	188,31
0406 90 79	(*) (6)	188,31
0406 90 81	(*) (6)	188,31
0406 90 85	(*) (6)	188,31
0406 90 89	(3) (*) (6)	188,31
0406 90 93	(*) (6)	232,17
0406 90 99	(*) (6)	285,03
1702 10 10		23,09
1702 10 90		23,09
2106 90 51		23,09
2309 10 15		75,04
2309 10 19		97,30
2309 10 39		91,97
2309 10 59		77,73
2309 10 70		97,30
2309 90 35		75,04
2309 90 39		97,30
2309 90 49		91,97
2309 90 59		77,73
2309 90 70		97,30

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

COMMISSION REGULATION (EEC) No 2500/92**of 27 August 1992****adopting interim protective measures in so far as concerns Spain in regard to applications for STM licences coming from the Community of Ten for milk and milk products lodged between 17 and 21 August 1992**

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

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

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

Whereas applications for STM licences in the Community of Ten for cheese of category 4 lodged between 17 and 21 August 1992 relate to quantities higher than the ceiling set for the month of August 1992;

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

applied for category 4 and to suspend all further issuing of licences for the products in question,

HAS ADOPTED THIS REGULATION:

Article 1

1. Applications for STM licences as referred to in Regulation (EEC) No 606/86, lodged between 17 and 21 August 1992 for the Community of Ten and lodged with the Commission, for milk products falling within:

— category 4 of CN code ex 0406 are hereby accepted up to 11,95 %;

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

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

Article 2

This Regulation shall enter into force on 31 August 1992.

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

Done at Brussels, 27 August 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 58, 1. 3. 1986, p. 28.

⁽²⁾ OJ No L 75, 21. 3. 1992, p. 29.

COMMISSION REGULATION (EEC) No 2501/92

of 27 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 28 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, 27 August 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 27 August 1992 setting 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	—	—
1001 10 90 000	04	50,00
	02	20,00
1001 90 91 000	05	73,00
	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	110,00
1101 00 00 130	01	104,00
1101 00 00 150	01	95,00
1101 00 00 170	01	88,00
1101 00 00 180	01	83,00
1101 00 00 190	—	—
1101 00 00 900	—	—
1102 10 00 500	01	110,00
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	110,00
1103 11 90 800	—	—

(¹) The destinations are identified as follows :

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

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 30 July 1992

amending Commission Decision 91/449/EEC laying down the specimen animal health certificates in respect of meat products imported from third countries, concerning certain eastern European countries

(92/447/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine, ovine and caprine animals and swine, fresh meat or meat products from third countries⁽¹⁾, as last amended by Regulation (EEC) No 3763/91⁽²⁾, and in particular Articles 21 (a) and 22 thereof,

Whereas Commission Decision 91/449/EEC⁽³⁾ as last amended by Decision 92/426/EEC⁽⁴⁾ lays down the specimen animal health certificates in respect of meat products from third countries;

Whereas, in accordance with Commission Decision 92/376/EEC⁽⁵⁾, the importation of meat products from Croatia and Slovenia can be authorized and must conform to the requirements of Decision 91/449/EEC;

Whereas the categories of meat products which can be imported from third countries depends on the health situation of the country of fabrication; whereas, vaccina-

tions against classical swine fever are carried out in Bulgaria, Croatia, Czechoslovakia, Poland, Romania, Slovenia and of the Yugoslav republics of Serbia, Montenegro and Macedonia;

Whereas therefore, incompletely heat-treated meat products are not allowed to be imported from the above-mentioned countries; whereas, it is necessary to amend the list of third countries authorized to import meat products into the Community and amend the animal health conditions and veterinary certification as laid down in Decision 91/449/EEC;

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

Decision 91/449/EEC is hereby amended as follows:

1. In Article 1 (2) the last sentence is replaced by:

'In the case of pigmeat products Member States shall authorize the import from the countries listed in the second part of Annex D, of pigmeat products which either:

(a) have undergone heat treatment so that a centre temperature of at least 70 °C has been achieved; or

⁽¹⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽²⁾ OJ No L 356, 24. 12. 1991, p. 1.

⁽³⁾ OJ No L 240, 29. 8. 1991, p. 28.

⁽⁴⁾ OJ No L 124, 9. 5. 1992, p. 43.

⁽⁵⁾ OJ No L 197, 16. 7. 1992, p. 70.

(b) have undergone treatment consisting in natural fermentation and maturation of not less than nine months for hams weighing not less than 5,5 kg and having the following characteristics:

- aw value of not more than 0.93,
- pH value of not more than 6.

The relevant certificate must accompany the consignment.'

2. In Annex A, part II

- the word 'Yugoslavia' is replaced by 'the Yugoslav republics of Serbia, Montenegro and Macedonia';
- after the word 'Czechoslovakia' the words '(excluding, in the case of products derived from the meat of swine, the Slovak Republic)' are deleted;
- after each word 'Bulgaria', 'Czechoslovakia', 'Poland', 'Romania' and 'Yugoslav republics of Serbia, Montenegro and Macedonia', the words '(excluding pigmeat products)' are added;
- the words 'Croatia (excluding pigmeat products)', 'Slovenia (excluding pigmeat products)' are

included in the list of countries approved to use the model animal health certificate.

3. In Annex B, part II

- the word 'Yugoslavia' is replaced by 'the Yugoslav republics of Serbia, Montenegro and Macedonia';
- 'Croatia' and 'Slovenia' are included in the list of countries approved to use the model animal health certificate.

4. The Annex attached to this Decision is included as Annex D.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 30 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

ANNEX D

PART I

ANIMAL HEALTH CERTIFICATE

for pig meat products which are either cooked to a centre temperature of at least 70 °C or are fermented and matured intended for consignment to the European Economic Community

Country of destination : No :⁽¹⁾
(Name of EEC Member State)

Reference number of the public health certificate :

Exporting country :
(See list as Part II of Annex D)

Ministry :

Department :

Reference⁽²⁾ :

I. Identification of meat products

Nature of pig meat products :

Nature of pieces :

Number of pieces or packages :

Required storage and transport temperature :

Storage life :

Net weight :

II. Origin of meat products

Address(es) and veterinary approval number(s) of the establishment(s) supplier(s) of fresh meat :

.....

.....

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

.....

.....

III. Destination of meat products

The meat product will be sent from :

(Place of loading)

to :

(Country and place of destination)

by the following means of transport⁽²⁾ :

Name and address of consignor :

.....

.....

Name and address of consignee :

.....

.....

⁽¹⁾ Optional.

⁽²⁾ For railway wagons or goods vehicles the registration number should be given, for aircraft the flight number and for ships the name.

IV. Attestation of health

I, the undersigned official veterinarian, certify that :

1. The pig meat products described above :

either

(a) have undergone heat treatment so that a centre temperature of at least 70 °C has been achieved (1); or

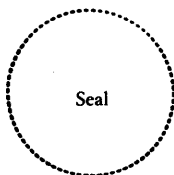
(b) have undergone treatment consisting in natural fermentation and maturation of not less than nine months for hams weighing not less than 5.5 kg and having the following characteristics :

— aw value of not more than 0.93,

— pH value of not more than 6 (1).

2. After the treatment all precautions to avoid recontamination have been taken.

Done at _____, on _____
(Place) (Date)



(signature of official veterinarian)
(Name in capital letters, title and qualification)

PART II**List of countries approved to use model animal health certificate at Part I of Annex D**

Bulgaria
Croatia
Czechoslovakia
Poland
Romania
Slovenia
Yugoslav republics of Serbia, Montenegro and Macedonia

(1) Delete as appropriate.

COMMISSION DECISION**of 30 July 1992****on the grant of Community aid for certain specific measures implementing the programme of options specific to the remote and insular nature of Madeira and the Azores (Poseima)****(Only the Portuguese text is authentic)****(92/448/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 4028/86 of 18 December 1986 on Community measures to improve and adapt structures in the fisheries and aquaculture sector⁽¹⁾, as last amended by Regulation (EEC) No 3944/90⁽²⁾, and in particular Article 32 (1) thereof,

Whereas the Portuguese autonomous regions of the Azores and Madeira are encountering specific development problems; whereas, in order to cope with these problems, it is appropriate to reinforce Community support to enable these regions to fully participate in the dynamics of the internal market;

Whereas Article 1 (1) of Council Decision 91/315/EEC of 26 June 1991 setting up a programme of options specific to the remote and insular nature of Madeira and the Azores (Poseima)⁽³⁾ establishes an action programme for Madeira and the Azores; whereas this programme, annexed to the said Decision, involves the adoption of certain measures in the fisheries sector;

Whereas the Portuguese authorities have submitted applications for Community aid relating to certain measures forming part of the action programme set out in the Annex to the said Decision;

Whereas this Decision is in accordance with the opinion of the Standing Committee for the Fishing Industry,

HAS ADOPTED THIS DECISION:

Article 1

1. The specific measures involving the grant of Community aid of a maximum amount of ECU 8,04 million for the fisheries sector in the Azores and Madeira are hereby approved.

2. The measures referred to in paragraph 1 and the financial contribution by the Community are set out in the Annex to this Decision.

Article 2

This Decision is addressed to the Portuguese Republic.

Done at Brussels, 30 July 1992.

For the Commission

Manuel MARÍN

Vice-President

⁽¹⁾ OJ No L 376, 31. 12. 1986, p. 7.

⁽²⁾ OJ No L 380, 31. 12. 1990, p. 1.

⁽³⁾ OJ No L 171, 29. 6. 1991, p. 10.

ANNEX

POSEIMA PROGRAMME

1. General objectives

Implementation of a measure introducing structural aid to improve the exploration of marine resources in the exclusive economic zones of the Azores and Madeira, and to compensate for the additional costs incurred in the processing of tuna as a result of geographical remoteness.

2. Special assistance programme for the exploration of marine resources in the exclusive economic zones of the Azores and Madeira.

The programme comprises:

(a) A contribution of 75 % towards the financing of four special projects covering:

- sampling statistics and networks,
- oceanographical and environmental conditions,
- *thunnidae* and similar species,
- demersal species.

(b) A contribution of 75 % towards the setting up of an aquaculture experimental centre in Madeira.

3. Compensatory measure for the additional costs incurred in tuna processing as a result of geographical remoteness.

This measure is calculated on the basis of the additional costs of transport and storage for inputs and outputs in the tuna processing industry.

4. Timetable and financial estimate.

(a) The amounts are (*):

Exploration of marine resources:

ECU 1,24 million for the Azores and ECU 0,93 million for Madeira.

Aquaculture experimental centre:

ECU 0,33 million.

Tuna measure:

ECU 5,54 million, at a rate of escudos 32,50 per kg, for a maximum quantity of 30 000 tonnes caught and supplied to the local industry, for the two years 1992 and 1993, that is:

ECU 1,85 million per annum for the Azores (10 000 tonnes) and ECU 0,92 million per annum for Madeira (5 000 tonnes).

Total: ECU 8,04 million.

(b) These payments will be made in two annual tranches during the two years 1992 and 1993. The amounts will be determined on the basis of applications made by the body responsible for monitoring the measure.

An advance of 50 % of the aid for 1992 will be paid on application by the body responsible for monitoring the measure. In respect of aid for payment in 1993 an advance of 50 % will be made at the beginning of the year. The balance will be paid at the end of each year and by 1 March of the following year at latest on the basis of supporting documents certifying that the measure has been carried out.

5. General provisions

5.1. The body responsible for monitoring the measure is designated by the authorities of the Member State. In particular it is responsible for distributing the financial aid from the Commission in accordance with the detailed rules agreed between the Member State's authorities and the Commission.

5.2. The measure will be controlled and monitored in accordance with the rules laid down in Articles 44 to 46 of Council Regulation (EEC) No 4028/86.

(*) Expenditure for 1993 on the exploration programme and the aquaculture centre will be by the special budget for the most remote regions.

COMMISSION DECISION**of 30 July 1992****on the grant of Community aid for certain specific measures implementing the programme of options specific to the remote and insular nature of the Canary Islands (Poseican)****(Only the Spanish text is authentic)****(92/449/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 4028/86 of 18 December 1986 on Community measures to improve and adapt structures in the fisheries and aquaculture sector⁽¹⁾, as last amended by Regulation (EEC) No 3944/90⁽²⁾, and in particular Article 32 (1) thereof,

Whereas the Canary Islands are encountering specific development problems; whereas, in order to cope with these problems, it is appropriate to reinforce Community support to enable the Canary Islands to fully participate in the dynamics of the internal market;

Whereas Article 1 (1) of Council Decision 91/314/EEC of 26 June 1991 setting up a programme of options specific to the remote and insular nature of the Canary Islands⁽³⁾ establishes an action programme for the Canary Islands; whereas this programme, annexed to the said Decision, involves the adoption of certain measures in the fisheries sector;

Whereas the Spanish authorities have submitted applications for Community aid relating to certain measures forming part of the action programme set out in the Annex to the said Decision;

Whereas this Decision is in accordance with the opinion of the Standing Committee for the Fishing Industry,

HAS ADOPTED THIS DECISION:

Article 1

1. The specific measures involving the grant of Community aid of a maximum amount of ECU 6,2 million for the fisheries sector in the Canary Islands are hereby approved.
2. The measures referred to in paragraph 1 and the financial contribution by the Community are set out in the Annex to this Decision.

Article 2

This Decision is addressed to the Kingdom of Spain.

Done at Brussels, 30 July 1992.

For the Commission

Manuel MARÍN

Vice-President⁽¹⁾ OJ No L 376, 31. 12. 1986, p. 7.⁽²⁾ OJ No L 380, 31. 12. 1990, p. 1.⁽³⁾ OJ No L 171, 29. 6. 1991, p. 5.

ANNEX**POSEICAN PROGRAMME****1. General objectives**

Implementation of a measure introducing structural aid to compensate for the additional costs incurred in the production and freezing of tuna and the freezing and processing of sardines as a result of geographical remoteness.

2. Compensatory measure for the additional costs incurred in the tuna sector as a result of geographical remoteness

This measure is calculated on the basis of the additional costs linked to the difficulties of transport and storage in the tuna production and marketing sector.

3. Compensatory measure for the additional costs incurred in sardine processing as a result of geographical remoteness

This measure is calculated on the basis of the additional costs of transport and storage for inputs and outputs in the sardine processing industry.

4. Timetable and financial estimate**(a) The amounts are :**

- ECU 2,2 million for the tuna sector / at the rate of 150 ECUs per tonne for tuna intended to be marketed fresh and 50 ECUs per tonne for tuna intended to be frozen / as follows :
 - ECU 1,5 million for a maximum quantity of 10 000 tonnes for tuna intended to be marketed fresh,
 - ECU 0,7 million for a maximum quantity of 14 000 tonnes for tuna intended to be frozen.
- ECU 4 million for the sardine sector / at the rate of 100 ECUs per tonne for sardines intended for canning and 50 ECUs per tonne for sardines intended for freezing / as follows :
 - ECU 3 million for a maximum quantity of 30 000 tonnes for sardines intended for canning,
 - ECU 1 million for a maximum quantity of 20 000 tonnes of sardines intended for freezing.

Total : ECU 6,2 million.

(b) These payments will be made in two annual tranches during the two years 1992 and 1993. The amounts will be determined on the basis of applications made by the body responsible for monitoring the measure.

An advance of 50 % of the aid for 1992 will be paid on application by the body responsible for monitoring the measure. In respect of aid for payment in 1993 an advance of 50 % will be made at the beginning of the year. The balance will be paid at the end of each year and by 1 March of the following year at latest on the basis of supporting documents certifying that the measure has been carried out.

5. General provisions

- 5.1. The body responsible for monitoring the measure is designated by the authorities of the Member State. In particular it is responsible for distributing the financial aid from the Commission in accordance with the detailed rules agreed between the Member State's authorities and the Commission.
- 5.2. The measure will be controlled and monitored in accordance with the rules laid down in Articles 44 to 46 of Council Regulation (EEC) No 4028/86.

COMMISSION DECISION

of 30 July 1992

amending for the third time Council Directive 82/894/EEC on the notification of animal diseases within the Community and temporarily amending the frequency of notification for bovine spongiform encephalopathy

(92/450/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION :

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 82/894/EEC of 21 December 1982 on the notification of animal diseases within the Community ⁽¹⁾, as last amended by Commission Decision 90/134/EEC ⁽²⁾, and in particular Article 5 (2) thereof,

Whereas outbreaks of bovine spongiform encephalopathy continue within Community territory; whereas that disease should accordingly be kept on the list of diseases notifiable under Directive 82/894/EEC;

Whereas, in the light of experience gained, provision should be made for a derogation to extend the requirement to notify outbreaks of that disease until 31 December 1997; whereas, however, weekly notification of outbreaks containing information required concerning secondary outbreaks appears sufficient;

Whereas provisions adopted previously concerning notification of the disease should be repealed;

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

Article 1

'Bovine spongiform encephalopathy' is hereby added to Annex I to Directive 82/894/EEC.

Article 2

By way of a derogation from Article 3 (1) of Directive 82/894/EEC, all outbreaks of bovine spongiform encephalopathy shall be notified until 31 December 1997 in accordance with Article 4 of that Directive.

Article 3

Decision 90/134/EEC is hereby repealed.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 30 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 378, 31. 12. 1982, p. 58.

⁽²⁾ OJ No L 76, 22. 3. 1990, p. 23.

COMMISSION DECISION

of 30 July 1992

concerning certain health protection measures against African swine fever in
Sardinia, Italy

(92/451/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks in intra-Community trade with a view to the completion of the internal market⁽¹⁾, as last amended by Directive 91/628/EEC⁽²⁾, and in particular Article 10 thereof,Having regard to Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks in intra-Community trade with a view to the completion of the internal market⁽³⁾, as last amended by Directive 91/496/EEC⁽⁴⁾, and in particular Article 9 thereof,Whereas, as a result of the African swine fever situation, in Italy, the Commission adopted Decision 83/138/EEC of 25 March 1983 concerning certain measures to prevent the spread of African swine fever⁽⁵⁾, as last amended by Decision 84/343/EEC⁽⁶⁾;

Whereas an outbreak of African swine fever since 1983 has been recorded on the continent of Italy;

Whereas fresh pigmeat and pigmeat products coming from the continent of Italy are considered to create no danger for spreading African swine fever;

Whereas African swine fever must be considered as an endemic disease in the region of Sardinia, Italy;

Whereas the disease situation is liable to endanger the herds in other regions of Italy and of other Member States, in view of trade in live pigs, fresh pigmeat and certain meat-based products;

Whereas, in the interest of clarity, Decision 83/138/EEC should be repealed and a consolidated text adopted;

Whereas the Italian authorities have taken legal measures to prohibit the movement of live pigs, fresh pigmeat and certain meat based pork products from the territory of the region of Sardinia and the adoption of these legal measures guarantees the efficacy of the implementation of this decision;

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

Italy prohibits the movement from the territory of the region of Sardinia of the following:

- live pigs,
- fresh pigmeat,
- meat based pork products other than those which have been submitted to the treatment mentioned in Article 4 (1) (a) (i) of Council Directive 80/215/EEC⁽⁷⁾.

Article 2

Decision 83/138/EEC is hereby repealed.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 30 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 224, 18. 8. 1990, p. 29.⁽²⁾ OJ No L 340, 11. 12. 1991, p. 17.⁽³⁾ OJ No L 395, 30. 12. 1989, p. 13.⁽⁴⁾ OJ No L 268, 24. 9. 1991, p. 56.⁽⁵⁾ OJ No L 93, 13. 4. 1983, p. 17.⁽⁶⁾ OJ No L 180, 7. 7. 1984, p. 38.⁽⁷⁾ OJ No L 47, 21. 2. 1980, p. 4.