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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2597/92

of 7 September 1992

fixing the import levies on cereals and on wheat or rye flour, groats and meal

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

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1738/92⁽²⁾, and in particular Article 13 (5) thereof,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽³⁾, as last amended by Regulation (EEC) No 2205/90⁽⁴⁾, and in particular Article 3 thereof,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 1820/92⁽⁵⁾ and subsequent amending Regulations;

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

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

the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85,

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

Whereas these exchange rates being those recorded on 4 September 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 8 September 1992.

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

Done at Brussels, 7 September 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 7 September 1992 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Levy (*)
0709 90 60	150,75 (*) (*)
0712 90 19	150,75 (*) (*)
1001 10 10	169,92 (*) (*) (*)
1001 10 90	169,92 (*) (*) (*)
1001 90 91	144,38
1001 90 99	144,38 (*)
1002 00 00	157,69 (*)
1003 00 10	130,03
1003 00 90	130,03 (*)
1004 00 10	112,76
1004 00 90	112,76
1005 10 90	150,75 (*) (*)
1005 90 00	150,75 (*) (*)
1007 00 90	155,81 (*)
1008 10 00	58,32 (*)
1008 20 00	107,60 (*)
1008 30 00	56,91 (*)
1008 90 10	()
1008 90 90	56,91
1101 00 00	215,05 (*) (*)
1102 10 00	232,81 (*)
1103 11 10	276,18 (*) (*)
1103 11 90	231,93 (*)

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

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

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

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

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

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

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

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

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

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

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

COMMISSION REGULATION (EEC) No 2598/92

of 7 September 1992

fixing the premiums to be added to the import levies on cereals, flour and malt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1738/92 ⁽²⁾, and in particular Article 15 (6) thereof,Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy ⁽³⁾, as last amended by Regulation (EEC) No 2205/90 ⁽⁴⁾, and in particular Article 3 thereof,Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EEC) No 1821/92 ⁽⁵⁾ and subsequent amending Regulations;

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

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

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

Whereas these exchange rates being those recorded on 4 September 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 8 September 1992.

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

Done at Brussels, 7 September 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 7 September 1992 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(ECU/tonne)

CN code	Current 9	1st period 10	2nd period 11	3rd period 12
0709 90 60	0	1,41	1,41	0
0712 90 19	0	1,41	1,41	0
1001 10 10	0	0	0	0
1001 10 90	0	0	0	0
1001 90 91	0	0	0	0
1001 90 99	0	0	0	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 10	0	0	0	0
1004 00 90	0	0	0	0
1005 10 90	0	1,41	1,41	0
1005 90 00	0	1,41	1,41	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	0

B. Malt

(ECU/tonne)

CN code	Current 9	1st period 10	2nd period 11	3rd period 12	4th period 1
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 2599/92

of 7 September 1992

fixing the export refunds on fruit 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 (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 30 (4) thereof,

Whereas Article 30 of Regulation (EEC) No 1035/72 provides that, to the extent necessary to allow economically significant quantities to be exported, the difference between prices in international trade for the products referred to in that Article and prices for the products within the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 2518/69 of 9 December 1969 laying down general rules for the granting of refunds on exports of fruit and vegetables and criteria for fixing their amounts⁽³⁾, as amended by Regulation (EEC) No 2455/72⁽⁴⁾, provides that when refunds are being fixed, account must be taken of the existing situation and future trends with regard to prices and availabilities of fruit and vegetables on the Community market on the one hand and prices in international trade on the other; whereas account must also be taken of the costs indicated in (b) of that Article and of the economic aspects of the proposed exports;

Whereas, pursuant to Article 3 of Regulation (EEC) No 2518/69, when prices on the Community market are being determined account must be taken of the prices which are most favourable from the exportation point of view; whereas, when prices in international trade are being determined, the quotations and prices referred to in paragraph 2 of that Article must be taken into account;

Whereas the situation with regard to international trade or the specific requirements of certain markets may make it necessary to vary the refund for a given product according to the destination of that product;

Whereas tomatoes, fresh lemons, fresh sweet oranges, apples, peaches and nectarines of the common quality standards 'Extra' Class, Class I and Class II, 'Extra' Class and Class I table grapes, almonds and hazelnuts, and

unshelled walnuts may at present be exported in economically significant quantities;

Whereas the refund applicable to exports of tomatoes to Sweden should be amended during the period 1 July to 30 September 1992 pursuant to the undertakings entered into with that country under the 1980 agreement⁽⁵⁾;

Whereas Council Regulation (EEC) No 1432/92⁽⁶⁾, as amended by Regulation (EEC) No 2015/92⁽⁷⁾, prohibits trade between the Community and the Republics of Serbia and Montenegro; whereas this prohibition does not apply to certain situations as given in the limitative enumeration laid down in Articles 2 and 3; whereas this should be taken into account when refunds are fixed;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the correcting factor provided for in the last indent of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁸⁾ as last amended by Regulation (EEC) No 2205/90⁽⁹⁾,
- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the factor referred to in the preceding indent;

Whereas it follows from applying these detailed rules to the present market situation and to its future trends, and in particular to quotations and prices for fruit and vegetables in the Community and in international trade that the refunds should be as set out in the Annex hereto;

Whereas, for Spain and Portugal, the Act of Accession introduced transitional measures by phases and stages respectively;

Whereas where Spain and, from the beginning of the second stage of transition on 1 January 1990, Portugal are concerned when refunds are fixed, account is to be taken for each product in accordance with Articles 87 and 255 of the Act of Accession, of economically justified price differences;

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

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 23.

⁽³⁾ OJ No L 318, 18. 12. 1969, p. 17.

⁽⁴⁾ OJ No L 266, 25. 11. 1972, p. 7.

⁽⁵⁾ OJ No L 194, 28. 7. 1980, p. 12.

⁽⁶⁾ OJ No L 151, 3. 6. 1992, p. 4.

⁽⁷⁾ OJ No L 205, 22. 7. 1992, p. 2.

⁽⁸⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁹⁾ OJ No L 201, 31. 7. 1990, p. 9.

HAS ADOPTED THIS REGULATION :

in Spain and on the other part in Portugal shall be those given in columns II and III of the Annex.

Article 1

The export refunds on fruit and vegetables shall be as set out in column I of the Annex hereto. However, the refunds applicable on products harvested on the one part

Article 2

This Regulation shall enter into force on 8 September 1992.

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

Done at Brussels, 7 September 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 7 September 1992 fixing the export refunds on fruit and vegetables

(ECU/100 kg net)

Product code	Destination of refund (I)	Amounts of refunds (I)		
		Community as constituted on 31 December 1985 (I)	Spain (II)	Portugal (III)
0702 00 10 100	05	4,50 (?)	—	1,19 (?)
0702 00 10 900	—	—	—	—
0702 00 90 100	05	4,50 (?)	—	1,19 (?)
0702 00 90 900	—	—	—	—
0802 12 90 000	05	9,67	9,67	9,67
0802 21 00 000	05	11,30	11,30	11,30
0802 22 00 000	05	21,80	21,80	21,80
0802 31 00 000	05	14,00	14,00	14,00
0805 10 11 100	01	11,00	8,78	5,99
	04	11,00	8,78	5,99
0805 10 11 300	01	11,00	8,78	5,99
	04	11,00	8,78	5,99
0805 10 11 900	—	—	—	—
0805 10 15 100	01	11,00	8,78	5,99
	04	11,00	8,78	5,99
0805 10 15 300	01	11,00	8,78	5,99
	04	11,00	8,78	5,99
0805 10 15 900	—	—	—	—
0805 10 19 100	01	11,00	8,78	5,99
	04	11,00	8,78	5,99
0805 10 19 300	01	11,00	8,78	5,99
	04	11,00	8,78	5,99
0805 10 19 900	—	—	—	—
0805 10 21 100	01	11,00	8,78	5,99
	04	11,00	8,78	5,99
0805 10 21 300	01	11,00	8,78	5,99
	04	11,00	8,78	5,99
0805 10 21 900	—	—	—	—
0805 10 25 100	01	11,00	8,78	5,99
	04	11,00	8,78	5,99
0805 10 25 300	01	11,00	8,78	5,99
	04	11,00	8,78	5,99
0805 10 25 900	—	—	—	—
0805 10 29 100	01	11,00	8,78	5,99
	04	11,00	8,78	5,99
0805 10 29 300	01	11,00	8,78	5,99
	04	11,00	8,78	5,99
0805 10 29 900	—	—	—	—
0805 10 31 100	01	11,00	8,78	5,99
	04	11,00	8,78	5,99
0805 10 31 300	01	11,00	8,78	5,99
	04	11,00	8,78	5,99
0805 10 31 900	—	—	—	—
0805 10 35 100	01	11,00	8,78	5,99
	04	11,00	8,78	5,99
0805 10 35 300	01	11,00	8,78	5,99
	04	11,00	8,78	5,99
0805 10 35 900	—	—	—	—

(ECU/100 kg net)

Product code	Destination of refund (I)	Amounts of refunds (2)		
		Community as constituted on 31 December 1985 (I)	Spain (II)	Portugal (III)
0805 10 39 100	01	11,00	8,78	5,99
	04	11,00	8,78	5,99
0805 10 39 300	01	11,00	8,78	5,99
	04	11,00	8,78	5,99
0805 10 39 900	—	—	—	—
0805 10 41 100	01	11,00	8,78	5,99
	04	11,00	8,78	5,99
0805 10 41 300	01	11,00	8,78	5,99
	04	11,00	8,78	5,99
0805 10 41 900	—	—	—	—
0805 10 45 100	01	11,00	8,78	5,99
	04	11,00	8,78	5,99
0805 10 45 300	01	11,00	8,78	5,99
	04	11,00	8,78	5,99
0805 10 45 900	—	—	—	—
0805 10 49 100	01	11,00	8,78	5,99
	04	11,00	8,78	5,99
0805 10 49 300	01	11,00	8,78	5,99
	04	11,00	8,78	5,99
0805 10 49 900	—	—	—	—
0805 20 50 100	—	—	—	—
0805 20 50 900	—	—	—	—
0805 30 10 100	05	13,50	7,62	5,92
0805 30 10 900	—	—	—	—
0806 10 11 100	05	4,84	4,84	0,40
0806 10 11 300	05	4,84	4,84	0,40
0806 10 11 900	—	—	—	—
0806 10 15 100	05	4,84	4,84	0,40
0806 10 15 300	05	4,84	4,84	0,40
0806 10 15 900	—	—	—	—
0806 10 19 100	05	4,84	4,84	0,40
0806 10 19 300	05	4,84	4,84	0,40
0806 10 19 900	—	—	—	—
0808 10 91 100	—	—	—	—
0808 10 91 910	02	6,50	1,39	2,77
0808 10 91 990	—	—	—	—
0808 10 93 100	—	—	—	—
0808 10 93 910	02	6,50	1,39	2,77
0808 10 93 990	—	—	—	—
0808 10 99 100	—	—	—	—
0808 10 99 910	02	6,50	1,39	2,77
0808 10 99 990	—	—	—	—
0809 30 00 110	03	5,00	3,79	5,00
0809 30 00 190	—	—	—	—
0809 30 00 900	03	5,00	5,00	5,00

(¹) The destinations are as follows :

- 01 Poland, the Czech and Slovak Federal Republic, Hungary, Romania, Bulgaria, Albania, Estonia, Latvia, Lithuania, Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine, Uzbekistan, Bosnia-Herzegovina, Croatia, Slovenia and the Yugoslav Republic of Macedonia,
- 02 Sweden, Norway, Iceland, Austria, the Faroe Islands, Finland, Greenland, Malta, Syria, Poland, the Czech and Slovak Federal Republic, Hungary, Romania, Bulgaria, Albania, Estonia, Latvia, Lithuania, Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine, Uzbekistan, Bosnia-Herzegovina, Croatia, Slovenia and the Yugoslav Republic of Macedonia, Bolivia, Brazil, Venezuela, Peru, Panama, Ecuador, Colombia, the countries and territories of Africa other than South Africa, countries of the Arabian peninsula (Saudi Arabia, Bahrein, Qatar, Oman, the United Arab Emirates (Abu Dhabi, Dubai, Sharjah, Ajman, Umm, al Qaiwain, Fujairah and Ras al Khaimah), Kuwait, Yemen), Iran and Jordan, Hong Kong, Singapore, Malaysia, Indonesia, Thailand and Taiwan,
- 03 all destinations excluding Switzerland and Austria,
- 04 Austria, Switzerland, Finland, Sweden, Greenland, Norway, Iceland and Malta,
- 05 all destinations.

(²) For exports to Sweden in the period 1 July to 30 September 1992, the refund is :

- reduced to ECU 0,97 per 100 kg for products originating in the Community as constituted on 31 December 1985,
- cancelled for products originating in Portugal.

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

COMMISSION REGULATION (EEC) No 2600/92
of 7 September 1992
concerning applications for STM licences for cereals submitted from 1 to 3
September 1992 for imports of maize into Portugal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 252 (1) thereof,

Whereas Commission Regulation (EEC) No 1351/92 of 26 May 1992 laying down detailed rules for applying the supplementary trade mechanism (STM) to imports of cereals into Portugal during the 1992/93 marketing year⁽¹⁾ sets a target ceiling of 345 000 tonnes for maize to be broken down into equal monthly quantities;

Whereas, pursuant to Article 6 (2) of Commission Regulation (EEC) No 574/86 of 28 February 1986 laying down detailed rules for the application of the supplementary trade mechanism (STM)⁽²⁾, as last amended by Regulation (EEC) No 3296/88⁽³⁾, the Commission has been notified of applications received on 3 September 1992 for STM licences for imports of maize into Portugal which are well in excess of the ceiling set; whereas measures should be taken to deal with this situation,

HAS ADOPTED THIS REGULATION:

Article 1

1. Applications for STM licences which were submitted from 1 to 3 September 1992 and notified to the Commission shall be accepted for the tonnages applied for, adjusted by a coefficient of:

— 0,08 for maize falling within CN code 1005 90 00.

2. The issue of STM licences concerning imports of maize into Portugal from 4 to 30 September 1992 is hereby suspended.

Article 2

This Regulation shall enter into force on 8 September 1992.

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

Done at Brussels, 7 September 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 145, 27. 5. 1992, p. 47.

⁽²⁾ OJ No L 57, 1. 3. 1986, p. 1.

⁽³⁾ OJ No L 293, 27. 10. 1988, p. 7.

COMMISSION REGULATION (EEC) No 2601/92

of 7 September 1992

introducing a countervailing charge on table grapes originating in Turkey

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1754/92⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Article 25a (1) of Regulation (EEC) No 1035/72 provides that, if the entry price of a product imported from a non-member country is alternatively above and below the reference price for five to seven consecutive market days a countervailing charge is introduced in respect of that non-member country, save in exceptional cases; whereas that charge is introduced when three entry prices fall below the reference price and one of those entry prices is at least ECU 0,6 below the reference price; whereas that charge is equal to the difference between the reference price and the last available entry price by at least ECU 0,6 below the reference price;

Whereas Commission Regulation (EEC) No 1828/92 of 3 July 1992 fixing for the 1992 marketing year the reference prices for table grapes⁽³⁾ fixed the reference price for products of class I for the months of September and October 1992 at ECU 49,20 per 100 kilograms net;

Whereas the entry price for a given exporting country is equal to the lowest representative prices recorded for at least 30 % of the quantities from the exporting country concerned which are marketed on all representative markets for which prices are available less the duties and the charges indicated in Article 24 (3) of Regulation (EEC) No 1035/72; whereas the meaning of representative price is defined in Article 24 (2) of Regulation (EEC) No 1035/72;

Whereas, in accordance with Article 3 (1) of Commission Regulation (EEC) No 2118/74⁽⁴⁾, as last amended by

Regulation (EEC) No 3811/85⁽⁵⁾, the prices to be taken into consideration must be recorded on the representative markets or, in certain circumstances, on other markets;

Whereas for table grapes originating in Turkey the entry prices calculated in this way have for five consecutive market days been alternatively above and below the reference price; whereas two of these entry prices are at least ECU 0,6 below the reference prices; whereas a countervailing charge should therefore be introduced for these table grapes;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of ECU 0,96 per 100 kilograms net is applied to table grapes (CN codes 0806 10 15 and 0806 10 19) originating in Turkey.

Article 2

This Regulation shall enter into force on 9 September 1992.

Subject to the provisions of the second subparagraph of Article 26 (2) of Regulation (EEC) No 1035/72, this Regulation shall be applicable until 14 September 1992.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 23.

⁽³⁾ OJ No L 185, 4. 7. 1992, p. 19.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 201, 31. 7. 1990, p. 9.

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

Done at Brussels, 7 September 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 2602/92

of 7 September 1992

introducing a countervailing charge on apples originating in South Africa

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1754/92⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Article 25 (1) of Regulation (EEC) No 1035/72 provides that, if the entry price of a product imported from a third country remains at least ECU 0,6 below the reference price for two consecutive market days, a countervailing charge must be introduced in respect of the exporting country concerned, save in exceptional circumstances; whereas this charge is equal to the difference between the reference price and the arithmetic mean of the last two entry prices available for that exporting country;

Whereas Commission Regulation (EEC) No 1660/92 of 26 June 1992 fixing for the 1992/93 marketing year the reference prices for apples⁽³⁾ fixed the reference price for products of Quality class I at ECU 43,98 per 100 kilograms net for the month of September 1992;

Whereas the entry price for a given exporting country is equal to the lowest representative prices recorded for at least 30 % of the quantities from the exporting country concerned which are marketed on all representative markets for which prices are available less the duties and the charges indicated in Article 24 (3) of Regulation (EEC) No 1035/72; whereas the meaning of representative price is defined in Article 24 (2) of Regulation (EEC) No 1035/72;

Whereas, in accordance with Article 3 (1) of Commission Regulation (EEC) No 2118/74⁽⁴⁾, as last amended by

Regulation (EEC) No 3811/85⁽⁵⁾, the prices to be taken into consideration must be recorded on the representative markets or, in certain circumstances, on other markets;

Whereas, for apples originating in South Africa the entry price calculated in this way has remained at least ECU 0,6 below the reference price for two consecutive market days; whereas a countervailing charge should therefore be introduced for these apples;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of 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,

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of ECU 8,41 per 100 kilograms net is applied to apples (CN codes 0808 10 91, 0808 10 93 and 0808 10 99) originating in South Africa.

Article 2

This Regulation shall enter into force on 9 September 1992.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 23.

⁽³⁾ OJ No L 172, 27. 6. 1992, p. 57.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 201, 31. 7. 1990, p. 9.

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

Done at Brussels, 7 September 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 2603/92
of 7 September 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 2570/92 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Commission Regulation (EEC) No 1813/92 to the information known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto;

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

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

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

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

Whereas these exchange rates being those recorded on 4 September 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 8 September 1992.

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

Done at Brussels, 7 September 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 257, 3. 9. 1992, p. 28.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 9.

ANNEX

to the Commission Regulation of 7 September 1992 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy ⁽¹⁾
1701 11 10	39,30 ⁽¹⁾
1701 11 90	39,30 ⁽¹⁾
1701 12 10	39,30 ⁽¹⁾
1701 12 90	39,30 ⁽¹⁾
1701 91 00	46,75
1701 99 10	46,75
1701 99 90	46,75 ⁽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 2604/92

of 7 September 1992

altering 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 fifth subparagraph of Article 16 (2) thereof,

Whereas the export refunds on cereals and on wheat or rye flour, groats and meal were fixed by Commission Regulation (EEC) No 2585/92 ⁽³⁾, as amended by Regulation (EEC) No 2596/92 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Commission Regulation (EEC) No 2585/92

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

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, as fixed in the Annex to amended Regulation (EEC) No 2585/92 are hereby altered as shown in the Annex to this Regulation in respect of the products set out therein.

Article 2

This Regulation shall enter into force on 8 September 1992.

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

Done at Brussels, 7 September 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 258, 4. 9. 1992, p. 22.

⁽⁴⁾ OJ No L 259, 5. 9. 1992, p. 24.

ANNEX

to the Commission Regulation of 7 September 1992 altering export refunds on cereals and on wheat or rye flour, groats and meal

Product code	Destination (1)	Amount of refund (2) (ECU / tonne)
0709 90 60 000	—	—
0712 90 19 000	—	—
1001 10 10 000	—	—
1001 10 90 000	04	50,00
	02	20,00
1001 90 91 000	05	80,00
	02	0
1001 90 99 000	04	73,00
	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	114,50
1101 00 00 130	01	107,50
1101 00 00 150	01	99,50
1101 00 00 170	01	92,50
1101 00 00 180	01	86,50
1101 00 00 190	—	—
1101 00 00 900	—	—
1102 10 00 500	01	114,50
1102 10 00 700	—	—
1102 10 00 900	—	—
1103 11 10 200	01	180,00
1103 11 10 400	01	159,00
1103 11 10 900	01	0
1103 11 90 200	01	114,50
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).
