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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2628/92
of 10 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 9 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 11 September 1992.

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

Done at Brussels, 10 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 10 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	151,89 ⁽²⁾ ⁽³⁾
0712 90 19	151,89 ⁽²⁾ ⁽³⁾
1001 10 10	171,51 ⁽¹⁾ ⁽³⁾ ⁽¹⁰⁾
1001 10 90	171,51 ⁽¹⁾ ⁽³⁾ ⁽¹⁰⁾
1001 90 91	145,90
1001 90 99	145,90 ⁽¹¹⁾
1002 00 00	157,69 ⁽⁴⁾
1003 00 10	131,25
1003 00 90	131,25 ⁽¹¹⁾
1004 00 10	114,14
1004 00 90	114,14
1005 10 90	151,89 ⁽²⁾ ⁽³⁾
1005 90 00	151,89 ⁽²⁾ ⁽³⁾
1007 00 90	156,87 ⁽⁴⁾
1008 10 00	60,25 ⁽¹¹⁾
1008 20 00	109,20 ⁽⁴⁾
1008 30 00	59,02 ⁽⁷⁾
1008 90 10	⁽⁷⁾
1008 90 90	59,02
1101 00 00	217,18 ⁽⁸⁾ ⁽¹¹⁾
1102 10 00	233,90 ⁽⁸⁾
1103 11 10	278,31 ⁽⁸⁾ ⁽¹⁰⁾
1103 11 90	234,23 ⁽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 2629/92

of 10 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 9 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 11 September 1992.

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

Done at Brussels, 10 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 10 September 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 9	1st period 10	2nd period 11	3rd period 12
0709 90 60	0	0,45	0,45	0,79
0712 90 19	0	0,45	0,45	0,79
1001 10 10	0	1,12	1,12	0
1001 10 90	0	1,12	1,12	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	0,45	0,45	0,79
1005 90 00	0	0,45	0,45	0,79
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 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 2630/92**of 10 September 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 7 and 8 September 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,

⁽¹³⁾ OJ No L 331, 28. 11. 1978, p. 6.

⁽¹⁴⁾ OJ No L 263, 19. 9. 1991, p. 1.

⁽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.

HAS ADOPTED THIS REGULATION :

Article 2

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

Article 1

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

Article 3

This Regulation shall enter into force on 11 September 1992.

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

Done at Brussels, 10 September 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 2631/92

of 10 September 1992

opening a standing invitation to tender in Germany, France and Italy for the free supply of common wheat flour and pasta to the victims of the conflict in what was formerly Yugoslavia (Ljubljana, Zagreb and Split)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2139/92 of 23 July 1992 on urgent action for the supply of agricultural products to the victims of the conflict in what was formerly Yugoslavia ⁽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 2344/92 of 10 August 1992 laying down detailed rules applicable to the free supply of agricultural products to the victims of the conflict in what was formerly Yugoslavia ⁽⁴⁾ provides for allocation of the supply of common wheat flour and pasta under Council Regulation (EEC) No 2139/92 to be made by invitation to tender; whereas the invitations to tender for the free supply of processed products cover the quantities of basic products to be taken from intervention stocks as payment in kind for these supplies, and for the processing, transport and other related costs;

Whereas tenders may relate to common wheat and durum wheat; whereas criteria must therefore be laid down to determine which is the most favourable tender; whereas to that end tenders should be compared on the basis of the value of the quantity of the basic product requested as payment in kind;

Whereas it is necessary to ensure that deadlines for delivery are complied with; whereas the appropriate provisions should therefore be laid down concerning the release of delivery securities in the case of late deliveries;

Whereas a standing invitation to tender should be opened in three Member States for the supply of 10 836 tonnes of common wheat flour and 858 tonnes of pasta to be delivered to the representatives of the United Nations High Commissioner for Refugees in Ljubljana, Zagreb and Split;

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

Under the conditions laid down in Regulation (EEC) No 2344/92, the German, French and Italian intervention agencies shall open a standing invitation to tender for the supply of 10 836 tonnes of common wheat flour and 858 tonnes of pasta, as set out in Annex I and in accordance with the provisions of this Regulation.

Article 2 (2) of Regulation (EEC) No 2344/92 notwithstanding, the aforementioned products shall be delivered in the packaging as defined in points 1.3 and 2.3 of Annex I.

Article 2

Tenders shall be for the quantity, in metric tonnes, of common wheat or of durum wheat necessary to cover the supply, transport and other costs, up to the delivery stage provided for, of the entire lot indicated in the invitation to tender provided for in Article 15 (2) of Regulation (EEC) No 2344/92.

The quantity of wheat awarded as payment in kind for the supply shall be made available, at the successful tenderer's choice, from the intervention stocks designated for this purpose in the abovementioned invitation to tender.

The tender security shall be set at ECU 15 per tonne.

Article 3

1. Where the quantities actually supplied during a one-week period are found to be less than 50 % of the quantities to be supplied pursuant to the delivery schedule laid down in point 3.5 of Annex I, the security provided for in Article 8 of Regulation (EEC) No 2344/92 shall be forfeit in respect of the quantity not supplied during the abovementioned period. However, if the operator provides proof that the quantity was delivered during the following week, only 10 % of the security shall be forfeit. Such deliveries shall not be included in the deliveries scheduled for the following week.

⁽¹⁾ OJ No L 214, 30. 7. 1992, p. 8.

⁽²⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽³⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽⁴⁾ OJ No L 227, 11. 8. 1992, p. 18.

2. The previous paragraph shall apply when the operator is responsible for the delay in deliveries.

Article 4

1. The time limit for submission of tenders for the first partial invitation to tender shall be 11 a.m. on 16 September 1992 (Brussels time).

2. The time limit for submission of tenders for the following partial invitation to tender shall expire at 11 a.m. each Wednesday (Brussels time).

3. The time limit for submission of tenders for the last partial invitation to tender shall expire at 11 a.m. on 7 October 1992 (Brussels time).

4. Notwithstanding Article 15 of Commission Regulation (EEC) No 2344/92, the intervention agency concerned shall publish an invitation to tender at least three days before the date laid down for the first partial invitation to tender.

Article 5

Tenders shall be submitted to the intervention agency concerned.

The intervention agencies concerned shall forward the tenders to the Commission in accordance with the schedule specified in Annex II.

Article 6

A specimen of the takeover certificate referred to in Article 9 (3) of Regulation (EEC) No 2344/92 is given in Annex III hereto.

The certificate shall be issued after the goods have been taken over by the authorities referred to in point 3.4 of Annex I.

Article 7

The successful tenderer shall undertake to provide the authorities laid down in point 3.4 of Annex I with the documents required for the purposes of the supply which

are specified in the invitation to tender issued by the intervention agency concerned.

Article 8

For the purposes of booking the expenditure by the European Agricultural Guidance and Guarantee Fund (EAGGF), the book value of the products concerned shall be:

Common wheat: ECU 52/tonne

Durum wheat: ECU 67/tonne.

Article 9

When scrutinizing tenders, the Commission departments shall determine the value of the quantities of basic products requested as payment in kind on the basis of the intervention price applicable during September 1992. The tender offering the lowest value for the quantity of the basic product requested as payment in kind shall be selected.

Article 10

The Member States concerned shall take all appropriate measures to ensure that no refund or monetary compensatory amount is applied within the framework of the supply, in particular by specifying this on the export licence.

Article 11

1. The Member States concerned shall adopt all additional provisions necessary for implementation of this Regulation.

2. The Member States concerned shall send to the Commission all information on the carrying out of the supply, in particular relating to the award of the contract, delivery times and the actual date of takeover by the authorities referred to in point 3.4 of Annex I.

Article 12

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

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

Done at Brussels, 10 September 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX I

1. Common wheat flour

1.1. Number of lots: 1 lot of 10 836 tonnes.

1.2. Characteristics and quality of the goods⁽¹⁾:

OJ No C 114, 29. 4. 1991 (point II.B.1(a))

1.3. Packaging:

OJ No C 114, 29. 4. 1991 (point II.B.2(f))

Sacks shall be placed on disposable pallets of appropriate dimensions and each pallet shall be covered with polyethylene netting.

1.4. Marking:

European flag: OJ No C 114, 29. 4. 1991 (Annexes I and II)

Inscriptions in Serbo-Croat: 'European Economic Community' (in letters at least 5 cm high); 'Humanitarian Aid — Regulation (EEC) No 2139/92 — Common wheat flour' (in letters at least 2.5 cm high).

2. Pasta

2.1. Number of lots: 1 lot of 858 tonnes.

2.2. Characteristics and quality of the goods:

OJ No C 114, 29. 4. 1991 (point II.C.1(a))

2.3. Packaging:

OJ No C 114, 29. 4. 1991 (point II.C.2.)

The cartons must be placed on disposable pallets measuring 110 × 80 and secured by polyethylene netting.

2.4. Marking:

European flag: OJ No C 114, 29. 4. 1991 (Annexes I and II)

Inscriptions in Serbo-Croat: 'European Economic Community'; 'Humanitarian Aid — Regulation (EEC) No 2139/92' 'Pasta' (in letters at least 1 cm high on packets and 3 cm high on cartons).

3. Conditions of supply

3.1. Mobilization of the product: domestic market of the Member State concerned.

3.2. Method of transport: by road.

3.3. Stage of delivery: F.A.S. warehouse, unloaded.

3.4. Authorities responsible for the takeover:

Ljubljana: Slovenia Red Cross, on behalf of the United Nations High Commissioner for Refugees (UNHCR)

Warehouse: Smartinska Street 33, Ljubljana

Tel. (38)(61) 31 25 76

Mr Ivan Hyala

Zagreb: UNHCR (United Nations High Commissioner for Refugees)

c/o Grafika

Zagrebacka 194

41000 Zagreb

Agent: Mr Kim Madsen

Customs clearance: Intereuropa, Valesajam, Avenija Dubrovnik 2

Agent: Mrs Koka

Split: UNHCR (United Nations High Commissioner for Refugees)

c/o Adriachem,

58212 Kastel Sucurac, Split

Agent: Mr Boi Lan Van Chou

Customs clearance: Intereuropa, Valesajam, Avenija Dubrovnik 2

Agent: Mrs Koka

⁽¹⁾ The successful tenderer shall submit to the authorities referred to in point 3.4 a certificate issued by an official authority certifying that, for the product to be supplied, the standards relating to radioactivity have not been exceeded by the Member State concerned.

3.5. Destinations, quantities and deadlines for supply :

(tonnes)

Destination	Ljubljana		Zagreb		Split	
	Pasta	Common wheat flour	Pasta	Common wheat flour	Pasta	Common wheat flour
29. 9. 1992	13	156	40	140	40	140
30. 9. 1992			40	140	40	140
1. 10. 1992			50	140	50	140
2. 10. 1992				200		140
5. 10. 1992				200		160
6. 10. 1992				200		160
7. 10. 1992				200		160
8. 10. 1992	13	156		200		160
9. 10. 1992				200		160
12. 10. 1992				120		100
19. 10. 1992			40	20	40	20
20. 10. 1992			40	20	40	20
21. 10. 1992			50	20	50	20
22. 10. 1992	13	156				
23. 10. 1992				120		100
26. 10. 1992				120		120
27. 10. 1992				120		120
28. 10. 1992				120		120
29. 10. 1992				120		120
30. 10. 1992				120		120
2. 11. 1992				120		100
3. 11. 1992				120		100
4. 11. 1992				120		100
5. 11. 1992	13	156		100		100
6. 11. 1992				100		100
9. 11. 1992				100		100
10. 11. 1992				100		100
11. 11. 1992				100		100
12. 11. 1992				100		100
16. 11. 1992			40	20	40	20
17. 11. 1992			40	20	40	20
18. 11. 1992			50	20	50	20
19. 11. 1992				120		100

(tonnes)

Destination	Ljubljana		Zagreb		Split	
Delivery dates	Pasta	Common wheat flour	Pasta	Common wheat flour	Pasta	Common wheat flour
20. 11. 1992	13	156		120		100
23. 11. 1992				120		100
24. 11. 1992				120		100
25. 11. 1992				120		100
26. 11. 1992				120		100
27. 11. 1992				120		100
30. 11. 1992				120		100
1. 12. 1992				120		100
2. 12. 1992				100		100
3. 12. 1992				100		100
4. 12. 1992	13	156		100		100
7. 12. 1992				100		100
8. 12. 1992				100		100
9. 12. 1992				100		100
	78	936	390	5 220	390	4 680

3.6. Where a tender is not accepted on 17 September 1992, all the aforementioned dates shall be deferred by seven days; the same deferral shall apply where a tender is not accepted in subsequent tendering procedures.

3.7. On the initiative of the tenderer and with the agreement of the authorities referred to in point 3.4 above, deliveries may be made earlier than provided for in point 3.5 above.

ANNEX II

**Standing invitation to tender for the free supply of common wheat flour and pasta to the victims
of the conflict in what was formerly Yugoslavia**

(Regulation (EEC) No 2631/92)

(tonnes)

Tenderer's number	Quantity of common wheat required as payment in kind	Quantity of durum wheat required as payment in kind
1		
2		
3		
4		
5		

ANNEX III**Takeover Certificate**

I, the undersigned,
(name, first name, position of authority)

acting on behalf of

hereby certify that the following goods have been taken over :

Product :	
Total quantity : (tonnes)	
Place and date of takeover :	
Rail wagon numbers/registration numbers of heavy goods vehicles (¹)	
Name and address of transport company	

Name of monitoring agency :

.....
.....

Name and signature of its on-the-spot representative :

.....
.....

Observations or reservations :

.....
.....
.....
.....
.....

Signature
(Stamp)

.....
(¹) Delete where inapplicable.

COMMISSION REGULATION (EEC) No 2632/92

of 10 September 1992

opening a standing invitation to tender in Germany, France and Italy for the free supply of common wheat flour and pasta to the victims of the conflict in what was formerly Yugoslavia (Belgrade and Novi Sad)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2139/92 of 23 July 1992 on urgent action for the supply of agricultural products to the victims of the conflict in what was formerly Yugoslavia ⁽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 2344/92 of 10 August 1992 laying down detailed rules applicable to the free supply of agricultural products to the victims of the conflict in what was formerly Yugoslavia ⁽⁴⁾ provides for allocation of the supply of common wheat flour and pasta under Council Regulation (EEC) No 2139/92 to be made by invitation to tender; whereas the invitations to tender for the free supply of processed products cover the quantities of basic products to be taken from intervention stocks as payment in kind for these supplies, and for the processing, transport and other related costs;

Whereas tenders may relate to common wheat and durum wheat; whereas criteria must therefore be laid down to determine which is the most favourable tender; whereas to that end tenders should be compared on the basis of the value of the quantity of the basic product requested as payment in kind;

Whereas it is necessary to ensure that deadlines for delivery are complied with; whereas the appropriate provisions should therefore be laid down concerning the release of delivery securities in the case of late deliveries;

Whereas a standing invitation to tender should be opened in three Member States for the supply of 5 760 tonnes of common wheat flour and 480 tonnes of pasta to be delivered to the representatives of the United Nations High Commissioner for Refugees in Belgrade and Novi Sad;

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

Under the conditions laid down in Regulation (EEC) No 2344/92, the German, French and Italian intervention agencies shall open a standing invitation to tender for the supply of 5 760 tonnes of common wheat flour and 480 tonnes of pasta, as set out in Annex I and in accordance with the provisions of this Regulation.

Article 2 (2) of Regulation (EEC) No 2344/92 notwithstanding, the aforementioned products shall be delivered in the packaging as defined in points 1.3 and 2.3 of Annex I.

Article 2

Tenders shall be for the quantity, in metric tonnes, of common wheat or of durum wheat necessary to cover the supply, transport and other costs, up to the delivery stage provided for, of the entire lot indicated in the invitation to tender provided for in Article 15 (2) of Regulation (EEC) No 2344/92.

The quantity of wheat awarded as payment in kind for the supply shall be made available, at the successful tenderer's choice, from the intervention stocks designated for this purpose in the abovementioned invitation to tender.

The tender security shall be set at ECU 15 per tonne.

Article 3

1. Where the quantities actually supplied during a one-week period are found to be less than 50 % of the quantities to be supplied pursuant to the delivery schedule laid down in point 3.5 of Annex I, the security provided for in Article 8 of Regulation (EEC) No 2344/92 shall be forfeit in respect of the quantity not supplied during the abovementioned period. However, if the operator provides proof that the quantity was delivered during the following week, only 10 % of the security shall be forfeit. Such deliveries shall not be included in the deliveries scheduled for the following week.

⁽¹⁾ OJ No L 214, 30. 7. 1992, p. 8.

⁽²⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽³⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽⁴⁾ OJ No L 227, 11. 8. 1992, p. 18.

2. The previous paragraph shall apply when the operator is responsible for the delay in deliveries.

Article 4

1. The time limit for submission of tenders for the first partial invitation to tender shall be 11 a.m. on 16 September 1992 (Brussels time).

2. The time limit for submission of tenders for the following partial invitation to tender shall expire at 11 a.m. each Wednesday (Brussels time).

3. The time limit for submission of tenders for the last partial invitation to tender shall expire at 11 a.m. on 7 October 1992 (Brussels time).

4. Notwithstanding Article 15 of Commission Regulation (EEC) No 2344/92, the intervention agency concerned shall publish an invitation to tender at least three days before the date laid down for the first partial invitation to tender.

Article 5

Tenders shall be submitted to the intervention agency concerned.

The intervention agencies concerned shall forward the tenders to the Commission in accordance with the schedule specified in Annex II.

Article 6

A specimen of the takeover certificate referred to in Article 9 (3) of Regulation (EEC) No 2344/92 is given in Annex III hereto.

The certificate shall be issued after the goods have been taken over by the authorities referred to in point 3.4 of Annex I.

Article 7

The successful tenderer shall undertake to provide the authorities laid down in point 3.4 of Annex I with the documents required for the purposes of the supply which

are specified in the invitation to tender issued by the intervention agency concerned.

Article 8

For the purposes of booking the expenditure by the European Agricultural Guidance and Guarantee Fund (EAGGF), the book value of the products concerned shall be:

Common wheat: ECU 52/tonne

Durum wheat: ECU 67/tonne.

Article 9

When scrutinizing tenders, the Commission departments shall determine the value of the quantities of basic products requested as payment in kind on the basis of the intervention price applicable during September 1992. The tender offering the lowest value for the quantity of the basic product requested as payment in kind shall be selected.

Article 10

The Member States concerned shall take all appropriate measures to ensure that no refund or monetary compensatory amount is applied within the framework of the supply, in particular by specifying this on the export licence.

Article 11

1. The Member States concerned shall adopt all additional provisions necessary for implementation of this Regulation.

2. The Member States concerned shall send to the Commission all information on the carrying out of the supply, in particular relating to the award of the contract, delivery times and the actual date of takeover by the authorities referred to in point 3.4 of Annex I.

Article 12

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

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

Done at Brussels, 10 September 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX I

1. Common wheat flour

1.1. Number of lots : 1 lot of 5 760 tonnes.

1.2. Characteristics and quality of the goods⁽¹⁾ :

OJ No C 114, 29. 4. 1991 (point II.B.1 (a))

1.3. Packaging :

OJ No C 114, 29. 4. 1991 (point II.B.2 (f))

Sacks shall be placed on disposable palettes of appropriate dimensions and each palette shall be covered with polyethylene netting.

1.4. Marking :

European flag : OJ No C 114, 29. 4. 1991 (Annexes I and II)

Inscriptions in Serbo-Croat : 'European Economic Community' (in letters at least 5 cm high); 'Humanitarian Aid — Regulation (EEC) No 2139/92 — Common wheat flour' (in letters at least 2.5 cm high).

2. Pasta

2.1. Number of lots : 1 lot of 480 tonnes.

2.2. Characteristics and quality of the goods :

OJ No C 114, 29. 4. 1991 (point II.C.1 (a))

2.3. Packaging :

OJ No C 114, 29. 4. 1991 (point II.C.2)

The cartons must be placed on disposable palettes measuring 110 × 80 and secured by polyethylene netting.

2.4. Marking :

European flag : OJ No C 114, 29. 4. 1991 (Annexes I and II)

Inscriptions in Serbo-Croat : 'European Economic Community'; 'Humanitarian Aid — Regulation (EEC) No 2139/92' 'Pasta' (in letters at least 1 cm high on packets and 3 cm high on cartons).

3. Conditions of supply

3.1. Mobilization of the product : domestic market of the Member State concerned.

3.2. Method of transport : by road.

3.3. Stage of delivery : F.A.S. warehouse, unloaded.

3.4. Authorities responsible for the takeover :

Belgrade : Yugoslavia Red Cross on behalf of the United Nations High Commissioner for Refugees (UNHCR)
Stmina 19, 1000 Belgrade
Tel. 011-621 346, Fax 011-621 030
Customs clearance : Jugosped, Terminal Beograd Pos. 6121
Mr Dusan Musicki, Tel. 011-64 74 53 / 64 84 53

Novi Sad : Yugoslavia Red Cross c/o Vojvodina Red Cross on behalf of the United Nations High Commissioner for Refugees (UNHCR)
c/o GRAFIKA
Pionirska 8, 21000 Novi Sad
Tel. 021-247 56, Fax 021-270 87
Agent : Mr Kim Madsen
Customs clearance : Yucal-Impex, Hajduk Veljkova 11,
21000 Novi Sad
Agent : Mr Milun Obradovic — Tel. 021-290 88

⁽¹⁾ The successful tenderer shall submit to the authorities referred to in point 3.4 a certificate issued by an official authority certifying that, for the product to be supplied, the standards relating to radioactivity have not been exceeded by the Member State concerned.

3.5. Destinations, quantities and deadlines for supply :

(tonnes)

Destination	Belgrade		Novi Sad	
Delivery dates	Pasta	Common wheat flour	Pasta	Common wheat flour
29. 9. 1992	60	80	20	20
30. 9. 1992		160		60
1. 10. 1992		160		60
2. 10. 1992		160		60
5. 10. 1992		160		60
6. 10. 1992		160		60
7. 10. 1992		160		60
8. 10. 1992	60	80	20	40
9. 10. 1992		160		60
12. 10. 1992		160		
19. 10. 1992		160		60
20. 10. 1992		160		60
21. 10. 1992		160		60
22. 10. 1992	60	80	20	20
23. 10. 1992		160		20
26. 10. 1992		160		60
27. 10. 1992		160		60
28. 10. 1992		160		60
29. 10. 1992		160		40
30. 10. 1992		80		
5. 11. 1992	60		20	
16. 11. 1992		160		60
17. 11. 1992		160		60
18. 11. 1992		160		60
19. 11. 1992		160		60
20. 11. 1992	60	80	20	60
23. 11. 1992		160		60
24. 11. 1992		160		60
25. 11. 1992		160		60
26. 11. 1992		160		40
27. 11. 1992		80		
4. 12. 1992	60		20	
	360	4 320	120	1 440

-
- 3.6. Where a tender is not accepted on 17 September 1992, all the aforementioned dates shall be deferred by seven days ; the same deferral shall apply where a tender is not accepted in subsequent tendering procedures.
- 3.7. On the initiative of the tenderer and with the agreement of the authorities referred to in point 3.4 above, deliveries may be made earlier than provided for in point 3.5 above.

ANNEX II

Standing invitation to tender for the free supply of common wheat flour and pasta to the victims of the conflict in what was formerly Yugoslavia

(Regulation (EEC) No 2632/92)

(tonnes)

Tenderer's number	Quantity of common wheat required as payment in kind	Quantity of durum wheat required as payment in kind
1		
2		
3		
4		
5		

*ANNEX III***Takeover Certificate**

I, the undersigned,
(name, first name, position of authority)

acting on behalf of

hereby certify that the following goods have been taken over :

Product :	
Total quantity : (tonnes)	
Place and date of takeover :	
Rail wagon numbers/registration numbers of heavy goods vehicles (¹)	
Name and address of transport company	

Name of monitoring agency :

.....

.....

Name and signature of its on-the-spot representative :

.....

.....

Observations or reservations :

.....

.....

.....

.....

.....

Signature
(Stamp)

.....
(¹) Delete where inapplicable.

COMMISSION REGULATION (EEC) No 2633/92

of 10 September 1992

opening a standing invitation to tender in Greece and in Italy for the free supply of common wheat flour and pasta to the victims of the conflict in what was formerly Yugoslavia (Podgorica and Skopje)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2139/92 of 23 July 1992 on urgent action for the supply of agricultural products to the victims of the conflict in what was formerly Yugoslavia⁽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 2344/92 of 10 August 1992 laying down detailed rules applicable to the free supply of agricultural products to the victims of the conflict in what was formerly Yugoslavia⁽⁴⁾ provides for allocation of the supply of common wheat flour and pasta under Council Regulation (EEC) No 2139/92 to be made by invitation to tender; whereas the invitations to tender for the free supply of processed products cover the quantities of basic products to be taken from intervention stocks as payment in kind for these supplies, and for the processing, transport and other related costs;

Whereas tenders may relate to common wheat and durum wheat; whereas criteria must therefore be laid down to determine which is the most favourable tender; whereas to that end tenders should be compared on the basis of the value of the quantity of the basic product requested as payment in kind;

Whereas it is necessary to ensure that deadlines for delivery are complied with; whereas the appropriate provisions should therefore be laid down concerning the release of delivery securities in the case of late deliveries;

Whereas a standing invitation to tender should be opened in two Member States for the supply of 828 tonnes of common wheat flour and 114 tonnes of pasta to be delivered to the representatives of the United Nations High Commissioner for Refugees in Podgorica and Skopje;

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

Under the conditions laid down in Regulation (EEC) No 2344/92, the Greek and Italian intervention agencies shall open a standing invitation to tender for the supply of 828 tonnes of common wheat flour and 114 tonnes of pasta, as set out in Annex I and in accordance with the provisions of this Regulation.

Article 2 (2) of Regulation (EEC) No 2344/92 notwithstanding, the aforementioned products shall be delivered in the packaging as defined in points 1.3 and 2.3 of Annex I.

Article 2

Tenders shall be for the quantity, in metric tonnes, of common wheat or of durum wheat necessary to cover the supply, transport and other costs, up to the delivery stage provided for, of the entire lot indicated in the invitation to tender provided for in Article 15 (2) of Regulation (EEC) No 2344/92.

The quantity of wheat awarded as payment in kind for the supply shall be made available, at the successful tenderer's choice, from the intervention stocks designated for this purpose in the abovementioned invitation to tender.

The tender security shall be set at ECU 15 per tonne.

Article 3

1. Where the quantities actually supplied during a one-week period are found to be less than 50 % of the quantities to be supplied pursuant to the delivery schedule laid down in point 3.5 of Annex I, the security provided for in Article 8 of Regulation (EEC) No 2344/92 shall be forfeit in respect of the quantity not supplied during the abovementioned period. However, if the operator provides proof that the quantity was delivered during the following week, only 10 % of the security shall be forfeit. Such deliveries shall not be included in the deliveries scheduled for the following week.

⁽¹⁾ OJ No L 214, 30. 7. 1992, p. 8.

⁽²⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽³⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽⁴⁾ OJ No L 227, 11. 8. 1992, p. 18.

2. The previous paragraph shall apply when the operator is responsible for the delay in deliveries.

Article 4

1. The time limit for submission of tenders for the first partial invitation to tender shall be 11 a.m. on 16 September 1992 (Brussels time).

2. The time limit for submission of tenders for the following partial invitation to tender shall expire at 11 a.m. each Wednesday (Brussels time).

3. The time limit for submission of tenders for the last partial invitation to tender shall expire at 11 a.m. on 7 October 1992 (Brussels time).

4. Notwithstanding Article 15 of Commission Regulation (EEC) No 2344/92, the intervention agency concerned shall publish an invitation to tender at least three days before the date laid down for the first partial invitation to tender.

Article 5

Tenders shall be submitted to the intervention agency concerned.

The intervention agencies concerned shall forward the tenders to the Commission in accordance with the schedule specified in Annex II.

Article 6

A specimen of the takeover certificate referred to in Article 9 (3) of Regulation (EEC) No 2344/92 is given in Annex III hereto.

The certificate shall be issued after the goods have been taken over by the authorities referred to in point 3.4 of Annex I.

Article 7

The successful tenderer shall undertake to provide the authorities laid down in point 3.4 of Annex I with the documents required for the purposes of the supply which

are specified in the invitation to tender issued by the intervention agency concerned.

Article 8

For the purposes of booking the expenditure by the European Agricultural Guidance and Guarantee Fund (EAGGF), the book value of the products concerned shall be:

Common wheat: ECU 52/tonne

Durum wheat: ECU 67/tonne.

Article 9

When scrutinizing tenders, the Commission departments shall determine the value of the quantities of basic products requested as payment in kind on the basis of the intervention price applicable during September 1992. The tender offering the lowest value for the quantity of the basic product requested as payment in kind shall be selected.

Article 10

The Member States concerned shall take all appropriate measures to ensure that no refund or monetary compensatory amount is applied within the framework of the supply, in particular by specifying this on the export licence.

Article 11

1. The Member States concerned shall adopt all additional provisions necessary for implementation of this Regulation.

2. The Member States concerned shall send to the Commission all information on the carrying out of the supply, in particular relating to the award of the contract, delivery times and the actual date of takeover by the authorities referred to in point 3.4 of Annex I.

Article 12

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

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

Done at Brussels, 10 September 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

*ANNEX I***1. Common wheat flour**

1.1. Number of lots : 1 lot of 828 tonnes.

1.2. Characteristics and quality of the goods⁽¹⁾ :

OJ No C 114, 29. 4. 1991 (point II.B.1.(a))

1.3. Packaging :

OJ No C 114, 29. 4. 1991 (point II.B.2.(f))

Sacks shall be placed on disposable palettes of appropriate dimensions and each palette shall be covered with polyethylene netting.

1.4. Marking :

European flag : OJ No C 114, 29. 4. 1991 (Annexes I and II)

Inscriptions in Serbo-Croat : 'European Economic Community' (in letters at least 5 cm high); 'Humanitarian Aid — Regulation (EEC) No 2139/92 — Common wheat flour' (in letters at least 2.5 cm high).

2. Pasta

2.1. Number of lots : 1 lot of 114 tonnes.

2.2. Characteristics and quality of the goods :

OJ No C 114, 29. 4. 1991 (point II.C.1.(a))

2.3. Packaging :

OJ No C 114, 29. 4. 1991 (point II.C.2.)

The cartons must be placed on disposable palettes measuring 110 × 80 and secured by polyethylene netting.

2.4. Marking :

European flag : OJ No C 114, 29. 4. 1991 (Annexes I and II)

Inscriptions in Serbo-Croat : 'European Economic Community'; 'Humanitarian Aid — Regulation (EEC) No 2139/92' 'Pasta' (in letters at least 1 cm high on packets and 3 cm high on cartons).

3. Conditions of supply

3.1. Mobilization of the product : domestic market of the Member State concerned.

3.2. Method of transport : by road.

3.3. Stage of delivery : F.A.S. warehouse, unloaded.

3.4. Authorities responsible for the takeover :

Podgorica : Montenegro Red Cross on behalf of the United Nations High Commissioner for Refugees (UNHCR)
Jovana Tomasevica 6, 81000 Podgorica/Titograd
Tel. 081-41 819
Customs clearance : Jugosped, Terminal Beograd Pos. 6121
Mr Dusan Musicki, Tel. 011-64 74 53 / 64 84 53

Skopje : Montenegro Red Cross on behalf of the United Nations High Commissioner for Refugees (UNHCR)
Koko Raun 13
91000 Skopje
Agent : Mr Ivan Narasanov, Tel. 91-22 24 33, Fax 91-23 05 42
Customs clearance : Makosped

⁽¹⁾ The successful tenderer shall submit to the authorities referred to in point 3.4 a certificate issued by an official authority certifying that, for the product to be supplied, the standards relating to radioactivity have not been exceeded by the Member State concerned.

3.5. Destinations, quantities and deadlines for supply :

(tonnes)

Destination	Podgorica		Skopje	
Delivery dates	Pasta	Common wheat flour	Pasta	Common wheat flour
29. 9. 1992	20		18	54
30. 9. 1992		40		54
1. 10. 1992		40		
2. 10. 1992		40		
5. 10. 1992		40		
6. 10. 1992		40		
7. 10. 1992		40		
19. 10. 1992		40	18	
20. 10. 1992		40		
21. 10. 1992		40		
22. 10. 1992	20			
23. 10. 1992		40		
26. 10. 1992		40		
16. 11. 1992		40	18	
17. 11. 1992		40		
18. 11. 1992		40		
19. 11. 1992		40		
20. 11. 1992	20			
23. 11. 1992		40		
24. 11. 1992		40		
25. 11. 1992		40		
	60	720	54	108

3.6. Where a tender is not accepted on 17 September 1992, all the aforementioned dates shall be deferred by seven days ; the same deferral shall apply where a tender is not accepted in subsequent tendering procedures.

3.7. On the initiative of the tenderer and with the agreement of the authorities referred to in point 3.4 above, deliveries may be made earlier than provided for in point 3.5 above.

ANNEX II

**Standing invitation to tender for the free supply of common wheat flour and pasta to the victims
of the conflict in what was formerly Yugoslavia**

(Regulation (EEC) No 2633/92)

(tonnes)

Tenderer's number	Quantity of common wheat required as payment in kind	Quantity of durum wheat required as payment in kind
1		
2		
3		
4		
5		

ANNEX III

Takeover Certificate

I, the undersigned,
(name, first name, position of authority)
acting on behalf of.....
hereby certify that the following goods have been taken over :

Product :	
Total quantity : (tonnes)	
Place and date of takeover :	
Rail wagon numbers/registration numbers of heavy goods vehicles (')	
Name and address of transport company	

Name of monitoring agency :

.....

.....

Name and signature of its on-the-spot representative :

.....

.....

Observations or reservations :

.....

.....

.....

.....

.....

Signature
(Stamp)

(') Delete where inapplicable.

COMMISSION REGULATION (EEC) No 2634/92

of 10 September 1992

amending Regulation (EEC) No 1347/92 increasing to 450 000 tonnes the quantity of barley held by the Spanish intervention agency for which a standing invitation to tender for export has been opened

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas Commission Regulation (EEC) No 1347/92 ⁽⁵⁾, as last amended by Regulation (EEC) No 2096/92 ⁽⁶⁾, opened a standing invitation to tender for the export of 250 000 tonnes of barley held by the Spanish intervention agency; whereas, in a communication of 3 September 1992, Spain informed the Commission of the intention of its intervention agency to increase by 200 000 tonnes the quantity for which a standing invitation to tender for export has been opened; whereas the total quantity of barley held by the Spanish intervention agency for which a standing invitation to tender for export has been opened should be increased to 450 000 tonnes;

Whereas this increase in the quantity put out to tender makes it necessary to alter the list of regions and quantities in store; whereas Annex I to Regulation (EEC) No 1347/92 must therefore be amended;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 2 of Regulation (EEC) No 1347/92 is replaced by the following:

Article 2

1. The invitation to tender shall cover a maximum of 450 000 tonnes of barley to be exported to all third countries.
2. The regions in which the 450 000 tonnes of barley are stored are stated in Annex I to this Regulation.

Article 2

Annex I to Regulation (EEC) No 1347/92 is replaced by the Annex hereto.

Article 3

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

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

Done at Brussels, 10 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 202, 9. 7. 1982, p. 23.

⁽⁴⁾ OJ No L 288, 18. 10. 1991, p. 21.

⁽⁵⁾ OJ No L 145, 27. 5. 1992, p. 34.

⁽⁶⁾ OJ No L 210, 25. 7. 1992, p. 12.

ANNEX

ANNEX I

(tonnes)

Place of storage	Quantity
Albacete	23 000
Burgos	130 000
Ciudad Real	6 000
Cuenca	26 000
Huesca	10 000
Lérida	10 000
Navarra	10 000
Palencia	120 000
Soria	60 000
Toledo	15 000
Valladolid	20 000
Zaragoza	20 000

COMMISSION REGULATION (EEC) No 2635/92

of 10 September 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 31 August and 4 September 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 5a lodged between 31 August and 4 September 1992 relate to quantities higher than the ceiling set for the month of September 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 5a 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 31 August and 4 September 1992 for the Community of Ten and lodged with the Commission, for milk products falling within:

— category 5a of CN code ex 0406 are hereby accepted up to 92,94 %.

2. The issuing of STM licences in the Community of Ten is hereby provisionally suspended for products falling within category 5a.

3. Without prejudice to any definitive measures the Commission may take, further applications for STM licences may be lodged from 21 September 1992 for all products in respect of that fraction of the indicative ceiling applicable from 1 October 1992.

Article 2

This Regulation shall enter into force on 14 September 1992.

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

Done at Brussels, 10 September 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 2636/92
of 10 September 1992
amending Regulation (EEC) No 2580/92 introducing a countervailing charge on
apples originating in Chile

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 Commission Regulation (EEC) No 2580/92⁽³⁾ introduced a countervailing charge on apples originating in Chile;

Whereas Article 26 (1) of Regulation (EEC) No 1035/72 laid down the conditions under which a charge intro-

duced in application of Article 25 of that Regulation is amended; whereas, if those conditions are taken into consideration, the countervailing charge on the import of apples originating in Chile must be altered,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 2580/92, 'ECU 10,85' is hereby replaced by 'ECU 21,28'.

Article 2

This Regulation shall enter into force on 11 September 1992.

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

Done at Brussels, 10 September 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 258, 4. 9. 1992, p. 12.

COMMISSION REGULATION (EEC) No 2637/92**of 10 September 1992****amending Regulation (EEC) No 2581/92 introducing a countervailing charge on apples originating in New Zealand**

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 Commission Regulation (EEC) No 2581/92⁽³⁾ introduced a countervailing charge on apples originating in New Zealand;

Whereas Article 26 (1) of Regulation (EEC) No 1035/72 laid down the conditions under which a charge intro-

duced in application of Article 25 of that Regulation is amended; whereas, if those conditions are taken into consideration, the countervailing charge on the import of apples originating in New Zealand must be altered,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 2581/92, 'ECU 14,67' is hereby replaced by 'ECU 25,92'.

Article 2

This Regulation shall enter into force on 11 September 1992.

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

Done at Brussels, 10 September 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 258, 4. 9. 1992, p. 14.

COMMISSION REGULATION (EEC) No 2638/92

of 10 September 1992

introducing a countervailing charge on certain varieties of plum originating in Bulgaria

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 1463/92 of 4 June 1992 fixing for the 1992 marketing year the reference prices for plums⁽³⁾ fixed the reference price for class I, group I at ECU 60,71 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 plums of group I originating in Bulgaria 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 plums;

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 Article 3 (1) last paragraph 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 'C' series of the *Official Journal of the European Communities* over a period to be determined, multiplied by the factor referred to in the preceding indent,

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of ECU 20,14 per 100 kilograms net is applied to plums (CN codes 0809 40 11 and 0809 40 19), other than the following varieties: Altesse simple (common quetsche, Hauszwetschge), Reine-Claude d'Oullins (Oullins Gage), Sveskeblommer, Ruth Gerstetter, Ontario, Wangenheimer (early Wangenheim quetsche), Pershore (Yellow Egg), Mirabelle and Bosniche, originating in Bulgaria.

Article 2

This Regulation shall enter into force on 12 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 153, 5. 6. 1992, p. 12.

⁽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, 10 September 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 2639/92

of 10 September 1992

introducing a countervailing charge on certain varieties of plum originating in Hungary

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 0,6 ECU 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 1463/92 of 4 June 1992 fixing for the 1992 marketing year the reference prices for plums⁽³⁾ fixed the reference price for class I, group I at ECU 60,71 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 plums of group I originating in Hungary the entry price calculated in this way has remained at least 0,6 ECU below the reference price for two consecutive market days; whereas a countervailing charge should therefore be introduced for these plums;

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 Article 3 (1) last paragraph 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 20,56 per 100 kilograms net is applied to plums (CN codes 0809 40 11 and 0809 40 19), other than the following varieties: Altesse simple (common quetsche, Hauszwetschge), Reine-Claude d'Oullins (Oullins Gage), Sveskeblommer, Ruth Gerstetter, Ontario, Wangenheimer (early Wangenheim quetsche), Pershore (Yellow Egg), Mirabelle and Bosnische originating in Hungary.

Article 2

This Regulation shall enter into force on 12 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 153, 5. 6. 1992, p. 12.

⁽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, 10 September 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 2640/92
of 10 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 2614/92 ⁽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 9 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 11 September 1992.

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

Done at Brussels, 10 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 263, 9. 9. 1992, p. 13.

⁽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 10 September 1992 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy ⁽¹⁾
1701 11 10	39,55 ⁽¹⁾
1701 11 90	39,55 ⁽¹⁾
1701 12 10	39,55 ⁽¹⁾
1701 12 90	39,55 ⁽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.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 2 September 1992

authorizing methods for grading pig carcasses in Denmark

(Only the Danish text is authentic)

(92/469/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3220/84 of 13 November 1984 determining the Community scale for grading pig carcasses ⁽¹⁾, as last amended by Regulation (EEC) No 3577/90 ⁽²⁾, and in particular Article 5 (2) thereof,

Whereas Article 2 (3) of Regulation (EEC) No 3220/84 provides that the grading of pig carcasses must be determined by estimating the content of lean meat in accordance with statistically proven assessment methods based on the physical measurement of one or more anatomical parts of the pig carcass; whereas the authorization of grading methods is subject to compliance with a maximum tolerance for statistical error in assessment; whereas this tolerance has been defined in Article 3 of Commission Regulation (EEC) No 2967/85 of 24 October 1985 laying down detailed rules for the application of the Community scale for grading pig carcasses ⁽³⁾;

Whereas the use of the apparatus termed 'Klassificering-scenter' ('KC'), the apparatus termed 'Fat-O-Meater/Manuel Klassificering' ('FOM/MK') and the apparatus

termed 'Ultra-FOM' has been authorized for Denmark by Commission Decision 91/358/EEC ⁽⁴⁾;

Whereas the Danish Government has requested the Commission to authorize with regard to the apparatus 'KC' and the apparatus 'FOM/MK' the use of new formulae for the calculation of the lean meat content of pig carcasses and has submitted the information required in Article 3 of Regulation (EEC) No 2967/85; whereas new developments in the slaughtering process require the authorization of methods for the grading of dehided pig carcasses; whereas an examination of this request has revealed that the conditions for authorizing the said grading methods are fulfilled;

Whereas a new Decision should be adopted to include all three methods for the sake of clarity; whereas, as a consequence, Decision 91/358/EEC should be repealed;

Whereas Article 2 of Regulation (EEC) No 3220/84 lays down that Member States may be authorized to provide for a presentation of pig carcasses different to the standard presentations defined in the same Article where commercial practice or technical requirements so warrant;

Whereas in Denmark the technical requirements relating to the use of the grading method and, consequently, commercial practice, necessitate the removal of the kidneys, the flare fat and the diaphragm; whereas this should be taken into account in adjusting to the weight for standard presentation;

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

⁽¹⁾ OJ No L 301, 20. 11. 1984, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 285, 25. 10. 1985, p. 39.

⁽⁴⁾ OJ No L 193, 17. 7. 1991, p. 37.

HAS ADOPTED THIS DECISION:

Article 1

1. The use of the following methods is hereby authorized for grading pig carcasses pursuant to Regulation (EEC) No 3220/84 in Denmark:

- the apparatus termed 'Klassificeringscenter' ('KC') and the assessment method related thereto, details of which are given in Part 1 of the Annex,
- the apparatus termed 'Fat-O-Meater/Manuel Klassificering' ('FOM/MK') and the assessment method related thereto, details of which are given in Part 2 of the Annex,
- the apparatus termed 'Ultra-FOM' and the assessment method related thereto, details of which are given in Part 3 of the Annex.

2. As regards the apparatus 'Ultra-FOM', it is laid down that after the end of the measurement procedure it must be possible to verify on the carcass that the apparatus measured the values of measurement x_1 , x_2 and x_3 on the site provided for in the Annex, Part 3, point 3. The corresponding marking of the measurement site must be made at the same time as the measurement procedure.

Article 2

Notwithstanding the standard presentation referred to in Article 2 of Regulation (EEC) No 3220/84, pig carcasses may be dehided before being weighed and graded, whereby the forecarrass is cut just above the *os carpi accessorium* and the hindfeet just below the *calcaneum*. Dehided carcasses have to be graded by the apparatus 'KC' or the apparatus 'FOM/MK', using the special formulae provided for in Part 1 and 2 of the Annex. The

warm carcass weight (excluding flare fat, kidneys and diaphragm) of those carcasses is calculated according to the following formula:

warm carcass weight = $3,19 + 1,064 \times \text{weight of the dehided carcass}$

Article 3

Notwithstanding the standard presentation referred to in Article 2 of Regulation (EEC) No 3220/84, the flare fat, the kidneys and the diaphragm shall be removed from pig carcasses before being weighed and, in the case when the 'KC' or 'FOM/MK' apparatus is used, before being graded. In order to establish quotations for pig carcasses on a comparable basis, the recorded hot weight shall be increased by 2,7 %.

Article 4

Modification of the apparatus or of the assessment methods (measurement sites or formulae) shall not be authorized.

Article 5

Decision 91/358/EEC is hereby repealed.

Article 6

This Decision is addressed to the Kingdom of Denmark.

Done at Brussels, 2 September 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

METHODS FOR GRADING PIG CARCASES IN DENMARK

PART I

Klassificeringscenter (KC)

1. Grading of pig carcasses shall be carried out by means of the apparatus termed 'Klassificeringscenter' ('KC').
2. The apparatus shall be equipped with nine probes of six millimetres each containing a photodiode (Siemens SFH 950-LD242 II) and a photodetector (Siemens SFH 960-PB 103) and having an operating distance of between one and 180 millimetres.

The results of the measurements are converted into estimated lean meat content by means of a central unit.

3. The lean meat content of the carcass shall be calculated on the basis of 10 measurements taken from seven measuring-points as are indicated in paragraph 4 and according to the following formulae:

(a) carcasses with skin on:

$$\hat{Y} = 62,7200 - 0,2271x_1 - 0,0430x_2 - 0,1614x_3 - 0,1467x_4 - 0,1623x_5 - 0,2062x_6 - 0,1574x_7 + 0,0621x_8 + 0,0299x_9 + 0,0384x_{10} + 0,0706x_{11}$$

(b) dehided carcasses:

$$\hat{Y} = 58,4049 - 0,0380x_1 - 0,0304x_2 - 0,1660x_3 - 0,1741x_4 - 0,1819x_5 - 0,1809x_6 - 0,1722x_7 + 0,0513x_8 + 0,0522x_9 + 0,0394x_{10} + 0,0440x_{11}$$

where:

$\hat{Y}$ = the estimated percentage of lean meat in the carcass.

4. The measurement points are:

- x_1 = the thickness of backfat (') in millimetres, measured at the centre of the third cervical vertebra, at 10,5 cm off the midline of the carcass,
- x_2 = the thickness of backfat (') in millimetres, measured at the centre of the fourth cervical vertebra, at 7 cm off the midline of the carcass,
- x_3 = the thickness of backfat (') in millimetres, measured between the fourth and fifth hindmost thoracic vertebrae, at 3 cm off the midline of the carcass,
- x_4 = the thickness of backfat (') in millimetres, measured between the second and third hindmost thoracic vertebrae, at 7 cm off the midline of the carcass,
- x_5 = the thickness of backfat (') in millimetres, measured between the first lumbar vertebra and the last thoracic vertebra, at 6 cm off the midline of the carcass,
- x_6 = the thickness of backfat (') in millimetres, measured 4 cm before the fore edge of the pubic bone, at 7 cm off the midline of the carcass,
- x_7 = the thickness of backfat (') in millimetres, measured at the fore edge of the pubic bone, at 11 cm from midline of the carcass,
- x_8 = muscle thickness in millimetres, measured between the fourth and fifth hindmost thoracic vertebrae, at 3 cm off the midline of the carcass,
- x_9 = muscle thickness in millimetres, measured between the second and third hindmost thoracic vertebrae, at 7 cm off the midline of the carcass,
- x_{10} = muscle thickness in millimetres, measured between the first lumbar vertebra and the hindmost thoracic vertebra, at 6 cm off the midline of the carcass,
- x_{11} = warm carcass weight in kilograms (excluding flare fat, kidneys and diaphragm).

The formulae shall be valid for carcasses weighing between 50 and 100 kilograms.

PART 2

Fat-O-Meater/Manuel Klassificering (FOM/MK)

1. Grading of pig carcasses shall be carried out by means of the apparatus termed 'Fat-O-Meater/Manuel Klassificering' ('FOM/MK')
2. The apparatus shall be equipped with a probe of six millimetres diameter containing a photodiode (Siemens SFH 950-LD 242 II) and a photodetector (Siemens SFH 960-BP 103) and having an operating distance of between one and 94 millimetres.

The results of the measurements are converted into estimated lean meat content by means of a central unit.

(') Including rind in the case of carcasses with skin on.

3. The lean meat content of the carcase shall be calculated according to the following formulae:

(a) carcases with skin on:

$$\hat{Y} = 61,2548 - 0,3724x_1 - 0,3702x_2 + 0,1337x_3 + 0,0356x_4;$$

(b) dehided carcases:

$$\hat{Y} = 60,0 - 0,4288x_1 - 0,3619x_2 + 0,1792x_3;$$

where:

$\hat{Y}$ = the estimated percentage of lean meat in the carcase,

x_1 = the thickness of backfat⁽¹⁾ in millimetres, measured at 8 cm off the midline of the carcase, between the third and fourth last lumbar vertebrae,

x_2 = the thickness of backfat⁽¹⁾ in millimetres, measured at 6 cm off the midline of the carcase, between the third and fourth last ribs,

x_3 = the thickness of muscle in millimetres, measured at the same time and in the same place as x_2

x_4 = warm carcase weight in kilograms (excluding the flare fat, the kidneys and the diaphragm).

The formulae shall be valid for carcases weighing between 50 and 100 kilograms.

PART 3

Ultra-FOM

1. Grading of pig carcases shall be carried out by means of the apparatus termed 'Ultra-FOM'.
2. The apparatus shall be equipped with an ultrasonic probe at 4 Mhz (Krautkrämer MB 4 SE). The ultrasonic signal is digitized, stored and processed by a microprocessor (type Intel 80 C 31).

The results of the measurements shall be converted into estimated lean meat content by means of the Ultra-FOM apparatus itself.

3. The lean meat content of the carcase should be calculated according to the following formulae:

$$\hat{Y} = 63,8662 - 0,4465x_1 - 0,5096x_2 + 0,1281x_3;$$

where:

$\hat{Y}$ = the estimated percentage of lean meat in the carcase,

x_1 = the thickness of backfat (including rind) in millimetres, measured at 7 cm off the midline of the carcase, between the third and fourth last lumbar vertebrae,

x_2 = the thickness of backfat (including rind) in millimetres, measured at 7 cm off the midline of the carcase, between the third and fourth last ribs,

x_3 = the thickness of muscle in millimetres, measured at the same time and in the same place as x_2 .

The formulae shall be valid for carcases weighing between 50 and 100 kilograms.

⁽¹⁾ Including rind in the case of carcases with skin on.

CORRIGENDA

Corrigendum to Commission Decision 92/353/EEC of 11 June 1992 laying down the criteria for the approval or recognition of organizations and associations which maintain or establish studbooks for registered equidae

(Official Journal of the European Communities No L 192 of 11 July 1992)

On page 65 in the Annex, at the third indent of point 3 (b):

for: '— the system of identifying equidae',

read: '— the principles of the system for identifying equidae';

point 4, third line:

for: '... associations covering the whole of that territory, ...',

read: '... associations which between them cover the whole of that territory, ...'.
