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I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EEC) No 2947/92
of 12 October 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 October 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 13 October 1992.

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

Done at Brussels, 12 October 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 12 October 1992 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)	
CN code	Levy (°)
0709 90 60	137,83 (°) (°)
0712 90 19	137,83 (°) (°)
1001 10 10	168,68 (°) (°) (°)
1001 10 90	168,68 (°) (°) (°)
1001 90 91	141,78
1001 90 99	141,78 (°)
1002 00 00	156,03 (°)
1003 00 10	124,68
1003 00 90	124,68 (°)
1004 00 10	119,80
1004 00 90	119,80
1005 10 90	137,83 (°) (°)
1005 90 00	137,83 (°) (°)
1007 00 90	139,59 (°)
1008 10 00	52,60 (°)
1008 20 00	103,93 (°)
1008 30 00	50,54 (°)
1008 90 10	(°)
1008 90 90	50,54
1101 00 00	211,37 (°) (°)
1102 10 00	231,32 (°)
1103 11 10	274,16 (°) (°)
1103 11 90	227,79 (°)

(°) 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 2948/92

of 12 October 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 October 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 13 October 1992.

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

Done at Brussels, 12 October 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 12 October 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 10	1st period 11	2nd period 12	3rd period 1
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 10	0	0	0	0
1001 10 90	0	0	0	0
1001 90 91	0	0	0	11,14
1001 90 99	0	0	0	11,14
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	0,22	0,22	0,57
1004 00 90	0	0,22	0,22	0,57
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	15,60

B. Malt*(ECU/tonne)*

CN code	Current 10	1st period 11	2nd period 12	3rd period 1	4th period 2
1107 10 11	0	0	0	19,83	19,83
1107 10 19	0	0	0	14,82	14,82
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 2949/92

of 9 October 1992

concerning the classification of certain goods in the combined nomenclature

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

Having regard to Council Regulation (EEC) No 2658/87⁽¹⁾ on the tariff and statistical nomenclature and on the Common Customs Tariff, as last amended by Commission Regulation (EEC) No 1039/92⁽²⁾, and in particular Article 9,

Whereas in order to ensure uniform application of the combined nomenclature annexed to the said Regulation, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation;

Whereas Regulation (EEC) No 2658/87 has set down the general rules for the interpretation of the combined nomenclature and these rules also apply to any other nomenclature which is wholly or partly based on it or which adds any additional subdivisions to it and which is established by specific Community provisions, with a view to the application of tariff or other measures relating to trade in goods;

Whereas, pursuant to the said general rules, the goods described in column 1 of the table annexed to the present Regulation must be classified under the appropriate CN codes indicated in column 2, by virtue of the reasons set out in column 3;

Whereas it is appropriate that subject to the measures in force in the Community relating to double checking systems and to prior and retrospective Community surveillance of textile products on importation into the Community, binding tariff information in the matter of classification of goods in the combined nomenclature issued by the customs authorities of the Member States which no longer conform to this Regulation may continue to be invoked in accordance with the provisions of Article 6 of Commission Regulation (EEC)

No 3796/90⁽³⁾, as amended by Regulation (EEC) No 2674/92⁽⁴⁾, by the holder thereof during a certain period if such holder has concluded a contract as referred to in points (a) or (b) of the second subparagraph of Article 14 (3) of Council Regulation (EEC) No 1715/90⁽⁵⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column 1 of the annexed table are now classified within the combined nomenclature under the appropriate CN codes indicated in column 2 of the said table.

Article 2

Subject to the measures in force in the Community relating to double checking systems and to prior and retrospective Community surveillance of textile products on importation into the Community, binding tariff information in the matter of classification of goods in the combined nomenclature issued by the customs authorities of the Member States which no longer conform to this Regulation may continue to be invoked in accordance with the provisions of Article 6 of Regulation (EEC) No 3796/90 by the holder thereof during a period of 60 days from the date of application of this Regulation if such holder has concluded a contract referred to in points (a) or (b) of the second subparagraph of Article 14 of Regulation (EEC) No 1715/90.

Article 3

This Regulation shall enter into force on the 21st day following its publication in the *Official Journal of the European Communities*.

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

Done at Brussels, 9 October 1992.

For the Commission

Christiane SCRIVENER

Member of the Commission

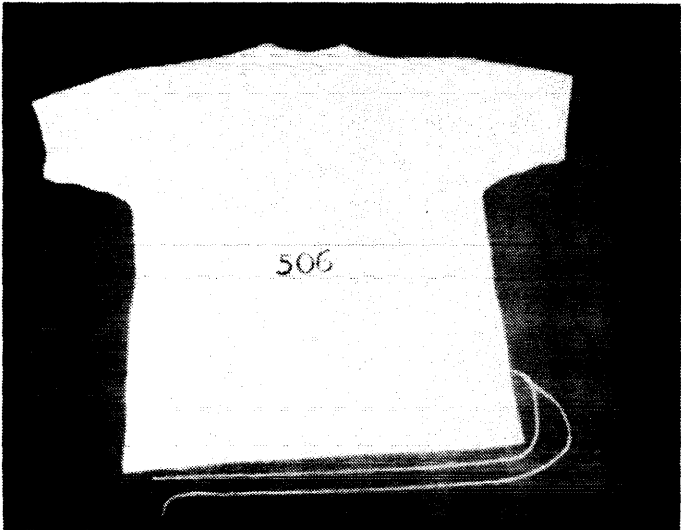
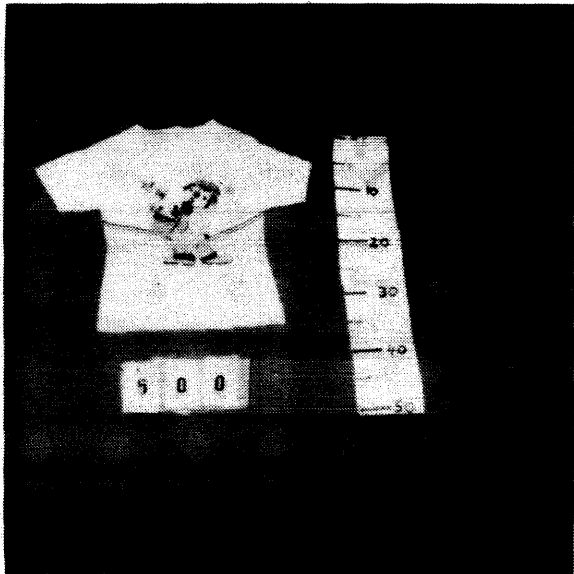
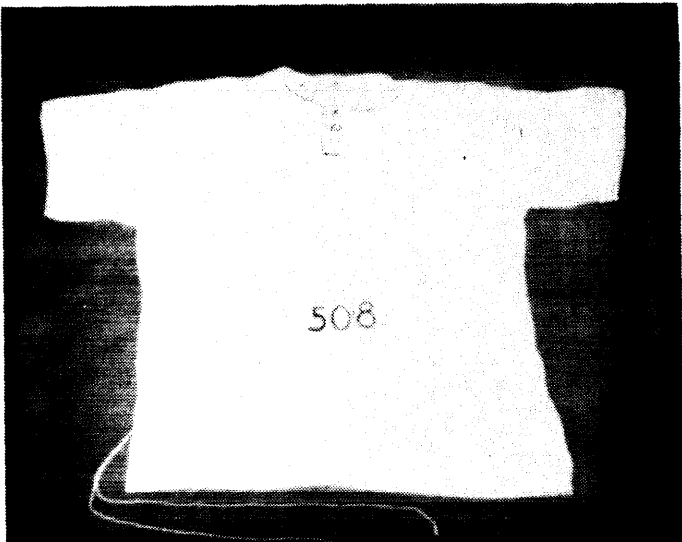
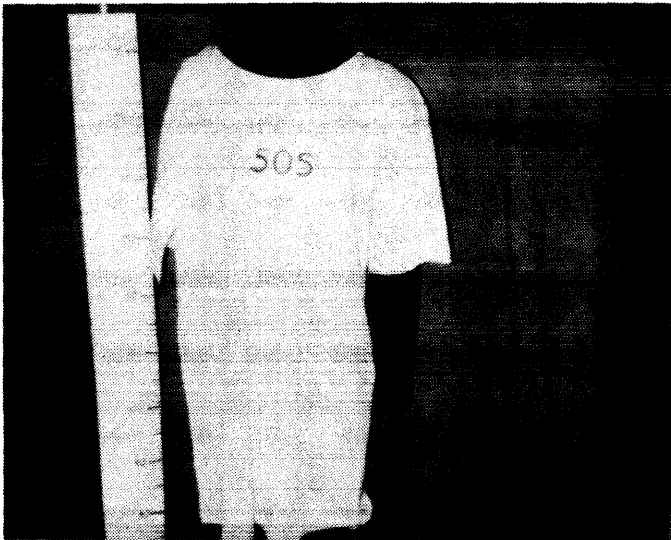
⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.
⁽²⁾ OJ No L 110, 28. 4. 1992, p. 42.

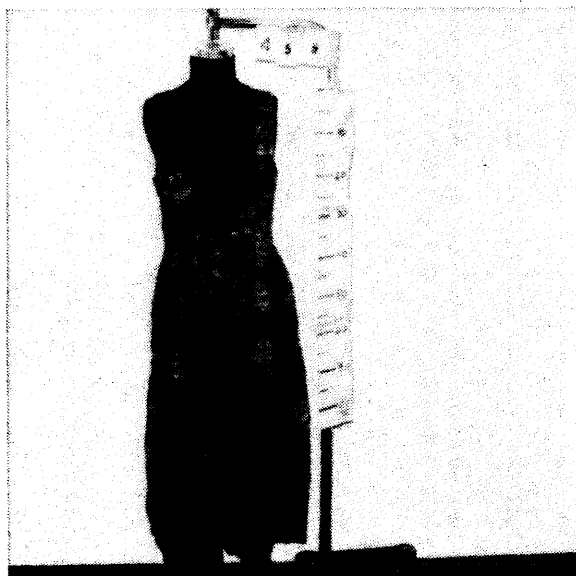
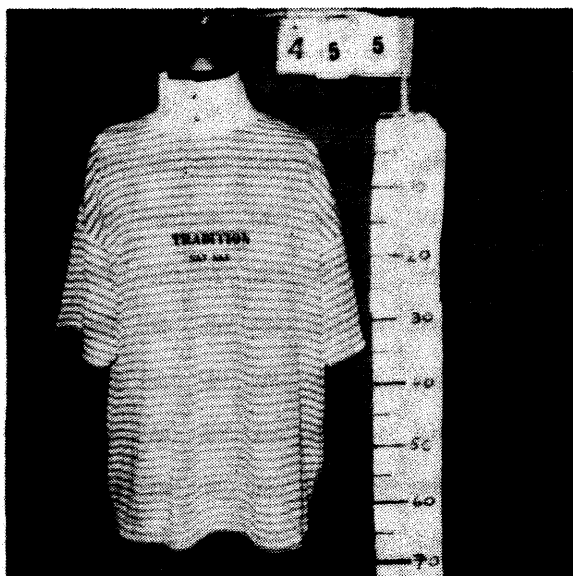
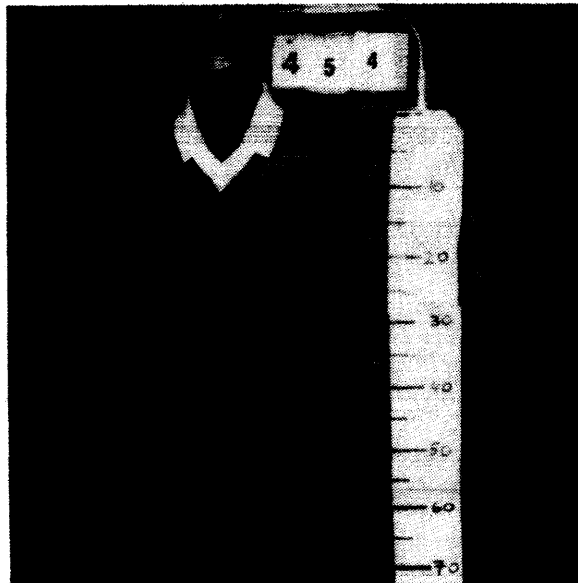
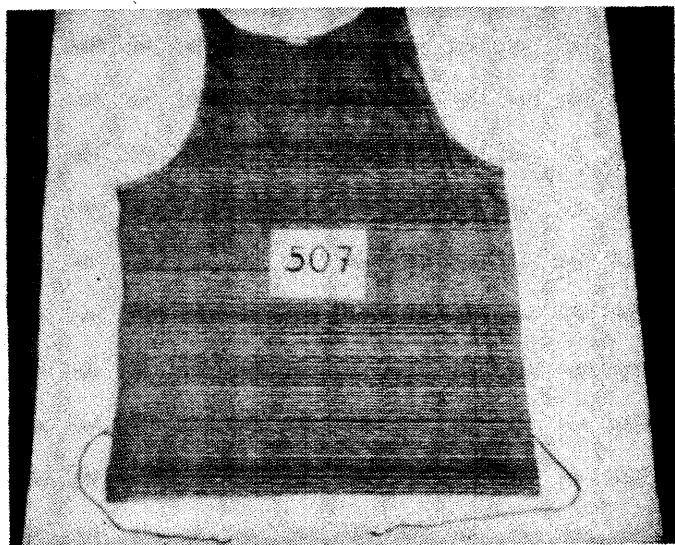
⁽³⁾ OJ No L 365, 28. 12. 1990, p. 17.
⁽⁴⁾ OJ No L 271, 16. 9. 1992, p. 5.
⁽⁵⁾ OJ No L 160, 26. 6. 1990, p. 1.

ANNEX

Description of goods	Classification CN code	Reasons
(1)	(2)	(3)
1. Lightweight loose-fitting knitted garment (100 % cotton), of one colour, intended to cover the upper part of the body, reaching down to mid-thigh. It has a rounded loose-fitting neckline with sewn-on bands and short sleeves. It is also hemmed at the sleeve-ends and at the base of the garment (dress) (see photograph No 505) (')	6104 42 00	Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the combined nomenclature as well as by the wording of CN codes 6104 and 6104 42 00
2. Lightweight knitted garment (100 % cotton), intended to cover the upper part of the body reaching down to below the waist, with a rounded neckline partially opening at the front with a button fastening left over right and has short sleeves which are hemmed at the ends. The base of the garment is also hemmed. At the level of the waist a loop-wale yarn is sewn through which a thin cord is passed (see photograph No 508) (')	6105 10 00	Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the combined nomenclature, by Note 4 to Chapter 61 as well as by the wording of CN codes 6105 and 6105 10 00 The thin cord is purely decorative
3. Lightweight knitted garment (100 % cotton) for a child whose height is greater than 86 cm (commercial size greater than 86) with short sleeves, intended to cover the upper part of the body reaching down to below the waist and hemmed at the base and the sleeve-ends It has a rounded neckline with knitted sewn-on ribbing, and a partial opening at the left shoulder which is fastened by means of two buttons This garment also has a printed decorative motif on the front (blouse) (see photograph No 500) (')	6106 10 00	Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the combined nomenclature, by note 4 to Chapter 61 as well as by the wording of CN codes 6106 and 6106 10 00. See also the Explanatory Notes to the combined nomenclature concerning codes 6106 and 6109 Classification of this garment under CN code 6109 is excluded because of the buttons at the shoulder
4. Lightweight knitted garment (100 % cotton), of one colour, with short sleeves, intended to cover the upper part of the body reaching down to below the waist. The garment has a rounded neckline with knitted sewn-on bands and is hemmed at the base and the sleeve-ends. At the level of the waist a loop-wale yarn is sewn through which a thin cord is passed (see photograph No 506) (')	6109 10 00	Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the combined nomenclature, by Additional Note 2 to Chapter 61 as well as by the wording of CN codes 6109 and 6109 10 00 See also the Explanatory Notes to the Harmonized System concerning heading 6109 The thin cord is purely decorative
5. Lightweight knitted garment (100 % cotton), intended to cover the upper part of the body reaching down to below the waist, sleeveless, collarless with a loose fitting rounded neckline without an opening. The base of the garment is hemmed. There are knitted bands sewn on at the neckline and armholes. At the level of the waist a loop-wale yarn is sewn through which a thin cord is passed (see photograph No 507) (')	6109 10 00	Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the combined nomenclature, by Additional Note 2 to Chapter 61 as well as by the wording of CN codes 6109 and 6109 10 00 The thin cord is purely decorative
6. 100 % synthetic knitted garment intended to cover the upper part of the body to below the waist, with short sleeves, hemmed at the ends of the sleeves and at the bottom. The garment has a V-neck with a collar with edges crossing left over right, made of another knitted fabric (see photograph No 454) (')	6110 30 91	Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the combined nomenclature, the wording of CN codes 6110, 6110 30 and 6110 30 91. See also the Explanatory Notes to the combined nomenclature concerning code 6110 This garment is similar to a pullover

Description of goods	Classification CN code	Reasons
(1)	(2)	(3)
7. 65 % polyester/35 % cotton knitted garment, of loose-fitting cut, intended to cover the upper part of the body to below the waist, with short sleeves, hemmed at the ends of the sleeves and at the bottom. The garment has a ribbed addition at the neckline forming a close-fitting high collar with a front opening buttoning left over right. It also has applied embroidery on the chest (see photograph No 455) (1)	6110 30 91	Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the combined nomenclature as well as the wording of CN codes 6110, 6110 30 and 6110 30 91 See also the Explanatory Notes to the combined nomenclature concerning code 6110 This garment is similar to a pullover
8. Garment in woven fabric (100 % artificial fibres), cut loose, covering the upper part of the body to below the knees. Rising from the waist is a section made from the same fabric, with wide braces. The garment opens fully at the front, and is fastened by buttoning right over left (skirt) (see photograph No 459) (1)	6204 59 10	Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the combined nomenclature as well as the wording of CN codes 6204, 6204 59 and 6204 59 10 See also the Explanatory Notes to the combined nomenclature concerning codes 6204 51 00 to 6204 59 90 The cut and position of the braces are not sufficient to enable this garment to be worn on its own





(¹) The photographs are of a purely illustrative nature.

COMMISSION REGULATION (EEC) No 2950/92
of 9 October 1992

re-establishing the levying of customs duties on products falling within CN code 2922 41 00, originating in South Korea and Indonesia to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3831/90 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas, pursuant to Articles 1 and 6 of that Regulation (EEC) No 3831/90, suspension of customs duties shall be accorded for 1992 to each of the countries or territories listed in Annex III other than those listed in column 4 of Annex I, within the framework of the preferential tariff ceilings fixed in column 6 of Annex I;

Whereas, as provided for in Article 7 of that Regulation, as soon as the individual ceilings in question are reached at Community level, the levying of customs duties on imports of the products in question originating in each of the countries and territories concerned may at any time be re-established;

Whereas, in the case of products falling within CN code 2922 41 00, originating in South Korea and Indonesia the individual ceiling was fixed at ECU 695 000; whereas on 5 May 1992, imports of these products into the Community originating in South Korea and Indonesia reached the ceiling in question after being charged thereagainst; whereas, it is appropriate to re-establish the levying of customs duties in respect of the products in question against South Korea and Indonesia,

HAS ADOPTED THIS REGULATION:

Article 1

As from 16 October 1992, the levying of customs duties, suspended for 1992 pursuant to Council Regulation (EEC) No 3831/90, shall be reintroduced on imports into the Community of the following products, originating in South Korea and Indonesia:

Order No	CN code	Description
10.0250	2922 41 00	Lysine and its esters; salts thereof

Article 2

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

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

Done at Brussels, 9 October 1992.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 370, 31. 12. 1990, p. 1.

⁽²⁾ OJ No L 341, 12. 12. 1991, p. 1. Regulation as last amended by Regulation (EEC) No 1509/92 (OJ No L 159, 12. 6. 1992, p. 1).

COMMISSION REGULATION (EEC) No 2951/92

of 9 October 1992

re-establishing the levying of customs duties on products of category 118 (order No 42.1180), originating in China, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3832/90 apply

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

Having regard to Council Regulation (EEC) No 3832/90 of 20 December 1990 applying generalized tariff preferences for 1991 in respect of textile products originating in developing countries⁽¹⁾, extended for 1992 by Regulation (EEC) No 3587/91⁽²⁾, and in particular Article 12 thereof,

Whereas Article 10 of Regulation (EEC) No 3832/90 provides that preferential tariff treatment shall be accorded for 1992 for each category of products subjected in Annexes I and II thereto to individual ceilings, within the limits of the quantities specified in column 8 of Annex I and column 7 of Annex II, in respect of certain or each of the countries or territories of origin referred to in column 5 of the same Annexes;

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

Whereas, in respect of products of category 118 (order No 42.1180), originating in China, the relevant ceiling amounts to 15 tonnes;

Whereas on 27 February 1992 imports of the products in question into the Community, originating in China, a country covered by preferential tariff arrangements, reached and were charged against that ceiling;

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

HAS ADOPTED THIS REGULATION:

Article 1

As from 16 October 1992 the levying of customs duties, suspended pursuant to Regulation (EEC) No 3832/90, shall be re-established in respect of the following products, imported into the Community and originating in China:

Order No	Category (unit)	CN code	Description
42.1180	118	6302 29 10 6302 39 10 6302 39 30 6302 52 00 ex 6302 59 00 ex 6302 92 00 ex 6302 99 00	Table linen, toilet linen and kitchen linen of flax or ramie, other than knitted or crocheted.

Article 2

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

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

Done at Brussels, 9 October 1992.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 370, 31. 12. 1990, p. 39.

⁽²⁾ OJ No L 341, 12. 12. 1991, p. 1. Regulation as last amended by Regulation (EEC) No 1509/92 (OJ No L 159, 12. 6. 1992, p. 1).

COMMISSION REGULATION (EEC) No 2952/92
of 12 October 1992
on the supply of vegetable oil as food aid

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

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

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

Whereas, following the taking of a number of decisions on the allocation of food aid, the Commission has allocated to certain countries and beneficiary organizations 2 190 tonnes of vegetable oil;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

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

Article 2

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

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

Done at Brussels, 12 October 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 174, 7. 7. 1990, p. 6.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

⁽⁵⁾ OJ No L 81, 28. 3. 1991, p. 108.

ANNEX

LOT A

1. **Operation Nos** ⁽¹⁾: 900/92
2. **Programme**: 1992
3. **Recipient** ⁽²⁾: Comoros
4. **Representative of the recipient**:
M. Caabi al Yachroutu, Ministre de l'économie, des finances, du budget et du plan, BP 324, Moroni (tel. Moroni: 21767)
5. **Place or country of destination** ⁽³⁾: Comoros
6. **Product to be mobilized**: refined rapeseed oil
7. **Characteristics and quality of the goods** ⁽⁴⁾: see OJ No C 114, 29. 4. 1991, p. 1 [under IIIA.1.a)]
8. **Total quantity**: 100 tonnes net
9. **Number of lots**: one (A1: 65 tonnes; A2: 35 tonnes)
10. **Packaging and marking**: see OJ No C 114, 29. 4. 1991, p. 1
[under IIIA.2.2.b, IIIA.2.3 and IIIA.3]; five-litre plastic drums without cardboard cross pikes placed in 20-foot containers (maximum 16 tonnes)
Markings in French
11. **Method of mobilization**: the Community market
12. **Stage of supply**: free at port of landing — landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**:
— A1: Port Moroni (Grande Comoro)
— A2: Mutsamudu (Anjouan)
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 23. 11 — 6. 12. 1992
18. **Deadline for the supply**: 4. 1. 1993
19. **Procedure for determining the costs of supply**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon on 27. 10. 1992
21. **A. In the case of a second invitation to tender**:
(a) deadline for the submission of tenders: 12 noon on 10. 11. 1992
(b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 7 — 20. 12. 1992
(c) deadline for the supply: 18. 1. 1993
B. In the case of a third invitation to tender:
(a) deadline for the submission of tenders: 12 noon on 24. 11. 1992
(b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 21. 12. 1992 — 3. 1. 1993
(c) deadline for the supply: 1. 2. 1993
22. **Amount of the tendering security**: ECU 15 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders** ⁽⁵⁾: Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, bâtiment Loi 120, bureau 7/46, rue de la Loi 200, B-1049 Bruxelles; telex 22037 / 25670 AGREC B; telefax (322) 296 20 05 / 295 01 32 / 296 10 97 / 295 01 30 / 296 33 04
25. **Refund payable on request by the successful tenderer** ⁽⁶⁾: —

LOT B

1. **Operation Nos (¹):** 770/92
2. **Programme:** 1992
3. **Recipient (²):** El Salvador
4. **Representative of the recipient:** Secretaría Nacional de la Familia, Casa Presidencial, San Salvador, El Salvador, CA, tel. 71-15 55, fax 71-0950 (Sras. Lic. Lucrecia de Suster o Sonia Ventura)
5. **Place or country of destination (³):** El Salvador
6. **Product to be mobilized:** refined sunflower oil
7. **Characteristics and quality of the goods (⁴):** see OJ No C 114, 29. 4. 1991, p. 1 [under III.A.1.(b)]
8. **Total quantity:** 1 000 tonnes net
9. **Number of lots:** one
10. **Packaging and marking (⁵):** see OJ No C 114, 29. 4. 1991, p. 1; [under III.A.2.1, III.A.2.3, and III.A.3]; 200 litre metal casks
Markings in Spanish
Supplementary: Markings: 'Distribución Gratuita'
11. **Method of mobilization:** the Community market
12. **Stage of supply:** free at destination
13. **Port of shipment:** —
14. **Port of landing specified by the recipient:** —
15. **Port of landing:** —
16. **Address of the warehouse and, if appropriate, port of landing:** Zapotitan, Carretera a Santa Ana, km 33,5; Sitio dal Niño, San Salvador
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage:** 23. 11 — 6. 12. 1992
18. **Deadline for the supply:** 4. 1. 1993
19. **Procedure for determining the costs of supply:** tendering
20. **Date of expiry of the period allowed for submission of tenders:** 12 noon on 27. 10. 1992
21. **A. In the case of a second invitation to tender:**
 - (a) deadline for the submission of tenders: 12 noon on 10. 11. 1992
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 7 — 20. 12. 1992
 - (c) deadline for the supply: 18. 1. 1993**B. In the case of a third invitation to tender:**
 - (a) deadline for the submission of tenders: 12 noon on 24. 11. 1992
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 21. 12. 1992 — 3. 1. 1993
 - (c) deadline for the supply: 1. 2. 1993
22. **Amount of the tendering security:** ECU 15 per tonne
23. **Amount of the delivery security:** 10 % of the amount of the tender in ecus
24. **Address for submission of tenders:** Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, bâtiment Loi 120, bureau 7/46, rue de la Loi 200, B-1049 Bruxelles (telex 22037 / 25670 AGREC B; telefax (322) 296 20 05 / 295 01 32 / 296 10 97 / 295 01 30 / 296 33 04)
25. **Refund payable on request by the successful tenderer (⁶):** —

LOTS C, D, E and F

1. **Operation No** (1): 880/92 (Lot C), 881/92 (Lot D), 893/92 (Lot E), 896/92 (Lot F)
2. **Programme**: 1992
3. **Recipient** (2): Fédération internationale des Sociétés de la Croix-Rouge et du Croissant-Rouge, (IFRC), Dept. Approvisionnement et logistique, Case Postale 372, CH-1211 Genève 19 (tel. 730 42 22; telex 41 21 33 LRC CH; fax 733 03 95)
4. **Representative of the recipient** (3): —
5. **Place or country of destination** (4): Zambia (Lot C), Zimbabwe (Lot D), Sudan (Lot E); Kenya (Lot F)
6. **Product to be mobilized**: refined rape seed oil
7. **Characteristics and quality of the goods** (5): see OJ No C 114, 29. 4. 1991, p. 1 [under III.A.1.(a)]
8. **Total quantity**: 1 090 tonnes net
9. **Number of lots**: 4 (Lot C: 280 tonnes; Lot D: 200 tonnes; Lot E: 400 tonnes; Lot F: 210 tonnes)
10. **Packaging and marking** (6) (7): see OJ No C 114, 29. 4. 1991, p. 1 [under III.A.2.2.b, III.A.2.3 and III.A.3]:
 - five-litre plastic drums, without cardboard crosspieces
 - Markings in English
 - Supplementary markings: Lot C: 'IFRC-Zambia'; Lot D: 'IFRC-Zimbabwe'; Lot E: 'IFRC-Port Sudan'; Lot F: 'IFRC-Mombasa'
11. **Method of mobilization**: the Community market.
12. **Stage of supply**: Lots C and D: free at destination; Lots E and F: free at port of landing — landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**:
 - Lot E: Port Sudan; Lot F: Mombasa
16. **Address of the warehouse and, if appropriate, port of landing**:
 - Lot C: Red Cross warehouse Choma and Kalomo
 - Lot D: — 100 tonnes (D 1): Red Cross warehouse Masvingo
 - 100 tonnes (D 2): Red Cross warehouse Gwanda
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 23. 11 — 6. 11. 1992
18. **Deadline for the supply**: Lots C, D, and E: 31. 1. 1993; Lot F: 27. 12. 1992
19. **Procedure for determining the costs of supply**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 27. 10. 1992, at 12 noon
21. **A. In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 10. 11. 1992, at 12 noon
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 7 — 20. 12. 1992
 - (c) deadline for the supply: Lots C, D and E: 14. 2. 1993; Lot F: 10. 1. 1993**B. In the case of a third invitation to tender**:
 - (a) deadline for the submission of tenders: 24. 11. 1992 not later than 12 noon
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 21. 12. 1992 — 3. 1. 1993
 - (c) deadline for the supply: Lots C, D and E: 28. 2. 1993; Lot F: 24. 1. 1993
22. **Amount of the tendering security**: ECU 15 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders**: Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, bâtiment Loi 120, bureau 7/46, 200 rue de la Loi, B-1049 Bruxelles; telex 22037 / 25670 AGREC B; telefax (32-2) 296 20 05 / 295 01 32 / 296 10 97 / 295 01 30 / 296 33 04
25. **Refund payable on request by the successful tenderer** (8): —

Notes :

- (¹) The operation number should be mentioned in all correspondence.
- (²) The successful tenderer shall contact the recipient as soon as possible to establish which consignment documents are required.
- (³) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.

The radioactivity certificate must indicate the caesium-134 and -137 and iodine -131 levels.

Lot E: radiation certificate legalized by a consulate of Sudan.

- (⁴) Point (g) of Article 7 (3) of Regulation (EEC) No 2200/87 shall not be applicable to tenders submitted.
- (⁵) Commission delegation to be contacted by the successful tenderer: see OJ No C 114, 29. 4. 1991, p. 33. (Lot B: Costa Rica).
- (⁶) Lot E:

The cartons shall be stacked on wooden pallets (made of pine, fir or poplar) measuring not more than 1 200 × 1 400 mm, and with the following features:

- four-way entry, non-reversible, with wings;
- a top deck consisting of a minimum of seven planks measuring 100 mm in width and of a thickness of 22 mm;
- a bottom deck consisting of three planks measuring 100 mm in width and of a thickness of 22 mm;
- three bearers measuring 100 mm in width and of a thickness of 22 mm;
- nine dowels: 100 × 100 × 78 mm minimum.

The palletized cartons shall be covered by a shrink film of a thickness of at least 150 µm (shrink wrapping or stretch wrapping).

The cartons must have reinforced protection consisting of four angles (35 × 35 mm) made of cardboard at least 3 mm thick placed on the four upper edges.

The whole of the above must be bound, in each direction, by two nylon straps of a width of not less than 15 mm with plastic buckles.

- (⁷) The casks must be made of sheet of a minimum thickness of 1,0 mm for the cover, 0,9 mm for the body and 1,0 mm for the base (10/9/10).
- (⁸) Lot C: Zambia Red Cross Society, 2837 Brentwood Drive, Longacres, PO Box 50001, Lusaka; (tel/fax (260) 25 06 07; telex (0902) 45020 ZACROS ZA).
- Lot D: IFRC Delegation / The Zimbabwe Red Cross Society, 3 Allan Wilson Avenue, Belgravia, Harare; (tel (2634) 72 03 15/6; fax 70 87 84; telex (0907) 24792).
- Lot E: Sudanese Red Crescent / League Delegation, PO Box 235, Khartoum; (tel (249-11) 72011 / 72877; telex 23006 LRCS SD).
- Lot F: IFRC Delegation/Kenya Red Cross Society,
PO Box 40712, Nairobi South 'C',
Belle vue off Mombasa Road, Nairobi;
tel 50 3781/50 3789/50 3616; Fax 50 3845; telex: 25436 lracs ke.

- (⁹) Lot F: Placed in 20-foot containers.

The free holding period for containers must be at least four weeks.

COMMISSION REGULATION (EEC) No 2953/92

of 12 October 1992

on the sale by tender for supply to Madeira of alcohol of vinous origin for the
manufacture of Madeira liqueur wines

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1600/92 of 15 June 1992 concerning specific measures for the Azores and Madeira relating to certain agricultural products⁽¹⁾, and in particular Article 23 thereof,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy⁽²⁾, as last amended by Regulation (EEC) No 2205/90⁽³⁾, and in particular Article 2 (4) thereof,

Whereas tenders should be invited for the supply of 4 000 hectolitres of alcohol to Madeira in order to cover current supply requirements for the manufacture of Madeira liqueur wines in 1992/93, pursuant to the specific measures provided for in Regulation (EEC) No 1600/92 for the Azores and Madeira;

Whereas Commission Regulation (EEC) No 1780/89⁽⁴⁾, as last amended by Regulation (EEC) No 2864/92⁽⁵⁾, lays down detailed rules for the disposal of alcohol obtained from the distillation operations referred to in Articles 35, 36 and 39 of Council Regulation (EEC) No 822/87⁽⁶⁾, as last amended by Regulation (EEC) No 1756/92⁽⁷⁾, and held by intervention agencies; whereas the system of securities provided for in Regulation (EEC) No 1780/89 should be made applicable, to ensure that the sale by tender is effective and that the alcohol is actually used for the purposes envisaged so as not to disturb the markets in alcohol and spirit drinks in the Community;

Whereas, for the payment of the tender and the lodging of securities, and in order to avoid market distortions of monetary origin, the representative market rates referred to in Article 3a of Commission Regulation (EEC) No 3152/85 of 11 November 1985 laying down detailed rules for the application of Regulation (EEC) No 1676/85

on the value of the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy⁽⁸⁾, as last amended by Regulation (EEC) No 3237/90⁽⁹⁾, should be used;

Whereas it should also be laid down that the Member States concerned must take all steps necessary to ensure compliance with the Community provisions applicable, especially as regards the destination and use of the alcohol offered for sale, and that the Member States must inform the Commission of the monitoring measures planned before these are put into operation;

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

HAS ADOPTED THIS REGULATION:

Article 1

Tenders shall be invited for the supply of 4 000 hectolitres of neutral spirit of vinous origin at 100 % vol, held by the intervention agencies, to Madeira for use in the manufacture of Madeira liqueur wines in accordance with traditional methods.

Supply shall involve the purchase of neutral spirit held following Community intervention measures and its delivery to Madeira.

Article 2

1. Articles 20, 21, 22 and 23 (3) and Title IV of Regulation (EEC) No 1780/89 shall apply.

2. Depending on the tenders submitted, a decision shall be taken, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1600/92:

- either to award the supply to the tender with the highest amount in ecus per hectolitre of alcohol; where two tenders indicate the same amount, the supply shall be awarded by drawing lots,
- or not to accept any of the tenders.

⁽¹⁾ OJ No L 173, 27. 6. 1992, p. 1.

⁽²⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽³⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁴⁾ OJ No L 178, 24. 6. 1989, p. 1.

⁽⁵⁾ OJ No L 286, 1. 10. 1992, p. 48.

⁽⁶⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽⁷⁾ OJ No L 180, 1. 7. 1992, p. 27.

⁽⁸⁾ OJ No L 310, 21. 11. 1985, p. 1.

⁽⁹⁾ OJ No L 310, 9. 11. 1990, p. 18.

3. In making the decision referred to in paragraph 2, account shall be taken in particular of:

- the prices applied by the intervention agencies when the alcohol was purchased,
- the various costs associated with the supply in question,
- the need not to disturb the markets in alcohol and spirit drinks in the Community.

Article 3

1. The specific conditions of this sale by tender, and in particular the following:

- name and address of the intervention agency,
- location and reference particulars of the storage vats,
- volume, alcoholic strength and characteristics of the alcohol in each vat,
- address for the submission of tenders,
- amounts of the tendering security and the performance guarantee,

shall be given in invitation to tender 'Madeira' numbered 1/92, published in the C series of the *Official Journal of the European Communities*.

2. The conversion rates to be used for payment of the tender and for the lodging of securities shall be the representative market rates as referred to in Article 3a of Regulation (EEC) No 3152/85 valid on the day before publication of the invitation to tender.

Article 4

The deadline for the submission of tenders to the address given in the invitation to tender shall be 12 noon, Brussels time, on 29 October 1992.

Article 5

1. The competent agency shall keep available to the successful tenderer an award statement certifying that his tender has been accepted and that he has been awarded the supply.

2. Within 20 days of receiving the notification referred to in Article 23 (3) of Regulation (EEC) No 1780/89, the successful tenderer shall supply proof that the competent agency has been provided with the performance guarantee intended to ensure that all of the alcohol awarded is used for the purposes specified in the invitation to tender.

Article 6

1. Removal of the alcohol from the intervention agency's stores must be completed three months after the date on which the Commission's decision awarding the alcohol is received.

2. Use of the alcohol must be completed within one year from the date on which the last of the alcohol awarded was removed from store, except in the event of *force majeure*.

3. The competent agency shall release the performance guarantee when the successful tenderer supplies it, in respect of the quantity removed in his case, with the proof required for this purpose in Title V of Regulation (EEC) No 2220/85⁽¹⁾.

4. The proof that the alcohol has been used for the intended purposes shall be supplied in the form of a summary of the sales invoices, certified as correct by the competent agency on presentation of the said invoices.

The sales invoices must state the name and status of the purchaser, contain the obligation that the alcohol is to be used in accordance with Article 1. They must be signed jointly by the buyer and the seller.

Article 7

1. The alcohol shall be removed on presentation of a removal order issued by the agency holding the alcohol after the quantity to be removed has been paid for. Such quantity shall be determined to the nearest hectolitre of alcohol at 100 % vol.

2. Ownership of the alcohol for which a removal order has been issued shall be transferred at the moment of issue and the quantities involved shall be regarded as having left on that date. From that time onwards the buyer shall bear the risks of theft, loss or destruction and all costs in respect of any alcohol not removed.

3. The removal order shall give the final date on which the alcohol must be removed from the intervention agency's stores.

Article 8

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

⁽¹⁾ OJ No L 205, 3. 8. 1985, p. 5.

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

Done at Brussels, 12 October 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 2954/92**of 12 October 1992****on the issue of import licences for high-quality fresh, chilled or frozen beef and veal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3668/91 of 11 December 1991 opening a Community tariff quota for high-quality fresh, chilled or frozen meat of bovine animals falling within CN codes 0201 and 0202 and for products falling within CN codes 0206 10 95 and 0206 29 91 (1), and in particular Article 2 thereof,

Whereas Commission Regulation (EEC) No 3743 of 18 December 1991 laying down detailed rules for the application of import arrangements provided for by Council Regulations (EEC) No 3668/91 and (EEC) No 3669/91 in the beef and veal sectors (2), as amended by Regulation (EEC) No 657/92 (3), provides in Article 7, that applications for and the issue of import licences for the meat referred to in Article 1 (1) (d) thereof are to be effected in accordance with the provisions of Articles 12 and 15 of Commission Regulation (EEC) No 2377/80 of 4 September 1980 on special detailed rules for the application of the system of import and export licences in the beef and veal sector (4), as last amended by Regulation (EEC) No 815/91 (5);

Whereas Article 1 (1) (d) of Regulation (EEC) No 3743/91 fixes the amount of high-quality fresh, chilled or frozen

beef and veal originating in and imported from the United States of America and Canada which may be imported on special terms in 1992 at 10 000 tonnes;

Whereas it should be recalled that licences issued pursuant to this Regulation will, throughout the period of validity, be open for use only in so far as provisions on health protection in force permit,

HAS ADOPTED THIS REGULATION :

Article 1

1. All applications for import licences from 1 until 5 October 1992 for high-quality fresh, chilled or frozen beef and veal as referred to in Article 1 (1) (d) of Regulation (EEC) No 3743/91 shall be met in full.

2. Applications for licences may be submitted, in accordance with Article 12 of Regulation (EEC) No 2377/80, during the first five days of November 1992 for 8 346 tonnes.

Article 2

This Regulation shall enter into force on 13 October 1992.

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

Done at Brussels, 12 October 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

(1) OJ No L 349, 18. 12. 1991, p. 3.

(2) OJ No L 352, 21. 12. 1991, p. 36.

(3) OJ No L 70, 17. 3. 1992, p. 14.

(4) OJ No L 241, 13. 9. 1980, p. 5.

(5) OJ No L 83, 3. 4. 1991, p. 6.