

Official Journal

of the European Communities

ISSN 0378-6978

L 298

Volume 35

14 October 1992

English edition

Legislation

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2955/92

of 13 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 12 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 14 October 1992.

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

Done at Brussels, 13 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 13 October 1992 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CN code	Levy (°)
0709 90 60	137,83 (°) (°)
0712 90 19	137,83 (°) (°)
1001 10 10	168,68 (°) (°) (10)
1001 10 90	168,68 (°) (°) (10)
1001 90 91	139,82
1001 90 99	139,82 (11)
1002 00 00	156,03 (°)
1003 00 10	124,68
1003 00 90	124,68 (11)
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 (11)
1008 20 00	103,93 (°)
1008 30 00	50,54 (°)
1008 90 10	(°)
1008 90 90	50,54
1101 00 00	208,63 (°) (11)
1102 10 00	231,32 (°)
1103 11 10	274,16 (°) (10)
1103 11 90	224,83 (°)

(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 2956/92

of 13 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 12 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 14 October 1992.

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

Done at Brussels, 13 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 13 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	13,06
1001 90 99	0	0	0	13,06
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	18,28

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	23,25	23,25
1107 10 19	0	0	0	17,37	17,37
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 2957/92

of 13 October 1992

opening invitations to tender for the fixing of aid for the private storage of
carcasses and half-carcasses of lamb

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat⁽¹⁾, as last amended by Regulation (EEC) No 2069/92⁽²⁾, and in particular Article 7 (3) thereof,Whereas Commission Regulation (EEC) No 3446/90 of 27 November 1990 laying down detailed rules for granting private storage aid for sheepmeat and goatmeat⁽³⁾, as amended by Regulation (EEC) No 1258/91⁽⁴⁾, provides in particular for detailed rules on the invitation to tender;Whereas Commission Regulation (EEC) No 3447/90 of 28 November 1990 on special conditions for the granting of private storage aid for sheepmeat and goatmeat⁽⁵⁾, as last amended by Regulation (EEC) No 1258/91, provides in particular the minimum quantities in respect of which a tender may be submitted;

Whereas the application of Article 7 (3) of Regulation (EEC) No 3013/89 results in the opening of invitations to tender for private storage aid;

Whereas that Article provides for the application of these measures on the basis of the situation of each quotation

zone; whereas it is appropriate consequently to open tenders separately for each of the zones where the conditions are fulfilled,

HAS ADOPTED THIS REGULATION:

Article 1

An invitation to tender is opened in Germany for aid to private storage for carcasses and half-carcasses of lamb.

Subject to the provisions of Regulation (EEC) No 3447/90 tenders may be submitted to the intervention agencies of the Member States concerned.

Article 2

Tenders must be submitted not later than 2 p.m. on 20 October 1992 to the relevant intervention agency.

*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, 13 October 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.⁽²⁾ OJ No L 215, 30. 7. 1992, p. 59.⁽³⁾ OJ No L 333, 30. 11. 1990, p. 39.⁽⁴⁾ OJ No L 120, 15. 5. 1991, p. 15.⁽⁵⁾ OJ No L 333, 30. 11. 1990, p. 46.

COMMISSION REGULATION (EEC) No 2958/92

of 13 October 1992

on the sale at a price fixed in advance of unprocessed dried grapes (sultanas)
from the 1991 harvest held by Greek storage agencies

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables ⁽¹⁾, as last amended by Regulation (EEC) No 1569/92 ⁽²⁾, and in particular Article 8 (7) thereof,

Having regard to Council Regulation (EEC) No 1206/90 of 7 May 1990 laying down general rules for the system of production aid for processed fruit and vegetables ⁽³⁾, as amended by Regulation (EEC) No 2202/90 ⁽⁴⁾, and in particular Article 6 (2) thereof,

Whereas the Greek storage agencies have, pursuant to Commission Regulation (EEC) No 626/85 of 12 March 1985 on the purchasing, selling and storage of unprocessed dried grapes and figs by storage agencies ⁽⁵⁾, as last amended by Regulation (EEC) No 3601/90 ⁽⁶⁾, purchased unprocessed dried grapes (sultanas) from the 1991 harvest; whereas in the light of the situation on the market in dried grapes the dried grapes (sultanas) should be offered for sale at prices fixed in advance for processing within the Community for consumption; whereas the selling shall take place in accordance with the provisions of Regulation (EEC) No 626/85;

Whereas when fixing the sale price it must be taken into consideration that the products are no longer eligible for production aid;

Whereas the processing security provided for in Article 6 (1) of Regulation (EEC) No 626/85 shall be fixed at such a level that any abuse can be avoided;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The Greek storage agencies listed in Annex I shall undertake the sale of unprocessed currants from the 1991 harvest, the qualities and prices of which are stated in Annex II.
2. Applications to purchase shall be submitted in writing to each storage agency in question at the headquarters of Idagep, 241 Acharnon Street, GR-Athens.
3. Information on the quantities and the places where the products are stored may be obtained by those concerned from the addresses given in Annex I.

Article 2

The processing security provided for in Article 6 (1) of Regulation (EEC) No 626/85 shall be ECU 20 per 100 kilograms net.

Article 3

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

It shall apply from 16 November 1992.

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

Done at Brussels, 13 October 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.
⁽²⁾ OJ No L 166, 20. 6. 1992, p. 5.
⁽³⁾ OJ No L 119, 11. 5. 1990, p. 74.
⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 4.
⁽⁵⁾ OJ No L 72, 13. 3. 1985, p. 7.
⁽⁶⁾ OJ No L 350, 14. 12. 1990, p. 54.

*ANNEX I***List of storage agencies referred to in Article 1 of this Regulation****SULTANAS**

1. Ksos, Kanari 24, Athina, Greece.
 2. Enosis Georgikon Sineterismon Iracliou Critis, Iraclio Critis, Greece.
-

*ANNEX II***Qualities and prices of the dried grapes referred to in Article 1**

	(ECU/100 kg)
Sultana No 1	45,481
Sultana No 2	44,531
Sultana No 4	43,074
Sultana No 5	41,174

COMMISSION REGULATION (EEC) No 2959/92

of 13 October 1992

amending Regulation (EEC) No 2167/92 of 30 July 1992 fixing the buying-in prices, aids and certain other amounts applicable for the 1992/1993 wine year to intervention measures in the wine sector

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 257 (1) thereof,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EEC) No 1756/92 ⁽²⁾, and in particular Article 35 (8) thereof,

Whereas Article 4 of Commission Regulation (EEC) No 3105/88 ⁽³⁾, as last modified by Regulation (EEC) No 2182/91 ⁽⁴⁾, laying down detailed rules for the application of compulsory distillation as provided for in Articles 35 and 36 of Regulation (EEC) No 822/87 sets a standard natural alcoholic strength by volume to be applied in the various wine-growing zones for the purpose of determining the volume of alcohol to be delivered for distillation under Article 35 of Regulation (EEC) No 822/87; whereas it has not been possible to fix this standard natural alcoholic strength in Portugal because the wine-growing zones in that country have not yet been defined; whereas, therefore, a provisional standard natural alcoholic strength should be fixed;

Whereas the provisions of this Regulation should take effect at the beginning of the 1992/93 wine year,

HAS ADOPTED THIS REGULATION:

Article 1

The following text is hereby added to Article 7 of Commission Regulation (EEC) No 2167/92 ⁽⁵⁾:

'3. The quantity of alcohol which producers of table wine in Portugal must deliver for distillation in accordance with Article 35 of Regulation (EEC) No 822/87 shall be calculated on the basis of a standard natural alcoholic strength, to be taken into consideration for the assessment of the volume of alcohol contained in the wine produced, equal to 9 % by volume.'

Article 2

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

It shall apply from 1 September 1992 during the period of application of Article 257 (1) of the Act of Accession, and to 31 August 1993 at the latest.

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

Done at Brussels, 13 October 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 27.

⁽³⁾ OJ No L 277, 8. 10. 1988, p. 21.

⁽⁴⁾ OJ No L 202, 25. 7. 1991, p. 18.

⁽⁵⁾ OJ No L 217, 31. 7. 1992, p. 35.

COMMISSION REGULATION (EEC) No 2960/92
of 13 October 1992

**fixing Community producer prices for carnations and roses for the application
of the import arrangements for certain floricultural products originating in
Cyprus, Israel, Jordan and Morocco**

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

Having regard to Council Regulation (EEC) No 4088/87
of 21 December 1987 fixing conditions for the applica-
tion of preferential customs duties on imports of certain
flowers originating in Cyprus, Israel, Jordan and
Morocco⁽¹⁾, as amended by Regulation (EEC)
No 3551/88⁽²⁾, and in particular Article 5 (2) thereof,

Whereas, pursuant to Article 3 of the abovementioned
Regulation (EEC) No 4088/87, Community producer
prices applicable for fortnightly periods are fixed twice a
year before 15 May and 15 October for uniflorous (bloom)
carnations, multiflorous (spray) carnations, large-flowered
roses and small-flowered roses; whereas, pursuant to
Article 1 of Commission Regulation (EEC) No 700/88 of
17 March 1988 laying down certain detailed rules for the
application of the arrangements for the import into the
Community of certain flowers originating in Cyprus,
Israel and Jordan⁽³⁾, as amended by Regulation (EEC)
No 3556/88⁽⁴⁾, prices for roses are determined on the
basis of the average daily prices recorded on the represen-
tative producer markets for the pilot varieties of quality
grade 1 in the three preceding years; whereas for carna-
tions those prices are fixed under the same conditions of
the bloom and spray types; whereas, for the determina-
tion of the average, prices which differ by 40 % and more

from the average price recorded on the same market
during the same period during the three preceding years
are excluded;

Whereas the Community producer prices for the fort-
nightly periods to 6 June 1993 should be determined on
the basis of data provided by the Member States;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Community producer for large-flowered roses, small-
flowered roses, uniflorous (bloom) carnations and multi-
florous (spray) carnations provided for in Article 3 of
Regulation (EEC) No 4088/87 for the fortnightly periods
2 November 1992 to 6 June 1993 shall be as set out in
the Annex hereto.

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, 13 October 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 382, 31. 12. 1987, p. 22.

⁽²⁾ OJ No L 311, 17. 11. 1988, p. 1.

⁽³⁾ OJ No L 72, 18. 3. 1988, p. 16.

⁽⁴⁾ OJ No L 311, 17. 11. 1988, p. 8.

ANNEX

Community producer prices

(ECU/100 pieces)

Weeks	Period	Uniflorous carnations (bloom)	Multiflorous carnations (spray)	Large-flowered roses	Small-flowered roses
45/46	2. 11 – 15. 11. 1992	14,47	11,60	34,09	14,99
47/48	16. 11 – 29. 11. 1992	14,43	10,77	34,33	15,49
49/50	30. 11 – 13. 12. 1992	15,77	10,75	38,66	15,67
51/53	14. 12. 1992 – 3. 1. 1993	21,39	12,20	52,65	20,41
1/ 2	4. 1 – 17. 1. 1993	18,96	11,08	41,26	17,65
3/ 4	18. 1 – 31. 1. 1993	17,95	11,60	46,13	22,39
5/ 6	1. 2 – 14. 2. 1993	17,59	14,26	57,95	24,69
7/ 8	15. 2 – 28. 2. 1993	17,68	13,66	51,86	31,18
9/10	1. 3 – 14. 3. 1993	14,37	12,39	39,19	24,46
11/12	15. 3 – 28. 3. 1993	11,96	10,78	43,00	22,56
13/14	29. 3 – 11. 4. 1993	14,41	11,42	35,72	17,64
15/16	12. 4 – 25. 4. 1993	16,02	13,02	22,98	14,01
17/18	26. 4 – 9. 5. 1993	16,58	13,22	23,13	16,14
19/20	10. 5 – 23. 5. 1993	14,39	11,90	25,82	17,84
21/22	24. 5 – 6. 6. 1993	10,53	9,21	21,50	13,68

COMMISSION REGULATION (EEC) No 2961/92

of 13 October 1992

opening an invitation to tender for the free supply of tinned beef to the victims
of the conflict in what was formerly Yugoslavia (Croatia)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 2066/92 ⁽²⁾, and in particular Article 7 (3) 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 the former Yugoslavia provided for in Council Regulation (EEC) No 2139/92 ⁽³⁾, provides for the contract for the supply of tinned beef under Regulation (EEC) No 2139/92 ⁽⁴⁾ to be awarded 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 transport and other related costs;

Whereas an invitation to tender should be opened for the supply of 4 860 tonnes of tinned beef to be delivered to the Community representative in Zagreb;

Whereas, in order to ensure proper execution of the operation and bearing in mind the controls required, provision should be made for special detailed rules regarding in particular the minimum quantity which may be tendered for and the criteria for participation;

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

HAS ADOPTED THIS REGULATION:

Article 1

The intervention agencies referred to in Annex I shall open an invitation to tender for the supply of 4 860 tonnes of tinned beef, as set out in Annex I, and in

accordance with the provisions of this Regulation and Regulation (EEC) No 2344/92.

Article 2 (2) of Regulation (EEC) No 2344/92 notwithstanding, the aforementioned products shall be delivered under the conditions defined in Annex II.

Article 2

1. Tenders shall be for a quantity, in tonnes, of fore-quarters or boned meat according to the proportion table given in Annex III, stored by the intervention agency concerned, which covers the processing, transport and other related costs, up to the delivery stage laid down for the entire quantity of tinned meat awarded.

Only intervention meat may be used for the production of the tinned beef referred to in Article 1.

2. Tenders shall relate to a minimum of 100 tonnes of tinned meat.

3. Notwithstanding Article 3 of Regulation (EEC) No 2344/92, tenders

(a) shall be valid only if submitted by a natural or legal person who, for at least 12 months, has been engaged in the processing of products containing beef and who is entered in a public register of a Member State;

(b) may be refused if submitted by a natural or legal person in respect of whom pertinent information exists raising doubts as to his ability to carry out the processing and/or export operations properly;

(c) must be accompanied by:

- a written undertaking by the applicant to process on his own premises the meat awarded into the products specified in Annex II,
- precise details of the establishment or establishments where the meat which has been awarded will be processed,
- a written declaration authorizing the application of any control measures deemed appropriate by the competent authorities in the Member States concerned.

4. Immediately after the expiry of the deadline referred to in paragraph 7, operators shall send a copy of the tender by telex or telefax to the Commission of the European Communities, DG VI/D.2, 130, rue de la Loi, B-1049 Brussels (telex 220 37 AGREC B; telefax (32-2) 296 60 27).

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 215, 30. 7. 1992, p. 49.

⁽³⁾ OJ No L 227, 11. 8. 1992, p. 18.

⁽⁴⁾ OJ No L 214, 30. 7. 1992, p. 8.

5. The quantity of meat from intervention awarded as payment in kind for the supply shall be made available from the intervention stocks designated for this purpose in the notice of invitation to tender.

6. The tendering security shall be set at ECU 100 per tonne of tinned beef.

7. Only tenders which reach the intervention agency concerned by 12 noon (Brussels time) on 19 October 1992, at the latest, shall be taken into consideration.

Notwithstanding Article 15 of Regulation (EEC) No 2344/92, the intervention agency concerned shall publish a notice of invitation to tender at least three days before that date.

Article 3

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

2. Pursuant to Article 6 (2) of Regulation (EEC) No 2344/92, for the purposes of comparing tenders, 100 kg of five ribs forequarters shall be equivalent to 95 kg of eight ribs forequarters or to 68 kg of boned meat.

Article 4

The successful tenderer shall undertake to provide the competent body referred to in Annex II with the documents required for the purposes of the supply as specified in the notice of invitation to tender issued by the intervention agency concerned.

Article 5

For the purposes of booking the expenditure in the European Agricultural Guidance and Guarantee Fund (EAGGF) accounts, the book value of the products concerned shall be ECU 785 per tonne for bone-in quarters and ECU 1 150 per tonne for boned meat.

Article 6

Notwithstanding Article 6 (2) of Regulation (EEC) No 2344/92 the Commission shall fix the maximum quantity of intervention products to be awarded as payment in kind or shall decide not to make any award.

Article 7

1. Notwithstanding Article 8 (2) of Regulation (EEC) No 2344/92, the supply security:

— shall be ECU 2 500 per tonne of intervention products,

— shall be lodged by the successful tenderer prior to taking over the products as payment in kind.

2. Notwithstanding Article 12 (4) of Regulation (EEC) No 2344/92, the products awarded as payment in kind may be removed from intervention stores once the security referred to above has been lodged.

3. Notwithstanding Article 12 (3) of Regulation (EEC) No 2344/92, proof that the tinned meat in question has been produced solely from intervention meat awarded as payment in kind and presentation to the intervention agency of the customs exportation document shall also be primary requirements for the release of the security.

The Member States concerned shall take all appropriate measures to verify the proof, in particular by marking the meat prior to processing in the warehouse, by permanent monitoring during processing and by taking samples and performing bacteriological analyses of the tinned meat produced, if necessary appointing a monitoring enterprise at the cost of the successful tenderer.

Article 8

The takeover certificate referred to in Article 9 (3) of Regulation (EEC) No 2344/92 shall be as set out in Annex V hereto.

The certificate shall be issued after the goods have been taken over by the competent body referred to in Annex II.

Article 9

The Member States concerned shall take all appropriate measures to ensure that no refund or monetary compensatory amount shall apply to this supply, in particular by specifying this on export licences, export customs document, the transit document and any T5 document created.

Article 10

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

2. The Member States concerned shall send the Commission all information on the execution of the supply, in particular as regards to the award of the contract, delivery times and the actual date of takeover by the competent body referred to in Annex II.

Article 11

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, 13 October 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

*ANEXO I — BILAG I — ANHANG I — ΠΑΡΑΡΤΗΜΑ I — ANNEX I — ANNEXE I —
ALLEGATO I — BIJLAGE I — ANEXO I*

Direcciones de los organismos de intervención — Interventionsorganernes adresser —
Anschriften der Interventionsstellen — Διευθύνσεις των οργανισμών παρεμβάσεως — Addresses
of the intervention agencies — Adresses des organismes d'intervention — Indirizzi degli
organismi d'intervento — Adressen van de interventiebureaus — Endereços dos organismos de
intervenção

- IRELAND:** Department of Agriculture and Food
Agriculture House
Kildare Street
Dublin 2
Tel. (01) 78 90 11
Telex 93292 and 93607, telefax (01) 616263 and (01) 785214
- DANMARK:** EF-Direktoratet
Frederiksborggade 18
DK-1360 København K
Tlf. 33 92 70 00, telex 15137 EFDIR DK, telefax 33 92 69 48
- ITALIA:** Azienda di Stato per gli interventi nel mercato agricolo (AIMA)
Via Palestro 81
I-00185 Roma
Tel. 47 49 91
Telex 61 30 03
- UNITED KINGDOM:** Intervention Board for Agricultural Produce
Fountain House
2 Queens Walk
Reading RG1 7QW
Berkshire
Tel. (0734) 58 36 26
Telex 848 302, telefax : (0734) 56 67 50
- FRANCE:** OFIVAL
Tour Montparnasse
33 avenue du Maine
F-75755 Paris Cedex 15
Tél. 45 38 84 00, télex 205476
- ESPAÑA:** Servicio Nacional de Productos Agrarios (SENPA)
c/Beneficencia 8
E-28004 Madrid
Tel. 347 63 10 / 347 65 00
Télex 23427 SENPA E
Telefax 521 98 32 / 522 43 87
- BUNDESREPUBLIK
DEUTSCHLAND:** Bundesanstalt für landwirtschaftliche Marktordnung (BALM)
Geschäftsbereich 3 (Fleisch und Fleischerzeugnisse)
Postfach 180 107 — Adickesallee 40
D-6000 Frankfurt am Main 18
Tel. (069) 1 56 4772/3; Telex : 04 11 156; Telefax (069) 1 56 4791;
Teletext 6990 732

ANNEX II**Characteristics and quality of the goods**

- (a) Tinned beef, of the type 'beef in jelly/own juice', 'viande en gelée', 'Fleisch in eigenem Saft', produced in the Community, with one of the following product codes :
 - 1602 50 90 195 ⁽¹⁾,
 - 1602 50 90 395 ⁽¹⁾,
 - 1602 50 90 495 ⁽¹⁾.
- (b) The successful tenderer is to state in advance the product code corresponding to the thinned meat to be produced.
- (c) The tinned beef must be completely sterilized in accordance with the requirements laid down in Annex B, Chapter II, to Council Directive 77/99/EEC ⁽²⁾, so that it can be kept for at least three years.
- (d) The tinned meat must be produced solely from intervention products.

Packaging

- (a) In cans of a maximum net content of 460 grams.
- (b) Cans must be hermetically sealed and show no signs of rust.
- (c) Cans must be packed in standard cartons for export, suitable for transport by land and sea. Each carton must be duly sealed after packing. Sealed cartons must be secured with a suitable tape made of fibre or other material and placed on disposable pallets, measuring 1,0 m × 1,1 m. Maximum height 1,0 m.

Marking

- (a) Each can must bear a label showing, in one of the official languages of the Community :
 - the ingredients,
 - the net weight in grams,
 - the date of manufacture and expiry date,
 - the name and address of the manufacturer,
 - the veterinary approval number of the processing plant.
- (b) The date of manufacture and expiry date must be embossed on the cans.
- (c) The outer packaging of each pallet must bear the following information in letters at least 3 cm high :
 - the inscription 'Humanitarian Aid — Regulation (EEC) No 2139/92',
 - the inscription 'European Economic Community',
 - the European flag, as defined in Annexes I and II to Commission communication No 91/C 114/01 ⁽³⁾.

Conditions of supply

- (a) Stage of delivery : free at warehouse unloaded.
- (b) Authority responsible for the takeover :

Echo-Zagreb (Dr. Paolini)
Hotel 'Zagreb'
Remetinecka 106
41000 Zagreb
Croatia
telefax : (3841)-65 00 87.

Warehouse :

Pavillon 7, Zagrebadei Valesajam
Avenue Dubrovnik — 41000 Zagreb.

Delivery schedule : regular deliveries up to 31 December 1992 in agreement with the authority responsible for takeover. On fully reasoned request that authority may grant a supplementary delivery period.

Customs clearance : Office for refugees and displaced persons of the Government of Croatia — Brace Oreski, 41000 Zagreb.

⁽¹⁾ OJ No L 101, 15. 4. 1992, p. 12.

⁽²⁾ OJ No L 26, 31. 1. 1977, p. 85.

⁽³⁾ OJ No C 114, 29. 4. 1991, p. 1.

*ANNEX III***Proportion key for boned meat as payment in kind :****DENMARK**

Bryst og slag	45,3 %
Øvrigt kød af forfjerdinger	54,7 %

FRANCE

Caisse A	57,5 %
Caisse B	35,5 %
Macreuse	7,0 %

IRELAND

Forequarters	60,0 %
Shins & shanks	4,6 %
Briskets	9,7 %
Plates and flanks	25,7 %

ITALY

Collo Sottospalla	16,3 %
Spalla Garetto	29,3 %
Pancia	24,0 %
Petto	17,1 %
Sottospalla	6,3 %
Collo	7,0 %

UNITED KINGDOM

Clod and sticking	15,6 %
Pony	36,6 %
Pony parts	1,7 %
Shins and shanks	11,5 %
Brisket	9,6 %
Thin flank	15,1 %
Forequarter flank	9,9 %

*ANNEX IV***Invitation to tender for the free supply of tinned beef to the victims of the conflict in what was formerly Yugoslavia (Croatia)**

(Regulation (EEC) No 2961/92)

(in tonnes)

Tenderer's number	Quantity of tinned beef to be supplied	Quantity of forequarters/boned meat ⁽¹⁾ required as payment in kind
1		
2		
3		
4		
5		

Send to : DG VI-D-2 (beef and veal)
For the attention of Mr Bennink
Telefax (32-2) 296 60 27.

⁽¹⁾ Delete as appropriate.

ANNEX V

Takeover certificate

I, the undersigned,
(name, first name and capacity)

acting on behalf of
hereby certify that the following goods have been taken over :

Product :	
Total quantity in tonnes (net weight) :	
Place and date of takeover :	
Registration numbers of heavy goods vehicles :	

Attestation of official sealing of the goods vehicle in the presence of the designated monitoring agency :

.....

.....

Number of cans sampled :

Name of monitoring agency :

.....

.....

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

.....

.....

Observations or reservations :
.....
.....
.....
.....
.....

Signature
(Stamp)

COMMISSION REGULATION (EEC) No 2962/92

of 13 October 1992

correcting Regulation (EEC) No 1641/91 fixing the monetary compensatory amounts in the agricultural sector and certain coefficients required for their application

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1677/85 of 11 June 1985 on monetary compensatory amounts in agriculture ⁽¹⁾, as last amended by Regulation (EEC) No 2205/90 ⁽²⁾, and in particular Article 9 (2) thereof,

Whereas Commission Regulation (EEC) No 1641/91 of 14 June 1991 fixing the monetary compensatory amounts in the agricultural sector and certain coefficients required for their application ⁽³⁾ has been amended by Regulation (EEC) No 2928/92 ⁽⁴⁾;

Whereas a check has shown that an error was made in the Annex to that Regulation; whereas the Regulation should therefore be corrected,

Article 1

1. In Part 8 of Annex I to Regulation (EEC) No 1641/91 the monetary compensatory amounts applicable to the United Kingdom with regard to CN codes 1902 11 10 and 1902 11 90 are hereby replaced by '—'.

2. In Part 8 of Annex I to Regulation (EEC) No 1641/91 the monetary compensatory amount applicable to Italy with regard to CN code 1902 11 90 is hereby replaced by '—'.

Article 2

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

At the request of the interested parties it shall apply from 12 October 1992.

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

Done at Brussels, 13 October 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 6.

⁽²⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽³⁾ OJ No L 153, 17. 6. 1991, p. 1.

⁽⁴⁾ OJ No L 295, 12. 10. 1992, p. 1.

COMMISSION REGULATION (EEC) No 2963/92

of 13 October 1992

adjusting the corrective amount on the import of cucumbers into the
Community of Ten from Spain

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 3709/89
of 4 December 1989 laying down general rules for imple-
menting the Act of Accession of Spain and Portugal as
regards the compensatory mechanism for imports of fruit
and vegetables from Spain ⁽¹⁾, and in particular Article 4
(2) thereof,

Whereas Article 152 of the Act of Accession introduces
from 1 January 1990 a compensatory mechanism for
imports into the Community as constituted on 31
December 1985, hereinafter called 'the Community of
Ten', of fruit and vegetables from Spain for which a
reference price is fixed with regard to third countries;

Whereas Regulation (EEC) No 3709/89 lays down general
rules for applying the said compensatory mechanism and
Commission Regulation (EEC) No 3820/90 ⁽²⁾ lays down
detailed rules for applying the said compensatory
mechanism;

Whereas Commission Regulation (EEC) No 2911/92 ⁽³⁾
introduces a corrective amount on imports of cucumbers
into the Community of Ten from Spain;

Whereas Article 3 (4) of Regulation (EEC) No 3709/89
lays down the conditions under which a corrective
amount introduced pursuant to Article 3 (1) of the said
Regulation, is to be adjusted; whereas the said conditions
require that the corrective amount on imports of cucum-
bers from Spain into the Community of Ten be adjusted;

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

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 2911/92 'ECU 16,61'
is replaced by 'ECU 52,03'.

Article 2

This Regulation shall enter into force on 14 October
1992.

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

Done at Brussels, 13 October 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 363, 13. 12. 1989, p. 3.

⁽²⁾ OJ No L 366, 29. 12. 1990, p. 43.

⁽³⁾ OJ No L 291, 7. 10. 1992, p. 12.

COMMISSION REGULATION (EEC) No 2964/92

of 13 October 1992

fixing, for the 1991/92 marketing year, the amount to be paid by the sugar manufacturers to the beet sellers in respect of the difference between the maximum amount of the B levy and the amount of that levy

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 29 (5) thereof,

Whereas Article 29 (2) of Regulation (EEC) No 1785/81 provides in particular that when the amount of the B levy is less than the maximum amount referred to in Article 28 (4) of the said Regulation, revised, where necessary, in accordance with paragraph 5 of that same Article, the sugar manufacturers shall be required to pay the beet sellers 60 % of the difference between the maximum amount of the levy in question and the amount of the levy to be charged; whereas Article 8 (1) of Commission Regulation (EEC) No 1443/82 of 8 June 1982 laying down detailed rules for the application of the quota system in the sugar sector ⁽³⁾, as last amended by Regulation (EEC) No 886/91 ⁽⁴⁾, provides that the amount referred to in Article 29 (2) of Regulation (EEC) No 1785/81 shall be fixed at the same time as the production levies and in accordance with the same procedure;

Whereas for the 1991/92 marketing year the maximum amount of the B levy has been fixed for sugar at 37,5 % of the intervention price for white sugar; whereas it has

transpired that insofar as sugar is concerned the amount of the B levy to be charged for the said marketing year shall only be 30,363 % of the intervention price for white sugar; whereas this difference requires, in conformity with Article 29 (2) of Regulation (EEC) No 1785/81, that the amount to be paid by the sugar manufacturers to the beet sellers should be fixed per tonne of beet of the standard quality and at the rate of 60 % of the said difference;

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

HAS ADOPTED THIS REGULATION:

Article 1

The amount referred to in Article 29 (2) of Regulation (EEC) No 1785/81 to be paid by the sugar manufacturers to the beet sellers in respect of the B levy shall be fixed for the 1991/92 marketing year at ECU 2,95 per tonne of beet of the standard quality.

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, 13 October 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 158, 9. 6. 1982, p. 17.

⁽⁴⁾ OJ No L 90, 11. 4. 1991, p. 15.

COMMISSION REGULATION (EEC) No 2965/92

of 13 October 1992

fixing the production levies in the sugar sector for the 1991/92 marketing year

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 28 (8) and 28a (5) thereof,

Whereas Article 7 (1) of Commission Regulation (EEC) No 1443/82 of 8 June 1982 laying down detailed rules for the application of the quota system in the sugar sector⁽³⁾, as last amended by Regulation (EEC) No 886/91⁽⁴⁾, provides that the basic production levy and the B levy together with, if required, the coefficient referred to in Article 28a (2) of Regulation (EEC) No 1785/81 for sugar and isoglucose are to be fixed before 15 October in respect of the preceding marketing year;

Whereas Commission Regulation (EEC) No 2682/91⁽⁵⁾ increased, for the 1991/92 marketing year, the maximum amount referred to in the first indent of the second subparagraph of Article 28 (4) of Regulation (EEC) No 1785/81 to 37,5 % of the intervention price for white sugar;

Whereas the estimated total loss recorded in accordance with Article 28 (1) and (2) of Regulation (EEC) No 1785/81 necessitates, in respect of the 1991/92 marketing year, the retention of the maximum amounts referred to in Article 28 (3) of the said Regulation in so far as the basic production levy is concerned and the taking into account of an amount equal to 30,363 % of the intervention price for white sugar for the calculation of the B levy

in conformity with Article 28 (4) and (5) of the same Regulation;

Whereas the total uncovered loss recorded on the basis of the known information and in application of Article 28 (1) and (2) of Regulation (EEC) No 1785/81 is covered in its entirety by the receipts from the basic production levy and the B levy; whereas the coefficient referred to in Article 28a (2) of the said Regulation should not as a consequence be fixed for the 1991/92 marketing year;

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

HAS ADOPTED THIS REGULATION:

Article 1

The production levies in the sugar sector for the 1991/92 marketing year are hereby fixed as follows:

- (a) ECU 1,0602 per 100 kilograms of white sugar as the basic production levy on A sugar and B sugar;
- (b) ECU 16,0954 per 100 kilograms of white sugar as the B levy on B sugar;
- (c) ECU 0,4448 per 100 kilograms of dry matter as the basic production levy on A isoglucose and B isoglucose;
- (d) ECU 6,7530 per 100 kilograms of dry matter as the B levy on B isoglucose.

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, 13 October 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 158, 9. 6. 1982, p. 17.

⁽⁴⁾ OJ No L 90, 11. 4. 1991, p. 15.

⁽⁵⁾ OJ No L 254, 11. 9. 1991, p. 5.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 23 September 1992

on the clearance of the accounts presented by the Member States in respect of the expenditure for 1989 of the European Agricultural Guidance and Guarantee Fund (EAGGF), Guarantee Section

(92/491/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy⁽¹⁾, as last amended by Regulation (EEC) No 2048/88⁽²⁾, and in particular Article 5 (2) thereof,

After consulting the Fund Committee,

Whereas, pursuant to Article 5 (2) (b) of Regulation (EEC) No 729/70, the Commission, on the basis of the annual accounts presented by the Member States, clears the accounts of the authorities and bodies referred to in Article 4 of that Regulation;

Whereas the Member States have transmitted to the Commission the documents required to clear the accounts for 1989; whereas on the basis of Article 5 (2) (a) of Regulation (EEC) No 729/70 the 1989 financial year began on 16 October 1988 and ends on 15 October 1989;

Whereas the Commission has carried out the verifications provided for in Article 9 (2) of Regulation (EEC) No 729/70;

Whereas Article 8 of Commission Regulation (EEC) No 1723/72 of 26 July 1972 on the clearance of accounts of the European Agricultural Guidance and Guarantee Fund (EAGGF), Guarantee Section⁽³⁾, as last amended by Regulation (EEC) No 295/88⁽⁴⁾, provides that the decision to clear the accounts must include the determination of the amount of expenditure incurred in each Member State during the financial year in question recognized as chargeable to the Guarantee Section of the Fund; whereas Article 102 of the Financial Regulation of 21 December 1977⁽⁵⁾, as last amended by Regulation (Euratom, ECSC, EEC) No 610/90⁽⁶⁾, provides that the outcome of the clearance decision, i.e. any discrepancy which may exist between the total expenditure booked to the accounts for a financial year pursuant to Articles 100 and 101 and the total expenditure recognized by the Commission when clearing the accounts is to be booked, under a single article, as additional expenditure or a reduction in expenditure;

Whereas, pursuant to Articles 2 and 3 of Regulation (EEC) No 729/70, only refunds on exports to third countries and intervention to stabilize agricultural markets, respectively granted and undertaken according to Community rules within the framework of the common organization of the agricultural markets, may be financed; whereas the inspections carried out show that a part of the expenditure declared by the Member States does not meet these conditions and therefore must be disallowed; whereas the amounts declared by each of the Member States concerned, those recognized as chargeable to the EAGGF Guarantee Section and the difference between

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽²⁾ OJ No L 185, 15. 7. 1988, p. 1.

⁽³⁾ OJ No L 186, 16. 8. 1972, p. 1.

⁽⁴⁾ OJ No L 30, 2. 2. 1988, p. 7.

⁽⁵⁾ OJ No L 356, 31. 12. 1977, p. 1.

⁽⁶⁾ OJ No L 70, 16. 3. 1990, p. 1.

the two amounts and the difference between the expenditure recognized as chargeable to the EAGGF Guarantee Section and that charged in respect of the year are shown in the Annex to this Decision ;

Whereas the expenditure relating to export refunds in the beef and veal sector declared by Germany amounting to DM 760 841 808 and by Ireland amounting to £ Irl 293 514 782 as well as that relating to the cereals sector declared by the United Kingdom amounting to £ 19 702 437 are not covered by the present Decision, given that further examination of these cases is necessary ; whereas these amounts have therefore been deducted from the expenditure declared by the Member States in respect of the year under consideration and will be cleared subsequently ; whereas the same applies as regards the expenditure of Drs 56 501 630 965 for production aid for cotton and Drs 804 208 822 for public buying-in of baled tobacco declared by Greece, as well as the expenditure of Drs 700 000 000 by Greece, of Pta 1 766 026 057 by Spain, of FF 499 800 000 by France and of Lit 103 600 591 415 by Italy for the grubbing-up of vines ; whereas these cases will be cleared on the basis of additional verifications ; and whereas the amounts indicated above, which are equal to the total of the expenditure declared, do not prejudice any financial consequence which may be drawn under a later clearance ;

Whereas the expenditure disallowed for Belgium comprises an amount of FB 101 462 150, for Spain an amount of Pta 626 592 450, for Ireland an amount of £ Irl 5 990 097 and for the United Kingdom an amount of £ 4 051 029, in respect of export refunds paid in the cereals and sugar sectors by Spain, in the cereals and milk and milk products sectors by Belgium and the United Kingdom and in the beef and veal sector by Ireland ; whereas, taking account of the inadequacy of physical checks, these amounts must be charged to the Member States ; whereas the special circumstances of these cases, however, justify re-examination by the Commission of the disallowance during the present clearance provided the aforementioned Member States, provide the evidence requested within six months of notification of this Decision ; whereas this Decision is nonetheless immediately applicable ;

Whereas expenditure disallowed for Belgium comprises an amount of FB 71 307 680 in respect of the basic and additional co-responsibility levies which should have been collected in the cereals sector ; whereas this amount must be charged to the Member State pursuant to this Decision ; whereas, however, the special circumstances of this case justify re-examination by the Commission of the

disallowance, provided that Belgium provides the evidence requested within a time limit which will be notified to it by the Commission ; whereas this Decision is nonetheless immediately applicable ;

Whereas the expenditure disallowed for Germany comprises an amount of DM 4 217 752 in respect of export refunds for beef meat and an amount of DM 1 609 109 in respect of the private storage of beef, for France comprises an amount of FF 1 500 000 in respect of the late payment of part of the minimum price within the framework of the production aid for peas and field beans, for Italy an amount of Lit 1 241 513 490 in respect of the financial compensation for the withdrawal of fruit and vegetables and for Portugal an amount of Esc 80 074 799 in respect of the financial compensation for withdrawals of fish in the fisheries sector ; whereas these amounts must be charged to the Member States pursuant to this Decision ; whereas, however, the special circumstances of these cases justify re-examination by the Commission of the disallowance during the present clearance, provided that the Member States in question provide the evidence requested within a time limit which will be notified to them by the Commission ; whereas this Decision is nonetheless immediately applicable ;

Whereas the expenditure disallowed for Greece comprises an amount of Drs 120 296 927 in respect of export refunds granted in the cereals sectors ; whereas, in view of the illegal grant of national export subsidies, this amount must be charged to the Member State pursuant to this Decision ; whereas, however, the special circumstances of this case justify re-examination by the Commission of the disallowance during the present clearance, on the basis of the findings of additional verifications by the Commission ; whereas this Decision is nonetheless immediately applicable ;

Whereas the expenditure disallowed for Spain includes an amount of Pta 23 419 800 000 and for Italy includes an amount of Lit 896 844 000 000 concerning the supplementary levy which should have been paid by Spain and Italy in the milk and milk products sector ; whereas these amounts must be charged to these Member States pursuant to this Decision ; whereas the information at present available to the Commission does not yet allow it to establish with precision the aforementioned financial corrections ; whereas the Commission will undertake complementary verifications on this matter and reserves the possibility of modifying the aforementioned financial corrections under a subsequent clearance of accounts in accordance with the results of these verifications, in particular of the effective implementation of the milk quota

scheme in these two Member States; whereas this Decision is nonetheless immediately applicable;

Whereas Commission Decision 89/627/EEC⁽¹⁾, as amended by Decision 90/213/EEC⁽²⁾, fixed, with a reservation, a financial correction of DM 234 334 970 in respect of the additional levy which should have been paid by Germany in the milk and milk products sector; whereas Commission Decision 90/644/EEC⁽³⁾ also fixed a financial correction of DM 104 418 850; whereas in these Decisions the Commission reserved the right to re-examine these disallowances as and when Germany incurred expenditure within the framework of a programme to buy back reference quantities before 31 March 1991;

Whereas an inspection carried out in April 1991 showed that Germany, in implementing a buying-back programme, was able, before 31 March 1991, to reduce the sum of the individual reference quantities so that they no longer exceeded the guaranteed total quantity fixed for Germany; whereas the above-mentioned amounts should therefore be charged to the Community budget;

Whereas Decision 90/644/EEC fixed, with a reservation, a financial correction of Lit 13 953 883 351 in respect of premiums to sheepmeat and goatmeat producers granted by Italy; whereas in this Decision the Commission reserved the right to re-examine this disallowance provided that the Member State provided the evidence requested within a time limit which would be notified to it by the Commission; whereas scrutiny of the documents provided by Italy revealed no information placing in question the justification for the financial correction; whereas, therefore, that correction should now become definitive;

Whereas the Commission, in its clearance of accounts decision for 1988, reserved the right to review the monetary compensatory amounts in respect of exports to third countries declared by Greece as own resources and, if warranted, to apply the necessary corrections in a future clearance decision; whereas, on the basis of the information provided by Greece, an amount of Drs 940 108 937 should be disallowed for the 1988 financial year;

Whereas Decision 90/644/EEC does not cover expenditure of Lit 183 369 315 937 declared by Italy in respect of consumption aid for olive oil; whereas the Commission

has examined this expenditure on the basis of additional information provided by the Member State concerned; whereas this expenditure should be cleared in this Decision;

Whereas the Court of Justice, by its judgment in Case C-22/90, annulled the accounts clearance decision for 1987 in respect of France in so far as it had adopted a financial correction of FF 10 569 874 relating to the collection by France of the additional levy in the milk and milk products sector; whereas, as a result, in accordance with Article 176 of the Treaty, the abovementioned amount must be charged in this clearance of accounts to the Community budget for 1987; whereas, in addition, the amount of FF 5 623 402 which, for the same reason, was the subject of a financial correction for France for 1988 must also be charged to the Community budget in the context of the present clearance;

Whereas, in respect of Spain, the inquiry regarding the quality of olive oil in intervention storage is now closed, as are the inquiries in respect of Greece regarding the grant of production aid for durum wheat and the storage aid for dried grapes, the inquiry in respect of Italy regarding the payment of financial compensation for the withdrawal of citrus fruit and to encourage the processing thereof and, in respect of Germany and Ireland, the inquiries regarding the grant of private storage aid for beef and the prefinancing of export refunds for beef and, in respect of Spain, Greece and the United Kingdom, the inquiries regarding the grant of the ewe premium; whereas this Decision rules as to further action to be taken with regard to these cases;

Whereas this Decision is without prejudice to any financial consequences which may be drawn in any subsequent clearance of accounts in respect of national aid for infringements for which the procedures started pursuant to Articles 93 and 169 of the Treaty are now being implemented or were terminated after 19 February 1992;

Whereas this Decision is without prejudice to any financial consequences drawn by the Commission, during a subsequent accounts clearance procedure from current investigations underway at the time of this Decision, from irregularities within the meaning of Article 8 of Regulation (EEC) No 729/70 or from judgments of the Court of Justice in cases now pending and relating to matters covered by this Decision;

Whereas, the clearance of accounts concerning food aid took place on 31 March 1992, the financial consequences for the Guarantee Section will be determined during the clearance of accounts of the 1992 financial year,

⁽¹⁾ OJ No L 359, 8. 12. 1989, p. 23.

⁽²⁾ OJ No L 113, 4. 5. 1990, p. 32.

⁽³⁾ OJ No L 350, 14. 12. 1990, p. 82.

HAS ADOPTED THIS DECISION:

No 2776/88 ⁽¹⁾, as last amended by Regulation (EEC)
No 775/90 ⁽²⁾, for the month of November 1992.

Article 1

The Member States' accounts concerning expenditure financed by the EAGGF Guarantee Section in respect of 1989 are hereby cleared as indicated in the Annex to this Decision.

Article 2

The amounts arising under point 3 of the Annex are to be taken into account as part of the expenditure referred to in Article 3 of Commission Regulation (EEC)

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 23 September 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 249, 8. 9. 1988, p. 9.

⁽²⁾ OJ No L 83, 30. 3. 1990, p. 85.

ANNEX

BELGIUM

EAGGF Guarantee Section expenditure Financial year: 1989	Bfrs
1. Expenditure recognized	
(a) Expenditure declared by the Member State in respect of the present clearance	26 354 639 016
(b) Expenditure declared during the preceding year but excluded from that clearance	0
(c) Expenditure declared, excluded from the present clearance	0
(d) Expenditure declared, coming under the present clearance (a + b + c)	26 354 639 016
(e) Expenditure disallowed	- 979 184 991
(f) Financial consequences of previous years	0
(g) Total expenditure recognized (d + e + f)	25 375 454 025
2. Expenditure charged	
(a) Expenditure charged in respect of the present year	25 840 187 017
(b) Expenditure charged in respect of the preceding year, but excluded from that clearance	0
(c) Expenditure charged in respect of the present year, but excluded from the present clearance	0
(d) Total expenditure charged, coming under the present clearance (a + b + c)	25 840 187 017
3. Expenditure chargeable to or payable to the Member State following clearance of the accounts (2d - 1g)	464 732 992

DENMARK

EAGGF Guarantee Section expenditure Financial year : 1989	Dkr
1. Expenditure recognized	
(a) Expenditure declared by the Member State in respect of the present clearance	8 191 279 058,66
(b) Expenditure declared during the preceding year but excluded from that clearance	0,—
(c) Expenditure declared, excluded from the present clearance	0,—
(d) Expenditure declared, coming under the present clearance (a + b + c)	8 191 279 058,66
(e) Expenditure disallowed	- 13 115 961,62
(f) Financial consequences of previous years	0,—
(g) Total expenditure recognized (d + e + f)	8 178 163 097,04
2. Expenditure charged	
(a) Expenditure charged in respect of the present year	8 164 597 176,15
(b) Expenditure charged in respect of the preceding year, but excluded from that clearance	0,—
(c) Expenditure charged in respect of the present year, but excluded from the present clearance	0,—
(d) Total expenditure charged, coming under the present clearance (a + b + c)	8 164 597 176,15
3. Expenditure chargeable to or payable to the Member State following clearance of the accounts (2d - 1g)	- 13 565 920,89

GERMANY

EAGGF Guarantee Section expenditure Financial year: 1989	DM
1. Expenditure recognized	
(a) Expenditure declared by the Member State in respect of the present clearance	8 797 162 588,90
(b) Expenditure declared during the preceding year but excluded from that clearance	0,—
(c) Expenditure declared, excluded from the present clearance	— 760 841 808,23
(d) Expenditure declared, coming under the present clearance (a + b + c)	8 036 320 780,67
(e) Expenditure disallowed	— 221 453 467,22
(f) Financial consequences of previous years	— 5 826 861,—
(g) Total expenditure recognized (d + e + f)	7 809 040 452,45
2. Expenditure charged	
(a) Expenditure charged in respect of the present year	8 766 750 350,18
(b) Expenditure charged in respect of the preceding year, but excluded from that clearance	0,—
(c) Expenditure charged in respect of the present year, but excluded from the present clearance	— 760 841 808,23
(d) Total expenditure charged, coming under the present clearance (a + b + c)	8 005 908 541,95
3. Expenditure chargeable to or payable to the Member State following clearance of the accounts (2d - 1g)	196 868 089,50

GREECE

EAGGF Guarantee Section expenditure Financial year: 1989	Drs
1. Expenditure recognized	
(a) Expenditure declared by the Member State in respect of the present clearance	294 411 944 758
(b) Expenditure declared during the preceding year but excluded from that clearance	0
(c) Expenditure declared, excluded from the present clearance	- 58 005 839 787
(d) Expenditure declared, coming under the present clearance (a + b + c)	236 406 104 971
(e) Expenditure disallowed	- 2 098 042 266
(f) Financial consequences of previous years	- 2 329 022 317
(g) Total expenditure recognized (d + e + f)	231 979 040 388
2. Expenditure charged	
(a) Expenditure charged in respect of the present year	294 417 232 275
(b) Expenditure charged in respect of the preceding year, but excluded from that clearance	0
(c) Expenditure charged in respect of the present year, but excluded from the present clearance	- 58 005 839 787
(d) Total expenditure charged, coming under the present clearance (a + b + c)	236 411 392 488
3. Expenditure chargeable to or payable to the Member State following clearance of the accounts (2d - 1g)	4 432 352 100

SPAIN

EAGGF Guarantee Section expenditure Financial year: 1989	Pta
1. Expenditure recognized	
(a) Expenditure declared by the Member State in respect of the present clearance	253 884 805 392
(b) Expenditure declared during the preceding year but excluded from that clearance	0
(c) Expenditure declared, excluded from the present clearance	- 1 766 026 057
(d) Expenditure declared, coming under the present clearance (a + b + c)	252 118 779 335
(e) Expenditure disallowed	- 28 619 442 234
(f) Financial consequences of previous years	- 1 316 384 825
(g) Total expenditure recognized (d + e + f)	222 182 952 276
2. Expenditure charged	
(a) Expenditure charged in respect of the present year	252 121 376 094
(b) Expenditure charged in respect of the preceding year, but excluded from that clearance	0
(c) Expenditure charged in respect of the present year, but excluded from the present clearance	- 1 766 026 057
(d) Total expenditure charged, coming under the present clearance (a + b + c)	250 355 350 037
3. Expenditure chargeable to or payable to the Member State following clearance of the accounts (2d - 1g)	28 172 397 761

FRANCE

EAGGF Guarantee Section expenditure Financial year: 1989	FF
1. Expenditure recognized	
(a) Expenditure declared by the Member State in respect of the present clearance	34 606 418 286,19
(b) Expenditure declared during the preceding year but excluded from that clearance	0,—
(c) Expenditure declared, excluded from the present clearance	— 499 800 000,—
(d) Expenditure declared, coming under the present clearance (a + b + c)	34 106 618 286,19
(e) Expenditure disallowed	— 191 077 766,11
(f) Financial consequences of previous years	16 193 276,—
(g) Total expenditure recognized (d + e + f)	33 931 733 796,08
2. Expenditure charged	
(a) Expenditure charged in respect of the present year	34 608 223 357,17
(b) Expenditure charged in respect of the preceding year, but excluded from that clearance	0,—
(c) Expenditure charged in respect of the present year, but excluded from the present clearance	— 499 800 000,—
(d) Total expenditure charged, coming under the present clearance (a + b + c)	34 108 423 357,17
3. Expenditure chargeable to or payable to the Member State following clearance of the accounts (2d - 1g)	176 689 561,09

IRELAND

EAGGF Guarantee Section expenditure Financial year: 1989	£ Irl
1. Expenditure recognized	
(a) Expenditure declared by the Member State in respect of the present clearance	966 050 573,89
(b) Expenditure declared during the preceding year but excluded from that clearance	0,—
(c) Expenditure declared, excluded from the present clearance	— 293 514 782,91
(d) Expenditure declared, coming under the present clearance (a + b + c)	672 535 790,98
(e) Expenditure disallowed	— 8 384 134,01
(f) Financial consequences of previous years	— 3 656 557,—
(g) Total expenditure recognized (d + e + f)	660 495 099,97
2. Expenditure charged	
(a) Expenditure charged in respect of the present year	964 644 245,39
(b) Expenditure charged in respect of the preceding year, but excluded from that clearance	0,—
(c) Expenditure charged in respect of the present year, but excluded from the present clearance	— 293 514 782,91
(d) Total expenditure charged, coming under the present clearance (a + b + c)	671 129 462,48
3. Expenditure chargeable to or payable to the Member State following clearance of the accounts (2d - 1g)	10 634 362,51

ITALY

EAGGF Guarantee Section expenditure Financial year: 1989	Lit
1. Expenditure recognized	
(a) Expenditure declared by the Member State in respect of the present clearance	7 217 999 852 752
(b) Expenditure declared during the preceding year but excluded from that clearance	183 369 315 937
(c) Expenditure declared, excluded from the present clearance	- 103 600 591 415
(d) Expenditure declared, coming under the present clearance (a + b + c)	7 297 768 577 274
(e) Expenditure disallowed	- 971 206 734 625
(f) Financial consequences of previous years	- 23 174 707 514
(g) Total expenditure recognized (d + e + f)	6 303 387 135 135
2. Expenditure charged	
(a) Expenditure charged in respect of the present year	7 176 317 112 762
(b) Expenditure charged in respect of the preceding year, but excluded from that clearance	183 369 315 937
(c) Expenditure charged in respect of the present year, but excluded from the present clearance	- 103 600 591 415
(d) Total expenditure charged, coming under the present clearance (a + b + c)	7 256 085 837 284
3. Expenditure chargeable to or payable to the Member State following clearance of the accounts (2d - 1g)	952 698 702 149

LUXEMBOURG

EAGGF Guarantee Section expenditure Financial year: 1989	Lfrs
1. Expenditure recognized	
(a) Expenditure declared by the Member State in respect of the present clearance	112 462 343
(b) Expenditure declared during the preceding year but excluded from that clearance	0
(c) Expenditure declared, excluded from the present clearance	0
(d) Expenditure declared, coming under the present clearance (a + b + c)	112 462 343
(e) Expenditure disallowed	- 36 918 998
(f) Financial consequences of previous years	0
(g) Total expenditure recognized (d + e + f)	75 543 345
2. Expenditure charged	
(a) Expenditure charged in respect of the present year	81 336 108
(b) Expenditure charged in respect of the preceding year, but excluded from that clearance	0
(c) Expenditure charged in respect of the present year, but excluded from the present clearance	0
(d) Total expenditure charged, coming under the present clearance (a + b + c)	81 336 108
3. Expenditure chargeable to or payable to the Member State following clearance of the accounts (2d - 1g)	5 792 763

NETHERLANDS

EAGGF Guarantee Section expenditure Financial year: 1989	Hfl
1. Expenditure recognized	
(a) Expenditure declared by the Member State in respect of the present clearance	8 790 181 465,04
(b) Expenditure declared during the preceding year but excluded from that clearance	0,—
(c) Expenditure declared, excluded from the present clearance	0,—
(d) Expenditure declared, coming under the present clearance (a + b + c)	8 790 181 465,04
(e) Expenditure disallowed	- 4 017 394,68
(f) Financial consequences of previous years	0,—
(g) Total expenditure recognized (d + e + f)	8 786 164 070,36
2. Expenditure charged	
(a) Expenditure charged in respect of the present year	8 789 965 794,62
(b) Expenditure charged in respect of the preceding year, but excluded from that clearance	0,—
(c) Expenditure charged in respect of the present year, but excluded from the present clearance	0,—
(d) Total expenditure charged, coming under the present clearance (a + b + c)	8 789 965 794,62
3. Expenditure chargeable to or payable to the Member State following clearance of the accounts (2d - 1g)	3 801 724,26

PORTUGAL

EAGGF Guarantee Section expenditure Financial year: 1989	Esc
1. Expenditure recognized	
(a) Expenditure declared by the Member State in respect of the present clearance	29 971 233 442,—
(b) Expenditure declared during the preceding year but excluded from that clearance	0,—
(c) Expenditure declared, excluded from the present clearance	0,—
(d) Expenditure declared, coming under the present clearance (a + b + c)	29 971 233 442,—
(e) Expenditure disallowed	- 263 305 784,—
(f) Financial consequences of previous years	0,—
(g) Total expenditure recognized (d + e + f)	29 707 927 658,—
2. Expenditure charged	
(a) Expenditure charged in respect of the present year	29 971 233 442,—
(b) Expenditure charged in respect of the preceding year, but excluded from that clearance	0,—
(c) Expenditure charged in respect of the present year, but excluded from the present clearance	0,—
(d) Total expenditure charged, coming under the present clearance (a + b + c)	29 971 233 442,—
3. Expenditure chargeable to or payable to the Member State following clearance of the accounts (2d - 1g)	263 305 784,—

UNITED KINGDOM

EAGGF Guarantee Section expenditure Financial year : 1989	£
1. Expenditure recognized	
(a) Expenditure declared by the Member State in respect of the present clearance	1 225 974 596,48
(b) Expenditure declared during the preceding year but excluded from that clearance	0,—
(c) Expenditure declared, excluded from the present clearance	— 19 702 437,99
(d) Expenditure declared, coming under the present clearance (a + b + c)	1 206 272 158,49
(e) Expenditure disallowed	— 1 737 002,69
(f) Financial consequences of previous years	— 5 592 720,—
(g) Total expenditure recognized (d + e + f)	1 198 942 435,80
2. Expenditure charged	
(a) Expenditure charged in respect of the present year	1 224 828 738,73
(b) Expenditure charged in respect of the preceding year, but excluded from that clearance	0,—
(c) Expenditure charged in respect of the present year, but excluded from the present clearance	— 19 702 437,99
(d) Total expenditure charged, coming under the present clearance (a + b + c)	1 205 126 300,74
3. Expenditure chargeable to or payable to the Member State following clearance of the accounts (2d - 1g)	6 183 864,94