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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 3069/92

of 26 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 23 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 27 October 1992.

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

Done at Brussels, 26 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 26 October 1992 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CN code	Levy ^(*) (ECU/tonne)
0709 90 60	134,42 ⁽²⁾ ⁽³⁾
0712 90 19	134,42 ⁽²⁾ ⁽³⁾
1001 10 10	165,38 ⁽¹⁾ ⁽³⁾ ⁽¹⁰⁾
1001 10 90	165,38 ⁽¹⁾ ⁽³⁾ ⁽¹⁰⁾
1001 90 91	137,42
1001 90 99	137,42 ⁽¹¹⁾
1002 00 00	153,90 ⁽⁶⁾
1003 00 10	121,20
1003 00 90	121,20 ⁽¹¹⁾
1004 00 10	113,82
1004 00 90	113,82
1005 10 90	134,42 ⁽²⁾ ⁽³⁾
1005 90 00	134,42 ⁽²⁾ ⁽³⁾
1007 00 90	136,75 ⁽⁴⁾
1008 10 00	46,50 ⁽¹¹⁾
1008 20 00	108,00 ⁽⁴⁾
1008 30 00	43,88 ⁽³⁾
1008 90 10	(?)
1008 90 90	43,88
1101 00 00	204,34 ⁽⁸⁾ ⁽¹¹⁾
1102 10 00	228,34 ⁽⁸⁾
1103 11 10	269,05 ⁽⁸⁾ ⁽¹⁰⁾
1103 11 90	220,19 ⁽⁸⁾

⁽¹⁾ Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.

⁽²⁾ In accordance with Regulation (EEC) No 715/90 the levies are not applied to products imported directly into the French overseas departments, originating in the African, Caribbean and Pacific States.

⁽³⁾ Where maize originating in the ACP is imported into the Community the levy is reduced by ECU 1,81/tonne.

⁽⁴⁾ Where millet and sorghum originating in the ACP is imported into the Community the levy is applied in accordance with Regulation (EEC) No 715/90.

⁽⁵⁾ Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.

⁽⁶⁾ The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 and Commission Regulation (EEC) No 2622/71.

⁽⁷⁾ The levy applicable to rye shall be charged on imports of the product falling within CN code 1008 90 10 (triticale).

⁽⁸⁾ On importation into Portugal the levy is increased by the amount specified in Article 2 (2) of Regulation (EEC) No 3808/90.

⁽⁹⁾ No levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC, except if paragraph 4 of the same Article applies.

⁽¹⁰⁾ An amount equal to the amount fixed by Regulation (EEC) No 1825/91 is to be levied in accordance with Article 101 (4) of Decision 91/482/EEC.

⁽¹¹⁾ Products falling within this code, imported from Poland, Czechoslovakia or Hungary under the Interim Agreements concluded between those countries and the Community, and in respect of which EUR.1 certificates issued in accordance with Regulation (EEC) No 585/92 have been presented, are subject to the levies set out in the Annex to that Regulation.

COMMISSION REGULATION (EEC) No 3070/92

of 26 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 23 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 27 October 1992.

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

Done at Brussels, 26 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 26 October 1992 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CN code	Current	1st period	2nd period	3rd period
	10	11	12	1
0709 90 60	0	0	0	0,27
0712 90 19	0	0	0	0,27
1001 10 10	0	0	0	0
1001 10 90	0	0	0	0
1001 90 91	0	0	0	11,04
1001 90 99	0	0	0	11,04
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 10	0	0	0	0
1004 00 90	0	0	0	0
1005 10 90	0	0	0	0,27
1005 90 00	0	0	0	0,27
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	15,46

B. Malt

CN code	Current	1st period	2nd period	3rd period	4th period
	10	11	12	1	2
1107 10 11	0	0	0	19,65	19,65
1107 10 19	0	0	0	14,68	14,68
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 3071/92

of 26 October 1992

re-establishing the levying of customs duties on products of category 12 (order No 40.0120), originating in Mexico, 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 12 (order No 40.0120), originating in Mexico, the relevant ceiling amounts to 3 189 000 pairs;

Whereas on 8 September 1992 imports of the products in question into the Community, originating in Mexico, 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 Mexico,

HAS ADOPTED THIS REGULATION:

Article 1

As from 30 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 Mexico:

Order No	Category (unit)	CN code	Description
40.0120	12 (1 000 pairs)	6115 12 00 6115 19 10 6115 19 90 6115 20 11 6115 20 19 6115 91 00 6115 92 00 6115 93 10 6115 93 30 6115 93 99 6115 99 00	Panty-hose (tights), stockings, under-stockings, socks, ankle-socks, sockettes and the like, knitted or crocheted, other than for babies, including stockings for varicose veins, other than products of category 70

Article 2

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 370, 31. 12. 1990, p. 39.

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

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

Done at Brussels, 26 October 1992.

For the Commission
Christiane SCRIVENER
Member of the Commission

COMMISSION REGULATION (EEC) No 3072/92

of 26 October 1992

re-establishing the levying of customs duties on products of categories 65 and 72 (order Nos 40.0650 and 40.0720), originating in South Korea, 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 categories 65 and 72 (order Nos 40.0650 and 40.0720), originating in South Korea, the relevant ceiling respectively amounts to 34 tonnes and 38 000 pieces;

Whereas on 15 April 1992 imports of the products in question into the Community, originating in South Korea, 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 South Korea,

HAS ADOPTED THIS REGULATION:

Article 1

As from 30 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 South Korea:

Order No	Category (unit)	CN code	Description
40.0650	65 (tonnes)	5606 00 10	Knitted or crocheted fabric other than of categories 38 A and 63, of wool, of cotton or of man-made fibres
		ex 6001 10 00	
		6001 21 00	
		6001 22 00	
		6001 29 10	
		6001 91 10	
		6001 91 30	
		6001 91 50	
		6001 91 90	
		6001 92 10	
		6001 92 30	
		6001 92 50	
		6001 92 90	
		6001 99 10	
		ex 6002 10 10	
		6002 20 10	
		6002 20 39	
		6002 20 50	
		6002 20 70	

⁽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).

Order No	Category (unit)	CN code	Description
40.0650 (cont'd)		ex 6002 30 10 6002 41 00 6002 42 10 6002 42 30 6002 42 50 6002 42 90 6002 43 31 6002 43 33 6002 43 35 6002 43 39 6002 43 50 6002 43 91 6002 43 93 6002 43 95 6002 43 99 6002 91 00 6002 92 10 6002 92 30 6002 92 50 6002 92 90 6002 93 31 6002 93 33 6002 93 35 6002 93 39 6002 93 91 6002 93 99	
40.0720	72 (1 000 pieces)	6112 31 10 6112 31 90 6112 39 10 6112 39 90 6112 41 10 6112 41 90 6112 49 10 6112 49 90 6211 11 00 6211 12 00	Swimwear, of wool, of cotton or of man-made fibres

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, 26 October 1992.

For the Commission
Christiane SCRIVENER
Member of the Commission

COMMISSION REGULATION (EEC) No 3073/92

of 26 October 1992

re-establishing the levying of customs duties on products of categories 14, 16, 27 and 29 (order Nos 40.0140, 40.0160, 40.0270 and 40.0290), originating in Thailand, 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 categories 14, 16, 27 and 29 (order Nos 40.0140, 40.0160, 40.0270 and

40.0290), originating in Thailand, the relevant ceiling respectively amounts to 46 000, 99 000, 260 000 and 124 pieces;

Whereas on 24 April 1992 imports of the products in question into the Community, originating in Thailand, 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 Thailand,

HAS ADOPTED THIS REGULATION:

Article 1

As from 30 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 Thailand:

Order No	Category (unit)	CN code	Description
40.0140	14 (1 000 pieces)	6201 11 00 ex 6201 12 10 ex 6201 12 90 ex 6201 13 10 ex 6201 13 90 6210 20 00	Men's or boy's woven overcoats, rain- and other coats, cloaks and capes, of wool, of cotton or of man-made textile fibres (other than parkas) (of category 21)
40.0160	16 (1 000 pieces)	6203 11 00 6203 12 00 6203 19 10 6203 19 30 6203 21 00 6203 22 80 6203 23 80 6203 29 18 6211 32 31 6211 33 31	Men's or boy's suits and ensembles, other than knitted or crocheted, of wool, of cotton or of man-made fibres, excluding ski suits. Men's or boys tracksuits with lining, with an outer shell of a single identical fabric, of cotton or of man-made fibres

⁽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).

Order No	Category (unit)	CN code	Description
40.0270	27 (1 000 pieces)	6104 51 00 6104 52 00 6104 53 00 6104 59 00 6204 51 00 6204 52 00 6204 53 00 6204 59 10	Women's or girls' skirts, including divided skirts
40.0290	29 (1 000 pieces)	6204 11 00 6204 12 00 6204 13 00 6204 19 10 6204 21 00 6204 22 80 6204 23 80 6204 29 18 6211 42 31 6211 43 31	Women's or girls' suits and ensembles, other than knitted or crocheted, of wool, of cotton or man-made fibres, excluding ski suits. Women's or girls' tracksuits with lining, with an outer shell of a single identical fabric of cotton or of man-made fibres

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, 26 October 1992.

For the Commission

Christiane SCRIVENER

Member of the Commission

COMMISSION REGULATION (EEC) No 3074/92

of 26 October 1992

re-establishing the levying of customs duties on products of categories 72, 76 and 78 (order Nos 40.0720, 40.0760 and 40.0780), originating in Thailand, 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 categories 72, 76 and 78 (order Nos 40.0720, 40.0760 and 40.0780), originating in Thailand, the relevant ceiling respectively amounts to 189 000 pieces, 169 and 159 tonnes;

Whereas on 9 June 1992 imports of the products in question into the Community, originating in Thailand, 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 Thailand,

HAS ADOPTED THIS REGULATION:

Article 1

As from 30 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 Thailand:

Order No	Category (unit)	CN code	Description
40.0720	72 (1 000 pieces)	6112 31 10 6112 31 90 6112 39 10 6112 39 90 6112 41 10 6112 41 90 6112 49 10 6112 49 90 6211 11 00 6211 12 00	Swimwear, of wool, of cotton or of man-made fibres
40.0760	76 (tonnes)	6203 22 10 6203 23 10 6203 29 11 6203 32 10 6203 33 10 6203 39 11 6203 42 11 6203 42 51 6203 43 11 6203 43 31 6203 49 11 6203 49 31	Men's or boys' industrial or occupational clothing: other than knitted or crocheted; women's or girls' aprons, smock-overalls and other industrial or occupational clothing, other than knitted or crocheted

⁽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).

Order No	Category (unit)	CN code	Description
40.0760 (cont'd)		6204 22 10 6204 23 10 6204 29 11 6204 32 10 6204 33 10 6204 39 11 6204 62 11 6204 62 51 6204 63 11 6204 63 31 6204 69 11 6204 69 31 6211 32 10 6211 33 10 6211 42 10 6211 43 10	
40.0780	78 (tonnes)	6203 41 30 6203 42 59 6203 43 39 6203 49 39 6204 61 80 6204 61 90 6204 62 59 6204 62 90 6204 63 39 6204 63 90 6204 69 39 6204 69 50 6210 40 00 6210 50 00 6211 31 00 6211 32 90 6211 33 90 6211 41 00 6211 42 90 6211 43 90	Garments, other than knitted or crocheted excluding garments of categories 6, 7, 8, 14, 15, 16, 17, 18, 21, 26, 27, 29, 68, 72, 76 and 77

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, 26 October 1992.

For the Commission

Christiane SCRIVENER

Member of the Commission

COMMISSION REGULATION (EEC) No 3075/92

of 26 October 1992

providing for the grant of compensation to producers' organizations in respect of tuna delivered to the canning industry during the period 1 January to 31 March 1992

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3687/91 of 28 November 1991 on the common organization of the market in fishery products⁽¹⁾, and in particular Article 20 (10) thereof,

Whereas the compensation referred to in Article 20 of Regulation (EEC) No 3687/91 is granted, under certain conditions, to Community tuna producers' organizations in respect of quantities of tuna delivered to the canning industry, during the calendar quarter for which prices were recorded, where the average quarterly price recorded on the Community market and the free-at-frontier price are both lower than 93 % of the Community producer price for the product in question ;

Whereas examination of the situation on the Community market has shown that for some species and presentations of the product in question, for the period 1 January to 31 March 1992, both the average quarterly market price and the free-at-frontier price referred to in Article 20 of Regulation (EEC) No 3687/91 were lower than 93 % of the Community producer price in force as laid down in Council Regulation (EEC) No 3570/91 of 28 November 1991 fixing the Community producer price for tuna intended for the industrial manufacture of products falling within CN code 1604 for the 1992 fishing year⁽²⁾ ;

Whereas the quantities eligible for compensation, within the meaning of Article 20 (2) of Regulation (EEC) No 3687/91, may not under any circumstances exceed, for the quarter concerned, the limits laid down in paragraph 4 of that Article ;

Whereas during the quarter concerned the quantities sold and delivered to canning industries established in Community customs territory are, in the case of yellowfin weighing more than 10 kg, higher than the quantities resulting from the application to each of the species of the ratio between the total quantities delivered to the community industry by the community producers and the total quantities used by this industry and for yellowfin weighing not more than 10 kg, and skipjack higher than 110 % of those sold and delivered during the same

quarter of the fishing years 1984 to 1986 ; whereas these quantities exceed the limits set in Article 20, first indent of paragraph 4 of Regulation (EEC) No 3687/91 for one species and the third indent for the other two species, the total quantities of these products should therefore be limited to those eligible for compensation and the quantities granted to each producers' organization concerned should be determined in accordance with their respective output during the same quarter of the 1984 to 1986 fishing years ;

Whereas, in accordance with Commission Regulation (EEC) No 2381/89 of 2 August 1989 laying down detailed rules for granting compensation for tuna for the canning industry⁽³⁾, the granting of compensation for the products in question should be decided for the period 1 January to 31 March 1992 ;

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

HAS ADOPTED THIS REGULATION :

Article 1

The compensation referred to in Article 20 of Regulation (EEC) No 3687/91 shall be granted for the period 1 January to 31 March 1992, in respect of the products listed and within the limits set out below :

(ECU/tonne)

Products	Maximum amount of allowance within the meaning of the first and second indents of Article 20 (3) of Regulation (EEC) No 3687/91
Yellowfin tuna, whole, weighing more than 10 kg,	119
Yellowfina tuna, whole, weighing not more than 10 kg	96
Skipjack or stripe-bellied tuna, whole	74

⁽¹⁾ OJ No L 354, 23. 12. 1991, p. 1.

⁽²⁾ OJ No L 338, 10. 12. 1991, p. 6.

⁽³⁾ OJ No L 225, 3. 8. 1989, p. 33.

Article 2

1. The total quantities of products set out below that may be eligible for the allowance are hereby limited as follows :

- Yellowfin tuna, whole, weighing more than 10 kg :
24 513 tonnes,
- Yellowfin tuna, whole, weighing not more than
10 kg : 3 654 tonnes,

— Skipjack or stripe-bellied tuna, whole : 10 651 tonnes.

2. These quantities shall be allocated among the producers' organizations concerned in accordance with the Annex hereto.

Article 3

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, 26 October 1992.

For the Commission

Manuel MARÍN

Vice-President

ANNEX

Allocation among the producers' organizations of the quantities of certain species and presentations of tuna that may be eligible for compensation and calculation of the maximum amount thereof in accordance with Article 20 (6) of Regulation (EEC) No 3687/91

1. Yellowfin tuna weighing more than 10 kg

(tonnes)

Producers' organization	Quantities that may be eligible for the allowance			Total quantities
	100 % Article 20 (6), first indent	95 % Article 20 (6), second indent	90 % Article 20 (6), third indent	
Organización de productores asociados de grandes congeladores (Opagac)	5 138	514	2 400	8 052
Organización de productores de túnidos congelados (Optuc)	6 100	—	—	6 100
Organisation de producteurs de thon congelé (Orthongel)	9 061	906	394	10 361
Total quantities	20 299	1 420	2 794	24 513

2. Yellowfin tuna weighing not more than 10 kg

(tonnes)

Producers' organization	Quantities that may be eligible for the allowance			Total quantities
	100 % Article 20 (6), first indent	95 % Article 20 (6), second indent	90 % Article 20 (6), third indent	
Organización de productores asociados de grandes congeladores (Opagac)	1 172	117	963	2 252
Organización de productores de túnidos congelados (Optuc)	1 293	—	—	1 293
Organisation de producteurs de thon congelé (Orthongel)	109	—	—	109
Total quantities	2 574	117	963	3 654

3. Skipjack or stripe-bellied tuna

(tonnes)

Producers' organization	Quantities that may be eligible for the allowance			Total quantities
	100 % Article 20 (6), first indent	95 % Article 20 (6), second indent	90 % Article 20 (6), third indent	
Organización de productores asociados de grandes congeladores (Opagac)	4 284	428	597	5 309
Organización de productores de túnidos congelados (Optuc)	3 684	368	513	4 565
Organisation de producteurs de thon congelé (Orthongel)	443	—	—	443
Cooperativa de pesca do arquipélago da Madeira (Coopescamadeira)	—	—	334	334
Total quantities	8 411	796	1 444	10 651

COMMISSION REGULATION (EEC) No 3076/92

of 26 October 1992

on the arrangements applicable to agricultural products subject to reference quantities and originating in the African, Caribbean and Pacific States

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 715/90 of 5 March 1990 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States⁽¹⁾, as extended by Regulation (EEC) No 444/92⁽²⁾, and in particular Articles 16 and 27 thereof,

Whereas Article 16 of Regulation (EEC) No 715/90 stipulates for certain agricultural products, covered by that Regulation and originating in those countries, the progressive reduction, subject to reference quantities and a community surveillance in a set timetable of the customs duties; whereas this Regulation should be applied from 1 July 1992;

Whereas, these duty reductions shall be phased in over the same periods and in accordance with the same timetable as those laid down in the Act of Accession of Spain and Portugal for the same products imported from these countries into the Community as constituted on 31 December 1985;

Whereas, Commission Regulation (EEC) No 3593/91 of 11 December 1991 abolishing in two stages certain customs duties applicable in trade between the Community of Ten and Spain and Portugal as a result of the Mediterranean agreements⁽³⁾ foresees that the residual customs duties applicable to products from Spain and Portugal for which the dismantling of tariffs continues after 1 January 1993 will be eliminated in two equal instalments on 1 January 1992 and 1 January 1993;

Whereas the same concession should be granted for the same products originating in ACP States;

Whereas by virtue of Council Regulation (EEC) No 1820/87 of 25 June 1987 concerning the application of Decision No 2/87 of the ACP/EEC Council of Ministers on the advance implementation of the Protocol to the Third ACP-EEC Convention⁽⁴⁾ consequent on the Acces-

sion of the Kingdom of Spain and the Portuguese Republic to the European Communities, the said reference quantities shall be applied in Spain and Portugal;

Whereas, in order to enable the competent authorities within the Commission to establish an annual trade balance sheet for each of the products and, if necessary, to put into application the arrangement provided for in Article 16 (3) of the abovementioned Regulation (EEC) No 715/90, these products are subject to a statistical surveillance in accordance with Council Regulations (EEC) No 2658/87⁽⁵⁾, as last amended by Commission Regulation (EEC) No 1039/92⁽⁶⁾, and (EEC) No 1736/75⁽⁷⁾;

Whereas imports of the products in question are charged against the reference quantities at Community level within pre-established timetables, as and when the products are entered with the customs authorities for free circulation; whereas, therefore, it is appropriate to establish reference quantities for those products listed in the Annex;

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

1. Imports into the Community of certain products originating in the African, Caribbean and Pacific States shall be subject to reference quantities and to a statistical surveillance.

The products referred to in the first subparagraph, their CN codes, the periods of validity and the levels of the reference quantities are set out in the Annex.

2. Quantities shall be charged against the reference quantities as and when products are entered with customs authorities for free circulation and accompanied by a movement certificate. If the movement certificate is

⁽¹⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽²⁾ OJ No L 52, 27. 2. 1992, p. 7.

⁽³⁾ OJ No L 341, 12. 12. 1991, p. 13.

⁽⁴⁾ OJ No L 172, 30. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽⁶⁾ OJ No L 110, 28. 4. 1992, p. 42.

⁽⁷⁾ OJ No L 183, 14. 7. 1975, p. 3.

submitted *a posteriori*, the goods shall be charged against the corresponding reference quantity at the moment when the goods are entered for free circulation.

The extent to which the reference quantities are used up shall be determined at Community level on the basis of the imports charged against them in the manner defined in the first subparagraph, as communicated to the Statistical Office of the European Communities in application of Regulations (EEC) No 2658/87 and (EEC) No 1736/75.

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

Done at Brussels, 26 October 1992.

Article 2

The Member States and the Commission shall cooperate closely to ensure that this Regulation is complied with.

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 with effect from 1 July 1992.

For the Commission

Christiane SCRIVENER

Member of the Commission

ANNEX

(tonnes)

Order No	CN code	Taric code (¹)	Description	Period	Reference quantities
12.0030	ex 0704 90 90	0704 90 90 * 92	Cabbages, fresh or chilled	1. 11. 1992 - 31. 12. 1992	1 000
12.0050	ex 0705 11 10	0705 11 10 * 21 0705 11 10 * 33	'Iceberg' lettuce, (<i>Lactuca sativa</i> L, var. <i>capitata</i> L.)	1. 7. 1992 - 31. 10. 1992	1 000
12.0060	ex 0709 10 00	0709 10 00 * 10 0709 10 00 * 20	Globe artichokes fresh or chilled	1. 10. 1992 - 31. 12. 1992	1 000
12.0080	ex 0809 10 00	0809 10 00 * 10 0809 10 00 * 20 0809 10 00 * 30 0809 10 00 * 40 0809 10 00 * 80	Apricots, fresh	1. 9. 1992 - 30. 4. 1993	2 000
12.0090 (¹)	ex 0809 20 90 ex 0809 20 60 ex 0809 20 80	0809 20 90 * 21 0809 20 90 * 25 0809 20 90 * 29 0809 20 60 * 30 0809 20 80 * 30	Cherries, fresh	1. 11. 1992 - 31. 3. 1993 1. 1. 1993 - 31. 3. 1993	2 000
12.0100 (¹)	ex 0809 30 00 ex 0809 30 10 ex 0809 30 90	0809 30 00 * 11 0809 30 00 * 91 0809 30 10 * 10 0809 30 90 * 10	Peaches (including nectarines), fresh	1. 12. 1992 - 31. 12. 1992 1. 1. 1993 - 31. 3. 1993	2 000
12.0110	ex 0809 40 19	0809 40 19 * 30 0809 40 19 * 40 0809 40 19 * 51	Plums, fresh	15. 12. 1992 - 31. 3. 1993	2 000

⁽¹⁾ The Taric codes shown below are those applicable during the period shown as regards each order number.

COMMISSION REGULATION (EEC) No 3077/92

of 26 October 1992

amending Regulation (EEC) No 618/90 laying down rules for drawing up the annual inventory of agricultural products in public storage

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

Having regard to Council Regulation (EEC) No 3492/90 of 27 November 1990 laying down the factors to be taken into consideration in the annual accounts for the financing of intervention measures in the form of public storage by the European Agricultural Guidance and Guarantee Fund, Guarantee Section (⁽¹⁾), and in particular Article 8 thereof,

Whereas Article 3 of Regulation (EEC) No 3492/90 provides that intervention agencies must establish inventories of products in public intervention storage;

Whereas Annex III to Commission Regulation (EEC) No 618/90 (⁽²⁾) indicates the physical inspection procedure for each product concerned; whereas certain types of cheese have been bought into intervention since that time; whereas the relevant inspection method must be defined;

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

HAS ADOPTED THIS REGULATION:

Article 1

Annex III to Regulation (EEC) No 618/90 is hereby amended in accordance with 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*.

It shall apply with effect from 1 October 1992.

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

Done at Brussels, 26 October 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

(⁽¹⁾) OJ No L 337, 4. 12. 1990, p. 3.

(⁽²⁾) OJ No L 67, 15. 3. 1990, p. 21.

ANNEX

Point VII of Annex III to Regulation (EEC) No 618/90 is replaced by the following:

'VII. CHEESE

Physical inspection procedure with a view to drawing up an inventory:

1. selection of a 10 % sample from each batch stored in an intervention storehouse (selection prior to the inspection visit may be based on the stock records of the intervention agency, but the storekeeper not be informed);
 2. verification of the presence of the selected batches and their composition :
 - identification of the inspection numbers of the batches and whole cheeses, using the documents issued at buying in and delivery,
 - weighing of selected samples,
 - visual check of whole cheeses and their state of preservation,
 - examination by percussion of one out of every five selected whole cheeses;
 3. description in the inventory report of all the batches inspected physically and of defects and weight loss noted (in kilograms and percentages); recording of the weight of each batch, taking account of the losses noted (the weights recorded will constitute the stocks to be carried forward to the next year) and indication of the total percentage of losses.'
-

COMMISSION REGULATION (EEC) No 3078/92

of 26 October 1992

amending Regulation (EEC) No 2363/92 introducing preventive distillation as provided for in Article 38 of Regulation (EEC) No 822/87 for the 1992/93 wine year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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 38 (5) thereof,

Whereas, with a view to making the measure more effective, Commission Regulation (EEC) No 2363/92⁽³⁾ sets 31 October 1992 as the closing date for the presentation of contracts and declarations for approval; whereas by that date the precise figures needed for production declarations to be submitted by 15 December at the latest may not yet be available, in particular as regards the areas to which the quantities applied for relate and the alcoholic strength of the wine to be delivered under this distillation measure; whereas it should accordingly be possible to adjust those figures at the request of the parties concerned to bring them into line with the figures appearing in production declarations; whereas the final date laid down in the Regulation for the approval of contracts and declarations relating to the distillation operation in question should also be put back;

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

The following paragraphs 5, 6 and 7 are hereby inserted in Article 2 of Regulation (EEC) No 2363/92:

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

Done at Brussels, 26 October 1992.

'5. The agency competent for approving contracts and declarations shall, on application by the parties concerned submitted by 22 December 1992 at the latest, adjust the quantities applied for or declared if these relate to an area greater than that set out in production declarations presented pursuant to Regulation (EEC) No 3929/87. The adjustment shall be made on the basis of the figures in production declarations.

Securities lodged pursuant to paragraph 3 shall be released immediately in respect of quantities covered by that adjustment.

6. Agencies as referred to in paragraph 5 shall, on application by the parties concerned submitted by 22 December 1992 at the latest, correct the actual alcoholic strength by volume of the quantities of wine to be distilled as set out in contracts and declarations. The maximum correction that may be made shall be 2 % vol.

7. The competent agency shall approve the contracts and declarations by 15 January 1993 at the latest.'

Article 2

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

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 230, 13. 8. 1992, p. 15.

COMMISSION REGULATION (EEC) No 3079/92

of 26 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⁾,
as amended by Regulation (EEC) No 2963/92 ⁽⁴⁾, intro-
duces 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,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 2911/92 'ECU 52,03'
is replaced by 'ECU 8,62'.

Article 2

This Regulation shall enter into force on 27 October
1992.

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

Done at Brussels, 26 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.

⁽⁴⁾ OJ No L 298, 14. 10. 1992, p. 20.

COMMISSION REGULATION (EEC) No 3080/92

of 26 October 1992

fixing the import levies on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EEC) No 61/92⁽²⁾, and in particular Article 16 (8) thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 1813/92⁽³⁾, as last amended by Regulation (EEC) No 3067/92⁽⁴⁾;

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

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

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

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

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

Whereas these exchange rates being those recorded on 23 October 1992,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies referred to in Article 16 (1) of Regulation (EEC) No 1785/81 shall be, in respect of white sugar and standard quality raw sugar, as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 27 October 1992.

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

Done at Brussels, 26 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 183, 3. 7. 1992, p. 18.

⁽⁴⁾ OJ No L 308, 24. 10. 1992, p. 39.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 9.

ANNEX

to the Commission Regulation of 26 October 1992 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy ⁽²⁾
1701 11 10	39,35 ⁽¹⁾
1701 11 90	39,35 ⁽¹⁾
1701 12 10	39,35 ⁽¹⁾
1701 12 90	39,35 ⁽¹⁾
1701 91 00	46,34
1701 99 10	46,34
1701 99 90	46,34 ⁽²⁾

⁽¹⁾ The levy applicable is calculated in accordance with the provisions of Article 2 or 3 of Commission Regulation (EEC) No 837/68.

⁽²⁾ In accordance with Article 16 (2) of Regulation (EEC) No 1785/81 this amount is also applicable to sugar obtained from white and raw sugar containing added substances other than flavouring or colouring matter.

⁽³⁾ No import levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC. However, an amount equal to the amount fixed by Regulation (EEC) No 1870/91 B to be levied in accordance with Article 101 (4) of the abovementioned Decision.

COMMISSION REGULATION (EEC) No 3081/92**of 26 October 1992****fixing the import levies on live cattle and on beef and veal other than frozen**

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 12 (8) thereof,

Whereas the import levies on live cattle and on beef and veal other than frozen were fixed by Commission Regulation (EEC) No 1637/92 ⁽³⁾, as last amended by Regulation (EEC) No 2817/92 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1637/92 to the quotations and other information known to the Commission

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

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on live cattle and on beef and veal other than frozen shall be as specified in the Annex hereto.

Article 2

This Regulation shall enter into force on 2 November 1992.

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

Done at Brussels, 26 October 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 215, 30. 7. 1992, p. 49.

⁽³⁾ OJ No L 171, 26. 6. 1992, p. 18.

⁽⁴⁾ OJ No L 284, 29. 9. 1992, p. 19.

ANNEX

to the Commission Regulation of 26 October 1992 fixing the import levies on live cattle and on beef and veal other than frozen

(ECU/100 kg)

CN code	Croatia, Slovenia, Bosnia-Herzegovina, Macedonia, Montenegro ⁽¹⁾	Austria ⁽²⁾	Sweden/Switzerland	Other third countries ⁽³⁾
— Live weight —				
0102 90 10	—	17,469	0,000	134,374 ⁽⁴⁾ ⁽⁵⁾
0102 90 31	23,574	17,469	0,000	134,374 ⁽⁴⁾ ⁽⁵⁾
0102 90 33	—	17,469	0,000	134,374 ⁽⁴⁾ ⁽⁵⁾
0102 90 35	23,574	17,469	0,000	134,374 ⁽⁴⁾ ⁽⁵⁾
0102 90 37	23,574	17,469	0,000	134,374 ⁽⁴⁾ ⁽⁵⁾
— Net weight —				
0201 10 10	—	33,190	0,000	255,311 ⁽⁴⁾ ⁽⁵⁾
0201 10 90	44,791	33,190	0,000	255,311 ⁽⁴⁾ ⁽⁵⁾
0201 20 21	—	33,190	0,000	255,311 ⁽⁴⁾ ⁽⁵⁾
0201 20 29	44,791	33,190	0,000	255,311 ⁽⁴⁾ ⁽⁵⁾
0201 20 31	—	26,552	0,000	204,248 ⁽⁴⁾ ⁽⁵⁾
0201 20 39	35,833	26,552	0,000	204,248 ⁽⁴⁾ ⁽⁵⁾
0201 20 51	53,750	39,828	0,000	306,373 ⁽⁴⁾ ⁽⁵⁾
0201 20 59	53,750	39,828	0,000	306,373 ⁽⁴⁾ ⁽⁵⁾
0201 20 90	—	49,786	0,000	382,966 ⁽⁴⁾ ⁽⁵⁾
0201 30 00	—	56,948	0,000	438,060 ⁽⁴⁾ ⁽⁵⁾
0206 10 95	—	56,948	0,000	438,060 ⁽⁴⁾
0210 20 10	—	49,786	0,000	382,966
0210 20 90	—	56,948	0,000	438,060
0210 90 41	—	56,948	0,000	438,060
0210 90 90	—	56,948	0,000	438,060
1602 50 10	—	56,948	0,000	438,060
1602 90 61	—	56,948	0,000	438,060

⁽¹⁾ In accordance with amended Regulation (EEC) No 715/90, levies are not applied to products imported directly into the French overseas departments, originating in the African, Caribbean and Pacific States.

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

⁽³⁾ This levy is applicable only to products complying with the provisions of the Commission Regulation (EEC) No 859/92.

⁽⁴⁾ This levy is applicable only to products complying with the provisions of the Agreement between the EEC and Austria (OJ No L 111, 29. 4. 1992, p. 21).

⁽⁵⁾ 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 898/92 have been presented, are subject to the levies set out in the Annex to that Regulation.

⁽⁶⁾ Products falling within this code, imported from Poland, Czechoslovakia or Hungary under the Interim Agreements concluded between those countries and the Community, and in respect of which EUR.1 certificates issued in accordance with Regulation (EEC) No 891/92 have been presented, are subject to the levies set out in the Annex to that Regulation.

COMMISSION REGULATION (EEC) No 3082/92**of 26 October 1992****fixing the import levies on 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 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 12 (8) thereof,

Whereas the import levies on frozen beef and veal were fixed by Commission Regulation (EEC) No 1638/92 ⁽³⁾, as last amended by Regulation (EEC) No 2818/92 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1638/92 to the quotations and other information known to the Commission

that the levies should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 2 November 1992.

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

Done at Brussels, 26 October 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 215, 30. 7. 1992, p. 49.

⁽³⁾ OJ No L 171, 26. 6. 1992, p. 22.

⁽⁴⁾ OJ No L 284, 29. 9. 1992, p. 21.

ANNEX

to the Commission Regulation of 26 October 1992 fixing the import levies on frozen beef and veal ⁽¹⁾ ⁽²⁾

(ECU/100 kg)	
CN code	Levy
	— Net weight —
0202 10 00	195,795 ⁽³⁾
0202 20 10	195,795 ⁽³⁾
0202 20 30	156,636 ⁽³⁾
0202 20 50	244,744 ⁽³⁾
0202 20 90	293,693 ⁽³⁾
0202 30 10	244,744 ⁽³⁾
0202 30 50	244,744 ⁽³⁾
0202 30 90	336,767 ⁽³⁾
0206 29 91	336,767

⁽¹⁾ In accordance with amended Regulation (EEC) No 715/90, levies are not applied to products imported directly into the French overseas departments, originating in the African, Caribbean and Pacific States.

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

⁽³⁾ 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 898/92 have been presented, are subject to the levies set out in the Annex to that Regulation.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 30 September 1992

ruling on financial aid by Germany to the coal industry in 1992

(Only the German text is authentic)

(92/506/ECSC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community,

Having regard to Commission Decision No 2064/86/ECSC of 30 June 1986 establishing Community rules for State aid to the coal industry⁽¹⁾,

Whereas :

I

In a letter dated 8 January 1992, the German Government informed the Commission, pursuant to Article 9 (2) of Decision No 2064/86/ECSC, of the financial measures it intends to take in order to support the coal industry in 1992. In a letter dated 25 June 1992, it supplied additional information in response to the Commission's letter dated 24 February 1992.

Under Decision No 2064/86/ECSC, the Commission must give a ruling on the following financial measures submitted to it for approval :

- aid totalling DM 3 293 million for the delivery of coal and coke to the Community steel industry ;
- aid totalling DM 133 million under a scheme for maintaining the underground labour force in deep mines (*Bergmannsprämie*).

⁽¹⁾ OJ No L 177, 1. 7. 1986, p. 1.

The measures which the German Government intends to take to support the coal industry comply with the provisions of Article 1 (1) of Decision No 2064/86/ECSC. The Commission must therefore give a ruling under Article 10 of the Decision as to whether they comply with the objectives and criteria set out in that Decision and whether they are compatible with the proper functioning of the common market.

II

In accordance with Articles 4 and 12 of the Decision, coal undertakings are authorized, where necessary, to grant rebates on their list prices or production costs for deliveries of coking coal, coke and coal for injection into blast furnaces in the Community steel industry under long-term contracts. These rebates must not cause the delivered prices of Community coal and coke to work out lower than those which would be charged for coal from non-member countries and coke made from coking coal from non-member countries.

The German Government has brought to the Commission's attention the new principles underlying the system of aid for the delivery of coal and coke to the Community steel industry for the three-year period from 1 January 1992 to 31 December 1994 ; these principles introduce a degree of cost pressure on coking-coal production ; to this end, the German Government has placed a ceiling on the amount of aid for the period in question, and has introduced a financial contribution to be paid by the industry. In its notification, the German Government recognized

the consequences of the expiry of Decision No 2064/86/ECSC on 31 December 1993 for the application of the system in 1994.

The total aid planned for the period amounts to DM 9 106 million, and the total quantities covered by the aid should amount to 57,2 million tonnes of coal. The volume of aid available for the period will correspond to only 83 % of the total amount of aid granted in the previous three-year period under the scheme; deliveries of coal covered by the system will represent only 81 % of the quantities supported in the period 1989 to 1991.

Under this system, the German Government proposes to pay coal producers, as available budgetary resources allow, a sum of DM 3 293 million for 1992, in respect of production of 20,7 million tonnes of coal and coke.

While the Commission welcomes the principle of placing a ceiling on the aid, and the introduction of a financial contribution to be paid by the coal industry, it notes the continued increase in production costs and a growing gap between production costs and world market prices. Efforts should therefore be stepped up as regards both discipline and tight control of production costs and restructuring so as to set in motion a significant reduction in aid.

The contribution of the planned measure to the restructuring and rationalization of the coal industry and to solving social and regional problems by phasing the closure of loss-making production capacity is in line with the criteria and objectives of Article 2 of Decision No 2064/86/ECSC.

Moreover, the aid is compatible with the provisions of Articles 4 and 12 of the Decision, as it does not lead to delivered prices lower than those which would be charged for coal from non-member countries.

It will also be necessary, pursuant to Article 11 (1) of Decision No 2064/86/ECSC, to ensure that the aid does not lead to discrimination, within the meaning of the ECSC Treaty, as between buyers or users of coal or coke.

After the end of 1992, the German Government will communicate any changes in that year in deliveries, in the guide price and in production costs, in order to enable the Commission to ensure that all the abovementioned provisions have been complied with.

The aid of DM 133 million to finance mineworkers' bonuses (*Bergmannsprämie*) of DM 10 for every shift

worked underground enables the undertakings to maintain a skilled underground workforce. This aid, which helps to increase productivity, is specifically provided for in Article 6 of the Decision and helps to improve the competitive situation of the industry in accordance with the first indent of Article 2 (1) of the Decision.

III

Consequently, the aid measures referred to in this Decision are compatible with the proper functioning of the common market,

HAS ADOPTED THIS DECISION:

Article 1

Germany is hereby authorized to grant aid totalling DM 3 426 million to the German coal industry for the 1992 calendar year, as follows:

- aid totalling DM 3 293 million for the delivery of coal and coke to the Community steel industry;
- aid totalling DM 133 million under a scheme for maintaining the underground labour force in deep mines (*Bergmannsprämie*).

Article 2

Germany shall notify the Commission by 30 June 1993 of the amounts of aid actually paid in 1992.

Article 3

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 30 September 1992.

For the Commission

António CARDOSO E CUNHA

Member of the Commission

COMMISSION DECISION

of 30 September 1992

ruling on the granting of aid by France to the coal industry in 1992

(Only the French text is authentic)

(92/507/ECSC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community,

Having regard to Commission Decision No 2064/86/ECSC of 30 June 1986 establishing Community rules for State aid to the coal industry⁽¹⁾,

Whereas :

In a letter dated 9 July 1992 the French Government informed the Commission, pursuant to Article 9 (2) of Decision No 2064/86/ECSC, of a financial measure it intends to take in order to give direct support to the coal industry in respect of current production in 1992.

The following measure is submitted to the Commission for approval pursuant to the abovementioned Decision :

— aid of FF 1 284 million to cover operating losses pursuant to Article 3 of the Decision.

According to the notification from the French Government, the purpose of the aid is to facilitate the restructuring of the coal industry.

The measure which the French Government intends to take in order to support the coal industry meets the conditions of Article 1 (1) of the Decision. Consequently, pursuant to Article 10 of the Decision, the Commission must determine whether the measure is compatible with the objectives and criteria laid down in the Decision and with the proper functioning of the common market. The measures undertaken to rationalize and restructure the French coal industry which were necessary because some pits were not economically viable in the long term have gradually led since 1986 to a 44 % reduction in coal production and a marked improvement in both productivity and production costs. The restructuring programme involves the concentration of production in Lorraine in the pits most likely to be economically viable and the closure of underground mines in the Centre-Midi coalfield. As part of the restructuring, modernization and rationalization process, production capacity in the Nord-

Pas-de-Calais coalfield was closed down in 1990; the process of closing the underground deposits of the Centre-Midi coalfield should initially result in the closing-down of the Blanzey mine at the end of 1992.

The aid granted to the coal industry has been substantially reduced. The amount of aid for 1992 will represent half the aid granted in 1987, as a result of the gradual reduction in losses per tonne produced.

Aid to cover operating losses facilitates the rationalization and restructuring of the coal industry and improves the industry's competitiveness in the long term.

The proposed aid will cover only 75 % of the difference for each tonne produced between foreseeable average costs and foreseeable average returns, and therefore meets the criteria laid down in Article 3 (1) of Decision No 2064/86/ECSC.

Since the measure contributes to restructuring and rationalization of the industry and in view of its intended purpose, it satisfies the objectives and conditions laid down in Article 2 of the Decision.

Consequently, the aid to current production which the French Government plans to grant to the coal industry in 1992, pursuant to Article 3 of Decision No 2064/86/ECSC, is compatible with the proper functioning of the common market.

This Decision does not affect the compatibility with the Treaties of arrangements governing sales of French coal to electricity producers,

HAS ADOPTED THIS DECISION :

Article 1

France is hereby authorized to grant to the coal industry for 1992 :

— aid totalling FF 1 284 million to cover operating losses.

⁽¹⁾ OJ No L 177, 1. 7. 1986, p. 1.

Article 2

Done at Brussels, 30 September 1992.

France shall notify the Commission by 30 June 1993 at the latest of the amount of aid actually paid in 1992.

Article 3

This Decision is addressed to the French Republic.

For the Commission

António CARDOSO E CUNHA

Member of the Commission
