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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 3124/92
of 26 October 1992
amending Regulation (EEC) No 1696/71 on the common organization of the
market in hops

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Whereas Article 1 (3) of Regulation (EEC) No 1696/71 ⁽³⁾ defines the products which are subject to the market organization; whereas Article 2 of that Regulation addresses the circumstances under which hops and hop products may be certified;

Whereas since the establishment of the common organization of the market in hops, trade in hop products has become more and more important; whereas it appears necessary to define in greater detail the terms 'hop powder with higher lupulin content' and 'extract of hops' as well as the characteristics of hop products which may be put into free circulation;

Whereas Article 7 of Regulation (EEC) No 1696/71 lays down the conditions producer groups must fulfil in order to be recognized, whereas it has become evident that several recognized producer groups in the Community have experienced great difficulties in practising common marketing of their members' produce;

Whereas an incentive should be provided to encourage producer groups to market their members' produce in common in order to give growers a better position in the market; whereas, for this purpose, the amount of aid 'should be reduced for those producer groups which do not practise common marketing of their members' total production,

Article 1

Regulation (EEC) No 1696/71 is hereby amended as follows:

1. Article 1 (3) (c) shall be replaced by the following:

'(c) "hop powder with higher lupulin content" means the product obtained by milling the hops mechanical removal of a part of the leaves, stalks, bracts and rachides';

2. Article 1 (3) (d) shall be replaced by the following:

'(d) "extract of hops" means the concentrated products obtained by the action of a solvent on the hops or on the hop powder';

3. the following sentence shall be added to Article 2 (2):

'In the case of the products referred to in Article 1 (3) (b) to (e) the certificate may only be issued if the alpha acid content of these products is not lower than that of the hops they have been prepared from.';

4. the last paragraph of Article 7 (3) (b) shall be replaced by the following:

'During the period up to and including 31 December 1996, members of a recognized group may, if authorized by such a group, market part or all of their produce themselves in accordance with rules laid down and supervised by the group. However these producer groups shall work towards the objective that by 1 January 1997 they are marketing all their members' produce';

5. the following paragraph shall be inserted in Article 12 (5) after paragraph (b):

'(c) In the case that the aid is granted to a recognized producer group in accordance with paragraph 3 and that this organization does not market all the produce of its members the amount of aid shall be reduced by 4 % for the 1992 harvest, 8 % for the 1993 harvest, 12 % for the 1994 harvest, 15 % for the 1995 harvest and 15 % for the 1996 harvest.

⁽¹⁾ OJ No C 204, 3. 8. 1991, p. 4.

⁽²⁾ OJ No C 67, 16. 3. 1992, p. 234.

⁽³⁾ OJ No L 175, 4. 8. 1971, p. 1. Last amended by Regulation (EEC) No 3577/90 (OJ No L 353, 17. 12. 1990, p. 23).

For 1991 and subsequent years, at least 15 % of the aid granted to such a group shall be used by the group for measures provided for by Article 1 (1) (b) (cc) of Commission Regulation (EEC) No 1351/72 of 28 June 1972 on the recognition of producer groups for hops (*).

However, if the producer group markets at least half of its members' produce from a given harvest, any produce sold up to and including 1 November 1992 shall not be taken into account in determining whether the group has sold all its members' produce.

The Commission shall monitor the activities of such groups and shall report on progress to full

marketing to the Council in its report on the 1994 harvest.

(*) OJ No L 148, 30. 6. 1972, p. 13. Last amended by Regulation (EEC) No 3858/87 (OJ No L 363, 23. 12. 1987, p. 27).'

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 Luxembourg, 26 October 1992.

For the Council

The President

J. GUMMER

COUNCIL REGULATION (EEC) No 3125/92

of 26 October 1992

on the arrangements applicable to the importation into the Community of sheepmeat and goatmeat products originating in Bosnia-Herzegovina, Croatia, Slovenia, Montenegro, Serbia and the former Yugoslav Republic of Macedonia

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas the normal and balanced administration of the Agreement in the form of an exchange of letters between the European Economic Community and the Socialist Federal Republic of Yugoslavia on trade in the sheepmeat and goatmeat sector⁽¹⁾, which entered into force on 1 January 1981 hereafter referred to as the '1981 Agreement', as adjusted by the 1990 Agreement⁽²⁾ which entered into force on 1 January 1989, has proved to be impossible on account of the changes which have taken place since 1991 in that Republic; whereas the creation of new Republics, some of which are recognized by the Community, has given rise to exceptional circumstances justifying a change in the conditions under which the 1981 Agreement is administered;

Whereas, in order to avoid, in the case of certain new Republics, a disruption of the pattern of trade which has traditionally existed under the 1981 Agreement, it would be appropriate, while maintaining the substance of the Agreement, to suspend its system of administration and provide, on a temporary basis, for the exclusive administration of the agreed arrangements by the Community; whereas in this respect the issue of an import licence should no longer be conditional on the submission of a Yugoslav export licence and steps should be taken to ensure the fair distribution of the quantities agreed among the various Republics;

Whereas, in order to ensure this fair distribution of imports among the Republics in question, rules should be laid down for checking the origin of the products imported;

Whereas this Regulation is without prejudice to Council Regulation (EEC) No 1432/92 of 1 June 1992 prohibiting trade between the European Economic Community and the Republics of Serbia and Montenegro⁽³⁾;

Whereas this Regulation is without prejudice to Council Directive 72/462/EEC of 12 December 1972 on health

and veterinary inspection problems upon importation of bovine, ovine and caprine animals and swine, fresh meat or meat products from third countries⁽⁴⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The administration of the import arrangements laid down in points 9 and 10 of the 1981 Agreement between the European Economic Community and the Socialist Federal Republic of Yugoslavia on trade in the sheepmeat and goatmeat sector and in points 2 and 3 of the 1990 Adjustment Agreement is hereby suspended and replaced by the arrangements laid down in this Regulation.

Article 2

1. In order to comply with the 1981 Agreement and in particular the quantities specified therein, the importation of any of the products specified in the said Agreement shall be conditional on the submission of an import licence as provided for in Article 15 of Council Regulation (EEC) No 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat⁽⁵⁾. The issue of such licence shall be conditional on the provision of a security as a guarantee that importation will be effected during the period of validity of the licence. The security shall be wholly or partially forfeit if the operation is not carried out, or is only partially carried out, within that time limit.

2. Applications for an import licence shall be accompanied by a document setting out the name of the Republic in which the products concerned originate.

3. Upon issue of import licences for the products referred to in the 1981 Agreement, care must be taken to ensure a fair distribution of the licences among the various Republics, paying particular attention to the distribution of production among those Republics.

⁽¹⁾ OJ No L 137, 23. 5. 1981, p. 29.

⁽²⁾ OJ No L 95, 12. 4. 1990, p. 1.

⁽³⁾ OJ No L 151, 3. 6. 1992, p. 4.

⁽⁴⁾ OJ No L 302, 31. 12. 1972, p. 28, as last amended by Directive 89/227/EEC (OJ No L 93, 6. 4. 1989, p. 25).

⁽⁵⁾ OJ No L 289, 7. 10. 1989, p. 1. Last amended by Regulation (EEC) No 2069/92 (OJ No L 215, 30. 7. 1992, p. 59).

4. For as long as the ban introduced by Regulation (EEC) No 1432/92 remains in place, applications for import licences for products originating in Serbia or Montenegro shall be refused.

Article 3

1. Detailed rules for the application of this Regulation shall be adopted by the Commission in accordance with the procedure laid down in Article 30 of Regulation (EEC) No 3013/89.

2. The detailed rules shall concern in particular:

- (a) the issue of import licences on the basis of the criterion referred to in Article 2 (3) and, where necessary, the adoption of rules on the origin of the products concerned;
- (b) the suspension for the remainder of the year of imports originating in the various Republics if during that period:

— the imports originating in the various Republics exceed the quantities referred to in the 1981 Agreement, or

— the monitoring imports from one of those Republics exceed the quantities arising from the fair distribution referred to in Article 2 (3);

- (c) the monitoring, on the basis of the monthly price average, of the prices at which lamb carcasses and live animals originating in the Republics referred to in this Regulation are imported into each Member State;
- (d) the guarantees of origin to be given by the various Republics before application for import licences, referred to in Article 2 (2), can be made;
- (e) the determination of the measures to be taken, if necessary, in cases where a drop in the prices for lamb carcasses and/or live animals imported from the Republics is observed in a Member State and is indicative of a problem;
- (f) the temporary measures necessary to facilitate the introduction of the import arrangements provided for in this Regulation.

Article 4

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 Luxembourg, 26 October 1992.

For the Council

The President

J. GUMMER

COMMISSION REGULATION (EEC) No 3126/92

of 29 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 28 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 30 October 1992.

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

Done at Brussels, 29 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 29 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	135,19 ⁽²⁾ ⁽³⁾
0712 90 19	135,19 ⁽²⁾ ⁽³⁾
1001 10 10	165,38 ⁽¹⁾ ⁽³⁾ ⁽¹⁰⁾
1001 10 90	165,38 ⁽¹⁾ ⁽³⁾ ⁽¹⁰⁾
1001 90 91	134,49
1001 90 99	134,49 ⁽¹¹⁾
1002 00 00	153,90 ⁽⁶⁾
1003 00 10	122,20
1003 00 90	122,20 ⁽¹¹⁾
1004 00 10	113,82
1004 00 90	113,82
1005 10 90	135,19 ⁽²⁾ ⁽³⁾
1005 90 00	135,19 ⁽²⁾ ⁽³⁾
1007 00 90	138,00 ⁽⁴⁾
1008 10 00	46,50 ⁽¹¹⁾
1008 20 00	108,00 ⁽⁴⁾
1008 30 00	43,88 ⁽⁵⁾
1008 90 10	(7)
1008 90 90	43,88
1101 00 00	201,16 ⁽⁸⁾ ⁽¹¹⁾
1102 10 00	228,34 ⁽⁸⁾
1103 11 10	268,15 ⁽⁸⁾ ⁽¹⁰⁾
1103 11 90	216,76 ⁽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 3127/92

of 29 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 28 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 30 October 1992.

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

Done at Brussels, 29 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 29 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
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	13,56
1001 90 99	0	0	0	13,56
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	0,24	0,24	0,37
1004 00 90	0	0,24	0,24	0,37
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	18,98

B. Malt

CN code	Current	1st period	2nd period	3rd period	4th period
	10	11	12	1	2
1107 10 11	0	0	0	24,14	24,14
1107 10 19	0	0	0	18,03	18,03
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 3128/92

of 29 October 1992

suspending advance fixing of export refunds on certain cereal and rice products
exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1738/92 ⁽²⁾, and in particular the second subparagraph of Article 16 (7) thereof,

Having regard to Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds ⁽³⁾, as last amended by Regulation (EEC) No 3381/90 ⁽⁴⁾, and in particular the second subparagraph of Article 5 (3) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽⁵⁾, as last amended by Regulation (EEC) No 674/92 ⁽⁶⁾ and in particular the second subparagraph of Article 17 (7) thereof,

Whereas the second subparagraph of Article 16 (7) of Regulation (EEC) No 2727/75, the second subparagraph of Article 5 (3) of Regulation (EEC) No 3035/80 and the

second subparagraph of Article 17 (7) of Regulation (EEC) No 1418/76 make provision for advance fixing of the refund to be suspended for basic products exported in the form of certain goods;

Whereas the situation on certain markets may make it necessary for the refunds to be adjusted; whereas in order to prevent applications for advance fixing of refunds for speculative purposes, the abovementioned advance fixing should be suspended until this adjustment comes into force,

HAS ADOPTED THIS REGULATION:

Article 1

Advance fixing of export refunds on cereals and rice, exported in the form of goods listed in Annex B to Regulation (EEC) No 2727/75 or in Annex B to Regulation (EEC) No 1418/76 respectively, is suspended until 31 October 1992 inclusive.

Article 2

This Regulation shall enter into force on 30 October 1992.

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

Done at Brussels, 29 October 1992.

For the Commission

Martin BANGEMANN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽³⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁴⁾ OJ No L 327, 27. 11. 1990, p. 4.

⁽⁵⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁶⁾ OJ No L 73, 19. 3. 1992, p. 7.

COMMISSION REGULATION (EEC) No 3129/92

of 29 October 1992

fixing the minimum levies on the importation of olive oil and levies on the importation of other olive oil sector products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 2046/92⁽²⁾, and in particular Article 16 (2) thereof,

Having regard to Council Regulation (EEC) No 1514/76 of 24 June 1976 on imports of olive oil originating in Algeria⁽³⁾, as last amended by Regulation (EEC) No 1900/92⁽⁴⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1521/76 of 24 June 1976 on imports of olive oil originating in Morocco⁽⁵⁾, as last amended by Regulation (EEC) No 1901/92⁽⁶⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1508/76 of 24 June 1976 on imports of olive oil originating in Tunisia⁽⁷⁾, as last amended by Regulation (EEC) No 413/86⁽⁸⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1180/77 of 17 May 1977 on imports into the Community of certain agricultural products originating in Turkey⁽⁹⁾, as last amended by Regulation (EEC) No 1902/92⁽¹⁰⁾, and in particular Article 10 (2) thereof,

Having regard to Council Regulation (EEC) No 1620/77 of 18 July 1977 laying down detailed rules for the importation of olive oil from Lebanon⁽¹¹⁾,

Whereas by Regulation (EEC) No 3131/78⁽¹²⁾, as amended by the Act of Accession of Greece, the Commis-

sion decided to use the tendering procedure to fix levies on olive oil;

Whereas Article 3 of Council Regulation (EEC) No 2751/78 of 23 November 1978 laying down general rules for fixing the import levy on olive oil by tender⁽¹³⁾ specifies that the minimum levy rate shall be fixed for each of the products concerned on the basis of the situation on the world market and the Community market and of the levy rates indicated by tenderers;

Whereas, in the collection of the levy, account should be taken of the provisions in the Agreements between the Community and certain third countries; whereas in particular the levy applicable for those countries must be fixed, taking as a basis for calculation the levy to be collected on imports from the other third countries;

Whereas, pursuant to Article 101 (1) of Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community⁽¹⁴⁾, no levies shall apply on imports of products originating in the overseas countries and territories; whereas, however, pursuant to Article 101 (4) of the abovementioned Decision, a special amount shall be charged on imports of certain products originating in the overseas countries and territories in order to prevent products originating from these countries and territories from receiving more favourable treatment than similar products imported from Spain or Portugal into the Community as constituted on 31 December 1985;

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 26 and 27 October 1992 leads to the minimum levies being fixed as indicated in Annex I to this Regulation;

Whereas the import levy on olives falling within 29 codes 0709 90 39 and 0711 20 90 and on products falling within CN codes 1522 00 31, 1522 00 39 and 2306 90 19 must be calculated from the minimum levy applicable on the olive oil contained in these products; whereas, however, the levy charged for olive oil may not be less than an amount equal to 8 % of the value of the imported product, such amount to be fixed at a standard rate; whereas application of these provisions leads to the levies being fixed as indicated in Annex II to this Regulation,

⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽²⁾ OJ No L 215, 30. 7. 1992, p. 1.

⁽³⁾ OJ No L 169, 28. 6. 1976, p. 24.

⁽⁴⁾ OJ No L 192, 11. 7. 1992, p. 1.

⁽⁵⁾ OJ No L 169, 28. 6. 1976, p. 43.

⁽⁶⁾ OJ No L 192, 11. 7. 1992, p. 2.

⁽⁷⁾ OJ No L 169, 28. 6. 1976, p. 9.

⁽⁸⁾ OJ No L 48, 26. 2. 1986, p. 1.

⁽⁹⁾ OJ No L 142, 9. 6. 1977, p. 10.

⁽¹⁰⁾ OJ No L 192, 11. 7. 1992, p. 3.

⁽¹¹⁾ OJ No L 181, 21. 7. 1977, p. 4.

⁽¹²⁾ OJ No L 370, 30. 12. 1978, p. 60.

⁽¹³⁾ OJ No L 331, 28. 11. 1978, p. 6.

⁽¹⁴⁾ OJ No L 263, 19. 9. 1991, p. 1.

HAS ADOPTED THIS REGULATION:

Article 2

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

Article 1

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

Article 3

This Regulation shall enter into force on 30 October 1992.

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

Done at Brussels, 29 October 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX I

Minimum import levies on olive oil ⁽¹⁾

(ECU/100 kg)

CN code	Non-member countries
1509 10 10	79,00 ⁽²⁾
1509 10 90	79,00 ⁽²⁾
1509 90 00	92,00 ⁽²⁾
1510 00 10	77,00 ⁽²⁾
1510 00 90	122,00 ⁽²⁾

⁽¹⁾ No levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC. However, an amount equal to the amount fixed by Regulation (EEC) No 3148/91 is to be levied in accordance with Article 101 (4) of the abovementioned Decision.

⁽²⁾ For imports of oil falling within this CN code and produced entirely in one of the countries listed below and transported directly from any of those countries to the Community, the levy to be collected is reduced by :

- (a) Lebanon : ECU 0,60 per 100 kg ;
- (b) Tunisia : ECU 12,69 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force ;
- (c) Turkey : ECU 22,36 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force ;
- (d) Algeria and Morocco : ECU 24,78 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force.

⁽³⁾ For imports of oil falling within this CN code :

- (a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by ECU 3,86 per 100 kg ;
- (b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by ECU 3,09 per 100 kg.

⁽⁴⁾ For imports of oil falling within this CN code :

- (a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by ECU 7,25 per 100 kg ;
- (b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by ECU 5,80 per 100 kg.

ANNEX II

Import levies on other olive oil sector products ⁽¹⁾

(ECU/100 kg)

CN code	Non-member countries
0709 90 39	17,38
0711 20 90	17,38
1522 00 31	39,50
1522 00 39	63,20
2306 90 19	6,16

⁽¹⁾ No levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC. However, an amount equal to the amount fixed by Regulation (EEC) No 3148/91 is to be levied in accordance with Article 101 (4) of the abovementioned Decision.

COMMISSION REGULATION (EEC) No 3130/92

of 29 October 1992

adopting interim protective measures in so far as concerns Spain in regard to applications for STM licences coming from the Community of Ten for milk and milk products lodged between 19 and 23 October 1992

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 85 (1) thereof,

Whereas Commission Regulation (EEC) No 608/86⁽¹⁾ laying down detailed rules for applying the supplementary trade mechanism to milk products imported into Spain from the Community of Ten, as last amended by Regulation (EEC) No 705/92⁽²⁾, fixes the indicative ceilings for milk sector products for 1992 and splits these up into monthly ceilings;

Whereas applications for STM licences in the Community of Ten for cheese of category 6 lodged between 19 and 23 October 1992 relate to quantities higher than the ceiling set for the month of November 1992;

Whereas Article 85 (1) of the Act of Accession states that the Commission may take interim protective measures necessary by an emergency procedure where the situation indicates that the indicative ceiling will be attained or exceeded; whereas to this effect it is necessary, as an interim protective measure, in view of the number of requests, for the products concerned and only for the

Community of Ten, to issue licences up to a percentage of the quantities applied for in category 6 and to suspend all further issuing of licences for the products in question,

HAS ADOPTED THIS REGULATION:

Article 1

1. Applications for STM licences as referred to in Regulation (EEC) No 606/86, lodged between 19 and 23 October 1992 for the Community of Ten and lodged with the Commission, for milk products falling within:

— category 6 of CN code ex 0406 are hereby accepted up to 8,80 %.

2. The issuing of STM licences in the Community of Ten is hereby provisionally suspended for products falling within category 6.

3. Without prejudice to any definitive measures the Commission may take, further applications for STM licences may be lodged from 23 November 1992 for all products in respect of that fraction of the indicative ceiling applicable from 1 December 1992.

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, 29 October 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 58, 1. 3. 1986, p. 28.

⁽²⁾ OJ No L 75, 21. 3. 1992, p. 29.

COMMISSION REGULATION (EEC) No 3131/92

of 29 October 1992

introducing a countervailing charge and suspending the preferential customs duty on imports of fresh lemons originating in Turkey

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

Whereas Commission Regulation (EEC) No 1413/92 of 27 May 1992 fixing the reference prices for lemons for the 1992/93 marketing year⁽³⁾ fixed the reference price for products of class I for the month of October 1992 at ECU 50,57 per 100 kilograms net;

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

Whereas, in accordance with Article 3 (1) of Regulation (EEC) No 2118/74⁽⁴⁾, as last amended by Regulation (EEC) No 3811/85⁽⁵⁾, the prices to be taken into consideration must be recorded on the representative markets or, in certain circumstances, on other markets;

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

Whereas, in Article 1 of Council Regulation (EEC) No 3671/81 of 15 December 1981 on imports into the Community of certain agricultural products originating in Turkey⁽⁶⁾, as amended by Regulation (EEC) No 1555/84⁽⁷⁾, a rate of customs duty of 4 % should be re-introduced for these fresh lemons;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. A countervailing charge of ECU 1,38 per 100 kilograms net is applied on imports of fresh lemons (CN code ex 0805 30 10) originating in Turkey.
2. The import duty on these products is fixed at 4 %.

Article 2

This Regulation shall enter into force on 31 October 1992.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 23.

⁽³⁾ OJ No L 146, 28. 5. 1992, p. 71.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁶⁾ OJ No L 367, 23. 12. 1981, p. 3.

⁽⁷⁾ OJ No L 150, 6. 6. 1984, p. 4.

⁽⁸⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁹⁾ OJ No L 201, 31. 7. 1990, p. 9.

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

Done at Brussels, 29 October 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 3132/92
of 29 October 1992
fixing the export refunds on 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 the fourth subparagraph of Article 16 ⁽²⁾ thereof,

Whereas Article 16 of Regulation (EEC) No 2727/75 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of those Regulations and prices for those products within the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds ⁽³⁾ provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals on the Community market on the one hand and prices for cereals and cereal products on the world market on the other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on cereal markets and, furthermore, to take into account the economic aspect of the proposed exports, and the need to avoid disturbances on the Community market;

Whereas Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice ⁽⁴⁾, as last amended by Regulation (EEC) No 1906/87 ⁽⁵⁾, defines the specific criteria to be taken into account when the refund on these products is being calculated;

Whereas it follows from applying these detailed rules to the present situation on the market in products processed from cereals and rice that the export refund should be fixed at an amount which will cover the difference between Community prices and world market prices;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to

vary the refund for certain products according to destination;

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

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

Whereas the refund must be fixed once a month; whereas it may be altered in the intervening period;

Whereas Council Regulation (EEC) No 1432/92 ⁽⁸⁾, as amended by Regulation (EEC) No 2015/92 ⁽⁹⁾, prohibits trade between the Community and the Republics of Serbia and Montenegro; whereas this prohibition does not apply to certain situations as given in the limitative enumeration laid down in Articles 2 and 3; whereas this should be taken into account when refunds are fixed;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on malt listed in Article 1 (d) of Regulation (EEC) No 2727/75 subject to Regulation (EEC) No 2744/75 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 30 October 1992.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁸⁾ OJ No L 151, 3. 6. 1992, p. 4.

⁽⁹⁾ OJ No L 205, 22. 7. 1992, p. 2.

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

Done at Brussels, 29 October 1992.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX

to the Commission Regulation of 29 October 1992 fixing the export refunds on malt

<i>(ECU/tonne)</i>	
Product code	Refund (1)
1107 10 19 000	87,00 (1) (1)
1107 10 99 000	112,00 (1) (1)
1107 20 00 000	131,00 (1) (1)

(1) In view of the lack of a decision by the Council on the Commission's proposal COM(92) 275 of 8 July 1992, the attention of interested parties is drawn to the possibility that, for agri-monetary reasons, an adjustment will be made in the refund on exports made from 1 January 1993.

NB: The product codes and the footnotes are defined in amended Commission Regulation (EEC) No 3846/87.

COMMISSION REGULATION (EEC) No 3133/92

of 29 October 1992

on varying entry prices for certain fruit and vegetables originating in Mediterranean third countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3488/89 of 21 November 1989 laying down the method of decision for certain provisions laid down for agricultural products in the framework of Mediterranean agreements⁽¹⁾, and in particular Article 2 thereof,

Whereas, in accordance with the agreements concluded with various Mediterranean third countries, the Community may decide that the entry prices for certain fruit and vegetables originating in such countries should vary, taking account of the annual reviews of trade flows by product and country pursuant to Council Regulation (EEC) No 451/89 of 20 February 1989 concerning the procedure to be applied to certain agricultural products originating in various Mediterranean third countries⁽²⁾;

Whereas an examination of the outlook for export flows from Mediterranean third countries in the light of the overall trend on the Community market points to the need for the entry prices for oranges, clementines, mandarins and other similar citrus hybrids, lemons and tomatoes to vary;

Whereas the variation in the entry price must, for each product concerned, relate to the amount to be deducted as customs duties from the representative prices recorded in the Community for the calculation of the entry price referred to in Article 24 of Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽³⁾, as last amended by Regulation (EEC) No 1754/92⁽⁴⁾; whereas, depending on the product and origin, reductions, as appropriate, of one-half or two-thirds during trading periods will enable the desired objective to be attained; whereas such reductions must apply within the quantitative limits determined, in accordance with the Mediterranean agreements;

Whereas this variation in the entry prices is to apply in respect of specific quantities which must be entered in the accounts during the periods laid down in the agreements; whereas such entry in the accounts must take

place through the statistical monitoring introduced for the administration of quotas;

Whereas provision should however be made for a Community surveillance system for tomatoes from Morocco imported into the Community in May given the lack of a quota for that period;

Whereas the Commission must inform the Member States as soon as the quantities laid down in the Mediterranean agreements and quoted in this Regulation have been reached;

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

For the purpose of calculating the entry prices referred to in Article 24 (3) of Regulation (EEC) No 1035/72 for products originating in the Mediterranean countries mentioned in the Annex hereto, the amount to be deducted as customs duties from the recorded representative prices shall be reduced by the percentage indicated in the Annex during the periods and subject to the maximum quantities specified therein.

Article 2

1. Fresh or chilled tomatoes falling within CN code 0702 00 and originating in Morocco shall be subject to Community surveillance during the month of May.

2. Deductions shall be made from the specified quantities when products are presented to the customs authorities for release for free circulation, accompanied by a movement certificate.

Goods may be deducted from the specified quantity only if the movement certificate is submitted before the date on which these preferential arrangements cease to apply.

The extent to which a specified quantity is used up shall be determined at Community level on the basis of the imports deducted from it as specified in the first and second subparagraphs.

⁽¹⁾ OJ No L 340, 23. 11. 1989, p. 2.

⁽²⁾ OJ No L 52, 24. 2. 1989, p. 7.

⁽³⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽⁴⁾ OJ No L 180, 1. 7. 1992, p. 23.

Member States shall inform the Commission, at the intervals and within the time limits specified in paragraph 3, of imports effected in accordance with the rules set out above.

3. With respect to imports effected, Member States shall send the Commission statements of the deducted quantities every 10 days, to be forwarded within five days from the end of each 10-day period.

4. As soon as the quantities specified in the Annex have been reached, the Commission shall inform the

Member States of the date from which these preferential arrangements shall cease to apply.

Article 3

Member States and the Commission shall cooperate closely with a view to implementing this Regulation and in particular, where the need arises, to coordinating the system for administering the tariff quotas.

Article 4

This Regulation shall enter into force on 1 November 1992.

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

Done at Brussels, 29 October 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

VARIATION IN ENTRY PRICES

Product		Mediterranean third country	Quantity specified in agreements (tonnes)	Overall period covered by entry in accounts	Period of application of variation	Amount to be deducted
CN code	Description					
ex 0805 10	Oranges, fresh or chilled	Israel	293 000	1. 7. 1992 to 30. 6. 1993	1. 12. 1992 to 31. 5. 1993	Half
		Morocco	265 000			
		Tunisia	28 000	1. 1. 1993 to 31. 12. 1993	1. 1. 1993 to 31. 5. 1993 1. 12. 1993 to 31. 12. 1993	Half Two-thirds
		Egypt	7 000			
		Cyprus	67 000			
ex 0805 20	Mandarins and other similar citrus hybrids, fresh or chilled, excluding clemen- tines	Morocco	Morocco 110 000 Israel 14 200	1. 7. 1992 to 30. 6. 1993	1. 11. 1992 to end of February 1993	Half
		Israel			1. 12. 1992 to end of February 1993	Half
ex 0805 20	Clementines, fresh or chilled	Morocco Israel				
ex 0805 30 10	Lemons, fresh or chilled	Cyprus	15 000	1. 1. 1993 to 31. 12. 1993	1. 1. 1993 to 31. 5. 1993 1. 6. 1993 to 31. 12. 1993	Half Two-thirds
		Turkey	12 000			
		Israel	6 400			
0702 00	Tomatoes, fresh or chilled	Morocco	86 000 of which — April 15 000 — May 10 000	15. 11. 1992 to 31. 5. 1993	15. 11. 1992 to 20. 12. 1992 1. 4. 1993 to 31. 5. 1993	Half Two-thirds

COMMISSION REGULATION (EEC) No 3134/92

of 29 October 1992

laying down certain additional detailed rules for the application of the supplementary trade mechanism (STM) to fruit and vegetable trade between Spain and the Community as constituted at 31 December 1985 as regards tomatoes, lettuce, broad-leaf endives, carrots, artichokes, table grapes, and melons

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3210/89 of 23 October 1989 laying down general rules for applying the supplementary trade mechanism to fresh fruit and vegetables ⁽¹⁾, and in particular Article 9 thereof,

Whereas Commission Regulation (EEC) No 816/89 ⁽²⁾ establishes the list of products subject to the supplementary trade mechanism in the fresh fruit and vegetables sector from 1 January 1990; whereas tomatoes, lettuce, broad-leaf endives, carrots, artichokes, table grapes and melons are included on the list;

Whereas Commission Regulation (EEC) No 3944/89 ⁽³⁾, as last amended by Regulation (EEC) No 3308/91 ⁽⁴⁾, lays down detailed rules for applying the supplementary trade mechanism, hereinafter called the 'STM', to fresh fruit and vegetables;

Whereas Commission Regulation (EEC) No 2751/92 ⁽⁵⁾ lays down that the periods referred to in Article 2 of Regulation (EEC) No 3210/89 shall be up to 8 November 1992 for the above products; whereas, in view of expected exports from Spain to the rest of the Community, with the exception of Portugal, and of the Community market, a period I should be fixed up to 31 December 1992 for the products in question, in accordance with the Annex;

Whereas it should be recalled that the provisions of Regulation (EEC) No 3944/89 on statistical monitoring and various communications from the Member States apply to guarantee the functioning of the STM;

Whereas, on application of Article 2 of Council Regulation (EEC) No 1911/91 of 26 June 1991 on the applica-

tion of the provisions of Community law to the Canary Islands ⁽⁶⁾ the rules in force for mainland Spain shall apply to products originating in the Canary Islands and sent to other parts of the Community from 1 July 1991; consequently the information concerning produce from the Canary Islands should be taken into account for the application of the supplementary trade mechanisms;

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

For tomatoes, cabbage lettuce, lettuce other than cabbage lettuce, broad-leaf endives, carrots, artichokes, table grapes and melons covered by CN codes set out in the Annex, the periods provided for in Article 2 of Regulation (EEC) No 3210/89 shall be as set out in the Annex hereto.

Article 2

For consignments from Spain to the rest of the Community market with the exception of Portugal of the products listed in Article 1, the provisions of Regulation (EEC) No 3944/89 shall apply.

However, the notification referred to in Article 2 (2) of the said Regulation shall be made each Tuesday at the latest for the quantities consigned during the preceding week.

The communications referred to in the first paragraph of Article 9 of Regulation (EEC) No 3944/89 shall be made once a month by the fifth of each month at the latest for information referring to the previous month; where appropriate, this communication shall bear the word 'nil'.

Article 3

This Regulation shall enter into force on 9 November 1992.

⁽¹⁾ OJ No L 312, 27. 10. 1989, p. 6.

⁽²⁾ OJ No L 86, 31. 3. 1989, p. 35.

⁽³⁾ OJ No L 379, 28. 12. 1989, p. 20.

⁽⁴⁾ OJ No L 313, 14. 11. 1991, p. 13.

⁽⁵⁾ OJ No L 279, 23. 9. 1992, p. 16.

⁽⁶⁾ OJ No L 171, 29. 6. 1991, p. 1.

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

Done at Brussels, 29 October 1992.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX

Determination of the periods provided for in Article 2 of Regulation (EEC) No 3210/89

Period from 9 November to 31 December 1992

Description	CN code	Period
Tomatoes	0702 00 10	I
Cabbage lettuce	0705 11 10 and 0705 11 90	I
Lettuce other than cabbage lettuce	0705 19 00	I
Broad-leaf endives	ex 0705 29 00	I
Carrots	ex 0706 10 00	I
Artichokes	0709 10 00	I
Table grapes	0806 10 15	I
Melons	0807 10 90	I

COMMISSION REGULATION (EEC) No 3135/92
of 29 October 1992

fixing for the 1992/93 marketing year the reference prices for artichokes

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1677/85 of 11 June 1985 on monetary compensatory amounts in agriculture⁽³⁾, as last amended by Regulation (EEC) No 2205/90⁽⁴⁾, and in particular Article 6 (3) thereof,

Whereas, pursuant to Article 23 (1) of Regulation (EEC) No 1035/72, reference prices valid for the whole Community are to be fixed at the beginning of the marketing year;

Whereas artichokes are produced in such quantities in the Community that reference prices should be fixed for them;

Whereas artichokes harvested during a given crop year are marketed from October to September of the following year; whereas the quantities harvested in the months July to October are so small that there is no need to fix reference prices for these months; whereas reference prices should be fixed only for the period 1 November up to and including 30 June of the following year;

Whereas Article 23 (2) (b) of Regulation (EEC) No 1035/72 stipulates that reference prices are to be fixed at the same level as for the preceding marketing year, adjusted, after deducting the standard cost of transporting Community products between production areas and Community consumption centres in the preceding year, by:

— the increase in production costs for fruit and vegetables, less productivity growth, and

— the standard rate of transport costs in the current marketing year;

Whereas the resulting figure may nevertheless not exceed the arithmetic mean of producer prices in each Member State plus transport costs for the current year, after this amount has been increased by the rise in production costs less productivity growth; whereas the reference price may, however, not be lower than in the preceding marketing year;

Whereas, to take seasonal price variations into account, the marketing year should be divided into several periods and a reference price fixed for each of these periods;

Whereas producer prices are to correspond to the average of the prices recorded on the representative market or markets situated in the production areas where prices are lowest, during the three years prior to the date on which the reference price is fixed, for a home-grown product with defined commercial characteristics, being a product or variety representing a substantial proportion of the production marketed over the year or over part thereof and satisfying specified requirements as regards market preparation; whereas, when the average of prices recorded on each representative market is being calculated, prices which could be considered excessively high or excessively low in relation to normal price fluctuations on that market are to be disregarded;

Whereas Article 6 of Regulation (EEC) No 1677/85 provides that agricultural prices fixed in ecus must be reduced when the amendment of the agricultural conversion rate takes effect at the beginning of the marketing year following a monetary realignment, as a result of the dismantlement of transferred monetary gaps; whereas, because of automatic dismantlement of the negative monetary gaps created by the realignments of 13 to 17 September 1992, it is necessary to divide the prices in ecus by the coefficient reducing agricultural prices fixed at 1,002650 by Article 2 of Commission Regulation (EEC) No 2735/92⁽⁵⁾;

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

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 23.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 6.

⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁵⁾ OJ No L 277, 22. 9. 1992, p. 18.

HAS ADOPTED THIS REGULATION:

— from 1 November to 31 December 1992:	89,99,
— from 1 January to 30 April 1993:	79,35,
— May 1993:	74,95,
— June 1993:	63,95.

Article 1

For the 1992/93 marketing year, the reference prices for artichokes (CN code 0709 10 00), expressed in ecus per 100 kilograms net of packed products of class I, of all sizes, shall be as follows:

Article 2

This Regulation shall enter into force on 1 November 1992.

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

Done at Brussels, 29 October 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 3136/92

of 29 October 1992

fixing for the 1992/93 marketing year the reference prices for broad-leaved
(Batavian) endives

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas, pursuant to Article 23 (1) of Regulation (EEC) No 1035/72, reference prices valid for the whole Community are to be fixed at the beginning of the marketing year;

Whereas broad-leaved (Batavian) endives (*Cichorium endivia* L. var. *latifolia*) are produced in such quantities in the Community that reference prices should be fixed for them;

Whereas endives harvested during a given crop year are marketed from July to June of the following year; whereas the quantities imported from 1 July to 14 November and from 1 April to 30 June of the following year are so small that there is no need to fix reference prices for these periods; whereas reference prices should be fixed only for the period 15 November up to and including 31 March of the following year;

Whereas Article 23 (2) (b) of Regulation (EEC) No 1035/72 stipulates that reference prices are to be fixed at the same level as for the preceding marketing year, adjusted, after deducting the standard cost of transporting Community products between production areas and Community consumption centres in the preceding year, by:

- the increase in production costs for fruit and vegetables, less productivity growth, and
- the standard rate of transport costs in the current marketing year;

Whereas the resulting figure may nevertheless not exceed the arithmetic mean of producer prices in each Member

State plus transport costs for the current year, after this amount has been increased by the rise in production costs less productivity growth; whereas the reference price may, however, not be lower than in the preceding marketing year;

Whereas, to take seasonal price variations into account, the marketing year should be divided into several periods and a reference price fixed for each of these periods;

Whereas producer prices are to correspond to the average of the prices recorded on the representative market or markets situated in the production areas where prices are lowest, during the three years prior to the date on which the reference price is fixed, for a home-grown product with defined commercial characteristics, being a product or variety representing a substantial proportion of the production marketed over the year or over part thereof and satisfying specified requirements as regards market preparation; whereas, when the average of prices recorded on each representative market is being calculated, prices which could be considered excessively high or excessively low in relation to normal price fluctuations on that market are to be disregarded;

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

For the 1992/93 marketing year, the reference prices for broad-leaved (Batavian) endives (CN code 0705 29 00), expressed in ecus per 100 kilograms net of packed products of class I, of all sizes, shall be as follows:

- | | |
|--|--------|
| — from 15 November 1992 to
31 January 1993: | 58,79, |
| — from 1 February 1993 to
31 March 1993: | 63,44. |

Article 2

This Regulation shall enter into force on 15 November 1992.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 23.

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

Done at Brussels, 29 October 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 3137/92

of 29 October 1992

fixing for the 1992/93 marketing year the reference price for mandarins, including tangerines and satsumas, wilkings and other similar citrus hybrids, with the exception of clementines

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1677/85 of 11 June 1985 on monetary compensatory amounts in agriculture⁽³⁾, as last amended by Regulation (EEC) No 2205/90⁽⁴⁾, and in particular Article 6 (3) thereof,

Whereas Article 23 (1) of Regulation (EEC) No 1035/72 provides that reference prices for the whole Community are to be fixed each year before the beginning of the marketing year;

Whereas the importance of mandarin production in the Community is such that a reference price must be fixed for that product, such price to be operative also for tangerines, satsumas, wilkings and other similar citrus hybrids, with the exception of clementines;

Whereas the period during which mandarins harvested during a given crop year are marketed extends from October to 15 May of the following year; whereas the quantity put on the market during October and from 1 March to 15 May of the following year represents only a small percentage of that marketed over the whole marketing year; whereas the reference price should therefore be fixed only for the period running from 1 November to the last day of February of the following year;

Whereas Article 23 (2) (b) of Regulation (EEC) No 1035/72 stipulates that reference prices are to be fixed at the same level as for the preceding marketing year, adjusted, after deducting the standard cost of transporting Community products between production areas and Community consumption centres in the preceding year, by:

— the increase in production costs for fruit and vegetables, less productivity growth, and

— the standard rate of transport costs in the current marketing year;

Whereas the resulting figure may nevertheless not exceed the arithmetic mean of producer prices in each Member State with regard to Article 23 (2) plus transport costs for the current year, after this amount has been increased by the rise in production costs less productivity growth; whereas the reference price may, however, not be lower than in the preceding marketing year;

Whereas producer prices are to correspond to the average of the prices recorded on the representative market or markets situated in the production areas where prices are lowest, during the three years prior to the date on which the reference price is fixed, for a home-grown product with defined commercial characteristics, being a product or variety representing a substantial proportion of the production marketed over the year or over part thereof and satisfying specified requirements as regards market preparation; whereas, when the average of prices recorded on each representative market is being calculated, prices which could be considered excessively high or excessively low in relation to normal price fluctuations on that market are to be disregarded;

Whereas Article 6 of Regulation (EEC) No 1677/85 provides that agricultural prices fixed in ecus must be reduced when the amendment of the agricultural conversion rate takes effect at the beginning of the marketing year following a monetary realignment, as a result of the dismantlement of transferred monetary gaps; whereas, because of automatic dismantlement of the negative monetary gaps created by the realignments of 13 to 17 September 1992, it is necessary to divide the prices in ecus by the coefficient reducing agricultural prices fixed at 1,002650 by Article 2 of Commission Regulation (EEC) No 2735/92⁽⁵⁾;

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

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 23.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 6.

⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁵⁾ OJ No L 277, 22. 9. 1992, p. 18.

HAS ADOPTED THIS REGULATION:

Article 1

For the 1992/93 marketing year, the reference price for fresh mandarins including tangerines and satsumas, wilkings and other similar citrus hybrids, with the exception of clementines (CN codes 0805 20 30, 50, 70, 90),

expressed in ecus per 100 kilograms net of packed products quality class I, of all sizes, shall be:

from 1 November 1992 to 28 February 1993 : 27,64.

Article 2

This Regulation shall enter into force on 1 November 1992.

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

Done at Brussels, 29 October 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 3138/92

of 29 October 1992

fixing for the 1992/93 marketing year the reference prices for cabbage lettuce

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas, pursuant to Article 23 (1) of Regulation (EEC) No 1035/72, reference prices valid for the whole Community are to be fixed at the beginning of the marketing year;

Whereas cabbage lettuce is produced in such quantities in the Community that reference prices should be fixed for it;

Whereas cabbage lettuce harvested during a given crop year is marketed from July to June of the following year; whereas the quantities imported from 1 July to 31 October and in June are so small that there is no need to fix reference prices for these months; whereas reference prices should be fixed only for the period 1 November up to and including 31 May of the following year;

Whereas Article 23 (2) (b) of Regulation (EEC) No 1035/72 stipulates that reference prices are to be fixed at the same level as for the preceding marketing year, adjusted, after deducting the standard cost of transporting Community products between production areas and Community consumption centres in the preceding year, by:

- the increase in production costs for fruit and vegetables, less productivity growth, and
- the standard rate of transport costs in the current marketing year;

Whereas the resulting figure may nevertheless not exceed the arithmetic mean of producer prices in each Member State plus transport costs for the current year, after this

amount has been increased by the rise in production costs less productivity growth; whereas the reference price may, however, not be lower than in the preceding marketing year;

Whereas, to take seasonal price variations into account, the marketing year should be divided into several periods and a reference price fixed for each of these periods;

Whereas producer prices are to correspond to the average of the prices recorded on the representative market or markets situated in the production areas where prices are lowest, during the three years prior to the date on which the reference price is fixed, for a home-grown product with defined commercial characteristics, being a product or variety representing a substantial proportion of the production marketed over the year or over part thereof and satisfying specified requirements as regards market preparation; whereas, when the average of prices recorded on each representative market is being calculated, prices which could be considered excessively high or excessively low in relation to normal price fluctuations on that market are to be disregarded;

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

For the 1992/93 marketing year, the reference prices for cabbage lettuce (CN codes 0705 11 10 and 90), expressed in ecus per 100 kilograms net of packed products of Class I, of all sizes, shall be as follows:

- | | |
|--|--------|
| — from 1 November to 31 December 1992: | 70,82, |
| — from 1 January to 28 February 1993: | 76,11, |
| — from 1 March to 31 May 1993: | 82,90. |

Article 2

This Regulation shall enter into force on 1 November 1992.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 23.

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

Done at Brussels, 29 October 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 3139/92

of 29 October 1992

fixing for the 1992/93 marketing year the Community offer price for artichokes
applicable with regard to Spain and Portugal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulations (EEC) No 3709/89⁽¹⁾ and (EEC) No 3648/90⁽²⁾ laying down general rules for implementing the Act of Accession of Spain and Portugal as regards the compensation mechanism on imports of fruit and vegetables originating respectively in Spain and Portugal, and in particular Article 4 (1) thereof,Having regard to Council Regulation (EEC) No 1677/85 of 11 June 1985 on monetary compensatory amounts in agriculture⁽³⁾, as last amended by Regulation (EEC) No 2205/90⁽⁴⁾, and in particular Article 6 (3) thereof,Whereas Commission Regulation (EEC) No 3820/90⁽⁵⁾ lays down detailed rules for the application of the compensation mechanism to imports of fruit and vegetables from Spain and Portugal;

Whereas, pursuant to Articles 152 and 318 of the Act of Accession, a compensation mechanism is to be introduced on imports into the Community as constituted at 31 December 1985, hereinafter referred to as the 'Community of Ten', of fruit and vegetables from Spain and Portugal for which a reference price is fixed with regard to third countries; whereas, the Community offer prices for artichokes coming from Spain and Portugal should be fixed only during the period where reference prices are fixed with regard to third countries, this means from 1 November up to and including 30 June of the following year;

Whereas, in accordance with Articles 152 (2) (a) and 318 (1) (a) of the Act of Accession, a Community offer price is to be calculated annually on the basis of the arithmetic mean of the producer prices in each Member State of the Community of Ten, plus transport and packaging costs incurred by the products from the production regions to the representative consumption centres of the Community and bearing in mind developments in the cost of production in the fruit and vegetable sector; whereas the

abovementioned producer prices correspond to the average prices recorded during the three years preceding the date of fixing of the Community offer price; whereas, however, the annual Community offer price cannot exceed the reference price applied for third countries;

Whereas, in order to take account of seasonal variations in prices, the marketing year should be divided into one or more periods and a Community offer price should be fixed for each of them;

Whereas, in accordance with Article 1 of Regulations (EEC) No 3709/89 and (EEC) No 3648/90, the producer prices to be used for the determination of the Community offer price are to be those of a domestic product defined by its commercial characteristics recorded on the representative market or markets located in the production areas where prices are lowest for products or varieties representing a considerable proportion of production marketed throughout the year or during a part of the latter and which meet quality Class I requirements and conditions laid down as regards packaging; whereas the average price for each representative market must be established after disregarding prices which may be considered excessively high or excessively low compared with the normal fluctuations recorded on the market; whereas, moreover, if the average price for a Member State shows excessive variations with respect of normal price fluctuations, it shall not be taken into account;

Whereas Article 6 of Regulation (EEC) No 1677/85 provides that agricultural prices fixed in ecus must be reduced when the amendment of the agricultural conversion rate takes effect at the beginning of the marketing year following a monetary realignment, as a result of the dismantlement of transferred monetary gaps; whereas, because of automatic dismantlement of the negative monetary gaps created by the realignments of 13 to 17 September 1992, it is necessary to divide the prices in ecus by the coefficient reducing agricultural prices fixed at 1,002650 by Article 2 of Commission Regulation (EEC) No 2735/92⁽⁶⁾;

Whereas the application of the abovementioned criteria results in Community offer prices being fixed for artichokes for the period 1 November 1992 to 30 June 1993;

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

⁽¹⁾ OJ No L 363, 13. 12. 1989, p. 3.⁽²⁾ OJ No L 362, 27. 12. 1990, p. 16.⁽³⁾ OJ No L 164, 24. 6. 1985, p. 6.⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 9.⁽⁵⁾ OJ No L 366, 29. 12. 1990, p. 43.⁽⁶⁾ OJ No L 277, 22. 9. 1992, p. 18.

HAS ADOPTED THIS REGULATION:

Article 1

For the 1992/93 marketing year, the Community offer price for artichokes (CN code 0709 10 00) applicable with regard to Spain and Portugal, expressed in ecus per 100 kilograms net of packed products of Class I, of all sizes, shall be as follows:

— from 1 November to 31 December 1992:	89,75,
— from 1 January to 30 April 1993:	73,04,
— May 1993	60,96,
— June 1993	47,45.

Article 2

This Regulation shall enter into force on 1 November 1992.

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

Done at Brussels, 29 October 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 3140/92
of 29 October 1992

**fixing for the 1992/93 marketing year the Community offer price for
broad-leaved (Batavian) endives applicable with regard to Spain and Portugal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Regulations (EEC) No 3709/89⁽¹⁾ and No 3648/90⁽²⁾ laying down general rules for implementing the Act of Accession of Spain and Portugal as regards the compensation mechanism on imports of fruit and vegetables originating respectively in Spain and Portugal, and in particular Article 4 (1) thereof,

Whereas, Commission Regulation (EEC) No 3820/90⁽³⁾, lays down detailed rules for the application of the compensation mechanism to imports of fruit and vegetables from Spain;

Whereas, pursuant to Article 152 and Article 318 of the Act of Accession, a compensation mechanism is to be introduced on imports into the Community as constituted at 31 December 1985, hereinafter referred to as the 'Community of Ten', of fruit and vegetables from Spain and Portugal for which a reference price is fixed with regard to third countries; whereas, the Community offer prices for broad-leaved (Batavian) endives coming from Spain and Portugal should be fixed only during the period where reference prices are fixed with regard to third countries, this means from 15 November up to and including 31 March of the following year;

Whereas, in accordance with Articles 152 (2) (a) and 318 (1) (a) of the Act of Accession, a Community offer price is to be calculated annually on the basis of the arithmetic mean of the producer prices in each Member State of the Community of Ten, plus transport and packaging costs incurred by the products from the production regions to the representative consumption centres of the Community and bearing in mind developments in the cost of production in the fruit and vegetable sector; whereas the abovementioned producer prices correspond to the average prices recorded during the three years preceding the date of fixing of the Community offer price; whereas, however, the annual Community offer price cannot exceed the reference price applied for third countries;

Whereas, in order to take account of seasonal variations in prices, the marketing year should be divided into one or

more periods and a Community offer price should be fixed for each of them;

Whereas, in accordance with Article 1 of Regulations (EEC) Nos 3709/89 and 3648/90, the producer prices to be used for the determination of the Community offer price are to be those of a domestic product defined by its commercial characteristics recorded on the representative market or markets located in the production areas where prices are lowest for products or varieties representing a considerable proportion of production marketed throughout the year or during a part of the latter and which meet quality Class I requirements and conditions laid down as regards packaging; whereas the average price for each representative market must be established after disregarding prices which may be considered excessively high or excessively low compared with the normal fluctuations recorded on the market; whereas, moreover, if the average price for a Member State shows excessive variations with respect of normal price fluctuations, it shall not be taken into account;

Whereas the application of the abovementioned criteria results in Community offer prices being fixed for broad-leaved (Batavian) endives for the period 15 November 1992 to 31 March 1993;

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

For the 1992/93 marketing year, the Community offer price for broad-leaved (Batavian) endives (CN code 0705 29 00) applicable with regard to Spain and Portugal, expressed in ecus per 100 kilograms net of packed products of Class I, of all sizes, shall be as follows:

— from 15 November 1992 to 31 January 1993:	57,30,
— from 1 February 1993 to 31 March 1993:	60,01.

Article 2

This Regulation shall enter into force on 15 November 1992.

⁽¹⁾ OJ No L 363, 13. 12. 1989, p. 3.

⁽²⁾ OJ No L 362, 27. 12. 1990, p. 16.

⁽³⁾ OJ No L 366, 29. 12. 1990, p. 43.

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

Done at Brussels, 29 October 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 3141/92

of 29 October 1992

fixing for the 1992/93 marketing year the Community offer price for cabbage lettuce applicable with regard to Spain and Portugal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Regulations (EEC) No 3709/89 ⁽¹⁾ and No 3648/90 ⁽²⁾, laying down general rules for implementing the Act of Accession of Spain and Portugal as regards the compensation mechanism on imports of fruit and vegetables originating respectively in Spain and Portugal, and in particular Article 4 (1) thereof,

Whereas, Commission Regulation (EEC) No 3820/90 of 19 December 1990 ⁽³⁾, lays down detailed rules for the application of the compensation mechanism to imports of fruit and vegetables from Spain;

Whereas, pursuant to Article 152 and Article 318 of the Act of Accession, a compensation mechanism is to be introduced on imports into the Community as constituted at 31 December 1985, hereinafter referred to as the 'Community of Ten', of fruit and vegetables from Spain and Portugal for which a reference price is fixed with regard to third countries; whereas, the Community offer prices for cabbage lettuce coming from Spain and Portugal should be fixed only during the period where reference prices are fixed with regard to third countries, this means from 1 November up to and including 31 May of the following year;

Whereas, in accordance with Articles 152 (2) (a) and 318 (1) (a) of the Act of Accession, a Community offer price is to be calculated annually on the basis of the arithmetic mean of the producer prices in each Member State of the Community of Ten, plus transport and packaging costs incurred by the products from the production regions to the representative consumption centres of the Community and bearing in mind developments in the cost of production in the fruit and vegetable sector; whereas the abovementioned producer prices correspond to the average prices recorded during the three years preceding the date of fixing of the Community offer price; whereas, however, the annual Community offer price cannot exceed the reference price applied for third countries;

Whereas, in order to take account of seasonal variations in prices, the marketing year should be divided into one or

more periods and a Community offer price should be fixed for each of them;

Whereas, in accordance with Article 1 of Regulations (EEC) Nos 3709/89 and 3648/90, the producer prices to be used for the determination of the Community offer price are to be those of a domestic product defined by its commercial characteristics recorded on the representative market or markets located in the production areas where prices are lowest for products or varieties representing a considerable proportion of production marketed throughout the year or during a part of the latter and which meet quality Class I requirements and conditions laid down as regards packaging; whereas the average price for each representative market must be established after disregarding prices which may be considered excessively high or excessively low compared with the normal fluctuations recorded on the market; whereas, moreover, if the average price for a Member State shows excessive variations with respect of normal price fluctuations, it shall not be taken into account;

Whereas the application of the abovementioned criteria results in Community offer prices being fixed for cabbage lettuce for the period 1 November 1992 to 31 May 1993;

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

For the 1992/93 marketing year, the Community offer price for cabbage lettuce (CN codes 0705 11 10 and 90) applicable with regard to Spain and Portugal, expressed in ecus per 100 kilograms net of packed products of Class I, of all sizes, shall be as follows:

— from 1 November to 31 December 1992:	70,70,
— from 1 January to 28 February 1993:	75,60,
— from 1 March to 31 May 1993:	82,34.

Article 2

This Regulation shall enter into force on 1 November 1992.

⁽¹⁾ OJ No L 363, 13. 12. 1989, p. 3.

⁽²⁾ OJ No L 362, 27. 12. 1990, p. 16.

⁽³⁾ OJ No L 366, 29. 12. 1990, p. 43.

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

Done at Brussels, 29 October 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 3142/92
of 29 October 1992

fixing for the 1992/93 marketing year the Community offer price for mandarins, including tangerines and satsumas, wilkings and other similar citrus hybrids, with the exception of clementines applicable with regard to Spain and Portugal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulations (EEC) No 3709/89⁽¹⁾ and (EEC) No 3648/90⁽²⁾ laying down general rules for implementing the Act of Accession of Spain and Portugal as regards the compensation mechanism on imports of fruit and vegetables originating respectively in Spain and Portugal, and in particular Article 4 (1) thereof,

Having regard to Council Regulation (EEC) No 1677/85 of 11 June 1985 on monetary compensatory amounts in agriculture⁽³⁾, as last amended by Regulation (EEC) No 2205/90⁽⁴⁾, and in particular Article 6 (3) thereof,

Whereas, Commission Regulation (EEC) No 3820/90⁽⁵⁾, lays down detailed rules for the application of the compensation mechanism to imports of fruit and vegetables from Spain and Portugal;

Whereas, pursuant to Articles 152 and 318 of the Act of Accession, a compensation mechanism is to be introduced on imports into the Community as constituted at 31 December 1985, hereinafter referred to as the 'Community of Ten', of fruit and vegetables from Spain and Portugal for which a reference price is fixed with regard to third countries; whereas, the Community offer price for mandarins, including tangerines and satsumas, wilkings and other similar citrus hybrids, with the exception of clementines coming from Spain and Portugal should be fixed only during the period where the reference price is fixed with regard to third countries, this means from 1 November to the last day of February of the following year;

Whereas, in accordance with Articles 152 (2) (a) and 318 (1) (a) of the Act of Accession, a Community offer price is to be calculated annually on the basis of the arithmetic mean of the producer prices in each Member State of the Community of Ten, plus transport and packaging costs incurred by the products from the production regions to the representative consumption centres of the Community and bearing in mind developments in the

cost of production in the fruit and vegetable sector; whereas the abovementioned producer prices correspond to the average prices recorded during the three years preceding the date of fixing of the Community offer price; whereas, however, the annual Community offer price cannot exceed the reference price applied for third countries;

Whereas, in accordance with Article 1 of Regulations (EEC) No 3709/89 and (EEC) No 3648/90, the producer prices to be used for the determination of the Community offer price are to be those of a domestic product defined by its commercial characteristics recorded on the representative market or markets located in the production areas where prices are lowest for products or varieties representing a considerable proportion of production marketed throughout the year or during a part of the latter and which meet quality Class I requirements and conditions laid down as regards packaging; whereas the average price for each representative market must be established after disregarding prices which may be considered excessively high or excessively low compared with the normal fluctuations recorded on the market; whereas, moreover, if the average price for a Member State shows excessive variations with respect of normal price fluctuations, it shall not be taken into account;

Whereas the application of the abovementioned criteria results in a Community offer price being fixed for mandarins, including tangerines and satsumas, wilkings and other similar citrus hybrids, with the exception of clementines for the period 1 November 1992 to 28 February 1993;

Whereas Article 6 of Regulation (EEC) No 1677/85 provides that agricultural prices fixed in ecus must be reduced when the amendment of the agricultural conversion rate takes effect at the beginning of the marketing year following a monetary realignment, as a result of the dismantlement of transferred monetary gaps; whereas, because of automatic dismantlement of the negative monetary gaps created by the realignments of 13 to 17 September 1992, it is necessary to divide the prices in ecus by the coefficient reducing agricultural prices fixed at 1,002650 by Article 2 of Commission Regulation (EEC) No 2735/92⁽⁶⁾;

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

⁽¹⁾ OJ No L 363, 13. 12. 1989, p. 3.

⁽²⁾ OJ No L 362, 27. 12. 1990, p. 16.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 6.

⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁵⁾ OJ No L 366, 29. 12. 1990, p. 43.

⁽⁶⁾ OJ No L 277, 22. 9. 1992, p. 18.

HAS ADOPTED THIS REGULATION :

Article 1

For the 1992/93 marketing year, the Community offer price for mandarins, including tangerines and satsumas, wilkings and other similar citrus hybrids, with the exception of clementines (CN codes 0805 20 30, 50, 70 and 90)

applicable with regard to Spain and Portugal, expressed in ecus per 100 kilograms net of packed products of Class I, of all sizes, shall be as follows :

from 1 November 1992 to 28 February 1993 : 27,57.

Article 2

This Regulation shall enter into force on 1 November 1992.

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

Done at Brussels, 29 October 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 3143/92

of 29 October 1992

issuing a standing invitation to tender in order to determine refunds on exports
of olive oil for the period 1 November 1992 to 31 October 1993

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

Having regard to Council Regulation No 136/66/EEC of
of 22 September 1966 on the establishment of a common
organization of the market in oils and fats⁽¹⁾, as last
amended by Regulation (EEC) No 2046/92⁽²⁾,

Having regard to Council Regulation (EEC) No 1650/86
of 26 May 1986 on the refunds and levies applicable to
exports of olive oil⁽³⁾, and in particular Articles 5 and 7
thereof,

Whereas the export refunds for olive oil cannot be fixed
only in accordance with the standard procedure, since
there is insufficient information available on the world
market situation; whereas provision should therefore be
made for issuing a standing invitation to tender so that
the refunds can, in the coming months, be determined by
tender;

Whereas, in view of the demand for olive oil on the world
market in certain special cases, provisions should be
adopted whereby certain conditions are laid down in the
standing invitation to tender;

Whereas, in view of the specific nature of the tendering
procedure, detailed rules should be laid down which will
enable operators in the various Member States to take part
on equal terms, while providing certain guarantees
regarding the validity of the tenders;

Whereas, in order to ensure the smooth operation of the
tendering procedure, the arrangements for determining
the refunds and awarding the contract should be speci-
fied;

Whereas Commission Regulation (EEC) No 3665/87⁽⁴⁾
lays down common detailed rules for the application of
the system of export refunds on agricultural products, as
last amended by Regulation (EEC) No 1525/92⁽⁵⁾;
whereas Commission Regulation (EEC) No 3719/88⁽⁶⁾,
amended by Regulation (EEC) No 2101/92⁽⁷⁾, lays down
common detailed rules for the application of the system
of (import and) export licences and advance fixing certi-
ficates for agricultural products; whereas these Regulations
apply to olive oil; whereas these common provisions
should be supplemented by certain specific provisions;

Whereas it is desirable to extend the use of the ecu to the
largest number of commercial operations in the Commu-
nity;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. There shall be issued a standing invitation to tender
in order to determine export refunds on olive oil falling
within the following CN codes:

— 1509 10 90

— 1509 90 00

— 1510 00 90.

2. The standing invitation to tender shall remain open
until 31 October 1993. During its period of validity there
shall be issued partial invitations to tender.

Article 2

Pursuant to this tendering procedure the Commission
may in accordance with the procedure laid down in
Article 38 of Regulation No 136/66/EEC:

- (a) issue invitations to tender in respect of specific desti-
nations, in response to demand for olive oil in certain
third countries;
- (b) impose restrictions on the quantities and qualities of
oil for which offers may be submitted;
- (c) cancel one or more partial invitations to tender before
the deadline for submitting tenders;
- (d) exclude certain countries of destination from the invi-
tation to tender or differentiate the refund according
to the country of destination.

Article 3

1. The periods during which tenders may be submitted
in response to the partial invitations to tender shall be as
follows:

— for November, January, February, March, April, May,
June, July, September, and October: from the fifth
day to the ninth day of each month at 1 p.m. and
from the 19th to the 23rd day of each month at 1
p.m.,

— for August: from the 19th to the 23th day of each
month at 1 p.m.,

— for December: from the 10th to the 14th day at 1
p.m.

⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽²⁾ OJ No L 215, 30. 7. 1992, p. 1.

⁽³⁾ OJ No L 145, 30. 5. 1986, p. 8.

⁽⁴⁾ OJ No L 351, 14. 12. 1987, p. 1.

⁽⁵⁾ OJ No L 160, 13. 6. 1992, p. 7.

⁽⁶⁾ OJ No L 331, 2. 12. 1988, p. 1.

⁽⁷⁾ OJ No L 210, 25. 7. 1992, p. 18.

That deadline shall be in Belgian time. Where the day on which the deadline expires in a Member State is a public holiday for the authority responsible for receiving the tenders, the deadline shall expire at 1 p.m. on the last preceding working day.

2. Offers in connection with this invitation to tender must be in writing, and must be either delivered by hand, against a receipt, to the competent authority in a Member State, or addressed to that authority by registered letter, telex, telefax or telegram.

Separate tenders must be submitted where they relate to several qualities, presentations or, where applicable, several countries of destination.

3. An offer must indicate :

- (a) the reference number of the Regulation issuing the invitation to tender, and the partial or specific invitation to tender in response to which the offer is being made ;
- (b) the name and address of the tenderer ;
- (c) the quantity, quality and subheadings of the olive oil to be exported and the presentation of the oil, specifying whether it is put up in immediate containers of a net capacity of five litres or less or whether it is otherwise presented ;
- (d) the country of destination, where the refund is differentiated according to the country of destination ;
- (e) the amount of the export refund per 100 kilograms of olive oil, expressed in ecus ;
- (f) the minimum amount of the security to be lodged covering the quantity of olive oil indicated in (c), expressed in the currency of the Member State in which the tender is submitted.

4. An offer shall be valid only if :

- (a) the quantity to be exported is not less than five tonnes of a single quality in the case of olive oil put up in immediate containers of a net capacity of five litres or less, and not less than 20 tonnes of a single quality in the case of olive oil otherwise presented ;
- (b) proof is furnished before expiry of the time limit for the submission of tenders that the tenderer has lodged the security indicated in the tender ;
- (c) it contains all the information required under paragraph 3.

5. Tenders shall be valid in respect of only one partial invitation to tender or, where applicable, one specific invitation to tender. A tender may stipulate that it is to be regarded as having been submitted only if the quantity awarded represents all or a specified part of the tendered quantity.

6. The tender, the proof and the declarations referred to in paragraphs 3 and 4 above shall be expressed in the official language or one of the official languages of the

Member State whose competent authority received the tender.

7. A tender which is not submitted in accordance with the provisions of this Regulation or which contains terms other than those indicated herein, shall not be considered.

8. Once submitted, a tender may not be withdrawn.

Article 4

1. A security of ECU 10 per 100 kilograms of olive oil to be exported must be lodged by each tenderer. This security shall in the case of successful tenderers become the security for the export licence.

2. The provisions of Commission Regulation (EEC) No 2220/85 ⁽¹⁾ shall apply to the securities referred to in this Regulation. The primary requirements within the meaning of Article 20 of Regulation (EEC) No 2220/85 shall be the obligations set out in paragraph 3 (b) and compliance with the time limit set.

3. Except in case of *force majeure*, the security will be released :

- (a) to tenderers only in respect of the quantity for which no award was made ;
- (b) to successful tenderers, only
 - for the quantity in respect of which they have fulfilled the obligation created by the licence referred to in Article 9, the provisions of Article 33 of Regulation (EEC) No 3719/88 remaining applicable,
 - if proof is furnished that the olive oil has reached its destination, in cases where the refund applicable in respect of the invitation to tender is valid for certain third countries only.

Article 5

1. Tenders shall be examined in private by the competent agency of the Member State concerned. Subject to paragraph 2, persons present at the examination shall be under an obligation not to disclose any particulars relating thereto.

2. Tenders shall be communicated by telex or by telefax to the Commission forthwith and in such a manner that the tenderers remain anonymous.

Article 6

1. In the light, in particular, of the current situation and foreseeable development of the Community and world olive oil markets, and the tenders received, a maximum refund shall, in accordance with the procedure laid down in Article 38 of Regulation (EEC) No 136/66/EEC, be fixed for exports of the product falling within the CN codes listed in Article 1. Refunds shall be fixed no later than the eighth working day after the expiry of each deadline for the submission of tenders.

⁽¹⁾ OJ No L 205, 3. 8. 1985, p. 5.

2. It may also be decided, in accordance with that procedure :

- to fix a maximum quantity in respect of each partial invitation to tender,
- not to award a contract in response to a partial specific invitation to tender.

3. The refunds are to be differentiated according to whether the olive oil is put up in immediate containers of a net capacity of five litres or less or is otherwise presented.

4. Where the refund is differentiated according to destination it shall be fixed in the light of the specific situation of each country of destination.

5. Export refunds shall be adjusted during the period of validity of the export licences as referred to in Article 9, in the light of changes in the threshold price occurring between the day on which the export declaration is accepted.

6. Without prejudice to the provisions of the first indent of paragraph 2 a contract shall, in cases where a maximum export refund is fixed, be awarded to every tenderer whose tender quotes a rate of refund equal to or less than such maximum refund for the quantity stated in the tender.

Article 7

1. If a maximum quantity is fixed in respect of a partial invitation to tender, a contract shall be awarded to the tenderer whose tender quotes the lowest export refund and, if necessary, to the tenderer whose tender quotes the next lowest refund, and so on until the entire maximum quantity has been accounted for.

2. However, where an award to a particular tenderer in accordance with the provisions of paragraph 1 would

otherwise result in the maximum quantity being exceeded, that award shall be limited to such quantity as is still available. Where two or more tenders quote the same refund, and awards to all of them would result in the maximum quantity being exceeded, the quantity available shall be allocated as follows :

- by being divided among the tenderers concerned in proportion to the total quantities in each of their tenders, or
- by being apportioned among the tenderers concerned by reference to a maximum tonnage to be fixed for each of them.

Article 8

The competent authority of the Member State concerned shall immediately notify the applicants of the result of their participation in the invitation to tender. In addition, the competent authority shall issue to successful tenderers an export licence for the quantity awarded, indicating in box 18 (a) the export refund quoted in his tender and also stating the quality and presentation of the oil and, where appropriate, the use to which it is to be put.

Article 9

Every successful tenderer shall have the obligation to export, during the period of validity of the export licence awarded to him and, where applicable, to the country indicated in the tender, the tendered quantity of olive oil of the quality and presentation stated in the tender.

This right and these obligations are not transferable.

Article 10

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, 29 October 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 3144/92
of 29 October 1992

re-establishing the levying of customs duties on products of category 16 and 74 (order No 40.0160 and 40.0740), originating in India, 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 No 16 and 74 (order No 40.0160 and 40.0740), originating in India, the relevant ceiling amounts to 99 000 and 67 000 pieces;

Whereas on 27 February 1992 imports of the products in question into the Community, originating in India, 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 India,

HAS ADOPTED THIS REGULATION:

Article 1

As from 2 November 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 India:

Order No	Category (unit)	CN code	Description
40.0160	16 (1 000 pieces)	6203 11 00	Men's or boys suits and ensembles, other than knitted or crocheted, of wool, of cotton or of man-made fibres, excluding ski suits
		6203 12 00	
		6203 19 10	
		6203 19 30	
		6203 21 00	
		6203 22 80	
		6203 23 80	
		6203 29 18	
		6211 32 31	Men's or boys tracksuits with lining, with an outer shell of a single identical fabric, of cotton or of man-made fibres
		6211 33 31	
40.0740	74 (1 000 pieces)	6104 11 00	Women's or girls' knitted or crocheted suits and ensembles, of wool, of cotton or man-made fibres, excluding ski suits
		6104 12 00	
		6104 13 00	
		ex 6104 19 00	
		6104 21 00	
		6104 22 00	
		6104 23 00	
		ex 6104 29 00	

⁽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).

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, 29 October 1992.

For the Commission

Christiane SCRIVENER

Member of the Commission

COMMISSION REGULATION (EEC) No 3145/92

of 29 October 1992

re-establishing the levying of customs duties on products of category 18, 58 and 59 (order No 40.0180, 40.0580 and 40.0590), originating in India, 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 No 18, 58 and 59 (order No 40.0180, 40.0580 and 40.0590), originating in India, the relevant ceiling amounts to 112, 3 675 and 310 tonnes ;

Whereas on 30 April 1992 imports of the products in question into the Community, originating in India, 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 India,

HAS ADOPTED THIS REGULATION :

Article 1

As from 2 November 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 India :

Order No	Category (unit)	CN code	Description
40.0180	18 (tonnes)	6207 11 00	Men's and boys' singlets and other vests, underpants, briefs, nightshirts, pyjamas, bathrobes, dressing gowns and similar articles, other than knitted or crocheted
		6207 19 00	
		6207 21 00	
		6207 22 00	
		6207 29 00	
		6207 91 00	
		6207 92 00	
		6207 99 00	
		6208 11 00	Women's and girls' singlets and other vests, slips, petticoats, briefs, panties, nightdresses, pyjamas, negligés, bathrobes, dressing gowns and similar articles, other than knitted or crocheted
		6208 19 10	
		6208 19 90	
		6208 21 00	
		6208 22 00	
		6208 29 00	
		6208 91 10	
		6208 91 90	
		6208 92 10	
		6208 92 90	
		6208 99 00	
40.0580	58 (tonnes)	5701 10 10	Carpets, carpeting and rugs, knotted (made up or not)
		5701 10 91	
		5701 10 93	
		5701 10 99	
		5701 90 10	
		5701 90 90	

⁽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
40.0590	59 (tonnes)	5702 10 00	Carpets and other textile floor coverings other than the carpets of category 58
		5702 31 10	
		5702 31 30	
		5702 31 90	
		5702 32 10	
		5702 32 90	
		5702 39 10	
		5702 41 10	
		5702 41 90	
		5702 42 10	
		5702 42 90	
		5702 49 10	
		5702 51 00	
		5702 52 00	
		ex 5702 59 00	
		5702 91 00	
		5702 92 00	
		ex 5702 99 00	
		5703 10 10	
		5703 10 90	
		5703 20 11	
		5703 20 19	
		5703 20 91	
		5703 20 99	
		5703 30 11	
		5703 30 19	
		5703 30 51	
		5703 30 59	
		5703 30 91	
		5703 30 99	
		5703 90 10	
		ex 5703 90 90	
		5704 10 00	
		5704 90 00	
		5705 00 10	
		5705 00 31	
		5705 00 39	
		ex 5705 00 90	

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, 29 October 1992.

For the Commission

Christiane SCRIVENER

Member of the Commission

COMMISSION REGULATION (EEC) No 3146/92
of 29 October 1992

re-establishing the levying of customs duties on products of category 22 (order No 40.0220), originating in Indonesia, 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 No 22 (order No 40.0220), originating in Indonesia, the relevant ceiling amounts to 649 tonnes;

Whereas on 6 April 1992 imports of the products in question into the Community, originating in Indonesia, 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 Indonesia,

HAS ADOPTED THIS REGULATION:

Article 1

As from 2 November 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 Indonesia:

Order No	Category (unit)	CN code	Description
40.0220	22 (tonnes)	5508 10 11	Yarn of staple or waste synthetic, fibres not put up for retail sale
		5508 10 19	
		5509 11 00	
		5509 12 00	
		5509 21 10	
		5509 21 90	
		5509 22 10	
		5509 22 90	
		5509 31 10	
		5509 31 90	
		5509 32 10	
		5509 32 90	
		5509 41 10	
		5509 41 90	
		5509 42 10	
		5509 42 90	
		5509 51 00	
		5509 52 10	
		5509 52 90	
		5509 53 00	
		5509 59 00	
		5509 61 10	
		5509 61 90	
		5509 62 00	
		5509 69 00	
		5509 91 10	
		5509 91 90	
		5509 92 00	
		5509 99 00	

⁽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).

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, 29 October 1992.

For the Commission

Christiane SCRIVENER

Member of the Commission

COMMISSION REGULATION (EEC) No 3147/92

of 29 October 1992

re-establishing the levying of customs duties on products of category 20 (order No 40.0200), originating in Malaysia, 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 No 20 (order No 40.0200), originating in Malaysia, the relevant ceiling amounts to 232 tonnes;

Whereas on 18 August 1992 imports of the products in question into the Community, originating in Malaysia, 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 Malaysia,

HAS ADOPTED THIS REGULATION:

Article 1

As from 2 November 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 Malaysia:

Order No	Category (unit)	CN code	Description
40.0200	20 (tonnes)	6302 21 00 6302 22 90 6302 29 90 6302 31 10 6302 31 90 6302 32 90 6302 39 90	Bed linen, other than knitted or crocheted

Article 2

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

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

Done at Brussels, 29 October 1992.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 370, 31. 12. 1990, p. 39.

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

COMMISSION REGULATION (EEC) No 3148/92

of 29 October 1992

re-establishing the levying of customs duties on products of category 9 (order No 40.0090), originating in Sri Lanka, 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 No 9 (order No 40.0090), originating in Sri Lanka, the relevant ceiling amounts to 131 tonnes;

Whereas on 26 March 1992 imports of the products in question into the Community, originating in Sri Lanka, 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 Sri Lanka,

HAS ADOPTED THIS REGULATION:

Article 1

As from 2 November 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 Sri Lanka:

Order No	Category (unit)	CN code	Description
40.0090	9 (tonnes)	5802 11 00 5802 19 00 ex 6302 60 00	Terry towelling and similar woven terry fabrics of cotton; toilet linen and kitchen linen, of terry towelling and similar woven terry fabrics, of cotton, other than knitted or crocheted

Article 2

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

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

Done at Brussels, 29 October 1992.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 370, 31. 12. 1990, p. 39.

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

COMMISSION REGULATION (EEC) No 3149/92
of 29 October 1992

**laying down detailed rules for the supply of food from intervention stocks for
the benefit of the most deprived persons in the Community**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3730/87 of 10 December 1987 laying down the general rules for the supply of food from intervention stocks to designated organizations for distribution to the most deprived persons in the Community ⁽¹⁾, and in particular Article 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 conversion rates to be applied for the purposes of the common agricultural policy ⁽²⁾, as last amended by Regulation (EEC) No 2205/90 ⁽³⁾, and in particular Articles 2 ⁽⁴⁾ and 12 thereof,

Whereas, in view of the experience of a number of years' management of the arrangements introduced by Regulation (EEC) No 3730/87, the implementing rules laid down by Commission Regulation (EEC) No 3744/87 ⁽⁵⁾, as last amended by Regulation (EEC) No 583/91 ⁽⁶⁾, should be amended; whereas, for the sake of clarity and convenience, the latter should be replaced by this Regulation;

Whereas the procedure and rules for establishing the annual distribution plan for products from intervention stocks drawn up by the Commission on the basis of information provided by the Member States should be simplified and the timetable should be adapted taking into account the requirements of distribution to the recipients and the need for financial management of public intervention stocks;

Whereas the supply of agricultural products and foodstuffs to the most deprived persons in the Community normally involves products processed or packaged from products withdrawn from Community intervention stores; whereas, however, the objective may also be achieved by the supply of agricultural products and foodstuffs belonging to the same category of products placed on the Community market; whereas in such cases supply is reimbursed in the form of a withdrawal and transfer of products from the intervention stores;

Whereas, in order to manage the arrangements properly, when apply concerns products which have been processed or subject to a specific operation, there should be a call for tenders to determine the most favourable terms for the supply;

Whereas the terms for reimbursing charitable organizations for costs incurred by the transport of products and also, if appropriate, administrative costs should be determined, within the limits of available funds; whereas transport costs are to be reimbursed on the basis of standards rates; whereas, however, provision should be made for the possibility of determining such transport costs by an invitation to tender; whereas the rules for entering in the accounts the value of products withdrawn from intervention stores for the purposes of EAGGF, Guarantee Section, expenditure should also be laid down, along with the rules to be applied in the event that stocks are transferred from one Member State to another;

Whereas the rates to be applied on the one hand for the conversion of the accounting value of the products, and on the other, for the conversion of transport and administrative costs should be determined; whereas in respect of these costs, in order to avoid currency distortions, a rate closer to economic reality than the agricultural conversion rate should be used, while applying the correcting factor referred to in Article 2 (2) of Regulation (EEC) No 1676/85; whereas Article 3a of Commission Regulation (EEC) No 3152/85 ⁽⁷⁾, as last amended by Regulation (EEC) No 3237/90 ⁽⁸⁾, on detailed rules for the application of Regulation (EEC) No 1676/85, provides for such a rate to be published;

Whereas the purpose of these arrangements and the nature of the intervention product transfers justifies the non-application of the monetary compensatory amounts and, where necessary, the rules for applying the supplementary trade mechanism provided for by the Act of Accession of Spain and Portugal;

Whereas provision should be made for this Regulation to apply at the beginning of the period of execution of the distribution plan, namely 1 October 1992;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the relevant management committees,

⁽¹⁾ OJ No L 352, 15. 12. 1987, p. 1.

⁽²⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽³⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁴⁾ OJ No L 352, 15. 12. 1987, p. 33.

⁽⁵⁾ OJ No L 65, 12. 3. 1991, p. 32.

⁽⁶⁾ OJ No L 310, 21. 11. 1985, p. 1.

⁽⁷⁾ OJ No L 310, 9. 11. 1990, p. 18.

HAS ADOPTED THIS REGULATION:

Article 1

1. Member States wishing to apply the measures introduced by Regulation (EEC) No 3730/87 on behalf of the most deprived persons in the Community shall inform the Commission each year no later than 15 February preceding the period of implementation of the annual plan referred to in Article 2.

2. By 31 May at the latest, the Member States concerned shall notify the Commission of:

- (a) the quantities of each type of product (expressed in tonnes) required to implement the plan on their territory for the year in question;
- (b) the form in which the products are to be distributed to the recipients;
- (c) the eligibility criteria to be met by recipients;
- (d) the rate of charges, if any, which may be imposed on the recipients pursuant to Article 1 of Regulation (EEC) No 3730/87.

Article 2

1. Before 30 September each year, the Commission shall adopt an annual plan for the distribution of the products from intervention stocks, broken down by Member State concerned. With a view to allocating the resources between the Member States, the Commission shall take account of the best estimates of the number of most deprived persons in the Member States concerned, as well as the experience gained and uses to which the resources were put in previous years.

2. Before drawing up the annual plan, the Commission shall consult the major organizations familiar with the problems of the most deprived persons in the Community.

3. The plan shall include in particular:

- (a) the quantity of each type of product that may be withdrawn from intervention stocks for distribution in each Member State;
- (b) the financial resources available to carry out the plan in each Member State;
- (c) the appropriations needed to cover the intra-Community transfer costs of the intervention products referred to in Article 7.

4. The Commission shall publish the plan as quickly as possible.

Article 3

1. Implementation of the plan shall run from 1 October to 30 September of the following year. It shall cover the withdrawal of products from intervention stocks from 1 October to 31 August.

2. During the implementation of the plan, the Member States shall notify the Commission of any amendments to its execution which, however, must not involve any increase in anticipated expenditure. This notification shall be accompanied by any other pertinent information.

3. The Member States shall immediately inform the Commission, and by the end of April in the period of implementation at the latest, of foreseeable reductions in expenditure on applying the plan.

The Commission may reallocate unused resources to other Member States.

Article 4

1. Implementation of the plan shall involve the supply of products withdrawn from intervention stores.

2. Where the supply of processed and/or packaged products is involved, the competent authority in each Member State shall arrange for a call for tenders to ensure the least expensive supply terms. At least three bidders shall tender.

The call for tenders shall concern:

- the charges for processing and/or packaging the products to be distributed,
- the quantity of processed or packaged agricultural products or of foodstuffs which may be obtained by the use of products from intervention stocks, supplied in payment for such products,
- the quantity of processed agricultural products or foodstuffs which are available or may be obtained on the market by supplying for payment products of the same type from intervention stocks.

3. The Member States may make provision for the supply to entail in addition the carriage of the products to the warehouses of the charitable organization and, where appropriate, their distribution to the recipients. In such cases the supply shall be awarded by an invitation to tender in which at least three bidders submit tenders.

Article 5

1. For EAGGF Guarantee Section accounting purposes, and notwithstanding the provisions of Article 8 of Council Regulation (EEC) No 1883/78 (⁽¹⁾), the accounting value of the products made available from intervention under this Regulation shall be the intervention price applicable on 1 October of each year.

Conversion into national currency shall be carried out using the agricultural conversion rate applicable on 1 October.

(⁽¹⁾) OJ No L 216, 5. 8. 1978, p. 1.

In the case of beef, the intervention price shall be subject to the coefficients set out in Annex I.

2. Where intervention products are transferred from one Member State to another, the supplier Member State shall record the product delivered as a zero entry in the accounts and the Member State of destination shall record it as a receipt in the month of dispatch, using the price and rate calculated in accordance with paragraph 1.

Article 6

1. The cost of transport from intervention stores in the territory of the Member State to the manufacturing and/or packaging premises and from the latter to the stores of the charitable organizations shall, on duly substantiated application to the competent authority in each Member State, be reimbursed to the organizations designated to distribute the products at the rates laid down in Annex II.

2. Where Article 4 (3) is applied, the Member State shall obtain reimbursement of the supply costs, including transport and, where applicable, distribution costs on the basis of the most advantageous offer in response to the invitation to tender.

3. Administrative costs generated by the supplies provided for in this Regulation shall, on duly substantiated application to the competent authority in each Member State, be reimbursed to the charitable organizations subject to a limit of 1 % of the value of the products made available to them, calculated in accordance with Article 5 (1).

4. The costs referred to in paragraphs 1, 2 and 3 shall be reimbursed to the Member States within the limits of the available resources as referred to in Article 2 (3) (b).

Article 7

1. When products included in the plan are not available from intervention in the Member State where such products are required, the Member State in question shall submit a transfer application to the Commission, in which it shall provide all the necessary information on the location of stocks and the distances and quantities involved. Where an application is not justified, the Commission shall explain its reasons for rejecting it.

2. Where a transfer is involved, the transport costs shall be defrayed by the Community and reimbursed to the Member State on the basis of the rates fixed in Annex II. The expenditure shall be set off against the appropriations referred to in Article 2 (3) (c). Where the appropriations have been fully allocated, any additional Community financing to cover intra-Community transport costs shall be provided in accordance with Article 6 (4).

Transport costs may not be the subject of a payment in kind or of an exchange of products.

The competent authority shall lay down the conditions for the provision and release of the security to be provided by the carrier. The authority shall ensure that the goods have been appropriately insured.

3. Transferred products shall not be subject to the 'accession' compensatory amounts system, not to the supplementary trade mechanism.

4. The Member State of destination shall provide the supplier Member State with the name of the person contracted to transport the products. When taking charge of the products, the contractor must agree to supply proof that they have been transferred to the State of destination.

Production of a takeover document issued by the intervention agency of destination shall constitute proof of transfer of the products.

Dispatch declarations issued by the supplier intervention agency shall include one of the following inscriptions:

- *Transferencia de productos de intervención — Aplicación del apartado 4 del artículo 7 del Reglamento (CEE) nº 3149/92 y del apartado 3 del artículo 21 del Reglamento (CEE) nº 3154/85*
- *Overførsel af interventionsprodukter — anvendelse af artikel 7, stk. 4, i forordning (EØF) nr. 3149/92 og artikel 21, stk. 3, i forordning (EØF) nr. 3154/85*
- *Transfer von Interventionserzeugnissen — Anwendung von Artikel 7 Absatz 4 der Verordnung (EWG) Nr. 3149/92 und Artikel 21 Absatz 3 der Verordnung (EWG) Nr. 3154/85*
- *Μεταφορά προϊόντων παρεμβάσεως — εφαρμογή του άρθρου 7 παράγραφος 4 του κανονισμού (ΕΟΚ) αριθ. 3149/92 και του άρθρου 21 παράγραφος 3 του κανονισμού (ΕΟΚ) αριθ. 3154/85*
- *Transfer of intervention products — Application of Article 7 (4) of Regulation (EEC) No 3149/92 and Article 21 (3) of Regulation (EEC) No 3154/85*
- *Transfert de produits d'intervention — Application de l'article 7 paragraphe 4 du règlement (CEE) nº 3149/92 et de l'article 21 paragraphe 3 du règlement (CEE) nº 3154/85*
- *Trasferimento di prodotti d'intervento — Applicazione dell'articolo 7, paragrafo 4 del regolamento (CEE) n. 3149/92 e dell'articolo 21, paragrafo 3 del regolamento (CEE) n. 3154/85*
- *Overdracht van interventieprodukten — toepassing van artikel 7, lid 4, van Verordening (EEG) nr. 3149/92 en van artikel 21, lid 3, van Verordening (EEG) nr. 3154/85*
- *Transferência de produtos de intervenção — aplicação do nº 4 do artigo 7º do Regulamento (CEE) nº 3149/92 e do nº 3 do artigo 21º do Regulamento (CEE) nº 3154/85.*

5. The transport costs shall be paid by the Member State to which the products in question are sent on the basis of the quantities that actually arrive.

6. Any losses shall be accounted for in accordance with the provisions of Article 2 (2) of Commission Regulation (EEC) No 3597/90⁽¹⁾.

Article 8

Notwithstanding Article 2 of Regulation (EEC) No 1676/85, the amounts laid down in Articles (1) and 7 shall be converted into national currency using the representative market rate referred to in Article 3a of Regulation (EEC) No 3152/85 and applicable on 1 October of the year in which the plan is carried out.

Article 9

The Member States shall take all necessary measures to ensure that:

- the intervention products made available are put to the use and serve the purpose laid down in Article 1 of Regulation (EEC) No 3730/87,
- the goods which are not delivered in bulk to the recipients have the following inscription on their packaging: 'EEC aid',
- the designated implementing organizations maintain appropriate accounts and supporting documents and

allow the competent authorities access to them to carry out whatever checks they deem necessary.

Article 10

Before the end of March each year, the Member States shall send the Commission a report on the implementation of the plan on their territory during the previous year. The progress report shall include:

- the amounts of the various products withdrawn from intervention stocks,
- the type and quantity of goods distributed to the recipients, specifying processed and unprocessed goods separately,
- the number of recipients over the course of the year.

The report shall specify the verification measures that have been applied to ensure that the goods have achieved their intended objective.

Article 11

Regulation (EEC) No 3744/87 is hereby repealed.

Article 12

This Regulation shall enter into force on the 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, 29 October 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 350, 14. 12. 1990, p. 43.

[illegible]

*ANNEX II***TRANSPORT COSTS****Beef and butter :**

- for the first 200 kilometres : ECU 20,00/tonne,
- for the each additional kilometre over 200 : ECU 0,05/tonne.

Cereals and rice :

- for the first 200 kilometres : ECU 5,50/tonne.
- for each additional kilometre over 200 : ECU 0,20/tonne.

Olive oil :

- for the first 200 kilometres : ECU 20,00/tonne.
- for each additional kilometre over 200 : ECU 0,04/tonne.

Milk powder :

- for the first 200 kilometres : ECU 10,00/tonne.
 - for each additional kilometre over 200 : ECU 0,04/tonne.
-

COMMISSION REGULATION (EEC) No 3150/92

of 29 October 1992

adopting interim protective measures as regards applications for STM licences lodged from 19 to 23 October 1992 for milk and milk products imported into Portugal from the Community of Ten and 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, and in particular Articles 252 (1) and 256 (1) thereof,

Whereas Commission Regulation (EEC) No 3812/90 of 19 December 1990 laying down detailed rules for the application of the supplementary trade mechanism to milk products imported into Portugal from the Community of Ten and Spain ⁽¹⁾, as last amended by Regulation (EEC) No 3775/91 ⁽²⁾, fixes the target ceilings for milk and milk products for 1992 and provides for a breakdown thereof;

Whereas applications for STM licences lodged in the Community of Ten and Spain from 19 to 23 October 1992 for cheese falling within CN code 0406 90 23 relate to quantities in excess of the target ceiling laid down for the fourth quarter of 1992;

Whereas, pursuant to Article 5 (2) of Council Regulation (EEC) No 3792/85 of 20 December 1985 laying down the arrangements applying to trade in agricultural products between Spain and Portugal ⁽³⁾, Article 252 of the Act of Accession is to apply *mutatis mutandis* to imports into Portugal from Spain;

Whereas Article 250 (1) of the Act of Accession provides that the Commission may adopt, in accordance with emergency procedures, the interim protective measures

that are necessary where the situation results in the target ceiling being attained or exceeded; whereas, to that end, in view of the quantities covered by applications, licences should be issued, by way of an interim protective measure for the Community of Ten and Spain, for up to a certain percentage of the varieties of cheese falling within CN code 0406 90 23 applied for and all further issuing of licences for the products in question should be suspended,

HAS ADOPTED THIS REGULATION:

Article 1

1. Applications for STM licences as referred to in Regulation (EEC) No 3812/90 for milk products falling within CN code 0406 90 23 lodged in the Community of Ten and Spain from 19 to 23 October 1992 and notified to the Commission shall be accepted in respect of up to 91,8 % of the quantities concerned.

2. No further STM licences for products falling within CN code 0406 90 23 for the Community of Ten and Spain shall be accepted until 31 December 1992.

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, 29 October 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 366, 29. 12. 1990, p. 15.

⁽²⁾ OJ No L 356, 24. 12. 1991, p. 41.

⁽³⁾ OJ No L 367, 31. 12. 1985, p. 7.

**COMMISSION REGULATION (EEC) No 3151/92
of 29 October 1992**

introducing a countervailing charge on cucumbers originating in Romania

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

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

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

Whereas Commission Regulation (EEC) No 3015/92⁽³⁾ introduced a countervailing charge on cucumbers originating in Romania;

Whereas for cucumbers originating in Romania there were no prices for six consecutive working days; whereas

the conditions specified in Article 26 (1) of Regulation (EEC) No 1035/72 are therefore fulfilled and the countervailing charge on imports of cucumbers originating in Romania can be abolished,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3015/92 is hereby repealed.

Article 2

This Regulation shall enter into force on 30 October 1992.

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

Done at Brussels, 29 October 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.
⁽²⁾ OJ No L 180, 1. 7. 1992, p. 23.
⁽³⁾ OJ No L 305, 21. 10. 1992, p. 10.

COMMISSION REGULATION (EEC) No 3152/92
of 29 October 1992
amending Regulation (EEC) No 3053/92 prolonging the second suspension of the
advance fixing of the import levy for certain cereals

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1738/92 ⁽²⁾, and in particular the first subparagraph of Article 15 ⁽⁷⁾ thereof,

Having regard to Council Regulation (EEC) No 1799/87 of 25 June 1987 on special arrangements for imports of maize and sorghum into Spain from 1987 to 1991 ⁽³⁾, as amended by Regulation (EEC) No 3391/91 ⁽⁴⁾, and in particular Article 8 thereof,

Whereas Commission Regulation (EEC) No 3053/92 ⁽⁵⁾ suspends the advance fixing of the import levy on cereals including grain sorghum; whereas the reason for that suspension was the risk of advance fixing of the import levy on massive quantities of such cereals; whereas in the case of imports of grain sorghum under the arrangements laid down in Commission Regulation (EEC) No 3105/87 of 16 October 1987 laying down detailed rules for the application of the special arrangements for imports of maize and sorghum into Spain from 1987 to 1991 ⁽⁶⁾, as last amended by Regulation (EEC) No 3624/89 ⁽⁷⁾, that risk is eliminated by the introduction of a period elapsing between the submission of licence applications and their

issue; whereas advance fixing of the import levy on grain sorghum imported into Spain under the abovementioned arrangements should accordingly be reintroduced;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 1 of Regulation (EEC) No 3053/92 is hereby replaced by the following:

Article 1

Advance fixing of the import levy on cereals covered by CN code 1007 00 90 is hereby suspended from 23 October 1992 except as regards imports of grain sorghum into Spain under Commission Regulation (EEC) No 3105/87 ⁽⁸⁾.

⁽⁸⁾ OJ No L 294, 17. 10. 1987, p. 15.

Article 2

This Regulation shall enter into force on 30 October 1992.

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

Done at Brussels, 29 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 170, 30. 6. 1987, p. 1.

⁽⁴⁾ OJ No L 320, 22. 11. 1991, p. 1.

⁽⁵⁾ OJ No L 307, 23. 10. 1992, p. 47.

⁽⁶⁾ OJ No L 294, 17. 10. 1987, p. 15.

⁽⁷⁾ OJ No L 351, 2. 12. 1989, p. 28.

COMMISSION REGULATION (EEC) No 3153/92

of 29 October 1992

fixing the export refunds on cereals and on wheat or rye flour, groats and meal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1738/92⁽²⁾, and in particular the fourth subparagraph of Article 16 (2) thereof,

Whereas Article 16 of Regulation (EEC) No 2727/75 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products in the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds⁽³⁾ provides that when refunds are being fixed, account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals on the Community market on the one hand, and prices for cereals and cereal products on the world market on the other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on cereal markets and, furthermore, to take into account the economic aspect of the proposed exports and the need to avoid disturbances on the Community market;

Whereas export possibilities exist for a quantity of 50 000 tonnes of hard wheat meal to certain destinations; whereas the procedure laid down in Article 9 (4) of Commission Regulation (EEC) No 891/89⁽⁴⁾, as last amended by Regulation (EEC) No 2804/92⁽⁵⁾, should be used; whereas account should be taken of this when the refunds are fixed;

Whereas Article 3 of Regulation (EEC) No 2746/75 defines the specific criteria to be taken into account when the refund on cereals is being calculated;

Whereas these specific criteria are defined, as far as wheat and rye flour, groats and meal are concerned, in Article 4 of Regulation (EEC) No 2746/75; whereas furthermore, when the refund on these products is being calculated, account must be taken of the quantities of cereals required for their manufacture; whereas these quantities were fixed in Commission Regulation No 162/67/EEC⁽⁶⁾, as last amended by Regulation (EEC) No 468/92⁽⁷⁾;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination;

Whereas the refund must be fixed once a month; whereas it may be altered in the intervening period;

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

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

Whereas it follows from applying the detailed rules set out above to the present situation on the market in cereals, and in particular to quotations or prices for these products within the Community and on the world market, that the refunds should be as set out in the Annex hereto;

Whereas Council Regulation (EEC) No 1432/92⁽¹⁰⁾ as amended by Regulation (EEC) No 2015/92⁽¹¹⁾, prohibits

(¹) OJ No L 281, 1. 11. 1975, p. 1.
 (²) OJ No L 171, 26. 6. 1992, p. 47.
 (³) OJ No L 281, 1. 11. 1975, p. 78.
 (⁴) OJ No L 94, 7. 4. 1989, p. 13.
 (⁵) OJ No L 282, 26. 9. 1992, p. 40.

(⁶) OJ No 128, 27. 6. 1967, p. 2574/67.
 (⁷) OJ No L 53, 28. 2. 1992, p. 15.
 (⁸) OJ No L 164, 24. 6. 1985, p. 1.
 (⁹) OJ No L 201, 31. 7. 1990, p. 9.
 (¹⁰) OJ No L 151, 3. 6. 1992, p. 4.
 (¹¹) OJ No L 205, 22. 7. 1992, p. 2.

trade between the Community and the Republics of Serbia and Montenegro; whereas this prohibition does not apply to certain situations as given in the limitative enumeration laid down in Articles 2 and 3; whereas this should be taken into account when refunds are fixed;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 2727/75, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 30 October 1992.

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

Done at Brussels, 29 October 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 29 October 1992 fixing export refunds on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)		
Product code	Destination (1)	Amount of refund (2)
0709 90 60 000	—	—
0712 90 19 000	—	—
1001 10 10 000	—	—
1001 10 90 000	04	50,00
	02	20,00
1001 90 91 000	01	0
1001 90 99 000	04	67,00
	05	21,00
	02	20,00
1002 00 00 000	03	21,00
	02	20,00
1003 00 10 000	01	0
1003 00 90 000	04	65,00
	02	20,00
1004 00 10 000	—	—
1004 00 90 000	—	—
1005 10 90 000	—	—
1005 90 00 000	04	78,00
	02	0
1007 00 90 000	—	—
1008 20 00 000	—	—
1101 00 00 100	01	108,00
1101 00 00 130	01	102,00
1101 00 00 150	01	94,00
1101 00 00 170	01	87,00
1101 00 00 180	01	81,00
1101 00 00 190	—	—
1101 00 00 900	—	—
1102 10 00 500	01	108,00
1102 10 00 700	—	—
1102 10 00 900	—	—
1103 11 10 200	01	190,00 (3)
1103 11 10 400	01	120,00
1103 11 10 900	01	0
1103 11 90 200	01	108,00
1103 11 90 800	—	—

(¹) The destinations are identified as follows :

- 01 All third countries,
- 02 Other third countries,
- 03 Switzerland, Austria and Liechtenstein,
- 04 Switzerland, Austria, Liechtenstein, Ceuta and Melilla,
- 05 Poland.

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

(³) Refund fixed under the procedure laid down in Article 9 (4) of amended Regulation (EEC) No 891/89 in respect of a quantity of 50 000 tonnes of hard wheat meal destined for third countries.

NB : The zones are those defined in Commission Regulation (EEC) No 2145/92 (OJ No L 214, 30. 7. 1992, p. 20).

COMMISSION REGULATION (EEC) No 3154/92

of 29 October 1992

fixing the export refunds on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1738/92⁽²⁾, and in particular the fourth subparagraph of Article 16 (2) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EEC) No 674/92⁽⁴⁾, and in particular the fourth subparagraph of Article 17 (2) thereof,

Whereas Article 16 of Regulation (EEC) No 2727/75 and Article 17 of Regulation (EEC) No 1418/76 provide that the difference between quotations or prices on the world market for the products listed in Article 1 of those Regulations and prices for those products within the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 2746/75⁽⁵⁾, and Article 2 of Council Regulation (EEC) No 1431/76⁽⁶⁾ laying down general rules for granting export refunds on cereals and rice respectively and criteria for fixing the amount of such refunds, provide that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals, rice and broken rice on the Community market on the one hand and prices for cereals, rice, broken rice and cereal products on the world market on the other; whereas the same Articles provide that it is also important to ensure equilibrium and the natural development of prices and trade on the markets in cereals and rice and, furthermore, to take into account the economic aspect of the proposed exports, and the need to avoid disturbances on the Community market;

Whereas Article 6 of Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice⁽⁷⁾, as last amended by Regulation (EEC) No 1906/87⁽⁸⁾, defines the specific criteria to be taken into account when the refund on these products is being calculated;

Whereas, on the basis of the criteria laid down in Regulation (EEC) No 2744/75, particular account should be taken of the prices and quantities of basic products used to calculate the variable component of the levy;

Whereas it follows from applying these detailed rules to the present situation on the market in products processed from cereals and rice that the export refund should be fixed at an amount which will cover the difference between Community prices and world market prices;

Whereas when the refund is being calculated account should be taken of the quantities of raw materials used to determine the variable component of the levy; whereas the quantities of raw materials used for certain processed products may vary according to the end use of the product; whereas, depending on the manufacturing process used, products other than the main product are obtained, the quantity and value of which may vary with the nature and quality of the main products being manufactured; whereas cumulation of the refunds on the various products manufactured by a single process from the same basic product may make it possible, in certain cases, to export to third countries at prices which are lower than world market prices; whereas the refund on certain products should therefore be limited to an amount which, while allowing access to the world market, will ensure that the aims of the common organization of the markets are respected;

Whereas the refund to be granted in respect of certain processed products should be graduated on the basis of the ash, crude fibre, tegument, protein, fat and starch content of the individual product concerned, this content being a particularly good indicator of the quantity of basic product actually incorporated in the processed product;

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 73, 19. 3. 1992, p. 7.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁶⁾ OJ No L 166, 25. 6. 1976, p. 36.

⁽⁷⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁸⁾ OJ No L 182, 3. 7. 1987, p. 49.

Whereas there is no need at present to fix an export refund for manioc, other tropical roots and tubers or flours obtained therefrom, given the economic aspect of potential exports and in particular the nature and origin of these products; whereas, for certain products processed from cereals, the insignificance of Community participation in world trade makes it unnecessary to fix an export refund at the present time;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽¹⁾, as last amended by Regulation (EEC) No 2205/90 ⁽²⁾,
- 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 the refund must be fixed once a month; whereas it may be altered in the intervening period;

Whereas Council Regulation (EEC) No 1432/92 ⁽³⁾, as amended by Regulation (EEC) No 2015/92 ⁽⁴⁾, prohibits trade between the Community and the Republics of Serbia and Montenegro; whereas this prohibition does not apply to certain situations as given in the limitative enumeration laid down in Articles 2 and 3; whereas this should be taken into account when refunds are fixed;

Whereas the Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (d) of Regulation (EEC) No 2727/75 and in Article 1 (1) (c) of Regulation (EEC) No 1418/76 and subject to Regulation (EEC) No 2744/75 are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 30 October 1992.

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

Done at Brussels, 29 October 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽²⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽³⁾ OJ No L 151, 3. 6. 1992, p. 4.

⁽⁴⁾ OJ No L 205, 22. 7. 1992, p. 2.

ANNEX

to the Commission Regulation of 29 October 1992 fixing the export refunds on products
processed from cereals and rice

(ECU/tonne)		(ECU/tonne)	
Product code	Refund (1)	Product code	Refund (1)
1102 20 10 100	126,08	1104 23 10 900	—
1102 20 10 300	108,07	1104 29 11 000	75,41
1102 20 10 900	—	1104 29 15 000	—
1102 20 90 100	108,07	1104 29 19 000	—
1102 20 90 900	—	1104 29 91 000	73,93
1102 30 00 000	—	1104 29 95 000	100,86
1102 90 10 100	108,29	1104 30 10 000	18,48
1102 90 10 900	73,63	1104 30 90 000	22,52
1102 90 30 100	211,64	1107 10 11 000	131,60
1102 90 30 900	—	1107 10 91 000	128,50
1103 12 00 100	211,64	1108 11 00 200	147,86
1103 12 00 900	—	1108 11 00 300	147,86
1103 13 10 100	162,11	1108 11 00 800	—
1103 13 10 300	126,08	1108 12 00 200	144,10
1103 13 10 500	108,07	1108 12 00 300	144,10
1103 13 10 900	—	1108 12 00 800	—
1103 13 90 100	108,07	1108 13 00 200	144,10
1103 13 90 900	—	1108 13 00 300	144,10
1103 14 00 000	—	1108 13 00 800	—
1103 19 10 000	100,86	1108 14 00 200	—
1103 19 30 100	111,89	1108 14 00 300	—
1103 19 30 900	—	1108 14 00 800	—
1103 21 00 000	75,41	1108 19 10 200	125,22
1103 29 20 000	73,63	1108 19 10 300	125,22
1103 29 30 000	—	1108 19 10 800	—
1103 29 40 000	—	1108 19 90 200	—
1104 11 90 100	108,29	1108 19 90 300	—
1104 11 90 900	—	1108 19 90 800	—
1104 12 90 100	235,16	1109 00 00 100	0,00
1104 12 90 300	188,13	1109 00 00 900	—
1104 12 90 900	—	1702 30 51 000	188,23
1104 19 10 000	75,41	1702 30 59 000	144,10
1104 19 50 110	144,10	1702 30 91 000	188,23
1104 19 50 130	117,08	1702 30 99 000	144,10
1104 19 50 150	—	1702 40 90 000	144,10
1104 19 50 190	—	1702 90 50 100	188,23
1104 19 50 900	—	1702 90 50 900	144,10
1104 19 91 000	—	1702 90 75 000	197,23
1104 21 10 100	108,29	1702 90 79 000	136,89
1104 21 10 900	—	2106 90 55 000	144,10
1104 21 30 100	108,29	2302 10 10 000	18,89
1104 21 30 900	—	2302 10 90 100	18,89
1104 21 50 100	144,38	2302 10 90 900	—
1104 21 50 300	115,50	2302 20 10 000	18,89
1104 21 50 900	—	2302 20 90 100	18,89
1104 22 10 100	188,13	2302 20 90 900	—
1104 22 10 900	—	2302 30 10 000	18,89
1104 22 30 100	199,89	2302 30 90 000	18,89
1104 22 30 900	—	2302 40 10 000	18,89
1104 22 50 000	—	2302 40 90 000	18,89
1104 23 10 100	135,09	2303 10 11 100	72,05
1104 23 10 300	103,57	2303 10 11 900	—

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

NB: The product codes and the footnotes are defined in amended Commission Regulation (EEC) No 3846/87.

COMMISSION REGULATION (EEC) No 3155/92

of 29 October 1992

fixing the export refunds on cereal-based compound feedingstuffs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1738/92 ⁽²⁾, and in particular the fourth subparagraph of Article 16 (2) thereof,

Whereas Article 16 of Regulation (EEC) No 2727/75 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds ⁽³⁾, provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals on the Community market on the one hand and prices for cereals and cereal products on the other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on the cereal markets;

Whereas it follows from applying these detailed rules to the present situation on the market in cereal-based compound feedingstuffs that the export refund should be fixed at an amount which will cover the difference between Community prices and world market prices;

Whereas Article 7 (1) of Council Regulation (EEC) No 2743/75 of 29 October 1975 on the system to be applied to cereal-based compound feedingstuffs ⁽⁴⁾, as last amended by Regulation (EEC) No 944/87 ⁽⁵⁾, provides that, when export refunds on cereal-based compound feedingstuffs are being fixed, only certain products used in the manufacture of compound feedingstuffs for which a refund may be fixed should be taken into account;

Whereas Commission Regulation (EEC) No 1913/69 of 29 September 1969 on the granting and the advance fixing of the export refund on cereal-based compound feedingstuffs ⁽⁶⁾, as last amended by Regulation (EEC) No 3630/91 ⁽⁷⁾, provides that calculation of the export refund must be based on the averages of the refunds granted and the levies calculated on the most commonly used basic cereals, adjusted on the basis of the threshold price in force during the current month; whereas that calculation must also take account of the cereal products content; whereas, therefore, in the interest of simplification, compound feedingstuffs should be placed in categories and the refund for each category should be fixed on the basis of the quantity of cereal products content for the category concerned; whereas, furthermore, the amount of the refund must also take into account the possibilities and conditions for the sale of those products on the world market, the need to avoid disturbances on the Community market and the economic aspect of the export;

Whereas, however, in fixing the rate of refund it would seem advisable to base it at this time on the difference in the cost of raw inputs widely used in compound feedingstuffs as between the Community and world markets, allowing more accurate account to be taken of the commercial conditions under which such products are exported;

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

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

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 60.

⁽⁵⁾ OJ No L 90, 2. 4. 1987, p. 2.

⁽⁶⁾ OJ No L 246, 30. 9. 1969, p. 11.

⁽⁷⁾ OJ No L 344, 14. 12. 1991, p. 40.

⁽⁸⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁹⁾ OJ No L 201, 31. 7. 1990, p. 9.

Whereas the refund must be fixed once a month ;
whereas it may be altered in the intervening period ;

Whereas Council Regulation (EEC) No 1432/92 ⁽¹⁾, as amended by Regulation (EEC) No 2015/92 ⁽²⁾, prohibits trade between the Community and the Republics of Serbia and Montenegro ; whereas this prohibition does not apply to certain situations as given in the limitative enumeration laid down in Articles 2 and 3 ; whereas this should be taken into account when refunds are fixed ;

Whereas the Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION :

Article 1

The export refunds on the compound feedingstuffs covered by Regulation (EEC) No 2727/75 and subject to Regulation (EEC) No 2743/75 are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 30 October 1992.

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

Done at Brussels, 29 October 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 151, 3. 6. 1992, p. 4.

⁽²⁾ OJ No L 205, 22. 7. 1992, p. 2.

ANNEX

to the Commission Regulation of 29 October 1992 fixing the export refunds on cereal-based compound feedingstuffs

(ECU/tonne)

Product code	Amount of refund (')
2309 10 11 110	4,50
2309 10 13 110	4,50
2309 10 31 110	4,50
2309 10 33 110	4,50
2309 10 51 110	4,50
2309 10 53 110	4,50
2309 90 31 110	4,50
2309 90 33 110	4,50
2309 90 41 110	4,50
2309 90 43 110	4,50
2309 90 51 110	4,50
2309 90 53 110	4,50
2309 10 11 190	3,47
2309 10 13 190	3,47
2309 10 31 190	3,47
2309 10 33 190	3,47
2309 10 51 190	3,47
2309 10 53 190	3,47
2309 90 31 190	3,47
2309 90 33 190	3,47
2309 90 41 190	3,47
2309 90 43 190	3,47
2309 90 51 190	3,47
2309 90 53 190	3,47
2309 10 11 210	9,01
2309 10 13 210	9,01
2309 10 31 210	9,01
2309 10 33 210	9,01
2309 10 51 210	9,01
2309 10 53 210	9,01
2309 90 31 210	9,01
2309 90 33 210	9,01
2309 90 41 210	9,01
2309 90 43 210	9,01
2309 90 51 210	9,01
2309 90 53 210	9,01
2309 10 11 290	6,94
2309 10 13 290	6,94
2309 10 31 290	6,94
2309 10 33 290	6,94
2309 10 51 290	6,94
2309 10 53 290	6,94
2309 90 31 290	6,94
2309 90 33 290	6,94
2309 90 41 290	6,94
2309 90 43 290	6,94
2309 90 51 290	6,94
2309 90 53 290	6,94
2309 10 11 310	18,01
2309 10 13 310	18,01
2309 10 31 310	18,01
2309 10 33 310	18,01

Product code	Amount of refund (°) (ECU/tonne)
2309 10 51 310	18,01
2309 10 53 310	18,01
2309 90 31 310	18,01
2309 90 33 310	18,01
2309 90 41 310	18,01
2309 90 43 310	18,01
2309 90 51 310	18,01
2309 90 53 310	18,01
2309 10 11 390	13,88
2309 10 13 390	13,88
2309 10 31 390	13,88
2309 10 33 390	13,88
2309 10 51 390	13,88
2309 10 53 390	13,88
2309 90 31 390	13,88
2309 90 33 390	13,88
2309 90 41 390	13,88
2309 90 43 390	13,88
2309 90 51 390	13,88
2309 90 53 390	13,88
2309 10 31 410	27,02
2309 10 33 410	27,02
2309 10 51 410	27,02
2309 10 53 410	27,02
2309 90 41 410	27,02
2309 90 43 410	27,02
2309 90 51 410	27,02
2309 90 53 410	27,02
2309 10 31 490	20,83
2309 10 33 490	20,83
2309 10 51 490	20,83
2309 10 53 490	20,83
2309 90 41 490	20,83
2309 90 43 490	20,83
2309 90 51 490	20,83
2309 90 53 490	20,83
2309 10 31 510	36,02
2309 10 33 510	36,02
2309 10 51 510	36,02
2309 10 53 510	36,02
2309 90 41 510	36,02
2309 90 43 510	36,02
2309 90 51 510	36,02
2309 90 53 510	36,02
2309 10 31 590	27,77
2309 10 33 590	27,77
2309 10 51 590	27,77
2309 10 53 590	27,77
2309 90 41 590	27,77
2309 90 43 590	27,77
2309 90 51 590	27,77
2309 90 53 590	27,77
2309 10 31 610	45,03
2309 10 33 610	45,03
2309 10 51 610	45,03
2309 10 53 610	45,03
2309 90 41 610	45,03
2309 90 43 610	45,03

(ECU / tonne)

Product code	Amount of refund (1)
2309 90 51 610	45,03
2309 90 53 610	45,03
2309 10 31 690	34,71
2309 10 33 690	34,71
2309 10 51 690	34,71
2309 10 53 690	34,71
2309 90 41 690	34,71
2309 90 43 690	34,71
2309 90 51 690	34,71
2309 90 53 690	34,71
2309 10 51 710	54,04
2309 10 53 710	54,04
2309 90 51 710	54,04
2309 90 53 710	54,04
2309 10 51 790	41,65
2309 10 53 790	41,65
2309 90 51 790	41,65
2309 90 53 790	41,65
2309 10 51 810	63,04
2309 10 53 810	63,04
2309 90 51 810	63,04
2309 90 53 810	63,04
2309 10 51 890	48,59
2309 10 53 890	48,59
2309 90 51 890	48,59
2309 90 53 890	48,59

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

NB : The product codes and the footnotes are defined in amended Commission Regulation (EEC) No 3846/87.

There are no refunds for products falling within CN codes 2309 10 11, 2309 10 13, 2309 10 31, 2309 10 33, 2309 10 51, 2309 10 53, 2309 90 31, 2309 90 33, 2309 90 41, 2309 90 43, 2309 90 51 and 2309 90 53 not included in the above table.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 19 October 1992

concerning the conclusion of the Framework Agreement for cooperation between the European Economic Community and the Republic of Paraguay

(92/509/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 113 and 235 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Whereas the Community should approve, for the attainment of its aims in the sphere of external economic relations, the Framework Agreement for trade and economic cooperation with the Republic of Paraguay,

HAS DECIDED AS FOLLOWS:

Article 1

The Framework Agreement for trade and economic cooperation between the European Economic Community and the Republic of Paraguay is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Decision.

Article 2

The President of the Council shall give the notification provided for in Article 25 of the Agreement ⁽³⁾.

Article 3

The Commission, assisted by representatives of the Member States, shall represent the Community in the Joint Committee set up by Article 21 of the Agreement.

Article 4

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

Done at Luxembourg, 19 October 1992.

For the Council

The President

D. CURRY

⁽¹⁾ OJ No C 309, 29. 11. 1991, p. 6.

⁽²⁾ OJ No C 150, 15. 6. 1992, p. 363.

⁽³⁾ See page 82 of this Official Journal.

FRAMEWORK AGREEMENT FOR COOPERATION
between the European Economic Community and the Republic of Paraguay

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

of the one part,

THE GOVERNMENT OF THE REPUBLIC OF PARAGUAY,

of the other part,

CONSIDERING the links of friendship between the Member States of the European Economic Community, hereinafter referred to as 'the Community', and the Republic of Paraguay, hereinafter referred to as 'Paraguay',

REAFFIRMING the importance they attach to the principles of the United Nations Charter, to democratic values and to respecting human rights,

TAKING ACCOUNT of the points affirmed in the Rome Declaration of 20 December 1990, and the Luxembourg Communiqué concluded on 27 April 1991 between the Community, its Member States and the countries of the Rio Group,

CONSIDERING the readiness of the Community and its Member States to help address the social and economic problems confronting Paraguay as it returns to democracy,

TAKING ACCOUNT of their mutual interest in establishing contractual links in order to develop extensive cooperation in areas which are of key importance to social and economic progress, to step up and diversify trade and encourage the flow of investment,

TAKING ACCOUNT of the Community's new policy on cooperation with the developing countries of Latin America,

MINDFUL of the importance of securing the participation in cooperation of the individuals and bodies with a direct interest in the matter, particularly economic operators and the bodies which represent them,

WHEREAS Paraguay is engaged in a vast regional integration process together with Argentina, Brazil and Uruguay in the southern cone common market, hereinafter referred to as 'Mercosur', and whereas the Community intends to establish cooperation with each of those countries and with the new regional entity, aimed at providing support for the said integration process,

TAKING ACCOUNT of their membership or future membership of the General Agreement on Tariffs and Trade (GATT) and of the need to uphold and reinforce the rules for free and unhampered international trade,

HAVE DECIDED to conclude this Agreement and to this end have designated as their Plenipotentiaries :

THE COUNCIL OF THE EUROPEAN COMMUNITIES :

João de Deus PINHEIRO,

Minister for Foreign Affairs of the Portuguese Republic, President-in-Office of the Council of the European Communities,

Abel MATUTES,

Member of the Commission of the European Communities,

THE REPUBLIC OF PARAGUAY :

Alexis FRUTOS VAESKEN,

Minister for Foreign Affairs,

WHO, having exchanged their Full Powers, found in good and due form,

HAVE AGREED AS FOLLOWS :

*Article 1***Democratic basis for cooperation**

Cooperation ties between the Community and Paraguay and this Agreement in its entirety shall be based on respect for the democratic principles and human rights which inspire the domestic and external policies of both the Community and Paraguay.

*Article 2***Support for the democratic process**

1. The Contracting Parties consider the support that the Community can offer towards the consolidation of the democratic process in Paraguay to be crucial. In this regard, the Community reaffirms its readiness to help strengthen the democratic institutions of Paraguay to the extent of its powers and its ability.

2. The Parties likewise agree to devote special attention to encouraging, by appropriate measures, the return to Paraguay of persons obliged to leave it on political grounds.

*Article 3***Economic cooperation**

1. The Contracting Parties, taking into account their mutual interest and long and medium-term economic objectives, undertake to establish economic cooperation of the widest possible scope. The aims of such cooperation shall be, in particular:

- (a) to promote diversification of the economy of Paraguay;
- (b) to strengthen and diversify the economic links between the Contracting Parties;
- (c) to contribute to the development of their economies and the improvement of their respective standards of living;
- (d) to open up new sources of supply and new markets;
- (e) to create conditions which favour the development of employment;
- (f) to encourage industrial and trade cooperation, particularly among small and medium-sized undertakings;
- (g) to assist the integration of the economy of Paraguay into Mercosur.

2. Without excluding any field from the outset, the Contracting Parties shall determine in which fields there will be economic and industrial cooperation between them, having regard to their respective aims, their mutual interest and their own ability.

Taking account of the above, cooperation will centre on the following:

- (a) services, including financial services, and tourism, transport and telecommunications;
- (b) intellectual and industrial property, regulations and standards;
- (c) the management of natural resources and, in particular, the conservation and efficient use of forest resources, including reafforestation;
- (d) environmental protection;
- (e) agriculture;
- (f) industry, mining and energy;
- (g) economic and monetary affairs.

3. Provision shall be made for the following, in particular:

- (a) conferences and seminars;
- (b) trade and industrial missions;
- (c) exploratory missions and missions concerned with investment and the promotion of joint ventures;
- (d) visits and meetings between economic operators;
- (e) the organization of business weeks and general and sector-based fairs;
- (f) the provision of the services of experts;
- (g) specific studies;
- (h) consultancy and technical assistance services;
- (i) cooperation between financial institutions;
- (j) the conclusion between the Member States of the Community and Paraguay of double taxation agreements;
- (k) the exchange of appropriate information, particularly access to existing or future databases;
- (l) the creation of networks of economic operators, particularly industrialists.

*Article 4***Agricultural cooperation**

1. Paraguay and the Community shall establish cooperation in agriculture. To this end they shall examine in a spirit of cooperation and good will:

- (a) the opportunities for increasing their trade in agricultural products;
- (b) health, plant health and environmental measures and their effects, to prevent them hindering trade, while taking into account the two Parties' legislation in this field.

2. The Community shall contribute to Paraguay's efforts to diversify its exports of agricultural products.

*Article 5***Industrial cooperation**

1. The Contracting Parties agree to promote the expansion and diversification of Paraguay's production in the industrial and service sectors, directing their cooperation activities at small and medium-sized undertakings, in particular, and encouraging steps to facilitate access on the part of those enterprises to sources of capital, markets and the appropriate technology. These steps may include the joint establishment of suitable machinery and institutions.

2. The Contracting Parties likewise agree to consider the possibility of promoting those projects which could help Paraguayan industry to integrate smoothly into Mercosur.

*Article 6***Cooperation regarding the environment**

1. The Contracting Parties undertake to cooperate on the protection and improvement of the environment in order to address the issues of water, soil and air pollution, erosion, desertification and deforestation, and the excessive exploitation of natural resources. They shall also encourage the productive conservation of the forest and aquatic flora and fauna, of watercourses and the conservation of tropical forests and national parks.

2. To this end, the Contracting Parties shall direct their efforts as regards the environment towards the following, in particular:

- (a) the establishment and strengthening of environmental protection structures in the public and private sectors;
- (b) the development and improvement of laws, regulations and standards;
- (c) research, training and information, and alerting public opinion;
- (d) the execution of studies and projects and the provision of technical assistance;
- (e) the organization of meetings, seminars, workshops, conferences and visits among civil servants, specialists, engineers, entrepreneurs and others fulfilling functions connected with the environment.

*Article 7***Investment**

The Contracting Parties agree:

- (a) to promote, so far as their powers, rules and regulations and policies permit, an increase in mutually beneficial investment;

- (b) to improve further the favourable climate for mutual investment by the Community Member States and Paraguay, particularly through agreements for the promotion and protection of such investment on the basis of the principles of non-discrimination and reciprocity.

*Article 8***Cooperation on science and technology**

1. The Contracting Parties agree to support the promotion and development of Paraguay's scientific and technological capabilities.

This aim will be pursued by fostering and promoting cooperation of the widest possible scope between specialist bodies or firms of the Contracting Parties, in particular by establishing ties between the research centres of both Parties in order to resolve jointly problems of mutual concern.

2. Without excluding any area from the outset, the Contracting Parties shall together determine the spheres of their cooperation. These shall include the following, in particular:

- (a) strengthening research capabilities;
- (b) developing and managing policy on science and technology;
- (c) protection and improvement of the environment;
- (d) promoting efficient use of natural resources, in particular forest resources;
- (e) promoting regional integration and cooperation in science and technology;
- (f) disseminating information and expertise in science and technology.

3. The Contracting Parties will facilitate and encourage the introduction of measures aimed at achieving the objectives of cooperation between them, in particular:

- (a) joint research projects between the Parties' research centres and other appropriate institutions;
- (b) exchanges of scientific information, particularly through seminars, workshops, conferences, etc.;
- (c) support for the reintegration into Paraguay of scientists, engineers and specialists.

*Article 9***Most-favoured-nation treatment**

The Contracting Parties shall grant each other, in respect of their imports and exports of goods, most-favoured-nation treatment on the basis of the General Agreement on Tariffs and Trade.

*Article 10***Temporary importation of goods**

The Contracting Parties undertake to give consideration to granting exemption from duties and taxes for goods temporarily imported into their territory which are covered by the relevant international agreements and are intended for re-export.

*Article 11***Trade cooperation**

1. The Contracting Parties agree to develop and diversify trade to the highest possible degree, taking into account the economic situation of each of the Parties and facilitating trade transactions between them as far as possible.
2. The Contracting Parties agree to examine ways and means of eliminating non-tariff and like barriers and, taking account of the work done by international organizations, they will commit themselves to a policy aimed at :
 - (a) making trade transactions between them as easy as possible ;
 - (b) cooperating bilaterally and multilaterally on issues of common concern, including intellectual and industrial property, origin-related designations, commodities and manufactured and semi-manufactured products ;
 - (c) facilitating cooperation between their customs services in spheres including vocational training, the simplification of procedures and detection of infringements of customs rules ;
 - (d) taking each other's interests into account in relation to access to resources, the processing of such resources and market access for the products of the Contracting Parties ;
 - (e) bringing economic operators into closer contact in order to diversify and increase current trade flows ;
 - (f) examining, recommending and implementing trade promotion measures in the interests of expanding imports and exports ;

- (g) seeking each other's opinion as far as possible on measures likely to have an adverse effect on trade between them.

*Article 12***Cooperation concerning government service**

1. The Contracting Parties shall cooperate in contributing to the modernization and rationalization of government service at national and regional levels, in particular with regard to the restructuring of central government.
2. To attain these objectives, the Contracting Parties shall endeavour to promote, *inter alia* :
 - seminars, grants and training courses for civil servants and the staff of public institutions and government departments,
 - improvement of the equipment of public institutions and government departments.

*Article 13***Cooperation on information, communication and culture**

1. Cooperation between the Contracting Parties shall encompass information and communication, taking account of the cultural dimension of their relations.
2. Such cooperation shall include the preservation of historic and cultural objects.

*Article 14***Training**

1. Cooperation established within the framework of the Agreement may include elements of necessary training.
2. Training will be targeted essentially at instructors and teachers or supervisory staff already in positions of responsibility in firms, government departments, public services and other areas of economic and social activity.
3. The Contracting Parties shall consider the possibility of introducing specific training programmes which help to strengthen Paraguay's democratic institutions.

*Article 15***Cooperation in the public health sector**

The Contracting Parties agree to cooperate in the field of public health, with the aim of raising the standard of living and quality of life, particularly in the most disadvantaged sectors.

In the interests of attaining these aims, the Parties undertake to conduct joint research, transfers of technology, and interchanges of experience and technical assistance, in particular including measures relating to the following :

- the management and administration of the departments with responsibility for this field,
- the organization of scientific meetings and exchanges of specialists,
- the undertaking of programmes of vocational training,
- programmes and projects for the improvement of health and social welfare in urban and rural areas.

Article 16

Cooperation in drug abuse control

1. The Contracting Parties undertake, in conformity with their respective laws, to coordinate and step up their efforts to prevent and reduce the production, trafficking and consumption of drugs.
2. Such cooperation shall include the following :
 - projects for training, education, health-promotion and rehabilitation of addicts, including projects for the reintegration of addicts into working life and society,
 - research programmes and projects,
 - measures to encourage alternative economic opportunities,
 - the exchange of all relevant information, including that relating to money laundering.
3. Financing for the operations referred to may be contributed by public and private institutions and national, regional or international organizations, in consultation with the Government of the Republic of Paraguay and the competent authorities of the Community and its Member States.

Article 17

Tourism

The Contracting Parties shall, in accordance with their laws, promote cooperation on tourism, which is to be achieved through specific measures focusing on :

- exchanges of officials and experts dealing with tourism, the interchange of information and statistics relating to this field and the transfer of technology,
- the development of activities to stimulate tourist traffic and investment in that field,
- the promotion of training schemes intended in particular to support hotel operation and management,

- joint participation in fairs and exhibitions aimed at increasing tourist flows.

Article 18

Regional cooperation and integration

1. Cooperation between the Contracting Parties may extend to action undertaken within the context of cooperation or integration agreements with third countries in the same region.
2. Without excluding any sphere of action, the following shall be given particular consideration :
 - (a) cooperation on environmental issues at regional level ;
 - (b) development of intra-regional trade ;
 - (c) the strengthening of regional institutions and support for the development of common policies and activities ;
 - (d) regional communications, notably waterways.

Article 19

Development cooperation

1. In order to consolidate and accelerate Paraguay's economic and social development, the Community will implement assistance operations in the context of the Community programmes for developing countries.
2. Particular importance shall be attached to rural development, notably integrated rural development, joint training schemes, action aimed at improving the food and employment situations, urban and rural housing and promoting grass-root organizations.

Article 20

Resources for cooperation

In order to facilitate the achievement of the aims set out in this Agreement, the Contracting Parties shall make available, within the limits of their abilities and through their own channels, the appropriate resources, including financial resources.

Article 21

Joint Cooperation Committee

1. A Joint Cooperation Committee shall be established, consisting of representatives of the Community and of Paraguay. It shall meet once a year, alternately in Brussels and Asunción, on a date and with an agenda fixed by mutual agreement. Extraordinary meetings may be convened with the consent of both Parties.

2. The Joint Committee shall see to the proper functioning of the Agreement and shall examine all issues arising from its application. In fulfilling this role, its main functions shall be to :

- (a) consider measures for developing and diversifying trade, in accordance with the objectives of this Agreement ;
- (b) exchange views on any points of common interest regarding trade and cooperation, including future programmes and the resources for them ;
- (c) make recommendations for promoting the expansion of trade and stepping up intensified cooperation, without neglecting the need to coordinate the measures planned ;
- (d) in general terms, recommend solutions aimed at helping to attain the objectives of this Agreement.

3. The Joint Committee may set up specialized subcommittees and working parties to assist it in the performance of its duties.

Article 22

Other agreements

1. Without prejudice to the provisions of the Treaties establishing the European Communities, neither this Agreement nor any action taken under it shall in any way affect the powers of the Member States of the Communities to undertake bilateral activities with Paraguay in the field of economic cooperation with Paraguay or, where appropriate, to conclude new economic cooperation agreements with Paraguay.

2. Subject to the provisions of paragraph 1 concerning economic cooperation, the provisions of this Agreement shall replace the provisions of the agreements concluded between the Member States of the Communities and Paraguay where such provisions are either incompatible with or identical to the provisions of this Agreement.

Article 23

Territorial application

This Agreement shall apply, on the one hand, to the territories in which the Treaty establishing the European

Economic Community is applied and under the conditions laid down by that Treaty and, on the other, to the territory of the Republic of Paraguay.

Article 24

Clause for future developments

1. The Contracting Parties may by mutual consent expand this Agreement with a view to increasing the levels of cooperation and supplementing them, each in accordance with its laws, by means of agreements on specific sectors or activities.

2. With regard to the application of this Agreement, either of the Contracting Parties may put forward suggestions for widening the scope of mutual cooperation, taking into account the experience gained in its application.

Article 25

Entry into force and duration

1. This Agreement shall enter into force on the first day of the month following the date on which the Contracting Parties have notified each other of the completion of the procedures necessary for this purpose.

2. This Agreement is concluded for a period of five years. It shall be renewed on a yearly basis unless one of the Contracting Parties denounces it six months before the date of expiry.

Article 26

Annexes

The Annexes shall form an integral part of this Agreement.

Article 27

Authentic languages

This Agreement is drawn up in duplicate in the Danish, Dutch, English, French, German, Greek, Italian, Portuguese and Spanish languages, each text being equally authentic.

En fe de lo cual, los plenipotenciarios abajo firmantes suscriben el presente Acuerdo.

Til bekræftelse heraf har undertegnede befuldmægtigede underskrevet denne aftale.

Zu Urkund dessen haben die unterzeichneten Bevollmächtigten ihre Unterschriften unter dieses Abkommen gesetzt.

Εἰς πίστωση τῶν ἀνωτέρω, οἱ υπογεγραμμένοι πληρεξούσιοι ἔθεσαν τὶς υπογραφές τους στὴν παρούσα συμφωνία.

In witness whereof the undersigned Plenipotentiaries have signed this Agreement.

En foi de quoi, les plénipotentiaires soussignés ont apposé leurs signatures au bas du présent accord.

In fede di che, i plenipotenziari sottoscritti hanno apposto le loro firme in calce al presente accordo.

Ten blijke waarvan de ondergetekende gevolmachtigden hun handtekening onder deze Overeenkomst hebben gesteld.

Em fé do que, os plenipotenciários abaixo assinados apuseram as suas assinaturas no final do presente acordo.

Hecho en Bruselas, el tres de febrero de mil novecientos noventa y dos.

Udfærdiget i Bruxelles, den tredje februar nitten hundrede og tooghalvfems.

Geschehen zu Brüssel am dritten Februar neunzehnhundertzweiundneunzig.

Έγινε στις Βρυξέλλες, στις τρεις Φεβρουαρίου χίλια εννιακόσια εννενήντα δύο.

Done at Brussels on the third day of February in the year one thousand nine hundred and ninety-two.

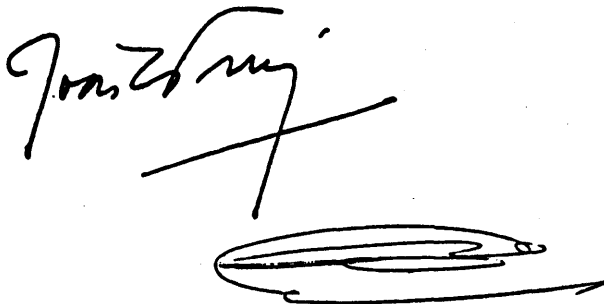
Fait à Bruxelles, le trois février mil neuf cent quatre-vingt-douze.

Fatto a Bruxelles, addì tre febbraio millenovecentonovantadue.

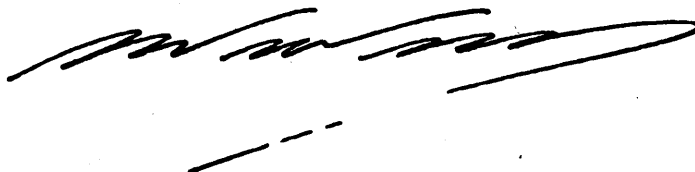
Gedaan te Brussel, de derde februari negentienhonderd tweeënnegentig.

Feito em Bruxelas, em três de Fevereiro de mil novecentos e noventa e dois.

Por el Consejo de las Comunidades Europeas
For Rådet for De Europæiske Fællesskaber
Für den Rat der Europäischen Gemeinschaften
Για το Συμβούλιο των Ευρωπαϊκών Κοινοτήτων
For the Council of the European Communities
Pour le Conseil des Communautés européennes
Per il Consiglio delle Comunità europee
Voor de Raad van de Europese Gemeenschappen
Pelo Conselho das Comunidades Europeias

A handwritten signature in dark ink, appearing to read 'J. G. ...', is written over a circular official stamp. The stamp contains some illegible text and a central emblem.

Por el Gobierno de la República del Paraguay
For regeringen for Republikken Paraguay
Für die Regierung der Republik Paraguay
Για την κυβέρνηση της Δημοκρατίας της Παραγουάης
For the Government of the Republic of Paraguay
Pour le gouvernement de la république du Paraguay
Per il governo della Repubblica del Paraguay
Voor de Regering van de Republiek Paraguay
Pelo Governo da República do Paraguai

A handwritten signature in black ink, appearing to be 'M. S. ...', with a long horizontal stroke extending to the right.

*ANNEX I***Exchange of Letters on maritime transport***Letter 1*

Sir,

When the Agreement on cooperation between the European Economic Community and Paraguay was signed, the Parties undertook to address in an appropriate manner issues relating to the operation of shipping, particularly where the development of trade might be hindered. Mutually satisfactory solutions on shipping will be sought, with due respect for the principle of free and fair competition on a commercial basis.

It has likewise been agreed that such issues should also be discussed by the Joint Committee.

I should be obliged if you would inform me whether your Government is in agreement with the above.

Please accept, Sir, the assurance of our highest consideration.

*On behalf of the
Council of the European Communities*

Letter 2

Sir,

I have the honour to acknowledge receipt of your letter of today's date which reads as follows :

'When the Agreement on cooperation between the European Economic Community and Paraguay was signed, the Parties undertook to address in an appropriate manner issues relating to the operation of shipping, particularly where the development of trade might be hindered. Mutually satisfactory solutions on shipping will be sought, with due respect for the principle of free and fair competition on a commercial basis.

It has likewise been agreed that such issues should also be discussed by the Joint Committee.'

I have the honour to inform you that my Government is in agreement with the contents of your letter.

Please accept, Sir, the assurance of my highest consideration.

*For the
Government of the Republic of Paraguay*

*ANNEX II***Unilateral declaration by the Community on the Generalized System of Preferences**

The European Economic Community hereby reaffirms the importance which it attaches to the Generalized System of Preferences, set up by Resolution 21 (II) of the Second United Nations Conference on Trade and Development.

The European Community is prepared to examine any suggestions put to it by Paraguay in order to enable that country to make the maximum possible use of the generalized preferences scheme which the Community has implemented in accordance with the abovementioned Resolution.

Furthermore, in order to ensure that Paraguayan officials and economic agents are properly acquainted with the Community scheme, the Community will arrange information seminars in Paraguay.

Information on the date of entry into force of the Framework Agreement for cooperation between the Republic of Paraguay and the European Economic Community, signed in Brussels on 3 February 1992⁽¹⁾

Notification of completion of the procedures necessary for the entry into force of the abovementioned Framework Cooperation Agreement having been given on 28 October 1992, the Agreement will enter into force on 1 November 1992 in accordance with Article 25 thereof.

⁽¹⁾ See page 71 of this Official Journal.

CORRIGENDA

Corrigendum to Council Regulation (EEC) No 2967/89 of 25 September 1989 relating to the continued import of New Zealand butter into the United Kingdom on special terms

(Official Journal of the European Communities No L 281 of 30 September 1989)

On page 114 Article 2 (2) shall read as follows:

'2. The Council, acting by a qualified majority on a proposal from the Commission, may temporarily reduce the quantities laid down in paragraph 1 in order to prevent serious disruption of the United Kingdom butter market, particularly in the case of a serious fall in direct butter consumption.'

Corrigendum to Commission Regulation (EEC) No 3004/92 of 16 October 1992 fixing the maximum buying-in price and the quantities of beef bought in for the 78th partial invitation to tender under Regulation (EEC) No 1627/92

(Official Journal of the European Communities No L 301 of 17 October 1992)

On page 30, Article 2 is deleted and Article 3 becomes Article 2.
