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Contents

I Acts whose publication is obligatory

- ★ Council Regulation (EEC) No 3200/92 of 27 October 1992 amending Regulation (EEC) No 2390/89 laying down general rules for the import of wines, grape juice and grape must 1
- ★ Council Regulation (EEC) No 3201/92 of 27 October 1992 amending Regulation (EEC) No 1873/84 authorizing the offer or disposal for direct human consumption of certain imported wines which may have undergone oenological processes not provided for in Regulation (EEC) No 822/87 2
- Commission Regulation (EEC) No 3202/92 of 3 November 1992 fixing the import levies on cereals and on wheat or rye flour, groats and meal 3
- Commission Regulation (EEC) No 3203/92 of 3 November 1992 fixing the premiums to be added to the import levies on cereals, flour and malt 5
- ★ Commission Regulation (EEC) No 3204/92 of 3 November 1992 modifying the provisions of Regulation (EEC) No 3007/84, laying down detailed rules for the application of the premium for producers of sheepmeat 7
- Commission Regulation (EEC) No 3205/92 of 3 November 1992 fixing the export refunds on beef 8
- Commission Regulation (EEC) No 3206/92 of 3 November 1992 introducing a countervailing charge on apples originating in New Zealand 15
- Commission Regulation (EEC) No 3207/92 of 3 November 1992 fixing the import levies on white sugar and raw sugar 17

II *Acts whose publication is not obligatory*

Commission

- * **Commission Directive 92/87/EEC of 26 October 1992 establishing a non-exclusive list of the main ingredients normally used and marketed for the preparation of compound feedingstuffs intended for animals other than pets 19**

92/512/EEC :

- * **Commission Decision of 22 October 1992 on the establishment of an addendum to the Community support framework for Community structural assistance in France (Corsica) on the improvement of the conditions under which agricultural products are processed and marketed 33**

92/513/EEC :

- * **Commission opinion of 23 October 1992 addressed to the French Government concerning a draft law on the commercial operation of inland waterways 35**

92/514/EEC :

Commission Decision of 23 October 1992 suspending the buying-in of butter in certain Member States 37

Council

- * **Notice 38**

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 3200/92
of 27 October 1992
amending Regulation (EEC) No 2390/89 laying down general rules for the import
of wines, grape juice and grape must

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine ⁽¹⁾, and in particular Article 70 (2) thereof,

Having regard to the proposal from the Commission,

Whereas Article 1 (2) and Article 2 of Regulation (EEC) No 2390/89 ⁽²⁾ set out the import facilities for wine products originating in third countries which offer specific guarantees through the provision of a certificate of origin and conformity and an analysis report; whereas Article 3 (2) of that Regulation limits the said facilities to a trial period expiring on 31 October 1992; whereas, taking into account the time necessary to examine the

implementation of future arrangements, the abovementioned period should be extended for six months,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 3 (2) of Regulation (EEC) No 2390/89, the date '31 October 1992' shall be replaced by '30 April 1993'.

Article 2

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

It shall apply from 1 November 1992.

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

Done at Luxembourg, 27 October 1992.

For the Council

The President

J. GUMMER

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1. Regulation as last amended by Regulation (EEC) No 1576/92 (OJ No L 180, 1. 7. 1992, p. 27).

⁽²⁾ OJ No L 232, 9. 8. 1989, p. 7. Regulation as last amended by Regulation (EEC) No 1335/92 (OJ No L 145, 27. 5. 1992, p. 6).

COUNCIL REGULATION (EEC) No 3201/92**of 27 October 1992****amending Regulation (EEC) No 1873/84 authorizing the offer or disposal for direct human consumption of certain imported wines which may have undergone oenological processes not provided for in Regulation (EEC) No 822/87**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine ⁽¹⁾, and in particular Article 73 (1) thereof,

Having regard to the proposal from the Commission,

Whereas Article 70 (1) of Regulation (EEC) No 822/87 provides that imported products covered by that Article must be accompanied by a certificate attesting that they satisfy the provisions on production, release for free circulation and, where appropriate, disposal for direct human consumption in the third country in which they originate;

Whereas Article 73 (1) of that Regulation stipulated that if the imported products in question have undergone oenological practices not allowed by Community rules or not consonant with the provisions of that Regulation or of those adopted pursuant thereto, they may not, except by way of a derogation, be offered or disposed of for direct human consumption; whereas the Council derogated

from this principle by Regulation (EEC) No 1873/84 ⁽²⁾; whereas this derogation expired on 31 October 1992; whereas, so that consultations can continue between the Community and the third country concerned with a view to an agreement on this matter, the term of validity of the derogation should be extended for six months,

HAS ADOPTED THIS REGULATION:

Article 1

In the second subparagraph of Article 1 (1) of Regulation (EEC) No 1873/84, the date '31 October 1992' shall be replaced by '30 April 1993'.

Article 2

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

It shall apply with effect from 1 November 1992.

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

Done at Luxembourg, 27 October 1992.

For the Council

The President

J. GUMMER

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1. Regulation as last amended by Regulation (EEC) No 1576/92 (OJ No L 180, 1. 7. 1992, p. 27).

⁽²⁾ OJ No L 176, 3. 7. 1984, p. 6. Regulation as last amended by Regulation (EEC) No 1336/92 (OJ No L 145, 27. 5. 1992, p. 7).

COMMISSION REGULATION (EEC) No 3202/92

of 3 November 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 2 November 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 4 November 1992.

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

Done at Brussels, 3 November 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 3 November 1992 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)	
CN code	Levy (°)
0709 90 60	133,78 (°) (°)
0712 90 19	133,78 (°) (°)
1001 10 10	163,83 (°) (°) (10)
1001 10 90	163,83 (°) (°) (10)
1001 90 91	132,55
1001 90 99	132,55 (11)
1002 00 00	155,17 (°)
1003 00 10	122,20
1003 00 90	122,20 (11)
1004 00 10	115,77
1004 00 90	115,77
1005 10 90	133,78 (°) (°)
1005 90 00	133,78 (°) (°)
1007 00 90	137,67 (°)
1008 10 00	41,63 (11)
1008 20 00	108,23 (°)
1008 30 00	43,28 (°)
1008 90 10	(°)
1008 90 90	43,28
1101 00 00	198,41 (°) (°) (11)
1102 10 00	230,08 (°)
1103 11 10	266,55 (°) (°) (10)
1103 11 90	213,63 (°)

(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 3203/92

of 3 November 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 2 November 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 4 November 1992.

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

Done at Brussels, 3 November 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 3 November 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
	11	12	1	2
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	14,97	14,97	16,44
1001 90 99	0	14,97	14,97	16,44
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 10	0	0	0	0
1004 00 90	0	0	0	0
1005 10 90	0	0	0	0
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	20,96	20,96	23,01

B. Malt

CN code	Current	1st period	2nd period	3rd period	4th period
	11	12	1	2	3
1107 10 11	0	26,65	26,65	29,26	29,26
1107 10 19	0	19,91	19,91	21,87	21,87
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 3204/92

of 3 November 1992

modifying the provisions of Regulation (EEC) No 3007/84, laying down detailed rules for the application of the premium for producers of sheepmeat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

Having regard to the Treaty establishing the European Economic Community,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3007/84 is modified as follows:

1. The following subparagraph is added to Article 3 (1):

‘Applications for the premium shall include also an indication of the main lambing period or periods of the flock during the preceding year.’

2. The following paragraph 3 is added to Article 5:

‘3. For the purposes of control of applications for the premium animals which fulfil the requirements of the definitions laid down in Article 1 (4) and (5) of Regulation (EEC) No 3493/90 by the last day of the retention period shall be deemed eligible.’

*Article 2*This Regulation shall enter into force on the seventh day following its publication in the *Official Journal of the European Communities*.

It shall apply to premiums paid in respect of the 1993 marketing year and subsequent marketing years.

Having regard to Council Regulation (EEC) No 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat⁽¹⁾, as last amended by Regulation (EEC) No 2069/92⁽²⁾ and, in particular Article 5 (8) thereof,Whereas the definitions of ‘eligible ewe’ and ‘eligible she goat’ are fixed in Council Regulation (EEC) No 3493/90 of 27 November 1990 laying down general rules for the grant of premiums to sheepmeat and goatmeat producers⁽³⁾ as last amended by Regulation (EEC) No 2070/92⁽⁴⁾; whereas for control purposes the lambing period or periods of the flock and the date for defining the qualification of ewes and she goats for eligibility should be specified; whereas Commission Regulation (EEC) No 3007/84 of 26 October 1992 laying down detailed rules for the application of the premium for producers of sheepmeat⁽⁵⁾ as last amended by Regulation (EEC) No 3340/91⁽⁶⁾ should therefore be modified;

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

Done at Brussels, 3 November 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.⁽²⁾ OJ No L 215, 30. 7. 1992, p. 59.⁽³⁾ OJ No L 337, 4. 12. 1990, p. 7.⁽⁴⁾ OJ No L 215, 30. 7. 1992, p. 63.⁽⁵⁾ OJ No L 283, 27. 10. 1984, p. 28.⁽⁶⁾ OJ No L 316, 16. 11. 1991, p. 24.

COMMISSION REGULATION (EEC) No 3205/92

of 3 November 1992

fixing the export refunds on beef

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 2066/92 ⁽²⁾, and in particular Article 18 thereof,

Whereas Article 18 of Regulation (EEC) No 805/68 provides that the difference between 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 Council Regulation (EEC) No 885/68 ⁽³⁾, as last amended by Regulation (EEC) No 427/77 ⁽⁴⁾, lays down general rules for granting export refunds and criteria for fixing the amount of such refunds;

Whereas Regulation (EEC) No 32/82 ⁽⁵⁾, as last amended by Regulation (EEC) No 3169/87 ⁽⁶⁾, Regulation (EEC) No 1964/82 ⁽⁷⁾, as amended by Regulation (EEC) No 3169/87, and Regulation (EEC) No 2388/84 ⁽⁸⁾, as last amended by Regulation (EEC) No 3988/87 ⁽⁹⁾, lay down the conditions for granting special export refunds on certain cuts of beef and veal and certain preserved beef and veal products;

Whereas it follows from applying those rules and criteria to the foreseeable situation on the market in beef and veal that the refund should be as set out below;

Whereas, given the current market situation in the Community and the possibilities of disposal in certain third countries in particular, export refunds should be granted on adult male bovine animals of a live weight of at least 300 kilograms and other bovine animals of a live weight of at least 250 kilograms; whereas experience gained in recent years has shown that live pure-bred breeding animals weighing at least 250 kilograms in the case

of females and 300 kilograms in that of males should be treated in the same way as other bovine animals, subject to certain special administrative formalities;

Whereas export refunds should be granted for certain destinations on some fresh or chilled meat listed in the Annex under CN code 0201, on some frozen meat listed in the Annex under CN code 0202, on some meat or offal listed in the Annex under CN code 0206 and on some other prepared or preserved meat or offal listed in the Annex under CN code 1602 50 10;

Whereas, in view of the wide differences in products covered by CN codes 0201 20 90 700 and 0202 20 90 100 used for refund purposes, refunds should only be granted on cuts in which the weight of bone does not exceed one third;

Whereas a minimum content of lean bovine meat should be fixed for boneless cuts wrapped individually and covered by CN codes 0201 30 and 0202 30;

Whereas refunds should also be granted on fresh or frozen boned or boneless pieces, even where each piece is not individually wrapped, and on minced meat, and the wording of the tariff subheadings for fresh boned or boneless pieces specified;

Whereas, in the case of meat of bovine animals, boned or boneless, salted and dried, there are traditional trade flows to Switzerland; whereas, to allow this trade to continue, the refund should be set to cover the difference between prices on the Swiss market and export prices in the Member States; whereas there are possibilities for exporting such meat and also salted, smoked and dried meat to certain African, Near and Middle Eastern countries; whereas a refund should accordingly be set;

Whereas, in the case of certain other cuts and preserves of meat or offal shown in the Annex under CN code 1602 50 90, the Community share of international trade may be maintained by granting a refund corresponding to that at present available;

Whereas, in the case of other beef and veal products, a refund need not be fixed since the Community's share of world trade is not significant;

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

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 215, 30. 7. 1992, p. 49.

⁽³⁾ OJ No L 156, 4. 7. 1968, p. 2.

⁽⁴⁾ OJ No L 61, 5. 3. 1977, p. 16.

⁽⁵⁾ OJ No L 4, 8. 1. 1982, p. 11.

⁽⁶⁾ OJ No L 301, 24. 10. 1987, p. 21.

⁽⁷⁾ OJ No L 212, 21. 7. 1982, p. 48.

⁽⁸⁾ OJ No L 221, 18. 8. 1984, p. 28.

⁽⁹⁾ OJ No L 376, 31. 12. 1987, p. 31.

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽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 factor referred to in the preceding indent;

Whereas Commission Regulation (EEC) No 3846/87 ⁽³⁾, as last amended by Regulation (EEC) No 1271/92 ⁽⁴⁾; establishes the agricultural product nomenclature for the purposes of export refunds;

Whereas, in order to simplify customs export formalities for operators, the refunds on all frozen cuts should be brought in line with those on fresh or chilled cuts other than those from adult male bovine animals;

Whereas experience has shown that in certain cases it is often difficult to determine the relevant quantities of beef, veal and other meat contained in prepared or preserved meat covered by CN code 1602 50; whereas exclusively beef and veal products should accordingly be set apart and a new heading should be created for mixtures of meats or offals; whereas checks on products other than mixtures of meat or offal should be stepped up by making the granting of refunds on these products conditional on manufacture under the arrangements provided for in Article 4 of Council Regulation (EEC) No 565/80 of 4 March 1980 on the advance payment of export refunds in respect of agricultural products ⁽⁵⁾, as amended by Regulation (EEC) No 2026/83 ⁽⁶⁾;

Whereas the analytical criteria for preparations and preserves covered by CN code 1602 50 90 should be

supplemented by fixing in particular a maximum collagen/protein ratio in terms of the meat content of such products;

Whereas the introduction of a collagen/protein ratio for products covered by CN code 1602 50 90 in respect of their meat content has meant that products containing at least 40 % but less than 60 % meat and with a collagen/protein ratio of less than 0,35 could not qualify for a refund; whereas this gap should consequently be filled;

Whereas refunds on female animals should vary depending on their age in order to prevent abuses in the export of certain pure-bred breeding animals;

Whereas Council Regulation (EEC) No 1432/92 ⁽⁷⁾, as amended by Regulation (EEC) No 2015/92 ⁽⁸⁾, prohibits trade between the Community and the Republics of Serbia and Montenegro; whereas that prohibition does not apply to certain cases given in the limitative enumeration in Articles 2 and 3 of that Regulation; whereas account should be taken of this when the refunds are fixed;

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

HAS ADOPTED THIS REGULATION:

Article 1

The list of products on which export refunds as referred to in Article 18 of Regulation (EEC) No 805/68 are granted and the amount thereof shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 5 November 1992.

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

Done at Brussels, 3 November 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 366, 24. 12. 1987, p. 1.

⁽⁴⁾ OJ No L 137, 20. 5. 1992, p. 7.

⁽⁵⁾ OJ No L 62, 7. 3. 1980, p. 5.

⁽⁶⁾ OJ No L 199, 22. 7. 1983, p. 12.

⁽⁷⁾ OJ No L 151, 3. 6. 1992, p. 4.

⁽⁸⁾ OJ No L 205, 22. 7. 1992, p. 2.

ANNEX

(ECU/100 kg)

Product code	Destination (7)	Refund (8) (9)
		— Live weight —
0102 10 00 120	01	96,00
0102 10 00 130	02	85,50
	03	55,50
	04	25,50
0102 10 00 390	01	96,00
0102 90 31 900	02	85,50
	03	55,50
	04	25,50
0102 90 33 900	02	85,50
	03	55,50
	04	25,50
0102 90 35 900	02	101,50
	03	73,00
	04	34,50
0102 90 37 900	02	101,50
	03	73,00
	04	34,50
		— Net weight —
0201 10 10 100	02	92,00
	03	65,00
	04	32,50
0201 10 10 900	02	126,50
	03	88,00
	04	44,00
0201 10 90 110 (1)	02	124,50
	03	85,00
	04	42,50
0201 10 90 190	02	92,00
	03	65,00
	04	32,50
0201 10 90 910 (1)	02	171,50
	03	115,00
	04	57,50
0201 10 90 990	02	126,50
	03	88,00
	04	44,00
0201 20 21 000	02	126,50
	03	88,00
	04	44,00

(ECU/100 kg)		
Product code	Destination (?)	Refund (?) (°)
— Net weight —		
0201 20 29 100 (°)	02	171,50
	03	115,00
	04	57,50
0201 20 29 900	02	126,50
	03	88,00
	04	44,00
0201 20 31 000	02	92,00
	03	65,00
	04	32,50
0201 20 39 100 (°)	02	124,50
	03	85,00
	04	42,50
0201 20 39 900	02	92,00
	03	65,00
	04	32,50
0201 20 51 100	02	161,00
	03	110,50
	04	56,00
0201 20 51 900	02	92,00
	03	65,00
	04	32,50
0201 20 59 110 (°)	02	218,50
	03	146,00
	04	73,00
0201 20 59 190	02	161,00
	03	110,50
	04	56,00
0201 20 59 910 (°)	02	124,50
	03	85,00
	04	42,50
0201 20 59 990	02	92,00
	03	65,00
	04	32,50
0201 20 90 700	02	92,00
	03	65,00
	04	32,50
0201 30 00 050 (°)	05	112,00
0201 30 00 100 (°)	02	312,00
	03	208,50
	04	104,50
	06	266,50
0201 30 00 150 (°)	02	165,00
	03	125,00
	04	62,50
	06	144,50
	07	90,00

(ECU/100 kg)		
Product code	Destination (7)	Refund (8) (10)
		— Net weight —
0201 30 00 190 (6)	02	128,00
	03	84,00
	04	42,00
	06	102,50
	07	90,00
0202 10 00 100	02	92,00
	03	65,00
	04	32,50
0202 10 00 900	02	126,50
	03	88,00
	04	44,00
0202 20 10 000	02	126,50
	03	88,00
	04	44,00
0202 20 30 000	02	92,00
	03	65,00
	04	32,50
0202 20 50 100	02	161,00
	03	110,50
	04	56,00
0202 20 50 900	02	92,00
	03	65,00
	04	32,50
0202 20 90 100	02	92,00
	03	65,00
	04	32,50
0202 30 90 100 (*)	05	112,00
0202 30 90 400 (6)	02	165,00
	03	125,00
	04	62,50
	06	144,50
	07	90,00
0202 30 90 500 (6)	02	128,00
	03	84,00
	04	42,00
	06	102,50
	07	90,00
0202 30 90 900	07	90,00
0206 10 95 000	02	128,00
	03	84,00
	04	42,00
	06	102,50
0206 29 91 000	02	128,00
	03	84,00
	04	42,00
	06	102,50
0210 20 90 100	08	102,50
	09	60,50
0210 20 90 300	02	128,00

(ECU/100 kg)		
Product code	Destination (*)	Refund (°) (°)
— Net weight —		
0210 20 90 500 (°)	02	128,00
1602 50 10 120	02	134,50 (°)
	03	108,00 (°)
	04	108,00 (°)
	04	108,00 (°)
1602 50 10 140	02	119,50 (°)
	03	96,00 (°)
	04	96,00 (°)
1602 50 10 160	02	96,00 (°)
	03	77,00 (°)
	04	77,00 (°)
1602 50 10 170	02	63,50 (°)
	03	51,00 (°)
	04	51,00 (°)
1602 50 10 190	02	63,50
	03	51,00
	04	51,00
1602 50 10 240	02	36,00
	03	36,00
	04	36,00
1602 50 10 260	02	26,00
	03	26,00
	04	26,00
1602 50 10 280	02	16,00
	03	16,00
	04	16,00
1602 50 90 125	01	116,00 (°)
1602 50 90 135	01	73,00 (°)
1602 50 90 195	01	36,00
1602 50 90 325	01	103,00 (°)
1602 50 90 335	01	65,00 (°)
1602 50 90 395	01	36,00
1602 50 90 425	01	77,00 (°)
1602 50 90 435	01	48,50 (°)
1602 50 90 495	01	36,00
1602 50 90 505	01	36,00
1602 50 90 525	01	77,00 (°)
1602 50 90 535	01	48,50 (°)
1602 50 90 595	01	36,00
1602 50 90 615	01	36,00
1602 50 90 625	01	16,00
1602 50 90 705	01	36,00
1602 50 90 805	01	26,00
1602 50 90 905	01	16,00

(°) Entry under this subheading is subject to the submission of the certificate appearing in the Annex to Commission Regulation (EEC) No 32/82.

(°) Entry under this subheading is subject to compliance with the condition laid down in Commission Regulation (EEC) No 1964/82.

(°) The refund on beef in brine is granted on the net weight of the meat, after deduction of the weight of the brine.

(°) OJ No L 336, 29. 12. 1979, p. 44.

(°) OJ No L 221, 19. 8. 1984, p. 28.

(°) The lean bovine meat content excluding fat is determined in accordance with the procedure described in the Annex to Commission Regulation (EEC) No 2429/86.

(7) The destinations are as follows:

01 Third countries.

02 North African, Near and Middle East third countries, West, Central East and South African third countries, except Cyprus, Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia.

03 European third countries, Ceuta, Melilla, Cyprus, Greenland, Pakistan, Sri Lanka, Burma, Thailand, Vietnam, Indonesia, the Philippines, China, North Korea and Hong Kong and the destinations referred to in Article 34 of Commission Regulation (EEC) No 3665/87, except Austria, Sweden and Switzerland.

04 Austria, Sweden and Switzerland.

05 The United States of America, carried out in accordance with Commission Regulation (EEC) No 2973/79.

06 French Polynesia and New Caledonia.

07 Canada.

08 North, West, Central, East and Southern African third countries, except Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia.

09 Switzerland.

(8) Article 7 of Regulation (EEC) No 885/68 provides that no export refunds shall be granted on products imported from third countries and re-exported to third countries.

(9) The refund is granted only on products manufactured under the arrangement provided for in Article 4 of Council Regulation (EEC) No 565/80.

(10) 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 countries are as defined in Commission amended Regulation (EEC) No 3518/91.

The descriptions corresponding to the product codes and the footnotes are set out in Commission Regulation (EEC) No 3846/87 as amended.

COMMISSION REGULATION (EEC) No 3206/92

of 3 November 1992

introducing a countervailing charge on apples originating in New Zealand

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

Whereas Commission Regulation (EEC) No 1660/92 of 26 June 1992 fixing for the 1992/93 marketing year the reference prices for apples⁽³⁾ fixed the reference price for products of Quality class I at ECU 43,78 per 100 kilograms net for the month of October 1992;

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

Whereas, in accordance with Article 3 (1) of Commission Regulation (EEC) No 2118/74⁽⁴⁾, as last amended by

Regulation (EEC) No 3811/85⁽⁵⁾, the prices to be taken into consideration must be recorded on the representative markets or, in certain circumstances, on other markets;

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of ECU 15,81 per 100 kilograms net is applied to apples (CN codes 0808 10 91, 0808 10 93 and 0808 10 99) originating in New Zealand.

Article 2

This Regulation shall enter into force on 5 November 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 172, 27. 6. 1992, p. 57.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 201, 31. 7. 1990, p. 9.

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

Done at Brussels, 3 November 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 3207/92
of 3 November 1992
fixing the import levies on white sugar and raw sugar

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

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

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 1813/92 ⁽³⁾, as last amended by Regulation (EEC) No 3111/92 ⁽⁴⁾;

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

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

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

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

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

Whereas these exchange rates being those recorded on 2 November 1992,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 4 November 1992.

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

Done at Brussels, 3 November 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 6, 11. 1. 1992, p. 19.

⁽³⁾ OJ No L 183, 3. 7. 1992, p. 18.

⁽⁴⁾ OJ No L 312, 29. 10. 1992, p. 12.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 9.

ANNEX

to the Commission Regulation of 3 November 1992 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy ⁽¹⁾
1701 11 10	38,87 ⁽¹⁾
1701 11 90	38,87 ⁽¹⁾
1701 12 10	38,87 ⁽¹⁾
1701 12 90	38,87 ⁽¹⁾
1701 91 00	46,09
1701 99 10	46,09
1701 99 90	46,09 ⁽²⁾

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

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

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

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DIRECTIVE 92/87/EEC

of 26 October 1992

establishing a non-exclusive list of the main ingredients normally used and marketed for the preparation of compound feedingstuffs intended for animals other than pets

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 79/373/EEC of 2 April 1979 on the marketing of compound feedingstuffs ⁽¹⁾, as last amended by Directive 90/654/EEC ⁽²⁾, and in particular Article 10 (b) thereof,

Whereas a nomenclature of goods meeting the requirements of both the Common Customs Tariff and the Community's external trade statistics was introduced by Council Regulation (EEC) No 2658/87 ⁽³⁾;

Whereas, as regards labelling, the purpose of Directive 79/373/EEC is to ensure that stockfarmers are informed objectively and as accurately as possible;

Whereas the declaration of the ingredients in feedingstuffs constitutes, in certain cases, an important item of information for stockfarmers;

Whereas Directive 79/373/EEC provides for two forms of declaration of the ingredients of compound feedingstuffs for animals other than pets;

Whereas, in accordance with Directive 79/373/EEC, as amended by Directive 90/44/EEC ⁽⁴⁾, and in view of progress in scientific and technical knowledge, a non-exclusive list should be drawn up of the main ingredients

normally used and marketed for the manufacture of compound feedingstuffs for animals other than pets with a view to abolishing barriers to intra-Community trade;

Whereas the list should establish a common name and description for each ingredient and may, in certain cases, establish minimum compositional requirements;

Whereas a level of botanical purity and a definition of what is to be understood by botanical impurities must be determined in order for individual ingredients to be distinguished from mixtures;

Whereas establishing a glossary describing the main manufacturing processes enables numerous repetitions to be avoided;

Whereas ingredients included on the abovementioned list may be declared as such only under the names specified and on condition that they correspond to the descriptions therein and any compositional requirements which may be laid down;

Whereas, in accordance with Directive 79/373/EEC, the list of ingredients which may be used in the manufacture of compound feedingstuffs cannot be exhaustive; whereas Member States are accordingly required to allow ingredients other than those on the list to be marketed provided that such products are of sound, genuine and merchantable quality and that they are declared using names other than those listed in the Annex which cannot mislead the purchaser;

Whereas the measures provided for in this Directive are in accordance with the opinion of the Standing Committee on Feedingstuffs,

⁽¹⁾ OJ No L 86, 6. 4. 1979, p. 30.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 48.

⁽³⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽⁴⁾ OJ No L 27, 31. 1. 1990, p. 35.

HAS ADOPTED THIS DIRECTIVE:

Article 1

The Member States shall prescribe that in the case of compound feedingstuffs intended for animals other than pets, the ingredients listed at Part B of the Annex may be declared, on the packaging, on the container or on a label attached thereto, only under the names specified therein, and on condition that they correspond to the descriptions given therein and any compositional requirements which may be laid down.

Furthermore, the Member States shall ensure that the provisions under 'General' of Part A of the Annex are respected.

Article 2

Member States shall, however, lay down that compound feedingstuffs manufactured before 1 March 1993 which do not comply with this Directive may still be marketed until 31 December 1993.

Article 3

The Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with the provisions of this Directive by 1 March 1993 at the latest. They shall inform the Commission immediately thereof.

The provisions to be adopted by the Member States shall contain a reference to this Directive or shall be accompanied by such a reference when they are published officially. The reference shall be as laid down by the Member States.

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 26 October 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX**PART A****General****I. Explanatory notes:**

1. Ingredients are listed and named in Part B according to the following criteria:
 - the origin of the product/by-product, e.g. vegetable, animal, mineral,
 - the part of the product/by-product used, e.g. whole, seeds, tubers, bones,
 - the processing to which the product/by-product has been subjected, e.g. decortication, extraction, heating and/or the resulting product/by-product, e.g. flakes, bran, pulp, fat,
 - the maturity of the product/by-product and/or the quality of the product/by-product, e.g. 'low in glucosinolate', 'rich in fat', 'low in sugar'.
2. The list is divided into 12 chapters:
 1. Cereal grains, their products and by-products;
 2. Oil seeds, oil fruits, their products and by-products;
 3. Legume seeds, their products and by-products;
 4. Tubers, roots, their products and by-products;
 5. Other seeds and fruits, their products and by-products;
 6. Forages and roughages;
 7. Other plants, their products and by-products;
 8. Milk products;
 9. Land animal products;
 10. Fish, other marine animals, their products and by-products;
 11. Minerals;
 12. Miscellaneous.

II. Provisions regarding botanical purity:

1. The botanical purity of the products and by-products listed in Part B shall not be less than 95 %, unless a different level has been laid down in Part B.
2. The following are considered as being botanical impurities:
 - (a) natural but innocuous impurities (e.g. straw and straw waste, seeds of other cultivated species or weeds);
 - (b) harmless residues of other oil seeds or oleaginous fruit derived from a previous manufacturing process, the level of which does not exceed 0,5 %.
3. The levels indicated refer to the weight of the product as such.

III. Provisions regarding naming:

Where the name of an ingredient includes a word or words in brackets, the bracketed word(s) may be included or omitted as an option; e.g. soya (bean) oil may be declared as soya bean oil or soya oil.

IV. Provisions regarding the glossary:

The glossary given below refers to main processes used for the preparation of ingredients mentioned in Part B of the Annex. When the names of these ingredients include a common name or term from this glossary, the process to be used must be in accordance with the given definition.

Process	Definition	Common Name/Term
Concentration	Increase in certain contents by removing water or other constituents	Concentrate
Decortication ⁽¹⁾	Removal of outer layers from grains, seeds, fruits, nuts and others	Decorticated
Drying	Dehydration by artificial or natural processes in order to preserve the product	Dried (sun or artificially)
Extraction	Removal either by organic solvent of fat or oil from certain materials or by aqueous solvent of sugar or other water soluble components. In the case of the use of organic solvent, the resulting product must be technically free of such solvent	Extracted (in case of oil-containing materials) Molasses, pulp, (in case of products containing sugar or other water soluble components)
Extrusion	Pressing, pushing or protusion of material through orifices under pressure. See also pregelatinization	Extruded
Flaking	Rolling of moist heat-treated material.	Flakes
Flour milling	Physical processing of grain to reduce particle size and facilitate separation into constituent fractions (principally flour, bran and middlings).	Flour, bran, middlings
Heat treatment/heating	General term covering a number of heat treatments carried out under specific conditions to influence the nutritional value or the structure of the material.	Toasted, cooked, puffed, heat-treated
Hydrogenation	Treatment of oils and fats to achieve a higher melting point	Hardened
Hydrolysis	Breakdown into simpler chemical constituents by appropriate treatment with water and possibly either enzymes or acid/alkali.	Hydrolysed
Pressing	Removal by mechanical pressure (either by a screw- or other type of press) and possibly some heat, of fat/oil from oil-rich materials, or of juice from fruits or other vegetable products.	Expeller ⁽²⁾ (in case of oil-containing materials) Pulp, pomace (in case of fruits, etc.)
Pelleting	Compaction into a moulded form of presentation.	Pellet

⁽¹⁾ 'Decortication' may be replaced by 'dehulling' or 'dehusking' if appropriate. Therefore the common name/term should be 'dehulled' or 'dehusked'.

⁽²⁾ When appropriate, the word 'expeller' may be replaced by 'cake'.

Process	Definition	Common Name/Term
Pregelatinization	Modification of starch to improve markedly its swelling properties in cold water.	Pregelatinized
Refining	Removal of impurities in sugars, oils and other natural materials by chemical/physical treatment	Refined
Wet-milling	Mechanical separation of the component parts of kernel/grain after steeping in water, possibly with sulphur dioxide, for the extraction of starch	Germ, gluten, starch

PART B

Non-exclusive list of the main ingredients

1. CEREAL GRAINS, THEIR PRODUCTS AND BY-PRODUCTS

Number	Name	Description
1.01	Oats	Grains of <i>Avena sativa</i> L. and other cultivars of oats.
1.02	Oat flakes	Product obtained by steaming and rolling dehusked oats. It may contain a small proportion of oat husks.
1.03	Oat middlings	By-product obtained during the processing of screened, dehusked oats into oat groats and flour. It consists principally of oat bran and some endosperm.
1.04	Oat hulls and bran	By-product obtained during the processing of screened oats into oat groats. It consists principally of oat hulls and bran.
1.05	Barley	Grains of <i>Hordeum vulgare</i> L.
1.06	Barley middlings	By-product obtained during the processing of screened, dehusked barley into pearl barley, semolina or flour.
1.07	Rice, broken	By-product of the preparation of polished or glazed rice <i>Oryza sativa</i> L. It consists principally of undersized and/or broken grains.
1.08	Rice bran (brown)	By-product of the first polishing of dehusked rice. It consists principally of silvery skins, particles of the aleurone layer, endosperm and germ.
1.09	Rice bran (white)	By-product of the second polishing of dehusked rice. It consists principally of particles of the aleurone layer, endosperm and germ.
1.10	Rice bran with calcium carbonate	By-product of the polishing of dehusked rice. It consists principally of silvery skins, particles of the aleurone layer, endosperm, germ and small amounts of calcium carbonate resulting from use in the manufacturing process.

Number	Name	Description
1.11	Fodder meal of pre-cooked rice	By-product of the polishing of dehusked pre-cooked rice. It consists principally of silvery skins, particles of the aleurone layer, endosperm, germ and small amounts of calcium carbonate resulting from use in the manufacturing process.
1.12	Rice germ, expeller	By-product of oil manufacture, obtained by pressing of the germ of rice to which parts of the endosperm and testa still adhere.
1.13	Rice germ, extracted	By-product of oil manufacture, obtained by extraction of the germ of rice to which parts of the endosperm and testa still adhere.
1.14	Rice starch	Technically pure rice starch.
1.15	Millet	Grains of <i>Panicum miliaceum</i> L.
1.16	Rye	Grains of <i>Secale cereale</i> L.
1.17	Rye middlings	By-product of flour manufacture, obtained from screened rye. It consists principally of particles of endosperm, with fine fragments of the outer skins and some grain waste.
1.18	Rye feed	By-product of flour manufacture, obtained from screened rye. It consists principally of fragments of the outer skins, and of particles of grain from which less of the endosperm has been removed than in rye bran.
1.19	Rye bran	By-product of flour manufacture, obtained from screened rye. It consists principally of fragments of the outer skins, and of particles of grain from which most of the endosperm has been removed.
1.20	Sorghum	Grains of <i>Sorghum bicolor</i> (L.) Moench s.i.
1.21	Wheat	Grains of <i>Triticum aestivum</i> L., <i>Triticum durum</i> Desf. and other cultivars of wheat
1.22	Wheat middlings	By-product of flour manufacture, obtained from screened grains of wheat or dehusked spelt. It consists principally of particles of endosperm with fine fragments of the outer skins and some grain waste.
1.23	Wheat feed	By-product of flour manufacture, obtained from screened grains of wheat or dehusked spelt. It consists principally of fragments of the outer skins and of particles of grain from which less of the endosperm has been removed than in wheat bran.
1.24	Wheat bran ⁽¹⁾	By-product of flour manufacture, obtained from screened grains of wheat or dehusked spelt. It consists principally of fragments of the outer skins, and of particles of grain from which the greater part of the endosperm has been removed.
1.25	Wheat germ	By-product of flour milling consisting essentially of wheat germ, rolled or otherwise, to which fragments of endosperm and outer skin may still adhere.
1.26	Wheat gluten	Dried by-product of the manufacture of wheat starch. It consists principally of gluten obtained during the separation of starch.

⁽¹⁾ When this ingredient has been subjected to a finer milling, the word 'fine' may be added to the name or the name may be replaced by a corresponding denomination.

Number	Name	Description
1.27	Wheat gluten feed	Dried by-product of the manufacture of wheat starch. It is composed of bran and gluten to which components of the steeping liquor, and possibly the germ, from which the oil may have been removed, may be added.
1.28	Wheat starch	Technically pure wheat starch.
1.29	Spelt	Grains of spelt <i>Triticum spelta</i> L., <i>Triticum diocum</i> Schrank, <i>Triticum monococcum</i> .
1.30	Triticale	Grains of the <i>Triticum</i> X <i>Secale</i> hybrid.
1.31	Maize	Grains of <i>Zea mays</i> L.
1.32	Maize middlings	By-product of the manufacture of flour or semolina from maize. It consists principally of fragments of the outer skins and of particles of grain from which less of the endosperm has been removed than in maize bran.
1.33	Maize bran	By-product of the manufacture of flour or semolina from maize. It consists principally of outer skins and some maize germ fragments, with some endosperm particles.
1.34	Maize germ expeller	By-product of oil manufacture, obtained by pressing of dry or wet processed maize germ to which parts of the endosperm and testa may still adhere.
1.35	Maize germ, extracted	By-product of oil manufacture, obtained by extraction of dry or wet processed maize germ to which parts of the endosperm and testa may still adhere.
1.36	Maize gluten feed ⁽¹⁾	Dried by-product of the manufacture of maize starch. It is composed of bran and gluten to which components of the steeping liquor, and possibly the germ, from which the oil may have been removed, may be added.
1.37	Maize gluten	Dried by-product of the manufacture of maize starch. It consists principally of gluten obtained during the separation of the starch.
1.38	Maize starch	Technically pure maize starch.
1.39	Pre-gelatinized maize starch ⁽²⁾	Heat treated maize starch, having the property of marked swelling on contact with cold water.
1.40	Malt culms	By-product of malting, consisting mainly of dried rootlets of germinated cereals.
1.41	Brewers' dried grains	By-product of brewing obtained by drying residues of malted and unmalted cereals and other starchy products.
1.42	Distillers' dried grains	By-product of alcohol distilling obtained by drying solid residues of fermented grain.
1.43	Distillers' dark grains ⁽³⁾	By-product of alcohol distilling obtained by drying solid residues of fermented grain to which pot ale syrup or evaporated spent wash has been added.

⁽¹⁾ This name may be replaced by 'corn gluten feed'.

⁽²⁾ This name may be replaced by 'extruded maize starch'.

⁽³⁾ This name may be replaced by 'distillers dried grains and solubles'.

2. OIL SEEDS, OIL FRUITS, THEIR PRODUCTS AND BY-PRODUCTS

Number	Name	Description
2.01	Groundnut, partially decorticated, expeller	By-product of oil manufacture, obtained by pressing of partially decorticated groundnuts <i>Arachis hypogaea</i> L. and others species of <i>Arachis</i> . (Maximum crude fibre content 16 % in the dry matter.)
2.02	Groundnut, partially decorticated, extracted	By-product of oil manufacture, obtained by extraction of partially decorticated groundnuts. (Maximum crude fibre content 16 % in the dry matter.)
2.03	Groundnut, decorticated, expeller	By-product of oil manufacture, obtained by pressing of decorticated groundnuts.
2.04	Groundnut, decorticated, extracted	By-product of oil manufacture, obtained by extraction of decorticated groundnuts.
2.05	Rape seed (¹)	Seeds of rape <i>Brassica napus</i> L. ssp. <i>oleifera</i> (Metzg.) Sinsk., of Indian sarson <i>Brassica napus</i> L. var. <i>Glauca</i> (Roxb.) O. E. Schulz and of rape <i>Brassica campestris</i> L. ssp. <i>oleifera</i> (Metzg.) Sinsk. (Minimum botanical purity 94 %.)
2.06	Rape seed, expeller (¹)	By-product of oil manufacture, obtained by pressing of seeds of rape. (Minimum botanical purity 94 %.)
2.07	Rape seed, extracted (¹)	By-product of oil manufacture, obtained by extraction of seeds of rape. (Minimum botanical purity 94 %.)
2.08	Rape seed hulls	By-product obtained during dehulling of rape seeds.
2.09	Safflower seed, partially decorticated, extracted	By-product of oil manufacture obtained by extraction of partially decorticated seeds of safflower <i>Carthamus tinctorius</i> L.
2.10	Copra expeller	By-product of oil manufacture, obtained by pressing the dried kernel (endosperm) and outer husk (tegument) of the seed of the coconut palm <i>Cocos nucifera</i> L.
2.11	Copra, extracted	By-product of oil manufacture, obtained by extraction of the dried kernel (endosperm) and outer husk (tegument) of the seed of the coconut palm.
2.12	Palm kernel expeller	By-product of oil manufacture, obtained by pressing of palm kernels <i>Elaeis guineensis</i> Jacq., <i>Corozo oleifera</i> (HBK) L. H. Bailey (<i>Elaeis melanococca</i> auct.) from which as much as possible of the hard shell has been removed.
2.13	Palm kernel, extracted	By-product of oil manufacture, obtained by extraction of palm kernels from which as much as possible of the hard shell has been removed.
2.14	Soya (bean), toasted	Soya beans <i>Glycine max.</i> L. Merr. subjected to an appropriate heat treatment.
2.15	Soya (bean), extracted, toasted	By-product of oil manufacture, obtained from soya beans after extraction and appropriate heat treatment. (Maximum crude fibre content 8 % in the dry matter.)
2.16	Soya (bean), dehulled, extracted, toasted	By-product of oil manufacture, obtained from dehulled soya beans after extraction and appropriate heat treatment.
2.17	Soya (bean) protein concentrate	Product obtained from dehulled, fat extracted soya beans.

(¹) When appropriate 'low in glucosinolate' may be indicated additionally in the name. 'Low in glucosinolate' means as defined in Community legislation.

Number	Name	Description
2.18	Soya (bean) oil	Oil obtained from soya beans.
2.19	Soya (bean) hulls	By-product obtained during dehulling of soya beans.
2.20	Cotton seed	Seeds of cotton <i>Gossypium</i> spp. from which the fibres have been removed.
2.21	Cotton seed, partially decorticated, extracted	By-product of oil manufacture, obtained by extraction of seeds of cotton from which the fibres and part of the husks have been removed. (Maximum crude fibre 22,5 % in the dry matter.)
2.22	Cotton seed expeller	By-product of oil manufacture obtained by pressing of seeds of cotton from which the fibres have been removed.
2.23	Niger seed expeller	By-product of oil manufacture, obtained by pressing of seeds of the niger plant <i>Guizotia abyssinica</i> (Lf) Cass.
2.24	Sunflower seed	Seeds of the sunflower <i>Helianthus annuus</i> L.
2.25	Sunflower seed, extracted	By-product of oil manufacture obtained by extraction of seeds of the sunflower
2.26	Sunflower seed, partially decorticated, extracted	By-product of oil manufacture, obtained by extraction of seeds of the sunflower from which part of the husks has been removed. (Maximum crude fibre 27,5 % in the dry matter.)
2.27	Linseed	Seeds of linseed <i>Linum usitatissimum</i> L. (Minimum botanical purity 93 %.)
2.28	Linseed expeller	By-product of oil manufacture, obtained by pressing of linseed. (Minimum botanical purity 93 %.)
2.29	Linseed, extracted	By-product of oil manufacture, obtained by extraction of linseed. (Minimum botanical purity 93 %.)
2.30	Olive pulp	By-product of oil manufacture, obtained by extraction of pressed olives (<i>Olea europaea</i> L. separated as far as possible from parts of the kernel.
2.31	Sesame seed expeller	By-product of oil manufacture, obtained by pressing of seeds of the sesame plant <i>Sesamum indicum</i> L.
2.32	Cocoa bean, partially decorticated, extracted	By-product of oil manufacture, obtained by extraction of dried and roasted cocoa beans <i>Theobroma cacao</i> L. from which part of the husks has been removed.

3. LEGUME SEEDS, THEIR PRODUCTS AND BY-PRODUCTS

Number	Name	Description
3.01	Chick peas	Seeds of <i>Cicer arietinum</i> L.
3.02	Guar meal, extracted	By-product obtained after extraction of the mucilage from seeds of <i>Cyamopsis tetragonoloba</i> (L.) Taub.
3.03	Ervil	Seeds of <i>Ervum ervilia</i> L.
3.04	Chickling vetch (1)	Seeds of <i>Lathyrus sativus</i> L. submitted to an appropriate heat treatment.

(1) The name must be qualified by an indication of the nature of the heat treatment.

Number	Name	Description
3.05	Lentils	Seeds of <i>Lens culinaris</i> a.o. Medik.
3.06	Sweet lupins	Seeds of <i>Lupinus</i> spp, low in bitter seed content.
3.07	Beans, toasted	Seeds of <i>Phaseolus</i> or <i>Vigna</i> spp. submitted to an appropriate heat treatment to destroy toxic lectins.
3.08	Peas	Seeds of <i>Pisum</i> spp.
3.09	Pea middlings	By-product obtained during the manufacture of pea-flour. It consists principally of particles of cotyledon, and to a lesser extent, of skins.
3.10	Pea bran	By-product obtained during the manufacture of pea meal. It is composed mainly of skins removed during the skinning and cleaning of peas.
3.11	Horse beans	Seeds of <i>Vicia faba</i> L. ssp. <i>faba</i> var. <i>equina</i> Pers. and var. <i>minuta</i> (Alef.) Mansf.
3.12	Monantha vetch	Seeds of <i>Vicia monanthos</i> Desf.
3.13	Vetches	Seeds of <i>Vicia sativa</i> L. var. <i>sativa</i> and other varieties.

4. TUBERS, ROOTS, THEIR PRODUCTS AND BY-PRODUCTS

Number	Name	Description
4.01	(Sugar) Beet pulp	By-product of the manufacture of sugar, consisting of extracted and dried pieces of sugar-beet <i>Beta vulgaris</i> L. ssp. <i>vulgaris</i> var. <i>altissima</i> Doell.
4.02	(Sugar) Beet molasses	By-product consisting of the syrupy residue collected during the manufacture of refining of beet sugar.
4.03	(Sugar) Beet pulp, molassed	By-product of the manufacture of sugar comprising dried sugar-beet pulp, to which molasses has been added.
4.04	(Sugar) Beet vinasse	By-product obtained after the fermentation of beet molasses in the production of alcohol, yeast, citric acid or other organic substances.
4.05	(Beet) Sugar (1)	Sugar extracted from sugar beet.
4.06	Sweet potato	Tubers of <i>Ipomoea batatas</i> (L.) Poir, regardless of their presentation.
4.07	Manioc	Roots of <i>Manihot esculenta</i> Crantz, regardless of their presentation.
4.08	Manioc starch, puffed	Starch obtained from manioc roots, greatly expanded by appropriate heat treatment.
4.09	Potato pulp	By-product of the extraction of potato starch <i>Solanum tuberosum</i> L.

(1) This name may be replaced by 'sucrose'.

Number	Name	Description
4.10	Potato starch	Technically pure potato starch.
4.11	Potato protein	Dried by-product of starch manufacture composed mainly of protein substances obtained after the separation of starch.

5. OTHER SEEDS AND FRUITS, THEIR PRODUCTS AND BY-PRODUCTS

Number	Name	Description
5.01	Carob pods	Product obtained by crushing the dried fruits (pods) of the carob tree <i>Ceratonia siliqua</i> L., from which the locust beans have been removed.
5.02	Citrus pulp	By-product obtained by pressing citrus fruits <i>Citrus</i> spp. during the production of citrus juice.
5.03	Apple pomace	By-product obtained by pressing apples <i>Malus</i> spp. during the production of apple juice.
5.04	Tomato pulp	By-product obtained by pressing tomatoes <i>Solanum lycopersicum</i> Karst. during the production of tomato juice.
5.05	Grape pulp	By-product of the processing of grapes <i>Vitis vinifera</i> L. after the juice has been pressed out.
5.06	Grape pips	By-product of the processing of grapes composed of pips, practically exempt of other components.

6. FORAGES AND ROUGHAGES

Number	Name	Description
6.01	Lucerne meal ⁽¹⁾	Product obtained by drying and milling young lucerne <i>Medicago sativa</i> L. and <i>Medicago</i> var. <i>Martyn</i> . (Minimum botanical purity 80 %.)
6.02	Lucerne pomace	Dried by-product obtained by pressing juice from lucerne.
6.03	Lucerne protein concentrate	Product obtained by artificially drying fractions of lucerne press juice, which has been centrifuged and heat treated to precipitate proteins.
6.04	Clover meal ⁽¹⁾	Product obtained by drying and milling young clover <i>Trifolium</i> spp. (Minimum botanical purity 80 %.)
6.05	Grass meal ⁽¹⁾	Product obtained by drying and milling young forage plants.
6.06	Wheat straw	Straw of wheat.
6.07	Wheat straw, treated ⁽²⁾	Product obtained by an appropriate treatment of wheat straw.

(¹) The term 'meal' may be replaced by 'pellets'. The method of drying may be indicated additionally in the name.

(²) The name must be qualified by reference to the nature of the chemical treatment carried out.

7. OTHER PLANTS, THEIR PRODUCTS AND BY-PRODUCTS

Number	Name	Description
7.01	(Sugar) Cane molasses	By-product consisting of the syrupy residue collected during the manufacture of refining of sugar from sugar-cane <i>Saccharum officinarum</i> L.
7.02	(Sugar) Cane vinasse	By-product obtained after the fermentation of cane molasses in the production of alcohols, yeast, citric acid or other organic substances.
7.03	(Cane) Sugar (')	Sugar extracted from sugar-cane.
7.04	Seaweed meal	Product obtained by drying and crushing seaweed, in particular brown seaweed. This product may have been washed to reduce the iodine content.

(') This name may be replaced by 'sucrose'.

8. MILK PRODUCTS

Number	Name	Description
8.01	Skimmed-Milk powder	Product obtained by drying milk from which most of the fat has been separated.
8.02	Buttermilk powder	Product obtained by drying the liquid which remains after butter churning.
8.03	Whey powder	Product obtained by drying the liquid which remains after cheese, quark, casein making or similar processes.
8.04	Whey powder, low in sugar	Product obtained by drying whey from which the lactose has been partly removed.
8.05	Whey protein powder (')	Product obtained by drying the protein compounds extracted from whey or milk by chemical or physical treatment.
8.06	Casein powder	Product obtained from skimmed or butter milk by drying casein precipitated by means of acids or rennet.
8.07	Lactose powder	The sugar separated from milk or whey by purification and drying.

(') This name may be replaced by 'milk albumin powder'.

9. LAND ANIMAL PRODUCTS

Number	Name	Description
9.01	Meat meal (')	Product obtained by heating, drying and grinding whole or parts of warm-blooded land animals from which the fat may have been partially extracted or physically removed. The product must be substantially free of hooves, horn, bristle, hair and feathers, as well as digestive tract content. (Minimum crude protein content 50 % on a dry matter basis.)
9.02	Meat and bone meal (')	Product obtained by heating, drying and grinding whole or parts of warm-blooded land animals from which the fat may have been partially extracted or physically removed. The product must be substantially free of hooves, horn, bristle, hair and feathers, as well as digestive tract content.

(') Products containing more than 13 % fat in the dry matter must be named as 'rich in fat'.

Number	Name	Description
9.03	Bone meal	Product obtained by drying, heating and finely grinding bones of warm-blooded land animals from which the fat has been largely extracted or physically removed. The product must be substantially free of hooves, horn, bristle, hair and feathers, as well as digestive tract content.
9.04	Greaves	Residual product of the manufacture of tallow and other extracted or physically removed fats of animal origin.
9.05	Poultry offal meal ⁽¹⁾	Product obtained by drying and grinding waste from slaughtered poultry. The product must be substantially free of feathers.
9.06	Feather meal, hydrolysed	Product obtained by hydrolysing, drying and grinding poultry feathers.
9.07	Blood meal	Product obtained by drying the blood of slaughtered warm-blooded animals. The product must be substantially free of foreign matter.
9.08	Animal fat	Product composed of fat from warm-blooded land animals.

⁽¹⁾ Products containing more than 13 % fat in the dry matter must be named as 'rich in fat'.

10. FISH, OTHER MARINE ANIMALS, THEIR PRODUCTS AND BY-PRODUCTS

Number	Name	Description
10.01	Fish meal ⁽¹⁾	Product obtained by processing whole or parts of fish from which part of the oil may have been removed and to which fish solubles may have been re-added.
10.02	Fish solubles, condensed	Stabilized product composed of press juice obtained during manufacture of fish meal from which much of the fish oil and some of the water has been removed.
10.03	Fish oil	Oil obtained from fish
10.04	Fish oil, refined, hardened	Oil obtained from fish which has been refined and subjected to hydrogenation.

⁽¹⁾ Products containing more than 75 % crude protein in the dry matter may be named as 'rich in protein'.

11. MINERALS

Number	Name	Description
11.01	Calcium carbonate ⁽¹⁾	Product obtained by grinding sources of calcium carbonate, such as limestone, oyster or mussel shells, or by precipitation from acid solution.
11.02	Calcium and magnesium carbonate	Natural mixture of calcium carbonate and magnesium carbonate.
11.03	Calcareous marine algae (Maerl)	Product of natural origin obtained from calcareous algae, ground or granulated.
11.04	Magnesium oxide	Technically pure magnesium oxide (MgO).
11.05	Kieserite	Natural magnesium sulphate (MgSO ₄ · H ₂ O).
11.06	Dicalcium phosphate ⁽²⁾	Precipitated calcium monohydrogen phosphate from bones or inorganic sources (CaHPO ₄ · xH ₂ O).

⁽¹⁾ The nature of the source may replace or be indicated additionally in the name.

⁽²⁾ The manufacturing process may be included in the name.

Number	Name	Description
11.07	Mono-dicalcium phosphate	Product obtained chemically and composed of equal parts of dicalcium phosphate and mono-calcium phosphate.
11.08	Defluorinated rock-phosphate	Product obtained by grinding purified and appropriately defluorinated natural phosphates.
11.09	Degelatinized bone meal	Degelatinized, sterilized and ground bones from which the fat has been removed.
11.10	Monocalcium phosphate	Technically pure calcium-bis(dihydrogenphosphate) ($\text{Ca}(\text{H}_2\text{PO}_4)_2 \cdot x\text{H}_2\text{O}$).
11.11	Calcium-magnesium phosphate	Technically pure calcium magnesium phosphate.
11.12	Mono-ammonium phosphate	Technically pure mono-ammonium phosphate ($\text{NH}_4\text{H}_2\text{PO}_4$).
11.13	Sodium chloride (')	Technically pure sodium chloride or product obtained by grinding natural sources of sodium chloride, such as (rock) and (marine) salt.

(') The nature of the source of the sodium may replace or be indicated additionally in the name.

12. MISCELLANEOUS

Number	Name	Description
12.01	Bakery waste	By-product obtained from the manufacture of biscuits, cake or bread.
12.02	Confectionery waste	By-product obtained from the manufacture of chocolate, sweets and other confectionery.
12.03	Fatty acids	By-product obtained during the deacidification, by means of lye or by distillation of oils and fats of unspecified vegetable or animal origin.
12.04	Salts of fatty acids (')	Product obtained by saponification of fatty acids with calcium, sodium or potassium-hydroxide.

(') The name may be supplemented by an indication of the type of salt.

COMMISSION DECISION

of 22 October 1992

on the establishment of an addendum to the Community support framework for Community structural assistance in France (Corsica) on the improvement of the conditions under which agricultural products are processed and marketed

(Only the French text is authentic)

(92/512/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2052/88 of 24 June 1988 on the tasks of the Structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments⁽¹⁾, and in particular Article 8 (5) thereof,

Having regard to Council Regulation (EEC) No 866/90 of 29 March 1990 on improving the processing and marketing conditions for agricultural products⁽²⁾, as amended by Regulation (EEC) No 3577/90⁽³⁾, and in particular Article 7 (2) thereof,

After consultation of the Committee for the Development and Reconversion of Regions,

Whereas the Commission has approved by Decision 89/637/EEC⁽⁴⁾ the Community support framework for Community structural assistance in France (Corsica);

Whereas the French Government submitted to the Commission between 19 March and 20 June 1991 five sectoral plans on the modernization of the conditions under which agricultural products are processed and marketed which also concerned Corsica, referred to in Article 2 of Regulation (EEC) No 866/90;

Whereas the plans submitted by the Member State include descriptions of the main priorities selected and indications of the use to be made of assistance under the European Agricultural Guidance and Guarantee Fund (EAGGF), Guidance Section in implementing the plan;

Whereas measures falling within the scope of Regulation (EEC) No 866/90 may be taken into consideration by the Commission when establishing the Community support framework for areas covered by Objective 1 as provided for in Title III Regulation (EEC) No 2052/88;

Whereas this Addendum to the Community support framework has been established in agreement with the Member State concerned through the partnership defined in Article 4 of Council Regulation (EEC) No 2052/88;

Whereas all the measures which constitute the Addendum to the Community support framework are in conformity with Commission Decision 90/342/EEC of 7 June 1990 on the selection criteria to be adopted for investments for improving the processing and marketing conditions for agricultural and forestry products⁽⁵⁾;

Whereas the Commission is prepared to examine the possibility of the other Community lending instruments contributing to the financing of this Community support framework in accordance with the specific provisions governing them;

Whereas in accordance with Article 10 (2) of Regulation (EEC) No 4253/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards coordination of the activities of the different Structural Funds between themselves and with the operations of the European Investment Bank and the other existing financial instruments⁽⁶⁾, this decision is to be sent as a declaration of intent to the Member State;

Whereas in accordance with Article 20 (1) and (2) of Regulation (EEC) No 4253/88 budgetary commitments relating to the contribution from the Structural Funds to the financing of the operations covered by the Community support framework will be made on the basis of subsequent Commission decisions approving the operations concerned;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Committee for Agricultural Structures and Rural Development,

HAS ADOPTED THIS DECISION:

Article 1

The Addendum to the Community support framework for Community structural assistance on the improvement of the conditions under which agricultural products are processed and marketed in France (Corsica), covering the period from 1 January 1991 to 31 December 1993, is hereby established.

⁽¹⁾ OJ No L 185, 15. 7. 1988, p. 9.

⁽²⁾ OJ No L 91, 6. 4. 1990, p. 1.

⁽³⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽⁴⁾ OJ No L 370, 19. 12. 1989, p. 32.

⁽⁵⁾ OJ No L 163, 29. 6. 1990, p. 71.

⁽⁶⁾ OJ No L 374, 31. 12. 1988, p. 1.

The Commission declares that it intends to contribute to the implementation of this Community support framework in accordance with the detailed provisions thereof and in compliance with the rules and guidelines of the Structural Funds and the other existing financial instruments.

Article 2

The Community support framework contains the following essential information:

(a) a statement of the main priorities for joint action in the following sectors:

1. Meat
2. Wine
3. Fruit and vegetables (fresh and processed)
4. Milk and milk products;

(b) an indicative financing plan specifying, at constant 1992 prices, the total eligible cost of the priorities adopted for joint action by the Community and the Member State concerned, ECU 8 659 217 for the whole period, and the financial arrangements envisaged for budgetary assistance from the Community, broken down as follows:

	(ECU)
1. Meat	110 666
2. Wine	602 936
3. Fruit and vegetables (fresh and processed)	1 827 095
4. Milk and milk products	0
Total	2 540 696.

The resultant national financing requirement, approximately ECU 1 555 543 for the public sector and ECU 4 562 978 for the private sector, may be partially covered by Community loans from the European Investment Bank and the other loan instruments.

Article 3

This declaration of intent is addressed to France.

Done at Brussels, 22 October 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION OPINION**of 23 October 1992****addressed to the French Government concerning a draft law on the commercial operation of inland waterways****(Only the French text is authentic)****(92/513/EEC)**

Pursuant to Article 1 of the Council Decision of 21 March 1962 instituting a procedure for prior examination and consultation in respect of certain laws, regulations and administrative provisions concerning transport proposed in Member States⁽¹⁾, as amended by Council Decision 73/402/EEC⁽²⁾, the French Government notified the Commission by letter of 27 July 1992 of a draft law on the commercial operation of inland waterways.

The letter from the French Government reached the Commission on 29 July 1992; as required by Article 1 of the abovementioned Decision the French Government has also informed the other Member States.

Pursuant to Article 2 of the Council Decision the Commission hereby delivers the following opinion:

1. The Commission finds that the draft law submitted to it relates chiefly to procedures for chartering in the field of the domestic carriage of goods by inland waterway. The proposed draft law is intended to amend the Law of 22 March 1941 on the regulated operation of inland waterways and coordination of rail transport and transport by inland waterway.

France's stated aim is to win back traffic for the inland waterways, and to enhance the competitiveness of this mode of transport against a background of the opening-up of regulated inland-waterway markets. The draft law therefore forms part of a set of transitional arrangements designed to adapt those regulated markets, over a period limited to six years, from the existing system to a free market system in which the 'tour de rôle' would cease to be binding.

The draft law would transform the general organization of inland-waterway transport; this would be entrusted to members of the trade through an inland-waterway joint-trades committee which would administer the allocation of cargo between contracts dealt with under the 'tour de rôle' system and those falling outside it. Chartering in this sector would be under tonnage contracts, time contracts and voyage contracts. These would be freely negotiated between the parties, i.e. between consignor and carrier, except in the case of voyage contracts which would continue to be subject to the 'tour de rôle' system.

The draft law also gives the Minister of Transport the power to issue decrees making certain tonnage contracts subject to the 'tour de rôle' system.

2. The Commission finds that the draft law does contain an element of opening-up of the market for the carriage of goods by inland waterway, notably as regards tonnage contracts, and considers that the draft law is liable to promote this mode of transport. This opening-up must not be compromised.
3. In general terms the Commission is of the opinion that a 'tour de rôle' system organized by members of the trades would be in breach of the competition rules set out in Article 85 of the EEC Treaty. Furthermore, a Member State is not allowed to entrust an interprofessional committee with the right to define the general conditions of freight allocation and the means to undertake inland waterway contracts (first line of the third paragraph of Article 2) and to fix the operating rules for freight markets (third paragraph of Article 4) without infringing the provisions of Articles 3 (f) and 5 (2) of the EEC Treaty read in conjunction with the provisions of Article 85.

⁽¹⁾ OJ No 23, 3. 4. 1962, p. 720/62.

⁽²⁾ OJ No L 347, 17. 12. 1973, p. 48.

4. Moreover, and independently of the observations made in points 2 and 3, the Commission is of the opinion that a modification of the 'tour de rôle' system is necessary in order to produce a free market regime. Taking the special nature of the sector into account, notably the presence of many small companies, and the large variations in demand whilst supply is inflexible, the Commission understands that such a modification cannot be undertaken other than on a progressive basis.
5. The Commission calls on the French Government in any event to notify it in advance of the implementing texts referred to in Articles 2, 5 and 9, on which it reserves the right to express its opinion.
6. The Commission is sending this opinion to the other Member States.

Done at Brussels, 23 October 1992.

For the Commission
Karel VAN MIERT
Member of the Commission

COMMISSION DECISION

of 23 October 1992

suspending the buying-in of butter in certain Member States

(Only the Danish, German, English, French and Dutch texts are authentic)

(92/514/EEC)

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

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by Commission Regulation (EEC) No 2071/92⁽²⁾, and in particular the first subparagraph of Article 7a (1) and Article 7a (3) thereof,

Whereas Council Regulation (EEC) No 777/87⁽³⁾, as last amended by Regulation (EEC) No 1634/91⁽⁴⁾, sets out the circumstances under which the buying-in of butter and skimmed milk powder may be suspended and subsequently resumed and, where suspension takes place, the alternative measures that may be taken;

Whereas Commission Regulation (EEC) No 1547/87⁽⁵⁾, as last amended by Regulation (EEC) No 2011/91⁽⁶⁾, lays down the criteria on the basis of which the buying-in of butter by invitation to tender is to be opened and suspended in a Member State or, as regards the United Kingdom and the Federal Republic of Germany, in a region;

Whereas Commission Decision 92/505/EEC⁽⁷⁾ suspends buying-in in certain Member States; whereas information on market prices shows that the condition laid down in Article 1 (3) of Regulation (EEC) No 1547/87 is currently no longer met in Germany; whereas the list of Member States where that suspension applies must be adapted accordingly;

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

HAS ADOPTED THIS DECISION:

Article 1

The buying-in of butter by invitation to tender as provided for in Article 1 (3) of Regulation (EEC) No 777/87 is hereby suspended in Belgium, Denmark, France, Luxembourg and Great Britain.

Article 2

Decision 92/505/EEC is hereby repealed.

Article 3

This Decision is addressed to the Kingdom of Belgium, Kingdom of Denmark, the Federal Republic of Germany, the French Republic, the Grand Duchy of Luxembourg, and the United Kingdom.

Done at Brussels, 23 October 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 215, 30. 7. 1992, p. 64.

⁽³⁾ OJ No L 78, 20. 3. 1987, p. 10.

⁽⁴⁾ OJ No L 150, 15. 6. 1991, p. 26.

⁽⁵⁾ OJ No L 144, 4. 6. 1987, p. 12.

⁽⁶⁾ OJ No L 185, 11. 7. 1991, p. 5.

⁽⁷⁾ OJ No L 308, 24. 10. 1992, p. 48.

COUNCIL

NOTICE

The economic operators concerned are advised that the temporary suspension⁽¹⁾ of the zero-rated imports of motor vehicles into Poland and into the Community provided for in the Interim Agreement on trade and related measures between the European Economic Community and the European Coal and Steel Community on the one hand and the Republic of Poland on the other will cease from the date of publication of this notice in the *Official Journal of the European Communities*.

⁽¹⁾ OJ No C 54, 29. 2. 1992, p. 28,
OJ No L 56, 29. 2. 1992, p. 26,
OJ No L 114, 30. 4. 1992, p. 158 and
OJ No L 122, 7. 5. 1992, p. 56.