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Contents

I *Acts whose publication is obligatory*

- * Council Regulation (EEC) No 3305/92 of 12 November 1992 amending, for the fourth time, Regulation (EEC) No 3882/91 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1992 and certain conditions under which they may be fished 1**
 - Commission Regulation (EEC) No 3306/92 of 16 November 1992 fixing the import levies on cereals and on wheat or rye flour, groats and meal 4
 - Commission Regulation (EEC) No 3307/92 of 16 November 1992 fixing the premiums to be added to the import levies on cereals, flour and malt 6
 - Commission Regulation (EEC) No 3308/92 of 16 November 1992 fixing the import levies on white sugar and raw sugar 8
 - Commission Regulation (EEC) No 3309/92 of 16 November 1992 fixing the export refunds on pigmeat 10
 - Commission Regulation (EEC) No 3310/92 of 16 November 1992 suspending advance fixing of the export refunds on certain products processed from maize 15
-

II *Acts whose publication is not obligatory*

Commission

92/525/EEC :

- * **Commission Decision of 3 November 1992 laying down requirements for the approval of Community border inspection posts responsible for veterinary checks on products introduced from third countries 16**

Corrigenda

- * **Corrigendum to Commission Decision 92/401/EEC of 31 July 1992 concerning animal health conditions and veterinary certificates for the import of domestic animals of the bovine and porcine species from Norway (OJ No L 224 of 8. 8. 1992) 19**

I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EEC) No 3305/92
of 12 November 1992**

amending, for the fourth time, Regulation (EEC) No 3882/91 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1992 and certain conditions under which they may be fished

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 170/83 of 25 January 1983 establishing a Community system for the conservation and management of fishery resources ⁽¹⁾, and in particular Article 11 thereof,

Having regard to the proposal from the Commission,

Whereas, pursuant to the terms of Article 3 of Regulation (EEC) No 170/83, it is incumbent upon the Council to establish the total allowable catches (TACs) by stock or group of stocks, the share available for the Community and the specific conditions under which these catches must be taken; whereas, pursuant to Article 4 of the same Regulation, the share available to the Community is to be allocated among the Member States;

Whereas Council Regulation (EEC) No 3882/91 ⁽²⁾, fixes, for certain fish stocks and groups of fish stocks, the TACs for 1992 and certain conditions under which they may be fished;

Whereas the International Baltic Sea Fishery Commission has recommended an increase in the TAC for the stock of

sprat occurring in the waters of the Baltic Sea and the shares thereof to be allocated to each contracting party;

Whereas, within the framework of the bilateral consultations on the reciprocal fishing rights between the Community and Sweden, the share of the Baltic cod TAC allocated to Sweden for 1992 has been decreased and the share of the TAC for Northern prawn in zone III allocated to Sweden increased for the same period;

Whereas Regulation (EEC) No 3882/91 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to this Regulation shall replace the corresponding elements of the Annex to Regulation (EEC) No 3882/91.

Article 2

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

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

Done at Brussels, 12 November 1992.

For the Council

The President

R. KEY

⁽¹⁾ OJ No L 24, 27. 1. 1983, p. 1. Regulation as amended by the Act of Accession of Spain and Portugal.

⁽²⁾ OJ No L 367, 31. 12. 1991, p. 1. Regulation as last amended by Regulation (EEC) No 2985/92 (OJ No L 300, 16. 10. 1992, p. 3).

[illegible]

(1)	(2)	(3)	(4)	(5)
Camarón norteyo / Dybhavsreje / Tiefseegarnele / Γαρίδα / Northern prawn / Crevette nordique / Gamberello boreale / Noorse garnaal / Camarão ártico (<i>Pandalus borealis</i>)	III a (Skagerrak)	10 500	België/Belgique Danmark Deutschland Ελλάδα España France Ireland Italia Luxembourg Nederland Portugal United Kingdom	3 663 ⁽¹⁸⁾
			CEE/EØF/EWG/EOK/EEC/BEG	3 663

COMMISSION REGULATION (EEC) No 3306/92

of 16 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 13 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 17 November 1992.

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

Done at Brussels, 16 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 16 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	131,91 (°) (°)
0712 90 19	131,91 (°) (°)
1001 10 10	166,86 (°) (°) (°)
1001 10 90	166,86 (°) (°) (°)
1001 90 91	128,67
1001 90 99	128,67 (°)
1002 00 00	154,42 (°)
1003 00 10	122,07
1003 00 90	122,07 (°)
1004 00 10	115,43
1004 00 90	115,43
1005 10 90	131,91 (°) (°)
1005 90 00	131,91 (°) (°)
1007 00 90	138,02 (°)
1008 10 00	41,77 (°)
1008 20 00	107,66 (°)
1008 30 00	42,33 (°)
1008 90 10	(°)
1008 90 90	42,33
1101 00 00	192,98 (°) (°)
1102 10 00	229,03 (°)
1103 11 10	271,25 (°) (°)
1103 11 90	207,76 (°)

- (°) Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.
- (°) In accordance with Regulation (EEC) No 715/90 the levies are not applied to products imported directly into the French overseas departments, originating in the African, Caribbean and Pacific States.
- (°) Where maize originating in the ACP is imported into the Community the levy is reduced by ECU 1,81/tonne.
- (°) Where millet and sorghum originating in the ACP is imported into the Community the levy is applied in accordance with Regulation (EEC) No 715/90.
- (°) Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.
- (°) The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 and Commission Regulation (EEC) No 2622/71.
- (°) The levy applicable to rye shall be charged on imports of the product falling within CN code 1008 90 10 (triticale).
- (°) On importation into Portugal the levy is increased by the amount specified in Article 2 (2) of Regulation (EEC) No 3808/90.
- (°) No levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC, except if paragraph 4 of the same Article applies.
- (°) An amount equal to the amount fixed by Regulation (EEC) No 1825/91 is to be levied in accordance with Article 101 (4) of Decision 91/482/EEC.
- (°) Products falling within this code, imported from Poland, Czechoslovakia or Hungary under the Interim Agreements concluded between those countries and the Community, and in respect of which EUR.1 certificates issued in accordance with Regulation (EEC) No 585/92 have been presented, are subject to the levies set out in the Annex to that Regulation.

COMMISSION REGULATION (EEC) No 3307/92

of 16 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 13 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 17 November 1992.

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

Done at Brussels, 16 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 16 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	14,99	14,99	14,99
1001 90 99	0	14,99	14,99	14,99
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	0,24
1004 00 90	0	0,24	0,24	0,24
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	20,98	20,98	20,98

B. Malt

CN code	Current	1st period	2nd period	3rd period	4th period
	11	12	1	2	3
1107 10 11	0	26,68	26,68	26,68	26,68
1107 10 19	0	19,94	19,94	19,94	19,94
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 3308/92
of 16 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 3303/92 ⁽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 13 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 17 November 1992.

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

Done at Brussels, 16 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 328, 14. 11. 1992, p. 33.

⁽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 16 November 1992 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy ⁽²⁾
1701 11 10	39,27 ⁽¹⁾
1701 11 90	39,27 ⁽¹⁾
1701 12 10	39,27 ⁽¹⁾
1701 12 90	39,27 ⁽¹⁾
1701 91 00	46,06
1701 99 10	46,06
1701 99 90	46,06 ⁽²⁾

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

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

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

COMMISSION REGULATION (EEC) No 3309/92**of 16 November 1992****fixing the export refunds on pigmeat**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organization of the market in pigmeat⁽¹⁾, as last amended by Regulation (EEC) No 1249/89⁽²⁾, and in particular the first sentence of Article 15 (5) thereof,

Having regard to Council Regulation (EEC) No 2768/75 of 29 October 1975 laying down general rules for granting export refunds on pigmeat and criteria for fixing the amount of such refunds⁽³⁾, and in particular Article 5 (1) thereof,

Whereas Article 15 of Regulation (EEC) No 2759/75 provides that the difference between prices on the world market for the products listed in Article 1 (1) of that Regulation and prices for these products within the Community may be covered by an export refund;

Whereas it follows from applying these rules and criteria to the present situation on the market in pigmeat that the refund should be fixed as set out below;

Whereas facilities exist at present for the export of pigs falling within CN codes 0103 91 10 and 0103 92 19 and certain products falling within CN code 0203; whereas a refund should be fixed for these products taking particular account of the conditions of competition for Community exporters on world markets;

Whereas, in the case of products falling within CN codes 0210 19 51 and 0210 19 81, the refund should be limited to an amount which takes account of the qualitative characteristics of each of the products falling within these codes and of the foreseeable trend of production costs on the world market; whereas it is important that the Community should continue to take part in international trade in the case of certain typical Italian products falling within CN code 0210 91 81;

Whereas, because of the conditions of competition in certain third countries, which are traditionally importers of products falling within CN codes 1601 00 and 1602, the refund for these products should be fixed so as to take this situation into account; whereas steps should be taken

to ensure that the refund is granted only for the net weight of the edible substances, to the exclusion of the net weight of the bones possibly contained in the said preparations;

Whereas, since economically significant quantities of other pigmeat products are not being exported at present, there is no need to fix a refund for these products;

Whereas Article 4 of Regulation (EEC) No 2768/75 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund on the products listed in Article 1 (1) of Regulation (EEC) No 2759/75 according to destination;

Whereas the refunds should be fixed taking account of the amendments to the refund nomenclature established by Commission Regulation (EEC) No 3846/87⁽⁴⁾, as last amended by Regulation (EEC) No 3290/92⁽⁵⁾;

Whereas Council Regulation (EEC) No 1432/92⁽⁶⁾, as amended by Regulation (EEC) No 2015/92⁽⁷⁾, 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 Pigmeat,

HAS ADOPTED THIS REGULATION:

Article 1

The list of products on which the export refund specified in Article 15 of Regulation (EEC) No 2759/75 is granted and the amount of the refund shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 17 November 1992.

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 129, 11. 5. 1989, p. 12.

⁽³⁾ OJ No L 282, 1. 11. 1975, p. 39.

⁽⁴⁾ OJ No L 366, 24. 12. 1987, p. 1.

⁽⁵⁾ OJ No L 327, 13. 11. 1992, p. 34.

⁽⁶⁾ OJ No L 151, 3. 6. 1992, p. 4.

⁽⁷⁾ 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, 16 November 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 16 November 1992 fixing the export refunds on pigmeat

(ECU/100 kg net weight)		
Product code	Destination of refund (1)	Amount of refund (2)
0103 91 10 000	01	17,00
0103 92 19 000	01	17,00
0203 11 10 000	01	25,00
0203 12 11 100	01	25,00
0203 12 11 900	01	—
0203 12 19 100	01	25,00
0203 12 19 900	01	—
0203 19 11 100	01	25,00
0203 19 11 900	01	—
0203 19 13 100	01	25,00
0203 19 13 900	01	—
0203 19 15 100	01	17,00
0203 19 15 900	01	—
0203 19 55 120	01	25,00
0203 19 55 190	01	25,00
0203 19 55 311	01	17,00
0203 19 55 319	01	—
0203 19 55 391	01	17,00
0203 19 55 399	01	—
0203 19 55 900	01	—
0203 21 10 000	01	25,00
0203 22 11 100	01	25,00
0203 22 11 900	01	—
0203 22 19 100	01	25,00
0203 22 19 900	01	—
0203 29 11 100	01	25,00
0203 29 11 900	01	—
0203 29 13 100	01	25,00
0203 29 13 900	01	—
0203 29 15 100	01	17,00
0203 29 15 900	01	—
0203 29 55 120	01	25,00
0203 29 55 190	01	25,00
0203 29 55 311	01	17,00
0203 29 55 319	01	—
0203 29 55 391	01	17,00
0203 29 55 399	01	—
0203 29 55 900	01	—
0210 11 11 100	01	25,00
0210 11 11 900	01	—
0210 11 31 110	01	70,00
0210 11 31 190	01	—
0210 11 31 910	01	52,00
0210 11 31 990	01	—
0210 12 11 100	01	17,00

(ECU/100 kg net weight)

Product code	Destination of refund (1)	Amount of refund (2)
0210 12 11 900	01	—
0210 12 19 100	01	35,00
0210 12 19 900	01	—
0210 19 40 100	01	25,00
0210 19 40 900	01	—
0210 19 51 100	01	25,00
0210 19 51 310	01	17,00
0210 19 51 390	01	—
0210 19 51 900	01	—
0210 19 81 100	01	70,00
0210 19 81 300	01	52,00
0210 19 81 900	01	—
1601 00 10 100	01	35,00
1601 00 10 900	01	—
1601 00 91 100	01	58,00
1601 00 91 900	01	—
1601 00 99 100	01	40,00
1601 00 99 900	01	—
1602 10 00 000	01	16,00
1602 20 90 100	01	30,00
1602 20 90 900	01	—
1602 41 10 100	01	30,00
1602 41 10 210	01	65,00
1602 41 10 290	01	26,00
1602 41 10 900	01	—
1602 42 10 100	01	30,00
1602 42 10 210	01	57,00
1602 42 10 290	01	26,00
1602 42 10 900	01	—
1602 49 11 110	01	30,00
1602 49 11 190	01	65,00
1602 49 11 900	01	—
1602 49 13 110	01	30,00
1602 49 13 190	01	57,00
1602 49 13 900	01	—
1602 49 15 110	01	30,00
1602 49 15 190	01	57,00
1602 49 15 900	01	—
1602 49 19 110	01	20,00
1602 49 19 190	01	36,00
1602 49 19 900	01	—
1602 49 30 100	01	26,00
1602 49 30 900	01	—
1602 49 50 100	01	16,00
1602 49 50 900	01	—
1602 90 10 100	01	28,00
1602 90 10 900	01	—
1902 20 30 100	01	16,00
1902 20 30 900	01	—

(¹) The destinations are as follows :

01 All destinations, destinations.

(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.

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

COMMISSION REGULATION (EEC) No 3310/92**of 16 November 1992****suspending advance fixing of the export refunds on certain products processed from maize**

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,

Whereas Article 16 (7) of Regulation (EEC) No 2727/75 provides that the provisions concerning advance fixing of the refund may be suspended if the market situation shows that the application of these provisions is causing or is likely to cause difficulties;

Whereas, in view of the monetary situation, there is a danger that the continuation of the present system could give rise to speculative operations; whereas the advance fixing of the export refunds on certain products processed from maize should therefore be urgently suspended;

Whereas the above situation requires that application of the provisions concerning advance fixing of refunds for the products concerned be temporarily suspended,

HAS ADOPTED THIS REGULATION:

Article 1

Advance fixing of the export refunds on products of CN codes 1102 20 and 1103 13 is hereby suspended from 17 to 19 November 1992.

Article 2

This Regulation shall enter into force on 17 November 1992.

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

Done at Brussels, 16 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.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 3 November 1992

laying down requirements for the approval of Community border inspection posts responsible for veterinary checks on products introduced from third countries

(92/525/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 90/675/EEC of 10 December 1990 laying down the principles governing the organization of veterinary checks on products entering the Community from third countries⁽¹⁾, as last amended by Decision 92/438/EEC⁽²⁾, and in particular Article 9 (5) thereof,

Whereas border inspection posts must, with a view to their approval, be in conformity with the general conditions set out in Directive 90/675/EEC;

Whereas the smooth operation of the system of veterinary checks is based on the establishment of border inspection posts with appropriate equipment and operating conditions; whereas additional requirements must be laid down for the approval of the posts;

Whereas for checks carried out at a border inspection post account must be taken of the type of products concerned;

Whereas a border inspection post will not be approved unless it meets a set of equipment and operating conditions; whereas any change relating to approval of the post must be notified to the Commission by the competent authority;

Whereas derogations concerning the inspection of fish coming from third countries into the Community will be the subject of later implementing Decisions;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

Without prejudice to Annex II to Council Directive 90/675/EEC, border inspection posts as referred to in Article 9 of that Directive must, to be approved, be equipped and operate as specified in the Annex hereto.

Article 2

A Member State may propose that certain border inspection posts be approved for the inspection of certain product types only. In such cases the Member State must show that the post has the necessary premises, equipment and personnel to carry out inspection of these products.

Article 3

Member States shall notify the Commission and the other Member States of any change in the organization or operation of a border inspection post that has any bearing on its approval.

Article 4

This Decision shall be applicable from 1 January 1993.

Article 5

This Decision is addressed to the Member States.

Done at Brussels, 3 November 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 373, 31. 12. 1990, p. 1.

⁽²⁾ OJ No L 243, 25. 8. 1992, p. 27.

ANNEX

APPROVAL REQUIREMENTS FOR BORDER INSPECTION POSTS FOR THIRD-COUNTRY PRODUCTS

1. Border inspection posts approved for veterinary checks on products from third countries introduced into the Community must be constructed, equipped, maintained and operated in line with the requirements laid down in the relevant Community directives or, in the absence of provisions therein, in the national legislation which regulates trade in the product concerned in the country in which the border inspection posts are situated. All precautions must be taken to prevent cross-contamination between products. The post must have equipment for cleaning and disinfecting the premises.

Under the same conditions as those mentioned in the first paragraph, approved inspection posts may, if the size or diversity of the inflow of products from third countries warrants, be split up into inspection centres each comprising staff, equipment and inspection and storage premises appropriate to the volumes and the type of the various products passing through the inspection centres.

2. All identity checks, physical inspections and taking of samples must avoid any contamination of the product and, where necessary, take into account the temperature controlled conditions under which the products are transported. Where unpacked products intended for human consumption are involved, all checks must be carried out under shelter from the weather and provision shall be made for the hygienic handling and protection of such products during unloading and loading and shall take into account the temperature controlled conditions under which the products are transported.
3. Border inspection posts shall operate under the responsibility of an official veterinarian who must be present at the border inspection post and the inspection centres during veterinary checks on products.
4. The official veterinarian(s) may be assisted by specially trained assistants acting under his authority in :
 - (a) checking documents accompanying products ;
 - (b) carrying out identity checks and physical examinations, taking samples and carrying out general analyses ;
 - (c) participating in administrative duties and procedures.

The official veterinarian shall be responsible for the final decision.

5. The hygiene of staff, premises and equipment must be such that it cannot influence the results of checks carried out in the border inspection post.
6. Pending the implementation of the Shift system, the official veterinarian responsible for checks in the border inspection post must have at his disposal at least :
 - (a) an up-to-date list of the third countries or parts of third countries authorized to send products to the Community or, where applicable, to certain Member States ;
 - (b) copies of any decisions prohibiting or restricting imports of products to the Community ;
 - (c) copies of the various decisions of the Community or Member States specifying a specimen health or public health certificate or any other document which must accompany products from third countries dispatched to the Community or, where applicable, to certain Member States ;
 - (d) an up-to-date list of border inspection posts for the import of products from third countries giving all the details and these posts, in particular concerning their communication facilities ;
 - (e) an up-to-date list of establishments in third countries authorized to dispatch products to the Community, if such a list exists for a particular product ;
 - (f) up-to-date information on consignments of products for which import or entry into the Community has been refused and which have been redispached. Each Member State shall communicate to the other Member States and the Commission all information concerning the redispached consignments of products ; this information shall be communicated to each border inspection post by the central competent authority ;
 - (g) a list summarizing the unfavourable results of the checks carried out in the Community on imports from each third country ;

- (h) an up-to-date list of consignments redispached, destroyed or authorized by the official veterinarian at the post for use other than for human consumption ;
 - (i) a list of all samples taken at the post for purposes of laboratory tests, together with the results of such tests ;
 - (j) a list of the results of the checks carried out with regard to products intended for consumption by the crew and passengers on board means of transport operating internationally and their waste ;
 - (k) sufficient archiving capacity to store information relating to the inspection of products from third countries.
7. The competent authorities shall ensure maximum cooperation between the various services involved in the inspection of third-country products.
8. The competent authorities at border crossing points must have at their disposal at least the information given in point 6 (a), (b), (c), (e) and (f) above.
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CORRIGENDA

Corrigendum to Commission Decision 92/401/EEC of 31 July 1992 concerning animal health conditions and veterinary certificates for the import of domestic animals of the bovine and porcine species from Norway

(Official Journal of the European Communities No L 224 of 8 August 1992)

On page 5, in Annex A, point V.1, delete the following text :

'... that vaccination against foot-and-mouth disease has been prohibited since 15 November 1991
....'
