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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 3360/92

of 23 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, and in order to prevent the risk of market distortion of monetary origin, 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 a corrective factor of 1,195066,
— for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

Whereas these exchange rates being those recorded on 23 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 24 November 1992.

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

Done at Brussels, 23 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 23 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	132,24 ⁽³⁾ ⁽³⁾
0712 90 19	132,24 ⁽³⁾ ⁽³⁾
1001 10 10	167,22 ⁽¹⁾ ⁽³⁾ ⁽¹⁰⁾
1001 10 90	167,22 ⁽¹⁾ ⁽³⁾ ⁽¹⁰⁾
1001 90 91	129,30
1001 90 99	129,30 ⁽¹¹⁾
1002 00 00	153,94 ⁽⁶⁾
1003 00 10	123,08
1003 00 90	123,08 ⁽¹¹⁾
1004 00 10	113,11
1004 00 90	113,11
1005 10 90	132,24 ⁽³⁾ ⁽³⁾
1005 90 00	132,24 ⁽³⁾ ⁽³⁾
1007 00 90	138,26 ⁽⁴⁾
1008 10 00	43,67 ⁽¹¹⁾
1008 20 00	108,01 ⁽⁴⁾
1008 30 00	42,90 ⁽⁵⁾
1008 90 10	(7)
1008 90 90	42,90
1101 00 00	193,86 ⁽⁸⁾ ⁽¹¹⁾
1102 10 00	229,28 ⁽⁸⁾
1103 11 10	271,80 ⁽⁸⁾ ⁽¹⁰⁾
1103 11 90	208,71 ⁽⁸⁾

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

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

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

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

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

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

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

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

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

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

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

COMMISSION REGULATION (EEC) No 3361/92

of 23 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, and in order to prevent the risk of market distortion of monetary origin, 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 a corrective factor of 1,195066,

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

Whereas these exchange rates being those recorded on 23 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 24 November 1992.

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

Done at Brussels, 23 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 23 November 1992 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(ECU/tonne)

CN code	Current 11	1st period 12	2nd period 1	3rd period 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	14,91	14,91	16,07
1001 90 99	0	14,91	14,91	16,07
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	20,86	20,86	22,48

B. Malt

(ECU/tonne)

CN code	Current 11	1st period 12	2nd period 1	3rd period 2	4th period 3
1107 10 11	0	26,54	26,54	28,60	28,60
1107 10 19	0	19,83	19,83	21,37	21,37
1107 10 91	0	0	0	0	0
1107 10 99	0	0	0	0	0
1107 20 00	0	0	0	0	0

COMMISSION REGULATION (EEC) No 3362/92**of 23 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 Commission Regulation (EEC) No 3206/92⁽³⁾ introduced a countervailing charge on apples originating in New Zealand;

Whereas for apples originating in New Zealand there were no prices for six consecutive working days; whereas

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3206/92 is hereby repealed.

Article 2

This Regulation shall enter into force on 24 November 1992.

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

Done at Brussels, 23 November 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 23.

⁽³⁾ OJ No L 319, 4. 11. 1992, p. 15.

COMMISSION REGULATION (EEC) No 3363/92

of 23 November 1992

introducing a corrective amount on the import of artichokes into the Community of Ten from Spain

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 3709/89 of 4 December 1989 laying down general rules for implementing the Act of Accession of Spain and Portugal as regards the compensatory mechanism for imports of fruit and vegetables from Spain ⁽¹⁾, and in particular Article 4 (2) thereof,

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

Whereas Council Regulation (EEC) No 3709/89 lays down general rules for applying the said compensatory mechanism;

Whereas Commission Regulation (EEC) No 3820/90 ⁽²⁾, lays down detailed rules for applying the compensatory mechanism on imports of fruit and vegetables from Spain;Whereas Commission Regulation (EEC) No 3139/92 of 30 January 1991 ⁽³⁾ fixed, for the 1992/93 marketing year, the Community offer price for artichokes applicable with regard to Spain;

Whereas, in the case of artichokes, the Spanish offer price as calculated in accordance with the provisions of Council Regulation (EEC) No 3709/89 has been, for five consecu-

tive market days, alternately above and below the offer price and whereas two of these entry prices are at least ECU 0,6 below the offer price; whereas a corrective amount equal to the difference between the Community offer price and the Spanish offer price must therefore be introduced for these products from Spain;

Whereas if the system is to operate normally the offer price of the Spanish product should be calculated on the following basis:

- in the case of currencies the spot market rates for which are maintained in relationship to each other 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 ⁽⁴⁾, as amended by Regulation (EEC) No 2205/90 ⁽⁵⁾;
- 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

On import into the Community of Ten of artichokes CN code 0709 10 00 from Spain a corrective amount of ECU 6,28 per 100 kilograms net shall be levied.

Article 2

This Regulation shall enter into force on 25 November 1992.

It shall be valid until 30 November 1992.

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

Done at Brussels, 23 November 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 363, 13. 12. 1989, p. 3.

⁽²⁾ OJ No L 366, 29. 12. 1990, p. 43.

⁽³⁾ OJ No L 313, 30. 10. 1992, p. 31.

⁽⁴⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁵⁾ OJ No L 201, 31. 7. 1990, p. 9.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 16 November 1992

suspending the buying-in of butter in certain Member States

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

(92/533/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 92/514/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 Great Britain; 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 and Luxembourg.

Article 2

Decision 92/514/EEC is hereby repealed.

Article 3

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

Done at Brussels, 16 November 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 319, 4. 11. 1992, p. 37.

COMMISSION DECISION

of 17 November 1992

adopting the 1993 plan allocating to the Member States resources to be charged to the 1993 budget year for the supply of food from intervention stocks for the benefit of the most deprived persons in the Community

(92/534/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3730/87 of 10 December 1987 laying down the general rules for the supply of food from intervention stocks to designated organizations for distribution to the most deprived persons in the Community⁽¹⁾,

Having regard to Commission Regulation (EEC) No 3149/92 of 29 October 1992 laying down detailed rules for the supply of food from intervention stocks for the benefit of the most deprived persons in the Community⁽²⁾,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy⁽³⁾, as last amended by Regulation (EEC) No 2205/90⁽⁴⁾, and in particular Article 2 (4) thereof,

Whereas in order to implement the scheme for the supply of such food to the most deprived section of the population, to be financed from resources available in the 1993 budget year, the Commission must adopt a plan; whereas this plan should indicate in particular the quantity of products by type that may be withdrawn from intervention stock for distribution in each Member State and the financial resources made available to implement the plan in each Member State; whereas this plan should also indicate the level of appropriations to be reserved to cover costs of intra-Community transport of intervention products as referred to in Article 7 of Regulation (EEC) No 3149/92;

Whereas for the 1993 scheme all Member States, except Germany, have provided the information required in accordance with the provisions of Article 1 of Regulation (EEC) No 3149/92;

Whereas in order to facilitate the implementation of this scheme it is necessary to specify the rates of exchange to be employed in converting the ecu into national currencies and to do so at rates which reflect economic reality;

Whereas it is necessary in order to help optimize the utilization of budget appropriations to take account of the degree to which the various Member States used the resources allocated to them in 1990, 1991 and 1992 but to do so in a manner which does not prejudice any possible further allocations relating to 1993;

Whereas in accordance with the provisions of Article 2 (2) of Regulation (EEC) No 3149/92 the Commission has sought the advice of major organizations familiar with the problems of the most deprived persons in the Community when drawing up this plan;

Whereas the measures provided for in this Decision are in accordance with the opinions of the relevant management committees,

HAS ADOPTED THIS DECISION:

Article 1

The plan referred to in Article 2 (1) of Regulation (EEC) No 3149/92 for 1993 is adopted as set out in the following Articles.

Article 2

Subject to a limit of ECU 2 422 000, the following quantities of produce may be withdrawn from intervention for distribution in Belgium:

- 3 000 tonnes of common wheat,
- 300 tonnes of milk powder,
- 200 tonnes of butter,
- 600 tonnes of beef.

Article 3

Subject to a limit of ECU 2 million, the following quantities of produce may be withdrawn from intervention for distribution in Denmark:

- 50 tonnes of butter,
- 250 tonnes of beef.

⁽¹⁾ OJ No L 352, 15. 12. 1987, p. 1.

⁽²⁾ OJ No L 313, 30. 10. 1992, p. 50.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 9.

Article 4

Subject to a limit of ECU 12 million, the following quantities of produce may be withdrawn from intervention for distribution in Greece :

- 4 000 tonnes of beef.

Article 5

Subject to a limit of ECU 35 400 000, the following quantities of produce may be withdrawn from intervention for distribution in Spain :

- 5 000 tonnes of rice,
- 26 000 tonnes of durum wheat,
- 5 000 tonnes of butter,
- 7 000 tonnes of beef,
- 2 000 tonnes of olive oil.

Article 6

Subject to a limit of ECU 28 560 000, the following quantities of produce may be withdrawn from intervention for distribution in France :

- 4 000 tonnes of common wheat,
- 7 500 tonnes of durum wheat,
- 3 500 tonnes of butter,
- 5 000 tonnes of beef,
- 2 500 tonnes of rice,
- 3 500 tonnes of milk powder.

Article 7

Subject to a limit of ECU 4 600 000 the following quantities of produce may be withdrawn from intervention for distribution in Ireland :

- 25 tonnes of butter,
- 1 750 tonnes of beef.

Article 8

Subject to a limit of ECU 24 500 000, the following quantities of produce may be withdrawn from intervention for distribution in Italy :

- 3 000 tonnes of common wheat,
- 8 000 tonnes of durum wheat,
- 2 000 tonnes of rice,
- 3 000 tonnes of butter,
- 7 000 tonnes of beef,
- 2 000 tonnes of olive oil,
- 500 tonnes of cheese.

Article 9

Subject to a limit of ECU 78 000, the following quantities of produce may be withdrawn from intervention for distribution in Luxembourg :

- 30 tonnes of common wheat,
- 25 tonnes of milk powder,
- 15 tonnes of butter,
- 15 tonnes of beef.

Article 10

Subject to a limit of ECU 3 million, the following quantities of produce may be withdrawn from intervention for distribution in the Netherlands :

- 150 tonnes of butter,
- 600 tonnes of beef.

Article 11

Subject to a limit of ECU 10 440 000, the following quantities of produce may be withdrawn from intervention for distribution in Portugal :

- 1 500 tonnes of common wheat,
- 1 700 tonnes of durum wheat,
- 1 000 tonnes of rice,
- 1 200 tonnes of butter,
- 2 500 tonnes of beef,
- 700 tonnes of olive oil,
- 600 tonnes of milk powder.

Article 12

Subject to a limit of ECU 25 million, the following quantities of produce may be withdrawn, from intervention, for distribution in the United Kingdom :

- 3 750 tonnes of butter,
- 3 000 tonnes of beef.

Article 13

ECU 2 million are reserved to cover the costs of intra-Community transport referred to in Article 2 (3) of Regulation (EEC) No 3149/92.

Article 14

All amounts in ecus shall be converted into national currencies at the rates applicable on 1 October 1992 and published in the *Official Journal of the European Communities*, Series C on 2 October 1992.

Article 15

This Decision is addressed to the Member States.

Done at Brussels, 17 November 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission