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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 3375/92

of 25 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 24 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 26 November 1992.

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

Done at Brussels, 25 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 25 November 1992 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CN code	Levy (°) (ECU/tonne)
0709 90 60	129,91 (°) (°)
0712 90 19	129,91 (°) (°)
1001 10 10	167,22 (°) (°) (°)
1001 10 90	167,22 (°) (°) (°)
1001 90 91	127,38
1001 90 99	127,38 (°)
1002 00 00	154,75 (°)
1003 00 10	123,08
1003 00 90	123,08 (°)
1004 00 10	113,11
1004 00 90	113,11
1005 10 90	129,91 (°) (°)
1005 90 00	129,91 (°) (°)
1007 00 90	136,89 (°)
1008 10 00	43,67 (°)
1008 20 00	108,01 (°)
1008 30 00	42,90 (°)
1008 90 10	(°)
1008 90 90	42,90
1101 00 00	191,17 (°) (°)
1102 10 00	229,28 (°)
1103 11 10	271,80 (°) (°)
1103 11 90	205,81 (°)

(°) 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 3376/92

of 25 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 24 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 26 November 1992.

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

Done at Brussels, 25 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 25 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	16,54	16,54	15,34
1001 90 99	0	16,54	16,54	15,34
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	23,16	23,16	21,48

B. Malt

(ECU/tonne)

CN code	Current 11	1st period 12	2nd period 1	3rd period 2	4th period 3
1107 10 11	0	29,44	29,44	27,31	27,31
1107 10 19	0	22,00	22,00	20,40	20,40
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 3377/92
of 25 November 1992
fixing the import levies on rice and broken rice

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 1418/76
of 21 June 1976 on the common organization of the
market in rice ⁽¹⁾, as last amended by Regulation (EEC)
No 674/92 ⁽²⁾, and in particular Article 11 (2) thereof,

Having regard to Commission Regulation (EEC)
No 833/87 of 23 March 1987 laying down detailed rules
for the application of Council Regulation (EEC)
No 3877/86 on imports of rice of the long-grain aromatic
Basmati variety falling within CN codes 1006 10, 1006 20
and 1006 30 ⁽³⁾, as last amended by Regulation (EEC)
No 674/91 ⁽⁴⁾, and in particular Article 8 thereof,

Whereas the import levies on rice and broken rice were
fixed by Commission Regulation (EEC) No 2530/92 ⁽⁵⁾, as
last amended by Regulation (EEC) No 3322/92 ⁽⁶⁾,

HAS ADOPTED THIS REGULATION :

Article 1

The import levies to be charged on the products listed in
Article 1 (1) (a) and (b) of Regulation (EEC) No 1418/76
shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 26 November
1992.

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

Done at Brussels, 25 November 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 73, 19. 3. 1992, p. 7.

⁽³⁾ OJ No L 80, 24. 3. 1987, p. 20.

⁽⁴⁾ OJ No L 75, 21. 3. 1991, p. 29.

⁽⁵⁾ OJ No L 254, 1. 9. 1992, p. 21.

⁽⁶⁾ OJ No L 334, 19. 11. 1992, p. 9.

ANNEX

to the Commission Regulation of 25 November 1992 fixing the import levies on rice and broken rice

(ECU/tonne)

CN code	Levies (°)		
	Arrangement in Regulation (EEC) No 3877/86 (°)	ACP Bangladesh (°) (°) (°) (°)	Third countries (except ACP) (°)
1006 10 21	—	150,81	308,82
1006 10 23	—	149,79	306,78
1006 10 25	—	149,79	306,78
1006 10 27	230,09	149,79	306,78
1006 10 92	—	150,81	308,82
1006 10 94	—	149,79	306,78
1006 10 96	—	149,79	306,78
1006 10 98	230,09	149,79	306,78
1006 20 11	—	189,41	386,02
1006 20 13	—	188,13	383,47
1006 20 15	—	188,13	383,47
1006 20 17	287,60	188,13	383,47
1006 20 92	—	189,41	386,02
1006 20 94	—	188,13	383,47
1006 20 96	—	188,13	383,47
1006 20 98	287,60	188,13	383,47
1006 30 21	—	234,76	493,37 (°)
1006 30 23	—	283,55	590,88 (°)
1006 30 25	—	283,55	590,88 (°)
1006 30 27	443,16 (°)	283,55	590,88 (°)
1006 30 42	—	234,76	493,37 (°)
1006 30 44	—	283,55	590,88 (°)
1006 30 46	—	283,55	590,88 (°)
1006 30 48	443,16 (°)	283,55	590,88 (°)
1006 30 61	—	250,37	525,44 (°)
1006 30 63	—	304,36	633,43 (°)
1006 30 65	—	304,36	633,43 (°)
1006 30 67	475,07 (°)	304,36	633,43 (°)
1006 30 92	—	250,37	525,44 (°)
1006 30 94	—	304,36	633,43 (°)
1006 30 96	—	304,36	633,43 (°)
1006 30 98	475,07 (°)	304,36	633,43 (°)
1006 40 00	—	68,58	143,16

(°) Subject to the application of the provisions of Articles 12 and 13 of Regulation (EEC) No 715/90.

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

(°) The import levy on rice entering the overseas department of Réunion is specified in Article 11a of Regulation (EEC) No 1418/76.

(°) The levy on imports of rice, not including broken rice (CN code 1006 40 00), originating in Bangladesh is applicable under the arrangements laid down in Regulation (EEC) Nos 3491/90 and 862/91.

(°) The levy on imports into Portugal is increased by the amount specified in Article 2 (2) of Regulation (EEC) No 3778/91.

(°) The levy on imports of rice of the long-grain aromatic Basmati variety is applicable under the arrangements laid down in Regulation (EEC) No 3877/86, as amended by Regulation (EEC) No 3130/91.

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

COMMISSION REGULATION (EEC) No 3378/92**of 25 November 1992****fixing the premiums to be added to the import levies on rice and broken rice**

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 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 674/92 ⁽²⁾, and in particular Article 13 (6) thereof,

Whereas the premiums to be added to the levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2531/92 ⁽³⁾, as last amended by Regulation (EEC) No 3323/92 ⁽⁴⁾;

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 to be added to the import levies fixed in advance in respect of rice and broken rice originating in third countries shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 26 November 1992.

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

Done at Brussels, 25 November 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 73, 19. 3. 1992, p. 7.

⁽³⁾ OJ No L 254, 1. 9. 1992, p. 24.

⁽⁴⁾ OJ No L 334, 19. 11. 1992, p. 11.

ANNEX

to the Commission Regulation of 25 November 1992 fixing the premiums to be added to the import levies on rice and broken rice

CN code	(ECU/tonne)			
	Current 11	1st period 12	2nd period 1	3rd period 2
1006 10 21	0	0	0	—
1006 10 23	0	0	0	—
1006 10 25	0	0	0	—
1006 10 27	0	0	0	—
1006 10 92	0	0	0	—
1006 10 94	0	0	0	—
1006 10 96	0	0	0	—
1006 10 98	0	0	0	—
1006 20 11	0	0	0	—
1006 20 13	0	0	0	—
1006 20 15	0	0	0	—
1006 20 17	0	0	0	—
1006 20 92	0	0	0	—
1006 20 94	0	0	0	—
1006 20 96	0	0	0	—
1006 20 98	0	0	0	—
1006 30 21	0	0	0	—
1006 30 23	0	0	0	—
1006 30 25	0	0	0	—
1006 30 27	0	0	0	—
1006 30 42	0	0	0	—
1006 30 44	0	0	0	—
1006 30 46	0	0	0	—
1006 30 48	0	0	0	—
1006 30 61	0	0	0	—
1006 30 63	0	0	0	—
1006 30 65	0	0	0	—
1006 30 67	0	0	0	—
1006 30 92	0	0	0	—
1006 30 94	0	0	0	—
1006 30 96	0	0	0	—
1006 30 98	0	0	0	—
1006 40 00	0	0	0	0

COMMISSION REGULATION (EEC) No 3379/92

of 25 November 1992

fixing the export refunds on white sugar and raw sugar exported in its unaltered state

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 point (a) of the first subparagraph of Article 19 (4) thereof,

Whereas Article 19 of Regulation (EEC) No 1785/81 provides that the difference between quotations or prices on the world market for the products listed in Article 1 (1) (a) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar⁽³⁾, as last amended by Regulation (EEC) No 1489/76⁽⁴⁾, provides that when refunds on white and raw sugar, undenatured and exported in its unaltered state are being fixed account must be taken of the situation on the Community and world markets in sugar and in particular of the price and cost factors set out in Article 3 of that Regulation; whereas the same Article provides that the economic aspect of the proposed exports should also be taken into account;

Whereas the refund on raw sugar must be fixed in respect of the standard quality; whereas the latter is defined in Article 1 of Council Regulation (EEC) No 431/68 of 9 April 1968 determining the standard quality for raw sugar and fixing the Community frontier crossing point for calculating cif prices for sugar⁽⁵⁾; whereas, furthermore, this refund should be fixed in accordance with Article 5 (2) of Regulation (EEC) No 766/68; whereas candy sugar is defined in Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar⁽⁶⁾, as last amended by Regulation (EEC) No 1684/92⁽⁷⁾; whereas the refund thus calculated for sugar containing added flavouring or colouring matter

must apply to their sucrose content and, accordingly, be fixed per 1 % of the said content;

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

Whereas, in special cases, the amount of the refund may be fixed by other legal instruments;

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

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽¹⁰⁾, as last amended by Regulation (EEC) No 2205/90⁽¹¹⁾,
- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

Whereas the refund must be fixed every two weeks; whereas it may be altered in the intervening period;

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

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

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 6, 11. 1. 1992, p. 19.

⁽³⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁴⁾ OJ No L 167, 26. 6. 1976, p. 13.

⁽⁵⁾ OJ No L 89, 10. 4. 1968, p. 3.

⁽⁶⁾ OJ No L 50, 4. 3. 1970, p. 1.

⁽⁷⁾ OJ No L 176, 30. 6. 1992, p. 31.

⁽⁸⁾ OJ No L 151, 3. 6. 1992, p. 4.

⁽⁹⁾ OJ No L 205, 22. 7. 1992, p. 2.

⁽¹⁰⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽¹¹⁾ OJ No L 201, 31. 7. 1990, p. 9.

HAS ADOPTED THIS REGULATION:

exported in the natural state, are hereby fixed to the amounts shown in the Annex hereto.

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and

Article 2

This Regulation shall enter into force on 26 November 1992.

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

Done at Brussels, 25 November 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 25 November 1992 fixing the export refunds on white sugar and raw sugar exported in its unaltered state

Product code	(ECU)	
	Amount of refund ⁽¹⁾	
	per 100 kg	per percentage point of sucrose content and per 100 kg net of the product in question
1701 11 90 100	36,69 ⁽¹⁾	
1701 11 90 910	35,62 ⁽¹⁾	
1701 11 90 950	⁽²⁾	
1701 12 90 100	36,69 ⁽¹⁾	
1701 12 90 910	35,62 ⁽¹⁾	
1701 12 90 950	⁽²⁾	
1701 91 00 000		0,3989
1701 99 10 100	39,89	
1701 99 10 910	39,56	
1701 99 10 950	39,56	
1701 99 90 100		0,3989

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the refund applicable is calculated in accordance with the provisions of Article 5 (3) of Regulation (EEC) No 766/68.

⁽²⁾ Fixing suspended by Commission Regulation (EEC) No 2689/85, as amended by Regulation (EEC) No 3251/85.

⁽³⁾ 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.

COMMISSION REGULATION (EEC) No 3380/92

of 25 November 1992

fixing the export refunds on olive oil

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1650/86 of 26 May 1986 on export refunds and levies on olive oil⁽³⁾, and in particular the first sentence of Article 3 (1) thereof,

Whereas Article 20 of Regulation No 136/66/EEC provides that, where prices within the Community are higher than world market prices, the difference between these prices may be covered by a refund when olive oil is exported to third countries;

Whereas the detailed rules for fixing and granting export refunds on olive oil are contained in Regulation (EEC) No 1650/86 and Commission Regulation (EEC) No 616/72⁽⁴⁾, as last amended by Regulation (EEC) No 2962/77⁽⁵⁾;

Whereas the first indent of Article 2 of Regulation (EEC) No 1650/86 provides that the refund must be the same for the whole Community;

Whereas, in accordance with Article 4 of Regulation (EEC) No 1650/86, the refund for olive oil must be fixed in the light of the existing situation and outlook in relation to olive oil prices and availability on the Community market and olive oil prices on the world market;

Whereas, however, where the world market situation is such that the most favourable olive oil prices cannot be determined, account may be taken of the price of the main competing vegetable oils on the world market and the difference recorded between that price and the price of olive oil during a representative period;

Whereas the amount of the refund may not exceed the difference between the price of olive oil in the Community and that on the world market, adjusted, where appropriate, to take account of export costs for the products on the world market;

Whereas, in accordance with Article 5 of Regulation (EEC) No 1650/86, it may be decided that the refund shall be fixed by tender;

Whereas the tendering procedure should cover the amount of the refund and may be limited to certain countries of destination, quantities, qualities and presentations;

Whereas the second indent of Article 2 of Regulation (EEC) No 1650/86 provides that the refund on olive oil may be varied according to destination where the world market situation or the specific requirements of certain markets make this necessary;

Whereas Article 3 (1) of Regulation (EEC) No 1650/86 provides that the refund must be fixed at least once every month; whereas it may, if necessary, be altered in the intervening period;

Whereas it follows from applying these detailed rules to the present situation on the market in olive oil and in particular to olive oil prices within the Community and on the markets of third countries that the refund should be as set out in the Annex hereto;

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

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

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

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

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

⁽²⁾ OJ No L 215, 30. 7. 1992, p. 1.

⁽³⁾ OJ No L 145, 30. 5. 1986, p. 8.

⁽⁴⁾ OJ No L 78, 31. 3. 1972, p. 1.

⁽⁵⁾ OJ No L 348, 30. 12. 1977, p. 53.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁸⁾ OJ No L 151, 3. 6. 1992, p. 4.

⁽⁹⁾ OJ No L 205, 22. 7. 1992, p. 2.

HAS ADOPTED THIS REGULATION :

Article 2

Article 1

The export refunds on the products listed in Article 1 (2) (c) of Regulation No 136/66/EEC shall be as set out in the Annex hereto.

This Regulation shall enter into force on 1 December 1992.

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

Done at Brussels, 25 November 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 25 November 1992 fixing the export refunds on olive oil

<i>(ECU/100 kg)</i>	
Product code	Amount of refund ⁽¹⁾ ⁽²⁾
1509 10 90 100	36,00
1509 10 90 900	62,00
1509 90 00 100	46,00
1509 90 00 900	74,00
1510 00 90 100	5,50
1510 00 90 900	32,00

⁽¹⁾ For destinations mentioned in Article 34 of amended Commission Regulation (EEC) No 3665/87 as well as for exports to third countries.

⁽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 3381/92
of 25 November 1992

fixing the maximum export refunds on olive oil for the second partial invitation to tender under the standing invitation to tender issued by Regulation (EEC) No 3143/92

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

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

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

Whereas Commission Regulation (EEC) No 3143/92 ⁽⁴⁾ issued a standing invitation to tender with a view to determining the export refunds on olive oil;

Whereas Council Regulation (EEC) No 1432/92 ⁽⁵⁾, as amended by Regulation (EEC) No 2015/92 ⁽⁶⁾, 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 Article 6 of Regulation (EEC) No 3143/92 provides that maximum amounts are to be fixed for the export refunds in the light in particular of the current situation and foreseeable developments on the Commu-

nity and world olive-oil markets and on the basis of the tenders received; whereas contracts are awarded to any tenderer who submits a tender at the level of the maximum refund or at a lower level;

Whereas, for the purposes of applying the above-mentioned provisions, the maximum export refunds should be set at the levels specified in the Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refunds for olive oil for the second partial invitation to tender under the standing invitation to tender issued by Regulation (EEC) No 3143/92 are hereby fixed in the Annex, on the basis of the tenders submitted by 23 November 1992.

Article 2

This Regulation shall enter into force on 26 November 1992.

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

Done at Brussels, 25 November 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

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

⁽²⁾ OJ No L 215, 30. 7. 1992, p. 1.

⁽³⁾ OJ No L 145, 30. 5. 1986, p. 8.

⁽⁴⁾ OJ No L 313, 30. 10. 1992, p. 39.

⁽⁵⁾ OJ No L 151, 3. 6. 1992, p. 4.

⁽⁶⁾ OJ No L 205, 22. 7. 1992, p. 2.

ANNEX

to the Commission Regulation of 25 November 1992 fixing the maximum export refunds on olive oil for the second partial invitation to tender under the standing invitation to tender issued by Regulation (EEC) No 3143/92

<i>(ECU/100 kg)</i>	
Product code	Amount of refund (1)
1509 10 90 100	40,00
1509 10 90 900	65,00
1509 90 00 100	50,00
1509 90 00 900	78,00
1510 00 90 100	9,50
1510 00 90 900	39,00

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

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

COMMISSION REGULATION (EEC) No 3382/92

of 25 November 1992

fixing the import levy on molasses

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 market in sugar ⁽¹⁾, as last amended by Regulation (EEC) No 61/92 ⁽²⁾, and in particular Article 16 (8) thereof,

Whereas the import levy on molasses was fixed by Commission Regulation (EEC) No 1887/92 ⁽³⁾, as last amended by Regulation (EEC) No 3331/92 ⁽⁴⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 1887/92 to the information at present available to the Commission that the levy at present in force should be altered pursuant to Article 1 of this Regulation;

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 24 November 1992,

HAS ADOPTED THIS REGULATION:

Article 1

1. The import levy referred to in Article 16 (1) of Regulation (EEC) No 1785/81 shall be fixed, in respect of molasses falling within CN codes 1703 10 00 and 1703 90 00, ECU 0,89 per 100 kilograms.
2. However, no import levy applies to OCT originating products according to Article 101 (1) of Council Decision 91/482/EEC ⁽⁷⁾.

Article 2

This Regulation shall enter into force on 26 November 1992.

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

Done at Brussels, 25 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 189, 9. 7. 1992, p. 34.

⁽⁴⁾ OJ No L 334, 19. 11. 1992, p. 28.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁷⁾ OJ No L 263, 19. 9. 1991, p. 1.

COMMISSION REGULATION (EEC) No 3383/92**of 25 November 1992****fixing the maximum export refund for white sugar for the 30th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EEC) No 920/92**

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 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 the first subparagraph of Article 19 (4) (b) thereof,

Whereas Commission Regulation (EEC) No 920/92 of 10 April 1992 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar⁽³⁾, as amended by Regulation (EEC) No 1684/92⁽⁴⁾, requires partial invitations to tender to be issued for the export of this sugar;

Whereas, pursuant to Article 9 (1) of Regulation (EEC) No 920/92, a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question;

Whereas, following an examination of the tenders submitted in response to the 30th partial invitation to tender, the provisions set out in Article 1 should be adopted;

Whereas Council Regulation (EEC) No 1432/92⁽⁵⁾, as amended by Regulation (EEC) No 2015/92⁽⁶⁾, 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 Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

1. For the 30th partial invitation to tender for white sugar issued pursuant to amended Regulation (EEC) No 920/92 the maximum amount of the export refund is fixed at ECU 42,490 per 100 kilograms.

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.

Article 2

This Regulation shall enter into force on 26 November 1992.

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

Done at Brussels, 25 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 98, 11. 4. 1992, p. 11.

⁽⁴⁾ OJ No L 176, 30. 6. 1992, p. 31.

⁽⁵⁾ OJ No L 151, 3. 6. 1992, p. 4.

⁽⁶⁾ OJ No L 205, 22. 7. 1992, p. 2.

COMMISSION REGULATION (EEC) No 3384/92

of 25 November 1992

fixing the amount of aid for peas, field beans and sweet lupins

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 1431/82 of 18 May 1982 laying down special measures for peas, field beans and sweet lupins ⁽¹⁾, as last amended by Regulation (EEC) No 1750/92 ⁽²⁾, and in particular Article 3 (6) (a) thereof,

Having regard to Commission Regulation (EEC) No 3540/85 of 5 December 1985 laying down detailed rules for the application of the special measures for peas, field beans and sweet lupins ⁽³⁾, as last amended by Regulation (EEC) No 3328/92 ⁽⁴⁾, and in particular Article 26a (7) thereof,

Whereas, as provided for in Article 3 (1) of Regulation (EEC) No 1431/82, aid is granted for peas, field beans and sweet lupins harvested in the Community and used in the manufacture of feedingstuffs where the world market price of soya cake is lower than the activating price; whereas this aid is equal to a proportion of the difference between these prices; whereas this proportion of the price difference was fixed in Article 3a of Council Regulation (EEC) No 2036/82 ⁽⁵⁾, as last amended by Regulation (EEC) No 2206/90 ⁽⁶⁾;

Whereas, in accordance with Article 3 (2) of Regulation (EEC) No 1431/82, aid is granted for peas and field beans harvested in the Community where the world market price for these products is lower than the guide price; whereas this aid is equal to the difference between the two prices;

Whereas the threshold price activating the aid for peas, field beans and sweet lupins for the 1992/93 marketing year was fixed by Council Regulation (EEC) No 1751/92 ⁽⁷⁾; whereas, as provided for in Article 2a of Regulation (EEC) No 1431/82, the activating price for the aid for peas, field beans and sweet lupins is increased monthly as from the beginning of the third month of the marketing year; whereas the amount of the monthly increases in the threshold price was fixed by Council Regulation (EEC) No 1752/92 ⁽⁸⁾;

Whereas the abatement of the subsidy which arises from the system of maximum guaranteed quantities for the 1992/93 year, has been fixed by Commission Regulation (EEC) No 2512/92 ⁽⁹⁾, as amended by Regulation (EEC) No 2752/92 ⁽¹⁰⁾;

Whereas, pursuant to Article 4 of Regulation (EEC) No 1431/82, the world market price for soya cake must be determined on the basis of the most favourable purchase possibilities, excepting offers and quotations which cannot be considered representative of the real market trend; whereas account must be taken both of all offers on the world market and of the prices quoted on exchanges that are important for international trade;

Whereas, pursuant to Article 1 of Commission Regulation (EEC) No 2049/82 ⁽¹¹⁾, as last amended by Regulation (EEC) No 1238/87 ⁽¹²⁾, the price must be determined per 100 kilograms of bulk soya cake of the standard quality defined in Article 1 (2) of Council Regulation (EEC) No 1464/86 ⁽¹³⁾ delivered to Rotterdam; whereas the necessary adjustments, notably those referred to in Article 2 of Regulation (EEC) No 2049/82, must be made for offers and quotations not of the type referred to above;

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

- in the case of currencies which are maintained in relation to each other at any moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the correcting factor provided for in Article 6 (1) of Council Regulation (EEC) No 1676/85 ⁽¹⁴⁾, as last amended by Regulation (EEC) No 2205/90 ⁽¹⁵⁾,
- 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 pursuant to Articles 121 (2) and 307 (2) of the Act of Accession the amount of the aid for products harvested and processed in either of these Member States should be reduced by the customs duty charged on importation of products from third countries;

⁽¹⁾ OJ No L 162, 12. 6. 1982, p. 28.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 17.

⁽³⁾ OJ No L 342, 19. 12. 1985, p. 1.

⁽⁴⁾ OJ No L 334, 19. 11. 1992, p. 17.

⁽⁵⁾ OJ No L 219, 28. 7. 1982, p. 1.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 11.

⁽⁷⁾ OJ No L 180, 1. 7. 1992, p. 18.

⁽⁸⁾ OJ No L 180, 1. 7. 1992, p. 20.

⁽⁹⁾ OJ No L 250, 29. 8. 1992, p. 15.

⁽¹⁰⁾ OJ No L 279, 23. 9. 1992, p. 18.

⁽¹¹⁾ OJ No L 219, 28. 7. 1982, p. 36.

⁽¹²⁾ OJ No L 117, 5. 5. 1987, p. 9.

⁽¹³⁾ OJ No L 133, 21. 5. 1986, p. 21.

⁽¹⁴⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽¹⁵⁾ OJ No L 201, 31. 7. 1990, p. 9.

Whereas the world market price for peas and field beans and the amount of aid referred to in Article 3 (2) of Regulation (EEC) No 1431/82 were fixed by Commission Regulation (EEC) No 1899/91 ⁽¹⁾; whereas in terms of Article 2a of Regulation (EEC) No 1431/82 the guide price is increased monthly as from the beginning of the third month of the marketing year;

Whereas, pursuant to Article 26a of Regulation (EEC) No 3540/85, the gross aid expressed in ecus that results from Article 3 of Regulation (EEC) No 1431/82 shall be weighted by the differential amount referred to in Article 12a of Regulation (EEC) No 2036/82 and then converted into the final aid in the currency of the Member State in which the products are harvested using the agricultural conversion rate of that Member State,

HAS ADOPTED THIS REGULATION:

Article 1

The amounts of aid provided for in Article 3 (1) of Regulation (EEC) No 1431/82 is indicated in the Annexes hereto.

Article 2

This Regulation shall enter into force on 26 November 1992.

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

Done at Brussels, 25 November 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 169, 29. 6. 1991, p. 29.

ANNEX I

Gross aid

Products intended for human consumption :

(ECU per 100 kg)

	Current 11	1st period 12	2nd period 1	3rd period 2	4th period 3	5th period 4	6th period 5
Peas used :							
— in Spain	10,966	11,124	11,282	11,440	11,598	11,756	11,756
— in Portugal	10,974	11,132	11,290	11,448	11,606	11,764	11,764
— in another Member State	11,034	11,192	11,350	11,508	11,666	11,824	11,824
Field beans used :							
— in Spain	11,034	11,192	11,350	11,508	11,666	11,824	11,824
— in Portugal	10,974	11,132	11,290	11,448	11,606	11,764	11,764
— in another Member State	11,034	11,192	11,350	11,508	11,666	11,824	11,824

Products used in animal feed :

(ECU per 100 kg)

	Current 11	1st period 12	2nd period 1	3rd period 2	4th period 3	5th period 4	6th period 5
A. Peas used :							
— in Spain	11,149	11,338	11,558	11,715	12,121	12,589	12,775
— in Portugal	11,192	11,381	11,600	11,758	12,162	12,628	12,813
— in another Member State	11,192	11,381	11,600	11,758	12,162	12,628	12,813
B. Field beans used :							
— in Spain	11,149	11,338	11,558	11,715	12,121	12,589	12,775
— in Portugal	11,192	11,381	11,600	11,758	12,162	12,628	12,813
— in another Member State	11,192	11,381	11,600	11,758	12,162	12,628	12,813
C. Sweet lupins harvested in Spain and used :							
— in Spain	13,797	13,839	13,921	13,921	14,252	14,666	14,915
— in Portugal	13,855	13,896	13,978	13,978	14,307	14,718	14,965
— in another Member State	13,855	13,896	13,978	13,978	14,307	14,718	14,965
D. Sweet lupins harvested in another Member State and used :							
— in Spain	13,797	13,839	13,921	13,921	14,252	14,666	14,915
— in Portugal	13,855	13,896	13,978	13,978	14,307	14,718	14,965
— in another Member State	13,855	13,896	13,978	13,978	14,307	14,718	14,965

[illegible]

[illegible]

Corrective amount to be added to the Amounts in Annex V

Use of the products	BLEU	DK	DE	EL	ESP	FR	IRL	IT	NL	PT	UK
Products harvested in :											
— BLEU (Bfrs/Lfrs)	0,00	0,00	0,00	0,00	18,32	0,00	0,00	5,96	0,00	0,00	10,26
— Denmark (Dkr)	0,00	0,00	0,00	0,00	3,39	0,00	0,00	1,10	0,00	0,00	1,90
— Federal Republic of Germany (DM)	0,00	0,00	0,00	0,00	0,89	0,00	0,00	0,29	0,00	0,00	0,50
— Greece (Dr)	0,00	0,00	0,00	0,00	110,20	0,00	0,00	35,84	0,00	0,00	61,75
— Spain (Pta)	0,00	0,00	0,00	0,00	61,20	0,00	0,00	19,91	0,00	0,00	34,29
— France (FF)	0,00	0,00	0,00	0,00	2,98	0,00	0,00	0,97	0,00	0,00	1,67
— Ireland (£ Irl)	0,000	0,000	0,000	0,000	0,331	0,000	0,000	0,108	0,000	0,000	0,186
— Italy (Lit)	0	0	0	0	731	0	0	238	0	0	409
— Netherlands (Fl)	0,00	0,00	0,00	0,00	1,00	0,00	0,00	0,33	0,00	0,00	0,56
— Portugal (Esc)	0,00	0,00	0,00	0,00	78,21	0,00	0,00	25,44	0,00	0,00	43,82
— United Kingdom (£)	0,000	0,000	0,000	0,000	0,347	0,000	0,000	0,113	0,000	0,000	0,195

Partial aid

(in national currency per 100 kg)

[illegible]

ANNEX VIII

Corrective amount to be added to amounts in Annex VII

(in national currency per 100 kg)

Use of products :	BLEU	DK	DE	EL	ES	FR	IRL	IT	NL	PT	UK
Products harvested in :											
— BLEU (Bfrs/Lfrs)	0,00	0,00	0,00	0,00	13,32	0,00	0,00	4,33	0,00	0,00	7,46
— Denmark (Dkr)	0,00	0,00	0,00	0,00	2,46	0,00	0,00	0,80	0,00	0,00	1,38
— Federal Republic of Germany (DM)	0,00	0,00	0,00	0,00	0,65	0,00	0,00	0,21	0,00	0,00	0,36
— Greece (Dr)	0,00	0,00	0,00	0,00	80,14	0,00	0,00	26,07	0,00	0,00	44,91
— Spain (Pta)	0,00	0,00	0,00	0,00	44,51	0,00	0,00	14,48	0,00	0,00	24,94
— France (FF)	0,00	0,00	0,00	0,00	2,17	0,00	0,00	0,70	0,00	0,00	1,21
— Ireland (£ Irl)	0,000	0,000	0,000	0,000	0,241	0,000	0,000	0,078	0,000	0,000	0,135
— Italy (Lit)	0	0	0	0	531	0	0	173	0	0	298
— Netherlands (Fl)	0,00	0,00	0,00	0,00	0,73	0,00	0,00	0,24	0,00	0,00	0,41
— Portugal (Esc)	0,00	0,00	0,00	0,00	56,88	0,00	0,00	18,50	0,00	0,00	31,87
— United Kingdom (£)	0,000	0,000	0,000	0,000	0,252	0,000	0,000	0,082	0,000	0,000	0,141

ANNEX IX

Exchange rate of the ecu to be used

	BLEU	DK	DE	EL	ES	FR	IRL	IT	NL	PT	UK
In national currency, ECU 1 =	40,6304	7,51410	1,96992	255,616	142,253	6,60683	0,735334	1 700,48	2,21958	175,324	0,807630

COMMISSION REGULATION (EEC) No 3385/92

of 25 November 1992

introducing a new countervailing charge on fresh lemons originating in Turkey,
and repealing Regulation (EEC) No 3347/92

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 1413/92 of 27 May 1992 fixing for the 1992/93 marketing year the reference prices for fresh lemons⁽³⁾ fixed the reference price for products of class I at ECU 47,15 per 100 kilograms net for the period from 1 November 1992 to 30 April 1993;

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 the entry price thus calculated for fresh lemons originating in Turkey, results in the fixing of a higher

countervailing charge than that laid down by Commission Regulation (EEC) No 3347/92 of 19 November 1992 introducing a countervailing charge on fresh lemons originating in Turkey⁽⁶⁾;

Whereas, pursuant to Article 26 (2) of Regulation (EEC) No 1035/72, a new countervailing charge should be fixed and Regulation (EEC) No 3347/92 should be repealed;

Whereas, in Article 1 of Council Regulation (EEC) No 3671/81 of 15 December 1981 on imports into the Community of certain agricultural products originating in Turkey⁽⁷⁾, as amended by Regulation (EEC) No 1555/84⁽⁸⁾, a rate of customs duty of 4 % should be reintroduced;

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⁽⁹⁾, as last amended by Regulation (EEC) No 2205/90⁽¹⁰⁾,
- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent,

HAS ADOPTED THIS REGULATION:

Article 1

1. A countervailing charge of ECU 3,78 per 100 kilograms net is applied to fresh lemons (CN code ex 0805 30 10) originating in Turkey.
2. The import duty on these products is fixed at 4 %.

Article 2

This Regulation shall enter into force on 26 November 1992.

Commission Regulation (EEC) No 3347/92 is hereby repealed.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 23.

⁽³⁾ OJ No L 146, 28. 5. 1992, p. 71.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁶⁾ OJ No L 271, 27. 9. 1991, p. 41.

⁽⁷⁾ OJ No L 367, 23. 12. 1981, p. 3.

⁽⁸⁾ OJ No L 150, 6. 6. 1984, p. 4.

⁽⁹⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽¹⁰⁾ 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, 25 November 1992.

For the Commission
Ray MAC SHARRY
Member of the Commission

COMMISSION REGULATION (EEC) No 3386/92**of 25 November 1992****on the date of public announcement of new agricultural conversion rates**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Commission Regulation (EEC) No 3155/85 of 11 November 1985 providing for the advance fixing of monetary compensatory amounts ⁽¹⁾, as last amended by Regulation (EEC) No 3247/89 ⁽²⁾, and in particular the last subparagraph of Article 6 (3) thereof,

Whereas monetary compensatory amounts fixed in advance are adjusted if a new agricultural conversion rate comes into effect that was publicly announced before the application for advance fixing was lodged; whereas the date of public announcement of the new agricultural conversion rates resulting from the automatic dismantling of the gaps newly created by the monetary realignment announced by press release on 22 November 1992 must be fixed;

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

HAS ADOPTED THIS REGULATION:

Article 1

In the case of the monetary realignment of 22 November 1992 the date of public announcement referred to in Article 6 (1) of Regulation (EEC) No 3155/85 shall be 23 November 1992.

Article 2

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

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

Done at Brussels, 25 November 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 310, 21. 11. 1985, p. 22.

⁽²⁾ OJ No L 314, 28. 10. 1989, p. 51.

COMMISSION REGULATION (EEC) No 3387/92

of 25 November 1992

fixing the correcting factor and the coefficient reducing agricultural prices provided for in Article 6 of Council Regulation (EEC) No 1677/85 on monetary compensatory amounts in agriculture

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1677/85 of 11 June 1985 on monetary compensatory amounts in agriculture⁽¹⁾, as last amended by Regulation (EEC) No 2205/90⁽²⁾, and in particular Articles 6 (1) and 12 thereof,

Whereas, as a result of the monetary realignment of 22 November 1992, the correcting factor provided for in Article 6 (1) of Regulation (EEC) No 1677/85 must be altered;

Whereas the coefficient reducing agricultural prices provided for in Article 6 (4) of Regulation (EEC) No 1677/85 must be fixed in accordance with Article 5 (2) of Commission Regulation (EEC) No 3578/88 of 17 November 1988 laying down detailed rules for the application of the system for the automatic dismantlement of negative monetary compensatory amounts⁽³⁾, as last amended by Regulation (EEC) No 3137/91⁽⁴⁾;

Whereas the correcting factor and the coefficient reducing agricultural prices were fixed by Commission Regulation (EEC) No 2735/92⁽⁵⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

The correcting factor provided for in Article 6 (1) of Regulation (EEC) No 1677/85 is hereby fixed at 1,195066.

Article 2

The coefficient provided for in Article 5 of Regulation (EEC) No 3578/88 is hereby fixed at:

- 1,007954 for the prices and amounts to which the coefficient 1,002650 applies in 1992,
- 1,010561 for the other prices and amounts concerned.

Article 3

Regulation (EEC) No 2735/92 is hereby repealed.

Article 4

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

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

Done at Brussels, 25 November 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 6.

⁽²⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽³⁾ OJ No L 312, 18. 11. 1988, p. 16.

⁽⁴⁾ OJ No L 297, 29. 10. 1991, p. 17.

⁽⁵⁾ OJ No L 277, 22. 9. 1992, p. 18.

COMMISSION REGULATION (EEC) No 3388/92**of 25 November 1992****adapting the conversion rates to be applied in agriculture fixed by Council Regulation (EEC) No 1678/85**

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

Having regard to Council Regulation (EEC) No 1677/85 of 11 June 1985 on monetary compensatory amounts in agriculture ⁽¹⁾, as last amended by Regulation (EEC) No 2205/90 ⁽²⁾, and in particular Articles 6 (2) and 6a (2) thereof,

Whereas the agricultural conversion rates currently applicable were fixed by Council Regulation (EEC) No 1678/85 ⁽³⁾, as last amended by Regulation (EEC) No 3318/92 ⁽⁴⁾;

Whereas, where the currency exchange rates are realigned within the European Monetary System, Article 6 of Regulation (EEC) No 1677/85 stipulates that, under the procedure laid down in Article 12 of that Regulation, the Member States' agricultural conversion rates must be adapted in such a way as to eliminate, in stages, newly created monetary gaps; whereas pursuant to Article 6a of that Regulation, the agricultural conversion rate of a Member State for the pigmeat product sector is to be adapted so as to avoid, within certain limits, the application of new monetary compensatory amounts;

Whereas, as a result of the currency realignment of 22 November 1992 and having due regard to the provisions

of Commission Regulation (EEC) No 3578/88 of 17 November 1988 laying down detailed rules for the application of the arrangements for the automatic dismantling of negative monetary compensatory amounts ⁽⁵⁾, as last amended by Regulation (EEC) No 3137/91 ⁽⁶⁾, new agricultural conversion rates must be fixed;

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

HAS ADOPTED THIS REGULATION:

Article 1

Annexes IV, V, VIII, X and XI to Regulation (EEC) No 1678/85 are hereby replaced by the Annexes hereto.

Article 2

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

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

Done at Brussels, 25 November 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 6.

⁽²⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁴⁾ OJ No L 332, 18. 11. 1992, p. 19.

⁽⁵⁾ OJ No L 312, 18. 11. 1988, p. 16.

⁽⁶⁾ OJ No L 297, 29. 10. 1991, p. 17.

ANNEX

ANNEX IV

GREECE

Sector or product	Agricultural conversion rates			
	ECU 1 = Dr...	Applicable until	ECU 1 = Dr...	Applicable from
Milk and milk products	290,644	25. 11. 1992	292,133	26. 11. 1992
Beef and veal	290,644		292,133	
Sheepmeat and goatmeat	266,487		267,855	
Eggs and poultrymeat and ovalbumin and lactalbumin	290,644		292,133	
Fishery products	266,487		267,855	
Cereals	290,644		292,133	
Rice	290,644		292,133	
Sugar and isoglucose	290,644		292,133	
Wine	290,644		292,133	
Olive oil	290,644		292,133	
Colza and rape seed	290,644		292,133	
Sunflower and linseed	290,644		292,133	
Soya beans	290,644		292,133	
Dried fodder	290,644		292,133	
Field beans and peas and sweet lupins	290,644		292,133	
Grain legumes	290,644		292,133	
Flax and hemp	290,644		292,133	
Silkworms	290,644		292,133	
Cotton	290,644		292,133	
Tobacco	290,644		292,133	
Seeds	290,644		292,133	
Fruit and vegetables :				
— tomatoes, cucumbers, courgettes, aubergines	290,644		292,133	
— cherries	290,644		292,133	
— apricots, peaches, nectarines, table grapes, cauliflowers	290,644		292,133	
— cherries preserved in syrup	290,644		292,133	
— pears, plums, lemons, tinned pine-apples	290,644		292,133	
— broad-leaved (Batavia) endives, processed tomatoes, cabbage lettuce, apples, peaches preserved in syrup, dried figs	290,644		292,133	
— Williams pears preserved in syrup	290,644		292,133	
— nuts, locust beans, prunes, dried grapes	290,644		292,133	
— clementines, mandarines, satsumas, sweet oranges, artichokes	290,644		292,133	
— other fruit and vegetables	290,644		292,133	
All other products (1)	290,644		292,133	

(1) Subject to Article 6a of Regulation (EEC) No 1677/85 in relation to pigmeat.

ANNEX V

SPAIN

Sector or product	Agricultural conversion rates			
	ECU 1 = Pta ...	Applicable until	ECU 1 = Pta ...	Applicable from
Milk and milk products	154,801	25. 11. 1992	155,692	26. 11. 1992
Beef and veal	154,801		155,692	
Sheepmeat and goatmeat	154,196		155,084	
Eggs and poultrymeat and ovalbumin and lactalbumin	154,196		155,084	
Fishery products	154,385		155,274	
Cereals	154,482		155,374	
Rice	154,196		155,084	
Sugar and isoglucose	154,482		155,374	
Wine	153,263		154,146	
Olive oil	157,645		158,551	
Colza and rape seed	154,196		155,084	
Sunflower and linseed	154,196		155,084	
Soya beans	154,196		155,084	
Dried fodder	155,265		154,146	
Field beans and peas and sweet lupins	154,196		155,084	
Grain legumes	154,196		155,084	
Flax and hemp	155,263		154,146	
Silkworms	153,265		154,146	
Cotton	154,196		155,084	
Tobacco	154,196		155,084	
Seeds	154,196		155,084	
Fruit and vegetables :				
— tomatoes, cucumbers, courgettes, aubergines	154,196		155,084	
— cherries	154,196		155,084	
— apricots, peaches, nectarines, table grapes, cauliflowers	154,196		155,084	
— cherries preserved in syrup	154,196		155,084	
— pears, plums, lemons, tinned pine-apples	154,196		155,084	
— broad-leaved (Batavia) endives, processed tomatoes, cabbage lettuce, apples, peaches preserved in syrup, dried figs	154,196		155,084	
— Williams pears preserved in syrup	154,196		155,084	
— nuts, locust beans, prunes, dried grapes	154,196		155,084	
— clementines, mandarines, satsumas, sweet oranges, artichokes	157,603		158,512	
— other fruit and vegetables	154,196		155,084	
All other products (1)	154,196		155,084	

(1) Subject to Article 6a of Regulation (EEC) No 1677/85 in relation to pigmeat.

ANNEX VIII

ITALY

Sector or product	Agricultural conversion rates			
	ECU 1 = Lit...	Applicable until	ECU 1 = Lit...	Applicable from
Milk and milk products	1 900,00	25. 11. 1992	1 908,93	26. 11. 1992
Beef and veal	1 900,00		1 908,93	
Sheepmeat and goatmeat	1 900,00		1 908,93	
Eggs and poultrymeat and ovalbumin and lactalbumin	1 900,00		1 908,93	
Fishery products	1 900,00		1 908,93	
Cereals	1 900,00		1 908,93	
Rice	1 900,00		1 908,93	
Sugar and isoglucose	1 900,00		1 908,93	
Wine	1 900,00		1 908,93	
Olive oil	1 900,00		1 908,93	
Colza and rape seed	1 900,00		1 908,93	
Sunflower and linseed	1 900,00		1 908,93	
Soya beans	1 900,00		1 908,93	
Dried fodder	1 900,00		1 908,93	
Field beans and peas and sweet lupins	1 900,00		1 908,93	
Grain legumes	1 900,00		1 908,93	
Flax and hemp	1 900,00		1 908,93	
Silkworms	1 900,00		1 908,93	
Cotton	1 900,00		1 908,93	
Tobacco	1 900,00		1 908,93	
Seeds	1 900,00		1 908,93	
Fruit and vegetables:				
— tomatoes, cucumbers, courgettes, aubergines	1 900,00		1 908,93	
— cherries	1 900,00		1 908,93	
— apricots, peaches, nectarines, table grapes, cauliflowers	1 900,00		1 908,93	
— cherries preserved in syrup	1 900,00		1 908,93	
— pears, plums, lemons, tinned pine-apples	1 900,00		1 908,93	
— broad-leaved (Batavia) endives, processed tomatoes, cabbage lettuce, apples, peaches preserved in syrup, dried figs	1 900,00		1 908,93	
— Williams pears preserved in syrup	1 900,00		1 908,93	
— nuts, locust beans, prunes, dried grapes	1 900,00		1 908,93	
— clementines, mandarines, satsumas, sweet oranges, artichokes	1 900,00		1 908,93	
— other fruit and vegetables	1 900,00		1 908,93	
All other products (1)	1 900,00		1 908,93	

(1) Subject to Article 6a of Regulation (EEC) No 1677/85 in relation to pigmeat.

ANNEX X

PORTUGAL

Sector or product	Agricultural conversion rates			
	ECU 1 = Esc ...	Applicable until	ECU 1 = Esc ...	Applicable from
Milk and milk products	206,307	25. 11. 1992	207,327	26. 11. 1992
Beef and veal	206,307		207,327	
Sheepmeat and goatmeat	208,676		209,523	
Eggs and poultrymeat and ovalbumin and lactalbumin	206,307		207,327	
Fishery products	208,676		209,523	
Cereals	206,307		207,327	
Rice	206,307		207,327	
Sugar and isoglucose	206,482		207,327	
Wine	206,307		207,327	
Olive oil	206,307		207,327	
Colza and rape seed	206,307		207,327	
Sunflower and linseed	206,307		207,327	
Soya beans	206,307		207,327	
Dried fodder	206,307		207,327	
Field beans and peas and sweet lupins	206,307		207,327	
Grain legumes	206,307		207,327	
Flax and hemp	206,307		207,327	
Silkworms	206,307		207,327	
Cotton	206,307		207,327	
Tobacco	206,307		207,327	
Seeds	206,307		207,327	
Fruit and vegetables :				
— tomatoes, cucumbers, courgettes, aubergines	206,307		207,327	
— cherries	206,307		207,327	
— apricots, peaches, nectarines, table grapes, cauliflowers	206,307		207,327	
— cherries preserved in syrup	206,307		207,327	
— pears, plums, lemons, tinned pine-apples	206,307		207,327	
— broad-leaved (Batavia) endives, processed tomatoes, cabbage lettuce, apples, peaches preserved in syrup, dried figs	206,307		207,327	
— Williams pears preserved in syrup	206,307		207,327	
— nuts, locust beans, prunes, dried grapes	206,307		207,327	
— clementines, mandarines, satsumas, sweet oranges, artichokes	206,307		207,327	
— other fruit and vegetables	206,307		207,327	
All other products (1)	206,307		207,327	

(1) Subject to Article 6a of Regulation (EEC) No 1677/85 in relation to pigmeat.

ANNEX XI

UNITED KINGDOM

Sector or product	Agricultural conversion rates			
	ECU 1 = £ ...	Applicable until	ECU 1 = £ ...	Applicable from
Milk and milk products	0,880533	25. 11. 1992	0,897525	26. 11. 1992
Beef and veal	0,880533		0,897525	
Sheepmeat and goatmeat	0,880533		0,897525	
Eggs and poultrymeat and ovalbumin and lactalbumin	0,880533		0,897525	
Fishery products	0,880533		0,897525	
Cereals	0,880533		0,897525	
Rice	0,880533		0,897525	
Sugar and isoglucose	0,880533		0,897525	
Wine	0,880533		0,897525	
Olive oil	0,880533		0,897525	
Colza and rape seed	0,880533		0,897525	
Sunflower and linseed	0,880533		0,897525	
Soya beans	0,880533		0,897525	
Dried fodder	0,880533		0,897525	
Field beans and peas and sweet lupins	0,880533		0,897525	
Grain legumes	0,880533		0,897525	
Flax and hemp	0,880533		0,897525	
Silkworms	0,880533		0,897525	
Cotton	0,880533		0,897525	
Tobacco	0,880533		0,897525	
Seeds	0,880533		0,897525	
Fruit and vegetables :				
— tomatoes, cucumbers, courgettes, aubergines	0,880533		0,897525	
— cherries	0,880533		0,897525	
— apricots, peaches, nectarines, table grapes, cauliflowers	0,880533		0,897525	
— cherries preserved in syrup	0,880533		0,897525	
— pears, plums, lemons, tinned pine-apples	0,880533		0,897525	
— broad-leaved (Batavia) endives, processed tomatoes, cabbage lettuce, apples, peaches preserved in syrup, dried figs	0,880533		0,897525	
— Williams pears preserved in syrup	0,880533		0,897525	
— nuts, locust beans, prunes, dried grapes	0,880533		0,897525	
— clementines, mandarines, satsumas, sweet oranges, artichokes	0,880533		0,897525	
— other fruit and vegetables	0,880533		0,897525	
All other products (1)	0,880533		0,897525	

(1) Subject to Article 6a of Regulation (EEC) No 1677/85 in relation to pigmeat.

INFORMATION FROM THE COMMISSION

The Commission draws the attention of interested parties to the fact that for movements effected from 26 November 1992 the monetary compensatory amounts will be calculated using the following monetary gaps determined in line with the provisions of Articles 5 and 6 of Council Regulation (EEC) No 1677/85⁽¹⁾:

United Kingdom:

— cereals, sugar, milk, beef and veal	— 6,0
— eggs and poultry	— 2,5
— pigmeat, olive oil	0

Italy:

— cereals, sugar, milk, beef and veal	— 5,0
— eggs and poultry, wine	— 1,5
— pigmeat, olive oil	0

Spain:

— cereals, sugar	— 7,9
— milk, beef and veal	— 7,7
— eggs and poultry	— 4,4
— wine	— 5,3
— pigmeat	— 1,0
— olive oil	0

Portugal:

— cereals, sugar, milk, beef and veal	0
— eggs and poultry, wine	0
— pigmeat, olive oil	0

Greece:

— cereals, sugar, milk, beef and veal	— 3,1
— eggs and poultry, wine	0
— pigmeat, olive oil	0

Other Member States:

— all products	0
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From 26 November 1992 the agricultural conversion rates for the pigmeat sector is fixed:

- in Spain at ECU 1 = Ptas 165,993,
- in the United Kingdom at ECU 1 = £ 0,960016.

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 6.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DIRECTIVE 92/89/EEC

of 3 November 1992

amending Annex I to Fourth Directive 73/46/EEC establishing Community methods of analysis for the official control of feedingstuffs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 70/373/EEC of 20 July 1970 on the introduction of Community methods of sampling and analysis for the official control of feedingstuffs⁽¹⁾, as last amended by Regulation (EEC) No 3768/85⁽²⁾, and in particular Article 2 thereof,

Whereas Fourth Commission Directive 73/46/EEC⁽³⁾, as amended by Directive 81/680/EEC⁽⁴⁾, prescribes the method to be used for the determination of crude fibre ;

Whereas there are grounds to adapt this method in the light of advances in scientific and technical knowledge ; whereas it is advisable, in particular, to take account of the provisions of Council Directive 80/1107/EEC of 27 November 1980 on the protection of workers from the risks related to exposure to chemical, physical and biological agents at work⁽⁵⁾, as amended by Directive 88/642/EEC⁽⁶⁾, and, in particular, the measures taken to prevent exposure to asbestos ;

Whereas it is from now on necessary to replace asbestos by glass containers in order to carry out the filtration procedures ;

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

HAS ADOPTED THIS DIRECTIVE :

Article 1

Annex I to Directive 73/46/EEC is amended in accordance with this Directive.

Article 2

Member States shall bring into force not later than 1 October 1993 the laws, regulations and administrative provisions necessary to comply with the provisions of this Directive. They shall forthwith inform the Commission thereof.

When Member States adopt these provisions, these shall contain a reference to this Directive or shall be accompanied by such reference at the time of their official publication. The procedure for such reference shall be adopted by the Member States.

Article 3

This Directive 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 170, 3. 8. 1970, p. 2.

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

⁽³⁾ OJ No L 83, 30. 3. 1973, p. 21.

⁽⁴⁾ OJ No L 246, 29. 8. 1981, p. 32.

⁽⁵⁾ OJ No L 327, 3. 12. 1980, p. 8.

⁽⁶⁾ OJ No L 356, 24. 12. 1988, p. 74.

ANNEX

Annex I, point 3, 'Determination of crude fibre' is replaced by the following:

'DETERMINATION OF CRUDE FIBRE'**1. Purpose and scope**

This method makes it possible to determine fat-free organic substances in feedingstuffs which are insoluble in acid and alkaline media and are conventionally described as crude fibre.

2. Principle

The sample, defatted where necessary, is treated successively with boiling solutions of sulphuric acid and potassium hydroxide of specified concentrations. The residue is separated by filtration on a sintered-glass filter washed, dried, weighed and ashed within a range of 475 to 500 °C. The loss of weight resulting from ashing corresponds to the crude fibre present in the test sample.

3. Reagents

- 3.1. Sulphuric acid, $c = 0,13 \text{ mol/l}$.
- 3.2. Anti-foaming agent (e.g. n-octanol).
- 3.3. Filter aid (Celite 545 or equivalent), heated at 500 °C for four hours (8.6).
- 3.4. Acetone.
- 3.5. Light petroleum boiling-range 40 to 60 °C.
- 3.6. Hydrochloric acid, $c = 0,5 \text{ mol/l}$.
- 3.7. Potassium hydroxide solution, $c = 0,23 \text{ mol/l}$.

4. Apparatus

- 4.1. Heating unit for digestion with sulphuric acid or potassium hydroxide solution, equipped with a support for the filter crucible (4.2) and provided with an outlet tube with a tap to the liquid outlet and vacuum, possibly with compressed air. Before use each day preheat the unit with boiling water for five minutes.
- 4.2. Glass filter crucible with fused sintered glass filter plate pore size 40-90 μm . Before first use, heat to 500 °C for a few minutes and cool (8.6).
- 4.3. Cylinder of at least 270 ml with a reflux condenser, suitable for boiling.
- 4.4. Drying oven with thermostat.
- 4.5. Muffle furnace with thermostat.
- 4.6. Extraction unit consisting of a support plate for the filter crucible (4.2) and with a discharge pipe with a tap to the vacuum and liquid outlet.
- 4.7. Connecting rings to assemble the heating unit (4.1), crucible (4.2) and cylinder (4.3) and to connect the cold extraction unit (4.6) and crucible.

5. Procedure

Weigh out to the nearest 0,001 g, 1 g of the prepared sample and place it in the crucible (4.2), (see observations 8.1, 8.2 and 8.3) and add 1 g of filter aid (3.3).

Assemble the heating unit (4.1) and the filter crucible (4.2), then attach the cylinder (4.3) to the crucible. Pour 150 ml of boiling sulphuric acid (3.1) into the assembled cylinder and crucible and if necessary add a few drops of anti-foaming agent (3.2).

Bring the liquid to the boil within 5 ± 2 minutes and boil vigorously for exactly 30 minutes.

Open the tap to the discharge pipe (4.1) and, under vacuum, filter the sulphuric acid through the filter crucible and wash the residue with three consecutive 30 ml portions of boiling water, ensuring that the residue is filtered dry after each washing.

Close the outlet tap and pour 150 ml boiling potassium hydroxide solution (3.7) to the assembled cylinder and crucible and add a few drops of anti-foaming agent (3.2). Bring the liquid to boiling point within 5 ± 2 minutes and boil vigorously for exactly 30 minutes. Filter and repeat the washing procedure used for the sulphuric acid step.

After the final washing and drying, disconnect the crucible and its contents and reconnect it to the cold extraction unit (4.6). Apply the vacuum and wash the residue in the crucible with three consecutive 25 ml portions of acetone (3.4) ensuring that the residue is filtered dry after each washing.

Dry the crucible to constant weight in the oven at 130 °C. After each drying cool in the desiccator and weigh rapidly. Place the crucible in a muffle furnace and ash to constant weight at 475 °C to 500 °C for at least 30 minutes.

After each heating cool first in the furnace and then in the desiccator before weighing.

Carry out a blank test without the sample. Loss of weight resulting from ashing must not exceed 4 mg.

6. Calculation of results

The crude fibre content as a percentage of the sample is given by the expression :

$$\frac{(b-c) \times 100}{a}$$

where

a = mass of sample in g ;

b = loss of mass after ashing during the determination, in g ;

c = loss of mass after ashing during the blank test, in g.

7. Repeatability

The difference between two parallel determinations carried out on the same sample must not exceed :

— 0,3 in absolute value for crude fibre contents lower than 10 %,

— 3 % relative to the higher result, for crude fibre contents equal to or greater than 10 %.

8. Observations

8.1. Feedingstuffs containing more than 10 % crude fat must be defatted prior to analysis with light petroleum (3.5). Connect the filter crucible (4.2) and its contents to the cold extraction unit (4.6) and apply vacuum and wash the residue with three consecutive 30 ml portions of light petroleum, ensuring that the residue is dry. Connect the crucible and its contents to the heating unit (4.1) and continue as described under 5.

8.2. Feedingstuffs containing fats which cannot be extracted directly with light petroleum (3.5) must be defatted as shown in 8.1 and defatted once more after boiling with acid.

After boiling with acid and the subsequent washing connect the crucible and its contents to the cold extraction unit (4.6) and wash three times with 30 ml acetone followed by three further washings with 30 ml portions of light petroleum. Filter under vacuum until dry and continue the analysis as described under 5, beginning with potassium hydroxide treatment.

8.3. If the feedingstuffs contain over 5 % of carbonates, expressed as calcium carbonate, connect the crucible (4.2) with the weighed sample to the heating unit (4.1). Wash the sample three times with 30 ml hydrochloric acid (3.6). After each addition let the sample stand for about one minute before filtering. Wash once with 30 ml water and then continue as described under 5.

8.4. If an apparatus in the form of a stand is used (several crucibles attached to the same heating unit) no two individual determinations on the same sample for analysis may be carried out in the same series.

8.5. If after boiling it is difficult to filter the acidic and basic solutions, use compressed air through the discharge pipe of the heating unit and then continue filtering.

8.6. The temperature for ashing should not be higher than 500 °C in order to extend the lifetime of the glass filter crucibles. Care must be taken to avoid excessive thermal shock during heating and cooling cycles.

COMMISSION DIRECTIVE 92/90/EEC

of 3 November 1992

establishing obligations to which producers and importers of plants, plant products or other objects are subject and establishing details for their registration

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community⁽¹⁾, as last amended by Commission Directive 92/10/EEC⁽²⁾, and in particular Article 6 (7), fourth indent, and Article 6 (8),

Whereas the application of the Community plant health regime to the Community as an area without internal frontiers, will require the carrying out of plant health checks of Community products of plant health concern before their movement within the Community; whereas the most appropriate place for carrying out these checks is the place of production of producers listed in an official register;

Whereas, with a view to the production of plants, plant products or other objects which are not infested or infected by harmful organisms referred to in Council Directive 77/93/EEC, and adequate monitoring by Member States of that production, it is necessary to establish more rules on the listing of producers or other persons for which the listing in an official register is required, as well as certain detailed and — to that extent — uniform obligations to which producers of plants, plant products or other objects should be subject;

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

HAS ADOPTED THIS DIRECTIVE:

Article 1

1. Member States shall ensure that any producer, collective warehouse, dispatching centre, other person or importer who come under Article 6 (4), third subparagraph, Article 6 (5), Article 10 (3), second indent or Article 12 (6), second subparagraph, of Directive 77/93/EEC respectively, shall enter an application for

listing in an official register, through an appropriate registration procedure, to the responsible official bodies referred to in Directive 77/93/EEC.

2. Member States shall ensure that on receipt of the application referred to in paragraph 1, the said responsible official bodies shall record this application in an official register of applications and shall examine the information supplied in the application form.

3. The said responsible official bodies shall list each producer, collective warehouse, dispatching centre, other person or importer referred to in paragraph 1, in the official register mentioned in the same paragraph, under an individual registration number enabling their respective identification, once the said responsible official bodies have established that the producer, collective warehouse, dispatching centre, other person or importer is able and willing to meet the obligations laid down in Article 2 (2) and those referred to Article 2 (3) and Article 3.

4. In those cases, where, upon the examination referred to in paragraph 2 it is considered that the obligations referred to in Article 2 (2) will not be met, the said responsible official bodies shall not list the producer, collective warehouse, dispatching centre, other person or importer in the official register mentioned in paragraph 1 as long as paragraph 3 does not apply.

5. The Member States shall ensure that the listing shall be amended or renewed, as appropriate, if the producer, collective warehouse, dispatching centre, other person or importer referred to in paragraph 1 decides to carry out activities in addition to, or instead of, those for which he was initially listed.

6. The Member States shall ensure that the said responsible official bodies shall take the necessary measures if the obligations referred to in Article 2 (2), and where appropriate Article 2 (3) and Article 3, cease to be met.

7. Any measure taken under paragraph 6 shall be withdrawn as soon as it has been established that the producer, collective warehouse, dispatching centre, other person or importer is likely, in the future, to comply with the requirements and conditions of this Directive.

Article 2

1. The Member States shall ensure that under the registration procedure, referred to in Article 1, any producer, collective warehouse, dispatching centre, other person or

⁽¹⁾ OJ No L 26, 31. 1. 1977, p. 20.

⁽²⁾ OJ No L 70, 17. 3. 1992, p. 27.

importer concerned shall be subject to the obligations laid down in paragraph 2, without prejudice to those referred to in paragraph 3 and in Article 3.

2. The obligations referred to in paragraph 1 shall be as follows, without prejudice to those already laid down in Directive 77/93/EEC:

- (a) to keep an updated plan of the premises on which plants, plant products or other objects are grown, produced, stored, kept or used by the producer or collective warehouses or dispatching centres, person or importer referred to in Article 1 (1), or are otherwise present;
- (b) to keep records, with a view to having complete information available for the said responsible official bodies, on plants, plant products or other objects,
 - purchased for storage or planting on the premises,
 - under production, or
 - dispatched to others,and to keep related documents for at least one year;
- (c) to be available personally or to designate another person technically experienced in plant production and related plant health matters, to liaise with the said responsible official bodies;
- (d) to carry out visual observations as necessary and at appropriate times, and in a manner laid down in guideline instructions given by the said responsible official bodies;
- (e) to ensure access for persons entitled to act for the said responsible official bodies, in particular for inspection and/or sampling, and to the records referred to in point (b) and related documents;
- (f) to otherwise cooperate with the said responsible official bodies.

3. Additional obligations of a general nature may be set up to facilitate the assessment of the plant health situation on the premises; they shall be within the limits of national law and may take into account the details of the production and, where appropriate import conditions, in particular the type of crop, the location, the size, the management, the staffing and the equipment.

Article 3

The producer, collective warehouse, dispatching centre, other person or importer listed shall meet, at the request of the said responsible official bodies, specific obligations

relating to the assessment or improvement of the plant health situation of the premises and to safeguarding the identity of material until the plant passport is attached pursuant to Article 10 (2) of Directive 77/93/EEC; these specific obligations may include activities such as special examination, sampling, isolation, roguing, treatment, destruction and marking (labelling) and any other measure which is specifically required under Annex IV, part A, section II, or Annex IV, part B, where appropriate, of Directive 77/93/EEC.

Article 4

Member States shall ensure compliance with the obligations referred to in Article 2 (2) by examining periodically, at least once a year, the records and related documents as described in Article 2 (2) (b).

Article 5

1. Member States shall bring into force the laws, regulations or administrative provisions necessary to comply with this Directive on the date referred to in Article 3 (1) of Council Directive 91/683/EEC⁽¹⁾. They shall forthwith inform the Commission thereof.

2. When Member States adopt these measures, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods of making such a reference shall be laid down by the Member States.

3. Member States shall immediately communicate to the Commission all provisions of domestic law which they adopt in the field governed by this Directive. The Commission shall inform the other Member States thereof.

Article 6

This Directive 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 376, 31. 12. 1991, p. 29.

COMMISSION OPINION**of 9 November 1992****concerning the plan for the disposal of radioactive waste from the Sizewell B Nuclear Power Station (United Kingdom) in accordance with Article 37 of the Euratom Treaty****(Only the English text is authentic)****(92/537/Euratom)**

The general data concerning the plan for the disposal of radioactive waste from the Sizewell B Nuclear Power Station were provided by the United Kingdom Government to the Commission, in accordance with Article 37 of the Euratom Treaty, by letter received on 13 May 1992.

On the occasion of the meeting of the group of experts set up pursuant to the Treaty, which took place on 15 and 16 September 1992 in Luxembourg, the representatives of the United Kingdom Government provided further complementary information and details.

On the basis of the data thus obtained and having consulted the group of experts, the Commission drew up the following opinion :

1. The distance from the installation to the closest point on the territory of another Member State is approximately 140 km ; in this case to France, Belgium and the Netherlands.
2. In normal operation of the power station its liquid and gaseous effluent discharges are not liable to give rise to significant exposure of the population of another Member State.
3. Solid radioactive wastes will be stored on the power station site prior to transport to a final storage site under State supervision.

Irradiated fuel elements will be stored at the plant site prior to transfer for treatment or storage elsewhere.
4. In the case of an unplanned release of radioactive effluents which could be occasioned by an accident of the type and magnitude of the source terms considered in the general data, doses liable to be received in another Member State will not be significant from the health point of view.

The United Kingdom has signed bilateral agreements with France and the Netherlands concerning the exchange of information in case of nuclear incidents or accidents. In addition to these, Community-wide arrangements have been set up for the early exchange of information in the event of a radiological emergency pursuant to a Council Decision of December 1987. These Community arrangements and bilateral agreements allow for hypothetical accidents, having greater radiological consequences than those presented in the general data, to be taken into account. The Commission recommends that the United Kingdom and Belgian authorities examine the possible advantages of establishing a bilateral agreement similar to those with France and the Netherlands.

In conclusion, the Commission is of the opinion that the implementation of the plan for the disposal of radioactive waste from the Sizewell B nuclear power station is not liable, either in normal operation or in the case of an accident of the type and magnitude considered in the general data to result in radioactive contamination, significant from the point of view of health, of the water, soil or airspace of another Member State.

This opinion is addressed to the United Kingdom.

For the Commission

Karel VAN MIERT

Member of the Commission