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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 3498/92

of 30 November 1992

amending Regulation (EEC) No 1768/89 in respect of definitive anti-dumping duty on certain imports of video cassettes originating in Hong Kong

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2423/88 of 11 July 1988 on protection against dumped or subsidized imports from countries not members of the European Economic Community⁽¹⁾, and in particular Article 14 thereof,

Having regard to the proposal submitted by the Commission after consultation within the Advisory Committee as provided for under the abovementioned Regulation,

Whereas :

I. PREVIOUS PROCEDURE

- (1) By Regulation (EEC) No 1768/89⁽²⁾, the Council imposed a definitive anti-dumping duty of 21,9 % on imports of VHS video tape in cassettes (hereinafter 'video cassettes') falling within CN code ex 8523 13 00 originating in Hong Kong, with the exception of imports from several exporters specifically mentioned which were subject to a lesser rate of duty or exempt from duty.
- (2) In recital 43 of Regulation (EEC) No 1768/89, concerning companies which started, or will start, exporting own-produced video cassettes to the Community after the end of the investigation period (newcomers), the Council noted that the Commission was ready to initiate without delay a review proceeding if the exporting company could show the Commission, and supply sufficient evidence, that it did not export the products concerned to the Community during the period of investigation. The company also has to demonstrate that it started or will start, those exports after the

said period and that it is not related to, or associated with, any of the companies subject to the investigation.

II. REVIEW

- (3) By a notice published on 8 April 1992⁽³⁾, the Commission, after consultation with the Advisory Committee and in accordance with Article 14 of Regulation (EEC) No 2423/88, initiated a review of Regulation (EEC) No 1768/89 as it concerned a Hong Kong company, Inter-Cassette (Hong Kong) Ltd. This company had submitted that it did not export the products subject to the anti-dumping duty during the previous period of investigation (1 January — 30 November 1987) but that it started such exports after the said period. In addition, it submitted that it was not related with any of the companies subject to the previous investigation for which dumping was found. Accordingly, the Commission commenced an investigation in order to verify where Inter-Cassette (Hong Kong) Ltd could be considered as a newcomer and to establish a dumping margin, if any, for this company.

III. RESULTS OF THE INVESTIGATION

1. Newcomer

- (4) The investigation showed that Inter-Cassette (Hong Kong) Ltd began to export own-produced video cassettes to the Community after the previous investigation period mentioned in recital 3. In addition, it was found that this company had no link of any sort with the exporters involved in the previous procedure and for which dumping was found. The Council confirms that it should accordingly be considered as a newcomer and that

⁽¹⁾ OJ No L 209, 2. 8. 1988, p. 1.

⁽²⁾ OJ No L 174, 22. 6. 1989, p. 1. Regulation as last amended by Regulation (EEC) No 1769/92 (OJ No L 182, 2. 7. 1992, p. 6).

⁽³⁾ OJ No C 266, 12. 10. 1991, p. 7.

a partial review of Regulation (EEC) No 1768/89 as it concerned Inter-Cassette (Hong Kong) Ltd was warranted.

2. Normal value

- (5) As Inter-Cassette (Hong Kong) Ltd did sell video cassettes on the domestic market in sufficient quantities during the investigation period for this review, and at prices which permitted recovery of all costs, normal value was determined on the basis of the weighted average domestic prices for the models exported to the Community.

3. Export price

- (6) Export prices were determined by the Commission on the basis of the prices, net of all rebates, actually paid or payable for the video cassettes sold for export by Inter-Cassette (Hong Kong) Ltd to the Community. Indeed, since exports were made directly to independent importers in the Community, these export prices were found to be reliable.

The Council confirms this finding.

4. Comparison

- (7) For the purpose of a fair comparison between normal value and export price, the Commission took account of differences affecting price comparability in accordance with Article 2 (9) and (10) of Regulation (EEC) No 2423/88. All comparisons were made at ex-works level, at the same level of trade and, for the export price, on a transaction by transaction basis.

The examination of the facts shows the existence of dumping, the margin of dumping being equal to the amount by which normal value exceeds the price for export to the Community and, as expressed as a percentage of total cif value, was 1,4 %.

The Council confirms the above findings.

5. Measures

- (8) A dumping margin of 1,4 % was considered as being *de minimis* in the original Council Regula-

tion (EEC) No 1768/89 for imports of video tape on reels originating in the Republic of Korea. The Commission sees no reason to depart from this appreciation in the present proceeding and the Council confirms this appreciation. Therefore, the adoption of protective measures against imports of video tape in cassettes manufactured by Inter-Cassette (Hong Kong) Ltd and originating in Hong Kong is not justified.

IV. AMENDMENT OF THE REVIEWED MEASURES

- (9) Accordingly, the Commission considers that Regulation (EEC) No 1768/89 should be amended and that Inter-Cassette (Hong Kong) Ltd be exempted from the definitive anti-dumping duty imposed on VHS videotapes in cassettes originating in Hong Kong.
- (10) The complainants were informed of the considerations and main facts on the basis of which the Council intended to amend Regulation (EEC) No 1768/89 and had no substantial comments to make.
- (11) Since this review is limited to one Hong Kong producer, it does not affect the date on which Regulation (EEC) No 1768/89 in regard to Article 15 (1) of Regulation (EEC) No 2423/88 will expire,

HAS ADOPTED THIS REGULATION:

Article 1

The following subparagraph shall be added to Article 1 (3) of Regulation (EEC) No 1768/89:

'The duty specified in paragraph 2 (b) shall not apply to models of video tape in cassettes manufactured by Inter-Cassette (Hong-Kong) Ltd and originating in Hong Kong (additional tariff Code: 8292).'

Article 2

This Regulation shall enter into force on the day following that 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, 30 November 1992.

For the Council

The President

T. EGGAR

COMMISSION REGULATION (EEC) No 3499/92

of 3 December 1992

fixing the import levies on cereals and on wheat or rye flour, groats and meal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1738/92⁽²⁾, and in particular Article 13 (5) thereof,

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

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 1820/92⁽⁵⁾ and subsequent amending Regulations;

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

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

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

Whereas these exchange rates being those recorded on 2 December 1992;

Whereas the aforesaid corrective factor affects the entire calculation basis for the levies, including the equivalence coefficients;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1820/92 to today's offer prices and quotations known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 2727/75 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 4 December 1992.

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

Done at Brussels, 3 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁵⁾ OJ No L 185, 4. 7. 1992, p. 1.

ANNEX

to the Commission Regulation of 3 December 1992 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Levy (°)
0709 90 60	134,00 (°) (°)
0712 90 19	134,00 (°) (°)
1001 10 10	171,42 (°) (°) (°)
1001 10 90	171,42 (°) (°) (°)
1001 90 91	144,83
1001 90 99	144,83 (°)
1002 00 00	157,05 (°)
1003 00 10	124,02
1003 00 90	124,02 (°)
1004 00 10	115,89
1004 00 90	115,89
1005 10 90	134,00 (°) (°)
1005 90 00	134,00 (°) (°)
1007 00 90	138,42 (°)
1008 10 00	49,59 (°)
1008 20 00	111,28 (°)
1008 30 00	37,25 (°)
1008 90 10	(°)
1008 90 90	37,25
1101 00 00	215,56 (°) (°)
1102 10 00	232,67 (°)
1103 11 10	278,22 (°) (°)
1103 11 90	231,98 (°)

(°) 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 3500/92

of 3 December 1992

fixing the premiums to be added to the import levies on cereals, flour and malt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1738/92⁽²⁾, and in particular Article 15 (6) thereof,Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽³⁾, as last amended by Regulation (EEC) No 2205/90⁽⁴⁾, and in particular Article 3 thereof,Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EEC) No 1821/92⁽⁵⁾ and subsequent amending Regulations;

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

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

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

Whereas these exchange rates being those recorded on 2 December 1992;

Whereas, on the basis of today's cif prices and cif forward delivery prices, the premiums at present in force, which are to be added to the levies, should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The premiums referred to in Article 15 of Regulation (EEC) No 2727/75 to be added to the import levies fixed in advance in respect of cereals and malt coming from third countries shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 4 December 1992.

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

Done at Brussels, 3 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁵⁾ OJ No L 185, 4. 7. 1992, p. 4.

ANNEX

to the Commission Regulation of 3 December 1992 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CN code	(ECU/tonne)			
	Current 12	1st period 1	2nd period 2	3rd period 3
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	1,35	1,35	0
1001 90 99	0	1,35	1,35	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 10	0	0	0	0
1004 00 90	0	0	0	0
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	1,89	1,89	0

B. Malt

CN code	(ECU/tonne)				
	Current 12	1st period 1	2nd period 2	3rd period 3	4th period 4
1107 10 11	0	2,40	2,40	0	0
1107 10 19	0	1,80	1,80	0	0
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 3501/92

of 3 December 1992

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

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

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

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

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

Whereas by Regulation (EEC) No 3131/78⁽¹²⁾, as amended by the Act of Accession of Greece, the Commission decided to use the tendering procedure to fix levies on olive oil;

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

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

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

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 30 November and 1 December 1992 leads to the minimum levies being fixed as indicated in Annex I to this Regulation;

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

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

⁽²⁾ OJ No L 215, 30. 7. 1992, p. 1.

⁽³⁾ OJ No L 169, 28. 6. 1976, p. 24.

⁽⁴⁾ OJ No L 192, 11. 7. 1992, p. 1.

⁽⁵⁾ OJ No L 169, 28. 6. 1976, p. 43.

⁽⁶⁾ OJ No L 192, 11. 7. 1992, p. 2.

⁽⁷⁾ OJ No L 169, 28. 6. 1976, p. 9.

⁽⁸⁾ OJ No L 48, 26. 2. 1986, p. 1.

⁽⁹⁾ OJ No L 142, 9. 6. 1977, p. 10.

⁽¹⁰⁾ OJ No L 192, 11. 7. 1992, p. 3.

⁽¹¹⁾ OJ No L 181, 21. 7. 1977, p. 4.

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

⁽¹³⁾ OJ No L 331, 28. 11. 1978, p. 6.

⁽¹⁴⁾ OJ No L 263, 19. 9. 1991, p. 1.

HAS ADOPTED THIS REGULATION:

Article 2

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

Article 1

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

Article 3

This Regulation shall enter into force on 4 December 1992.

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

Done at Brussels, 3 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX I

Minimum import levies on olive oil ⁽¹⁾

(ECU/100 kg)	
CN code	Non-member countries
1509 10 10	79,00 ⁽²⁾
1509 10 90	79,00 ⁽²⁾
1509 90 00	92,00 ⁽²⁾
1510 00 10	77,00 ⁽²⁾
1510 00 90	122,00 ⁽²⁾

⁽¹⁾ No levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC. However, an amount equal to the amount fixed by Regulation (EEC) No 3094/92 is to be levied in accordance with Article 101 (4) of the abovementioned Decision.

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

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

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

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

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

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

ANNEX II

Import levies on other olive oil sector products ⁽¹⁾

(ECU/100 kg)	
CN code	Non-member countries
0709 90 39	17,38
0711 20 90	17,38
1522 00 31	39,50
1522 00 39	63,20
2306 90 19	6,16

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

COMMISSION REGULATION (EEC) No 3502/92
of 3 December 1992
amending Regulation (EEC) No 3846/87 establishing an agricultural product
nomenclature for export refunds

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

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1754/92⁽²⁾, and in particular Article 30 thereof,

Whereas Commission Regulation (EEC) No 2505/92 of 14 July 1992 amending Annexes I and II to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽³⁾, provides for new subdivisions for apples and peaches (including nectarines);

Whereas Commission Regulation (EEC) No 3846/87⁽⁴⁾, as last amended by Regulation (EEC) No 3290/92⁽⁵⁾, establishes the agricultural product nomenclature for export refunds on the basis of the combined nomenclature; whereas the agricultural product nomenclature should be adapted to take account of the abovementioned subdivisions;

Whereas the agricultural product nomenclature for export refunds should be simplified as regards oranges and grapes;

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

HAS ADOPTED THIS REGULATION:

Article 1

In Section 11 of the Annex to Regulation (EEC) No 3846/87, the subdivisions relating to CN codes 0805 10 (oranges), 0806 (grapes), 0808 10 (apples), and 0809 30 (peaches) are hereby replaced by those set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 January 1993.

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

Done at Brussels, 3 December 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 267, 14. 9. 1992, p. 1.

⁽⁴⁾ OJ No L 366, 24. 12. 1987, p. 1.

⁽⁵⁾ OJ No L 327, 13. 11. 1992, p. 34.

ANNEX

CN code	Description	Product code
'ex 0805	Citrus fruit, fresh or dried :	
0805 10	— Oranges :	
	— — Sweet oranges, fresh :	
	— — — from 1 to 30 April :	
0805 10 11	— — — — sanguines and semi-sanguines :	
	— — — — — 'extra' class, class I and class II	0805 10 11 200
	— — — — — other	0805 10 11 900
	— — — — — other :	
0805 10 15	— — — — — navelines, navelines, navelates, salustianas, vernas, Valencia lates, Maltese, shamoutis, ovalis, trovita and hamlins :	
	— — — — — 'extra' class, class I and class II	0805 10 15 200
	— — — — — other	0805 10 15 900
0805 10 19	— — — — — other :	
	— — — — — 'extra' class, class I and class II	0805 10 19 200
	— — — — — other	0805 10 19 900
	— — — from 1 May to 15 May :	
0805 10 21	— — — — sanguines and semi-sanguines :	
	— — — — — 'extra' class, class I and class II	0805 10 21 200
	— — — — — other	0805 10 21 900
	— — — — — other :	
0805 10 25	— — — — — navelines, navelines, navelates, salustianas, vernas, Valencia lates, Maltese, shamoutis, ovalis, trovita and hamlins :	
	— — — — — 'extra' class, class I and class II	0805 10 25 200
	— — — — — other	0805 10 25 900
0805 10 29	— — — — — other :	
	— — — — — 'extra' class, class I and class II	0805 10 29 200
	— — — — — other	0805 10 29 900
	— — — from 16 May to 15 October :	
0805 10 31	— — — — sanguines and semi-sanguines :	
	— — — — — 'extra' class, class I and class II	0805 10 31 200
	— — — — — other	0805 10 31 900
	— — — — — other :	
0805 10 35	— — — — — navelines, navelines, navelates, salustianas, vernas, Valencia lates, Maltese, shamoutis, ovalis, trovita and hamlins :	
	— — — — — 'extra' class, class I and class II	0805 10 35 200
	— — — — — other	0805 10 35 900
0805 10 39	— — — — — other :	
	— — — — — 'extra' class, class I and class II	0805 10 39 200
	— — — — — other	0805 10 39 900
	— — — from 16 October to 31 March :	
0805 10 41	— — — — sanguines and semi-sanguines :	
	— — — — — 'extra' class, class I and class II	0805 10 41 200
	— — — — — other	0805 10 41 900
	— — — — — other :	
0805 10 45	— — — — — navelines, navelines, navelates, salustianas, vernas, Valencia lates, Maltese, shamoutis, ovalis, trovita and hamlins :	
	— — — — — 'extra' class, class I and class II	0805 10 45 200
	— — — — — other	0805 10 45 900
0805 10 49	— — — — — other :	
	— — — — — 'extra' class, class I and class II	0805 10 49 200
	— — — — — other	0805 10 49 900

CN code	Description	Product code
ex 0806	Grapes, fresh or dried :	
0806 10	— Fresh :	
	— — Table grapes :	
	— — — from 1 November to 14 July :	
0806 10 11	— — — — of the emperor variety (<i>Vitis vinifera cv.</i>), from 1 December to 31 January :	
	— 'extra' class and class I	0806 10 11 200
	— other	0806 10 11 900
0806 10 15	— — — — other :	
	— 'extra' class and class I	0806 10 15 200
	— other	0806 10 15 900
0806 10 19	— — — from 15 July to 31 October :	
	— 'extra' class and class I	0806 10 19 200
	— other	0806 10 19 900
ex 0808	Apples, pears and quinces, fresh :	
0808 10	— Apples :	
	— — Other :	
	— — — from 1 August to 31 December :	
0808 10 31	— — — — of the golden delicious variety :	
	— cider apples, other than those covered by 0808 10 10	0808 10 31 100
	— other :	
	— 'extra' class, class I and class II	0808 10 31 910
	— other	0808 10 31 990
0808 10 33	— — — — of the Granny Smith variety :	
	— cider apples other than those covered by 0808 10 10	0808 10 33 100
	— other :	
	— 'extra' class, class I and class II	0808 10 33 910
	— other	0808 10 33 990
0808 10 39	— — — — other :	
	— cider apples, other than those covered by 0808 10 10	0808 10 39 100
	— other :	
	— 'extra' class, class I and class II	0808 10 39 910
	— other	0808 10 39 990
	— — — from 1 January to 31 March :	
0808 10 51	— — — — of the golden delicious variety :	
	— cider apples	0808 10 51 100
	— other :	
	— 'extra' class, class I and class II	0808 10 51 910
	— other	0808 10 51 990
0808 10 53	— — — — of the Granny Smith variety :	
	— cider apples	0808 10 53 100
	— other :	
	— 'extra' class, class I and class II	0808 10 53 910
	— other	0808 10 53 990
0808 10 59	— — — — other :	
	— cider apples	0808 10 59 100
	— other :	
	— 'extra' class, class I and class II	0808 10 59 910
	— other	0808 10 59 990

CN code	Description	Product code
0808 10 81	— — — from 1 April to 31 July : — — — — of the golden delicious variety : — cider apples — other : — 'extra' class, class I and class II — other	0808 10 81 100 0808 10 81 910 0808 10 81 990
0808 10 83	— — — — of the Granny Smith variety : — cider apples — other : — 'extra' class, class I and class II — other	0808 10 83 100 0808 10 83 910 0808 10 83 990
0808 10 89	— — — — other : — cider apples — other : — 'extra' class, class I and class II — other	0808 10 89 100 0808 10 89 910 0808 10 89 990
ex 0809	Apricots, cherries, peaches (including nectarines), plums and sloes, fresh :	
0809 30	— Peaches, including nectarines :	
0809 30 10	— — Nectarines : — 'extra' class, class I and class II — other	0809 30 10 100 0809 30 10 900
0809 30 90	— — Other : — 'extra' class, class I and class II — other	0809 30 90 100 0809 30 90 900

COMMISSION REGULATION (EEC) No 3503/92

of 3 December 1992

laying down special measures for applying the system of accession compensatory amounts for olive oil

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 473/86 of 25 February 1986 laying down the general rules for the system of accession compensatory amounts for olive oil⁽¹⁾, and in particular Article 7 thereof,

Whereas the Commission has presented to the Council a proposal under which the intervention price for olive oil in Spain and Portugal would be reduced to the level in the Community of Ten with effect from 1 January 1993;

Whereas, as a result of the announcement of this rapid realignment, there may be deflection of trade and distortion of competition; whereas, therefore, the application of measures to avoid such phenomena is justified;

Whereas it is appropriate for the measures to take into account the volume of traditional imports of olive oil and olive-residue oil and to provide for the lodging of a security intended to guarantee that the accession compensatory amount is paid for a product put up for consumption on the Spanish or Portuguese market prior to 1 January 1993;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. From the date of entry into force of this Regulation until the date of entry into force of the common intervention price in Spain and Portugal, applications for the payment of accession compensatory amounts for consignments of olive oil to Spain or Portugal shall be accompanied by a security equal to the compensatory amount requested. Quantities eligible for the payment of the accession compensatory amount shall not exceed, in each Member State, the average of the quantities for which accession compensatory amounts have been paid during the period 1 November to 31 December in the past three years.

2. The security provided for in paragraph 1 shall be released:

- immediately for quantities in respect of which the accession compensatory amount is not paid,
- for other quantities, as soon as proof is provided that they have been put up for consumption in small packagings in Spain or Portugal prior to 1 January 1993.

This proof shall be provided prior to 30 April 1993.

Article 2

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

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

Done at Brussels, 3 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 53, 1. 3. 1986, p. 43.

COMMISSION REGULATION (EEC) No 3504/92

of 3 December 1992

laying down detailed rules for the application of the arrangements applicable to the importation into the Community of sheepmeat and goatmeat products originating in Bosnia-Herzegovina, Croatia, Slovenia, Montenegro, Serbia and the former Yugoslav Republic of Macedonia for the remainder of 1992

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3125/92 of 26 October 1992 on the arrangements applicable to the importation into the Community of sheepmeat and goatmeat products originating in Bosnia-Herzegovina, Croatia, Slovenia, Montenegro, Serbia and the former Yugoslav Republic of Macedonia⁽¹⁾, and in particular Article 3 thereof,

Whereas Regulation (EEC) No 3125/92 partly suspends the administration of the import arrangements laid down in the 1981 Agreement between the Community and the Socialist Federal Republic of Yugoslavia on trade in the sheepmeat and goatmeat sector⁽²⁾ and of the 1990 Adjustment Agreement⁽³⁾ and provides, on a temporary basis, for the exclusive administration of the arrangements by the Community, with the quantities agreed in that Agreement being distributed among the new Republics created from that Republic; whereas Article 3 of Regulation (EEC) No 3125/92 provides that detailed rules are to be adopted for this new administration;

Whereas steps should be taken, to that end, to determine the distribution of the quantities among the various Republics and the procedures to be followed for the issue of import licences and in particular the model to be used for the document showing the origin of the quantities;

whereas steps should be taken also to determine the authorities issuing the document showing the origin of the quantities in the various Republics;

Whereas, in order to enable trade to continue, it is necessary to determine the quantities for the various Republics for the remainder of 1992;

Whereas, in order to ensure the satisfactory and efficient administration of the import arrangements for the remainder of 1992, provision should be made for this Regulation to take immediate effect;

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

HAS ADOPTED THIS REGULATION:

General provisions

Article 1

Under the arrangements laid down in Regulation (EEC) No 3125/92, of the quantities of sheepmeat and goatmeat products provided for in the 1981 Agreement between the European Economic Community and the Socialist Federal Republic of Yugoslavia, the quantity of 1 800 tonnes still to be distributed for the remainder of 1992 shall be distributed in tonnes of carcase equivalent among the new Republics created from that Republic as follows:

CN code	Description	Third countries concerned and quantities					
		Bosnia-Herzegovina	Croatia	Slovenia	Former Yugoslav Republic of Macedonia	Serbia	Montenegro
0104	Live sheep and goats:	0	0	0	0	0	0
0104 10 90	— Live sheep other than pure-bred breeding animals ⁽¹⁾						
0104 20 90	— Live goats other than pure-bred breeding animals ⁽¹⁾						
0204	Meat of sheep or goats:						
	— fresh or chilled	306	162	18	666	558	90
	— frozen	0	0	0	0	0	0

⁽¹⁾ For products falling within CN subheadings 0104 10 30, 0104 10 80 and 0104 20 90, the net mass (live weight) / carcase mass (carcase equivalent weight) conversion coefficient to be used is 0,47.

⁽¹⁾ OJ No L 313, 30. 10. 1992, p. 3.

⁽²⁾ OJ No L 137, 23. 5. 1981, p. 29.

⁽³⁾ OJ No L 95, 12. 4. 1990, p. 1.

However,

- in the case of products originating in Serbia and Montenegro, the quantities provided for shall not be distributed for as long as the prohibition provided for in Council Regulation (EEC) No 1432/92⁽¹⁾ remains in force,
- with regard to the Republics referred to above for which slaughterhouses approved in respect of exportation to the Community do not yet exist, the quantities of meat shall be converted into quantities of live animals, expressed as carcase weight.

Article 2

1. Applications for licences to import the quantities referred to in Article 1 shall be submitted to the competent authorities of the Member States.
2. Applications for import licences shall:
 - be accompanied by a document of origin, a model of which is set out in Annex 1, complying with Article 3, issued at most one month previously by one of the issuing authorities listed in Annex 2;
 - contain an indication of the price level proposed for importation of the quantities.

The competent authorities of the Member States shall keep the document of origin for three years.

Article 3

1. The document of origin referred to in Article 2 shall be drawn up in one original and three copies of different colours and shall consist of a form, a model of which is shown in Annex 1.

The form shall measure approximately 210 × 297 mm. The original shall be drawn up on paper which shall show up any tampering by mechanical or chemical means.

2. The forms shall be printed and completed in one of the Community languages.
3. The original and the copies shall be completed by typewriter or by hand. In the latter case, they shall be completed in ink and in printed letters.
4. Each document shall bear a serial number in the top right-hand box. The copies shall bear the same number as the original.
5. The issuing authority shall keep two copies and return the original and one copy to the applicant.

⁽¹⁾ OJ No L 151, 3. 6. 1992, p. 4.

Article 4

1. The issuing authorities listed in Annex II must:
 - (a) be recognized as such by the exporting third country;
 - (b) undertake to provide the Commission and the Member States, at their request, with any information that can be used for verifying the accuracy of the particulars shown on the document of origin and on the import licence applications.
2. The list shall be revised when the requirement referred to in paragraph 1 (a) is no longer met or where an issuing authority does not fulfil one of the obligations it has taken upon itself to carry out.

Article 5

1. Import licences shall be valid for three months from their date of issue within the meaning of Article 21 (1) of Commission Regulation (EEC) No 3719/88⁽²⁾.
2. Licence applications and licences shall bear in Box 8 the name of the third country of origin. In the case of products falling within combined nomenclature sub-headings 0104 10 90 and 0104 20 90, licence applications and licences shall bear in Boxes 17 and 18 particulars of the net mass and the number of animals to be imported.

A licence shall make it compulsory to import products from the country indicated.
3. Notwithstanding Article 8 (4) of Regulation (EEC) No 3719/88, only the quantity indicated in Box 17 of the import licence may be put into free circulation; the number '0' shall be entered to this effect in Box 19 of the said licence.

Article 6

The level of the security relating to the import licences shall be:

- ECU 0,5 per animal for live animals,
- ECU 2 per 100 kg net mass for other products.

Article 7

Member States shall notify the Commission by telex or fax, at the latest on the 15th day following the date of issue, of the quantities, by product and by origin, in respect of which import licences have been issued under this Regulation.

Article 8

1. Applications for import licences for the quantities referred to in Article 1 shall be submitted to the competent authorities of the Member States at the latest on 7 December 1992.

⁽²⁾ OJ No L 331, 2. 12. 1988, p. 1.

2. Applications for import licences broken down by product and by country of origin shall be forwarded by the Member States to the Commission at the latest on 9 December 1992.

3. On 11 December 1992 the Commission shall decide by product and by origin:

(a) to authorize the issue of licences for all the quantities applied for; or

(b) to reduce such quantities by a single percentage.

4. However, for the purposes of paragraph 3, the import licences issued:

- by Greece shall be limited to 200 tonnes,
- by Italy shall be limited to the customary quantities,
- by France shall be limited to 50 tonnes,
- by Ireland shall be limited to 0.

The quantities referred to above shall be distributed as provided for in Article 1.

5. Licences shall be issued by 15 December 1992 at the latest.

6. Import licences issued up to 31 December 1992 in respect of the quantities referred to in paragraph 1 shall bear in Box 24 one of the following entries:

- Exacción limitada a cero (aplicación del Reglamento (CEE) n° 3504/92)
- Importafgift begrænset til nul (jf. forordning (EØF) nr. 3504/92)
- Beschränkung der Abschöpfung auf Null (Anwendung der Verordnung (EWG) nr. 3504/92)
- Εισφορά περιοριζόμενη στο μηδέν (εφαρμογή του κανονισμού (ΕΟΚ) αριθ. 3504/92)
- Levy limited to zero (application of Regulation (EEC) No 3504/92)
- Prélèvement limité à zéro (application du règlement (CEE) n° 3504/92)
- Prelievo limitato a zero (applicazione del regolamento (CEE) n. 3504/92)
- Heffing beperkt tot nul (toepassing van Verordening (EEG) nr. 3504/92)
- Direito nivelador limitado a zero (aplicação do Regulamento (CEE) n° 3504/92).

Article 9

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, 3 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX I

1. Exporter (name, full address, country)	2. No of deliverance	ORIGINAL
	3. ISSUING AUTHORITY	
4. Consignee (name, full address, country)	5. Country of exportation	
	6. Country of destination	
	7. Means of transport at the outset	
Document of origin to accompany application for a licence to import sheep, goats, sheepmeat and goatmeat into the European Economic Community		
Expiry date		
8. Marks, numbers, number and kind of packages ; description of goods ; nature and presentation of the products : whether the meat is fresh, chilled or frozen ; number of livestock		9. CN code
		10. Net mass (kg)
11. Net mass (kg) (in words)		
12. CERTIFICATION BY THE ISSUING AUTHORITY I hereby certify that the quantity shown on this document of origin representing ... kg carcassee mass ⁽¹⁾ of the total quantity covered by Regulation (EEC) No 3504/92 originates in ... Place (Stamp of the issuing authority) Date (Signature)		

⁽¹⁾ Use the conversion coefficients given in Regulation (EEC) No 3504/92.

*ANNEX II***List of authorities in exporting countries empowered to issue documents of origin**

Croatia : Euroinspekt, Zagreb, Croatia

Slovenia : Inspekt, Ljubljana, Slovenia

Former Yugoslav Republic of Macedonia : Economic Chamber of Macedonia

Bosnia-Herzegovina : Economic Chamber of Bosnia and Herzegovina.

COMMISSION REGULATION (EEC) No 3505/92
of 3 December 1992
fixing the import levies on white sugar and raw sugar

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

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

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 1813/92 ⁽³⁾, as last amended by Regulation (EEC) No 3468/92 ⁽⁴⁾;

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 4 December 1992.

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

Done at Brussels, 3 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 6, 11. 1. 1992, p. 19.

⁽³⁾ OJ No L 183, 3. 7. 1992, p. 18.

⁽⁴⁾ OJ No L 350, 1. 12. 1992, p. 77.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 9.

ANNEX

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

(ECU/100 kg)

CN code	Levy ⁽¹⁾
1701 11 10	39,83 ⁽¹⁾
1701 11 90	39,83 ⁽¹⁾
1701 12 10	39,83 ⁽¹⁾
1701 12 90	39,83 ⁽¹⁾
1701 91 00	46,83
1701 99 10	46,83
1701 99 90	46,83 ⁽²⁾

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

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

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

COMMISSION REGULATION (EEC) No 3506/92

of 3 December 1992

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

Whereas export possibilities exist for a quantity of 50 000 tonnes of rye flour and of 300 000 tonnes of wheat flour to certain destinations; whereas the procedure laid down in Article 9 (4) of Commission Regulation (EEC) No 891/89 ⁽⁴⁾, as last amended by Regulation (EEC) No 2804/92 ⁽⁵⁾, should be used; whereas account should be taken of this when the refunds are fixed;

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

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

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

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

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

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

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

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

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 94, 7. 4. 1989, p. 13.

⁽⁵⁾ OJ No L 282, 26. 9. 1992, p. 40.

⁽⁶⁾ OJ No 128, 27. 6. 1967, p. 2574/67.

⁽⁷⁾ OJ No L 53, 28. 2. 1992, p. 15.

⁽⁸⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁹⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽¹⁰⁾ OJ No L 151, 3. 6. 1992, p. 4.

⁽¹¹⁾ OJ No L 205, 22. 7. 1992, p. 2.

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

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

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 4 December 1992.

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

Done at Brussels, 3 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 3 December 1992 fixing export refunds on cereals and on wheat or rye flour, groats and meal

(ECU / tonne)		
Product code	Destination (1)	Amount of refund (2)
0709 90 60 000	—	—
0712 90 19 000	—	—
1001 10 10 000	—	—
1001 10 90 000	04	50,00
	02	20,00
1001 90 91 000	01	0
1001 90 99 000	04	62,00
	05	21,00
	02	20,00
1002 00 00 000	03	21,00
	02	20,00
1003 00 10 000	06	65,00
	02	0
1003 00 90 000	04	65,00
	02	20,00
1004 00 10 000	—	—
1004 00 90 000	—	—
1005 10 90 000	—	—
1005 90 00 000	04	82,00
	02	0
1007 00 90 000	—	—
1008 20 00 000	—	—
1101 00 00 100	07	116,00 (*)
	02	96,00
1101 00 00 130	01	93,00
1101 00 00 150	01	86,00
1101 00 00 170	01	80,00
1101 00 00 180	01	74,00
1101 00 00 190	—	—
1101 00 00 900	—	—
1102 10 00 500	01	125,00 (2)
1102 10 00 700	—	—
1102 10 00 900	—	—
1103 11 10 200	01	140,00
1103 11 10 400	01	120,00
1103 11 10 900	01	0
1103 11 90 200	01	96,00
1103 11 90 800	—	—

(¹) The destinations are identified as follows :

- 01 All third countries,
- 02 Other third countries,
- 03 Switzerland, Austria and Liechtenstein,
- 04 Switzerland, Austria, Liechtenstein, Ceuta and Melilla,
- 05 Poland,
- 06 zone II c),
- 07 Egypt.

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

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

(⁴) Refund fixed under the procedure laid down in Article 9 (4) of amended Regulation (EEC) No 891/89 in respect of a quantity of 300 000 tonnes of wheat flour destined for Egypt.

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

COMMISSION REGULATION (EEC) No 3507/92

of 3 December 1992

altering the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to 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 14 (4) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽³⁾, as last amended by Regulation (EEC) No 674/92 ⁽⁴⁾, and in particular Article 12 (4) 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 ⁽⁵⁾ as last amended by Regulation (EEC) No 2205/90 ⁽⁶⁾, and in particular Article 3 thereof,

Whereas the import levies on products processed from cereals and rice were fixed by Commission Regulation (EEC) No 3432/92 ⁽⁷⁾, as amended by Regulation (EEC) No 3471/92 ⁽⁸⁾;

Whereas Council Regulation (EEC) No 1906/87 ⁽⁹⁾, amended Council Regulation (EEC) No 2744/75 ⁽¹⁰⁾, as regards products falling within CN codes 2302 10, 2302 20, 2302 30 and 2302 40;

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

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

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

Whereas these exchange rates being those recorded on 2 December 1992;

Whereas the aforesaid corrective factor affects the entire calculation basis for the levies, including the equivalence coefficients;

Whereas the levy on the basic product as last fixed differs from the average levy by more than ECU 3,02 per tonne of basic product; whereas, pursuant to Article 1 of Commission Regulation (EEC) No 1579/74 ⁽¹¹⁾, as last amended by Regulation (EEC) No 1740/78 ⁽¹²⁾, the levies at present in force must therefore 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 processed from cereals and rice covered by Regulation (EEC) No 2744/75 as fixed in the Annex to amended Regulation (EEC) No 3432/92 are hereby altered to the amounts set out in the Annex.

Article 2

This Regulation shall enter into force on 4 December 1992.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 73, 19. 3. 1992, p. 7.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁷⁾ OJ No L 347, 28. 11. 1992, p. 47.

⁽⁸⁾ OJ No L 350, 1. 12. 1992, p. 81.

⁽⁹⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽¹⁰⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽¹¹⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽¹²⁾ OJ No L 202, 26. 7. 1978, p. 8.

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

Done at Brussels, 3 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 3 December 1992 altering the import levies on products processed from cereals and rice

(ECU/tonne)

CN code	Import levies ^(*)	
	ACP	Third countries (other than ACP) ^(*)
1103 21 00	260,28	266,32
1104 19 10	260,28	266,32
1104 29 11	192,32	195,34
1104 29 31	231,36	234,38
1104 29 91	147,49	150,51
1104 30 10	108,45	114,49
1107 10 11	257,39	268,27
1107 10 19	192,32	203,20
1108 11 00	318,12	338,67
1109 00 00	578,40	759,74
2302 10 10	55,83	61,83
2302 10 90	119,65	125,65
2302 20 10	55,83	61,83
2302 20 90	119,65	125,65
2302 30 10	55,83 ⁽¹⁰⁾	61,83
2302 30 90	119,65 ⁽¹⁰⁾	125,65
2302 40 10	55,83	61,83
2302 40 90	119,65	125,65

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

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

⁽¹⁰⁾ Under the terms of Regulation (EEC) No 3763/91 the levy does not apply to wheat bran originating in the African, Caribbean and Pacific States (ACP) and directly imported into the French department of Réunion.

CORRIGENDA

Corrigendum to Commission Decision 92/522/EEC of 6 November 1992 on applications for part-financing of national aid schemes in the form of reimbursements and advances pursuant to Council Regulation (EEC) No 2328/91

(Official Journal of the European Communities No L 329 of 16 November 1992)

On page 3 in the Annex in the third indent of point 1.2.:

for: '— department in France,'

read: '— "région" in France,'.
