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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 3561/92

of 10 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 9 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 11 December 1992.

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

Done at Brussels, 10 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 10 December 1992 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CN code	Levy (°) (ECU/tonne)
0709 90 60	134,33 (°) (°)
0712 90 19	134,33 (°) (°)
1001 10 10	173,51 (°) (°) (°)
1001 10 90	173,51 (°) (°) (°)
1001 90 91	149,15
1001 90 99	149,15 (°)
1002 00 00	157,21 (°)
1003 00 10	126,21
1003 00 90	126,21 (°)
1004 00 10	115,17
1004 00 90	115,17
1005 10 90	134,33 (°) (°)
1005 90 00	134,33 (°) (°)
1007 00 90	138,09 (°)
1008 10 00	50,04 (°)
1008 20 00	111,58 (°)
1008 30 00	38,78 (°)
1008 90 10	(°)
1008 90 90	38,78
1101 00 00	221,61 (°) (°)
1102 10 00	232,90 (°)
1103 11 10	281,46 (°) (°)
1103 11 90	238,52 (°)

(°) 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 3562/92

of 10 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 9 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 11 December 1992.

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

Done at Brussels, 10 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 10 December 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 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	0	0	0
1001 90 99	0	0	0	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	0	0	0

B. Malt

(ECU/tonne)

CN code	Current 12	1st period 1	2nd period 2	3rd period 3	4th period 4
1107 10 11	0	0	0	0	0
1107 10 19	0	0	0	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 3563/92
of 10 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 7 and 8 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 11 December 1992.

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

Done at Brussels, 10 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX I

Minimum import levies on olive oil ⁽¹⁾

<i>(ECU/100 kg)</i>	
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 ⁽⁴⁾

⁽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⁾

<i>(ECU/100 kg)</i>	
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 3564/92
of 10 December 1992
fixing additional amounts for poultrymeat products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organization of the market in poultrymeat⁽¹⁾, as last amended by the Regulation (EEC) No 1235/89⁽²⁾, and in particular Article 8 (4) thereof,

Whereas if, for a given product, the free-at-frontier offer price (hereinafter called the 'offer price') falls below the sluice-gate price, the levy applicable to that product must be increased by an additional amount equal to the difference between the sluice-gate price and the offer price determined in accordance with Article 1 of Commission Regulation No 163/67/EEC of 26 June 1967 on fixing the additional amount for imports of poultry-farming products from third countries⁽³⁾, as last amended by Regulation (EEC) No 3116/89⁽⁴⁾;

Whereas the offer price must be determined for all imports from all third countries; whereas, if exports from one or more third countries are effected at abnormally low prices, lower than prices ruling for other third countries, a second offer price must be determined for exports from these other countries;

Whereas, pursuant to Commission Regulation (EEC) No 565/68⁽⁵⁾, as last amended by Regulation (EEC) No 3986/87⁽⁶⁾, the import levies on slaughtered fowls, ducks and geese originating in and coming from Poland are not increased by an additional amount;

Whereas, pursuant to Commission Regulation (EEC) No 2261/69⁽⁷⁾, as last amended by Regulation (EEC) No 3986/87, the import levies on slaughtered ducks and

geese originating in and coming from Romania are not increased by an additional amount;

Whereas, pursuant to Commission Regulation (EEC) No 2474/70⁽⁸⁾, as amended by Regulation (EEC) No 3986/87, the import levies on slaughtered turkeys originating in and coming from Poland are not increased by an additional amount;

Whereas, pursuant to Commission Regulation (EEC) No 2164/72⁽⁹⁾, as amended by Regulation (EEC) No 3987/87⁽¹⁰⁾, the import levies on slaughtered fowls and geese originating in and coming from Bulgaria are not increased by an additional amount;

Whereas the regular review of the information serving as a basis for the determination of average offer prices for poultrymeat products indicates that additional amounts corresponding to the figures shown in the Annex hereto should be fixed for the imports specified in that Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

The additional amounts provided for in Article 8 of Regulation (EEC) No 2777/75 shall be as set out in the Annex hereto for the products listed in Article 1 (1) of that Regulation which appear in the said Annex.

Article 2

This Regulation shall enter into force on 11 December 1992.

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 77.

⁽²⁾ OJ No L 128, 11. 5. 1989, p. 29.

⁽³⁾ OJ No 129, 28. 6. 1967, p. 2577/67.

⁽⁴⁾ OJ No L 300, 18. 10. 1989, p. 10.

⁽⁵⁾ OJ No L 107, 8. 5. 1968, p. 7.

⁽⁶⁾ OJ No L 376, 31. 12. 1987, p. 7.

⁽⁷⁾ OJ No L 286, 14. 11. 1969, p. 24.

⁽⁸⁾ OJ No L 265, 8. 12. 1970, p. 13.

⁽⁹⁾ OJ No L 232, 12. 10. 1972, p. 3.

⁽¹⁰⁾ OJ No L 376, 31. 12. 1987, p. 20.

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

Done at Brussels, 10 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 10 December 1992 fixing additional amounts for poultry-meat products

(ECU/100 kg)		
CN code	Origin of imports (1)	Additional amount
0207 39 11	01	50,00
0207 41 10	01	50,00
0207 10 31	02	20,00
0207 22 10	02	20,00
0207 10 39	02	20,00
0207 22 90	02	20,00
0207 39 23	02	40,00
0207 41 51	02	40,00

(1) Origin :

01 Brazil and Thailand.

02 United States of America.

COMMISSION REGULATION (EEC) No 3565/92

of 10 December 1992

amending Regulation (EEC) No 1054/73 on detailed rules for aid in respect of silkworms

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 845/72 of 24 April 1972 laying down special measures to encourage silkworm rearing ⁽¹⁾, as last amended by Regulation (EEC) No 2059/92 ⁽²⁾, and in particular Article 2 (5) thereof,

Whereas Article 3 (1) of Commission Regulation (EEC) No 1054/73 ⁽³⁾, as amended by Regulation (EEC) No 683/74 ⁽⁴⁾, provides in particular that silkworm rearers are to submit aid applications each year by 30 November at the latest, or forfeit the aid totally; whereas the consequences attendant on a short overrun in the deadline for the submission of aid applications as referred to above should be limited taking account of the need both for proportionality and for the aid scheme in question to operate properly;

Whereas as a consequence the provisions in question should be amended and parties concerned who submit applications before a given date should qualify under the measure from the 1991/92 marketing year;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 3 (1) of Regulation (EEC) No 1054/73 is hereby replaced by the following:

'1. Aid shall be granted to silkworm rearers who submit applications by 30 November each year at the latest, except in cases of *force majeure*.

However, where aid applications are submitted:

- no later than 31 December of the same year, two thirds of the aid shall be granted,
- no later than 31 January of the following year, one third of the aid shall be granted.

Rearers may submit only one application each.'

Article 2

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

It shall apply from the 1991/92 marketing year to parties concerned who submit applications before 1 March 1993 and who provide proof to the satisfaction of the Member State concerned that they have attained the minimum production referred to in Article 2 (b) of Regulation (EEC) No 1054/73.

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

Done at Brussels, 10 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 100, 27. 4. 1972, p. 1.
⁽²⁾ OJ No L 215, 30. 7. 1992, p. 19.
⁽³⁾ OJ No L 105, 20. 4. 1973, p. 4.
⁽⁴⁾ OJ No L 83, 28. 3. 1974, p. 13.

COMMISSION REGULATION (EEC) No 3566/92

of 8 December 1992

on the documents to be used for the purpose of implementing Community measures entailing verification of the use and/or destination of goods

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2726/90 of 17 September 1990 on Community transit⁽¹⁾, and in particular Article 44 (1) thereof,

Whereas Commission Regulation (EEC) No 2823/87⁽²⁾ contains provisions for the implementation of Community measures entailing verification of the use and/or destination of goods and that it is necessary to make these provisions consistent with evolving administrative methods;

Whereas notwithstanding the measures taken which have the effect of eliminating all controls and all formalities in respect of Community goods moving within the Community and, consequently, of rendering, in principle, the procedure for internal Community transit devoid of any purpose; nevertheless it is necessary to retain the arrangements for the control of Community goods which are subject to a use or destination provided for or prescribed;

Whereas in connection with the suppression of controls and formalities at internal frontiers, authorities other than customs authorities, are equally competent to issue the control copy T 5 and check the use and/or the destination of goods;

Whereas arrangements should be made for the identification of the original copies of Control Copy T 5 forms, particularly when completed by an automatic reproduction process;

Whereas it has also proved to be necessary to make a number of amendments to the format; whereas for reasons of clarity it is appropriate to replace the whole text of Regulation (EEC) No 2823/87 with a new text;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Committee on Community Transit,

Article 1

For the purposes of this Regulation:

- a) 'competent authorities' means:
the customs authority or any other authority responsible for applying this Regulation;
- b) 'office' means:
the customs office or an organization responsible at the local level, for applying this Regulation.

Article 2

1. Where implementation of a Community measure is subject to proof that the conditions prescribed by that measure as to the use and/or destination of goods imported into, exported from, or moving within the Community have been complied with, such proof shall be furnished by production of Control Copy T 5. A Control Copy T 5 is a completed form T 5, accompanied, where appropriate, by one or more forms T 5 *bis*, in the circumstances referred to in Article 8, or by one or more loading lists T 5, in the circumstances referred to in Articles 9 and 10.

It is not excluded to use at the same time but for different purposes, several Control Copies T 5, insofar as each of them is provided for Community legislation.

2. Any person who signs a Control Copy T 5 within the meaning of paragraph 1 shall be required to put the goods described in that document to the declared use and/or dispatch the goods to the declared destination.

Article 3

The forms on which Control Copy T 5 is drawn up shall correspond to the specimens contained in Annexes I, II and III.

The forms shall be completed in accordance with the explanatory note in Annex IV and, where appropriate, any additional rules laid down in other Community legislation. Each Member State may, if necessary, supplement the explanatory note.

Control Copy T 5 shall be issued and used in accordance with the provisions of Articles 6 to 15.

⁽¹⁾ OJ No L 262, 26. 9. 1990, p. 1.

⁽²⁾ OJ No L 270, 23. 9. 1987, p. 1.

Article 4

1. The paper used shall be pale blue, dressed for writing purposes and weigh at least 40 g/m². It shall be sufficiently opaque for the information on one side not to affect the legibility of the information on the other side. Its strength shall be such that in normal use it does not easily tear or crease.

2. The sizes of the forms shall be :

(a) 210 × 297 mm for form T 5 (Annex I) and form T 5 *bis* (Annex II), a tolerance in the length of - 5 or + 8 mm being allowed ;

(b) 297 × 420 mm for loading lists T 5 (Annex III), a tolerance in the length of - 5 or + 8 mm being allowed.

3. A colour marking of the different copies shall be effected in the following manner :

- the original copies shall have at the right-hand edge a continuous margin coloured black,
- the width of this margin shall be approximately 3 mm.

4. The address for return and the important note on the front of the form may be printed in red.

Article 5

The Member States may require that Control Copy T 5 forms show the name and address of the printer, or a symbol enabling the printer to be identified.

Article 6

Control Copy T 5 shall be drawn up in one of the official languages of the Community which is acceptable to the competent authorities of the Member State of departure.

The competent authorities of another Member State in which such a document is presented may, as necessary, require a translation into the official language, or one of the official languages, of that Member State.

Article 7

1. Control Copy T 5 shall be completed by typewriter or by a mechanographical or similar process. It may also be filled in legibly by hand, in ink and in block capitals.

The form shall contain no erasures or overwriting. Any alterations shall be made by crossing out the incorrect particulars and, where appropriate, adding those required. Any alterations made in this way shall be initialled by the

person making them and expressly authenticated by the competent authorities.

2. Control Copy T 5 may also be produced and completed simultaneously by means of an automatic reproduction process provided that the provisions as regards the specimens, the paper, the size, the language used, the legibility, the prohibition of erasures and overwriting and as regards amendments are strictly observed.

Article 8

1. The competent authorities of each Member State may allow undertakings established in their territory to supplement a Control Copy T 5 with one or more continuation forms T 5 *bis* in cases where all the forms relate to a single consignment of goods, which are loaded on one single means of transport, and are destined for a single consignee and a single use and/or destination.

2. The number of continuation forms T 5 *bis* used shall be shown in box 3 of the Control Copy T 5 which they accompany. The registration number of the Control Copy T 5 shall be shown in the box for registration particulars of each continuation form T 5 *bis*. The total number of packages covered by the Control Copy T 5 and the T 5 *bis* continuation forms shall be shown in box 6 of the Control Copy T 5.

Article 9

1. The competent authorities of each Member State may allow undertakings established in their territory to supplement a Control Copy T 5 with one or more loading lists T 5 giving the particulars normally shown in boxes 31, 33, 35, 38, 100, 103 and 105 of form T 5, provided that all the forms relate to a single consignment of goods which are loaded on a single means of transport and are destined for a single consignee and a single use and/or destination.

2. Only the front of the loading list T 5 form may be used. Each item shown on loading list T 5 shall be preceded by a serial number and all the particulars indicated in the column headings shall be supplied.

A horizontal line shall be drawn after the last entry and the remaining unused spaces crossed through so that no subsequent additions can be made. The total number of packages containing the goods listed and the total gross and net mass of those goods shall be shown at the foot of the appropriate columns.

3. When loading lists T 5 are used, boxes 31, 33, 35, 38, 100, 103 and 105 of the Control Copy T 5 to which they refer shall be crossed through and the Control Copy may not be accompanied by a form T 5 *bis*.

4. The number of loading lists T 5 used shall be shown in box 4 of Control Copy T 5. The registration number of the Control Copy T 5 shall be shown in the box for registration particulars of each loading list T 5. The total number of packages covered by the various loading lists shall be shown in box 6 of the Control Copy T 5.

Article 10

1. The authorization referred to in Article 9 (1) may allow undertakings whose records are based on an electronic or automatic data-processing system to use loading lists T 5 completed by such data-processing system which, although they include all the particulars provided for in the list as printed in Annex III, do not comply with all the conditions of Articles 3, 4, 5 and 7 and that of Article 9 (2) as regards the requirement that each item shown on the list must be preceded by a serial number.

These lists must, however, be designed and completed in such a way that they can be used without difficulty by the competent offices in question.

2. The authorization shall be granted only to those undertakings which offer the safeguards considered appropriate by the competent authorities.

3. Use, as loading lists as referred to in Article 9 (1), of descriptive lists drawn up for the purposes of carrying out dispatch/export formalities may also be allowed even where such lists are produced by firms whose records are not based on an electronic or automatic data-processing system.

4. The undertakings to which the authorization is given shall be liable in the event of any fraudulent use by any person of loading lists which it draws up.

Article 11

1. Control Copy T 5 forms and, where appropriate, continuation forms T 5 *bis* or loading lists T 5 shall be made out by the person concerned in one original and at least one copy, each of which must bear the original signature of the person concerned.

2. Control Copy T 5 and, where appropriate, continuation forms T 5 *bis* or loading lists T 5 shall, as regards the description of goods and any additional information, show all the particulars required by the provisions relating to the Community measure imposing the control.

3. When goods are not entered under a Community transit procedure the Control Copy T 5 must bear a reference to the document relating to the transit procedure, if any, used. If no transit procedure is used it shall contain one of the following statements:

- mercancías fuera del procedimiento de tránsito
- ingen forsendelsesprocedure
- nicht im Versandverfahren befindliche Waren
- Εμπορεύματα εκτός διαδικασίας διαμετακόμισης
- goods not covered by a transit procedure
- marchandises hors procédure de transit
- merci non vincolate ad una procedura di transito
- geen douanevervoer
- mercadorias não cobertas por um procedimento de trânsito.

4. The Community transit document or the document relating to the transit procedure used must bear a reference to the Control Copy or Copies T 5 issued.

Article 12

1. When goods are transported under the Community transit procedure, or under another transit procedure, the Control Copy T 5 shall be issued by the office of departure.

The office of departure shall keep a copy of the Control Copy T 5.

The original of Control Copy T 5 shall accompany the goods at least until the office at which the use and/or the destination of the goods is certified under the same conditions as the documents relating to the transit procedure used.

2. When goods subject to controls as to their use and/or destination are not placed under a transit procedure, a Control Copy T 5 shall be issued by the competent authorities of the Member State of consignment. They shall keep a copy of Control Copy T 5.

The Control Copy T 5 must contain one of the statements referred to in Article 11 (3).

3. Control Copy T 5 and, where necessary, forms T 5 *bis* and/or loading lists T 5 shall be authenticated by the competent authorities of the Member State of departure. Such authentication shall comprise the following, which should appear in box A (office of departure) of those documents:

- (a) in the case of Control Copy T 5, the name and stamp of the office of departure, the signature of the competent person, the date of authentication and a registration number which may be pre-printed;
- (b) in the case of forms T 5 *bis* and/or loading lists T 5, the number appearing on the Control Copy T 5. That number shall be inserted either by means of a stamp incorporating the name of the office of departure or by hand. In the latter case it shall be accompanied by the official stamp of the said office.

The originals of these documents shall be returned to the person concerned as soon as all administrative formalities have been completed.

4. The goods and the original Control Copies T 5 shall be produced at the office of destination by the person concerned.

Article 13

1. The office of destination shall carry out, or cause to be carried out under its responsibility, the control as to the use and/or destination provided for or prescribed.

2. The office of destination shall keep a register of Control Copies T 5, if appropriate by means of a copy of the said documents, and the result of the controls which have been carried out.

3. Without prejudice to the provisions of Article 15 the original of the Control Copy T 5 shall, on completion of all the necessary formalities and after the appropriate endorsement by the office of destination, be sent forthwith to the address shown under the heading 'Return to'.

Article 14

Any person who delivers a Control Copy T 5 and the consignment to which that document relates, to the office of destination may, on request, obtain a receipt drawn up on a form corresponding to the specimen provided for in Article 32 (2) of Commission Regulation (EEC) No 1214/92⁽¹⁾.

The receipt may not replace the Control Copy T 5.

Article 15

1. In the case of a consignment of goods accompanied by a Control Copy T 5, the competent authorities of the Member States shall permit such consignment and the Control Copy T 5 to be divided before completion of the procedure for which the form was issued. Consignments resulting from such division may themselves be further divided.

2. The provisions of paragraph 1 shall be without prejudice to the application of Community measures to products from intervention which are to be subjected to control of use and/or destination and which are processed in another Member State before being put to their final use or reaching their final destination.

3. The division referred to in paragraph 1 shall be carried out under the conditions set out in paragraphs 4 to 7. Member States need not apply these conditions in cases where all the consignments which result from the division are to be put to their final use or are to reach their final destination in the Member State where the division takes place.

4. The office at which the division takes place shall issue, in accordance with the provisions of Article 11 an

extract Control Copy T 5 for each part of the divided consignment, using for this purpose a Control Copy T 5.

Each extract shall contain the additional information shown in boxes 100, 104, 105, 106, 107 of the initial Control Copy T 5 and give, in addition, the net mass and net quantity of the goods to which that extract applies. Each extract shall show in box 106 the registration number, date and office and country of issue of the initial Control Copy T 5, using one of the following forms of wording:

- Extracto del ejemplar de control: ...
...
(número, fecha, oficina y país de expedición)
- Udskrift af kontrolseksemplar: ...
...
(nummer, dato, udstedende kontor og land)
- Auszug aus dem Kontroll Exemplar: ...
...
(Nummer, Datum, ausstellende Stelle und Land)
- Απόσπασμα του αντιτύπου ελέγχου: ...
...
(αριθμός, ημερομηνία, γραφείο και χώρα εκδόσεως)
- Extract of control copy: ...
...
(Number, date, office and country of issue)
- Extrait de l'exemplaire de contrôle: ...
...
(numéro, date, bureau et pays de délivrance)
- Estratto dell'esemplare di controllo: ...
...
(numero, data, ufficio e paese di emissione)
- Uittreksel uit controle-exemplaar: ...
...
(nummer, datum, kantoor en land van afgifte)
- Extracto do exemplar de controlo: ...
...
(número, data, estância, país de emissão).

5. The office where the division takes place shall state on the initial Control Copy T 5 that the form has been divided. It shall do this by entering one of the following statements in the 'control of use and/or destination' box:

- ... (número) extractos expedidos — copias adjuntas
- ... (antal) udstedte udskrifter — kopier vedføjjet
- ... (Anzahl) Auszüge ausgestellt — Durchschriften liegen bei
- ... (αριθμός) εκδοθέντα αποσπάσματα — συνημμένα αντίγραφα
- ... (number) extracts issued — copies attached
- ... (nombre) extraits délivrés — copies ci-jointes
- ... (numero) estratti rilasciati — copie allegate
- ... (aantal) uittreksels afgegeven — kopieën bijgevoegd
- ... (quantidade) extractos emitidos — cópias juntas.

⁽¹⁾ OJ No L 132, 16. 5. 1992, p. 1.

The initial Control Copy T 5 shall be returned without delay to the address shown under the heading 'Return to', accompanied by the copies of the extracts issued.

The office where the division takes place shall keep a copy of the original Control Copy T 5 and the extracts which have been issued

6. The originals of the extract control Copies T 5 shall, where appropriate, together with the documents relating to the procedure used, accompany each part of the divided consignment.

7. The competent office in the Member State of destination of the parts of the divided consignment shall carry out, or cause to be carried out under its responsibility, the control as to the use and/or destination provided for or prescribed. It shall return the extracts endorsed in accordance with Article 12 (4) to the address shown under the heading 'Return to'.

8. In the case of further division referred in paragraph 1, the provisions of paragraphs 2 to 7 shall be applied *mutatis mutandis*.

Article 16

1. Control Copy T 5 may be issued retroactively on condition that:

- the person concerned is not responsible for the failure to apply for or to issue that document when the goods were dispatched or can produce substantiating evidence to the satisfaction of the competent authorities that such failure is not due to habitual carelessness on his part,
- the person concerned furnished proof that the Control Copy T 5 relates to the goods in respect of which all the administrative formalities were completed,
- the person concerned produced the documents required for the issue of the Control Copy T 5,
- it is established to the satisfaction of the competent authorities that the retroactive issue of Control Copy T 5 cannot give rise to the securing of financial benefits which would not be due considering the transit procedure which may have been used, the customs status of the goods and their use and/or destination.

2. Where Control Copy T 5 is issued retroactively, it shall contain in red one of the following statements:

- Expedido a posteriori
- Udstedt efterfølgende
- Nachträglich ausgestellt
- Εκδοθέν εκ των υστέρων
- Issued retroactively
- Délivré a posteriori
- Rilasciato a posteriori

— Achteraf afgegeven

— Emitido a posteriori.

Moreover, the person concerned shall enter on such Control Copy T 5 the identity of the means of transport by which the goods were dispatched, the date of departure and, if appropriate, the date on which the goods were produced at the office of destination.

3. A Control Copy T 5 issued retroactively may be endorsed by the office of destination only where that office establishes that the goods covered by the document in question have been used for the purpose and/or have reached the destination provided for or prescribed by the Community measure on the importation, exportation or movement within the Community of those goods.

4. Duplicate Control Copies T 5, extract Control Copies T 5, continuation forms T 5 *bis* and loading lists T 5 may be issued where the originals have been lost. The duplicate must bear in bold red letters the word 'DUPLICATA' as well as the stamp of the office which issued the duplicate and the signature of the competent official.

Article 17

By way of derogation from Article 2 and unless otherwise stipulated, each Member State shall have the right to require that proof that the goods have been used for the purpose and/or have reached the destination provided for or prescribed be furnished in accordance with a national procedure provided that the goods do not leave its territory before they have been used for the purpose and/or have reached the destination provided for or prescribed.

Article 18

The competent authorities of each Member State may, within the scope of their competence, authorize any person who fulfils the conditions laid down in Article 19 and who intends to consign goods in respect of which a Control Copy T 5 must be made out (hereinafter referred to as 'the authorized consignor') not to present at the office of departure either the goods concerned or the Control Copy T 5 in respect thereof.

Article 19

1. The authorization provided for in Article 18 shall be granted only to persons:

- (a) who frequently consign goods;
 - (b) whose records enable the competent authorities to verify their operations;
 - (c) who provide a guarantee when the issue of a Control Copy T 5 is conditional upon a guarantee being provided;
- and

- (d) have not committed serious or repeated infringements of the legislation concerned by the authorization.

2. With regard to paragraph 1 (c) the competent authorities shall take the appropriate measures to ensure that such a guarantee is provided.

3. Competent authorities may withdraw the authorization where the authorized consignor no longer fulfils the conditions laid down in paragraph 1 or fails to observe the conditions laid down in the authorization.

Article 20

The authorization issued by the competent authorities shall specify in particular:

- (a) the competent office or offices which are authorized offices of departure for consignments;
 - (b) the period within which, and the procedure by which, the authorized consignor is to inform the office of departure of the consignments to be sent, in order that the office may carry out any necessary controls before the departure of the goods;
 - (c) the period within which the goods must be presented at the office of destination; this period shall be determined according to the conditions of transport;
- and
- (d) the identification measures to be taken. To this end the competent authorities may prescribe that the means of transport or the package or packages shall bear special seals, accepted by the competent authorities and affixed by the authorized consignor.

Article 21

1. The authorization shall stipulate that the box 'office of departure' on the front of the Control Copy T 5 declaration form:

- (a) be stamped in advance with the stamp of the office of departure and be signed by an official of that office;
- or
- (b) be stamped by the authorized consignor with a special metal stamp approved by the competent authorities and conforming to the specimen set out in Annex V. The imprint of the stamp may be preprinted on the forms where the printing is entrusted to a printer approved for that purpose.

The authorized consignor shall complete the said box by indicating the date of consignment of the goods and shall allocate to the declaration a number in accordance with the rules laid down to that effect in the authorization.

2. The competent authorities may prescribe the use of forms bearing a distinctive mark as a means of identification.

Article 22

1. The authorized consignor shall, not later than the time of dispatching the goods, enter on the front of the duly completed Control Copy T 5 in the box 'Control by office of departure', where appropriate, particulars of the period within which the goods must be presented at the office of destination, references to the export documents as required by the Member State of consignment, and the identification measures applied together with one of the following endorsements:

- Procedimiento simplificado
- Forenklet procedure
- Vereinfachtes Verfahren
- Απλουστευμένη διαδικασία
- Simplified procedure
- Procédure simplifiée
- Procedura simplificata
- Vereenvoudigde regeling
- Procedimento simplificado.

2. After dispatch of the goods, a copy of Control Copy T 5, together with any special document on the basis of which the Control Copy T 5 was drawn up, shall be sent without delay to the office of departure.

3. Where the office of departure carries out a control on the departure of a consignment, it shall record the fact in the box 'Control by office of departure' on the front of the Control Copy T 5.

4. A Control Copy T 5 duly completed and containing the particulars specified in paragraph 1 and signed by the authorized consignor shall be deemed to have been issued by the office of departure which carried out the prior authentication of the form in accordance with Article 21 (1) (a), or which is named in the imprint of the special stamp referred to in Article 21 (1) (b), for the purpose of providing proof that the goods referred to therein have been used for the purpose and/or have reached the destination provided for or prescribed.

Article 23

1. The authorized consignor shall:

- (a) comply with the provisions of this Regulation and the conditions of the authorization; and
- (b) take all necessary measures to ensure the safekeeping of the special stamp or of the forms bearing the imprint of the stamp of the office of departure or the imprint of the special stamp.

2. The authorized consignor shall bear all the consequences, in particular the financial consequences, of any errors, omissions or other faults in the Control Copies T 5 which he draws up and in the conduct of the procedures incumbent upon him under the authorization provided for in Article 18.

3. In the event of the misuse by any person of Control Copy T 5 forms stamped in advance with the stamp of the office of departure or with the special stamp, the authorized consignor shall be liable, without prejudice to any criminal proceedings, for the payment of duties and other charges which have not been paid and for the repayment of any financial benefits which have been wrongly obtained following such misuse unless he can satisfy the competent authorities by whom he was authorized that he took the measures required of him under paragraph 1 (b).

Article 24

1. The competent authorities may authorize the authorized consignor not to sign Control Copy T 5 forms bearing the special stamp referred to in Article 21 (1) (b) and drawn up by an electronic or automatic data-processing system. Such authorization shall be subject to the condition that the authorized consignor has previously given those authorities a written undertaking acknowledging that he is liable, without prejudice to any criminal proceedings, for the payment of any duties and other charges which have not been paid and for the repayment of any financial benefits which have been wrongly obtained following the use of Control Copy T 5 forms bearing the imprint of the special stamp.

2. Control Copy T 5 forms drawn up in accordance with paragraph 1 shall contain, in the box reserved for the

signature of the declarant, one of the following endorsements:

- Dispensa de firma
- Fritaget for underskrift
- Freistellung von der Unterschriftsleistung
- Δεν απαιτείται υπογραφή
- Signature waived
- Dispense de signature
- Dispensa dalla firma
- Van ondertekening vrijgesteld
- Dispensada a assinatura.

Article 25

1. Commission Regulation (EEC) No 2823/87 is hereby repealed.

2. References to the repealed Regulation shall be construed as references to this Regulation in accordance with the table of equivalence set out in Annex VI.

Article 26

The forms set out in Annexes I, II and III to Regulation (EEC) No 2823/87 which were in use prior to the date of entry into force of this Regulation may continue to be used until stocks are exhausted and, at the latest, until 31 December 1995.

Article 27

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, 8 December 1992.

For the Commission

Christiane SCRIVENER

Member of the Commission

EUROPEAN COMMUNITY

T 5

2 Consignor/Exporter

No

3 Forms

4 Loading lists

5 Items

6 Total packages

7 Reference number

8 Consignee

NOTES CONCERNING

Box 104: Enter ☒ where applicable.

Box 105: Enter type, serial number, date of issue and name of issuing authority.

Box 109: Enter type, number, date of registration and name of office.

14 Declarant/Representative

No

15 Country of dispatch/export

B

17 Country of destination

IMPORTANT NOTE

This original accompanies the goods where necessary and must be lodged:

- in the case of goods to be exported, with the Customs office of exit from the customs territory of the Community,
- in other cases, with the competent office in the Member State of destination.

Tilbagesendes til:

Επιστρέφω εις:

Renvoyer à:

Terugzenden aan:

Zurücksenden an:

Return to:

Rinviare a:

Devolver a:

31 Packages and description of goods

Marks and numbers - Containers No(s) - Number and kind

32 Item No

33 Commodity Code

35 Gross mass (kg)

38 Net mass (kg)

40 Previous document

41 Supplementary

ADDITIONAL INFORMATION

100 (For national use)

103 Net quantity (kg, litres or in other units) in words

104 USE AND/OR DESTINATION

☐ Exit from the customs territory of the Community☐ Supply to the following international organisation:☐ Other (specify):☐ Supply for victualling☐ Supply to the (nationality)
forces in (Member State)

105 Licences

106 Further particulars

107 Legislation applicable

108 Attached documents

109 Administrative or customs document

D CONTROL BY OFFICE OF DEPARTURE

Stamp:

110 Place and date:

Result:

Seals affixed: Number:

identity:

Time limit (date):

Signature:

Signature and name of declarant/representative:

J CONTROL OF USE AND/OR DESTINATION

The goods described in this declaration (enter ☒ where applicable)

☐ have received the use and/or destination declared overleaf on
(date)

☐ have not received the use and/or destination declared overleaf.

☐ have received the use and/or destination declared overleaf only as regards the quantities and at the dates entered below :

Remarks :

Place and date :

Signature :

Returned after registration under
No

Stamp :

EUROPEAN COMMUNITY

A OFFICE OF DEPARTURE

T 5

COPY OF CONTROL COPY

2 Consignor/Exporter	No
----------------------	----

3 Forms

4 Loading lists

5 Items

6 Total packages

7 Reference number

8 Consignee

NOTES CONCERNING

Box 104: Enter ☒ where applicable.

Box 105: Enter type, serial number, date of issue and name of issuing authority.

Box 109: Enter type, number, date of registration and name of office.

14 Declarant/Representative	No
-----------------------------	----

15 Country of dispatch/export

17 Country of destination

31 Packages and description of goods

Marks and numbers - Containers No(s) - Number and kind

32 Item No

33 Commodity Code

35 Gross mass (kg)

38 Net mass (kg)

40 Previous document

41 Supplementary

ADDITIONAL INFORMATION

100 (For national use)

103 Net quantity (kg, litres or in other units) in words

104 USE AND/OR DESTINATION

☐ Exit from the customs territory of the Community

☐ Supply to the following international organisation:

☐ Other (specify):

☐ Supply for victualling

☐ Supply to the (nationality)
forces in (Member State)

105 Licences

106 Further particulars

107 Legislation applicable

108 Attached documents

109 Administrative or customs document

D CONTROL BY OFFICE OF DEPARTURE

Stamp:

110 Place and date:

Result:
Seals affixed: Number:
identity:
Time limit (date):
Signature:

Signature and name of declarant/representative:

EUROPEAN COMMUNITY

2 Consignor/Exporter

No

**T 5 BIS**

3 Forms

**IMPORTANT NOTE**

The goods shown on this form must receive the use and/or destination declared in box 104 of the form T 5 to which this form must be attached.

ORIGINAL OF CONTROL COPY**NOTE CONCERNING BOX 105**

Enter type, serial number, date of issue and name of issuing authority.

31 Packages and description of goods

Marks and numbers - Container No(s) - Number and kind

32 Items
No

33 Commodity Code

35 Gross mass (kg)

38 Net mass (kg)

40 Previous document

41 Supplementary units

ADDITIONAL INFORMATION

100 (For national use)

103 Net quantity (kg, litres or in other units) in words

105 Licences

31 Packages and description of goods

Marks and numbers - Container No(s) - Number and kind

32 Items
No

33 Commodity Code

35 Gross mass (kg)

38 Net mass (kg)

40 Previous document

41 Supplementary units

ADDITIONAL INFORMATION

100 (For national use)

103 Net quantity (kg, litres or in other units) in words

105 Licences

31 Packages and description of goods

Marks and numbers - Container No(s) - Number and kind

32 Items
No

33 Commodity Code

35 Gross mass (kg)

38 Net mass (kg)

40 Previous document

41 Supplementary units

ADDITIONAL INFORMATION

100 (For national use)

103 Net quantity (kg, litres or in other units) in words

105 Licences

110 Place and date:

Signature and name of declarant/representative:

EUROPEAN COMMUNITY

A OFFICE OF DEPARTURE

T 5 BIS

2 Consignor/Exporter

No

3 Forms

IMPORTANT NOTE

The goods shown on this form must receive the use and/or destination declared in box 104 of the form T 5 to which this form must be attached.

COPY OF CONTROL COPY

NOTE CONCERNING BOX 105

Enter type, serial number, date of issue and name of issuing authority.

31 Packages and description of goods

Marks and numbers - Container No(s) - Number and kind

32 Items
No

33 Commodity Code

35 Gross mass (kg)

38 Net mass (kg)

40 Previous document

41 Supplementary units

ADDITIONAL INFORMATION

100 (For national use)

103 Net quantity (kg, litres or in other units) in words

105 Licences

31 Packages and description of goods

Marks and numbers - Container No(s) - Number and kind

32 Items
No

33 Commodity Code

35 Gross mass (kg)

38 Net mass (kg)

40 Previous document

41 Supplementary units

ADDITIONAL INFORMATION

100 (For national use)

103 Net quantity (kg, litres or in other units) in words

105 Licences

31 Packages and description of goods

Marks and numbers - Container No(s) - Number and kind

32 Items
No

33 Commodity Code

35 Gross mass (kg)

38 Net mass (kg)

40 Previous document

41 Supplementary units

ADDITIONAL INFORMATION

100 (For national use)

103 Net quantity (kg, litres or in other units) in words

105 Licences

110 Place and date:

Signature and name of declarant/representative:

EUROPEAN COMMUNITY

ANNEX III

IMPORTANT NOTES

- 1. A loading list may be used only when the goods to which it relates are for the same use and/or destination which is to be shown in box 104 of the Control Copy T 5 to which it is attached.
- 2. Agricultural products for exportation must be described in accordance with the nomenclature used for refund purposes.
- 3. Details of licences or advance fixing certificates instead of being shown in box 105 of Control Copy T 5 must be shown on the loading list following the description of goods to which they relate.

LOADING LIST

OFFICE OF DEPARTURE

T 5 ORIGINAL
attached to Control Copy T 5
bearing the registration number
shown opposite.

Item number	Marks and numbers - Number and kind of packages - Description of goods and, where appropriate, particulars of their composition	Commodity	Gross mass (kg)	Net mass (kg)	Net quantity (kg, litres or in other units) in words	RESERVED FOR OFFICIAL USE

EUROPEAN COMMUNITY

IMPORTANT NOTES

- 1. A loading list may be used only when the goods to which it relates are for the same use and/or destination which is to be shown in box 104 of the Control Copy T 5 to which it is attached.
- 2. Agricultural products for exportation must be described in accordance with the nomenclature used for refund purposes.
- 3. Details of licences or advance fixing certificates instead of being shown in box 105 of Control Copy T 5 must be shown on the loading list following the description of goods to which they relate.

LOADING LIST

T 5 COPY
attached to Control Copy T 5
bearing the registration number
shown opposite.

OFFICE OF DEPARTURE

Item number	Marks and numbers - Number and kind of packages - Description of goods and, where appropriate, particulars of their composition	Commodity	Gross mass (kg)	Net mass (kg)	Net quantity (kg, litres or in other units) in words	RESERVED FOR OFFICIAL USE

[illegible]

ANNEX IV

NOTICE ON THE USE OF FORMS USED IN DRAWING UP CONTROL COPY T 5

A. General remarks

1. The Control Copy T 5 is a document drawn up on a form T 5 accompanied, where appropriate, by one or more T 5 *bis* continuation sheets or one or more T 5 loading lists.
2. The Control Copy T 5 is intended to supply proof that the goods in respect of which it was issued have been either used as, or have reached the destination, provided for by the specific Community provisions governing their use, it being the responsibility of the competent office in the Member State of destination to be satisfied either directly or through persons acting on its behalf as to the use and/or destination of the goods concerned. In some cases, the T 5 is also used to inform the Member State of destination that the goods which it covers are subject to special measures. The procedure thus instituted is a framework procedure, to be put into effect only if specific Community legislation expressly so provides. It can apply even where the goods are not moving under a Community transit or under another customs transit procedure.
3. The Control Copy T 5 must be drawn up in one original and at least one copy, each of which must bear an original signature.

When goods are transported under the Community transit or under another customs transit procedure, the original and the copy or copies of the Control Copy T 5 must be submitted together to the office of departure which retains one copy while the original accompanies the goods and must be presented with them at the office of destination.

When goods are not placed under transit procedure, the Control Copy T 5 shall be issued by the competent authorities of the Member State of consignment which shall keep a copy. The Control Copy T 5 shall contain the statement 'Goods not covered by a transit procedure'. In such cases, the original Control Copy T 5 may be sent direct or presented by the person concerned, to the competent office of destination.

4. If:

- T 5 *bis* continuation sheets are used, the form T 5 and the T 5 *bis* continuation sheets must be completed,
- T 5 loading lists are used, the form T 5 must be completed but boxes 31, 33, 35, 38, 100, 103 and 105 must be struck through and the information concerned must be entered only on the T 5 loading list or lists.

5. A form T 5 cannot be accompanied both by T 5 *bis* continuation sheets and by T 5 loading lists.

B. Rules relating to form T 5

1. Use of the form

The forms must be completed in typescript or by a mechanographical or similar process. They may also be completed legibly in manuscript, in ink and in block letters. In order to complete the form more easily in typescript, it should be inserted in such a way that the first letter to be entered in box 2 is located in the small positioning box in the top left hand corner.

Forms must contain no erasures or overwriting. Any alterations must be made by striking out the incorrect particulars and, where appropriate, adding those required. Any alterations made in this way must be initialled by the person making them and specifically endorsed by the competent authorities who may, where appropriate, require a new declaration to be lodged.

In addition, forms may be completed using an automatic reproduction process instead of any of the processes mentioned above. They may also be produced and completed by that means provided that the rules relating to the specimens, paper, size of forms, language to be used, legibility, prohibition of erasures and overwriting and alterations are strictly observed.

Only boxes marked with a serial number need, if appropriate, be completed. The other boxes, marked with a capital letter are for official use only except in cases provided for in specific regulations.

2. Particulars to be entered in the different boxes

BOX 2: CONSIGNOR/EXPORTER

Enter the full name and address of the person or company concerned. As far as the identification number is concerned, this can be required by the Member States (identification number allocated to the person concerned by the competent authorities for fiscal, statistical or other purposes).

BOX 3: FORMS

Enter the number of forms in relation to the total number of the T 5 and T 5 *bis* continuation sheets used (for example, if one form T 5 and two T 5 *bis* continuation sheets are presented, enter 1/3 on the form T 5, 2/3 on the first T 5 *bis* continuation sheet and 3/3 on the second T 5 *bis* continuation sheet).

Where the declaration covers only one item (i.e. where only one 'description of goods' box has to be completed), enter nothing in box 3 but enter the figure 1 in box 5.

BOX 4: LOADING LISTS

Enter in figures the number of any T 5 loading lists attached.

BOX 5: ITEMS

Enter the total number of items declared by the person concerned on all the forms T 5 and T 5 *bis* continuation sheets or T 5 loading lists used. The number of items must correspond to the number of 'description of goods' boxes to be completed.

BOX 6: TOTAL PACKAGES

Enter the total number of packages making up the consignment in question.

BOX 7: REFERENCE NUMBER

Optional item for users to indicate any reference number allocated by the person concerned to the consignment in question.

BOX 8: CONSIGNEE

Enter the full name and address of the person(s) or company(ies) to whom the goods are to be delivered.

BOX 14: DECLARANT/REPRESENTATIVE

Enter the full name and address of the person or company concerned in accordance with the provisions in force.

If the declarant and the consignor/exporter are the same person, enter 'consignor/exporter'. As far as the identification number is concerned, this can be required by the Member States (identification number allocated to the person concerned by the competent authorities for fiscal, statistical or other purposes).

BOX 15: COUNTRY OF DISPATCH

Enter the name of the country from which the goods are dispatched/exported.

BOX 17: COUNTRY OF DESTINATION

Enter the name of the country concerned.

BOX 31: PACKAGES AND DESCRIPTION OF GOODS — MARKS AND NUMBERS CONTAINER No(s) — NUMBER AND KIND

Enter the marks, numbers, number and kind of packages or, in the case of unpackaged goods, the number of such goods covered by the declaration, or the word 'bulk' as appropriate, together with the particulars necessary to identify the goods. The description of the goods means the normal trade description expressed in sufficiently precise terms to allow their identification and classification.

Where the Community rules applicable to the goods concerned provide for particular procedures in this respect, the description of the goods must conform to those rules. All additional information required by the said rules must also be entered in this box. The description of agricultural products must be in accordance with the Community provisions in force in the agricultural sector.

If containers are used, the identifying marks of the container must also be entered in this box.

The unused space in this box must be crossed through.

BOX 32: ITEM NUMBER

Enter the number of the item in question in relation to the total number of items declared on the forms used, as defined in the note to box 5.

Where the declaration covers only one item, Member States may waive the requirement that this box be completed, requiring instead that the figure 1 be entered in box 5.

BOX 33: COMMODITY CODE

Where Community rules so require, enter the code number corresponding to the item in question.

BOX 35: GROSS MASS

Enter the gross mass of the goods described in the corresponding box 31, expressed in kilograms. The gross mass is the aggregate mass of the goods with all their packings, excluding containers and other transport equipment.

BOX 38: NET MASS

Where Community rules so require, enter the net mass of the goods described in the corresponding box 31, expressed in kilograms. The net mass is the mass of the goods themselves without any packing.

BOX 40: PREVIOUS DOCUMENT

Box for optional use by the Member States (reference numbers of documents relating to the administrative procedure preceding dispatch/export).

BOX 41: SUPPLEMENTARY UNITS

For use as necessary in accordance with the goods nomenclature. Enter the quantity of the item in question, expressed in the unit laid down in the goods nomenclature.

BOX 100: FOR NATIONAL USE

To be completed in accordance with the rules of the Member State of dispatch/export.

BOX 103: NET QUANTITY (kg, litres or other units to be indicated) IN WORDS

To be completed in accordance with Community rules.

BOX 104: USE AND/OR DESTINATION

Where applicable, indicate the use and/or destination intended or prescribed for the goods by placing an X in the appropriate box. If there is no appropriate box, place an X in the box marked 'Other' and specify the use and/or destination.

BOX 105: LICENCES

To be completed in accordance with Community rules.

Enter the type, serial number, date of issue and name of issuing authority where required by Community rules.

BOX 106: FURTHER PARTICULARS

To be completed in accordance with Community rules.

BOX 107: LEGISLATION APPLICABLE

Enter, where appropriate, the number of the Regulation (EEC) concerning the Community measure providing for or prescribing control of the use and/or destination of the goods.

BOX 108: ATTACHED DOCUMENTS

List the accompanying documents attached to the Control Copy T 5, which are to accompany it to its destination.

BOX 109: ADMINISTRATIVE OR CUSTOMS DOCUMENT

Enter the type, number, date registration and name of the competent office responsible for the document relating to the procedure used for transport of the goods.

BOX 110: PLACE AND DATE; SIGNATURE AND NAME OF DECLARANT/ REPRESENTATIVE

Subject to specific provisions that have been adopted with regard to the use of computerized systems, the original of the handwritten signature of the person concerned must appear both on the original and on the copy or the copies of the form T 5. Where the person concerned is a company, the signatory must add his surname, forename and status after his signature.

C. Rules relating to T 5 *bis* continuation sheet**1. Use of the form**

See the notes under point B.1 above.

2. Particulars to be entered in the different boxes

See the notes under point B.2 above.

Notes: 1. Subject to specific provisions that have been adopted with regard to the use of computerized systems, the original signature of the signatory of the corresponding form T 5 must appear both on the original and on the copy or the copies of the T 5 *bis* continuation sheet;

2. Boxes designed to contain particulars of goods are to be crossed through when not used so that they may not be completed at a later date.

D. Rules relating to the T 5 loading list**1. Use of the form**

Forms must be completed in typescript or by a mechanographical or similar process. They may also be completed legibly in manuscript, in ink and in block letters.

No erasures or alterations may be made. Alterations must be made by striking out the incorrect particulars and, where appropriate, adding those required. Any such alterations must be initialled by the person making them and specifically endorsed by the competent authorities who may, where appropriate, require a new declaration to be lodged.

In addition, forms may be completed using an automatic reproduction process instead of any of the processes mentioned above. They may also be produced and completed by that means provided that the rules relating to the specimens, paper, size of forms, language to be used, legibility, prohibition of erasures and overwriting and alterations are strictly observed.

Every column in the loading list, except that reserved for official use must be completed.

2. Particulars to be included in the various columns

Subject to the provisions of Article 10 of the Regulation.

— Goods shown on the T 5 loading list must be serially numbered in the column headed 'item number'.

— The particulars normally entered in boxes 31, 33, 35, 38, 100, 103, and 105 of the form T 5 must be entered on the T 5 loading list.

Particulars relating to boxes 100 (national use) and 105 (licences) must be entered in the column for the description of the goods, immediately after the information concerning the goods to which those particulars refer.

A horizontal line must be drawn below the last entry, and the spaces not used must be crossed through to prevent later additions being made.

The total number of packages containing the goods listed, the total gross mass and the total net mass of the goods must be shown at the foot of the appropriate columns.

Subject to specific provisions that have been adopted with regard to the use of computerized systems, the original signature of the signatory of the corresponding form T 5 must appear both on the original and on the copy or copies of the T 5 loading list.

*ANNEX V***SPECIAL STAMP**

← 55 mm →	
1	2
3	4
5	6
↑ 25 mm ↓	

1. Coat of arms or any other signs or letters characterizing the Member State
 2. Office of departure
 3. Document number
 4. Date
 5. Authorized consignor
 6. Authorization
-

ANNEX VI

TABLE OF EQUIVALENCE

Regulation (EEC) No 2823/87	Regulation (EEC) No 3566/92
1	2
2	3
3	4
4	5
5	6
6	7
7	8
8	9
9	10
10	11
11	12
12	10
13	14
14	15
15	16
16	17
17	18
18	23
19	19
20	20
21	21
22	22
23	23
24	24
25	25 and 26
26	—
27	—
28	—
29	—
Annex	Annex
I	I
II	II
III	III
—	IV
IV	V
—	VI

COMMISSION REGULATION (EEC) No 3567/92

of 10 December 1992

laying down detailed rules for the application of the individual limits, national reserves and transfer of rights provided for in Articles 5a to 5c of Council Regulation (EEC) No 3013/89 on the common organization of the market in sheepmeat and goatmeat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat⁽¹⁾, as last amended by Regulation (EEC) No 2069/92⁽²⁾, and in particular Articles 5a (4) (b) and (f), 5b (4) and 5c (2) thereof,

Whereas, with a view to implementing the system of individual limits as introduced by Article 5a of Regulation (EEC) No 3013/89, the rules governing the determination of those limits and their communication to the producers should be specified, taking account of the specific problems linked to producer groups and to the different rates of premium in the sheep and goat sector; whereas also certain terms should be defined so as to give effect to the said Article 5a;

Whereas, bearing in mind the regulating effect which the system of individual limits will have on the market, provision should be made for premium rights not used by their holder during a specific period to revert to the national reserve; whereas appropriate measures should also be taken to ensure that rights granted free of charge from the national reserve are used by the beneficiaries solely for the intended purposes;

Whereas the uniform implementation of the provisions relating to the transfer and temporary leasing of rights entails the laying-down of certain administrative rules; whereas, in order to avoid excessive administrative work, the minimum number of rights which may be transferred or temporarily leased should be set at a sufficiently high level, taking into account the special situation of small producers; whereas such rules must also prevent infringement of the obligation under Article 5a (4) of Regulation (EEC) No 3013/89 to surrender, whenever rights are transferred without transfer of the holding, a certain percentage of such transferred rights to the national

reserve; whereas, moreover, provision should be made for this temporary surrender to be limited in time so as to avoid abuse of the transfer rules;

Whereas the special case where a producer only uses publicly or collectively owned land for grazing and transfers all his rights to another farmer, thus ceasing production, should be deemed equivalent to the transfer of a holding;

Whereas application of an administrative system of transfers in which all transfers of rights without transfer of the holding are conducted solely via the national reserve necessitates the establishment of a legal framework designed to preserve economic consistency with the system of direct transfers between producers; whereas objective criteria should be established for the determination of the sum to be paid by the national reserve to the producer who has transferred his rights and the sum to be paid by the producer who receives equivalent rights from the national reserve;

Whereas the choice of 1991 as the reference year will cause transitional problems which need to be resolved; whereas, while ensuring that the total number of existing rights is not increased above the number of acquired or potential rights corresponding to 1991 alone, provision should be made for an initial allocation of rights to farmers in well-defined situations; whereas, in order to take account of the exceptional circumstances which prevented producers from applying for a premium for 1992 while having obtained a premium for 1991, provision should be made for such producers to receive rights from the national reserve; whereas, moreover, in conformity with the principle of legitimate expectations, compensation in the form of the allocation of additional rights should be provided for in the case of producers whose individual limit does not reach its normal level because of their participation in a Community extensification programme;

Whereas the Canary Islands have only been subject to the provisions of the common agricultural policy, including the ewe premium arrangements, since 1 July 1992; whereas, therefore, the individual limits for producers located in that territory may not be established by reference to premiums granted for 1991; whereas, in

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 215, 30. 6. 1992, p. 59.

order to stay as close as possible to the economic situation in 1991, the individual limits should be established on the basis and within the limits of the flocks counted in that territory in 1991 while taking into account the premiums granted to producers for 1992;

Whereas the transition from the system existing when Regulation (EEC) No 2069/92 entered into force to the system of individual limits may, in certain Member States, cause special problems due to the transfer of premium rights by producers who do not own the land on which their holdings are situated; whereas, in order to ensure the smooth operation of the market, provision should be made for those Member States to take appropriate measures to resolve the problems while respecting the link between producer and premium rights under the system established by Article 5a of Regulation (EEC) No 3013/89;

Whereas if the Commission is to monitor the new arrangements it needs to be properly provided by the Member States with the essential information regarding its implementation; whereas it is therefore vital to require the Member States to communicate the necessary information to the Commission;

Whereas the Management Committee for Sheepmeat and Goatmeat has not issued an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

TITLE I

Individual limits

Article 1

This Regulation lays down detailed rules for the application of the individual limits per producer introduced by Articles 5a, 5b and 5c of Regulation (EEC) No 3013/89.

Article 2

1. The Member States shall determine an individual limit per producer or member of a producer group under the conditions laid down in Article 5a of Regulation (EEC) No 3013/89. That limit may in no case be less than 10.

2. In the case of producer groups set up during the 1992 marketing year, premiums shall be paid to the group for up to the total number of animals in respect of which the premium was granted to producer members for the

1991 marketing year and under the conditions laid down in Article 5a of Regulation (EEC) No 3013/89.

An individual limit shall be set for each producer member in respect of the 1993 marketing year. Where the type of group involved does not enable the individual animals belonging to each producer to be identified, the limit shall be calculated by applying the apportionment formula notified by the group in respect of the 1992 marketing year to the total number of animals referred to in the first subparagraph.

3. Each producer shall be informed of his individual limit not later than 15 days before the end of the period laid down by the Member State for the submission of premium applications for the 1993 marketing year.

The notification shall state the number of animals in respect of which the producer is entitled, respectively to the full premium and to the reduced premium (50 %).

Where the number of premiums to be paid in respect of 1991 has not been definitively established as a result of a dispute between the producer and the competent authority, the notification may refer to a provisional individual limit.

Where Article 6 (6) of Commission Regulation (EEC) No 3007/84 (1) is applied in respect of the 1991 marketing year, entailing loss of entitlement under the premium scheme for 1992, the individual limit shall be based on the number of eligible animals recorded during the check which gave rise to the application of the abovementioned provision.

4. The coefficient referred to in Article 5a (5) of Regulation (EEC) No 3013/89 shall not become definitive until the total numbers of eligible animals referred to in the said paragraph are compared with the total number of premiums granted in response to applications deemed to be acceptable.

Article 3

For the purposes of Article 5a (2) of Regulation (EEC) No 3013/89:

- (a) 'the most recent marketing year' means the marketing year prior to 1991 in which the relevant circumstances did not obtain; however, the most recent marketing year for Italy and Greece shall be 1992;
- (b) 'natural circumstances' means circumstances which have resulted in the application of Article 6 (2) of Regulation (EEC) No 3007/84 and the following conditions provided that these occurred prior to submission of the application or prior to the deadline for submission of applications for premiums under the 1991 marketing year and that they are recognized by the competent authorities:

(1) OJ No L 283, 27. 10. 1984, p. 28.

- a serious natural disaster having a major effect on the producer's holding,
- the accidental destruction of the producer's fodder stocks or facilities intended for the rearing of his sheep and/or goat stock,
- an epizootic disease entailing the slaughter of at least half the producer's sheep and/or goat stock.

Article 4

By 30 April 1993 at the latest, the Member States shall notify the Commission of:

- the total sum of the individual limits, broken down by type of region (less-favoured or not) and by rate of premium (full rate and reduced rate); the Commission shall compare this sum with the result of the premiums granted in response to applications deemed to be acceptable in respect of the 1991 marketing year,
- the number of additional premium rights granted to producers pursuant to Article 5a (2) of Regulation (EEC) No 3013/89, specifying the type of natural circumstances invoked.

TITLE II

National reserves

Article 5

1. The Member States shall notify the Commission :
 - by 31 December 1992 at the latest, of the percentage reduction adopted pursuant to Article 5b (1) of Regulation (EEC) No 3013/89,
 - by 31 December 1992 at the latest, whether and to what extent they have decided to increase their reserves in accordance with the third subparagraph of Article 5a (1) of Regulation (EEC) No 3013/89.
2. As from the 1994 marketing year, the Member States shall notify the Commission :
 - by 30 April of each marketing year at the latest, of the number of premium rights surrendered without compensation to the national reserve following transfers of rights without transfers of holdings during the preceding marketing year,
 - by 30 April of each marketing year at the latest, of the number of premium rights granted pursuant to Article 5b (2) of Regulation (EEC) No 3013/89 during the preceding marketing year,

- by 30 April of each marketing year at the latest, of the total number of premium rights granted to producers in less-favoured areas from the additional national reserve during the preceding marketing year.

Article 6

1. Where a producer has obtained premium rights free of charge from the national reserve :
 - (a) he shall not be authorized to transfer his rights or to lease them temporarily during the three following marketing years ;
 - (b) where the producer does not avail himself of all of his rights during the three following marketing years the Member State shall withdraw and surrender to the national reserve the average of the rights not used in the course of those three marketing years.
2. Without prejudice to paragraph 1 and except in duly justified, exceptional cases, where producers have not made use of at least 50 % of their rights during two consecutive marketing years, the part not used during the last marketing year shall be transferred to the national reserve.

TITLE III

Transfer of rights and temporary leasing

Article 7

1. The minimum number of premium rights which may be the subject of a partial transfer not involving the transfer of a holding shall be :
 - 10 % of the number representing the size of the flock of eligible animals, with a maximum of 50, in the case of producers holding at least 50 premium rights,
 - five rights in the case of producers holding between 20 and 49 rights.

In the case of producers holding less than 20 rights, no minimum is set.
2. Transfers of premium rights and temporary leasing of such rights shall be effective only after they have been notified to the competent authorities of the Member State by the producer transferring and/or leasing the rights and by the producer receiving the rights.

The deadline for notification shall be set by the Member State and shall expire no more than two months before the first day of the period for submitting applications laid down by each Member State, or the first period in the case of two. However, for the 1993 marketing year notification shall be made before a date to be fixed by the Member State.

3. In the case of a transfer without a transfer of the holding, the number of rights transferred without compensation to the national reserve may in no case be less than one.

4. Temporary leasing shall only be in respect of whole marketing years and shall involve at least the minimum number of animals provided for in paragraph 1. Over a period of five years from the first leasing a producer must, except in the event of a transfer of rights, use all his rights for himself in the course of at least two consecutive marketing years. Where one of these conditions is not fulfilled the leasing shall lapse. However, in respect of producers participating in an extensification programme recognized by the Commission, Member States may provide for an extension of the total temporary leasing time on the basis of such programmes.

Article 8

If producers who transfer or lease premium rights are subject to the limits laid down in Article 5 (7) of 3013/89 and if:

- (a) they transfer or lease rights at the reduced rate (50 %) to another producer who continues to fall short of those limits, the number of rights acquired by the latter shall be reduced by 50 % and they shall become full premium rights;
- (b) they transfer or lease full premium rights to another producer who already exceeds the abovementioned limits, the number of rights acquired by the latter on transfer or leasing shall be doubled and they shall become reduced premium rights (50 %).

Article 9

In the case of transfers or temporary leasing of premium rights, the Member States shall set the new individual limit and shall notify the producers concerned, before the beginning of the first period laid down by the Member State for the submission of premium applications, of the number of full premium rights and reduced premium rights (50 %) to which they are entitled.

Article 10

Producers farming only publicly or collectively owned land who decide to stop using that land for grazing and to transfer all their rights to another producer shall be treated in the same way as producers selling or transferring their holdings. In all other cases such producers shall be treated in the same way as producers transferring their premium rights only.

Article 11

Where Member States provide that the transfer of rights without transfer of the holding is to take place via the

national reserve, they shall apply national provisions analogous to those in this Title. Moreover, in such cases:

- Member States may provide for temporary leasing to be carried out via the national reserve,
- in the event of the transfer of premium rights or temporary leasing pursuant to the above indent, transfer to the reserve shall not become effective until after notification by the competent authorities of the Member State to the transferring/leasing producer and transfers from the reserve to another producer shall not become effective until after notification to that producer by the authorities.

In addition, such provisions must ensure that the part of the rights not covered by the third subparagraph of Article 5a (4) (b) of Regulation (EEC) No 3013/89 must be offset by a payment by the Member State corresponding to the payment which would have resulted from a direct transfer between producers, account being taken in particular of the trend in production in the Member State concerned. This payment shall be equal to the payment charged to a producer who receives equivalent rights from the national reserve.

TITLE IV

Transitional and final provisions

Article 12

1. Producers applying for the premium in 1992 after inheriting or taking over the holding of another producer who received the premium in 1991 and ceased sheepfarming in 1992 shall obtain the rights which the latter would have enjoyed if he had continued to produce in 1992.

In addition to using of the reserves provided for in Article 5b (1) and (3) of Regulation (EEC) No 3013/89, the Member States may grant premium rights to producers who applied for the premium for the first time in 1992 other than those referred to in the preceding subparagraph. However, the total number of the rights thus granted in each Member State may under no circumstances exceed the total number of potential rights corresponding to producers having obtained the premium in 1991 and ceasing production in 1992 without having passed their holdings on to a successor or other person in 1992 and to the producers referred to in paragraph 2 hereof. If the number of rights thus granted is less than the potential rights the difference may be returned to the national reserve.

2. Producers who obtained premiums in 1991 without applying for them in respect of 1992 owing to exceptional circumstances but who have nevertheless continued to produce may, where applicable, receive premium rights from the national reserve.

3. A producer who during the 1991 marketing year participated in a programme of extensification of production pursuant to Council Regulation (EEC) No 797/85⁽¹⁾ may, at his request, be granted at the end of his participation and additional number of premium rights equal to the difference between the number of premiums granted for the 1991 marketing year and the number of premiums granted for the marketing year preceding the marketing year during the course of which the producer commenced his participation in the said programme. In that case:

- (a) the producer shall not be authorized to transfer or temporarily lease his rights during the following three marketing years;
- (b) if the producer does not use all his rights during the three following marketing years the Member State shall withdraw and return to the national reserve the average of the rights not used during the said three marketing years.

4. Notwithstanding Article 3 of Regulation (EEC) No 3007/84 and Article 1 of Commission Regulation (EEC) No 2814/90⁽²⁾ and with regard to the 1993 marketing year, the Member States may lay down a specific period for the submission of premium applications for:

- the producers referred to in Article 5b (2) of Regulation (EEC) No 3013/89,
- producers to which the limits referred to in Article 2 (1) hereof were notified after the deadline set by the Member State for the submission of applications where the limit is higher than the application initially submitted.

The specific period, however, must not go beyond 30 June 1993.

5. Producers in the Canary Islands applying for premiums for the first time in respect of the 92 marketing year shall be granted premium rights under the following conditions:

- (a) a regional ceiling shall be set in line with the statistics concerning the number of ewes and goats present in 1991 in that territory; however, that ceiling shall not exceed a total of 178 000 head;
- (b) within that regional ceiling, an individual limit per producer shall be set taking account of the number of animals for which the premium was granted in respect of the 1992 marketing year and the correcting coefficients referred to in Article 5a (1) of Regulation (EEC) No 3013/89.

6. The Member States shall inform the Commission by 30 June 1993 at the latest of national implementing

provisions and of the number of premium rights granted pursuant to paragraphs 1 to 5 above.

7. Any application submitted in respect of 1993 for a number of animals in excess of the individual limits determined in accordance with Article 2 (1) of this Regulation shall be reduced to the number corresponding to the said limits.

Article 13

Member States may, if necessary, take appropriate transitional measures with a view to finding equitable solutions to problems which might arise in contractual relationships existing at the time this Regulation enters into force between producers who do not own all the land they farm, in the event of a transfer of premium rights or of other actions having equivalent effect. Such measures may only be taken in order to resolve the difficulties connected with the introduction of a premium rights system linked to the producer and must in any event respect the principles governing that link.

Article 14

Only whole numbers shall be used in the initial calculations and in subsequent adjustments to individual limits on premium rights.

To that end, where the final result of the arithmetical calculations is not a whole number, the nearest whole number shall be used. However, where that whole number falls exactly between the whole numbers, the higher whole number shall be used.

Article 15

Member States shall adopt all other suitable measures necessary to ensure that the system of individual limits is applied properly. They shall inform the Commission thereof.

Article 16

When Article 5c of Regulation (EEC) No 3013/89 is applied Germany shall take account of agricultural structures in the new *Länder* and of the foreseeable trend as regards their agricultural production structures.

Article 17

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

⁽¹⁾ OJ No L 93, 30. 3. 1985, p. 1.

⁽²⁾ OJ No L 268, 29. 9. 1990, p. 35.

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

Done at Brussels, 10 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 3568/92
of 10 December 1992

**amending Regulation (EEC) No 3664/91 laying down transitional measures for
aromatized wines, aromatized wine-based drinks and aromatized wine-product
cocktails**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1601/91 of 10 June 1991 laying down general rules on the definition, description and presentation of aromatized wines, aromatized wine-based drinks and aromatized wine-product cocktails⁽¹⁾, as amended by Regulation (EEC) No 3279/92⁽²⁾ and in particular Article 16 thereof,

Whereas Commission Regulation (EEC) No 3664/91⁽³⁾, as last amended by Regulation (EEC) No 1914/92⁽⁴⁾, lays down transitional measures for aromatized wines, aromatized wine-based drinks and aromatized wine-product cocktails;

Whereas the final date of 17 October 1992 laid down for completing the preparation of certain products covered by Regulation (EEC) No 1601/91 and the final date 16 December 1992 laid down for the first stage of the marketing thereof in a presentation complying with the provisions in force before 17 December 1991 should be extended pending the results of an in-depth technical examination relating to the use of certain substances or concerning certain preparations for a number of beverages covered by the abovementioned Regulation;

Whereas, pending the results of an in-depth examination of the problems outstanding, the date of adoption of the detailed rules of application and the date for a decision on possible derogations, both of which are set at 31 December 1992, should be deferred;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Implementation Committee for Aromatized Wines, Aromatized Wine-Based Drinks and Aromatized Wine-Product Cocktails,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3664/91 is hereby amended as follows:

⁽¹⁾ OJ No L 149, 14. 6. 1991, p. 1.

⁽²⁾ OJ No L 327, 13. 11. 1992, p. 1.

⁽³⁾ OJ No L 348, 17. 12. 1991, p. 53.

⁽⁴⁾ OJ No L 192, 11. 7. 1992, p. 39.

1. The following paragraph is added to Article 1:

'5. The following Community and imported products, prepared in accordance with the provisions in force before 17 December 1991, may undergo the first stage of marketing until 30 June 1993 in a presentation complying with the abovementioned provisions:

- aromatized wines for the preparation of which a flavouring substance identical to natural vanillin is used,
- aromatized wines for the preparation of which the natural flavouring has been supplemented by flavours identical to natural flavours,
- aromatized wines prepared from must with fermentation arrested by the addition of alcohol,
- aromatized wine-based beverages to which alcohol has been added.'

2. Article 2 is replaced by the following:

Article 2

1. Pending the adoption by 30 June 1993 at the latest of detailed implementing rules pursuant to Regulation (EEC) No 1601/91, the Member States may continue to apply the relevant national rules in force prior to 17 December 1991.

2. Without prejudice to Article 1 (5) and pending a decision to be taken by 30 June 1993 at the latest concerning derogations which may be made pursuant to Regulation (EEC) No 1601/91, the national rules in force prior to 17 December 1991 shall continue to apply, save where the Member State concerned decides otherwise.'

Article 2

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

Article 1 (1) shall apply from 17 October 1992.

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

Done at Brussels, 10 December 1992.

For the Commission
Ray MAC SHARRY
Member of the Commission

COMMISSION REGULATION (EEC) No 3569/92

of 10 December 1992

amending Regulation (EEC) No 1164/89 laying down detailed rules concerning
the aid for fibre flax and hemp

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,Having regard to Council Regulation (EEC) No 1308/70
of 29 June 1970 on the common organization of the
market in flax and hemp⁽¹⁾, as last amended by Regula-
tion (EEC) No 2057/92⁽²⁾, and in particular Article 4 (5)
thereof,

Whereas Article 5 of Commission Regulation (EEC)
No 1164/89⁽³⁾, as amended by Regulation (EEC)
No 2176/92⁽⁴⁾, provides in particular that producers of
fibre flax and hemp are to submit each year declarations
of the areas sown by 30 June at the latest in the case of
fibre flax and 15 July in the case of hemp, failing which
they will forfeit the aid provided for in Article 4 of Regu-
lation (EEC) No 1308/70; whereas the consequences of
failing to meet the time limit for submission of the
abovementioned declarations by a short margin should be
limited taking into account the need both for proportion-
ality and for the aid scheme in question to operate
properly;

Whereas the second subparagraph of Article 8 (1) of the
abovementioned Regulation already provides for forfeiture
of a proportion of the aid provided for in Article 4 of
Regulation (EEC) No 1308/70 varying with the delay in
submitting aid applications; whereas that subparagraph
should be amended in order to take account of the penal-
ties applying to operators submitting late declarations of
areas sown;

Whereas the provisions in question should accordingly be
amended and this measure should be made applicable to
the parties concerned from the 1991/92 marketing year;
whereas operators who have not benefited under the
proportionality principle may submit aid applications
before a given date;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1164/89 is hereby amended as
follows:

1. Article 5 (1) is replaced by the following:

'1. Except in cases of *force majeure*, all growers of
fibre flax and hemp shall submit a declaration of the
areas sown by 30 June at the latest in the case of flax
and 15 July in the case of hemp. However, if the
declaration of areas sown is submitted by 15 July at
the latest during the same year in the case of flax and
31 July in the case of hemp, two thirds of the aid
provided for in Article 4 of Regulation (EEC)
No 1308/70 shall be granted.'

2. The second subparagraph of Article 8 (1) is replaced by
the following:

'However, if the aid application is lodged:

- before the end of the month following that
indicated in the first subparagraph, two thirds of
the aid provided for in Article 4 of Regulation
(EEC) No 1308/70, reduced where appropriate in
accordance with Article 5 (1), shall be granted,
- before the end of the second month following that
month, one third of that aid shall be granted.'

Article 2

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

It shall apply from the 1991/92 marketing year to opera-
tors who lodge applications before 1 February 1993 and
who have submitted declarations of areas sown no later
than 15 July prior to the relevant marketing year for flax
and 31 November prior to the relevant marketing year for
hemp on condition that proof of having harvested is
provided to the satisfaction of the Member State
concerned.

⁽¹⁾ OJ No L 146, 4. 7. 1970, p. 1.

⁽²⁾ OJ No L 215, 30. 7. 1992, p. 16.

⁽³⁾ OJ No L 121, 29. 4. 1989, p. 4.

⁽⁴⁾ OJ No L 217, 31. 7. 1992, p. 70.

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

Done at Brussels, 10 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 3570/92
of 10 December 1992

amending Regulation (EEC) No 891/89 on special detailed rules for the application of the system of import and export licences for cereals and rice

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 16 (6) thereof,

Whereas Commission Regulation (EEC) No 891/89 of 5 April 1989 on special detailed rules for the application of the system of import and export licences for cereals and rice⁽³⁾ was amended by Regulation (EEC) No 2804/92⁽⁴⁾;

Whereas in Regulations opening tendering procedures for exportation of cereals from intervention stocks or for export refunds the date of expiry of validity of export licences is made at the end of the fourth month following that of issue; whereas the period of validity of export licences is a management instrument; whereas in order to harmonize the regulatory provisions covering exports of unprocessed cereals the same period of validity should apply to all licences irrespective of the provisions under which issued; whereas given the present world market

situation and the important matters in course of conclusion this harmonization should be introduced as a matter of urgency and should apply to cover licences at present valid;

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

Point A of Annex II to Regulation (EEC) No 891/89 is hereby replaced by the Annex hereto.

Article 2

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

It shall apply to export licences at present valid or issued from 19 November 1992 onwards.

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

Done at Brussels, 10 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 94, 7. 4. 1989, p. 13.

⁽⁴⁾ OJ No L 282, 26. 9. 1992, p. 40.

ANNEX

ANNEX II

PERIOD OF VALIDITY OF EXPORT LICENCES

A. For cereals

CN code	Description of goods	Period of validity
0709 90 60	Sweet corn, fresh or chilled	} Until the end of the fourth month following that of issue
0712 90 19	Dried sweet corn, whole, cut, sliced, broken or in powder, but not further prepared, other than hybrid maize for sowing	
1001 90 91	Common wheat and meslin seed	
1001 90 99	Spelt, common wheat and meslin other than for sowing	
1002 00 00	Rye	
1003 00	Barley	
1004 00	Oats	
1005 10 90	Maize seed, other than hybrid	
1005 90 00	Maize other than seed	
1007 00 90	Grain sorghum other than hybrids for sowing	
1008	Buckwheat, millet and canary seed ; other cereals	
1001 10	Durum wheat	
1101 00 00	Wheat or meslin flour	} Until the end of the fourth month following that of issue
1102 10 90	Rye flour	
1103 11 00	Common wheat and spelt groats and meal The products listed in Annex A to Regulation (EEC) No 2727/75	
1103 11 10	Durum wheat groats and meal	Until the end of the sixth month following that of issue
	The abovementioned products exported on licences in which Section 12 contains the words "Community food aid, Regulation (EEC) No 2330/87"	Until the end of the fourth month following that of issue

COMMISSION REGULATION (EEC) No 3571/92
of 10 December 1992

**adopting interim protective measures on applications for STM licences in the
beef and veal sector submitted for trade with Spain during the period 30
November to 3 December 1992**

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, and in particular Article 85 (1) thereof,

Whereas Commission Regulation (EEC) No 3810/91 of 18 December 1991 laying down detailed rules for the application of the supplementary trade mechanism in the beef and veal sector between the Community as constituted at 31 December 1985 and Spain and Portugal and repealing Regulations (EEC) No 4026/89 and (EEC) No 3815/90⁽¹⁾, as last amended by Regulation (EEC) No 2934/92⁽²⁾, set the indicative ceilings applicable in the beef and veal sector and the maximum quantities for which STM licences may be issued in November and December 1992;

Whereas Article 85 (1) of the Act of Accession makes provision for the Commission to take the interim protective measures necessary if the indicative ceiling for the year in course or part of it is reached or exceeded;

Whereas the licence applications lodged between 30 November and 3 December 1992 are for a quantity in

excess of that set for the months of November and December 1992 for Spain for live animals; whereas as an interim protective measure only a percentage of the amounts applied for in that period should be granted and no further certificates issued for the time being,

HAS ADOPTED THIS REGULATION:

Article 1

For live animals of the bovine species, other than purebred breeding animals and animals for bullfights:

1. applications for STM licences submitted between 30 November and 3 December 1992 and notified to the Commission shall be accepted for 30,601 % for Spain;
2. the issuing of STM licences in response to applications submitted from 7 December 1992 onwards is suspended for the time being.

Article 2

This Regulation shall enter into force on 11 December 1992.

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

Done at Brussels, 10 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 357, 28. 12. 1991, p. 53.

⁽²⁾ OJ No L 293, 9. 10. 1992, p. 10.

COMMISSION REGULATION (EEC) No 3572/92**of 10 December 1992****on the issue of import licences for high-quality fresh, chilled or frozen beef and veal**

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

Having regard to Council Regulation (EEC) No 3668/91 of 11 December 1991 opening a Community tariff quota for high-quality fresh, chilled or frozen meat of bovine animals falling within CN codes 0201 and 0202 and for products falling within CN codes 0206 10 95 and 0206 29 91 (1), and in particular Article 2 thereof,

Whereas Commission Regulation (EEC) No 3743 of 18 December 1991 laying down detailed rules for the application of import arrangements provided for by Council Regulations (EEC) No 3668/91 and (EEC) No 3669/91 in the beef and veal sectors (2), as amended by Regulation (EEC) No 657/92 (3), provides in Article 7, that applications for and the issue of import licences for the meat referred to in Article 1 (1) (d) thereof are to be effected in accordance with the provisions of Articles 12 and 15 of Commission Regulation (EEC) No 2377/80 of 4 September 1980 on special detailed rules for the application of the system of import and export licences in the beef and veal sector (4), as last amended by Regulation (EEC) No 815/91 (5);

Whereas Article 1 (1) (d) of Regulation (EEC) No 3743/91 fixes the amount of high-quality fresh, chilled or frozen

beef and veal originating in and imported from the United States of America and Canada which may be imported on special terms in 1992 at 10 000 tonnes;

Whereas it should be recalled that licences issued pursuant to this Regulation will, throughout the period of validity, be open for use only in so far as provisions on health protection in force permit,

HAS ADOPTED THIS REGULATION:

Article 1

1. All applications for import licences from 1 until 5 December 1992 for high-quality fresh, chilled or frozen beef and veal as referred to in Article 1 (1) (d) of Regulation (EEC) No 3743/91 shall be met in full.
2. Applications for licences may be submitted, in accordance with Article 12 of Regulation (EEC) No 2377/80, during the first five days of December 1992 for 8 642 tonnes.

Article 2

This Regulation shall enter into force on 11 December 1992.

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

Done at Brussels, 10 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

(1) OJ No L 349, 18. 12. 1991, p. 3.

(2) OJ No L 352, 21. 12. 1991, p. 36.

(3) OJ No L 70, 17. 3. 1992, p. 14.

(4) OJ No L 241, 13. 9. 1980, p. 5.

(5) OJ No L 83, 3. 4. 1991, p. 6.

COMMISSION REGULATION (EEC) No 3573/92
of 10 December 1992
fixing the export refunds on milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

— the economic aspect of the proposed exports ;

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 2071/92 ⁽²⁾, and in particular Article 17 (4) thereof,

Whereas Article 17 of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund ;

Whereas Council Regulation (EEC) No 876/68 of 28 June 1968 laying down general rules for granting export refunds on milk and milk products and criteria for fixing the amount of such refunds ⁽³⁾, as last amended by Regulation (EEC) No 1344/86 ⁽⁴⁾, provides that when the refunds on the products listed in Article 1 of Regulation (EEC) No 804/68, exported in the natural state, are being fixed account must be taken of :

- the existing situation and the future trend with regard to prices and availabilities of milk and milk products on the Community market and prices for milk and milk products in international trade,
- marketing costs and the most favourable transport charges from Community markets to ports or other points of export in the Community, as well as costs incurred in placing the goods on the market of the country of destination,
- the aims of the common organization of the market in milk and milk products which are to ensure equilibrium and the natural development of prices and trade on this market,
- the need to avoid disturbances on the Community market, and

Whereas Article 3 (1) of Regulation (EEC) No 876/68 provides that when prices within the Community are being determined account should be taken of the ruling prices which are most favourable for exportation, and that when prices in international trade are being determined particular account should be taken of :

- (a) prices ruling on third country markets ;
- (b) the most favourable prices in third countries of destination for third country imports ;
- (c) producer prices recorded in exporting third countries, account being taken, where appropriate, of subsidies granted by those countries ; and
- (d) free-at-Community-frontier offer prices ;

Whereas Article 4 of Regulation (EEC) No 876/68 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund on the products listed in Article 1 of Regulation (EEC) No 804/68 according to destination ;

Whereas Article 5 (1) of Regulation (EEC) No 876/68 provides that the list of products on which export refunds are granted and the amount of such refunds should be fixed at least once every four weeks ; whereas the amount of the refund may, however, remain at the same level for more than four weeks ;

Whereas, in accordance with Article 2 of Commission Regulation (EEC) No 1098/68 of 27 July 1968 on detailed rules for the application of export refunds on milk and milk products ⁽⁵⁾, as last amended by Regulation (EEC) No 2767/90 ⁽⁶⁾, the refund granted for milk products containing added sugar is equal to the sum of the two components, one of which is intended to take account of the quantity of milk products and the other is intended to take account of the quantity of added sucrose ; whereas, however, the latter component is applied only if the added sucrose was produced from sugar beet or cane harvested in the Community ;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 215, 30. 7. 1992, p. 64.

⁽³⁾ OJ No L 155, 3. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 119, 8. 5. 1986, p. 36.

⁽⁵⁾ OJ No L 184, 29. 7. 1968, p. 10.

⁽⁶⁾ OJ No L 267, 29. 9. 1990, p. 14.

Whereas, for products falling within CN codes ex 0402 99 11, ex 0402 99 19, ex 0404 90 51, ex 0404 90 53, ex 0404 90 91 and ex 0404 90 93, with a fat content by weight not exceeding 9,5 % and a non-fatty milk content in the dry matter equal to or greater than 15 % by weight, the former abovementioned component is fixed for 100 kilograms of the whole product; whereas, for the other products containing added sugar falling within codes 0402 and 0404, that component is calculated by multiplying the basic amount by the milk products content of the product concerned; whereas that basic amount is equal to the refund to be fixed for one kilogram of milk products contained in the whole product;

Whereas the second component is calculated by multiplying the sucrose content of the product by the basic amount of the refund valid on the day of exportation for the products listed in Article 1 (1) (d) of 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 3484/92⁽²⁾;

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⁽³⁾, as last amended by Regulation (EEC) No 2205/90⁽⁴⁾,
- 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 level of refund for cheeses is calculated for products intended for direct consumption; whereas the cheese rinds and cheese wastes are not products intended for this purpose; whereas, to avoid any confusion in interpretation, it should be specified that there will be no refund for cheeses of a free-at-frontier value less than ECU 140 per 100 kilograms;

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

Done at Brussels, 10 December 1992.

Whereas Commission Regulation (EEC) No 896/84⁽⁵⁾, as last amended by Regulation (EEC) No 222/88⁽⁶⁾, laid down additional provisions concerning the granting of refunds on the change from one milk year to another; whereas those provisions provide for the possibility of varying refunds according to the date of manufacture of the products;

Whereas for the calculation of the refund for processed cheese provision must be made where casein or caseinates are added for that quantity not to be taken into account;

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

Whereas Council Regulation (EEC) No 1432/92⁽⁷⁾, as last amended by Regulation (EEC) No 3534/92⁽⁸⁾, 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 Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

1. The export refunds referred to in Article 17 of Regulation (EEC) No 804/68 on products exported in the natural state shall be as set out in the Annex.
2. There shall be no refunds for exports to Zone E for products falling within CN codes 0401, 0402, 0403, 0404, 0405 and 2309.

Article 2

This Regulation shall enter into force on 11 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 353, 3. 12. 1992, p. 8.
⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.
⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁵⁾ OJ No L 91, 1. 4. 1984, p. 71.
⁽⁶⁾ OJ No L 28, 1. 2. 1988, p. 1.
⁽⁷⁾ OJ No L 151, 3. 6. 1992, p. 4.
⁽⁸⁾ OJ No L 358, 8. 12. 1992, p. 16.

ANNEX

to the Commission Regulation of 10 December 1992 fixing the export refunds on milk and milk products

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund (")
0401 10 10 000		6,36
0401 10 90 000		6,36
0401 20 11 100		6,36
0401 20 11 500		9,61
0401 20 19 100		6,36
0401 20 19 500		9,61
0401 20 91 100		12,65
0401 20 91 500		14,67
0401 20 99 100		12,65
0401 20 99 500		14,67
0401 30 11 100		18,72
0401 30 11 400		28,65
0401 30 11 700		42,84
0401 30 19 100		18,72
0401 30 19 400		28,65
0401 30 19 700		42,84
0401 30 31 100		50,94
0401 30 31 400		79,31
0401 30 31 700		87,41
0401 30 39 100		50,94
0401 30 39 400		79,31
0401 30 39 700		87,41
0401 30 91 100		99,57
0401 30 91 400		146,17
0401 30 91 700		170,49
0401 30 99 100		99,57
0401 30 99 400		146,17
0401 30 99 700		170,49
0402 10 11 000		65,00
0402 10 19 000		65,00
0402 10 91 000		0,6500
0402 10 99 000		0,6500
0402 21 11 200		65,00
0402 21 11 300		99,72
0402 21 11 500		106,00
0402 21 11 900		115,00
0402 21 17 000		65,00
0402 21 19 300		99,72
0402 21 19 500		106,00
0402 21 19 900		115,00
0402 21 91 100		115,96
0402 21 91 200		116,87
0402 21 91 300		118,53
0402 21 91 400		128,15
0402 21 91 500		131,43
0402 21 91 600		143,96
0402 21 91 700		151,51
0402 21 91 900		159,88
0402 21 99 100		115,96
0402 21 99 200		116,87
0402 21 99 300		118,53
0402 21 99 400		128,15
0402 21 99 500		131,43
0402 21 99 600		143,96
0402 21 99 700		151,51
0402 21 99 900		159,88

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund (")
0402 29 15 200		0,6500
0402 29 15 300		0,9972
0402 29 15 500		1,0600
0402 29 15 900		1,1500
0402 29 19 200		0,6500
0402 29 19 300		0,9972
0402 29 19 500		1,0600
0402 29 19 900		1,1500
0402 29 91 100		1,1596
0402 29 91 500		1,2815
0402 29 99 100		1,1596
0402 29 99 500		1,2815
0402 91 11 110		6,36
0402 91 11 120		12,65
0402 91 11 310		19,53
0402 91 11 350		24,42
0402 91 11 370		30,28
0402 91 19 110		6,36
0402 91 19 120		12,65
0402 91 19 310		19,53
0402 91 19 350		24,42
0402 91 19 370		30,28
0402 91 31 100		24,60
0402 91 31 300		35,78
0402 91 39 100		24,60
0402 91 39 300		35,78
0402 91 51 000		28,65
0402 91 59 000		28,65
0402 91 91 000		99,57
0402 91 99 000		99,57
0402 99 11 110		0,0636
0402 99 11 130		0,1265
0402 99 11 150		0,1967
0402 99 11 310		22,53
0402 99 11 330		27,52
0402 99 11 350		37,32
0402 99 19 110		0,0636
0402 99 19 130		0,1265
0402 99 19 150		0,1967
0402 99 19 310		22,53
0402 99 19 330		27,52
0402 99 19 350		37,32
0402 99 31 110		0,2663
0402 99 31 150		38,94
0402 99 31 300		0,5094
0402 99 31 500		0,8741
0402 99 39 110		0,2663
0402 99 39 150		38,94
0402 99 39 300		0,5094
0402 99 39 500		0,8741
0402 99 91 000		0,9957
0402 99 99 000		0,9957
0403 10 02 000		—
0403 10 04 200		—
0403 10 04 300		—
0403 10 04 500		—
0403 10 04 900		—
0403 10 06 000		—
0403 10 12 000		—
0403 10 14 200		—
0403 10 14 300		—

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund (")
0403 10 14 500		—
0403 10 14 900		—
0403 10 16 000		—
0403 10 22 100		6,36
0403 10 22 300		9,61
0403 10 24 000		12,65
0403 10 26 000		18,72
0403 10 32 100		0,0636
0403 10 32 300		0,0961
0403 10 34 000		0,1265
0403 10 36 000		0,1872
0403 90 11 000		65,00
0403 90 13 200		65,00
0403 90 13 300		99,72
0403 90 13 500		106,00
0403 90 13 900		115,00
0403 90 19 000		115,96
0403 90 31 000		0,6500
0403 90 33 200		0,6500
0403 90 33 300		0,9972
0403 90 33 500		1,0600
0403 90 33 900		1,1500
0403 90 39 000		1,1596
0403 90 51 100		6,36
0403 90 51 300		9,61
0403 90 53 000		12,65
0403 90 59 110		18,72
0403 90 59 140		28,65
0403 90 59 170		42,84
0403 90 59 310		50,94
0403 90 59 340		79,31
0403 90 59 370		87,41
0403 90 59 510		99,57
0403 90 59 540		146,17
0403 90 59 570		170,49
0403 90 61 100		0,0636
0403 90 61 300		0,0961
0403 90 63 000		0,1265
0403 90 69 000		0,1872
0404 90 11 100		65,00
0404 90 11 910		6,36
0404 90 11 950		19,53
0404 90 13 120		65,00
0404 90 13 130		99,72
0404 90 13 140		106,00
0404 90 13 150		115,00
0404 90 13 911		6,36
0404 90 13 913		12,65
0404 90 13 915		18,72
0404 90 13 917		28,65
0404 90 13 919		42,84
0404 90 13 931		19,53
0404 90 13 933		24,42
0404 90 13 935		30,28
0404 90 13 937		35,78
0404 90 13 939		37,44
0404 90 19 110		115,96
0404 90 19 115		116,87
0404 90 19 120		118,53
0404 90 19 130		128,15
0404 90 19 135		131,43

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund (")
0404 90 19 150		143,96
0404 90 19 160		151,51
0404 90 19 180		159,88
0404 90 19 900		—
0404 90 31 100		65,00
0404 90 31 910		6,36
0404 90 31 950		19,53
0404 90 33 120		65,00
0404 90 33 130		99,72
0404 90 33 140		106,00
0404 90 33 150		115,00
0404 90 33 911		6,36
0404 90 33 913		12,65
0404 90 33 915		18,72
0404 90 33 917		28,65
0404 90 33 919		42,84
0404 90 33 931		19,53
0404 90 33 933		24,42
0404 90 33 935		30,28
0404 90 33 937		35,78
0404 90 33 939		37,44
0404 90 39 110		115,96
0404 90 39 115		116,87
0404 90 39 120		118,53
0404 90 39 130		128,15
0404 90 39 150		131,43
0404 90 39 900		—
0404 90 51 100		0,6500
0404 90 51 910		0,0636
0404 90 51 950		22,53
0404 90 53 110		0,6500
0404 90 53 130		0,9972
0404 90 53 150		1,0600
0404 90 53 170		1,1500
0404 90 53 911		0,0636
0404 90 53 913		0,1265
0404 90 53 915		0,1872
0404 90 53 917		0,2865
0404 90 53 919		0,4284
0404 90 53 931		22,53
0404 90 53 933		27,52
0404 90 53 935		37,32
0404 90 53 937		38,94
0404 90 53 939		—
0404 90 59 130		1,1596
0404 90 59 150		1,2815
0404 90 59 930		0,6107
0404 90 59 950		0,8741
0404 90 59 990		0,9957
0404 90 91 100		0,6500
0404 90 91 910		0,0636
0404 90 91 950		22,53
0404 90 93 110		0,6500
0404 90 93 130		0,9972
0404 90 93 150		1,0600

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund (")
0404 90 93 170		1,1500
0404 90 93 911		0,0636
0404 90 93 913		0,1265
0404 90 93 915		0,1872
0404 90 93 917		0,2865
0404 90 93 919		0,4284
0404 90 93 931		22,53
0404 90 93 933		27,52
0404 90 93 935		37,32
0404 90 93 937		38,94
0404 90 93 939		—
0404 90 99 130		1,1596
0404 90 99 150		1,2815
0404 90 99 930		0,6107
0404 90 99 950		0,8741
0404 90 99 990		0,9957
0405 00 10 100		—
0405 00 10 200		129,29
0405 00 10 300		162,66
0405 00 10 500		166,83
0405 00 10 700		171,00
0405 00 90 100		171,00
0405 00 90 900		220,00
0406 10 20 100		—
0406 10 20 200		—
0406 10 20 210		—
0406 10 20 230	028	—
	032	—
	400	39,03
	404	—
	...	47,97
0406 10 20 290	028	—
	032	—
	400	39,03
	404	—
	...	47,97
0406 10 20 610	028	13,50
	032	13,50
	036	—
	038	—
	400	87,23
	404	—
	...	89,49
0406 10 20 620	028	20,00
	032	20,00
	036	—
	038	—
	400	96,18
	404	—
	...	98,13
0406 10 20 630	028	24,00
	032	24,00
	036	—
	038	—
	400	109,31
	404	—
	...	110,79

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund (")
0406 10 20 640	028	—
	032	—
	036	—
	038	—
	400	130,00
	404	—
	***	130,00
0406 10 20 650	028	27,50
	032	27,50
	036	—
	038	—
	400	65,00
	404	—
	***	135,35
0406 10 20 660		—
0406 10 20 810	028	—
	032	—
	036	—
	038	—
	400	21,46
	404	—
	***	21,06
0406 10 20 830	028	—
	032	—
	036	—
	038	—
	400	37,62
	404	—
	***	35,97
0406 10 20 850	028	—
	032	—
	036	—
	038	—
	400	45,81
	404	—
	***	43,62
0406 10 20 870		—
0406 10 20 900		—
0406 10 80 000		—
0406 20 90 100		—
0406 20 90 913	028	—
	032	—
	400	87,74
	404	—
	***	84,94
0406 20 90 915	028	—
	032	—
	400	116,99
	404	—
	***	113,25
0406 20 90 917	028	—
	032	—
	400	124,30
	404	—
	***	120,33

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund (")
0406 20 90 919	028	—
	032	—
	400	138,92
	404	—
	***	134,49
0406 20 90 990		—
0406 30 10 100		—
0406 30 10 150	028	—
	032	—
	036	—
	038	—
	400	20,03
	404	—
	***	22,83
0406 30 10 200	028	—
	032	—
	036	—
	038	—
	400	43,52
	404	—
	***	48,68
0406 30 10 250	028	—
	032	—
	036	—
	038	—
	400	43,52
	404	—
	***	48,68
0406 30 10 300	028	—
	032	—
	036	—
	038	—
	400	63,88
	404	—
	***	71,42
0406 30 10 350	028	—
	032	—
	036	—
	038	—
	400	43,52
	404	—
	***	48,68
0406 30 10 400	028	—
	032	—
	036	—
	038	—
	400	63,88
	404	—
	***	71,42
0406 30 10 450	028	—
	032	—
	036	—
	038	—
	400	93,03
	404	—
	***	103,95

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (°)	Amount of refund (°)
0406 30 10 500		—
0406 30 10 550	028	—
	032	—
	036	—
	038	—
	400	43,52
	404	20,00
	...	48,68
0406 30 10 600	028	—
	032	—
	036	—
	038	—
	400	63,88
	404	28,00
	...	71,42
0406 30 10 650	028	—
	032	—
	036	—
	038	—
	400	93,03
	404	—
	...	103,95
0406 30 10 700	028	—
	032	—
	036	—
	038	—
	400	93,03
	404	—
	...	103,95
0406 30 10 750	028	—
	032	—
	036	—
	038	—
	400	113,54
	404	—
	...	126,87
0406 30 10 800	028	—
	032	—
	036	—
	038	—
	400	113,54
	404	—
	...	126,87
0406 30 10 900		—
0406 30 31 100		—
0406 30 31 300	028	—
	032	—
	036	—
	038	—
	400	20,03
	404	—
	...	22,83

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund (")
0406 30 31 500	028	—
	032	—
	036	—
	038	—
	400	43,52
	404	—
	...	48,68
0406 30 31 710	028	—
	032	—
	036	—
	038	—
	400	43,52
	404	—
	...	48,68
0406 30 31 730	028	—
	032	—
	036	—
	038	—
	400	63,88
	404	—
	...	71,42
0406 30 31 910	028	—
	032	—
	036	—
	038	—
	400	43,52
	404	—
	...	48,68
0406 30 31 930	028	—
	032	—
	036	—
	038	—
	400	63,88
	404	—
	...	71,42
0406 30 31 950	028	—
	032	—
	036	—
	038	—
	400	93,03
	404	—
	...	103,95
0406 30 39 100		—
0406 30 39 300	028	—
	032	—
	036	—
	038	—
	400	43,52
	404	20,00
	...	48,68

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund (")
0406 30 39 500	028	—
	032	—
	036	—
	038	—
	400	63,88
	404	28,00
	...	71,42
0406 30 39 700	028	—
	032	—
	036	—
	038	—
	400	93,03
	404	—
	...	103,95
0406 30 39 930	028	—
	032	—
	036	—
	038	—
	400	93,03
	404	—
	...	103,95
0406 30 39 950	028	—
	032	—
	036	—
	038	—
	400	113,54
	404	—
	...	126,87
0406 30 90 000	028	—
	032	—
	036	—
	038	—
	400	113,54
	404	—
	...	126,87
0406 40 00 100		—
0406 40 00 900	028	—
	032	—
	038	—
	400	120,00
	404	—
	...	126,51
0406 90 13 000	028	—
	032	—
	036	—
	038	—
	400	130,00
	404	—
	...	159,34

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund (")
0406 90 15 100	028	—
	032	—
	036	—
	038	—
	400	130,00
	404	—
	...	159,34
0406 90 15 900		—
0406 90 17 100	028	—
	032	—
	036	—
	038	—
	400	130,00
	404	—
	...	159,34
0406 90 17 900		—
0406 90 21 100		—
0406 90 21 900	028	—
	032	—
	036	—
	038	—
	400	130,00
	404	—
	...	151,68
0406 90 23 100		—
0406 90 23 900	028	—
	032	—
	036	—
	038	—
	400	65,00
	404	—
	...	135,35
0406 90 25 100		—
0406 90 25 900	028	—
	032	—
	036	—
	038	—
	400	65,00
	404	—
	...	135,35
0406 90 27 100		—
0406 90 27 900	028	—
	032	—
	036	—
	038	—
	400	56,14
	404	—
	...	114,71

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund (")
0406 90 31 111		—
0406 90 31 119	028	—
	032	—
	036	—
	038	15,00
	400	62,48
	404	16,00
	...	89,96
0406 90 31 151	028	—
	032	—
	036	—
	038	—
	400	58,40
	404	14,96
	...	83,83
0406 90 31 159		—
0406 90 31 900		—
0406 90 33 111		—
0406 90 33 119	028	—
	032	—
	036	—
	038	15,00
	400	62,48
	404	16,00
	...	89,96
0406 90 33 151	028	—
	032	—
	036	—
	038	—
	400	58,40
	404	14,96
	...	83,83
0406 90 33 159		—
0406 90 33 911		—
0406 90 33 919	028	—
	032	—
	036	—
	038	15,00
	400	62,48
	404	16,00
	...	89,96
0406 90 33 951	028	—
	032	—
	036	—
	038	—
	400	58,40
	404	14,96
	...	83,83

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund (")
0406 90 33 959		—
0406 90 35 110		—
0406 90 35 190	028	—
	032	—
	036	42,66
	400	160,00
	404	90,00
	...	158,54
0406 90 35 910		—
0406 90 35 990	028	—
	032	—
	036	—
	038	—
	400	130,00
	404	—
	...	130,00
0406 90 61 000	028	—
	032	—
	036	90,00
	400	190,00
	404	140,00
	...	185,00
0406 90 63 100	028	—
	032	—
	036	105,03
	400	220,00
	404	160,00
	...	212,12
0406 90 63 900	028	—
	032	—
	036	70,00
	400	150,00
	404	80,00
	...	165,00
0406 90 69 100		—
0406 90 69 910	028	—
	032	—
	036	70,00
	400	150,00
	404	80,00
	...	165,00
0406 90 69 990		—
0406 90 73 100		—
0406 90 73 900	028	—
	032	—
	036	42,66
	400	160,00
	404	120,00
	...	151,00
0406 90 75 100		—
0406 90 75 900	028	—
	032	—
	036	—
	400	65,00
	404	—
	...	125,96

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund (")
0406 90 77 100	028	24,00
	032	24,00
	036	—
	038	—
	400	58,77
	404	—
	...	110,79
0406 90 77 300	028	—
	032	—
	036	—
	038	—
	400	65,00
	404	—
	...	135,35
0406 90 77 500	028	—
	032	—
	036	—
	038	—
	400	75,00
	404	—
	...	135,35
0406 90 79 100		—
0406 90 79 900	028	—
	032	—
	036	—
	038	—
	400	56,14
	404	—
	...	114,71
0406 90 81 100		—
0406 90 81 900	028	—
	032	—
	036	—
	038	—
	400	130,00
	404	—
	...	130,00
0406 90 85 100		—
0406 90 85 910	028	—
	032	—
	036	42,67
	400	160,00
	404	90,00
	...	158,54
0406 90 85 991	028	—
	032	—
	036	—
	038	—
	400	130,00
	404	—
	...	130,00

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund (")
0406 90 85 995	028	27,50
	032	27,50
	036	—
	038	—
	400	65,00
	404	—
	...	135,35
0406 90 85 999		—
0406 90 89 100	028	13,50
	032	13,50
	036	—
	038	—
	400	89,49
	404	—
	...	89,49
0406 90 89 200	028	20,00
	032	20,00
	036	—
	038	—
	400	96,18
	404	—
	...	98,13
0406 90 89 300	028	24,00
	032	24,00
	036	—
	038	—
	400	109,31
	404	—
	...	110,79
0406 90 89 910		—
0406 90 89 951	028	—
	032	—
	036	42,66
	400	160,00
	404	90,00
	...	151,00
0406 90 89 959	028	—
	032	—
	036	—
	038	—
	400	130,00
	404	—
	...	130,00
0406 90 89 971	028	27,50
	032	27,50
	036	—
	038	—
	400	74,00
	404	—
	...	135,35

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund (")
0406 90 89 972	028	—
	032	—
	400	39,03
	404	—
	...	47,97
0406 90 89 979	028	27,50
	032	27,50
	036	—
	038	—
	400	74,00
	404	—
	...	135,35
0406 90 89 990		—
0406 90 93 000		—
0406 90 99 000		—
2309 10 15 010		—
2309 10 15 100		—
2309 10 15 200		1,50
2309 10 15 300		2,00
2309 10 15 400		2,50
2309 10 15 500		3,00
2309 10 15 700		3,50
2309 10 15 900		—
2309 10 19 010		—
2309 10 19 100		—
2309 10 19 200		1,50
2309 10 19 300		2,00
2309 10 19 400		2,50
2309 10 19 500		3,00
2309 10 19 600		3,50
2309 10 19 700		3,75
2309 10 19 800		4,00
2309 10 19 900		—
2309 10 70 010		—
2309 10 70 100		19,50
2309 10 70 200		26,00
2309 10 70 300		32,50
2309 10 70 500		39,00
2309 10 70 600		45,50
2309 10 70 700		52,00
2309 10 70 800		57,20
2309 10 70 900		—
2309 90 35 010		—
2309 90 35 100		—
2309 90 35 200		1,50
2309 90 35 300		2,00
2309 90 35 400		2,50
2309 90 35 500		3,00
2309 90 35 700		3,50
2309 90 35 900		—
2309 90 39 010		—
2309 90 39 100		—

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund (**)
2309 90 39 200		1,50
2309 90 39 300		2,00
2309 90 39 400		2,50
2309 90 39 500		3,00
2309 90 39 600		3,50
2309 90 39 700		3,75
2309 90 39 800		4,00
2309 90 39 900		—
2309 90 70 010		—
2309 90 70 100		19,50
2309 90 70 200		26,00
2309 90 70 300		32,50
2309 90 70 500		39,00
2309 90 70 600		45,50
2309 90 70 700		52,00
2309 90 70 800		57,20
2309 90 70 900		—

(*) The code numbers for the destinations are those set out in the Annex to Commission Regulation (EEC) No 3518/91.

For destinations other than those indicated for each 'product code', the amount of the refund applying is indicated by '—'.

Where no destination is indicated, the amount of the refund is applicable for exports to any destination other than those referred to in Article 1 (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 3574/92
of 10 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 3484/92 ⁽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 3544/92 ⁽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 9 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 11 December 1992.

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

Done at Brussels, 10 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 353, 3. 12. 1992, p. 8.

⁽³⁾ OJ No L 183, 3. 7. 1992, p. 18.

⁽⁴⁾ OJ No L 361, 10. 12. 1992, p. 8.

⁽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 10 December 1992 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy ⁽²⁾
1701 11 10	40,55 ⁽¹⁾
1701 11 90	40,55 ⁽¹⁾
1701 12 10	40,55 ⁽¹⁾
1701 12 90	40,55 ⁽¹⁾
1701 91 00	47,27
1701 99 10	47,27
1701 99 90	47,27 ⁽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 3575/92

of 10 December 1992

fixing the corrective amount applicable to the refund on cereals

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⁾,

Having regard to 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⁾,

Whereas Article 16 (4) of Regulation (EEC) No 2727/75 provides that the export refund applicable to cereals on the day on which application for an export licence is made, adjusted for the threshold price in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the export licence; whereas, in this case, a corrective amount must be applied to the refund;

Whereas Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice⁽⁴⁾, as last amended by Regulation (EEC) No 1906/87⁽⁵⁾, made possible the fixing of a corrective amount for certain products listed in Article 1 (c) of Regulation (EEC) No 2727/75;

Whereas Commission Regulation (EEC) No 1281/75⁽⁶⁾ laid down detailed rules for the advance fixing of export refunds for cereals and certain products processed from cereals;

Whereas, pursuant to that Regulation, when the corrective amount is 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 possibilities and conditions for the sale of cereals and cereal products on the world market on the other; whereas the same Regulation 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 exports and the need to avoid disturbances on the Community market;

Whereas for the products listed in Article 1 (c) of Regulation (EEC) No 2727/75 account should be taken of the specific criteria laid down in Article 2 (2) of Regulation (EEC) No 1281/75;

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

Whereas the corrective amount must be fixed at the same time as the refund and according to the same procedure; whereas it may be altered in the period between fixings;

Whereas, if the system of corrective amounts is to operate normally, corrective amounts 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⁽⁷⁾, as last amended by Regulation (EEC) No 2205/90⁽⁸⁾,
- 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 provisions set out above that the corrective amount must be as set out in the Annex hereto;

⁽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 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁶⁾ OJ No L 131, 22. 5. 1975, p. 15.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁸⁾ OJ No L 201, 31. 7. 1990, p. 9.

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

export refunds fixed in advance in respect of cereals shall be as set out in the Annex hereto.

HAS ADOPTED THIS REGULATION :

Article 2

Article 1

The corrective amount referred to in Article 16 (4) of Regulation (EEC) No 2727/75 which is applicable to

This Regulation shall enter into force on 11 December 1992.

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

Done at Brussels, 10 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 10 December 1992 fixing the corrective amount
applicable to the refund on cereals

(ECU/tonne)

Product code	Destination (1)	Current 12	1st period 1	2nd period 2	3rd period 3	4th period 4	5th period 5	6th period 6
0709 90 60 000	—	—	—	—	—	—	—	—
0712 90 19 000	—	—	—	—	—	—	—	—
1001 10 10 000	—	—	—	—	—	—	—	—
1001 10 90 000	01	0	0	0	0	0	—	—
1001 90 91 000	01	0	0	0	0	0	—	—
1001 90 99 000	01	0	0	0	0	0	—	—
1002 00 00 000	01	0	0	0	0	0	—	—
1003 00 10 000	01	0	0	0	0	0	—	—
1003 00 90 000	01	0	0	0	0	0	—	—
1004 00 10 000	—	—	—	—	—	—	—	—
1004 00 90 000	—	—	—	—	—	—	—	—
1005 10 90 000	—	—	—	—	—	—	—	—
1005 90 00 000	01	0	0	0	0	0	—	—
1007 00 90 000	—	—	—	—	—	—	—	—
1008 20 00 000	—	—	—	—	—	—	—	—
1101 00 00 100	01	0	0	- 35,00	- 35,00	- 35,00	—	—
1101 00 00 130	01	0	0	- 35,00	- 35,00	- 35,00	—	—
1101 00 00 150	01	0	0	- 35,00	- 35,00	- 35,00	—	—
1101 00 00 170	01	0	0	- 35,00	- 35,00	- 35,00	—	—
1101 00 00 180	01	0	0	- 35,00	- 35,00	- 35,00	—	—
1101 00 00 190	—	—	—	—	—	—	—	—
1101 00 00 900	—	—	—	—	—	—	—	—
1102 10 00 500	01	0	0	0	0	0	—	—
1102 10 00 700	01	0	0	0	0	0	—	—
1102 10 00 900	—	—	—	—	—	—	—	—
1103 11 10 200	01	0	0	0	0	0	0	- 50,00
1103 11 10 400	01	0	0	0	0	0	0	- 50,00
1103 11 10 900	—	—	—	—	—	—	—	—
1103 11 90 200	01	0	0	- 35,00	- 35,00	- 35,00	- 35,00	- 35,00
1103 11 90 800	—	—	—	—	—	—	—	—

(1) For the following destinations:

01 all third countries.

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

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 27 November 1992

fixing the aid for private storage of carcasses and half-carcasses of lamb in connection with the invitations to tender issued pursuant to Regulation (EEC) No 3240/92

(92/565/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat⁽¹⁾, as last amended by Regulation (EEC) No 2069/92⁽²⁾, and in particular Article 7 (5) thereof,

Having regard to Commission Regulation (EEC) No 3446/90 of 27 November 1990 laying down detailed rules for granting private storage aid for sheepmeat and goatmeat⁽³⁾, as amended by Regulation (EEC) No 1258/91⁽⁴⁾, and in particular Article 12 (1) (f) thereof,

Whereas Commission Regulation (EEC) No 3447/90 of 28 November 1990 on special conditions for the granting of private storage aid for sheepmeat and goatmeat⁽⁵⁾, as last amended by Regulation (EEC) No 1258/91, supplements the provisions of Regulation (EEC) No 3446/90 and lays down in particular detailed rules governing invitations to tender;

Whereas Commission Regulation (EEC) No 3240/92⁽⁶⁾ opens invitations to tender for the fixing of aid for the private storage of carcasses and half-carcasses of lamb;

Whereas, in accordance with Article 12 (1) (f) of Regulation (EEC) No 3446/90, a maximum amount of aid for private storage should be fixed on the basis of tenders

received or no action must be taken in respect of the invitation to tender;

Whereas the tenders received lead to action being taken in respect of the invitations to tender;

Whereas the Management Committee for Sheep and Goats has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS DECISION:

Article 1

The aid referred to in Article 12 (1) (f) of Regulation (EEC) No 3446/90 for the invitations to tender opened by Regulation (EEC) No 3240/92 shall be as follows: ECU 1 050 per tonne.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 27 November 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 215, 30. 7. 1992, p. 59.

⁽³⁾ OJ No L 333, 30. 11. 1990, p. 39.

⁽⁴⁾ OJ No L 120, 15. 5. 1991, p. 15.

⁽⁵⁾ OJ No L 333, 30. 11. 1990, p. 46.

⁽⁶⁾ OJ No L 322, 7. 11. 1992, p. 6.

COMMISSION DECISION

of 30 November 1992

authorizing Member States to permit temporarily the marketing of forest reproductive material not satisfying the requirements of Council Directives 66/404/EEC and 71/161/EEC

(92/566/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 66/404/EEC of 14 June 1966 on the marketing of forest reproductive material ⁽¹⁾, as last amended by Directive 90/654/EEC ⁽²⁾ and in particular Article 15 thereof,

Having regard to Council Directive 71/161/EEC of 30 March 1971 on external quality standards for forest reproductive material marketed within the Community ⁽³⁾, as last amended by Directive 90/654/EEC, and in particular Article 15 thereof,

Having regard to the requests submitted by certain Member States,

Whereas production of reproductive material of the species set out in the Annexes is at present insufficient in all Member States, with the result that their requirements for reproductive material conforming to the provisions of Directives 66/404/EEC or 71/161/EEC cannot be met;

Whereas third countries are not in a position to supply sufficient reproductive material of the relevant species which can afford the same guarantees as Community reproductive material and which conforms to the provisions of the abovementioned Directives;

Whereas the Member States should therefore be authorized to permit, for a limited period, the marketing of reproductive material of the relevant species which satisfies less stringent requirements to cover the shortages of reproductive material satisfying the requirements of Directives 66/404/EEC or 71/161/EEC;

Whereas, for genetic reasons, the reproductive material must be collected at places of origin within the natural range of the relevant species and the strictest possible guarantees should be given to ensure the identity of the material;

Whereas, furthermore, reproductive material should be marketed only if it is accompanied by a document

bearing certain details of the reproductive material in question;

Whereas each of the Member States should furthermore be authorized to permit the marketing in its territory of seed and seedlings which satisfy less stringent requirements in respect of provenance, as laid down in Directive 66/404/EEC, or seed which satisfies less stringent requirements in respect of specific purity as laid down in Directive 71/161/EEC if the marketing of such material has been authorized in the other Member States under this Decision;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

Article 1

1. Member States are authorized to permit the marketing in their territory of seed satisfying less stringent requirements in respect of provenance on the terms set out in Annex I hereto and on condition that the proof specified in Article 2 is furnished with regard to the place of provenance of the seed and the altitude at which it was collected. The label on the seed shall state 'Intended exclusively for (the applicant Member State or States)'.

2. Member States are authorized to permit the marketing in their territory of seedlings produced from the abovementioned seed provided that the official document accompanying the seedling states 'Intended exclusively for (the applicant Member State or States)'.

Article 2

1. The proof referred to in Article 1 (1) shall be deemed to be furnished where the reproductive material is of the category 'source-identified reproductive material' as defined in the Organization for Economic Cooperation and Development (OECD) scheme for the control of forest reproductive material moving in international trade, or of another category defined in that scheme.

2. Where the OECD scheme referred to in paragraph 1 is not used at the place of provenance of the reproductive material, other official evidence shall be admissible.

⁽¹⁾ OJ No 125, 11. 7. 1966, p. 2326/66.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 48.

⁽³⁾ OJ No L 87, 17. 4. 1971, p. 14.

3. Where official evidence cannot be provided, Member States may accept other non-official evidence.

Article 3

Member States are authorized on the terms set out in Annex II hereto and on condition that the proof specified in Article 2 is furnished with regard to the place of provenance of the seed, to permit the marketing in their territory of seedlings produced from seed satisfying less stringent requirements in respect of provenance. The official document accompanying the seedlings shall state 'Intended exclusively for (the applicant Member State or States)'.

Article 4

Member States are authorized on the terms set out in Annex III hereto, to permit the marketing in their territory of seed which does not satisfy the requirements relating to specific purity in Annex I to Directive 71/161/EEC, provided that the document required pursuant to Article 9 of Directive 66/404/EEC bears the wording:

'Seed not satisfying the standards in respect of specific purity' and the label states 'Intended exclusively for (the applicant Member State or States)'.

Article 5

Member States are authorized to permit the marketing in their territory of seeds and seedlings authorized to be

marketed under this Decision provided that the label or official document, as the case may be, states 'Intended exclusively for (the applicant Member State or States)'.

Article 6

The authorizations provided for in Articles 1 (1), 3 and 5 in so far as they concern the import of forest reproductive material into the Community from third countries, shall expire on 30 November 1993. The authorizations, in so far as they do not concern such imports, shall expire on 31 December 1995.

Article 7

Member States shall, before 1 January 1994, notify the Commission of the quantities of seed or, where appropriate, seedlings satisfying less stringent requirements which have been approved for marketing in their territory under this Decision. The Commission shall inform the other Member States thereof.

Article 8

This Decision is addressed to the Member States.

Done at Brussels, 30 November 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

LEGEND

1. *Member States*

B	= Kingdom of Belgium
D	= Federal Republic of Germany
DK	= Kingdom of Denmark
E	= Kingdom of Spain
F	= French Republic
GB	= United Kingdom
GR	= Greece
I	= Italian Republic
IRL	= Ireland
L	= Grand Duchy of Luxembourg
NL	= Kingdom of the Netherlands
P	= Republic of Portugal

2. *States of provenance*

BG	= Bulgaria
CDN	= Canada
CDN (QCI)	= Canada (Queen Charlotte Island)
CDN (BC)	= Canada (British Columbia)
CH	= Switzerland
CROATIA	= Croatia
CS	= Czechoslovakia
EEC	= European Economic Community
ESTONIA	= Estonia
EX-DDR	= The territory of the former German Democratic Republic
H	= Hungary
J	= Japan
LATVIA	= Latvia
LITHUANIA	= Lithuania
N	= Norway
PEOPLE'S REP. OF CHINA	= People's Republic of China
PL	= Poland
PL (CA)	= Poland (Carpathians)
R	= Romania
S	= Sweden
SLOVENIA	= Slovenia
TR	= Turkey
UKRAINE	= Ukraine
USA	= United States of America
YUGOSLAV REPUBLIC OF MACEDONIA	= Yugoslav Republic of Macedonia

3. *Other abbreviations*

exc.	= except
max. alt.	= maximum altitude

ANEXO I — BILAG I — ANLAGE I — ΠΑΡΑΡΤΗΜΑ I — ANNEX I — ANNEXE I — ALLEGATO I — BIJLAGE I — ANEXO I

Estado miembro Medlemsstat Mitgliedstaat Κράτος μέλος Member State État membre Stato membro Lid-Staat Estado-membro	Abies alba Mill.		Fagus sylvatica L.		Larix decidua Mill.	
	kg	Procedencia Oprindelse Herkunft Προέλευση Provenance Provenance Provenienza Herkomst Proveniência	kg	Procedencia Oprindelse Herkunft Προέλευση Provenance Provenance Provenienza Herkomst Proveniência	kg	Procedencia Oprindelse Herkunft Προέλευση Provenance Provenance Provenienza Herkomst Proveniência
B	25	R	3 000	R (max. alt. 2 000 m), CS, PL	40	CS, (Sudeten), PL (max. alt. 900 m)
D	200	ex-DDR, CS, R, CH Yugoslav Republic of Macedonia	20 000	ex-DDR, CS, R, CH	150	ex-DDR, CS
DK	700	R	36 300	BG, CH, CS, R, S, H, Slovenia	10	PL
E	100	EEC	500	EEC	50	EEC
F	—	—	—	—	150	CS (Sudeten), PL (zones II-1 and VIII-5)
GB	10	CS, PL, R	10 000	EEC, H, R, Slovenia, Croatia, CS	200	EEC, CS, PL, Slovenia, Croatia
GR	—	—	—	—	—	—
I	—	—	3 000	EEC	—	—
IRL	—	—	400	Slovenia	—	—
L	—	—	—	—	—	—
NL	75	R	5 000	R	50	CS
P	60	EEC	10	EEC	—	—

Estado miembro Medlemsstat Mitgliedstaat Κράτος μέλος Member State État membre Stato membro Lid-Staat Estado-membro	Larix leptolepis (Sieb. & Zucc.) Gord.		Picea abies Karst.		Picea sitchensis Trautv. & Mey.	
	kg	Procedencia Oprindelse Herkunft Προέλευση Provenance Provenance Provenienza Herkomst Proveniência	kg	Procedencia Oprindelse Herkunft Προέλευση Provenance Provenance Provenienza Herkomst Proveniência	kg	Procedencia Oprindelse Herkunft Προέλευση Provenance Provenance Provenienza Herkomst Proveniência
B	60	J (Hokkaido, Nagano)	80	PL (Ca.), R (max. alt. 900 m), CS (max. alt. 900 m)	50	USA (Washington)
D	150	ex-DDR, J	200	CS, R, ex-DDR, PL, Ukraine, H	350	ex-DDR, CDN (QCI and West Coast), USA (Washington)
DK	85	PL, J	—	—	322	CDN, USA
E	50	J	—	—	—	—
F	60	J	150	PL (zones II-1, and 3, VIII-5)	100	USA (California : zones 091 and 092 ; Washington ; Oregon : zones 041, 051 to 053, 061, 062, 071, 072, 081, 082, 090)
GB	400	EEC, People's Republic of China, J	200	CS, R, PL	1 300	CDN (BC), USA (Washington, Oregon)
GR	—	—	—	—	—	—
I	100	J (Hokkaido)	—	—	—	—
IRL	110	J	—	—	800	USA (Washington) CDN (QCI)
L	—	—	—	—	—	—
NL	50	J	50	CS	25	USA (Washington, Oregon) CDN (BC)
P	10	EEC	10	EEC	10	EEC

Estado miembro Medlemsstat Mitgliedstaat Κράτος μέλος Member State État membre Stato membro Lid-Staat Estado-membro	Pinus nigra Arn.		Pinus silvestris L.		Pinus strobus L.	
	kg	Procedencia Oprindelse Herkunft Προέλευση Provenance Provenance Provenienza Herkomst Proveniência	kg	Procedencia Oprindelse Herkunft Προέλευση Provenance Provenance Provenienza Herkomst Proveniência	kg	Procedencia Oprindelse Herkunft Προέλευση Provenance Provenance Provenienza Herkomst Proveniência
B	50	Slovenia	—	—	40	CDN (Ontario), USA, Slovenia, Croatia
D	400	ex-DDR, Slovenia	800	PL, ex-DDR	200	USA (Appalachians), CS, EEC
DK	200	Slovenia, TR	200	N, Lithuania, S	30	USA
E	500	EEC, Slovenia	500	EEC	—	—
F	80	BG (Kustendil)	—	—	—	—
GB	100	EEC	300	EEC	10	USA
GR	—	—	—	—	—	—
I	—	—	—	—	50	USA (Eastern States)
IRL	—	—	—	—	—	—
L	—	—	—	—	—	—
NL	60	Slovenia	—	—	75	CDN (Ontario), USA (Appalachians)
P	150	EEC	5	EEC	—	—
Estado miembro Medlemsstat Mitgliedstaat Κράτος μέλος Member State État membre Stato membro Lid-Staat Estado-membro	Pseudotsuga taxifolia (Poir.) Britt.		Quercus borealis Michx.		Quercus pedunculata Ehrh.	
	kg	Procedencia Oprindelse Herkunft Προέλευση Provenance Provenance Provenienza Herkomst Proveniência	kg	Procedencia Oprindelse Herkunft Προέλευση Provenance Provenance Provenienza Herkomst Proveniência	kg	Procedencia Oprindelse Herkunft Προέλευση Provenance Provenance Provenienza Herkomst Proveniência
B	500	USA (Washington, West of Cascades) (max. alt. 610 m)	10 000	CS, PL, Croatia and Slovenia (Save Valley), USA (Ohio)	5 000	Croatia and Slovenia (Save Valley), CS, PL, EEC
D	6 000	ex-DDR, USA (Washington, Oregon), CDN (BC)	2 000	USA, ex-DDR, CS	15 000	Croatia, ex-DDR
DK	75	USA	1 000	PL	30 500	Estonia, Latvia, Lithuania, N, PL, S
E	—	—	1 000	EEC	1 000	EEC
F	1 000	USA (California, Oregon, Washington, EC-stands with SIA Category)	20 000	USA (Illinois, Indiana, Kentucky, Michigan, Ohio, West Virginia)	15 000	EEC
GB	500	EEC, CDN (BC), USA (Washington, Oregon)	5 000	EEC, H, CS, Slovenia, Croatia, USA	50 000	EEC, BG, Slovenia, Croatia, PL, CS, R, N, H
GR	—	—	—	—	—	—
I	300	USA (Oregon, Northern California)	—	—	—	—
IRL	100	USA (Washington)	—	—	—	—
L	—	—	—	—	—	—
NL	—	—	10 000	PL, R	—	—
P	700	EEC	1 600	EEC	1 500	EEC

Estado miembro Medlemsstat Mitgliedstaat Κράτος μέλος Member State État membre Stato membro Lid-Staat Estado-membro	Quercus sessiliflora Sal.	
	kg	Procedencia Oprindelse Herkunft Προέλευση Provenance Provenance Provenienza Herkomst Proveniência
B	5 000	Croatia and Slovenia (Save Valley), CS, PL
D	2 000	ex-DDR
DK	59 000	N, PL
E	1 000	EEC
F	40 000	EEC
GB	40 000	EEC, H, N, PL, CS, Slovenia, Croatia, R
GR	—	—
I	2 000	EEC
IRL	—	—
L	—	—
NL	10 000	PL, CS
P	—	—

*ANEXO II — BILAG II — ANLAGE II — ΠΑΡΑΡΤΗΜΑ II — ANNEX II — ANNEXE II —
ALLEGATO II — BIJLAGE II — ANEXO II*

Especies Arter Arten Είδη Species Espèces Specie Soorten Espécies	Estado miembro Medlemsstat Mitgliedstaat Κράτος μέλος Member state État membre Stato membro Lid-Staat Estado-membro	Plantones Frøbedsplanter Sämplinge Φυτά Seedlings Plants Piantine Plantgoed Plântulas	Procedencia Oprindelse Herkunft Προέλευση Provenance Provenance Provenienza Herkomst Proveniência
Fagus silvatica L.	D GB	4 000 000 250 000	PL PL, Slovenia
Picea abies Karst.	GB	200 000	PL
Quercus pedunculata Ehrh.	D GB	4 000 000 200 000	PL PL
Quercus sessiliflora Sal.	D GB	4 000 000 200 000	PL PL

*ANEXO III — BILAG III — ANLAGE III — ΠΑΡΑΡΤΗΜΑ III — ANNEX III — ANNEXE III —
ALLEGATO III — BIJLAGE III — ANEXO III*

Especies Arter Arten Είδη Species Espèces Specie Soorten Espécies	Estado miembro Medlemsstat Mitgliedstaat Κράτος μέλος Member state État membre Stato membro Lid-Staat Estado-membro	kg
Quercus pedunculata Ehrh.	D GB	25 000 10 000
Quercus sessiliflora Sal.	D GB	20 000 10 000