

Official Journal

of the European Communities

ISSN 0378-6978

L 390

Volume 35

31 December 1992

English edition

Legislation

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I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EEC) No 3841/92
of 17 December 1992**

relating to the continued import of New Zealand butter into the United Kingdom on special terms

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Article 2

Having regard to the Act of the Accession of Denmark, Ireland and the United Kingdom, and in particular Article 5 (2) of Protocol 18 thereto,

Having regard to the proposal from the Commission,

Whereas Regulation (EEC) No 2967/89 ⁽¹⁾ authorized the United Kingdom to import certain quantities of New Zealand butter on special terms during the calendar years from 1989 to 1992;

Whereas the exceptional arrangements should continue in order to ensure continued imports from New Zealand;

Whereas in view of the current state of the negotiations in the context of the Uruguay Round it is opportune to extend the existing arrangements for the access of New Zealand butter on special terms for one year and the annual rate of decrease in the volume should be maintained;

Whereas provision should be made that if the butter market requires changes in the conditions of intervention, such changes must be reflected in the price of New Zealand butter marketed in the Community;

Whereas a special levy, which will normally remain unchanged as long as the intervention price for butter of Community origin is not altered, constitutes the most appropriate method for protecting the marketed price of Community butter and for enabling New Zealand to plan its exports to the United Kingdom,

1. These arrangements shall apply from 1 January to 31 December 1993.

The following quantity may be imported in 1993: 51 830 tonnes.

2. The Council, acting by a qualified majority on a proposal from the Commission, may reduce the quantity laid down in paragraph 1 in order to prevent serious disruption of the United Kingdom butter market particularly in the case of a substantial fall in direct butter consumption.

3. Before 1 October 1993, the Council, acting unanimously on a proposal from the Commission accompanied by a report, shall take a decision on the maintenance of the exceptional arrangements from 1 January 1994.

Article 3

1. The special levy on New Zealand butter imported pursuant to this Regulation shall be ECU 34,28 per 100 kilograms.

2. The Council, acting by a qualified majority on a proposal from the Commission, shall adjust the rate of the special levy in line with changes in the conditions of intervention in respect of butter in the Community.

Article 4

HAS ADOPTED THIS REGULATION:

Article 1

The United Kingdom shall be authorized to import certain quantities of butter from New Zealand under the terms of this Regulation.

Eligibility for the special import arrangements shall be subject to presentation of a certificate establishing that the butter in question:

- is of New Zealand origin,
- is at least six weeks old,
- has a fat content of not less than 80 % but less than 82 % by weight,
- was manufactured directly from milk or cream.

⁽¹⁾ OJ No L 281, 30. 9. 1989, p. 114. Regulation as last amended by Regulation (EEC) No 1552/92 (OJ No L 146, 9. 6. 1990, p. 14).

Article 5

The United Kingdom shall forward all information necessary for the application of this Regulation to the Commission, which shall inform the other Member States thereof.

Article 6

Detailed rules for the application of this Regulation shall be adopted in accordance with the procedure laid down in Article 30 of Regulation (EEC) No 804/68 ⁽¹⁾.

Article 7

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 1 January 1993.

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

Done at Brussels, 17 December 1992.

For the Council

The President

J. GUMMER

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13. Regulation as last amended by Regulation (EEC) No 2071/92 (OJ No L 215, 30. 7. 1992, p. 64).

COUNCIL REGULATION (EEC) No 3842/92**of 17 December 1992****on the suspension of the import levy on sheepmeat and goatmeat sector products**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas the Community has voluntary restraint agreements with Austria, Romania and Iceland and equivalent unilateral arrangements established by Council Regulation (EEC) No 3643/85 of 19 December 1985 concerning the import arrangements applicable to certain third countries in the sheepmeat and goatmeat sector as from 1986⁽¹⁾;

Whereas, pursuant to Council Regulations (EEC) No 753/90 of 26 March 1990 suspending the import levy on sheepmeat and goatmeat⁽²⁾ and (EEC) No 1373/90 of 21 May 1990 suspending the import levy on live sheep and goats⁽³⁾, the levy on the import of live sheep and goats and sheepmeat and goatmeat from the abovementioned countries in particular has been suspended until 31 December 1992;

Whereas a voluntary restraint agreement was concluded with the Socialist Federal Republic of Yugoslavia in 1981; whereas, while the substance of the Agreement remained unchanged, certain details of the management of the import arrangements laid down were suspended and replaced by Council Regulation (EEC) No 3125/92 of 26 October 1992 on the arrangements applicable to the importation into the Community of sheepmeat and goatmeat products originating in Bosnia-Herzegovina, Croatia, Slovenia, Montenegro, Serbia and the former Yugoslav Republic of Macedonia⁽⁴⁾;

Whereas negotiations with Argentina, Australia, Bulgaria, Czechoslovakia, Hungary, New Zealand, Poland and

Uruguay have led to the extension of the adjustments to the voluntary restraint agreements until 31 December 1993 and consequently the collection of the levy applicable to those countries is suspended until that date;

Whereas it seems appropriate to extend the above suspension, subject to certain quantitative limits, to all supplier countries;

Whereas the effect of the establishment of the single market from 1 January 1993 should be taken into consideration,

HAS ADOPTED THIS REGULATION:

Article 1

Notwithstanding the voluntary restraint agreements concluded respectively with Austria, Iceland, the Socialist Federal Republic of Yugoslavia and Romania and notwithstanding Regulation (EEC) No 3643/85, the collection of the levy on imports of sheepmeat and goatmeat sector products falling within CN codes 0204, 0104 1030, 0104 1080 and 0104 2090 from Austria, Bosnia-Herzegovina, Croatia, Iceland, the former Yugoslav Republic of Macedonia, Romania, Slovenia and the countries referred to in the said Regulation shall be suspended until 31 December 1993 within the quantitative limits laid down in the abovementioned agreements and the said Regulation respectively.

Article 2

Detailed rules for the application of this Regulation shall be adopted in accordance with the procedure laid down in Article 30 of Regulation (EEC) No 3013/89.

Article 3

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

It shall apply from 1 January 1993.

⁽¹⁾ OJ No L 348, 24. 12. 1985, p. 2. Regulation as last amended by Regulation (EEC) No 1568/92 (OJ No L 166, 20. 6. 1992, p. 3).

⁽²⁾ OJ No L 83, 30. 3. 1990, p. 3.

⁽³⁾ OJ No L 133, 24. 5. 1990, p. 6.

⁽⁴⁾ OJ No L 313, 30. 10. 1992, p. 3.

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

Done at Brussels, 17 December 1992.

For the Council

The President

J. GUMMER

COMMISSION REGULATION (EEC) No 3843/92
of 29 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 3814/92⁽²⁾;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽³⁾ are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 3819/92⁽⁴⁾;

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;

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;

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

Done at Brussels, 29 December 1992.

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 1 January 1993.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 387, 31. 12. 1992.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 387, 31. 12. 1992.

⁽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 29 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
0404 90 93 170		1,1500
0404 90 93 911		0,0636

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

Product code	Destination (*)	Amount of refund (")
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 11 100		—
0405 00 11 200		129,29
0405 00 11 300		162,66
0405 00 11 500		166,83
0405 00 11 700		171,00
0405 00 19 100		—
0405 00 19 200		129,29
0405 00 19 300		162,66
0405 00 19 500		166,83
0405 00 19 700		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	028	—
0406 40 00 900	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 3844/92
of 29 December 1992
fixing the export refunds on poultrymeat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Regulation (EEC) No 2777/75 of the Council of 29 October 1975 on the common organization of the market in poultrymeat ⁽¹⁾, as last amended by Regulation (EEC) No 1235/89 ⁽²⁾, and in particular the first sentence of the fifth subparagraph of Article 9 (2) thereof,

Whereas Article 9 of Regulation (EEC) No 2777/75 provides that the difference between prices on the world market for the products listed in Article 1 (1) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Regulation (EEC) No 2779/75 of the Council ⁽³⁾, lays down general rules for granting export refunds and criteria for fixing the amount of such refunds;

Whereas it follows from applying these rules and criteria to the present situation on the market in poultrymeat that the refund should be fixed at an amount which would permit Community participation in world trade and would also take account of the nature of these exports and their importance at the present time;

Whereas Council Regulation (EEC) No 1432/92 ⁽⁴⁾, as amended by Regulation (EEC) No 2015/92 ⁽⁵⁾, 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 representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽⁶⁾ are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 3819/92 ⁽⁷⁾;

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 list of products for which, when they are exported, the export refund referred to in Article 9 of Regulation (EEC) No 2777/75 is granted, and the amount of that refund shall be as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 January 1993.

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

Done at Brussels, 29 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 77.

⁽²⁾ OJ No L 128, 11. 5. 1989, p. 29.

⁽³⁾ OJ No L 282, 1. 11. 1975, p. 90.

⁽⁴⁾ OJ No L 151, 3. 6. 1992, p. 4.

⁽⁵⁾ OJ No L 205, 22. 7. 1992, p. 2.

⁽⁶⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁷⁾ OJ No L 387, 31. 12. 1992.

ANNEX

to the Commission Regulation of 29 December 1992 fixing the export refunds on poultrymeat

Product code	Destination of refund (1)	Amount of refund (2)
		ECU/100 units
0105 11 11 000	09	5,00
	10	4,20
0105 11 19 000	09	5,00
	10	4,20
0105 11 91 000	09	5,00
	10	4,20
0105 11 99 000	09	5,00
	10	4,20
0105 19 10 000	01	8,40
0105 19 90 000	01	4,20
		ECU/100 kg
0105 91 00 000	01	17,00
0207 10 11 000	01	15,00
0207 10 15 000	04	46,00
	05	34,00
	06	25,00
0207 10 19 100	04	50,00
	05	38,00
	06	25,00
0207 10 19 900	11	34,00
	12	25,00
0207 10 31 000	01	31,00
0207 10 39 000	01	31,00
0207 10 51 000	07	30,00
	08	35,00
0207 10 55 000	07	30,00
	08	40,00
0207 10 59 000	07	30,00
	08	40,00
0207 21 10 000	04	46,00
	05	34,00
	06	25,00
0207 21 90 100	04	50,00
	05	38,00
	06	25,00
0207 21 90 900	11	34,00
	12	25,00
0207 22 10 000	01	31,00
0207 22 90 000	01	31,00
0207 23 11 000	07	30,00
	08	40,00
0207 23 19 000	07	30,00
	08	40,00
0207 39 11 110	01	8,00
0207 39 11 190	—	—
0207 39 11 910	—	—
0207 39 11 990	01	50,00
0207 39 13 000	02	48,00
	03	28,00
0207 39 15 000	01	10,00
0207 39 21 000	01	37,00
0207 39 23 000	02	59,00
	03	36,00
0207 39 25 100	02	48,00
	03	28,00
0207 39 25 200	02	48,00
	03	28,00

Product code	Destination of refund (1)	Amount of refund (2)
		ECU/100 kg
0207 39 25 300	02	48,00
	03	28,00
0207 39 25 400	01	5,00
0207 39 25 900	—	—
0207 39 31 110	01	10,00
0207 39 31 190	—	—
0207 39 31 910	—	—
0207 39 31 990	01	55,00
0207 39 33 000	01	31,00
0207 39 35 000	01	15,00
0207 39 41 000	01	40,00
0207 39 43 000	01	20,00
0207 39 45 000	01	39,00
0207 39 47 100	01	15,00
0207 39 47 900	—	—
0207 39 55 110	01	8,00
0207 39 55 190	—	—
0207 39 55 910	—	—
0207 39 55 990	01	54,00
0207 39 57 000	01	44,00
0207 39 65 000	01	15,00
0207 39 73 000	07	30,00
	08	44,00
0207 39 77 000	07	29,00
	08	43,00
0207 41 10 110	01	8,00
0207 41 10 190	—	—
0207 41 10 910	—	—
0207 41 10 990	01	50,00
0207 41 11 000	02	48,00
	03	28,00
0207 41 21 000	01	10,00
0207 41 41 000	01	37,00
0207 41 51 000	02	59,00
	03	36,00
0207 41 71 100	02	48,00
	03	28,00
0207 41 71 200	02	48,00
	03	28,00
0207 41 71 300	02	48,00
	03	28,00
0207 41 71 400	01	5,00
0207 41 71 900	—	—
0207 42 10 110	01	10,00
0207 42 10 190	—	—
0207 42 10 910	—	—
0207 42 10 990	01	55,00
0207 42 11 000	01	31,00
0207 42 21 000	01	15,00
0207 42 41 000	01	40,00
0207 42 51 000	01	20,00
0207 42 59 000	01	39,00
0207 42 71 100	01	15,00
0207 42 71 900	—	—
0207 43 15 110	01	8,00
0207 43 15 190	—	—
0207 43 15 910	—	—
0207 43 15 990	01	54,00
0207 43 21 000	01	44,00
0207 43 31 000	01	15,00
0207 43 53 000	07	30,00
	08	44,00
0207 43 63 000	07	29,00
	08	43,00
1602 39 11 100	01	19,00
1602 39 11 900	—	—

(¹) The destinations are as follows :

- 01 All destinations except the United States of America,
- 02 Egypt, Ceuta and Melilla, Saudi Arabia, Kuwait, Bahrain, Qatar, Oman, the United Arab Emirates, the Republic of Yemen, Iraq, Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine, Uzbekistan, Lithuania, Estonia, Latvia, Iran, Singapore and Angola,
- 03 All destinations except the United States of America and those of 02 above,
- 04 Egypt, Saudi Arabia, Kuwait, Bahrain, Qatar, Oman, the United Arab Emirates, Jordan, Singapore, the Republic of Yemen, Iraq, Iran and Angola,
- 05 Ceuta and Melilla, Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine, Uzbekistan, Lithuania, Estonia and Latvia,
- 06 All destinations except the United States of America and those of 04 and 05 above,
- 07 Hungary, Poland, Romania, the Republics of Croatia, Slovenia, Bosnia-Herzegovina and Yugoslavia, the Czech and Slovak Federal Republic and Bulgaria,
- 08 All destinations except the United States of America and those of 07 above,
- 09 Saudi Arabia, Kuwait, Bahrain, Oman, Qatar, the United Arab Emirates, the Republic of Yemen and Iran,
- 10 All destinations except the United States of America and those of 09 above,
- 11 Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine, Uzbekistan, Lithuania, Estonia and Latvia,
- 12 All destinations except the United States of America and that of 11 above.

(²) Refunds 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 3845/92**of 29 December 1992****fixing the export refunds on cereal-based compound feedingstuffs**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

Whereas it follows from applying these detailed rules to the present situation on the market in cereal-based compound feedingstuffs that the export refund should be fixed at an amount which will cover the difference between Community prices and world market prices;

Whereas Article 7 (1) of Council Regulation (EEC) No 2743/75 of 29 October 1975 on the system to be applied to cereal-based compound feedingstuffs ⁽⁴⁾, as last amended by Regulation (EEC) No 944/87 ⁽⁵⁾, provides that, when export refunds on cereal-based compound

feedingstuffs are being fixed, only certain products used in the manufacture of compound feedingstuffs for which a refund may be fixed should be taken into account;

Whereas Commission Regulation (EEC) No 1913/69 of 29 September 1969 on the granting and the advance fixing of the export refund on cereal-based compound feedingstuffs ⁽⁶⁾, as last amended by Regulation (EEC) No 3630/91 ⁽⁷⁾, provides that calculation of the export refund must be based on the averages of the refunds granted and the levies calculated on the most commonly used basic cereals, adjusted on the basis of the threshold price in force during the current month; whereas that calculation must also take account of the cereal products content; whereas, therefore, in the interest of simplification, compound feedingstuffs should be placed in categories and the refund for each category should be fixed on the basis of the quantity of cereal products content for the category concerned; whereas, furthermore, the amount of the refund must also take into account the possibilities and conditions for the sale of those products on the world market, the need to avoid disturbances on the Community market and the economic aspect of the export;

Whereas, however, in fixing the rate of refund it would seem advisable to base it at this time on the difference in the cost of raw inputs widely used in compound feedingstuffs as between the Community and world markets, allowing more accurate account to be taken of the commercial conditions under which such products are exported;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽⁸⁾ are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 3819/92 ⁽⁹⁾;

⁽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. 60.

⁽⁵⁾ OJ No L 90, 2. 4. 1987, p. 2.

⁽⁶⁾ OJ No L 246, 30. 9. 1969, p. 11.

⁽⁷⁾ OJ No L 344, 14. 12. 1991, p. 40.

⁽⁸⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁹⁾ OJ No L 387, 31. 12. 1992.

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

Whereas Council Regulation (EEC) No 1432/92 ⁽¹⁾, as amended by Regulation (EEC) No 2015/92 ⁽²⁾, 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 Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION :

Article 1

The export refunds on the compound feedingstuffs covered by Regulation (EEC) No 2727/75 and subject to Regulation (EEC) No 2743/75 are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 January 1993.

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

Done at Brussels, 29 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 151, 3. 6. 1992, p. 4.

⁽²⁾ OJ No L 205, 22. 7. 1992, p. 2.

ANNEX

to the Commission Regulation of 29 December 1992 fixing the export refunds on
cereal-based compound feedingstuffs

(ECU/tonne)

Product code	Amount of refund (')
2309 10 11 110	4,34
2309 10 13 110	4,34
2309 10 31 110	4,34
2309 10 33 110	4,34
2309 10 51 110	4,34
2309 10 53 110	4,34
2309 90 31 110	4,34
2309 90 33 110	4,34
2309 90 41 110	4,34
2309 90 43 110	4,34
2309 90 51 110	4,34
2309 90 53 110	4,34
2309 10 11 190	3,57
2309 10 13 190	3,57
2309 10 31 190	3,57
2309 10 33 190	3,57
2309 10 51 190	3,57
2309 10 53 190	3,57
2309 90 31 190	3,57
2309 90 33 190	3,57
2309 90 41 190	3,57
2309 90 43 190	3,57
2309 90 51 190	3,57
2309 90 53 190	3,57
2309 10 11 210	8,67
2309 10 13 210	8,67
2309 10 31 210	8,67
2309 10 33 210	8,67
2309 10 51 210	8,67
2309 10 53 210	8,67
2309 90 31 210	8,67
2309 90 33 210	8,67
2309 90 41 210	8,67
2309 90 43 210	8,67
2309 90 51 210	8,67
2309 90 53 210	8,67
2309 10 11 290	7,14
2309 10 13 290	7,14
2309 10 31 290	7,14
2309 10 33 290	7,14
2309 10 51 290	7,14
2309 10 53 290	7,14
2309 90 31 290	7,14
2309 90 33 290	7,14
2309 90 41 290	7,14
2309 90 43 290	7,14
2309 90 51 290	7,14
2309 90 53 290	7,14
2309 10 11 310	17,35
2309 10 13 310	17,35
2309 10 31 310	17,35
2309 10 33 310	17,35

Product code	Amount of refund (°)
2309 10 51 310	17,35
2309 10 53 310	17,35
2309 90 31 310	17,35
2309 90 33 310	17,35
2309 90 41 310	17,35
2309 90 43 310	17,35
2309 90 51 310	17,35
2309 90 53 310	17,35
2309 10 11 390	14,28
2309 10 13 390	14,28
2309 10 31 390	14,28
2309 10 33 390	14,28
2309 10 51 390	14,28
2309 10 53 390	14,28
2309 90 31 390	14,28
2309 90 33 390	14,28
2309 90 41 390	14,28
2309 90 43 390	14,28
2309 90 51 390	14,28
2309 90 53 390	14,28
2309 10 31 410	26,02
2309 10 33 410	26,02
2309 10 51 410	26,02
2309 10 53 410	26,02
2309 90 41 410	26,02
2309 90 43 410	26,02
2309 90 51 410	26,02
2309 90 53 410	26,02
2309 10 31 490	21,41
2309 10 33 490	21,41
2309 10 51 490	21,41
2309 10 53 490	21,41
2309 90 41 490	21,41
2309 90 43 490	21,41
2309 90 51 490	21,41
2309 90 53 490	21,41
2309 10 31 510	34,70
2309 10 33 510	34,70
2309 10 51 510	34,70
2309 10 53 510	34,70
2309 90 41 510	34,70
2309 90 43 510	34,70
2309 90 51 510	34,70
2309 90 53 510	34,70
2309 10 31 590	28,55
2309 10 33 590	28,55
2309 10 51 590	28,55
2309 10 53 590	28,55
2309 90 41 590	28,55
2309 90 43 590	28,55
2309 90 51 590	28,55
2309 90 53 590	28,55
2309 10 31 610	43,37
2309 10 33 610	43,37
2309 10 51 610	43,37
2309 10 53 610	43,37
2309 90 41 610	43,37
2309 90 43 610	43,37

(ECU/tonne)	
Product code	Amount of refund ⁽¹⁾
2309 90 51 610	43,37
2309 90 53 610	43,37
2309 10 31 690	35,69
2309 10 33 690	35,69
2309 10 51 690	35,69
2309 10 53 690	35,69
2309 90 41 690	35,69
2309 90 43 690	35,69
2309 90 51 690	35,69
2309 90 53 690	35,69
2309 10 51 710	52,04
2309 10 53 710	52,04
2309 90 51 710	52,04
2309 90 53 710	52,04
2309 10 51 790	42,83
2309 10 53 790	42,83
2309 90 51 790	42,83
2309 90 53 790	42,83
2309 10 51 810	60,72
2309 10 53 810	60,72
2309 90 51 810	60,72
2309 90 53 810	60,72
2309 10 51 890	49,97
2309 10 53 890	49,97
2309 90 51 890	49,97
2309 90 53 890	49,97

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

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

There are no refunds for products falling within CN codes 2309 10 11, 2309 10 13, 2309 10 31, 2309 10 33, 2309 10 51, 2309 10 53, 2309 90 31, 2309 90 33, 2309 90 41, 2309 90 43, 2309 90 51 and 2309 90 53 not included in the above table.

COMMISSION REGULATION (EEC) No 3846/92
of 29 December 1992

fixing the export refunds on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EEC) No 674/92⁽⁴⁾, and in particular the fourth subparagraph of Article 17 (2) thereof,

Whereas Article 16 of Regulation (EEC) No 2727/75 and Article 17 of Regulation (EEC) No 1418/76 provide that the difference between quotations or prices on the world market for the products listed in Article 1 of those Regulations and prices for those products within the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 2746/75⁽⁵⁾, and Article 2 of Council Regulation (EEC) No 1431/76⁽⁶⁾ laying down general rules for granting export refunds on cereals and rice respectively and criteria for fixing the amount of such refunds, provide that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals, rice and broken rice on the Community market on the one hand and prices for cereals, rice, broken rice and cereal products on the world market on the other; whereas the same Articles provide that it is also important to ensure equilibrium and the natural development of prices and trade on the markets in cereals and rice and, furthermore, to take into account the economic aspect of the proposed exports, and the need to avoid disturbances on the Community market;

Whereas Article 6 of Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice⁽⁷⁾, as last amended by Regulation (EEC) No 1906/87⁽⁸⁾, defines the specific criteria to be taken into account when the refund on these products is being calculated;

Whereas, on the basis of the criteria laid down in Regulation (EEC) No 2744/75, particular account should be taken of the prices and quantities of basic products used to calculate the variable component of the levy;

Whereas it follows from applying these detailed rules to the present situation on the market in products processed from cereals and rice that the export refund should be fixed at an amount which will cover the difference between Community prices and world market prices;

Whereas when the refund is being calculated account should be taken of the quantities of raw materials used to determine the variable component of the levy; whereas the quantities of raw materials used for certain processed products may vary according to the end use of the product; whereas, depending on the manufacturing process used, products other than the main product are obtained, the quantity and value of which may vary with the nature and quality of the main products being manufactured; whereas cumulation of the refunds on the various products manufactured by a single process from the same basic product may make it possible, in certain cases, to export to third countries at prices which are lower than world market prices; whereas the refund on certain products should therefore be limited to an amount which, while allowing access to the world market, will ensure that the aims of the common organization of the markets are respected;

Whereas the refund to be granted in respect of certain processed products should be graduated on the basis of the ash, crude fibre, tegument, protein, fat and starch content of the individual product concerned, this content being a particularly good indicator of the quantity of basic product actually incorporated in the processed product;

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 73, 19. 3. 1992, p. 7.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁶⁾ OJ No L 166, 25. 6. 1976, p. 36.

⁽⁷⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁸⁾ OJ No L 182, 3. 7. 1987, p. 49.

Whereas there is no need at present to fix an export refund for manioc, other tropical roots and tubers or flours obtained therefrom, given the economic aspect of potential exports and in particular the nature and origin of these products; whereas, for certain products processed from cereals, the insignificance of Community participation in world trade makes it unnecessary to fix an export refund at the present time;

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

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽¹⁾ are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 3819/92⁽²⁾;

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

Whereas Council Regulation (EEC) No 1432/92⁽³⁾, as amended by Regulation (EEC) No 2015/92⁽⁴⁾, 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 certain processed maize products may undergo a heat treatment following which a refund might be granted that does not correspond to the quality of the product; whereas it should therefore be specified that on these products, containing pregelatinized starch, no export refund is to be granted;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (d) of Regulation (EEC) No 2727/75 and in Article 1 (1) (c) of Regulation (EEC) No 1418/76 and subject to Regulation (EEC) No 2744/75 are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 January 1993.

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

Done at Brussels, 29 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 387, 31. 12. 1992.

⁽³⁾ OJ No L 151, 3. 6. 1992, p. 4.

⁽⁴⁾ OJ No L 205, 22. 7. 1992, p. 2.

ANNEX

to the Commission Regulation of 29 December 1992 fixing the export refunds on products processed from cereals and rice

(ECU/tonne)		(ECU/tonne)	
Product code	Refund (¹)	Product code	Refund (¹)
1102 20 10 100 (²)	121,44	1104 23 10 900	—
1102 20 10 300 (²)	104,09	1104 29 11 000	80,46
1102 20 10 900 (²)	—	1104 29 15 000	—
1102 20 90 100 (²)	104,09	1104 29 19 000	—
1102 20 90 900 (²)	—	1104 29 91 000	78,88
1102 30 00 000	—	1104 29 95 000	101,37
1102 90 10 100	106,74	1104 30 10 000	19,72
1102 90 10 900	72,58	1104 30 90 000	21,69
1102 90 30 100	191,14	1107 10 11 000	140,41
1102 90 30 900	—	1107 10 91 000	126,66
1103 12 00 100	191,14	1108 11 00 200	157,76
1103 12 00 900	—	1108 11 00 300	157,76
1103 13 10 100 (²)	156,13	1108 11 00 800	—
1103 13 10 300 (²)	121,44	1108 12 00 200	138,78
1103 13 10 500 (²)	104,09	1108 12 00 300	138,78
1103 13 10 900 (²)	—	1108 12 00 800	—
1103 13 90 100 (²)	104,09	1108 13 00 200	138,78
1103 13 90 900 (²)	—	1108 13 00 300	138,78
1103 14 00 000	—	1108 13 00 800	—
1103 19 10 000	101,37	1108 14 00 200	—
1103 19 30 100	110,30	1108 14 00 300	—
1103 19 30 900	—	1108 14 00 800	—
1103 21 00 000	80,46	1108 19 10 200	89,82
1103 29 20 000	72,58	1108 19 10 300	89,82
1103 29 30 000	—	1108 19 10 800	—
1103 29 40 000	—	1108 19 90 200	—
1104 11 90 100	106,74	1108 19 90 300	—
1104 11 90 900	—	1108 19 90 800	—
1104 12 90 100	212,38	1109 00 00 100	0,00
1104 12 90 300	169,90	1109 00 00 900	—
1104 12 90 900	—	1702 30 51 000	181,29
1104 19 10 000	80,46	1702 30 59 000	138,78
1104 19 50 110	138,78	1702 30 91 000	181,29
1104 19 50 130	112,76	1702 30 99 000	138,78
1104 19 50 150	—	1702 40 90 000	138,78
1104 19 50 190	—	1702 90 50 100	181,29
1104 19 50 900	—	1702 90 50 900	138,78
1104 19 91 000	—	1702 90 75 000	189,96
1104 21 10 100	106,74	1702 90 79 000	131,84
1104 21 10 900	—	2106 90 55 000	138,78
1104 21 30 100	106,74	2302 10 10 000	18,94
1104 21 30 900	—	2302 10 90 100	18,94
1104 21 50 100	142,32	2302 10 90 900	—
1104 21 50 300	113,86	2302 20 10 000	18,94
1104 21 50 900	—	2302 20 90 100	18,94
1104 22 10 100	169,90	2302 20 90 900	—
1104 22 10 900	—	2302 30 10 000	18,94
1104 22 30 100	180,52	2302 30 90 000	18,94
1104 22 30 900	—	2302 40 10 000	18,94
1104 22 50 000	—	2302 40 90 000	18,94
1104 23 10 100	130,11	2303 10 11 100	69,39
1104 23 10 300	99,75	2303 10 11 900	—

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

(²) No refund shall be granted on products given a heat treatment resulting in pregelatinization of the starch.

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

COMMISSION REGULATION (EEC) No 3847/92**of 29 December 1992****fixing the export refunds on rice and broken rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 674/92 ⁽²⁾, and in particular the first sentence of the fourth subparagraph of Article 17 (2) thereof,

Whereas Article 17 of Regulation (EEC) No 1418/76 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 1431/76 of 21 June 1976 laying down general rules for granting export refunds on rice and criteria for fixing the amount of such refunds ⁽³⁾, provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of rice and broken rice on the Community market on the one hand and prices for rice and broken rice on the world market on the other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on the rice market and, furthermore, to take into account the economic aspect of the proposed exports and the need to avoid disturbances of the Community market;

Whereas export possibilities exist for a quantity of 15 000 tonnes of wholly milled rice, falling within CN codes 1006 30 92 900, 1006 30 94 900 and 1006 30 96 900 to certain destinations; whereas the procedure laid down in Article 9 (4) of Commission Regulation (EEC) No 891/89 ⁽⁴⁾, as last amended by Regulation (EEC) No 2804/92 ⁽⁵⁾, should be used; whereas account should be taken of this when the refunds are fixed;

Whereas Commission Regulation (EEC) No 1361/76 ⁽⁶⁾ lays down the maximum percentage of broken rice allowed in rice for which an export refund is fixed and specifies the percentage by which that refund is to be reduced where the proportion of broken rice in the rice exported exceeds that maximum;

Whereas Article 3 of Regulation (EEC) No 1431/76 defines the specific criteria to be taken into account when the export refund on rice and broken rice is being calculated;

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

Whereas a separate refund should be fixed for packaged long grain rice to accommodate current demand for the product on certain markets;

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

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽⁷⁾ are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 3819/92 ⁽⁸⁾;

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

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 73, 19. 3. 1992, p. 7.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 36.

⁽⁴⁾ OJ No L 94, 7. 4. 1989, p. 13.

⁽⁵⁾ OJ No L 282, 26. 9. 1992, p. 40.

⁽⁶⁾ OJ No L 154, 15. 6. 1976, p. 11.

⁽⁷⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁸⁾ OJ No L 387, 31. 12. 1992.

Whereas Council Regulation (EEC) No 1432/92⁽¹⁾, as amended by Regulation (EEC) No 2015/92⁽²⁾, 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 Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 of Regulation (EEC) No 1418/76 with the exception of those listed in paragraph 1 (c) of that Article, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 January 1993.

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

Done at Brussels, 29 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 151, 3. 6. 1992, p. 4.

⁽²⁾ OJ No L 205, 22. 7. 1992, p. 2.

ANNEX

to the Commission Regulation of 29 December 1992 fixing the export refunds on rice and broken rice

Product code	Destination (1)	(ECU/tonne)
		Amount of refunds (2)
1006 20 11 000	01	177,60
1006 20 13 000	01	177,60
1006 20 15 000	01	177,60
1006 20 17 000	—	—
1006 20 92 000	01	177,60
1006 20 94 000	01	177,60
1006 20 96 000	01	177,60
1006 20 98 000	—	—
1006 30 21 000	01	177,60
1006 30 23 000	01	177,60
1006 30 25 000	01	177,60
1006 30 27 000	—	—
1006 30 42 000	01	177,60
1006 30 44 000	01	177,60
1006 30 46 000	01	177,60
1006 30 48 000	—	—
1006 30 61 100	01	222,00
	02	228,00
	03	233,00
	04	222,00
1006 30 61 900	01	222,00
	04	222,00
1006 30 63 100	01	222,00
	02	228,00
	03	233,00
	04	222,00
1006 30 63 900	01	222,00
	04	222,00
1006 30 65 100	01	222,00
	02	228,00
	03	233,00
	04	222,00
1006 30 65 900	01	222,00
	04	222,00
1006 30 67 100	—	—
1006 30 67 900	—	—

(ECU/tonne)		
Product code	Destination ⁽¹⁾	Amount of refunds ⁽²⁾
1006 30 92 100	01	222,00
	02	228,00
	03	233,00
	04	222,00
1006 30 92 900	01	222,00
	04	222,00
1006 30 94 100	01	222,00
	02	228,00
	03	233,00
	04	222,00
1006 30 94 900	01	222,00
	04	222,00
1006 30 96 100	01	222,00
	02	228,00
	03	233,00
	04	222,00
1006 30 96 900	01	222,00
	04	222,00
1006 30 98 100	—	—
1006 30 98 900	—	—
1006 40 00 000	—	—

⁽¹⁾ The destinations are identified as follows:

- 01 Austria, Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italia,
- 02 Zones I, II, III, VI, Ceuta and Melilla,
- 03 Zones IV, VII c), Canada and Zone VIII excluding Surinam, Guyana and Madagascar,
- 04 Destinations mentioned in Article 34 of Commission Regulation (EEC) No 3665/87.

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

COMMISSION REGULATION (EEC) No 3848/92

of 29 December 1992

fixing the corrective amount applicable to the refund on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽¹⁾, as last amended by Regulation (EEC) No 674/92⁽²⁾, and in particular the second subparagraph of Article 17 (4) thereof,

Whereas the first subparagraph of Article 17 (4) of Regulation (EEC) No 1418/76 provides that the export refund applicable to rice and broken rice on the day on which application for an export licence is made, adjusted for the threshold price which will be in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the licence;

Whereas Commission Regulation No 474/67/EEC⁽³⁾, as amended by Regulation (EEC) No 1397/68⁽⁴⁾, lays down detailed rules for the advance fixing of the export refund on rice and broken rice;

Whereas that Regulation provides that the refund applicable on the day on which application for an export licence is made must, when it is fixed in advance, be reduced by an amount no greater than the difference between the cif forward delivery price and the cif price, where the former exceeds the latter by more than ECU 0,30 per tonne; whereas on the other hand, the refund must be increased by an amount no greater than the difference between the cif price and the cif forward delivery price, where the former exceeds the latter by more than ECU 0,30 per tonne;

Whereas the cif price is that determined in accordance with Article 16 of Regulation (EEC) No 1418/76; whereas

the cif forward delivery price is that determined in accor-

dance with Article 3 (2) of Council Regulation (EEC) No 1428/76⁽⁵⁾, based in respect of each month for which the export licence is valid, on the cif price calculated on the basis of offers for shipment during the month of exportation;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁶⁾ are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 3819/92⁽⁷⁾;

Whereas it follows from applying the provisions set out above that the corrective amount must be as set out in the Annex hereto;

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

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 17 (4) of Regulation (EEC) No 1418/76 which is applicable to the export refunds fixed in advance in respect of rice and broken rice shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 January 1993.

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 73, 19. 3. 1992, p. 7.

⁽³⁾ OJ No 204, 24. 8. 1967, p. 20.

⁽⁴⁾ OJ No L 222, 10. 9. 1968, p. 6.

⁽⁵⁾ OJ No L 166, 25. 6. 1976, p. 30.

⁽⁶⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁷⁾ OJ No L 387, 31. 12. 1992.

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

Done at Brussels, 29 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 29 December 1992 fixing the corrective amount applicable to the refund on rice and broken rice

(ECU/tonne)					
Product code	Destination (°)	Current 1	1st period 2	2nd period 3	3rd period 4
1006 20 11 000	01	0	0	0	0
1006 20 13 000	01	0	0	0	0
1006 20 15 000	01	0	0	0	0
1006 20 17 000	—	—	—	—	—
1006 20 92 000	01	0	0	0	0
1006 20 94 000	01	0	0	0	0
1006 20 96 000	01	0	0	0	0
1006 20 98 000	—	—	—	—	—
1006 30 21 000	01	0	0	0	0
1006 30 23 000	01	0	0	0	0
1006 30 25 000	01	0	0	0	0
1006 30 27 000	—	—	—	—	—
1006 30 42 000	01	0	0	0	0
1006 30 44 000	01	0	0	0	0
1006 30 46 000	01	0	0	0	0
1006 30 48 000	—	—	—	—	—
1006 30 61 100	01	0	0	0	0
	02	0	0	0	0
	03	0	0	0	0
	04	0	0	0	0
1006 30 61 900	01	0	0	0	0
	04	0	0	0	0
1006 30 63 100	01	0	0	0	0
	02	0	0	0	0
	03	0	0	0	0
	04	0	0	0	0
1006 30 63 900	01	0	0	0	0
	04	0	0	0	0
1006 30 65 100	01	0	0	0	0
	02	0	0	0	0
	03	0	0	0	0
	04	0	0	0	0
1006 30 65 900	01	0	0	0	0
	04	0	0	0	0
1006 30 67 100	—	—	—	—	—
1006 30 67 900	—	—	—	—	—
1006 30 92 100	01	0	0	0	0
	02	0	0	0	0
	03	0	0	0	0
	04	0	0	0	0
1006 30 92 900	01	0	0	0	0
	04	0	0	0	0

(ECU/tonne)

Product code	Destination (1)	Current 1	1st period 2	2nd period 3	3rd period 4
1006 30 94 100	01	0	0	0	0
	02	0	0	0	0
	03	0	0	0	0
	04	0	0	0	0
1006 30 94 900	01	0	0	0	0
	04	0	0	0	0
1006 30 96 100	01	0	0	0	0
	02	0	0	0	0
	03	0	0	0	0
	04	0	0	0	0
1006 30 96 900	01	0	0	0	0
	04	0	0	0	0
1006 30 98 100	—	—	—	—	—
1006 30 98 900	—	—	—	—	—
1006 40 00 000	—	—	—	—	—

(1) The destinations are identified as follows:

01 Austria, Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italia,

02 Zones I, II, III, VI, Ceuta and Melilla,

03 Zones IV, VII c), Canada and zone VIII, except Suriname, Guyana and Madagascar,

04 Destinations mentioned in Article 34 of Commission Regulation (EEC) No 3665/87.

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

COMMISSION REGULATION (EEC) No 3849/92
of 29 December 1992
fixing the export refunds on olive oil

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

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

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

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

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

Whereas the amount of the refund may not exceed the difference between the price of olive oil in the Community and that on the world market, adjusted, where appro-

priate, to take account of export costs for the products on the world market;

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

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

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

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

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

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁶⁾ are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 3819/92⁽⁷⁾;

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

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

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

⁽²⁾ OJ No L 215, 30. 7. 1992, p. 1.

⁽³⁾ OJ No L 145, 30. 5. 1986, p. 8.

⁽⁴⁾ OJ No L 78, 31. 3. 1972, p. 1.

⁽⁵⁾ OJ No L 348, 30. 12. 1977, p. 53.

⁽⁶⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁷⁾ OJ No L 387, 31. 12. 1992.

⁽⁸⁾ OJ No L 151, 3. 6. 1992, p. 4.

⁽⁹⁾ OJ No L 205, 22. 7. 1992, p. 2.

HAS ADOPTED THIS REGULATION:

*Article 2**Article 1*

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

This Regulation shall enter into force on 1 January 1993.

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

Done at Brussels, 29 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 29 December 1992 fixing the export refunds on olive oil

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

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

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

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

COMMISSION REGULATION (EEC) No 3850/92

of 29 December 1992

fixing the production refund for olive oil used in the manufacture of certain preserved fish and vegetables

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⁾,Having regard to Council Regulation (EEC) No 591/79 of 26 March 1979 laying down general rules relating to the production refund for olive oil used in the manufacture of certain preserved foods⁽³⁾, as last amended by Regulation (EEC) No 2903/89⁽⁴⁾, and in particular Articles 3 and 5 thereof,

Whereas Article 2 of Council Regulation (EEC) No 591/79 provides for the granting of a production refund for olive oil used in the preserving industry;

Whereas under Article 3 of the abovementioned Regulation, without prejudice to the second subparagraph of Article 7 of the said Regulation, the Commission shall fix this refund every two months;

Whereas, by virtue of Article 5 of the Regulation cited above, where the tender system is employed for fixing the levy, the production refund shall be fixed on the basis of the minimum levies determined under the said system for oils falling within subheading 1509 90 00 of the combined nomenclature; whereas, however, if the oil employed for manufacture of the preserves was produced within the Community, the amount referred to above

shall be increased by a sum equal to the consumption aid in force on the day the said refund is applied;

Whereas Council Regulation (EEC) No 2047/92⁽⁵⁾ set the rates of consumption aid applicable in Spain and Portugal;Whereas Council Regulation (EEC) No 3815/92⁽⁶⁾, on the application of the common intervention price for olive oil in Spain, lays down that the common intervention price shall apply in Spain from 1 January 1993;

Whereas application of the above criteria results in the refund being fixed as shown below,

HAS ADOPTED THIS REGULATION:

Article 1

For the months of January and February 1993, the amount of the production refund referred to in Article 2 of Regulation (EEC) No 591/79 shall be:

- ECU 88,46 per 100 kilograms for olive oil produced in the Community and utilized in Member States other than Portugal,
- ECU 43,00 per 100 kilograms for olive oil other than that referred to in the preceding indent, utilized in the Member States other than Spain and Portugal,
- ECU 84,42 per 100 kilograms for olive oil produced in the Community and utilized in Portugal,
- ECU 36,55 per 100 kilograms for olive oil, other than that referred to in the preceding indent, utilized in Portugal.

Article 2

This Regulation shall enter into force on 1 January 1993.

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

Done at Brussels, 29 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 172, 30. 9. 1966, p. 3025/66.⁽²⁾ OJ No L 215, 30. 7. 1992, p. 1.⁽³⁾ OJ No L 78, 30. 3. 1979, p. 2.⁽⁴⁾ OJ No L 280, 29. 9. 1989, p. 3.⁽⁵⁾ OJ No L 215, 30. 7. 1992, p. 3.⁽⁶⁾ OJ No L 387, 31. 12. 1992.

COMMISSION REGULATION (EEC) No 3851/92
of 29 December 1992
fixing the export refunds on fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1754/92⁽²⁾, and in particular Article 30 (4) thereof,

Whereas Article 30 of Regulation (EEC) No 1035/72 provides that, to the extent necessary to allow economically significant quantities to be exported, the difference between prices in international trade for the products referred to in that Article and prices for the products within the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 2518/69 of 9 December 1969 laying down general rules for the granting of refunds on exports of fruit and vegetables and criteria for fixing their amounts⁽³⁾, as amended by Regulation (EEC) No 2455/72⁽⁴⁾, provides that when refunds are being fixed, account must be taken of the existing situation and future trends with regard to prices and availabilities of fruit and vegetables on the Community market on the one hand and prices in international trade on the other; whereas account must also be taken of the costs indicated in (b) of that Article and of the economic aspects of the proposed exports;

Whereas, pursuant to Article 3 of Regulation (EEC) No 2518/69, when prices on the Community market are being determined account must be taken of the prices which are most favourable from the exportation point of view; whereas, when prices in international trade are being determined, the quotations and prices referred to in paragraph 2 of that Article must be taken into account;

Whereas the situation with regard to international trade or the specific requirements of certain markets may make it necessary to vary the refund for a given product according to the destination of that product;

Whereas tomatoes, fresh lemons, fresh sweet oranges and apples of the common quality standards 'Extra' Class,

Class I and Class II, 'Extra' Class and Class I table grapes, almonds and hazelnuts, and unshelled walnuts may at present be exported in economically significant quantities;

Whereas Council Regulation (EEC) No 1432/92⁽⁵⁾, as amended by Regulation (EEC) No 2015/92⁽⁶⁾, prohibits trade between the Community and the Republics of Serbia and Montenegro; whereas this prohibition does not apply to certain situations as given in the limitative enumeration laid down in Articles 2 and 3; whereas this should be taken into account when refunds are fixed;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁷⁾ are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 3819/92⁽⁸⁾;

Whereas it follows from applying these detailed rules to the present market situation and to its future trends, and in particular to quotations and prices for fruit and vegetables in the Community and in international trade that the refunds should be as set out in the Annex hereto;

Whereas, pursuant to Article 3 of Council Regulation (EEC) No 3816/92⁽⁹⁾ which provides for the abolition, in the fruit and vegetables sector, of the compensatory mechanism in trade between Spain and Portugal and the other Member States and of associated measures, the basic price and purchase price shall be applied in Spain as from 1 January 1993; whereas, consequently, the amount of the refunds must be the same for all the Member States except for Portugal;

Whereas under the Act of Accession a phased transitional arrangement was introduced in respect of Portugal;

Whereas, from the beginning of the second transitional stage on 1 January 1992, it has been necessary, under Article 255 of the Act of Accession, in fixing the refunds for Portugal, to take account of the difference in prices economically justified for each of the products concerned;

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 23.

⁽³⁾ OJ No L 318, 18. 12. 1969, p. 17.

⁽⁴⁾ OJ No L 266, 25. 11. 1972, p. 7.

⁽⁵⁾ OJ No L 151, 3. 6. 1992, p. 4.

⁽⁶⁾ OJ No L 205, 22. 7. 1992, p. 2.

⁽⁷⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁸⁾ OJ No L 387, 31. 12. 1992.

⁽⁹⁾ OJ No L 387, 31. 12. 1992.

Whereas account should be taken of the amendments, introduced by Commission Regulation (EEC) No 3502/92 of 3 December 1992, amending Regulation (EEC) No 3846/92 establishing an agricultural product nomenclature for export refunds⁽¹⁾, to the agricultural product nomenclature for export refunds in respect of oranges, grapes, apples and peaches, applicable from 1 January 1993;

Whereas where Spain and, from the beginning of the second stage of transition on 1 January 1990, Portugal are concerned when refunds are fixed, account is to be taken for each product in accordance with Articles 87 and 255 of the Act of Accession, of economically justified price differences;

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

HAS ADOPTED THIS REGULATION:

Article 1

Export refunds in the fruit and vegetables sector shall be fixed at the amounts specified in the Annex to this Regulation, in column I for Portugal and in column II for the other Member States.

Article 2

This Regulation shall enter into force on 1 January 1993.

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

Done at Brussels, 29 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 354, 4. 12. 1992, p. 10.

ANNEX

to the Commission Regulation of 29 December 1992 fixing the export refunds on fruit and vegetables

(ECU/100 kg net)

Product code	Destination of refund (I)	Amounts of refunds (2)	
		Portugal (I)	Other Member States (II)
0702 00 10 100	04	1,19	4,50
0702 00 10 900	—	—	—
0702 00 90 100	04	1,19	4,50
0702 00 90 900	—	—	—
0802 12 90 000	04	9,67	9,67
0802 21 00 000	04	11,30	11,30
0802 22 00 000	04	21,80	21,80
0802 31 00 000	04	14,00	14,00
0805 10 11 200	01	7,24	11,00
0805 10 11 900	—	—	—
0805 10 15 200	01	7,24	11,00
0805 10 15 900	—	—	—
0805 10 19 200	01	7,24	11,00
0805 10 19 900	—	—	—
0805 10 21 200	01	7,24	11,00
0805 10 21 900	—	—	—
0805 10 25 200	01	7,24	11,00
0805 10 25 900	—	—	—
0805 10 29 200	01	7,24	11,00
0805 10 29 900	—	—	—
0805 10 31 200	01	7,24	11,00
0805 10 31 900	—	—	—
0805 10 35 200	01	7,24	11,00
0805 10 35 900	—	—	—
0805 10 39 200	01	7,24	11,00
0805 10 39 900	—	—	—
0805 10 41 200	01	7,24	11,00
0805 10 41 900	—	—	—
0805 10 45 200	01	7,24	11,00
0805 10 45 900	—	—	—
0805 10 49 200	01	7,24	11,00

Product code	Destination of refund (I)	(ECU/100 kg net)	
		Amounts of refunds (2)	
		Portugal (I)	Other Member States (II)
0805 10 49 900	—	—	—
0805 20 50 100	—	—	—
0805 20 50 900	—	—	—
0805 30 10 100	04	5,92	13,50
0805 30 10 900	—	—	—
0806 10 11 200	04	0,40	4,84
0806 10 11 900	—	—	—
0806 10 15 100	04	0,40	4,84
0806 10 15 900	—	—	—
0806 10 19 100	04	0,40	4,84
0806 10 19 900	—	—	—
0808 10 31 100	—	—	—
0808 10 31 910	02	4,27	8,00
0808 10 31 990	—	—	—
0808 10 33 100	—	—	—
0808 10 33 910	02	4,27	8,00
0808 10 33 990	—	—	—
0808 10 39 100	—	—	—
0808 10 39 910	02	4,27	8,00
0808 10 39 990	—	—	—
0808 10 51 100	—	—	—
0808 10 51 910	02	4,27	8,00
0808 10 51 990	—	—	—
0808 10 53 100	—	—	—
0808 10 53 910	02	4,27	8,00
0808 10 53 990	—	—	—
0808 10 59 100	—	—	—
0808 10 59 910	02	4,27	8,00
0808 10 59 990	—	—	—
0808 10 81 100	—	—	—
0808 10 81 910	02	4,27	8,00
0808 10 81 990	—	—	—
0808 10 83 100	—	—	—
0808 10 83 910	02	4,27	8,00
0808 10 83 990	—	—	—
0808 10 89 100	—	—	—
0808 10 89 910	02	4,27	8,00
0808 10 89 990	—	—	—
0809 30 10 100	03	—	—
0809 30 10 900	03	—	—
0809 30 90 100	03	—	—
0809 30 90 900	—	—	—

(¹) The destinations are as follows :

01 Austria, Switzerland, Finland, Sweden, Greenland, Norway, Iceland, Malta, Poland, the Czech and Slovak Federal Republic, Hungary, Romania, Bulgaria, Albania, Estonia, Latvia, Lithuania, Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine, Uzbekistan, Bosnia-Herzegovina, Croatia, Slovenia and the former Yugoslav Republic of Macedonia,

02 Sweden, Norway, Iceland, Austria, the Faroe Islands, Finland, Greenland, Malta, Syria, Poland, the Czech and Slovak Federal Republic, Hungary, Romania, Bulgaria, Albania, Estonia, Latvia, Lithuania, Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine, Uzbekistan, Bosnia-Herzegovina, Croatia, Slovenia and the former Yugoslav Republic of Macedonia, Bolivia, Brazil, Venezuela, Peru, Panama, Ecuador, Colombia, the countries and territories of Africa other than South Africa, countries of the Arabian peninsula (Saudi Arabia, Bahrain, Qatar, Oman, the United Arab Emirates (Abu Dhabi, Dubai, Sharjah, Ajman, Umm, al Qaiwain, Fujairah and Ras al Khaimah), Kuwait, Yemen), Iran and Jordan, Hong Kong, Singapore, Malaysia, Indonesia, Thailand and Taiwan,

03 all destinations excluding Switzerland and Austria,

04 all destinations.

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

COMMISSION REGULATION (EEC) No 3852/92
of 29 December 1992
fixing the export refunds on beef

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EEC) No 3661/92⁽²⁾, and in particular Article 18 thereof,

Whereas Article 18 of Regulation (EEC) No 805/68 provides that the difference between prices on the world market 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 885/68⁽³⁾, as last amended by Regulation (EEC) No 427/77⁽⁴⁾, lays down general rules for granting export refunds and criteria for fixing the amount of such refunds;

Whereas Regulation (EEC) No 32/82⁽⁵⁾, as last amended by Regulation (EEC) No 3169/87⁽⁶⁾, Regulation (EEC) No 1964/82⁽⁷⁾, as amended by Regulation (EEC) No 3169/87, and Regulation (EEC) No 2388/84⁽⁸⁾, as last amended by Regulation (EEC) No 3661/92 lay down the conditions for granting special export refunds on certain cuts of beef and veal and certain preserved beef and veal products;

Whereas it follows from applying those rules and criteria to the foreseeable situation on the market in beef and veal that the refund should be as set out below;

Whereas, given the current market situation in the Community and the possibilities of disposal in certain third countries in particular, export refunds should be

granted on adult bovine animals of a live weight of at least 300 kilograms; whereas experience gained in recent years has shown that live pure-bred breeding animals weighing at least 250 kilograms in the case of females and 300 kilograms in that of males should be treated in the same way as other bovine animals, subject to certain special administrative formalities;

Whereas export refunds should be granted for certain destinations on some fresh or chilled meat listed in the Annex under CN code 0201, on some frozen meat listed in the Annex under CN code 0202, on some meat or offal listed in the Annex under CN code 0206 and on some other prepared or preserved meat or offal listed in the Annex under CN code 1602 50 10;

Whereas, in view of the wide differences in products covered by CN codes 0201 20 90 700 and 0202 20 90 100 used for refund purposes, refunds should only be granted on cuts in which the weight of bone does not exceed one third;

Whereas, in the case of meat of bovine animals, boned or boneless, salted and dried, there are traditional trade flows to Switzerland; whereas, to allow this trade to continue, the refund should be set to cover the difference between prices on the Swiss market and export prices in the Member States; whereas there are possibilities for exporting such meat and also salted, smoked and dried meat to certain African, Near and Middle Eastern countries; whereas a refund should accordingly be set;

Whereas, in the case of certain other cuts and preserves of meat or offal shown in the Annex under CN codes 1602 50 31 to 1602 50 80, the Community share of international trade may be maintained by granting a refund corresponding to that at present available;

Whereas, in the case of other beef and veal products, a refund need not be fixed since the Community's share of world trade is not significant;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 370, 19. 12. 1992, p. 16.

⁽³⁾ OJ No L 156, 4. 7. 1968, p. 2.

⁽⁴⁾ OJ No L 61, 5. 3. 1977, p. 16.

⁽⁵⁾ OJ No L 4, 8. 1. 1982, p. 11.

⁽⁶⁾ OJ No L 301, 24. 10. 1987, p. 21.

⁽⁷⁾ OJ No L 212, 21. 7. 1982, p. 48.

⁽⁸⁾ OJ No L 221, 18. 8. 1984, p. 28.

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽¹⁾ are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 3819/92 ⁽²⁾;

Whereas Commission Regulation (EEC) No 3846/87 ⁽³⁾, as last amended by Regulation (EEC) No 3661/92; establishes the agricultural product nomenclature for the purposes of export refunds;

Whereas, in order to simplify customs export formalities for operators, the refunds on all frozen cuts should be brought in line with those on fresh or chilled cuts other than those from adult male bovine animals;

Whereas experience has shown that in certain cases it is often difficult to determine the relevant quantities of beef, veal and other meat contained in prepared or preserved meat covered by CN code 1602 50; whereas exclusively beef and veal products should accordingly be set apart and a new heading should be created for mixtures of meats or offals; whereas checks on products other than mixtures of meat or offal should be stepped up by making the granting of refunds on these products conditional on manufacture under the arrangements provided for in Article 4 of Council Regulation (EEC) No 565/80 of 4 March 1980 on the advance payment of export refunds in

respect of agricultural products ⁽⁴⁾, as amended by Regulation (EEC) No 2026/83 ⁽⁵⁾;

Whereas refunds on female animals should vary depending on their age in order to prevent abuses in the export of certain pure-bred breeding animals;

Whereas Council Regulation (EEC) No 1432/92 ⁽⁶⁾, as amended by Regulation (EEC) No 2015/92 ⁽⁷⁾, prohibits trade between the Community and the Republics of Serbia and Montenegro; whereas that prohibition does not apply to certain cases given in the limitative enumeration in Articles 2 and 3 of that Regulation; whereas account should be taken of this when the refunds are fixed;

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

HAS ADOPTED THIS REGULATION:

Article 1

The list of products on which export refunds as referred to in Article 18 of Regulation (EEC) No 805/68 are granted and the amount thereof shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 January 1993.

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

Done at Brussels, 29 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 387, 31. 12. 1992.

⁽³⁾ OJ No L 366, 24. 12. 1987, p. 1.

⁽⁴⁾ OJ No L 62, 7. 3. 1980, p. 5.

⁽⁵⁾ OJ No L 199, 22. 7. 1983, p. 12.

⁽⁶⁾ OJ No L 151, 3. 6. 1992, p. 4.

⁽⁷⁾ OJ No L 205, 22. 7. 1992, p. 2.

ANNEX

Product code	Destination (7)	(ECU/100 kg) Refund (8) (10)
		— Live weight —
0102 10 10 120	01	96,00
0102 10 10 130	02	85,50
	03	55,50
	04	25,50
	04	25,50
0102 10 30 120	01	96,00
0102 10 30 130	02	85,50
	03	55,50
	04	25,50
	04	25,50
0102 10 90 120	01	96,00
0102 90 51 000	02	85,50
	03	55,50
	04	25,50
	04	25,50
0102 90 59 000	02	85,50
	03	55,50
	04	25,50
	04	25,50
0102 90 61 000	02	85,50
	03	55,50
	04	25,50
	04	25,50
0102 90 69 000	02	85,50
	03	55,50
	04	25,50
	04	25,50
0102 90 71 000	02	101,50
	03	73,00
	04	34,50
	04	34,50
0102 90 79 000	02	101,50
	03	73,00
	04	34,50
	04	34,50
0201 10 00 110 (1)	02	124,50
	03	85,00
	04	42,50
	04	42,50
0201 10 00 120	02	92,00
	03	65,00
	04	32,50
	04	32,50
0201 10 00 130 (1)	02	171,50
	03	115,00
	04	57,50
	04	57,50
0201 10 00 140	02	126,50
	03	88,00
	04	44,00
	04	44,00
0201 20 20 110 (1)	02	171,50
	03	115,00
	04	57,50
	04	57,50
0201 20 20 120	02	126,50
	03	88,00
	04	44,00
	04	44,00
0201 20 30 110 (1)	02	124,50
	03	85,00
	04	42,50
	04	42,50

(ECU/100 kg)		
Product code	Destination (°)	Refund (°) (°)
		— Live weight —
0201 20 30 120	02	92,00
	03	65,00
	04	32,50
0201 20 50 110 (°)	02	218,50
	03	146,00
	04	73,00
0201 20 50 120	02	161,00
	03	110,50
	04	56,00
0201 20 50 130 (°)	02	124,50
	03	85,00
	04	42,50
0201 20 50 140	02	92,00
	03	65,00
	04	32,50
0201 20 90 700	02	92,00
	03	65,00
	04	32,50
0201 30 00 050 (°)	05	112,00
0201 30 00 100 (°)	02	312,00
	03	208,50
	04	104,50
	06	266,50
0201 30 00 150 (°)	02	165,00
	03	125,00
	04	62,50
	06	144,50
	07	90,00
0201 30 00 190 (°)	02	128,00
	03	84,00
	04	42,00
	06	102,50
	07	90,00
0202 10 00 100	02	92,00
	03	65,00
	04	32,50
0202 10 00 900	02	126,50
	03	88,00
	04	44,00
0202 20 10 000	02	126,50
	03	88,00
	04	44,00
0202 20 30 000	02	92,00
	03	65,00
	04	32,50
0202 20 50 100	02	161,00
	03	110,50
	04	56,00
0202 20 50 900	02	92,00
	03	65,00
	04	32,50

Product code	Destination (?)	(ECU/100 kg) Refund (?) ⁽¹⁰⁾
		— Live weight —
0202 20 90 100	02	92,00
	03	65,00
	04	32,50
0202 30 90 100 (*)	05	112,00
0202 30 90 400 (*)	02	165,00
	03	125,00
	04	62,50
	06	144,50
	07	90,00
0202 30 90 500 (*)	02	128,00
	03	84,00
	04	42,00
	06	102,50
	07	90,00
0202 30 90 900	07	90,00
0206 10 95 000	02	128,00
	03	84,00
	04	42,00
	06	102,50
0206 29 91 000	02	128,00
	03	84,00
	04	42,00
	06	102,50
0210 20 90 100	08	102,50
	09	60,50
0210 20 90 300	02	128,00
0210 20 90 500 (*)	02	128,00
1602 50 10 120	02	134,50 (*)
	03	108,00 (*)
	04	108,00 (*)
1602 50 10 140	02	119,50 (*)
	03	96,00 (*)
	04	96,00 (*)
1602 50 10 160	02	96,00 (*)
	03	77,00 (*)
	04	77,00 (*)
1602 50 10 170	02	63,50 (*)
	03	51,00 (*)
	04	51,00 (*)
1602 50 10 190	02	63,50
	03	51,00
	04	51,00
1602 50 10 240	02	36,00
	03	36,00
	04	36,00
1602 50 10 260	02	26,00
	03	26,00
	04	26,00
1602 50 10 280	02	16,00
	03	16,00
	04	16,00

(ECU/100 kg)

Product code	Destination (*)	Refund (°) (10)
		— Live weight —
1602 50 31 125	01	116,00 (°)
1602 50 31 135	01	73,00 (°)
1602 50 31 195	01	36,00
1602 50 31 325	01	103,00 (°)
1602 50 31 335	01	65,00 (°)
1602 50 31 395	01	36,00
1602 50 39 125	01	116,00 (°)
1602 50 39 135	01	73,00 (°)
1602 50 39 195	01	36,00
1602 50 39 325	01	103,00 (°)
1602 50 39 335	01	65,00 (°)
1602 50 39 395	01	36,00
1602 50 39 425	01	77,00 (°)
1602 50 39 435	01	48,50 (°)
1602 50 39 495	01	36,00
1602 50 39 505	01	36,00
1602 50 39 525	01	77,00 (°)
1602 50 39 535	01	48,50 (°)
1602 50 39 595	01	36,00
1602 50 39 615	01	36,00
1602 50 39 625	01	16,00
1602 50 39 705	01	36,00
1602 50 39 805	01	26,00
1602 50 39 905	01	16,00
1602 50 80 125	01	116,00 (°)
1602 50 80 135	01	73,00 (°)
1602 50 80 195	01	36,00
1602 50 80 325	01	103,00 (°)
1602 50 80 335	01	65,00 (°)
1602 50 80 395	01	36,00
1602 50 80 425	01	77,00 (°)
1602 50 80 435	01	48,50 (°)
1602 50 80 495	01	36,00
1602 50 80 505	01	36,00
1602 50 80 525	01	77,00 (°)
1602 50 80 535	01	48,50 (°)
1602 50 80 595	01	36,00
1602 50 80 615	01	36,00
1602 50 80 625	01	16,00
1602 50 80 705	01	36,00
1602 50 80 805	01	26,00
1602 50 80 905	01	16,00

(1) Entry under this subheading is subject to the submission of the certificate appearing in the Annex to Commission Regulation (EEC) No 32/82.

(2) Entry under this subheading is subject to compliance with the condition laid down in Commission Regulation (EEC) No 1964/82.

(3) The refund on beef in brine is granted on the net weight of the meat, after deduction of the weight of the brine.

(4) OJ No L 336, 29. 12. 1979, p. 44.

- (⁵) OJ No L 221, 19. 8. 1984, p. 28.
- (⁶) The lean bovine meat content excluding fat is determined in accordance with the procedure described in the Annex to Commission Regulation (EEC) No 2429/86.
- (⁷) The destinations are as follows :
- 01 Third countries.
 - 02 North African, Near and Middle East third countries, West, Central East and South African third countries, except Cyprus, Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia.
 - 03 European third countries, Ceuta, Melilla, Cyprus, Greenland, Pakistan, Sri Lanka, Burma, Thailand, Vietnam, Indonesia, the Philippines, China, North Korea and Hong Kong and the destinations referred to in Article 34 of Commission Regulation (EEC) No 3665/87, except Austria, Sweden and Switzerland.
 - 04 Austria, Sweden and Switzerland.
 - 05 The United States of America, carried out in accordance with Commission Regulation (EEC) No 2973/79.
 - 06 French Polynesia and New Caledonia.
 - 07 Canada.
 - 08 North, West, Central, East and Southern African third countries, except Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia.
 - 09 Switzerland.
- (⁸) Article 7 of Regulation (EEC) No 885/68 provides that no export refunds shall be granted on products imported from third countries and re-exported to third countries.
- (⁹) The refund is granted only on products manufactured under the arrangement provided for in Article 4 of Council Regulation (EEC) No 565/80.
- (¹⁰) 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 countries are as defined in Commission amended Regulation (EEC) No 3518/91.

The descriptions corresponding to the product codes and the footnotes are set out in Commission Regulation (EEC) No 3846/87 as amended.

COMMISSION REGULATION (EEC) No 3853/92
of 29 December 1992
fixing the import levies on 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 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 3661/92 ⁽²⁾, and in particular Article 12 (8) thereof,

Whereas under Article 9 of Regulation (EEC) No 805/68 a levy is applicable to the products specified in Article 1 (1) (a) of that Regulation; whereas Article 12 fixes the amount of the levy applicable by reference to a percentage of the basic levy;

Whereas, in respect of the types of frozen meat listed in section (b) of the Annex to the said Regulation under CN codes 0202 10 00 and 0202 20 10, the basic levy is determined on the basis of the difference between:

- the guide price multiplied by a coefficient representing the ratio existing in the Community between the price of fresh meat of a category competitive with the frozen meat in question, presented in the same form, and the average price of adult bovine animals, and
- the Community free-at-frontier offer price for frozen meat, plus the amount of the customs duty and a standard amount representing the specific costs of the import operations;

Whereas, by Commission Regulation (EEC) No 586/77 of 18 March 1977 laying down rules for the application of the levies on beef and veal and amending Regulation (EEC) No 950/68 on the Common Customs Tariff ⁽³⁾, as last amended by Regulation (EEC) No 3661/92, the abovementioned coefficient, calculated in accordance with the rules laid down in Article 11 (2) (a) of Regulation (EEC) No 805/68, has been fixed at 1,69 units of account and the standard amount referred to in Article 11 (2) (b) of the said Regulation has been fixed at ECU 6,65;

Whereas, if it is found that the price of adult bovine animals on representative Community markets is higher than the guide price, the levy applicable equals the following percentage of the basic levy:

- (a) 75 % where the market price is less than or equal to 102 % of the guide price;

- (b) 50 % where the market price is more than 102 % and less than or equal to 104 % of the guide price;
- (c) 25 % where the market price is more than 104 % and less than or equal to 106 % of the guide price;
- (d) 0 % where the market price is more than 106 % of the guide price;

Whereas, if it is found that the price of adult bovine animals on representative Community markets is equal to or less than the guide price, the levy applicable equals the following percentage of the basic levy:

- (a) 100 % where the market price is more than or equal to 98 % of the guide price;
- (b) 105 % where the market price is less than 98 % and more than or equal to 96 % of the guide price;
- (c) 110 % where the market price is less than 96 % and more than or equal to 90 % of the guide price;
- (d) 114 % where the market price is less than 90 % of the guide price;

Whereas the guide prices for adult bovine animals for the 1992/93 marketing year have been fixed by Council Regulation (EEC) No 1377/92 ⁽⁴⁾;

Whereas the Community free-at-frontier offer price for frozen meat is determined by reference to the world market price based on the most representative purchasing possibilities, as regards quality and quantity, recorded over a certain period preceding the fixing of the basic levy, taking into account in particular:

- foreseeable developments on the market in frozen meat,
- the most representative prices on third country markets for fresh and chilled meat of a category which is competitive with frozen meat,
- past experience;

Whereas the basic levy on the types of frozen meat listed in section (b) of the Annex to Regulation (EEC) No 805/68 under CN codes 0202 20 50, 0202 20 90, 0202 30 10, 0202 30 50 and 0202 30 90 is equal to the basic levy fixed for the products falling within CN codes 0202 10 00 and 0202 20 10, multiplied by a standard

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 370, 19. 12. 1992, p. 16.

⁽³⁾ OJ No L 75, 23. 3. 1977, p. 10.

⁽⁴⁾ OJ No L 147, 29. 5. 1992, p. 6.

coefficient fixed for each of the products in question; whereas these coefficients were fixed in Annex II to Regulation (EEC) No 586/77;

Whereas, for the purpose of fixing the free-at-frontier offer prices, offer prices that do not correspond to real purchasing possibilities or that relate to unrepresentative quantities should not be taken into account; whereas offer prices should also be excluded when the movement of prices in general or the information available gives reason to believe that they are unrepresentative of the true trend of prices in the country of origin;

Whereas, where the free-at-frontier offer price for frozen meat differs by less than one unit of account per 100 kilograms from that previously used for the calculation of the levy, the latter price should be retained;

Whereas pursuant to Article 12 (6) of Regulation (EEC) No 805/68 the price of adult bovine animals on representative Community markets is the price established on the basis of prices recorded over a period to be determined on the representative market or markets of each Member State for the various categories of adult bovine animals or of meat from such animals, taking into account the size of each of these categories and the relative size of the bovine herd of each Member State;

Whereas the representative markets, categories and qualities of products and weighting coefficients are fixed in Annex II to Commission Regulation (EEC) No 610/77 of 18 March 1977 on the determination of prices of adult bovine animals on representative Community markets and the survey of prices of certain other cattle in the Community⁽¹⁾, as last amended by Regulation (EEC) No 1615/92⁽²⁾;

Whereas, for Member States with several representative markets, the price of each category and quality is equal to the arithmetic mean of the prices recorded on each of those markets; for representative markets held several times in one period of seven days, the price of each category and quality is equal to the arithmetic mean of the prices recorded on each market day; whereas in respect of Italy the price of each category and quality is equal to the average, weighted by the special weighting coefficients fixed in Annex II to Regulation (EEC) No 610/77, of the prices recorded in the surplus and deficit zones; whereas the price recorded in the surplus zone is equal to the arithmetic mean of the prices recorded on each of the markets within that zone; whereas in respect of the United Kingdom the weighted average prices of adult bovine animals recorded on the representative markets of

Great Britain on the one hand and Northern Ireland on the other are adjusted by the coefficient fixed in the abovementioned Annex II;

Whereas prices for the different categories and qualities not obtained from prices which are 'live weight excluding tax', are multiplied by the live weight conversion coefficients fixed in Annex II to the said Regulation and, in the case of Italy, are first increased or reduced by the corrective amounts fixed in the said Annex;

Whereas if one or more Member States, for veterinary or health reasons for example, adopt measures affecting the normal trend of prices recorded on their markets, the Commission may disregard the prices recorded on the market or markets in question, or use the latest prices recorded on the market or markets in question before the entry into force of such measures;

Whereas, in the absence of information, prices recorded on representative Community markets are determined mainly by reference to the most recently recorded prices;

Whereas, for such period as the price of adult bovine animals recorded on representative Community markets differs by less than ECU 0,24 per 100 kilograms of live weight from the price previously used, the latter is retained;

Whereas Council Regulation (EEC) No 715/90⁽³⁾, as last amended by Regulation (EEC) No 444/92⁽⁴⁾, lays down the arrangements applicable on agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States;

Whereas Council Regulations (EEC) No 518/92⁽⁵⁾, (EEC) No 519/92⁽⁶⁾ and (EEC) No 520/92⁽⁷⁾ of 27 February 1992 on certain procedures for applying the Interim Agreements on trade and trade-related matters between the European Economic Community and the European Coal and Steel Community, of the one part, and the Republic of Poland, the Republic of Hungary and the Czech and Slovak Federal Republic respectively, of the other part, introduce arrangements for reducing import levies on certain products; whereas Commission Regulation (EEC) No 898/92⁽⁸⁾, as amended by Regulation (EEC) No 1265/92⁽⁹⁾, lays down detailed rules for applying the arrangements provided for in these agreements as regards beef and veal;

⁽¹⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽²⁾ OJ No L 52, 27. 2. 1992, p. 7.

⁽³⁾ OJ No L 56, 29. 2. 1992, p. 3.

⁽⁴⁾ OJ No L 56, 29. 2. 1992, p. 6.

⁽⁵⁾ OJ No L 56, 29. 2. 1992, p. 9.

⁽⁶⁾ OJ No L 95, 9. 4. 1992, p. 44.

⁽⁷⁾ OJ No L 135, 19. 5. 1992, p. 6.

⁽¹⁾ OJ No L 77, 25. 3. 1977, p. 1.
⁽²⁾ OJ No L 170, 25. 6. 1992, p. 16.

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⁽¹⁾, no levies shall apply on imports of products originating in the overseas countries and territories ;

Whereas the various cuts of frozen meat are defined in Regulation (EEC) No 586/77 ;

Whereas, pursuant to Article 33 (2) of Regulation (EEC) No 805/68, the nomenclature provided for in this Regulation is incorporated in the combined nomenclature ;

Whereas the levies are fixed before the 27th day of each month and are applicable from the first Monday of the following month ; whereas these levies may be altered in the period between two fixings where the basic levy is altered, or in these case of changes in the prices recorded on Community representative markets ;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽²⁾ are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural

conversion rates of the Member States' currencies ; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 3819/92⁽³⁾ ;

Whereas, having regard to the provisions of the aforementioned Regulations, and in particular to the information and quotations known to the Commission, the levies on frozen beef and veal should be as set out in the Annex hereto,

HAS ADOPTED THIS REGULATION :

Article 1

The import levies on frozen beef and veal shall be as set out in the Annex.

Article 2

This Regulation shall enter into force on 4 January 1993.

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

Done at Brussels, 29 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 263, 19. 9. 1991, p. 1.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽³⁾ OJ No L 387, 31. 12. 1992.

ANNEX

to the Commission Regulation of 29 December 1992 fixing the import levies on frozen beef and veal ⁽¹⁾ ⁽²⁾

CN code	(ECU/100 kg)	
	Levy	
	— Net weight —	
0202 10 00	193,059	
0202 20 10	193,059	
0202 20 30	154,447	
0202 20 50	241,324	
0202 20 90	289,589	
0202 30 10	241,324	
0202 30 50	241,324	
0202 30 90	332,061	
0206 29 91	332,061	

⁽¹⁾ In accordance with amended Regulation (EEC) No 715/90, levies are not applied to products imported directly into the French overseas departments, originating in the African, Caribbean and Pacific States.

⁽²⁾ No import levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.

COMMISSION REGULATION (EEC) No 3854/92

of 29 December 1992

fixing the import levies on live cattle and on beef and veal other than frozen

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EEC) No 3661/92⁽²⁾, and in particular Article 12 (8) thereof,

Whereas under Article 9 of Regulation (EEC) No 805/68 a levy is applicable to the products specified in Article 1 (1) (a) of that Regulation; whereas Article 12 fixes the amount of the levy applicable by reference to a percentage of the basic levy;

Whereas in respect of bovine animals the basic levy is determined on the basis of the difference between the guide price and the Community free-at-frontier offer price plus the amount of the customs duty; whereas the Community free-at-frontier offer price is determined in the light of the most representative purchasing possibilities, as regards quality and quantity, recorded over a certain period for bovine animals and for the fresh or chilled meat specified in section (a) of the Annex to the said Regulation under CN codes 0201 10 00, 0201 10 90, 0201 20 20 to 0201 20 50, account being taken in particular of the position with respect to supply and demand, of world market prices for frozen meat of a category which is competitive with fresh or chilled meat and of past experience;

Whereas if it is found that the price of adult bovine animals on representative Community markets is higher than the guide price, the levy applicable equals the following percentage of the basic levy:

- (a) 75 % where the market price is less than or equal to 102 % of the guide price;
- (b) 50 % where the market price is more than 102 % and less than or equal to 104 % of the guide price;
- (c) 25 % where the market price is more than 104 % and less than or equal to 106 % of the guide price;
- (d) 0 % where the market price is more than 106 % of the guide price;

Whereas if it is found that the price of adult bovine animals on representative Community markets is equal to

or less than the guide price, the levy applicable equals the following percentage of the basic levy:

- (a) 100 % where the market price is more than or equal to 98 % of the guide price;
- (b) 105 % where the market price is less than 98 % and more than or equal to 96 % of the guide price;
- (c) 110 % where the market price is less than 96 % and more than or equal to 90 % of the guide price;
- (d) 114 % where the market price is less than 90 % of the guide price;

Whereas pursuant to Article 10 (4) of Regulation (EEC) No 805/68 the basic levy on the meat specified in sections (a), (c) and (d) of the Annex hereto is equal to the basic levy determined for bovine animals, multiplied by a standard coefficient fixed for each of the products in question; whereas these coefficients are fixed by Commission Regulation (EEC) No 586/77 of 18 March 1977 laying down rules for the application of levies on beef and veal and amending Regulation (EEC) No 950/68 on the Common Customs Tariff⁽³⁾, as last amended by Regulation (EEC) No 3661/92;

Whereas the guide prices for adult bovine animals for the 1992/93 marketing year were fixed by Council Regulation (EEC) No 1377/92⁽⁴⁾;

Whereas Regulation (EEC) No 586/77 stipulates that the basic levy is to be calculated according to the method set out in its Article 3 and on the basis of all the representative free-at-frontier offer prices of the Community determined for the products of each of the categories and cuts specified in Article 2 and established principally by reference to the prices specified in the customs documents accompanying products imported from third countries or from other information concerning export prices obtaining in those third countries;

Whereas, however, offer prices that do not correspond to real purchasing possibilities or that relate to unrepresentative quantities should not be taken into account; whereas offer prices should also be excluded when the movement of prices in general or the information available suggests that they are unrepresentative of the true trend of prices in the country of origin;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 370, 19. 12. 1992, p. 16.

⁽³⁾ OJ No L 75, 23. 3. 1977, p. 10.

⁽⁴⁾ OJ No L 147, 29. 5. 1992, p. 6.

Whereas in cases where for one or more categories of bovine animals or cuts of meat a free-at-frontier offer price cannot be established, the most recent available price should be used for the calculation ;

Whereas if the free-at-frontier offer price differs by less than ECU 0,60 per 100 kilograms of live weight from that previously used for the calculation of the levy, the latter price should be retained ;

Whereas pursuant to Article 10 (3) of Regulation (EEC) No 805/68 a special basic levy is determined for certain third countries on the basis of the difference between the guide price and the average price recorded over a certain period plus the amount of the customs duty ;

Whereas Commission Regulation (EEC) No 611/77 ⁽¹⁾, as last amended by Regulation (EEC) No 1049/92 ⁽²⁾, provides that the special levy on products originating in and coming from Austria, Sweden and Switzerland should be determined on the basis of the weighted average of the prices of adult bovine animals recorded on the representative markets of those third countries ; whereas the weighting coefficients and representative markets are specified in the Annexes to Regulation (EEC) No 611/77 ;

Whereas Council Decision 92/232/EEC of 1 October 1991 on the conclusion of an Agreement in the form of an exchange of letters between the European Economic Community and the Republic of Austria concerning the adjustment of the Community import arrangements applicable to certain beef and veal sector products originating in Austria ⁽³⁾ lays down new provisions on preferential imports under a separate tariff quota ; whereas this must be taken into account when the levies are fixed ;

Whereas the average price is not to be used for calculating the special levy unless it is at least ECU 1,21 per 100 kilograms of live weight more than the free-at-frontier offer price determined in accordance with Article 10 (2) of Regulation (EEC) No 805/68 ;

Whereas if the average price differs by less than ECU 0,60 per 100 kilograms of live weight from that previously used to calculate the levy, the latter may be retained ;

Whereas in cases where one or more of the abovementioned third countries adopt, for reasons of health for example, measures affecting the prices recorded on their markets, the Commission may use the latest prices recorded before the entry into force of such measures ;

Whereas pursuant to Article 12 (6) of Regulation (EEC) No 805/68 the price of adult bovine animals on representative Community markets is the price established on the basis of prices recorded over a period to be determined on the representative market or markets of each Member State in respect of the various categories of adult bovine animals or of meat from such animals, after taking into account the size of each of these categories and the relative size of the bovine herd of each Member State ;

Whereas the representative markets, categories and qualities of products and weighting coefficients are fixed in Annex II to Commission Regulation (EEC) No 610/77 of 18 March 1977 on the determination of prices of adult bovine animals on representative Community markets and the survey of prices of certain other cattle in the Community ⁽⁴⁾, as last amended by Regulation (EEC) No 1615/92 ⁽⁵⁾ ;

Whereas, for Member States with several representative markets, the price of each category and quality is equal to the arithmetic mean of the prices recorded on each of those markets ; whereas, for representative markets held several times in one period of seven days, the price of each category and quality is equal to the arithmetic mean of the prices recorded on each market day ; whereas in respect of Italy the price of each category and quantity is equal to the average, weighted by the special weighting coefficients fixed in Annex II to Regulation (EEC) No 610/77, of the prices recorded in the surplus and deficit zones ; whereas the price recorded in the surplus zone is equal to the arithmetic mean of the prices recorded on each of the markets within that zone ; whereas in respect of the United Kingdom the weighted average prices of adult bovine animals recorded on the representative markets of Great Britain on the one hand and Northern Ireland on the other are adjusted by the coefficient fixed in the abovementioned Annex II ;

Whereas prices for the different categories and qualities not obtained from prices which are 'live weight excluding tax' are multiplied by the live weight conversion coefficients fixed in Annex II to the said Regulation and, in the case of Italy, are first increased or reduced by the corrective amounts fixed in the said Annex ;

Whereas if one or more Member States, for veterinary or health reasons for example, adopt measures affecting the normal trend of prices recorded on their markets the

⁽¹⁾ OJ No L 77, 25. 3. 1977, p. 14.

⁽²⁾ OJ No L 111, 29. 4. 1992, p. 7.

⁽³⁾ OJ No L 111, 29. 4. 1992, p. 16.

⁽⁴⁾ OJ No L 77, 25. 3. 1977, p. 1.

⁽⁵⁾ OJ No L 170, 25. 6. 1992, p. 16.

Commission may disregard the prices recorded on the market or markets in question, or use the latest prices recorded on the market or markets in question before the entry into force of such measures;

Whereas, in the absence of information, prices recorded on representative Community markets are determined mainly by reference to the most recently recorded prices;

Whereas for such period as the price of adult bovine animals recorded on representative Community markets differs by less than ECU 0,24 per 100 kilograms of live weight from the price previously used, the latter is retained;

Whereas the levies must be so fixed that obligations arising from international agreements concluded by the Community continue to be fulfilled; whereas the levies fixed must be consistent with international agreements entered into by the Community;

Whereas Council Regulation (EEC) No 715/90 ⁽¹⁾, as last amended by Regulation (EEC) No 297/91 ⁽²⁾, lays down the arrangements applicable on agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States;

Whereas Council Regulations (EEC) No 518/92 ⁽³⁾, (EEC) No 519/92 ⁽⁴⁾ and (EEC) No 520/92 ⁽⁵⁾ of 27 February 1992 on certain procedures for applying the Interim Agreements on trade and trade-related matters between the European Economic Community and the European Coal and Steel Community, of the one part, and the Republic of Poland, the Republic of Hungary and the Czech and Slovak Federal Republic respectively, of the other part, introduce arrangements for reducing import levies on certain products; whereas Commission Regulation (EEC) No 981/92 ⁽⁶⁾, as amended by Regulation (EEC) No 982/92 ⁽⁷⁾, lays down detailed rules for applying the arrangements provided for in these agreements in regards beef;

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 ⁽⁸⁾, no levies shall apply on imports of products originating in the overseas countries and territories; Whereas the various cuts of beef and veal

are defined in Regulation (EEC) No 586/77;

Whereas, pursuant to Article 33 (2) of Regulation (EEC) No 805/68, the nomenclature provided for in this Regulation is incorporated in the combined nomenclature;

Whereas the levies and special levies are fixed before the 27th day of each month and are applicable from the first Monday of the following month; whereas these levies may be altered in the period between two fixings where the basic levy or special basic levy is altered, or in the case of changes in the prices recorded on Community representative markets;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽⁹⁾ are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 3819/92 ⁽¹⁰⁾;

Whereas, having regard to the provisions of the aforementioned Regulation, and in particular to the information and quotations known to the Commission, the levies on live cattle and beef and veal other than frozen meat should be as set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on live cattle and beef and veal other than frozen meat shall be as set out in the Annex to the present Regulation.

Article 2

This Regulation shall enter into force on 4 January 1993.

⁽¹⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽²⁾ OJ No L 36, 8. 2. 1991, p. 9.

⁽³⁾ OJ No L 56, 29. 2. 1992, p. 3.

⁽⁴⁾ OJ No L 56, 29. 2. 1992, p. 6.

⁽⁵⁾ OJ No L 56, 29. 2. 1992, p. 9.

⁽⁶⁾ OJ No L 104, 22. 4. 1992, p. 34.

⁽⁷⁾ OJ No L 104, 22. 4. 1992, p. 38.

⁽⁸⁾ OJ No L 263, 19. 9. 1991, p. 1.

⁽⁹⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽¹⁰⁾ OJ No L 387, 31. 12. 1992.

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

Done at Brussels, 29 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 29 December 1992 fixing the import levies on live cattle and on beef and veal other than frozen

(ECU/100 kg)			
CN code	Austria ⁽¹⁾	Sweden/Switzerland	Other third countries ⁽²⁾
— Live weight —			
0102 90 05	17,469	23,054	134,374 ⁽³⁾
0102 90 21	17,469	23,054	134,374 ⁽³⁾
0102 90 29	17,469	23,054	134,374 ⁽³⁾
0102 90 41	17,469	23,054	134,374 ⁽³⁾
0102 90 49	17,469	23,054	134,374 ⁽³⁾
0102 90 51	17,469	23,054	134,374 ⁽³⁾
0102 90 59	17,469	23,054	134,374 ⁽³⁾
0102 90 61	17,469	23,054	134,374 ⁽³⁾
0102 90 69	17,469	23,054	134,374 ⁽³⁾
0102 90 71	17,469	23,054	134,374 ⁽³⁾
0102 90 79	17,469	23,054	134,374 ⁽³⁾
— Net weight —			
0201 10 00	33,190	43,803	255,311 ⁽⁴⁾
0201 20 20	33,190	43,803	255,311 ⁽⁴⁾
0201 20 30	26,552	35,042	204,248 ⁽⁴⁾
0201 20 50	39,828	52,563	306,373 ⁽⁴⁾
0201 20 90	49,786	65,705	382,966 ⁽⁴⁾
0201 30 00	56,948	75,157	438,060 ⁽⁴⁾
0206 10 95	56,948	75,157	438,060
0210 20 10	49,786	65,705	382,966
0210 20 90	56,948	75,157	438,060
0210 90 41	56,948	75,157	438,060
0210 90 90	56,948	75,157	438,060
1602 50 10	56,948	75,157	438,060
1602 90 61	56,948	75,157	438,060

⁽¹⁾ In accordance with amended Regulation (EEC) No 715/90, levies are not applied to products imported directly into the French overseas departments, originating in the African, Caribbean and Pacific States.

⁽²⁾ No import levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.

⁽³⁾ This levy is applicable only to products complying with the provisions of the Agreement between the EEC and Austria (OJ No L 111, 29. 4. 1992, p. 21).

⁽⁴⁾ 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 898/92 have been presented, are subject to the levies set out in the Annex to that Regulation.

COMMISSION REGULATION (EEC) No 3855/92

of 29 December 1992

fixing the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1738/92⁽²⁾, and in particular Article 14 (4) thereof,

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

Whereas the rules to be applied in calculating the variable component of the import levy on products processed from cereals and rice are laid down in Article 14 (1) (A) of Regulation (EEC) No 2727/75 and Article 12 (1) (a) of Regulation (EEC) No 1418/76; whereas Article 2 of Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and rice⁽⁵⁾, as last amended by Regulation (EEC) No 1906/87⁽⁶⁾, provides that the incidence on the prime costs of these products of the levies applicable to their basic products should be calculated on the basis of the average of the levies applicable to these basic products for the first 25 days of the month preceding that of importation; whereas this average, adjusted on the basis of the threshold price valid for the basic products in question during the month of importation is calculated on the basis of the quantities of basic products considered to have been used in the manufacture of the processed product or the competing product which serves as a reference for processed products not containing cereals;

Whereas Commission Regulation (EEC) No 1579/74 of 24 June 1974 on the procedure for calculating the import levy on products processed from cereals and from rice

and for the advance fixing of this levy for these products and for compound feedingstuffs manufactured from cereals⁽⁷⁾, as last amended by Regulation (EEC) No 1740/78⁽⁸⁾, provides that the levy thus determined, increased by the fixed component, is valid in general for one month but is altered where the levy applicable to the basic product concerned differs by not less than ECU 3,02 per tonne from the average of the levies calculated as described above;

Whereas the fixed component of the levy is specified in Regulation (EEC) No 2744/75; on importation into Portugal of products listed in Annex XXIV to the Act of Accession an additional amount is added to the levy; whereas these amounts were set by Commission Regulation (EEC) No 3808/90⁽⁹⁾;

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States, the levy relating to them in respect of certain products processed from cereals must be reduced by the amount of the fixed component and, in respect of some of these products, by part of the variable component; whereas this reduction must be made in accordance with Article 14 of Council Regulation (EEC) No 715/90 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the ACP States⁽¹⁰⁾, extended by Regulation (EEC) No 444/92⁽¹¹⁾;

Whereas Article 3 (4) of Council Regulation (EEC) No 3763/91⁽¹²⁾ allows that within the limit of an annual quantity of 8 000 tonnes, the levy shall not be applied to imports into the French department of Réunion of wheat bran falling within CN code 2302 30 from the African, Caribbean and Pacific (ACP) States;

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⁽¹³⁾ no levies shall apply on

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 73, 19. 3. 1992, p. 7.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁶⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁷⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽⁸⁾ OJ No L 202, 26. 7. 1978, p. 8.

⁽⁹⁾ OJ No L 366, 29. 12. 1990, p. 1.

⁽¹⁰⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽¹¹⁾ OJ No L 52, 27. 2. 1992, p. 7.

⁽¹²⁾ OJ No L 356, 24. 12. 1991, p. 1.

⁽¹³⁾ OJ No L 263, 19. 9. 1991, p. 1.

imports of products originating in the overseas countries and territories ;

Whereas Council Regulation (EEC) No 3834/90 of 20 December 1990 reducing for 1991 the levies on certain agricultural products originating in developing countries ⁽¹⁾, as last amended by Regulation (EEC) No 1509/92 ⁽²⁾, reduces by 50 % the levy on importation into the Community of products of CN code 1108 13 00, within the limit of a fixed amount of 5 000 tonnes a year ;

Whereas Council Regulations (EEC) No 518/92 ⁽³⁾, (EEC) No 519/92 ⁽⁴⁾ and (EEC) No 520/92 ⁽⁵⁾ of 27 February 1992 on certain procedures for applying the Interim Agreements on trade and trade-related matters between the European Economic Community and the European Coal and Steel Community, of the one part, and the Republic of Poland, the Republic of Hungary and the Czech and Slovak Federal Republic respectively, of the other part, introduce arrangements for reducing import levies on certain products ; whereas Commission Regulation (EEC) No 585/92 ⁽⁶⁾, as amended by Regulation (EEC) No 955/92 ⁽⁷⁾, lays down detailed rules for applying the arrangements provided for in these agreements as regards cereals ;

Whereas Council Regulation (EEC) No 430/87 of 9 February 1987 concerning the import arrangements applicable to products falling within CN codes 0714 10 and 0714 90 originating in certain third countries ⁽⁸⁾, as last amended by Regulation (EEC) No 3842/90 ⁽⁹⁾, lay down the terms on which the import levy is limited to 6 % *ad valorem* ;

Whereas Council Regulation (EEC) No 2730/75 of 29 October 1975 on glucose and lactose ⁽¹⁰⁾, as amended by Regulation (EEC) No 222/88 ⁽¹¹⁾, stipulates that the treatment provided for glucose and glucose syrup falling

within CN codes 1702 30 91, 1702 30 99 and 1702 40 90 by Regulation (EEC) No 2727/75 it is to be extended to glucose and glucose syrup falling within CN codes 1702 30 51 and 1702 30 59 ; whereas consequently the levy fixed for products falling within CN codes 1702 30 91, 1702 30 99 and 1702 40 90 also applies to products falling within CN codes 1702 30 51 and 1702 30 59 ; whereas, to ensure that the provision in question is properly applied, these products and the levy thereon should be explicitly mentioned in the list of levies ;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽¹²⁾ are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies ; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 3819/92 ⁽¹³⁾ ;

Whereas, in accordance with Article 18 (1) of Regulation (EEC) No 2727/75, the nomenclature provided for in this Regulation is incorporated in the combined nomenclature,

HAS ADOPTED THIS REGULATION :

Article 1

The import levies to be charged on the products listed in Article 1 (d) of Regulation (EEC) No 2727/75 and in Article 1 (1) (c) of Regulation (EEC) No 1418/76 and subject to Regulation (EEC) No 2744/75 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 January 1993.

⁽¹⁾ OJ No L 370, 31. 12. 1990, p. 121.

⁽²⁾ OJ No L 159, 12. 6. 1992, p. 1.

⁽³⁾ OJ No L 56, 29. 2. 1992, p. 3.

⁽⁴⁾ OJ No L 56, 29. 2. 1992, p. 6.

⁽⁵⁾ OJ No L 56, 29. 2. 1992, p. 9.

⁽⁶⁾ OJ No L 62, 7. 3. 1992, p. 40.

⁽⁷⁾ OJ No L 102, 16. 4. 1992, p. 26.

⁽⁸⁾ OJ No L 43, 13. 2. 1987, p. 9.

⁽⁹⁾ OJ No L 367, 29. 12. 1990, p. 8.

⁽¹⁰⁾ OJ No L 281, 1. 11. 1975, p. 20.

⁽¹¹⁾ OJ No L 28, 1. 2. 1988, p. 1.

⁽¹²⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽¹³⁾ OJ No L 387, 31. 12. 1992.

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

Done at Brussels, 29 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 29 December 1992 fixing the import levies on products processed from cereals and rice

CN code	Import levies (°)	
	ACP	Third countries (other than ACP) (°)
0714 10 10 (1)	123,13	129,78
0714 10 91	126,76 (°) (7)	126,76
0714 10 99	124,95	129,78
0714 90 11	126,76 (°) (7)	126,76
0714 90 19	124,95 (°)	129,78
1102 20 10	243,90	249,94
1102 20 90	138,21	141,23
1102 30 00	155,08	158,10
1102 90 10	228,17	234,21
1102 90 30	210,62	216,66
1102 90 90	141,80	144,82
1103 12 00	210,62	216,66
1103 13 10	243,90	249,94
1103 13 90	138,21	141,23
1103 14 00	155,08	158,10
1103 19 10	285,43	291,47
1103 19 30	228,17	234,21
1103 19 90	141,80	144,82
1103 21 00	265,55	271,59
1103 29 10	285,43	291,47
1103 29 20	228,17	234,21
1103 29 30	210,62	216,66
1103 29 40	243,90	249,94
1103 29 50	155,08	158,10
1103 29 90	141,80	144,82
1104 11 10	129,30	132,32
1104 11 90	253,52	259,56
1104 12 10	119,35	122,37
1104 12 90	234,02	240,06
1104 19 10	265,55	271,59
1104 19 30	285,43	291,47
1104 19 50	243,90	249,94

(ECU/tonne)

CN code	Import levies (°)	
	ACP	Third countries (other than ACP) (°)
1104 19 91	263,34	269,38
1104 19 99	250,24	256,28
1104 21 10	202,82	205,84
1104 21 30	202,82	205,84
1104 21 50	316,90	322,94
1104 21 90	129,30	132,32
1104 22 10 10 (°)	119,35	122,37
1104 22 10 90 (°)	210,62	213,64
1104 22 30	210,62	213,64
1104 22 50	187,22	190,24
1104 22 90	119,35	122,37
1104 23 10	216,80	219,82
1104 23 30	216,80	219,82
1104 23 90	138,21	141,23
1104 29 11	196,21	199,23
1104 29 15	210,90	213,92
1104 29 19	222,43	225,45
1104 29 31	236,05	239,07
1104 29 35	253,71	256,73
1104 29 39	222,43	225,45
1104 29 91	150,48	153,50
1104 29 95	161,74	164,76
1104 29 99	141,80	144,82
1104 30 10	110,65	116,69
1104 30 90	101,63	107,67
1106 20 10	123,13 (°)	129,78
1106 20 90	214,53 (°)	238,71
1107 10 11	262,60	273,48
1107 10 19	196,21	207,09
1107 10 91	225,63	236,51 (°)
1107 10 99	168,59	179,47 (°)
1107 20 00	196,48	207,36 (°)
1108 11 00	324,57	345,12
1108 12 00	218,16	238,71
1108 13 00	218,16	238,71 (°)
1108 14 00	109,08	238,71
1108 19 10	222,38	253,21
1108 19 90	109,08 (°)	238,71
1109 00 00	590,12	771,46
1702 30 51	284,55	381,27
1702 30 59	218,16	284,65
1702 30 91	284,55	381,27
1702 30 99	218,16	284,65
1702 40 90	218,16	284,65
1702 90 50	218,16	284,65
1702 90 75	298,10	394,82
1702 90 79	207,32	273,81

CN code	(ECU/tonne)	
	Import levies (%)	
	ACP	Third countries (other than ACP) (%)
2106 90 55	218,16	284,65
2302 10 10	57,37	63,37
2302 10 90	122,94	128,94
2302 20 10	57,37	63,37
2302 20 90	122,94	128,94
2302 30 10	57,37 ⁽¹⁰⁾	63,37
2302 30 90	122,94 ⁽¹⁰⁾	128,94
2302 40 10	57,37	63,37
2302 40 90	122,94	128,94
2303 10 11	271,00	452,34

(1) 6 % *ad valorem*, subject to certain conditions.

(2) In accordance with Council Regulation (EEC) No 1180/77 this levy is reduced by ECU 5,44 per tonne for products originating in Turkey.

(3) In accordance with Regulation (EEC) No 715/90 the levy shall not be charged on the following products originating in the African, Caribbean and Pacific States:

- products falling within CN code ex 0714 10 91,
- products falling within CN code 0714 90 11 and arrow-root falling within CN code 0714 90 19,
- flours and meal of arrow-root falling within CN code 1106 20,
- arrow-root starch falling within CN code 1108 19 90.

(4) Taric code: clipped oats.

(5) Taric code: CN code 1104 22 10, other than 'clipped oats'.

(6) Pursuant to Regulation (EEC) No 3834/90, the levy on importation into the Community of products of CN code 1108 13 00 is reduced by 50 % within the limit of a fixed quantity of 5 000 tonnes.

(7) 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.

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

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

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

(11) Products falling within this code, imported from Poland, the Czech and Slovak Federal Republic 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 3856/92**of 29 December 1992****fixing the import levies on compound feedingstuffs**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1738/92⁽²⁾, and in particular Article 14 (4) thereof,

Whereas the rules to be applied in calculating the variable component of the import levy on compound feedingstuffs are laid down in Article 14 (1) (A) of Regulation (EEC) No 2727/75; whereas Article 4 of Council Regulation (EEC) No 2743/75 of 29 October 1975 on the system to be applied to cereal-based compound feedingstuffs⁽³⁾, as last amended by Regulation (EEC) No 944/87⁽⁴⁾, provides that the incidence on the prime costs of these feedingstuffs of the levies applicable to their basic products should be calculated on the basis of the average of the levies applicable during the first 25 days of the month preceding that month of importation to the quantities of basic products considered to have been used in the manufacture of such compound feedingstuffs, this average being adjusted on the basis of the threshold price for the basic products in question ruling during the month of importation;

Whereas the levy thus determined, increased by the fixed component, is valid for one month; whereas the amount of the fixed component of the levy is laid down in Article 6 of Regulation (EEC) No 2743/75; whereas on importation into Portugal of products listed in Annex XXIV to the Act of Accession an additional amount is added to the levy; whereas these amounts were set by Commission Regulation (EEC) No 3808/90⁽⁵⁾;

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States, the levy relating to them in respect of certain products processed from cereals must be reduced by the amount of the fixed

component and, in respect of some of these products, by part of the variable component; whereas this reduction must be made in accordance with Article 14 of Council Regulation (EEC) No 715/90 of 5 March 1990 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories⁽⁶⁾, extended by Regulation (EEC) No 444/92⁽⁷⁾;

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⁽⁸⁾, no levies shall apply on imports of products originating in the overseas countries and territories;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁹⁾ are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 3819/92⁽¹⁰⁾;

Whereas, in accordance with Article 18 (1) of Regulation (EEC) No 2727/75, the nomenclature provided for in this Regulation is incorporated in the combined nomenclature,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the compound feedingstuffs covered by Regulation (EEC) No 2727/75 and subject to Regulation (EEC) No 2743/75 shall be as set out in the Annex.

Article 2

This Regulation shall enter into force on 1 January 1993.

⁽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. 60.

⁽⁴⁾ OJ No L 90, 2. 4. 1987, p. 2.

⁽⁵⁾ OJ No L 366, 29. 12. 1990, p. 1.

⁽⁶⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽⁷⁾ OJ No L 52, 27. 2. 1992, p. 7.

⁽⁸⁾ OJ No L 263, 19. 9. 1991, p. 1.

⁽⁹⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽¹⁰⁾ OJ No L 387, 31. 12. 1992.

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

Done at Brussels, 29 December 1992.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX

to the Commission Regulation of 29 December 1992 fixing the import levies on compound feedingstuffs

CN code	Levies ⁽²⁾	
	ACP	Third countries (other than ACP) ⁽¹⁾
2309 10 11	21,68	32,56
2309 10 13	523,73	534,61
2309 10 31	67,75	78,63
2309 10 33	569,80	580,68
2309 10 51	135,50	146,38
2309 10 53	637,55	648,43
2309 90 31	21,68	32,56
2309 90 33	523,73	534,61
2309 90 41	67,75	78,63
2309 90 43	569,80	580,68
2309 90 51	135,50	146,38
2309 90 53	637,55	648,43

⁽¹⁾ On importation into Portugal the levy is increased by the amount specified in Article 2 (2) of Regulation (EEC) No 3808/90.

⁽²⁾ No import levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.

COMMISSION REGULATION (EEC) No 3857/92

of 29 December 1992

fixing the import levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat

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 amended by Regulation (EEC) No 2069/92 ⁽²⁾, Article 10 thereof,

Whereas, under Article 9 (2) of Regulation (EEC) No 3013/89, a levy is applicable to the products falling within CN codes codes 0204 10 00, 0204 21 00, 0204 22 10, 0204 22 30, 0204 22 50, 0204 22 90, 0204 23 00, 0204 50 11, 0204 50 13, 0204 50 15, 0204 50 19, 0204 50 31 and 0204 50 39 listed in Annex II of that Regulation;

Whereas, in accordance with Article 11 of Regulation (EEC) No 3013/89, the levy on fresh or chilled carcasses and half-carcasses is to be equal to the difference between the seasonally adjusted basic price and the Community free-at-frontier offer price;

Whereas the seasonally-adjusted basic price is fixed in Article 2 of Council Regulation (EEC) No 2063/92 ⁽³⁾ for the 1993 marketing year;

Whereas the Community free-at-frontier offer price is determined in the light of the most representative purchasing possibilities, as regard quality and quantity, recorded over the period from the 21st day of the preceding month to the 20th day of the month during which the levies are determined, taking particular account of the supply and demand situation for fresh or chilled meat, the world market price for frozen meat of a category which is competitive with fresh or chilled meat and of past experience;

Whereas the free-at-frontier offer price is to be determined, if necessary, on the basis of the most representative purchasing possibilities recorded for live sheep;

Whereas, pursuant to Article 3 of Regulation (EEC) No 2668/80 ⁽⁴⁾, as amended by Regulation (EEC) No 3939/87 ⁽⁵⁾, the free-at-frontier offer prices are to be based *inter alia* on the prices shown in the customs documents

which accompany products imported from non-member countries or on other information concerning the export prices applied by those non-member countries; whereas offer prices which do not correspond to actual purchasing possibilities or which relate to unrepresentative quantities and offer prices which, in view of general price movements or other information available, may be considered not to be representative of actual price trends in the country of origin are to be disregarded;

Whereas a special levy may be fixed for products originating in or coming from one or more non-member countries if exports of the said products are made at abnormally low prices;

Whereas the levy on live animals within CN codes 0104 10 90 and 0104 20 90 and on the meat falling within CN codes codes 0204 10 00, 0204 21 00, 0204 22 10, 0204 22 30, 0204 22 50, 0204 22 90, 0204 23 00, 0204 50 11, 0204 50 13, 0204 50 15, 0204 50 19, 0204 50 31, 0204 50 39, 0210 90 11 and 0210 90 19 listed in Annex II to Regulation (EEC) No 3013/89 is to be equal to the levy determined for carcasses, multiplied by a standard coefficient fixed for each of the products in question; whereas these coefficients are fixed in Annex I to Regulation (EEC) No 2668/80;

Whereas the levies should be so fixed that the obligations arising from international agreements concluded by the Community continue to be fulfilled; whereas, moreover, account should be taken of the voluntary restraint arrangements made by the Community with certain non-member countries;

Whereas Council Regulation (EEC) No 715/90 ⁽⁶⁾, as last amended by Regulation (EEC) No 523/91 ⁽⁷⁾, lays down the arrangements applicable on agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories;

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 ⁽⁸⁾, no levies shall apply on imports of products originating in the overseas countries and territories;

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 215, 30. 7. 1992, p. 59.

⁽³⁾ OJ No L 215, 30. 7. 1992, p. 45.

⁽⁴⁾ OJ No L 276, 20. 10. 1980, p. 39.

⁽⁵⁾ OJ No L 373, 31. 12. 1987, p. 1.

⁽⁶⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽⁷⁾ OJ No L 58, 5. 3. 1991, p. 1.

⁽⁸⁾ OJ No L 263, 19. 9. 1991, p. 1.

Whereas the levies are fixed before the 27th day of each month for each week during the following month; whereas they are applicable from Monday to Sunday; whereas they can be altered within that period if necessary;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽¹⁾ are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 3819/92⁽²⁾;

Whereas, having regard to the provisions of the above-mentioned Regulations and, in particular, to the informa-

tion and quotations known to the Commission, the levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat should be as set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

The import levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 4 January 1993.

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

Done at Brussels, 29 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 387, 31. 12. 1992.

ANNEX

to the Commission Regulation of 29 December 1992 fixing the import levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat⁽¹⁾

CN code	(ECU/100 kg)			
	Week No 1 from 4 to 10 January 1993	Week No 2 from 11 to 17 January 1993	Week No 3 from 18 to 24 January 1993	Week No 4 from 25 to 31 January 1993
0104 10 30 ⁽¹⁾	73,870	75,256	76,869	78,020
0104 10 80 ⁽¹⁾	73,870	75,256	76,869	78,020
0104 20 90 ⁽¹⁾	73,870	75,256	76,869	78,020
0204 10 00 ⁽²⁾	157,170	160,120	163,550	166,000
0204 21 00 ⁽²⁾	157,170	160,120	163,550	166,000
0204 22 10 ⁽²⁾	110,019	112,084	114,485	116,200
0204 22 30 ⁽²⁾	172,887	176,132	179,905	182,600
0204 22 50 ⁽²⁾	204,321	208,156	212,615	215,800
0204 22 90 ⁽²⁾	204,321	208,156	212,615	215,800
0204 23 00 ⁽²⁾	286,049	291,418	297,661	302,120
0204 50 11 ⁽²⁾	157,170	160,120	163,550	166,000
0204 50 13 ⁽²⁾	110,019	112,084	114,485	116,200
0204 50 15 ⁽²⁾	172,887	176,132	179,905	182,600
0204 50 19 ⁽²⁾	204,321	208,156	212,615	215,800
0204 50 31 ⁽²⁾	204,321	208,156	212,615	215,800
0204 50 39 ⁽²⁾	286,049	291,418	297,661	302,120
0210 90 11 ⁽³⁾	204,321	208,156	212,615	215,800
0210 90 19 ⁽³⁾	286,049	291,418	297,661	302,120

⁽¹⁾ The levy applicable is limited in the conditions laid down by Council Regulations (EEC) No 3643/85, (EEC) No 715/90 and (EEC) No 1373/90 and Commission Regulations (EEC) No 19/82, (EEC) No 1249/90, (EEC) No 1580/90 and (EEC) No 2085/90.

⁽²⁾ The levy applicable is limited to the amount bound under GATT or in the conditions laid down in Council Regulations (EEC) No 1985/82, (EEC) No 3643/85, (EEC) No 715/90 and (EEC) No 753/90 and Commission Regulations (EEC) No 19/82, (EEC) No 3652/89, (EEC) No 3989/89, (EEC) No 479/90 and (EEC) No 952/90.

⁽³⁾ The levy applicable is limited in the conditions laid down in Council Regulation (EEC) No 715/90 and Commission Regulation (EEC) No 19/82.

⁽⁴⁾ No import levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.

COMMISSION REGULATION (EEC) No 3858/92

of 29 December 1992

fixing the import levies on frozen 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 amended by Regulation (EEC) No 2069/92 ⁽²⁾, and in particular Article 10 thereof,

Whereas, pursuant to Article 9 (2) of Regulation (EEC) No 3013/89, a levy is applicable to the products falling within CN codes 0204 30 00, 0204 41 00, 0204 42 10, 0204 42 30, 0204 42 50, 0204 42 90, 0204 43 00, 0204 50 51, 0204 50 53, 0204 50 55, 0204 50 59, 0204 50 71 and 0204 50 79 listed in Annex II to that Regulation;

Whereas, pursuant to Article 12 of Regulation (EEC) No 3013/89, the levy on frozen carcasses and halfcarcasses is to be equal to the difference between :

- (a) the basic price multiplied by a coefficient representing the relationship existing in the Community between the price of fresh meat of a category competitive with the frozen meat in question, presented in the same form, and the average price of fresh and chilled sheep carcasses, and
- (b) the Community free-at-frontier offer price for the said frozen meat;

Whereas the seasonally-adjusted basic price for the 1993 marketing year is fixed in Article 2 of Council Regulation (EEC) No 2063/92 ⁽³⁾; whereas the coefficient referred to in Article 12 (3) (a) of Regulation (EEC) No 3013/89 is fixed in Article 2 (2) of Regulation (EEC) No 2668/80 ⁽⁴⁾, as amended by Regulation (EEC) No 3939/87 ⁽⁵⁾;

Whereas the Community free-at-frontier offer price is determined in the light of the most representative purchasing possibilities, as regards quality and quantity, recorded over the period from the 21st day of the preceding month to the 20th day of the month during which the levies are determined, taking particular account

of the supply and demand situation for fresh or chilled meat, the world market price for frozen meat of a category which is competitive with fresh or chilled meat and of past experience;

Whereas, pursuant to Article 3 of Regulation (EEC) No 2668/80, the free-at-frontier offer prices are to be based *inter alia* on the prices shown in the customs documents which accompany products imported from non-member countries or on other information concerning the export prices applied by those non-member countries; whereas offer prices which do not correspond to actual purchasing possibilities or which relate to unrepresentative quantities and offer prices which, in view of general price movements or other information available, may be considered not to be representative of actual price trends in the country of origin are to be disregarded;

Whereas a special levy may be fixed for products originating in or coming from one or more non-member countries if exports of the said products are made at abnormally low prices;

Whereas the levy on the meat falling within CN codes 0204 30 00, 0204 41 00, 0204 42 10, 0204 42 30, 0204 42 50, 0204 42 90, 0204 43 00, 0204 50 51, 0204 50 53, 0204 50 55, 0204 50 59, 0204 50 71 and 0204 50 79 listed in Annex II to Regulation (EEC) No 3013/89 is to be equal to the levy determined for frozen carcasses, multiplied by a standard coefficient fixed for each of the products in question; whereas these coefficients are fixed in Annex II to Regulation (EEC) No 2668/80;

Whereas the levies should be so fixed that the obligations arising from international agreements concluded by the Community continue to be fulfilled; whereas, moreover, account should be taken of the voluntary restraint arrangements made by the Community with certain non-member countries;

Whereas Council Regulation (EEC) No 715/90 ⁽⁶⁾, as last amended by Regulation (EEC) No 523/91 ⁽⁷⁾, lays down the arrangements applicable on agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories;

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 215, 30. 7. 1992, p. 59.

⁽³⁾ OJ No L 215, 30. 7. 1992, p. 45.

⁽⁴⁾ OJ No L 276, 20. 10. 1980, p. 39.

⁽⁵⁾ OJ No L 373, 31. 12. 1987, p. 1.

⁽⁶⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽⁷⁾ OJ No L 58, 5. 3. 1991, p. 1.

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⁽¹⁾, no levies shall apply on imports of products originating in the overseas countries and territories;

Whereas the levies are fixed before the 27th day of each month for each week during the following month; whereas they are applicable from Monday to Sunday; whereas they can be altered within that period if necessary;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽²⁾ are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 3819/92⁽³⁾;

Whereas, having regard to the provisions of the above-mentioned Regulations and, in particular, to the information and quotations known to the Commission, the levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat should be as set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on frozen sheepmeat and goatmeat shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 4 January 1993.

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

Done at Brussels, 29 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 263, 19. 9. 1991, p. 1.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽³⁾ OJ No L 387, 31. 12. 1992.

ANNEX

to the Commission Regulation of 29 December 1992 fixing the import levies on frozen
sheepmeat and goatmeat ⁽¹⁾ ⁽²⁾

(ECU/100 kg)

CN code	Week No 1 from 4 to 10 January 1993	Week No 2 from 11 to 17 January 1993	Week No 3 from 18 to 24 January 1993	Week No 4 from 25 to 31 January 1993
0204 30 00	174,128	176,340	178,913	180,750
0204 41 00	174,128	176,340	178,913	180,750
0204 42 10	121,890	123,438	125,239	126,525
0204 42 30	191,541	193,974	196,804	198,825
0204 42 50	226,366	229,242	232,587	234,975
0204 42 90	226,366	229,242	232,587	234,975
0204 43 10	316,913	320,939	325,622	328,965
0204 43 90	316,913	320,939	325,622	328,965
0204 50 51	174,128	176,340	178,913	180,750
0204 50 53	121,890	123,438	125,239	126,525
0204 50 55	191,541	193,974	196,804	198,825
0204 50 59	226,366	229,242	232,587	234,975
0204 50 71	226,366	229,242	232,587	234,975
0204 50 79	316,913	320,939	325,622	328,965

⁽¹⁾ The levy applicable is limited to the amount bound under GATT or in the conditions laid down in Council Regulations (EEC) No 1985/82, (EEC) No 3643/85, (EEC) No 715/90 and (EEC) No 753/90 and Commission Regulations (EEC) No 19/82, (EEC) No 3652/89, (EEC) No 3989/89, (EEC) No 479/90 and (EEC) No 952/90.

⁽²⁾ No import levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.

COMMISSION REGULATION (EEC) No 3859/92

of 30 December 1992

fixing the import levies on syrups and certain other products in the sugar sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas Article 16 (1) of Regulation (EEC) No 1785/81 provides for charging a levy on imports of the products listed in Article 1 (1) of that Regulation ;

Whereas the levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 must be calculated, where appropriate, at a standard rate on the basis of the sucrose content (including other sugars expressed as sucrose) of the product concerned and of the levy on white sugar ; whereas, however, the levies on maple sugar and maple syrup are limited to the amount resulting from application of the rate of duty bound within GATT ;

Whereas Article 7 of Commission Regulation (EEC) No 837/68 of 28 June 1968 on detailed rules for the application of levies on sugar⁽³⁾, as last amended by Regulation (EEC) No 1428/78⁽⁴⁾, provides that the basic amount of the levy for 100 kilograms of product must be fixed per percentage point of sucrose content ;

Whereas the basic amount of the levy must be equal to one-hundredth of the average of the levies applicable to 100 kilograms of white sugar during the first 20 days of the month preceding the month for which the basic amount of the levy is fixed ; whereas, however, the levy applicable to white sugar on the day of the fixing of the basic amount must be substituted for the average of the levies, where that levy differs by at least ECU 0,73 from that average ;

Whereas the basic amount must be fixed each month ; whereas it must, however, be altered during the period between the day on which it is fixed and the first day of the month following the month for which the basic amount is applicable, if the levy on white sugar differs by

at least ECU 0,73 from the average referred to above or from the levy on white sugar used to fix the basic amount ; whereas, in this case, the basic amount must be equal to one-hundredth of the levy on white sugar used to calculate the alteration ;

Whereas the basic amount thus fixed must be adjusted on the basis of variations in the threshold price for white sugar occurring between the month in which the basic amount is fixed and the period of application ; whereas this adjustment, equal to one-hundredth of the difference between these two threshold prices, must be deducted from or added to the basic amount in the circumstances provided for in Article 7 (6) of Regulation (EEC) No 837/68 ;

Whereas the levy on the products referred to in Article 1 (1) (f) and (g) of Regulation (EEC) No 1785/81 comprises, under Article 16 (6) of that Regulation, a variable element and a fixed element, with the latter, per 100 kilograms of dry matter, being equal to one-tenth of the fixed element established pursuant to point B of Article 14 (1) of Council Regulation (EEC) No 2727/75⁽⁵⁾, as last amended by Regulation (EEC) No 1738/92⁽⁶⁾ for the fixing of the import levy on the products falling within CN codes 1702 30 91, 1702 30 99, 1702 40 90 and 1702 90 50, and the variable element, per 100 kilograms of dry matter, being equal to 100 times the basic import levy applicable as from the first of each month in the case of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 ; whereas the levy must be fixed each month ;

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⁽⁷⁾, 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 ;

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 6, 11. 1. 1992, p. 19.

⁽³⁾ OJ No L 151, 30. 6. 1968, p. 42.

⁽⁴⁾ OJ No L 171, 28. 6. 1978, p. 34.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽⁶⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽⁷⁾ OJ No L 263, 19. 9. 1991, p. 1.

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽¹⁾ are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 3819/92 ⁽²⁾;

Whereas it follows from the application of these provisions that the import levies on the products concerned should be as indicated in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on the products listed in Article 1 (1) (d), (f) and (g) of Regulation (EEC) No 1785/81 shall be as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 January 1993.

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

Done at Brussels, 30 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 30 December 1992 fixing the import levies on syrups and certain other products in the sugar sector

			(ECU)
CN code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question ⁽¹⁾		Amount of levy per 100 kg of dry matter ⁽¹⁾
1702 20 10	0,4706		—
1702 20 90	0,4706		—
1702 30 10	—		56,73
1702 40 10	—		56,73
1702 60 10	—		56,73
1702 60 90	0,4706		—
1702 90 30	—		56,73
1702 90 60	0,4706		—
1702 90 71	0,4706		—
1702 90 90	0,4706		—
2106 90 30	—		56,73
2106 90 59	0,4706		—

⁽¹⁾ 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.

⁽¹⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 387, 31. 12. 1992.

COMMISSION REGULATION (EEC) No 3860/92

of 29 December 1992

**amending certain levies on imports of live bovine animals and beef and veal
other than frozen**

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

Having regard to Council Regulation (EEC) No 805/68 of
27 June 1968 on the common organization of the market
in beef and veal⁽¹⁾, as last amended by Regulation (EEC)
No 3661/92⁽²⁾, and in particular Article 12 (8) thereof,

Whereas Commission Regulation (EEC) No 2505/92⁽³⁾,
amending Annexes I and II to Council Regulation (EEC)
No 2658/87 of 23 July 1987, on the tariff and statistical
nomenclature and on the Common Customs Tariff⁽⁴⁾ has
made certain amendments to the nomenclature for the
market in beef and veal ;

Whereas Commission Regulation (EEC) No 3372/92⁽⁵⁾
fixes the import levies on live cattle and on beef and veal
other than frozen ;

Whereas the representative market rates defined in Article
1 of Council Regulation (EEC) No 3813/92⁽⁶⁾ are used to

convert amounts expressed in third country currencies
and are used as the basis for determining the agricultural
conversion rates of the Member States' currencies ;
whereas detailed rules on the application and determi-
nation of these conversions were set by Commission
Regulation (EEC) No 3819/92⁽⁷⁾,

HAS ADOPTED THIS REGULATION :

Article 1

The Annex to Regulation (EEC) No 3372/92 is hereby
replaced by the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 January 1993.

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

Done at Brussels, 29 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 370, 19. 12. 1992, p. 16.

⁽³⁾ OJ No L 267, 14. 9. 1992, p. 1.

⁽⁴⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽⁵⁾ OJ No L 342, 25. 11. 1992, p. 23.

⁽⁶⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁷⁾ OJ No L 387, 31. 12. 1992.

ANNEX

to the Commission Regulation of 29 December 1992 altering the import levies on live cattle and on beef and veal other than frozen

(ECU/100 kg)			
CN code	Austria ⁽¹⁾	Sweden/Switzerland	Other third countries ⁽²⁾
— Live weight —			
0102 90 05	17,469	0,000	134,374 ⁽¹⁾
0102 90 21	17,469	0,000	134,374 ⁽¹⁾
0102 90 29	17,469	0,000	134,374 ⁽¹⁾
0102 90 41	17,469	0,000	134,374 ⁽¹⁾
0102 90 49	17,469	0,000	134,374 ⁽¹⁾
0102 90 51	17,469	0,000	134,374 ⁽¹⁾
0102 90 59	17,469	0,000	134,374 ⁽¹⁾
0102 90 61	17,469	0,000	134,374 ⁽¹⁾
0102 90 69	17,469	0,000	134,374 ⁽¹⁾
0102 90 71	17,469	0,000	134,374 ⁽¹⁾
0102 90 79	17,469	0,000	134,374 ⁽¹⁾
— Net weight —			
0201 10 00	33,190	0,000	255,311 ⁽¹⁾ ^(*)
0201 20 20	33,190	0,000	255,311 ⁽¹⁾ ^(*)
0201 20 30	26,552	0,000	204,248 ⁽¹⁾ ^(*)
0201 20 50	39,828	0,000	306,373 ⁽¹⁾ ^(*)
0201 20 90	49,786	0,000	382,966 ⁽¹⁾ ^(*)
0201 30 00	56,948	0,000	438,060 ⁽¹⁾ ^(*)
0206 10 95	56,948	0,000	438,060 ⁽¹⁾
0210 20 10	49,786	0,000	382,966
0210 20 90	56,948	0,000	438,060
0210 90 41	56,948	0,000	438,060
0210 90 90	56,948	0,000	438,060
1602 50 10	56,948	0,000	438,060
1602 90 61	56,948	0,000	438,060

⁽¹⁾ In accordance with amended Regulation (EEC) No 715/90, levies are not applied to products imported directly into the French overseas departments, originating in the African, Caribbean and Pacific States.

⁽²⁾ No import levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.

⁽³⁾ This levy is applicable only to products complying with the provisions of the Agreement between the EEC and Austria (OJ No L 111, 29. 4. 1992, p. 21).

^(*) 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 898/92 have been presented, are subject to the levies set out in the Annex to that Regulation.

COMMISSION REGULATION (EEC) No 3861/92

of 30 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 28 and 29 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 1

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

Article 2

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

Article 3

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, 30 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX I

Minimum import levies on olive oil (*)

(ECU/100 kg)	
CN code	Non-member countries
1509 10 10	79,00 ⁽²⁾
1509 10 90	79,00 ⁽²⁾
1509 90 00	92,00 ⁽³⁾
1510 00 10	77,00 ⁽²⁾
1510 00 90	122,00 ⁽⁴⁾

(*) 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 (*)

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

(*) 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 3862/92

of 30 December 1992

fixing the premiums to be added to the import levies on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas the premiums to be added to the import levies fixed in advance for rice and broken rice must include a premium for the current month and a premium for each of the following months until the expiry of the period of validity of the import licence; whereas this period of validity was laid down in Article 8 of 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⁾, as last amended by Regulation (EEC) No 337/92⁽⁴⁾;

Whereas Council Regulation (EEC) No 1428/76⁽⁵⁾ lays down rules for the advance fixing of levies on rice and broken rice;

Whereas under the terms of Regulation (EEC) No 1428/76, where the cif price for husked rice, for milled rice or for broken rice determined on the day on which the premiums are fixed is higher than the cif forward delivery price for the same product, the premium should as a general rule be equal to the difference between these two prices; whereas the cif price is that determined in accordance with Article 16 of Regulation (EEC) No 1418/76 on the day on which the premiums are fixed; whereas the detailed rules for determining cif prices were laid down in Commission Regulation (EEC) No 1613/71 of 26 July 1971 laying down detailed rules for fixing cif prices and levies on rice and broken rice and the corrective amounts relating thereto⁽⁶⁾, as last amended by Regulation (EEC) No 1614/92⁽⁷⁾; whereas the cif forward delivery price is also determined in accordance with Article 16 of Regulation (EEC) No 1418/76 but on the basis of offers at North Sea ports; whereas this price must be the cif price for shipment during the month in which the import licence is issued in the case of imports to be effected during that month; whereas in the case of

imports to be effected during the month following the month in which the import licence is issued, this price must be the cif price for shipment during the month in which importation is expected to take place; whereas in the case of imports to be effected during the remaining months for which the import licence is valid, this price must be the cif price for shipment during the month preceding the month in which importation is expected to take place; whereas, if no offer for forward delivery is made for shipment during a given month, this price should be the price ruling for shipment during the last month in which an offer for forward delivery was made;

Whereas the premium shall be ECU 0 if the cif forward delivery price is equal to the cif price or lower by an amount not exceeding ECU 0,30 per tonne;

Whereas by virtue of Articles 6 and 7 of Regulation (EEC) No 1428/76 the premium may, however, be fixed at a higher level in exceptional circumstances and within certain specified limits;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁸⁾ are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 3819/92⁽⁹⁾;

Whereas it follows from applying all these provisions that the premiums should be as set out in the Annex hereto; whereas the amount of the premiums should be altered only if application of the abovementioned provisions entails a change of more than ECU 0,30,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 January 1993.

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 73, 19. 3. 1992, p. 7.

⁽³⁾ OJ No L 94, 7. 4. 1989, p. 13.

⁽⁴⁾ OJ No L 36, 13. 2. 1992, p. 15.

⁽⁵⁾ OJ No L 166, 25. 6. 1976, p. 30.

⁽⁶⁾ OJ No L 168, 27. 7. 1971, p. 28.

⁽⁷⁾ OJ No L 170, 25. 6. 1992, p. 15.

⁽⁸⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁹⁾ OJ No L 387, 31. 12. 1992.

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

Done at Brussels, 30 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 30 December 1992 fixing the premiums to be added to the import levies on rice and broken rice

CN code	(ECU/tonne)			
	Current 1	1st period 2	2nd period 3	3rd period 4
1006 10 21	0	0	0	—
1006 10 23	0	0	0	—
1006 10 25	0	0	0	—
1006 10 27	0	0	0	—
1006 10 92	0	0	0	—
1006 10 94	0	0	0	—
1006 10 96	0	0	0	—
1006 10 98	0	0	0	—
1006 20 11	0	0	0	—
1006 20 13	0	0	0	—
1006 20 15	0	0	0	—
1006 20 17	0	0	0	—
1006 20 92	0	0	0	—
1006 20 94	0	0	0	—
1006 20 96	0	0	0	—
1006 20 98	0	0	0	—
1006 30 21	0	0	0	—
1006 30 23	0	0	0	—
1006 30 25	0	0	0	—
1006 30 27	0	0	0	—
1006 30 42	0	0	0	—
1006 30 44	0	0	0	—
1006 30 46	0	0	0	—
1006 30 48	0	0	0	—
1006 30 61	0	0	0	—
1006 30 63	0	0	0	—
1006 30 65	0	0	0	—
1006 30 67	0	0	0	—
1006 30 92	0	0	0	—
1006 30 94	0	0	0	—
1006 30 96	0	0	0	—
1006 30 98	0	0	0	—
1006 40 00	0	0	0	0

COMMISSION REGULATION (EEC) No 3863/92
of 30 December 1992
fixing the import levies on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to Commission Regulation (EEC) No 81/92 of 15 January 1992 laying down detailed rules for the application of Council Regulation (EEC) No 3877/86 on imports of rice of the long-grain aromatic Basmati variety⁽³⁾, and in particular Article 8 thereof,

Whereas Article 11 of Regulation (EEC) No 1418/76 provides for charging an import levy on paddy rice, husked rice, semi-milled rice, wholly milled rice and broken rice; whereas, in the case of husked rice, wholly milled rice and broken rice, the levy is equal to the difference between the threshold price and the cif price; whereas, in the case of paddy rice and semi-milled rice, the levy should be derived from the levies applicable to the corresponding husked rice and wholly milled rice;

Whereas the threshold prices for husked rice, wholly milled rice and broken rice were fixed for the 1992/93 marketing year by Commission Regulation (EEC) No 1841/92⁽⁴⁾;

Whereas, for the purpose of calculating cif prices, the Commission must take account of the factors indicated in Article 16 of Regulation (EEC) No 1418/76 and in Commission Regulation (EEC) No 1613/71 of 26 July 1971 laying down detailed rules for fixing cif prices and levies on rice and broken rice and the corrective amounts relating thereto⁽⁵⁾, as last amended by Regulation (EEC) No 1614/92⁽⁶⁾, and in particular the most favourable purchasing opportunities on the world market which are sufficiently representative of the real trend of the market, account being taken in particular of the need to prevent sudden variations likely to cause abnormal disturbances on the Community market; whereas the quality of the goods offered must also be taken into account, whether

this quality as fixed in Council Regulation (EEC) No 1423/76⁽⁷⁾, or whether adjustments need to be made by applying the corrective amounts provided for in Regulation (EEC) No 1613/71;

Whereas, furthermore, in the case of round grain and long grain husked rice and round grain and long grain wholly milled rice, the cif price is calculated on the basis of quotations or prices on the world market relating, for each type of rice, to the products specified in Article 4 of Regulation (EEC) No 1613/71; whereas, for this calculation, the conversion rates resulting from Commission Regulation No 467/67/EEC of 21 August 1967 fixing the conversion rates, the processing costs and the value of the by-products for the various stages of rice processing⁽⁸⁾, as last amended by Regulation (EEC) No 2325/88, should be used where appropriate;

Whereas, when these conversions are being effected, the Commission must take account of the fact that certain offers are for rice containing a higher percentage of broken rice than that allowed for in the standard quality fixed by Regulation (EEC) No 1423/76 and, in that case, must adjust the offers so as to conform with the value of one kilogram of broken rice fixed by Regulation No 467/67/EEC; whereas no adjustment is made, however, if the prices for husked rice and semi-milled or wholly milled rice taken into consideration are lower than those provided for in the last subparagraph of Article 4 of Regulation No 467/67/EEC;

Whereas Regulation (EEC) No 1613/71 requires the Commission to take account of the fact that certain offers are for delivery cost and freight or relate to a product put up in bags and, if this is the case, to adjust such offers by applying the rates or amounts fixed by the abovementioned Regulation to make the offers comparable to offers for delivery cif or relating to a product presented in bulk;

Whereas the cif price is calculated for Rotterdam on the basis of the abovementioned factors, offers made for other ports being adjusted, account being taken of the corrections necessitated by the difference in transport charges in relation to Rotterdam;

Whereas, if the conditions provided for in Article 1 (3) of Regulation (EEC) No 1613/71 obtain, the cif price may be calculated on the basis of offers for delivery during the following month or may be retained unaltered for a limited period;

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 73, 19. 3. 1992, p. 7.

⁽³⁾ OJ No L 10, 16. 1. 1992, p. 9.

⁽⁴⁾ OJ No L 187, 7. 7. 1992, p. 30.

⁽⁵⁾ OJ No L 168, 27. 7. 1971, p. 28.

⁽⁶⁾ OJ No L 170, 25. 6. 1992, p. 15.

⁽⁷⁾ OJ No L 166, 25. 6. 1976, p. 20.

⁽⁸⁾ OJ No 204, 24. 8. 1967, p. 1.

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States, the levy relating to them must be reduced by a fixed amount and by an amount corresponding to 50 % of the levy relating to third countries ; whereas, pursuant to Articles 12 and 13 of Council Regulation (EEC) No 715/90 of 5 March 1990 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the ACP States or in the overseas countries and territories (OCT)⁽¹⁾, as amended by Regulation (EEC) No 297/91⁽²⁾, the levy must be further reduced in the case of semi-milled and wholly milled rice ;

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⁽³⁾, no levies shall apply on imports of products originating in the overseas countries and territories ; whereas, 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 on importation into Portugal of products listed in Annex XXIV to the Act of Accession an additional amount is added to the levy ; whereas these amounts were set by Commission Regulation (EEC) No 3808/90⁽⁴⁾ ;

Whereas Regulation (EEC) No 1423/76 determined the standard qualities for rice and broken rice ;

Whereas Council Regulation (EEC) No 3877/86⁽⁵⁾, as amended by Regulation (EEC) No 3130/91⁽⁶⁾, defined a special arrangement for the importation of certain quantities of Basmati rice into the Community ; whereas this arrangement provides for a levy of 75 % of that calculated

in accordance with Article 11 of Regulation (EEC) No 1418/76 ; whereas however this levy may not be less than the difference between the free-at-frontier price for Basmati rice and the threshold price for long-grain rice ;

Whereas Council Regulation (EEC) No 3491/90⁽⁷⁾ and Commission Regulation (EEC) No 862/91⁽⁸⁾ made import arrangements for rice originating in Bangladesh ;

Whereas levies are fixed once a week and are altered in the intervening period to take account of variations in threshold prices or in the factors used to determine cif prices ; whereas, in the case of husked rice, wholly milled rice and broken rice, the levies are altered only if variations in the factors used to calculate the levy entail an increase or a reduction of at least ECU 1,21 per tonne in the amount of the levy in force ;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁹⁾ are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies ; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 3819/92⁽¹⁰⁾ ;

Whereas it follows from applying all the abovementioned provisions that the levies should be fixed as set out in the Annex hereto,

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 1 January 1993.

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

Done at Brussels, 30 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽²⁾ OJ No L 36, 8. 2. 1991, p. 9.

⁽³⁾ OJ No L 263, 19. 9. 1991, p. 1.

⁽⁴⁾ OJ No L 366, 29. 12. 1990, p. 1.

⁽⁵⁾ OJ No L 361, 20. 12. 1986, p. 1.

⁽⁶⁾ OJ No L 297, 29. 10. 1991, p. 1.

⁽⁷⁾ OJ No L 337, 4. 12. 1990, p. 1.

⁽⁸⁾ OJ No L 88, 9. 4. 1991, p. 7.

⁽⁹⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽¹⁰⁾ OJ No L 387, 31. 12. 1992.

ANNEX

to the Commission Regulation of 30 December 1992 fixing the import levies on rice and broken rice

(ECU/tonne)

CN code	Arrangement in Regulation (EEC) No 3877/86 ⁽⁶⁾	Levies ⁽⁷⁾	
		ACP Bangladesh (¹) (²) (³) (⁴)	Third countries (except ACP) (⁵)
1006 10 21	—	152,23	311,67
1006 10 23	—	155,56	318,32
1006 10 25	—	155,56	318,32
1006 10 27	238,74	155,56	318,32
1006 10 92	—	152,23	311,67
1006 10 94	—	155,56	318,32
1006 10 96	—	155,56	318,32
1006 10 98	238,74	155,56	318,32
1006 20 11	—	191,19	389,59
1006 20 13	—	195,35	397,90
1006 20 15	—	195,35	397,90
1006 20 17	298,43	195,35	397,90
1006 20 92	—	191,19	389,59
1006 20 94	—	195,35	397,90
1006 20 96	—	195,35	397,90
1006 20 98	298,43	195,35	397,90
1006 30 21	—	236,86	497,58 ⁽¹⁾
1006 30 23	—	284,29	592,35 ⁽¹⁾
1006 30 25	—	284,29	592,35 ⁽¹⁾
1006 30 27	444,26 ⁽²⁾	284,29	592,35 ⁽¹⁾
1006 30 42	—	236,86	497,58 ⁽¹⁾
1006 30 44	—	284,29	592,35 ⁽¹⁾
1006 30 46	—	284,29	592,35 ⁽¹⁾
1006 30 48	444,26 ⁽²⁾	284,29	592,35 ⁽¹⁾
1006 30 61	—	252,61	529,93 ⁽¹⁾
1006 30 63	—	305,15	635,00 ⁽¹⁾
1006 30 65	—	305,15	635,00 ⁽¹⁾
1006 30 67	476,25 ⁽³⁾	305,15	635,00 ⁽¹⁾
1006 30 92	—	252,61	529,93 ⁽¹⁾
1006 30 94	—	305,15	635,00 ⁽¹⁾
1006 30 96	—	305,15	635,00 ⁽¹⁾
1006 30 98	476,25 ⁽³⁾	305,15	635,00 ⁽¹⁾
1006 40 00	—	69,94	145,89

⁽¹⁾ Subject to the application of the provisions of Articles 12 and 13 of Regulation (EEC) No 715/90.

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

⁽³⁾ The import levy on rice entering the overseas department of Réunion is specified in Article 11a of Regulation (EEC) No 1418/76.

⁽⁴⁾ The levy on imports of rice, not including broken rice (CN code 1006 40 00), originating in Bangladesh is applicable under the arrangements laid down in Regulation (EEC) Nos 3491/90 and 862/91.

⁽⁵⁾ The levy on imports into Portugal is increased by the amount specified in Article 2 (2) of Regulation (EEC) No 3778/91.

⁽⁶⁾ The levy on imports of rice of the long-grain aromatic Basmati variety is applicable under the arrangements laid down in Regulation (EEC) No 3877/86, as amended by Regulation (EEC) No 3130/91.

⁽⁷⁾ No import levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.

COMMISSION REGULATION (EEC) No 3864/92
of 30 December 1992
fixing the import levies on milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 816/92 ⁽²⁾, and in particular Article 14 (8) thereof,

Whereas Article 14 of Regulation (EEC) No 804/68 provides for charging a levy on imports of the products listed in Article 1 of that Regulation; whereas these products may be divided into groups; whereas the product groups and the pilot groups and the pilot product for each of these groups are set out in Annex I to Council Regulation (EEC) No 2915/79 of 18 December 1979 determining the groups of products and the special provisions for calculating levies on milk and milk products ⁽³⁾, as last amended by Regulation (EEC) No 3798/91 ⁽⁴⁾;

Whereas the levy on the products in any one group must be equal to the threshold price for the pilot product less the free-at-frontier price; whereas these threshold prices were fixed for the 1992/1993 milk year by Council Regulation (EEC) No 1375/92 ⁽⁵⁾;

Whereas, however, Regulation (EEC) No 2915/79 lays down special provisions for calculating the levy on certain assimilated products; whereas these products are listed and the method of calculating the levy on them described in Annex II and in Articles 2 to 12 of that Regulation respectively;

Whereas, as provided for in Regulation (EEC) No 2915/79, the component of the levy established using

a factor expressing the weight ratio existing between the milk components contained in the product on the one hand and the product itself on the other is, for products containing sugar or other sweeteners, calculated by multiplying the basic amount by the quantity of milk components contained in the product;

Whereas Article 12 of Regulation (EEC) No 2915/79 provides that for certain products originating in or coming from certain third countries a specific levy is to be applied; whereas the levy applicable to those products is fixed in Annex I to Commission Regulation (EEC) No 1767/82 ⁽⁶⁾, as last amended by Regulation (EEC) No 1502/90 ⁽⁷⁾;

Whereas, for as long as it is found that on importation into the Community the price of an assimilated product for which the levy is not equal to the levy on its pilot product is considerably lower than the price which would obtain if the ratio to the price of the pilot product were normal, the levy must be equal to the sum of two components:

— one component equal to the amount resulting from the provisions of Articles 2 to 7 of Regulation (EEC) No 2915/79 applicable to the assimilated product in question,

— an additional component fixed at a level which, the composition and quality of the assimilated product being taken into account, makes it possible to re-establish normal price ratios for imports into the Community;

Whereas Article 14 (3) of Regulation (EEC) No 804/68 provides that the levy on products in respect of which the customs duty has been bound within GATT must be limited to the amount resulting from that binding;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 86, 1. 4. 1992, p. 83.

⁽³⁾ OJ No L 329, 24. 12. 1979, p. 1.

⁽⁴⁾ OJ No L 357, 28. 12. 1991, p. 3.

⁽⁵⁾ OJ No L 147, 29. 5. 1992, p. 4.

⁽⁶⁾ OJ No L 196, 5. 7. 1982, p. 1.

⁽⁷⁾ OJ No L 141, 2. 6. 1990, p. 5.

Whereas Commission Regulation (EEC) No 1073/68 ⁽¹⁾, as amended by Regulation (EEC) No 222/88 ⁽²⁾, provides that a free-at-frontier price must be established for each of the pilot products defined in Annex I to Regulation (EEC) No 2915/79; whereas these prices must be determined for products of good marketable quality;

Whereas the free-at-frontier prices must be established on the basis of the most favourable purchasing opportunities in international trade for the products listed in Article 1 of Regulation (EEC) No 804/68 other than assimilated products for which the levy is not equal to the levy on the related pilot products; whereas, when recording these purchasing opportunities, the Commission must take account of all information obtained direct or through the Member States concerning prices for delivery of third-country products free-at-Community-frontier and prices on third-country markets;

Whereas Commission Regulation (EEC) No 788/86 ⁽³⁾, as last amended by Regulation (EEC) No 1525/90 ⁽⁴⁾, specifies the free-at-Spanish-frontier values of certain cheeses imported from and originating in Switzerland;

Whereas, however, no account should be taken of information relating to small quantities which are not representative of trade in the products in question and quantities in respect of which price trends in general or other information available to it lead the Commission to believe that the price in question is unrepresentative of the real trend of the market;

Whereas the prices used must be adjusted where they are not quoted free-at-Community-frontier or where they do not apply to products of good marketable quality; whereas the adjustment in respect of an assimilated product the levy on which is equal to the levy on its pilot product must be effected in such a way as to allow, in particular, for differences in composition, maturity, quality and presentation between the assimilated product and the related pilot product; whereas adjustments relating to composition must be calculated by multiplying the difference between the milk component content of the pilot product and that of the assimilated product in question by the value attributed in international trade to one unit of weight of the milk component in question; whereas, when the other adjustments are being effected, the difference between the value attributed on the Community market to each of the relevant characteristics of the pilot product and the value attributed on that market to the corresponding characteristics of the assimilated product in question must be taken into account;

Whereas, if no information on prices is available, the free-at-frontier price may, by way of exception, be

established on the basis of the value of the raw materials contained in the pilot product in question (calculated on the basis of the prices of milk products for which prices are available), average processing costs and average yields;

Whereas, in exceptional circumstances, a free-at-frontier price may remain unchanged for a limited period where the new level of the price for a given quality or a specific origin, used as a basis for establishing the previous free-at-frontier price, has not reached the Commission to enable it to establish the next free-at-frontier price and if the Commission considers that the prices which are available could lead to sudden and considerable changes in the free-at-frontier price because they are not sufficiently representative of real market trends;

Whereas, in accordance with Article 19 (1) of Regulation (EEC) No 804/68, the nomenclature provided for in this Regulation is incorporated in the combined nomenclature;

Whereas Article 8 of Regulation (EEC) No 1073/68 provides that the levies are fixed every fortnight; whereas they may be altered in the intervening period if necessary; whereas the levy remains valid until another becomes applicable;

Whereas Council Regulation (EEC) No 2730/75 of 29 October 1975 on glucose and lactose ⁽⁵⁾, as amended by Regulation (EEC) No 222/88, stipulates that the treatment provided for lactose and lactose syrup falling within CN code 1702 10 90 by Regulation (EEC) No 804/68 and by the provisions adopted for the application of that Regulation is to be extended to lactose and lactose syrup falling within CN code 1702 10 10; whereas consequently the levy fixed for products falling within CN code 1702 10 90 also applies to products falling within CN code 1702 10 10; whereas to ensure that the provision in question is properly applied these products and the levy thereon should be explicitly mentioned in the list of levies;

Whereas Council Regulation (EEC) No 518/92 ⁽⁶⁾, (EEC) No 519/92 ⁽⁷⁾ and (EEC) No 520/92 ⁽⁸⁾ of 27 February 1992 on certain procedures for applying the Interim Agreements on trade and trade-related matters between the European Economic Community and the European Coal and Steel Community, of the one part, and the Republic of Poland, the Republic of Hungary and the Czech and Slovak Federal Republic respectively, of the other part, introduce arrangements for reducing import levies on certain products; whereas Commission Regulation (EEC) No 584/92 ⁽⁹⁾ lays down detailed rules for applying the arrangements provided for in these agreements as regards milk and milk products;

⁽¹⁾ OJ No L 180, 26. 7. 1968, p. 25.

⁽²⁾ OJ No L 28, 1. 2. 1988, p. 1.

⁽³⁾ OJ No L 74, 19. 3. 1986, p. 20.

⁽⁴⁾ OJ No L 144, 7. 6. 1990, p. 15.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 20.

⁽⁶⁾ OJ No L 56, 29. 2. 1992, p. 3.

⁽⁷⁾ OJ No L 56, 29. 2. 1992, p. 6.

⁽⁸⁾ OJ No L 56, 29. 2. 1992, p. 9.

⁽⁹⁾ OJ No L 62, 7. 3. 1992, p. 34.

Whereas Council Regulation (EEC) No 715/90 ⁽¹⁾, as last amended by Regulation (EEC) No 444/92 ⁽²⁾, lays down the arrangements applicable to agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories;

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 ⁽³⁾, no levies shall apply on 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 the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽⁴⁾ are used to convert amounts expressed in third country

currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 3819/92 ⁽⁵⁾;

Whereas it follows from applying these provisions that the levies on milk and milk products should be as set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies referred to in Article 14 of Regulation (EEC) No 804/68 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 January 1993.

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

Done at Brussels, 30 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽²⁾ OJ No L 52, 27. 2. 1992, p. 7.

⁽³⁾ OJ No L 263, 19. 9. 1991, p. 1.

⁽⁴⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁵⁾ OJ No L 387, 31. 12. 1992.

ANNEX

to the Commission Regulation of 30 December 1992 fixing the import levies on milk and milk products

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

CN code	Note (1)	Import levy
0401 10 10		15,77
0401 10 90		14,56
0401 20 11		21,89
0401 20 19		20,68
0401 20 91		27,19
0401 20 99		25,98
0401 30 11		70,11
0401 30 19		68,90
0401 30 31		135,31
0401 30 39		134,10
0401 30 91		227,58
0401 30 99		226,37
0402 10 11	(*)	106,98
0402 10 19	(*) (*)	99,73
0402 10 91	(1) (*)	0,9973 / kg + 30,78
0402 10 99	(1) (*)	0,9973 / kg + 23,53
0402 21 11	(*)	169,97
0402 21 17	(*)	162,72
0402 21 19	(*) (*)	162,72
0402 21 91	(*) (*)	206,19
0402 21 99	(*) (*)	198,94
0402 29 11	(1) (1) (*)	1,6272 / kg + 30,78
0402 29 15	(1) (*)	1,6272 / kg + 30,78
0402 29 19	(1) (*)	1,6272 / kg + 23,53
0402 29 91	(1) (*)	1,9894 / kg + 30,78
0402 29 99	(1) (*)	1,9894 / kg + 23,53
0402 91 11	(*)	30,28
0402 91 19	(*)	30,28
0402 91 31	(*)	37,85
0402 91 39	(*)	37,85
0402 91 51	(*)	135,31
0402 91 59	(*)	134,10
0402 91 91	(*)	227,58
0402 91 99	(*)	226,37
0402 99 11	(*)	49,85
0402 99 19	(*)	49,85
0402 99 31	(1) (*)	1,3168 / kg + 27,16
0402 99 39	(1) (*)	1,3168 / kg + 25,95
0402 99 91	(1) (*)	2,2395 / kg + 27,16
0402 99 99	(1) (*)	2,2395 / kg + 25,95
0403 10 02		106,98
0403 10 04		169,97

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

CN code	Note (°)	Import levy
0403 10 06		206,19
0403 10 12	(¹)	0,9973/kg + 30,78
0403 10 14	(¹)	1,6272/kg + 30,78
0403 10 16	(¹)	1,9894/kg + 30,78
0403 10 22		24,30
0403 10 24		29,60
0403 10 26		72,52
0403 10 32	(¹)	0,1826/kg + 29,57
0403 10 34	(¹)	0,2356/kg + 29,57
0403 10 36	(¹)	0,6648/kg + 29,57
0403 90 11		106,98
0403 90 13		169,97
0403 90 19		206,19
0403 90 31	(¹)	0,9973/kg + 30,78
0403 90 33	(¹)	1,6272/kg + 30,78
0403 90 39	(¹)	1,9894/kg + 30,78
0403 90 51		24,30
0403 90 53		29,60
0403 90 59		72,52
0403 90 61	(¹)	0,1826/kg + 29,57
0403 90 63	(¹)	0,2356/kg + 29,57
0403 90 69	(¹)	0,6648/kg + 29,57
0404 10 02		28,09
0404 10 04		169,97
0404 10 06		206,19
0404 10 12		106,98
0404 10 14		169,97
0404 10 16		206,19
0404 10 26	(¹)	0,2809/kg + 23,53
0404 10 28	(¹)	1,6272/kg + 30,78
0404 10 32	(¹)	1,9894/kg + 30,78
0404 10 34	(¹)	0,9973/kg + 30,78
0404 10 36	(¹)	1,6272/kg + 30,78
0404 10 38	(¹)	1,9894/kg + 30,78
0404 10 48	(²)	0,2809/kg
0404 10 52	(²)	1,6272/kg + 6,04
0404 10 54	(²)	1,9894/kg + 6,04
0404 10 56	(²)	0,9973/kg + 6,04
0404 10 58	(²)	1,6272/kg + 6,04
0404 10 62	(²)	1,9894/kg + 6,04
0404 10 72	(²)	0,2809/kg + 23,53
0404 10 74	(²)	1,6272/kg + 29,57
0404 10 76	(²)	1,9894/kg + 29,57
0404 10 78	(²)	0,9973/kg + 29,57
0404 10 82	(²)	1,6272/kg + 29,57
0404 10 84	(²)	1,9894/kg + 29,57
0404 90 11		106,98
0404 90 13		169,97
0404 90 19		206,19
0404 90 31		106,98
0404 90 33		169,97
0404 90 39		206,19
0404 90 51	(¹)	0,9973/kg + 30,78
0404 90 53	(¹) (¹)	1,6272/kg + 30,78
0404 90 59	(¹)	1,9894/kg + 30,78
0404 90 91	(¹)	0,9973/kg + 30,78
0404 90 93	(¹) (¹)	1,6272/kg + 30,78
0404 90 99	(¹)	1,9894/kg + 30,78

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

CN code	Note (1)	Import levy
0405 00 11	(6)	234,40
0405 00 19	(6)	234,40
0405 00 90		285,97
0406 10 20	(4) (6)	234,27
0406 10 80	(4) (6)	288,80
0406 20 10	(3) (4) (6)	398,19
0406 20 90	(4) (6)	398,19
0406 30 10	(3) (4) (6)	183,59
0406 30 31	(3) (4) (6)	177,47
0406 30 39	(3) (4) (6)	183,59
0406 30 90	(3) (4) (6)	280,31
0406 40 00	(3) (4) (6)	148,14
0406 90 11	(3) (4) (6)	221,01
0406 90 13	(3) (4) (6)	172,10
0406 90 15	(3) (4) (6)	172,10
0406 90 17	(3) (4) (6)	172,10
0406 90 19	(3) (4) (6)	398,19
0406 90 21	(3) (4) (6)	221,01
0406 90 23	(3) (4) (6)	192,08
0406 90 25	(3) (4) (6)	192,08
0406 90 27	(3) (4) (6)	192,08
0406 90 29	(3) (4) (6)	192,08
0406 90 31	(3) (4) (6)	192,08
0406 90 33	(4) (6)	192,08
0406 90 35	(3) (4) (6)	192,08
0406 90 37	(3) (4) (6)	192,08
0406 90 39	(3) (4) (6)	192,08
0406 90 50	(3) (4) (6)	192,08
0406 90 61	(4) (6)	398,19
0406 90 63	(4) (6)	398,19
0406 90 69	(4) (6)	398,19
0406 90 73	(4) (6)	192,08
0406 90 75	(4) (6)	192,08
0406 90 77	(4) (6)	192,08
0406 90 79	(4) (6)	192,08
0406 90 81	(4) (6)	192,08
0406 90 85	(4) (6)	192,08
0406 90 89	(3) (4) (6)	192,08
0406 90 93	(4) (6)	234,27
0406 90 99	(4) (6)	288,80
1702 10 10		23,09
1702 10 90		23,09
2106 90 51		23,09
2309 10 15		77,22
2309 10 19		100,16
2309 10 39		94,35
2309 10 59		79,01
2309 10 70		100,16
2309 90 35		77,22
2309 90 39		100,16
2309 90 49		94,35
2309 90 59		79,01
2309 90 70		100,16

-
- (¹) The levy on 100 kg of product falling within this code is equal to the sum of the following :
 - (a) the amount per kilogram shown, multiplied by the weight of lactic matter contained in 100 kg of product ;
and
 - (b) the other amount indicated.
 - (²) The levy on 100 kg of product falling within this code is equal to :
 - (a) the amount per kilogram shown, multiplied by the weight of the dry lactic matter contained in 100 kg of product plus, where appropriate,
 - (b) the other amount indicated.
 - (³) Products falling within this code imported from a third country under special arrangements concluded between that country and the Community for which an IMA 1 certificate issued under the conditions provided for in Regulation (EEC) No 1767/82 is issued are subject to the levies in Annex I to that Regulation.
 - (⁴) The levy applicable is limited under the conditions laid down in Regulation (EEC) No 715/90.
 - (⁵) No levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.
 - (⁶) 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 584/92 have been presented, are subject to the levies set out in the Annex to that Regulation.
-

COMMISSION REGULATION (EEC) No 3865/92
of 30 December 1992
altering 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⁾, and in particular the fourth sentence of the second subparagraph of Article 16 (4) thereof,

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 the corrective amount applicable to the refund on cereals was fixed by Commission Regulation (EEC) No 3575/92⁽⁴⁾;

Whereas, on the basis of today's cif prices and cif forward delivery prices, taking foreseeable developments on the market into account, the corrective amount at present applicable to the refund on cereals should be altered;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁵⁾ are

used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 3819/92⁽⁶⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 16 (4) of Regulation (EEC) No 2727/75, fixed in the Annex to Regulation (EEC) No 3575/92 which is applicable to the export refunds fixed in advance in respect of cereals, is hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 January 1993.

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

Done at Brussels, 30 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 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 362, 11. 12. 1992, p. 76.

⁽⁵⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁶⁾ OJ No L 387, 31. 12. 1992.

ANNEX

to the Commission Regulation of 30 December 1992 altering the corrective amount
applicable to the refund on cereals

Product code	Destination (1)	(ECU/tonne)						
		Current	1st period	2nd period	3rd period	4th period	5th period	6th period
		1	2	3	4	5	6	7
0709 90 60 000	—	—	—	—	—	—	—	—
0712 90 19 000	—	—	—	—	—	—	—	—
1001 10 00 200	—	—	—	—	—	—	—	—
1001 10 00 400	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 20 000	01	0	0	0	0	0	—	—
1003 00 80 000	01	0	0	0	0	0	—	—
1004 00 00 200	—	—	—	—	—	—	—	—
1004 00 00 400	—	—	—	—	—	—	—	—
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 30 200	01	0	0	0	0	0	— 160,00	— 160,00
1103 11 30 900	—	—	—	—	—	—	—	—
1103 11 50 200	01	0	0	0	0	0	— 160,00	— 160,00
1103 11 50 400	01	0	0	0	0	0	— 160,00	— 160,00
1103 11 50 900	—	—	—	—	—	—	—	—
1103 11 90 200	01	0	0	— 35,00	— 35,00	— 35,00	— 50,00	— 50,00
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).

COMMISSION REGULATION (EEC) No 3866/92**of 30 December 1992****altering the export refunds on cereals and on wheat or rye flour, groats and meal**

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

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

Whereas the export refunds on cereals and on wheat or rye flour, groats and meal were fixed by Commission Regulation (EEC) No 3506/92⁽³⁾, as amended by Regulation (EEC) No 3533/92⁽⁴⁾;

Whereas export possibilities exist for a quantity of 50 000 tonnes of rye flour of certain destinations; whereas the procedure laid down in Article 9(4) of Commission Regulation (EEC) No 891/89⁽⁵⁾, as last amended by Regulation (EEC) No 2804/92⁽⁶⁾, should be used; whereas account should be taken of this when the refunds are fixed;

Whereas it follows from applying the detailed rules contained in amended Commission Regulation (EEC) No 3506/92 to the information known to the Commission that the export refunds at present in force should be altered to the amounts set out in the Annex hereto;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁷⁾ are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 3819/92⁽⁸⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1(a), (b) and (c) of Regulation (EEC) No 2727/75, exported in the natural state, as fixed in the Annex to amended Regulation (EEC) No 3506/92 are hereby altered as shown in the Annex to this Regulation in respect of the products set out therein.

Article 2

This Regulation shall enter into force on 1 January 1993.

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

Done at Brussels, 30 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 354, 4. 12. 1992, p. 22.

⁽⁴⁾ OJ No L 358, 8. 12. 1992, p. 13.

⁽⁵⁾ OJ No L 94, 7. 4. 1989, p. 13.

⁽⁶⁾ OJ No L 282, 26. 9. 1992, p. 40.

⁽⁷⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁸⁾ OJ No L 387, 31. 12. 1992.

ANNEX

to the Commission Regulation of 30 December 1992 modifying export refunds on cereals
and on wheat or rye flour, groats and meal

Product code	Destination (1)	(ECU / tonne) Amount of refund (2)
0709 90 60 000	—	—
0712 90 19 000	—	—
1001 10 00 200	—	—
1001 10 00 400	04	50,00
	02	20,00
1001 90 91 000	01	0
1001 90 99 000	04	62,00
	05	21,00
	02	20,00
1002 00 00 000	03	21,00
	02	20,00
1003 00 10 000	06	65,00
	02	0
1003 00 20 000	04	65,00
	02	20,00
1003 00 80 000	04	65,00
	02	20,00
1004 00 00 200	—	—
1004 00 00 400	—	—
1005 10 90 000	—	—
1005 90 00 000	04	82,00
	02	0
1007 00 90 000	—	—
1008 20 00 000	—	—
1101 00 00 100	01	96,00
1101 00 00 130	01	93,00
1101 00 00 150	01	86,00
1101 00 00 170	01	80,00
1101 00 00 180	01	74,00
1101 00 00 190	—	—
1101 00 00 900	—	—
1102 10 00 500	01	125,00 (3)
1102 10 00 700	—	—
1102 10 00 900	—	—
1103 11 30 200	01	140,00
1103 11 30 900	01	0
1103 11 50 200	01	140,00
1103 11 50 400	01	120,00
1103 11 50 900	01	0
1103 11 90 200	01	96,00
1103 11 90 800	—	—

(¹) The destinations are identified as follows :

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

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

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

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

COMMISSION REGULATION (EEC) No 3867/92
of 30 December 1992
altering the corrective amount applicable to the refund on 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 the fourth sentence of the second subparagraph of Article 16(4) thereof,

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 the corrective amount applicable to the refund on malt was fixed by Regulation (EEC) No 3424/92 ⁽⁴⁾;

Whereas, on the basis of today's cif prices and cif forward delivery prices, taking foreseeable developments on the market into account, the corrective amount at present applicable to the refund on malt should be altered;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽⁵⁾ are used to

convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 3819/92 ⁽⁶⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 16(4) of Regulation (EEC) No 2727/75 which is applicable to the export refunds fixed in advance in respect of malt is hereby altered to the amount set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 January 1993.

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

Done at Brussels, 30 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 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 347, 28. 11. 1992, p. 34.

⁽⁵⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁶⁾ OJ No L 387, 31. 12. 1992.

ANNEX

to the Commission Regulation of 30 December 1992 altering the corrective amount applicable to the refund on malt

Product code	(ECU/tonne)					
	Current	1st period	2nd period	3rd period	4th period	5th period
	1	2	3	4	5	6
1107 10 11 000	0	0	0	0	0	0
1107 10 19 000	0	0	0	0	0	0
1107 10 91 000	0	0	0	0	0	0
1107 10 99 000	0	0	0	0	0	0
1107 20 00 000	0	0	0	0	0	0

Product code	(ECU/tonne)					
	6th period	7th period	8th period	9th period	10th period	11th period
	7	8	9	10	11	12
1107 10 11 000	0	0	0	0	0	0
1107 10 19 000	0	0	0	0	0	0
1107 10 91 000	0	0	0	0	0	0
1107 10 99 000	0	0	0	0	0	0
1107 20 00 000	0	0	0	0	0	0

COMMISSION REGULATION (EEC) No 3868/92
of 30 December 1992
fixing the aid for cotton

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 the Act of Accession of Greece, and in particular paragraphs 3 and 10 of Protocol 4 on cotton annexed thereto, as amended by Protocol 14 annexed to the Act of Accession of Spain and of Portugal, and Regulation (EEC) No 4006/87 ⁽¹⁾,

Having regard to Council Regulation (EEC) No 2169/81 of 27 July 1981 laying down the general rules for the system of aid for cotton ⁽²⁾, as last amended by Regulation (EEC) No 2053/92 ⁽³⁾, and in particular Article 5 (1) thereof,

Whereas, pursuant to Article 5 of Regulation (EEC) No 2169/81, aid must be granted for unginned cotton harvested in the Community when the world market price for unginned cotton is below the guide price;

Whereas the aid is equal to the difference between these two prices;

Whereas the guide price for cotton has been fixed by Council Regulation (EEC) No 2055/92 for the 1992/93 marketing year ⁽⁴⁾;

Whereas the abatement of the subsidy which arises from the system of maximum guaranteed quantities for the 1992/1993 marketing year, has been fixed and set at ECU 15,419 per 100 kg;

Whereas the world market price for unginned cotton is determined periodically on the basis of the world market prices recorded for ginned cotton and cotton seed, taking into account the estimated yield of the Community harvest in cotton seed and in ginned cotton and also the net cost of ginning;

Whereas the world market price for ginned cotton and cotton seed is determined in accordance with Article 4 of Regulation (EEC) No 2169/81;

Whereas, if the world market price for unginned cotton cannot be determined as described above, this price shall be established on the basis of the most recent price determined;

Whereas the world market price for unginned cotton is equal to the sum of the values for ginned cotton and cotton seed defined in Article 1 of Commission Regulation (EEC) No 1201/89 of 3 May 1989 laying down rules implementing the system of aid for cotton ⁽⁵⁾, as last amended by Regulation (EEC) No 2328/92 ⁽⁶⁾, minus the cost of ginning;

Whereas the above values are established on the basis of the prices determined in accordance with Articles 2 and 3 of Commission Regulation (EEC) No 1201/89; whereas the world market price is determined on the basis of the most favourable offers and quotations recorded, excluding offers and quotations which cannot be regarded as representative of the real market trend;

Whereas the necessary adjustments must be made in cases where the offers and quotations recorded do not satisfy the requirements indicated above;

Whereas, pursuant to Article 4 (4) of Regulation (EEC) No 2169/81, if there are no suitable offers or quotations for determining the world market price for cotton seed, that price shall be established on the basis of the most favourable offers and quotations for cotton seed recorded on the Community market or, if those offers and quotations cannot be established on the basis of the value of the products obtained from processing the seed in the Community, less the processing cost; whereas this value is determined in accordance with Article 4 of Regulation (EEC) No 1201/89;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽⁷⁾ are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 3819/92 ⁽⁸⁾;

⁽¹⁾ OJ No L 377, 31. 12. 1987, p. 49.

⁽²⁾ OJ No L 211, 31. 7. 1981, p. 2.

⁽³⁾ OJ No L 215, 30. 7. 1992, p. 12.

⁽⁴⁾ OJ No L 215, 30. 7. 1992, p. 14.

⁽⁵⁾ OJ No L 123, 4. 5. 1989, p. 23.

⁽⁶⁾ OJ No L 223, 8. 8. 1992, p. 15.

⁽⁷⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁸⁾ OJ No L 387, 31. 12. 1992.

Whereas the aid must be fixed once a month, and in such a way that it can be applied from the first day of the month following the date of fixing; whereas it may be altered between fixings;

Whereas it follows from applying these provisions to the offers and quotations known to the Commission that the aid for cotton should be as set out in this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The aid for unginned cotton provided for in Article 5 of Regulation (EEC) No 2169/81 shall be ECU 72,877 per 100 kilograms.

Article 2

This Regulation shall enter into force on 1 January 1993.

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

Done at Brussels, 30 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 3869/92
of 30 December 1992
fixing the rate of the aid for dried fodder

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 1117/78 of 22 May 1978 on the common organization of the market in dried fodder⁽¹⁾, as last amended by Regulation (EEC) No 2275/89⁽²⁾, and in particular Article 5 (3) thereof,

Whereas, under Article 5 (1) of Regulation (EEC) No 1117/78, when the guide price is higher than the average world market price, aid is granted for dried fodder as described under Article 1 (b) and (c) of that Regulation and obtained from fodder plants harvested in the Community; whereas that aid takes account of a percentage of the difference between these two prices;

Whereas the guide price was fixed by Council Regulation (EEC) No 1379/92⁽³⁾ for the 1992/93 marketing year;

Whereas Regulation (EEC) No 1627/91 sets the percentage referred to in Article 5 of Regulation (EEC) No 1117/78 for the 1992/93 marketing year at 80 %;

Whereas the average world market price is determined for a bulk pelleted product, delivered to Rotterdam, of the standard quality for which the guide price has been fixed;

Whereas, under Council Regulation (EEC) No 1417/78 of 19 June 1978 on the aid system for dried fodder⁽⁴⁾, as last amended by Regulation (EEC) No 1110/89⁽⁵⁾, the average world market price for the products described in the first and third indents of Article 1 (b) of Regulation (EEC) No 1117/78 is to be determined on the basis of the most favourable actual purchase possibilities excepting those which cannot be considered representative of the real market trend; whereas offers and quotations recorded

during the first 25 days of the month in question for quantities that can be delivered during the following calendar month are to be used; whereas the average world market price thus determined is used to fix the aid rate applicable on the following month;

Whereas the necessary adjustments must be made in the case of offers and quotations not of the type referred to above; whereas these adjustments were defined in Article 3 of Commission Regulation (EEC) No 1528/78 of 30 June 1978 laying down detailed rules for the application of the system of aid for dried fodder⁽⁶⁾, as last amended by Regulation (EEC) No 1757/90⁽⁷⁾;

Whereas, in accordance with Article 3 of Regulation (EEC) No 1417/78, when no offer or quotation can be used to determine the average world market price, that price is determined on the basis of the sum of the value of competing products; whereas those products are defined in Article 3 (3) of Regulation (EEC) No 1528/78;

Whereas, pursuant to Article 11 of Regulation (EEC) No 1417/78, when forward prices differ from that applying in the month when the application is lodged, the aid rate is adjusted by a correcting amount calculated from the trend of forward prices;

Whereas, where the average world market price is determined in accordance with Article 3 of Regulation (EEC) No 1417/78, the corrective amount must be equal to the difference between the average world market price and the average forward world market price determined by applying the criteria laid down in Article 3 (3) of Regulation (EEC) No 1528/78 and valid for delivery during a month other than that in which the aid is introduced, adjusted by the percentage fixed under Article 5 (2) of Regulation (EEC) No 1117/78; whereas where the average forward world market price for one or more months cannot be determined by applying the criteria laid down in Article 3 (3) of Regulation (EEC) No 1528/78, the corrective amount must be fixed for the month or months in question at a level such that the aid is equal to zero;

⁽¹⁾ OJ No L 142, 30. 5. 1978, p. 1.

⁽²⁾ OJ No L 218, 28. 7. 1989, p. 1.

⁽³⁾ OJ No L 147, 29. 5. 1992, p. 14.

⁽⁴⁾ OJ No L 171, 28. 6. 1978, p. 1.

⁽⁵⁾ OJ No L 118, 29. 4. 1989, p. 1.

⁽⁶⁾ OJ No L 179, 1. 7. 1978, p. 10.

⁽⁷⁾ OJ No L 162, 28. 6. 1990, p. 21.

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽¹⁾ are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 3819/92 ⁽²⁾;

Whereas the rate of the additional aid must be fixed once per month so as to ensure application of the aid from the first day of the month following the date of its fixing;

Whereas, pursuant to Articles 120 (2) and 306 (2) of the Act of Accession, the additional aid applicable in these two Member States is to be adjusted by an amount equal to the amount of customs duties on imports of these products from third countries; whereas, in addition, in Spain the amount is to be adjusted by the difference, multiplied by the percentage referred to in Article 5 (2) of

Regulation (EEC) No 1117/78, between the guide price applied in Spain and the common guide price;

Whereas, as the result of the applications of all these provisions to the offers and quotations which the Commission has recorded, the rate of the additional aid for dried fodder must be fixed as indicated in the table annexed to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The rate of the aid referred to in Article 5 (3) of Regulation (EEC) No 1117/78 is fixed in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 January 1993.

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

Done at Brussels, 30 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 387, 31. 12. 1992.

ANNEX

to the Commission Regulation of 30 December 1992 fixing the rate of the aid for dried fodder

Aid applicable from 1 January 1993 to dried fodder :

(ECU/tonne)

	Fodder dehydrated by artificial heat drying Protein concentrates			Fodder otherwise dried	
	Spain	Portugal	Other Member States	Portugal	Other Member States
Aid	85,586	85,372	85,586	52,432	52,646

Aid in case of advance fixing for the month of :

(ECU/tonne)

February 1993	85,624	85,409	85,624	52,469	52,684
March 1993	85,624	85,409	85,624	52,469	52,684
April 1993	84,861	84,643	84,861	51,703	51,921
May 1993 ⁽¹⁾	0,000	0,000	0,000	0,000	0,000
June 1993 ⁽¹⁾	0,000	0,000	0,000	0,000	0,000
July 1993 ⁽¹⁾	0,000	0,000	0,000	0,000	0,000

⁽¹⁾ Pursuant to Article 6 (b) of Regulation (EEC) No 1528/78.

COMMISSION REGULATION (EEC) No 3870/92

of 30 December 1992

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to Commission Regulation (EEC) No 3540/85 of 5 December 1985 laying down detailed rules for the application of the special measures for peas, field beans and sweet lupins⁽³⁾, as last amended by Regulation (EEC) No 1734/92⁽⁴⁾, and in particular Article 26a (7) thereof,

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

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

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

increases in the threshold price was fixed by Council Regulation (EEC) No 1752/92⁽⁸⁾;

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

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

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

Whereas Commission Regulation (EEC) No 3328/92⁽¹⁴⁾ limits the validity of the certificate provided for in Article 4 of Council Regulation (EEC) No 2036/82 to 30 June 1993;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽¹⁵⁾ are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 3819/92⁽¹⁶⁾;

Whereas pursuant to Articles 121 (2) and 307 (2) of the Act of Accession the amount of the aid for products harvested and processed in either of these Member States should be reduced by the customs duty charged on importation of products from third countries;

⁽¹⁾ OJ No L 162, 12. 6. 1982, p. 28.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 17.

⁽³⁾ OJ No L 342, 19. 12. 1985, p. 1.

⁽⁴⁾ OJ No L 179, 30. 7. 1992, p. 120.

⁽⁵⁾ OJ No L 219, 28. 7. 1982, p. 1.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 11.

⁽⁷⁾ OJ No L 180, 1. 7. 1992, p. 18.

⁽⁸⁾ OJ No L 180, 1. 7. 1992, p. 20.

⁽⁹⁾ OJ No L 250, 29. 8. 1992, p. 15.

⁽¹⁰⁾ OJ No L 279, 23. 9. 1992, p. 18.

⁽¹¹⁾ OJ No L 219, 28. 7. 1982, p. 36.

⁽¹²⁾ OJ No L 117, 5. 5. 1987, p. 9.

⁽¹³⁾ OJ No L 133, 21. 5. 1986, p. 21.

⁽¹⁴⁾ OJ No L 334, 19. 11. 1992, p. 17.

⁽¹⁵⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽¹⁶⁾ OJ No L 387, 31. 12. 1992.

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

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

Whereas Article 26a of Regulation (EEC) No 3540/92 has been repealed in accordance with Article 2 of Regulation (EEC) No 3820/92⁽²⁾; whereas the Commission therefore publishes in the *Official Journal of the European Communities* only the gross amount of aid, expressed in

ecus, to be granted for 100 kilograms of the product, as soon as it is fixed; whereas the gross aid in ecus resulting from Article 3 of Regulation (EEC) No 1431/82 is to be converted directly into the national currencies at the agricultural conversion rate valid on the day of identification in the Member State in which the products are used,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 January 1993.

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

Done at Brussels, 30 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 169, 29. 6. 1991, p. 29.

⁽²⁾ OJ No L 387, 31. 12. 1992.

ANNEX

Gross aid

Products intended for human consumption :

	Current 1	1st period 2	2nd period 3	3rd period 4	4th period 5	5th period 6
<i>(ECU per 100 kg)</i>						
Peas used :						
— in Portugal	11,290	11,448	11,606	11,764	11,764	11,764
— in another Member State	11,350	11,508	11,666	11,824	11,824	11,824
Field beans used :						
— in Portugal	11,290	11,448	11,606	11,764	11,764	11,764
— in another Member State	11,350	11,508	11,666	11,824	11,824	11,824

Products used in animal feed :

	Current 1	1st period 2	2nd period 3	3rd period 4	4th period 5	5th period 6
<i>(ECU per 100 kg)</i>						
A. Peas used :						
— in Portugal	11,306	11,464	12,083	12,548	12,764	12,764
— in another Member State	11,306	11,464	12,083	12,548	12,764	12,764
B. Field beans used :						
— in Portugal	11,306	11,464	12,083	12,548	12,764	12,764
— in another Member State	11,306	11,464	12,083	12,548	12,764	12,764
C. Sweet lupins used :						
— in Portugal	13,586	13,586	14,202	14,612	14,900	14,900
— in another Member State	13,586	13,586	14,202	14,612	14,900	14,900

COMMISSION REGULATION (EEC) No 3871/92**of 30 December 1992****fixing the production refund for white sugar used in the chemical industry**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EEC) No 61/92⁽²⁾, and in particular Article 9 (6) thereof,

Whereas pursuant to Article 9 (3) of Regulation (EEC) No 1785/81 it may be decided to grant production refunds on the products listed in Article 1 (1) (a) and (f) and on the syrups listed in Article 1 (1) (d) thereof which are in one of the situations referred to in Article 9 (2) of the Treaty and which are used in the manufacture of certain products of the chemical industry;

Whereas Council Regulation (EEC) No 1010/86 of 25 March 1986 laying down general rules for the production refund on certain sugar products used in the chemical industry⁽³⁾, as last amended by Regulation (EEC) No 464/91⁽⁴⁾, establishes the framework within which the production refunds may be determined and lists the chemical products of which the manufacture makes it possible to grant a production refund for the basic products used in their manufacture; whereas Articles 5, 6 and 7 of Regulation (EEC) No 1010/86 provide that the production refund granted for raw sugar, sucrose syrups and unprocessed isoglucose shall be derived from the refund fixed for white sugar according to a method of calculation peculiar to each of these basic products;

Whereas Commission Regulation (EEC) No 1729/78 of 24 July 1978 laying down detailed rules of application in respect of the production refund for sugar used in the chemical industry⁽⁵⁾, as last amended by Regulation (EEC) No 464/91, specifies the method to be used for

establishing the production refund; whereas Article 1 of Regulation (EEC) No 1729/78 provides that the production refund for white sugar shall be fixed at three-monthly intervals for the periods beginning 1 July, 1 October, 1 January and 1 April; whereas the application of the abovementioned method entails fixing the production refund as stated in Article 1 for the period referred to therein;

Whereas the amendment of the definition of white sugar and raw sugar referred to in Article 1 (2) (a) and (b) of Regulation (EEC) No 1785/81 has the consequence that flavoured sugars or sugars containing added colouring agents or other substances are no longer considered as falling within these definitions but are to be considered as 'other sugars'; whereas Article 1 of Regulation (EEC) No 1010/86 provides for these sugars to be eligible as basic products to the production refund; whereas a method of calculation based on their sucrose content should be laid down for establishing the production refund applicable to these products;

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

HAS ADOPTED THIS REGULATION:

Article 1

The production refund per 100 kilograms of white sugar referred to in Article 4 of Regulation (EEC) No 1010/86 is hereby fixed at ECU 35,651 for the quarter 1 January to 31 March 1993.

Article 2

This Regulation shall enter into force on 1 January 1993.

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 6, 11. 1. 1992, p. 19.

⁽³⁾ OJ No L 94, 9. 4. 1986, p. 9.

⁽⁴⁾ OJ No L 54, 28. 2. 1991, p. 22.

⁽⁵⁾ OJ No L 201, 25. 7. 1978, p. 26.

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

Done at Brussels, 30 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 3872/92**of 30 December 1992****altering the export refunds on white sugar and raw sugar exported in the natural state**

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 3484/92 ⁽²⁾, and in particular the second subparagraph of Article 19 ⁽⁴⁾ thereof,

Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EEC) No 3718/92 ⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 3718/92 to the information known to the Commission that the export refunds at present in force should be altered to the amounts set out in the Annex hereto;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽⁴⁾ are used to convert amounts expressed in third country currencies

and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 3819/92 ⁽⁵⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, as fixed in the Annex to Regulation (EEC) No 3718/92 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 January 1993.

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

Done at Brussels, 30 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 378, 23. 12. 1992, p. 28.

⁽⁴⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁵⁾ OJ No L 387, 31. 12. 1992.

ANNEX

to the Commission Regulation of 30 December 1992 altering the export refunds on white sugar and raw sugar exported in the natural state

Product code	Amount of refund ⁽¹⁾
	— ECU/100 kg —
1701 11 90 100	37,42 ⁽¹⁾
1701 11 90 910	36,31 ⁽¹⁾
1701 11 90 950	⁽²⁾
1701 12 90 100	37,42 ⁽¹⁾
1701 12 90 910	36,31 ⁽¹⁾
1701 12 90 950	⁽²⁾
	— ECU/1 % of sucrose × 100 kg —
1701 91 00 000	0,4068
1701 99 10 100	40,68
1701 99 10 910	40,68
1701 99 10 950	40,68
1701 99 90 100	0,4068

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

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

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

COMMISSION REGULATION (EEC) No 3873/92

of 30 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,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy⁽⁵⁾, and in particular Article 5 thereof,

Whereas the first subparagraph of Article 13 (1) of Regulation (EEC) No 2727/75 provides that a levy must be charged on imports of the products listed in Article 1 (a), (b) and (c) of that Regulation; whereas the levy is equal for each product to the threshold price less the cif price;

Whereas, the threshold prices for cereals and for wheat and rye flour, and wheat groats and meal, were fixed for 1992/93, marketing year by Council Regulations (EEC) No 2734/75⁽⁶⁾, (EEC) No 1739/92⁽⁷⁾, (EEC) No 1742/92⁽⁸⁾ and Commission Regulation (EEC) No 1801/92⁽⁹⁾;

Whereas, for the purpose of calculating the cif prices used to determine the levies, the Commission must take into account the factors indicated in Commission Regulation No 156/67/EEC⁽¹⁰⁾, as last amended by Regulation (EEC) No 31/76⁽¹¹⁾, and in particular the most favourable

purchasing opportunities on the world market among those which are most representative of the real trend of the market, account being taken in particular of the need to prevent sudden variations likely to cause abnormal disturbances on the Community market; whereas the quality of the goods offered must also be taken into account, whether this quality corresponds to the standard quality fixed in Council Regulations (EEC) No 2731/75⁽¹²⁾, as last amended by Regulation (EEC) No 2094/87⁽¹³⁾, and (EEC) No 2734/75, or whether adjustments need to be made by applying the coefficients of equivalence provided for in Commission Regulations No 158/67/EEC⁽¹⁴⁾, as last amended by Regulation (EEC) No 2644/91⁽¹⁵⁾, and No 159/67/EEC⁽¹⁶⁾;

Whereas the cif price is calculated for Rotterdam on the basis of the abovementioned elements, offers for other ports being adjusted, account being taken of the corrections necessitated by the differences in transport charges in relation to Rotterdam;

Whereas Council Regulations (EEC) No 518/92⁽¹⁷⁾, (EEC) No 519/92⁽¹⁸⁾ and (EEC) No 520/92⁽¹⁹⁾ of 27 February 1992 on certain procedures for applying the Interim Agreements on trade and trade-related matters between the European Economic Community and the European Coal and Steel Community, of the one part, and the Republic of Poland, the Republic of Hungary and the Czech and Slovak Federal Republic respectively, of the other part, introduce arrangements for reducing import levies on certain products; whereas Commission Regulation (EEC) No 585/92⁽²⁰⁾, as amended by Regulation (EEC) No 955/92⁽²¹⁾, lays down detailed rules for applying the arrangements provided for in these agreements as regards cereals;

Whereas Council Regulation (EEC) No 715/90⁽²²⁾, as last amended by Regulation (EEC) No 444/92⁽²³⁾, lays down the arrangements applicable on agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories;

⁽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 387, 31. 12. 1992, p. 1.

⁽⁶⁾ OJ No L 281, 1. 11. 1975, p. 34.

⁽⁷⁾ OJ No L 180, 1. 7. 1992, p. 2.

⁽⁸⁾ OJ No L 180, 1. 7. 1992, p. 6.

⁽⁹⁾ OJ No L 182, 2. 7. 1992, p. 83.

⁽¹⁰⁾ OJ No 128, 27. 6. 1967, p. 2533/67.

⁽¹¹⁾ OJ No L 5, 10. 1. 1976, p. 18.

⁽¹²⁾ OJ No L 281, 1. 11. 1975, p. 22.

⁽¹³⁾ OJ No L 196, 17. 7. 1987, p. 1.

⁽¹⁴⁾ OJ No 128, 27. 6. 1967, p. 2536/67.

⁽¹⁵⁾ OJ No L 247, 5. 9. 1991, p. 23.

⁽¹⁶⁾ OJ No 128, 27. 6. 1967, p. 2542/67.

⁽¹⁷⁾ OJ No L 56, 29. 2. 1992, p. 3.

⁽¹⁸⁾ OJ No L 56, 29. 2. 1992, p. 6.

⁽¹⁹⁾ OJ No L 56, 29. 2. 1992, p. 9.

⁽²⁰⁾ OJ No L 62, 7. 3. 1992, p. 40.

⁽²¹⁾ OJ No L 102, 16. 4. 1992, p. 26.

⁽²²⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽²³⁾ OJ No L 52, 27. 2. 1992, p. 7.

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⁽¹⁾, no levies shall apply on imports of products originating in the overseas countries and territories; whereas, 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, in accordance with Article 18 (1) of Regulation (EEC) No 2727/75, the nomenclature provided for in this Regulation is incorporated in the combined nomenclature;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 30 December 1992, as regards floating currencies, should be used to calculate the levies;

Whereas on importation into Portugal of products listed in Annex XXIV to the Act of Accession an additional amount is added to the levy; whereas these amounts were set by Commission Regulation (EEC) No 3808/90⁽²⁾;

Whereas it follows from applying all the provisions of the abovementioned Regulations that the levies should be as set out in the Annex thereto; whereas these levies are altered only where variations in the components used to calculate them have the effect of increasing or reducing them by ECU 0,73 or more,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the 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 1 January 1993.

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

Done at Brussels, 30 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 263, 19. 9. 1991, p. 1.

⁽²⁾ OJ No L 367, 29. 12. 1990, p. 1.

ANNEX

to the Commission Regulation of 30 December 1992 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Third countries (*)
0709 90 60	133,20 ⁽²⁾ ⁽³⁾
0712 90 19	133,20 ⁽²⁾ ⁽³⁾
1001 10 00	172,54 ⁽¹⁾ ⁽⁵⁾ ⁽¹⁰⁾
1001 90 91	144,86
1001 90 99	144,86 ⁽¹¹⁾
1002 00 00	156,99 ⁽⁶⁾
1003 00 10	124,24
1003 00 20	124,24
1003 00 80	124,24 ⁽¹¹⁾
1004 00 00	113,52
1005 10 90	133,20 ⁽²⁾ ⁽³⁾
1005 90 00	133,20 ⁽²⁾ ⁽³⁾
1007 00 90	134,67 ⁽⁴⁾
1008 10 00	47,20 ⁽¹¹⁾
1008 20 00	68,68 ⁽⁴⁾
1008 30 00	37,49 ⁽⁵⁾
1008 90 10	⁽⁷⁾
1008 90 90	37,49
1101 00 00	215,56 ⁽⁸⁾ ⁽¹¹⁾
1102 10 00	232,55 ⁽⁸⁾
1103 11 30	280,90 ⁽⁸⁾ ⁽¹⁰⁾
1103 11 50	280,90 ⁽⁸⁾ ⁽¹⁰⁾
1103 11 90	231,82 ⁽⁸⁾

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

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

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

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

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

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

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

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

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

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

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

COMMISSION REGULATION (EEC) No 3874/92

of 30 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 Regulation (EEC) No 2727/75 of the Council 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,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy⁽⁵⁾, and in particular Article 5 thereof,

Whereas the scale of premiums to be added to the import levies fixed in advance for cereals must include a premium for the current month and a premium for each of the three following months; whereas the amount of each premium must be the same throughout the Community;

Whereas Regulation (EEC) No 2745/75 of the Council⁽⁶⁾ laid down rules for the advance fixing of levies on cereals;

Whereas, under the terms of that Regulation, where the cif price for a cereal determined on the day on which the scale of premiums is fixed is higher than the cif forward delivery price for that cereal, the scale of the premium should, as a general rule, be equal to the difference between these two prices; whereas the cif price is that determined in accordance with Article 13 of Regulation (EEC) No 2727/75 on the day on which the scale of premiums is fixed; whereas the cif forward delivery price is also determined in accordance with Article 13 of Regulation (EEC) No 2727/75 but on the basis of offers at North Sea ports; whereas this price must be the cif price for shipment during the month in which the import licence is issued in the case of imports to be effected during that month; whereas, in the case of imports to be effected during the month following the month in which the import licence is issued, this price must be the cif

price for shipment during that month; whereas, in the case of imports to be effected during the last two months for which the import licence is valid, this price must be the cif price for shipment during the month preceding the month in which importation is expected to take place;

Whereas this price must be the cif price for shipment during the month preceding the month in which importation is expected to take place in the case of imports to be effected during the last two months for which the import licence is valid;

Whereas the premium shall be ECU 0 if the cif price determined on the day on which the premiums are fixed is equal to the cif forward delivery price or exceeds that price by not more than ECU 0,151 per tonne;

Whereas the premium may, however, be fixed at a higher level in exceptional circumstances and within certain specific limits;

Whereas Article 3 of CN code Regulation (EEC) No 1579/74 of the Commission of 24 June 1974 on the procedure for calculating the import levy on products processed from cereals and rice and for the advance fixing of this levy for these products and for compound feeding-stuffs manufactured from cereals⁽⁷⁾, as last amended by Regulation (EEC) No 1740/78⁽⁸⁾, provides for the addition of a premium to the levy fixed in advance for products falling within CN code 1107; whereas this premium is, per 100 kilograms of processed product, equal to the premium applicable on the day of application for an import licence to the quantity of basic product taken as a basis for the calculation of the variable component of the levy;

Whereas, pursuant to Regulation (EEC) No 971/73 of the Commission of 9 April 1973 on the advance fixing of the levy on wheat and meslin flour⁽⁹⁾, a premium is added to the levy fixed in advance for the products falling within CN code 1101 00 00 referred to in Article 1 (c) of Regulation (EEC) No 2727/75; whereas this premium is, per tonne of processed product, equal to the premium applicable on the date of application for an import licence for the basic product, account being taken of the quantity of the basic cereal required for the production of one tonne of flour;

Whereas, in accordance with Article 18 (1) of Regulation (EEC) No 2727/75, the nomenclature provided for in this Regulation is incorporated in the combined nomenclature;

⁽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 387, 31. 12. 1992, p. 1.

⁽⁶⁾ OJ No L 281, 1. 11. 1975, p. 76.

⁽⁷⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽⁸⁾ OJ No L 202, 26. 7. 1978, p. 8.

⁽⁹⁾ OJ No L 95, 11. 4. 1973, p. 10.

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 30 December 1992, as regards floating currencies, should be used to calculate the levies;

Whereas it follows from applying all these provisions that the premiums should be as set out in the Annex hereto; whereas the amount of the premiums should be altered only if application of the abovementioned provisions entails a change of more than 0,151 ECU,

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 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 January 1993.

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

Done at Brussels, 30 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 30 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 1	1st period 2	2nd period 3	3rd period 4
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 00	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 20	0	0	0	0
1003 00 80	0	0	0	0
1004 00 00	0	0	0	0
1004 00 10	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 1	1st period 2	2nd period 3	3rd period 4	4th period 5
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

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DIRECTIVE 92/108/EEC

of 14 December 1992

amending Directive 92/12/EEC on the general arrangements for products subject to excise duty and on the holding, movement and monitoring of such products and amending Directive 92/81/EEC

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 99 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas it is necessary, in order to give full effect to the provisions of Directive 92/12/EEC ⁽⁴⁾ to stipulate the territories of the Member States which must be treated as third countries for fiscal purposes;

Whereas, when products subject to excise duty are dispatched between Member States via EFTA countries, specific conditions should be laid down concerning the declaration to the effect that those products are to be placed under the internal Community transit procedure by means of the single administrative document;

Whereas it should be made clear that the intra-Community movement of products subject to zero-rate excise duty which have not been released for consumption is also to take place between tax warehouses;

Whereas a change in the place of delivery should be allowed by means of a modification to the accompanying administrative document;

Whereas, no later than 1 April 1993, the authorities of each Member State should have an electronic data base containing a register of authorized warehouse keepers and a register of tax warehouses;

Whereas, in order to simplify administration procedures, an accompanying document should not be used where computerized procedures are employed;

Whereas an accompanying document should be used when products are moved under suspension arrangements by sea or air directly from one Community port or airport to another;

Whereas provision should be made so that products subject to excise duty which are covered by suspension arrangements in 1992 should be under suspension of excise duties thereafter if the suspension arrangements have not been discharged;

Whereas, finally, in order to ensure the smooth operation of Community provisions on excise duties on 1 January 1993, Council Directive 76/308/EEC of 15 March 1976 on mutual assistance for the recovery of claims resulting from operations forming part of the system of financing the European Agricultural Guidance and Guarantee Fund, and of agricultural levies and customs duties, and in respect of value added tax ⁽⁵⁾ and Council Directive 92/81/EEC of 19 October 1992 on the harmonization of the structures of excise duties on mineral oils ⁽⁶⁾ need to be amended,

⁽¹⁾ OJ No C 283, 31. 10. 1992, p. 8.

⁽²⁾ Opinion delivered on 20 November 1992 (not yet published in the Official Journal).

⁽³⁾ Opinion delivered on 24 November 1992 (not yet published in the Official Journal).

⁽⁴⁾ OJ No L 76, 23. 3. 1992, p. 1.

⁽⁵⁾ OJ No L 73, 19. 3. 1976, p. 18. Directive last amended by Directive 79/1071/EEC (OJ No L 331, 27. 12. 1979, p. 10).

⁽⁶⁾ OJ No L 316, 31. 10. 1992, p. 12.

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 92/12/EEC is hereby amended as follows:

1. Article 5 (2) shall read as follows:

'2. Without prejudice to national and Community provisions regarding customs matters, when products subject to excise duty:

— are coming from, or going to, third countries or territories referred to in Article 2 (1), (2) and (3) or the Channel Islands and are either under a Community customs procedure other than release for free circulation or are placed in a free zone or a free warehouse,

or

— are dispatched between Member States via EFTA countries under the internal Community transit procedure using the Single Administrative Document,

the excise duty on them shall be deemed to be suspended.

In cases covered by the second indent of the first subparagraph:

- box 33 of the single administrative document shall be completed with the appropriate CN code;
- it shall be clearly indicated in box 44 of the single administrative document that a dispatch of products subject to excise duty is involved;
- a copy of "copy 1" of the single administrative document shall be held by the consignor;
- a duly annotated copy of "copy 5" of the single administrative document shall be sent back to the consignor by the consignee.'

2. in Article 7 (2), the words 'intended for delivery' shall be replaced by the words 'or intended for delivery in another Member State';

3. Article 15 is amended as follows:

(a) the following subparagraph shall be added to paragraph 1:

'The provisions of the first subparagraph shall apply to the intra-Community movement of products subject to zero-rate excise duty which have not been released for consumption.'

(b) the following paragraph shall be added:

'5. An authorized warehousekeeper of dispatch or his agent may amend the administrative accompanying document to show an alternative place of delivery. The competent authority of dispatch must be notified immediately and the new place of delivery shall immediately be indicated on the reverse of the administrative accompanying document.'

4. in Title III, the following Article shall be added:

Article 15a

1. By 1 April 1993 at the latest, the competent authority of each Member State shall maintain an electronic data base which shall contain a register of persons who are authorized warehousekeepers or traders registered for excise purposes as well as a register of those premises authorized as tax warehouses.

2. The register shall contain the following information:

- (a) the identification number issued by the competent authorities in respect of the person or premises;
- (b) the name and address of the person or premises;
- (c) the category of goods which may be held or received by the person or on the premises;
- (d) the address of the competent authorities which may be contacted for further information;
- (e) the date of issue and, where appropriate, the date of cessation of validity of the identification number.

3. The data described in paragraphs 1 and 2 (a), (b), (c) and (d) shall be communicated to the competent authority of each Member State. In those cases where the data described in paragraph 2 (e) are not communicated automatically, they shall be provided at the specific request of any Member State. All data shall be used solely to identify the authorization or registration or otherwise of a person and premises.

4. The competent authority of each Member State shall ensure that persons involved in the intra-Community movement of products subject to excise duty are allowed to obtain confirmation of the information held under the terms of this Article.

5. Any information communicated in whatever form pursuant to this Article shall be of a confidential nature. It shall be covered by the obligation of professional secrecy and shall enjoy the protection extended to similar information under the national law of the Member State which received it.

6. By way of derogation from paragraph 5, the competent authority of the Member State providing the information shall permit its use for other purposes in the Member State of the applicant authority, if, under the legislation of the Member State of the requested authority, the information could be used in the Member State of the requested authority for similar purposes.'

5. Article 18 (1) is amended as follows:

'1. Notwithstanding the possible use of computerized procedures, all products subject to excise duty moving under duty-suspension arrangements between Member States, including those moving by sea or air directly from one Community port or airport to another, shall be accompanied by a document drawn

up by the consignor. This document may be either an administrative document or a commercial document. The form and content of this document, and the procedure to be followed where its use is objectively inappropriate, shall be established in accordance with the procedure laid down in Article 24.';

6. the following sentence shall be added as the final sentence of Article 20 (3):

'Member States shall take the necessary measures to deal with any offence or irregularity and to impose effective penalties.';

7. in Article 22 (2) (b), the phrase 'under cover of the document specified in Article 18 (1)' shall be replaced by the phrase 'in accordance with the provisions of Title III.';

8. the following Article shall be added in Title VII:

'Article 26a

Products subject to excise duty that are under a suspension arrangement other than as specified in Articles 5 (2) and 18 (1) before 1 January 1993 and which has not been discharged, shall be deemed, after that date, to be under suspension of excise duty.

When the situation described in the first subparagraph involves the internal Community transit suspension arrangements, the provisions in force at the time when the products were placed under these arrangements shall continue to apply during the period when these products are under these arrangements, which shall be determined in accordance with the said provisions.

When the said situation involves national suspension arrangements, Member States shall determine the conditions and the formalities under which the suspension arrangements are discharged after 1 January 1993.';

9. the following Article shall be added in Title VII:

'Article 30a

Directive 76/308/EEC is amended as follows:

1. The title shall be replaced by the following:

"Council Directive of 15 March 1976 on mutual assistance for the recovery of claims resulting from operations forming part of the system of financing the European Agricultural Guidance and Guarantee Fund, and of agricultural levies and customs duties, and in respect of value added tax and certain excise duties."

2. in Article 2

(a) letter "(e)" shall be replaced by "(f)",

(b) the following point shall be inserted after point "(d)":

"(e) the following excise duties:

- excise duty on manufactured tobacco,
- excise duty on alcohol and alcoholic beverages,
- excise duty on mineral oils."

Article 2

Directive 92/81/EEC is amended as follows:

1. In Article 2 (1):

— subparagraph (b) shall read as follows:

'(b) products falling within CN codes 2707 10, 2707 20, 2707 30, 2707 50, 2707 91 00, 2707 99 11 and 2707 99 19',

— subparagraph (g) shall be deleted.

2. Article 8 (8) shall be replaced by the following:

'8. Member States shall be free to give effect to exemptions or reductions in the rate of excise mentioned in this Article by refunding the excise duty paid.'

Article 3

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive not later than 31 December 1992. They shall forthwith inform the Commission thereof.

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

2. Member States shall communicate to the Commission the texts of the main provisions of national law which they adopt in the field governed by this Directive.

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 14 December 1992.

For the Council
The President
N. LAMONT

COMMISSION

COMMISSION DECISION

of 17 December 1992

concerning the specific financial contribution by the Community towards the eradication of African horse sickness in Morocco

(92/581/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field⁽¹⁾, as last amended by Regulation (EEC) No 3763/91⁽²⁾, and in particular Article 8 (2) thereof,

Whereas outbreaks of African horse sickness occurred in Morocco in 1991; whereas the development of African horse sickness in Morocco constitutes a danger for the Community;

Whereas, therefore, support should be given to control measures undertaken by Morocco against African horse sickness, in accordance with Article 8 (2) of Decision 90/424/EEC;

Whereas, by letter dated 13 April 1992, the Kingdom of Morocco has undertaken to implement the appropriate measures with a view to eradicating the disease from certain parts of its territory;

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

HAS ADOPTED THIS DECISION:

Article 1

The Kingdom of Morocco may obtain a financial contribution from the Community for the acquisition of the African horse sickness vaccine used for the vaccination measures carried out between 1 May 1992 and 31 July 1992 in the provinces of Tanger, Tetouan, Larache, Kenitra, Sidi-Kacem, Taounate, Chefch ouen and Al-Hoceima.

⁽¹⁾ OJ No L 224, 18. 8. 1990, p. 19.

⁽²⁾ OJ No L 356, 24. 12. 1991, p. 1.

Article 2

The financial contribution provided for in Article 1 shall be granted subject to the Moroccan authorities implementing or having implemented the following measures in the provinces listed in Article 1:

- application of a compulsory vaccination programme using a Type 4 vaccine on all equidae,
- registration of the owners of equidae,
- identification of equidae at the time of vaccination by a mark in the shape of a 'V' at least 35 mm high and 30 mm wide made on the skin by means of freeze branding. However, registered horses identified by means of a passport recognized at international level may be marked by tattooing on the lip,
- introduction of a system under which it is compulsory to declare the death of equidae,
- immediate slaughter without compensation of equidae which are not marked and are not vaccinated against African horse sickness,
- organization of an information campaign for the benefit of breeders and veterinarians with a view to stressing the importance of vaccination for equidae and, in particular, foals, and the need for all deaths to be declared to the competent authorities,
- making available to the Community reference laboratory 20 doses from each batch of vaccine used.

Article 3

The financial contribution by the Community shall be fixed at 100 % of the expenses incurred by the Kingdom of Morocco for the acquisition of the vaccine.

Article 4

1. The Community's financial contribution shall be granted after:

- a report on the implementation of the measures referred to in Article 2 has been forwarded to the Commission,
- supporting documents relating to the acquisition of and payment for the vaccine used in accordance with Article 1 have been presented.

2. The documents referred to in paragraph 1 shall be forwarded by the Kingdom of Morocco by 18 December 1992 at the latest.

Article 5

This Decision is addressed to the Member States.

Done at Brussels, 17 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission
