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I

*(Acts whose publication is obligatory)***COUNCIL REGULATION (EEC) No 3346/90****of 19 November 1990****opening and providing for the administration of a Community tariff quota for
beer made from malt originating in Malta (1991)**

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 Supplementary Protocol to the Agreement establishing an Association between the European Economic Community and Malta⁽¹⁾ provides, in an Exchange of Letters annexed to the said Protocol, that beer made from malt falling within CN code 2203 00, originating in Malta, may be imported into the Community free of duty within the limits of an annual Community tariff quota of 5 000 hectolitres; whereas the tariff quota in question should therefore be opened for the period from 1 January to 31 December 1991; whereas in the context of the said quota, the Kingdom of Spain and the Portuguese Republic will apply customs duties calculated in accordance with the said Protocol to the Agreement establishing an Association between the European Economic Community and Malta consequent on the accession of the Kingdom of Spain and the Portuguese Republic to the Community⁽²⁾;

Whereas equal and continuous access to the quota should be ensured for all Community importers and the rates

laid down for the quota should be applied consistently to all imports of the product in question into all the Member States until the quota is exhausted; whereas it is appropriate to take the necessary measures to ensure efficient Community administration of this tariff quota while offering the Member States the opportunity to draw from the quota volume the necessary quantities corresponding to actual imports; whereas this method of administration requires close cooperation between the Member States and the Commission;

Whereas since the Kingdom of Belgium, the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any operation concerning the administration of the quota may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

From 1 January to 31 December 1991, the customs duty applicable to imports into the Community of beer made from malt originating in Malta shall be suspended at the levels indicated below and within the limits of Community tariff quotas as shown below:

Order No	CN code	Description	Amount of quota (hl)	Quota duty (%)
09.1451	2203 00	Beer made from malt	5 000	Exemption

Within the limits of this tariff quota, the Kingdom of Spain and the Portuguese Republic shall apply customs duties calculated in accordance with the relevant provisions of the Protocol to the Association Agreement between the European Economic Community and Malta consequent on the accession of Spain and Portugal.

Article 2

The tariff quota referred to in Article 1 shall be administered by the Commission, which may take any appropriate measure with a view to ensuring the efficient administration thereof.

Article 3

If an importer presents, in a Member State, a declaration of entry into free circulation including a request for preferential benefit for a product covered by this Regulation, and if this declaration is accepted by the customs authorities, the Member State concerned shall draw, from the tariff quota, by means of notification to the Commission, a quantity corresponding to these needs.

The requests for drawing, with the indication of the date of acceptance of the said declaration, must be communicated to the Commission without delay.

⁽¹⁾ OJ No L 81, 23. 3. 1989, p. 2.

⁽²⁾ OJ No L 81, 23. 3. 1989, p. 11.

The drawings are granted by the Commission on the basis of the date of acceptance of the declaration of entry into free circulation by the customs authorities of the Member State concerned, to the extent that the available balance so permits.

If a Member State does not use the quantities drawn, it shall return them as soon as possible to the tariff quota.

If the quantities requested are greater than the available balance of the tariff quota, allocation shall be made on a pro rata basis with respect to the requests. Member States shall be informed by the Commission of the drawings made.

Article 4

Each Member State shall ensure that importers of the product concerned have equal and continuous access to the quota for such time as the residual balance of the quota volume so permits.

Article 5

The Member States and the Commission shall cooperate closely to ensure that this Regulation is complied with.

Article 6

This Regulation shall enter into force on 1 January 1991.

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

Done at Brussels, 19 November 1990.

For the Council

The President

G. CARLI

COUNCIL REGULATION (EEC) No 3347/90

of 19 November 1990

opening and providing for the administration of Community tariff quotas for certain agricultural products originating in Cyprus (1991)

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 Articles 18 and 19 of the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus⁽¹⁾, as supplemented by the Protocol laying down the conditions and procedures for the implementation of the second stage of the said Agreement and adapting certain provisions thereof⁽²⁾, provide for the opening of annual Community tariff quotas for:

- 60 000 tonnes for new potatoes falling within CN code 0701 90 59 (16 May to 30 June),
- 2 500 tonnes for carrots falling within CN code 0706 10 00, (1 April to 15 May),
- 300 tonnes of sweet peppers falling within CN code 0709 60 10,
- 1 500 tonnes of salad beetroot falling within CN code ex 0706 90 90,
- 7 500 tonnes for fresh table grapes falling within CN codes ex 0806 10 15 and 0806 10 19 (8 June to 4 August),
- 1 500 tonnes of dried grapes in immediate containers of a net capacity not exceeding 15 kg falling within CN codes 0806 20 11, 0806 20 12, 0806 20 18, ex 0806 20 91, ex 0806 20 92 or ex 0806 20 98,
- 3 000 tonnes of certain types of concentrated grape juice falling within CN codes 2009 60 51, 2009 60 71, ex 2009 60 90 or ex 2204 30 91,
- 35 000 hectolitres of certain wines of fresh grapes, in containers holding two litres or less, falling within CN codes 2204 21 25, ex 2204 21 29, ex 2204 21 35 or ex 2204 21 39,
- 26 000 hectolitres of certain wines of fresh grapes, in containers holding more than two litres, falling within CN codes ex 2204 29 25, ex 2204 29 29, 2204 29 35 or ex 2204 29 39, and

- 150 000 hectolitres of certain liqueur wines falling within CN codes ex 2204 21 35, ex 2204 21 39, ex 2204 29 35, ex 2204 29 39, ex 2204 21 49, ex 2204 29 49, ex 2204 21 59 or ex 2204 29 59, originating in Cyprus;

Whereas, pursuant to Articles 18 and 19 of the Protocol in question, these volumes are with the exception of the quantities for wine of fresh grapes in containers holding more than two litres each year subject to an increase from the entry into force of the Protocol and will therefore in 1991 increase to the quantities indicated at Article 1 of this Regulation: whereas within the limits of these tariff quotas, the customs duties applicable are to be abolished progressively according to the same timetables and under the same conditions as laid down in Articles 5 and 16 of the said Protocol; whereas, however, within the limits of these tariff quotas, the Kingdom of Spain and the Portuguese Republic will apply duties calculated in accordance with the relevant provisions of the Protocol to the Accession Agreement between the European Economic Community and the Republic of Cyprus consequent on the accession of the Kingdom of Spain and the Portuguese Republic to the Community⁽³⁾.

Whereas, importation into the Community of the wines in question are subject to the free-at-frontier reference price; whereas the said wines qualify for these tariff quotas only if Article 54 of Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine⁽⁴⁾, as last amended by Regulation (EEC) No 388/90⁽⁵⁾, is adhered to;

Whereas liqueur wines, to qualify for the Community tariff quota, must be so designated in the VI 1 document or VI 2 extract provided for in Commission Regulation (EEC) No 3590/85 of 18 December 1985 on the certificate and analysis report required for the importation of wine, grape juice and grape must⁽⁶⁾;

Whereas it is particularly necessary to ensure that all Community importers enjoy equal and uninterrupted access to the abovementioned quotas and uninterrupted application of the rates laid down for those quotas to all imports of the products concerned into all Member States

⁽¹⁾ OJ No L 133, 21. 5. 1973, p. 2.

⁽²⁾ OJ No L 393, 31. 12. 1987, p. 1.

⁽³⁾ OJ No L 393, 31. 12. 1987, p. 37.

⁽⁴⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽⁵⁾ OJ No L 42, 16. 2. 1990, p. 9.

⁽⁶⁾ OJ No L 343, 20. 12. 1985, p. 20.

until the quotas have been used up ; whereas it would appear advisable not to allocate the quotas among the Member States, without prejudice to the drawing against the quota volumes of such quantities as they need, under the conditions and according to the procedures specified in Article 3 ;

istration of these quotas may be carried out by any of its members,

HAS ADOPTED THIS REGULATION :

Article 1

1. (a) The customs duties applicable to imports into the Community as constituted at 31 December 1985 of the following products originating in Cyprus shall be suspended during the periods, at the levels and within the limits of the Community tariff quotas as shown below for each one :

Order No	CN code (a) (b)	Description	Volume of tariff quota	Rate of duty (%)
(1)	(2)	(3)	(4)	(5)
09.1401	0701 90 59	New potatoes, 16 May to 30 June 1991	80 000 tonnes	6,0 %
09.1403	ex 0706 10 00	Carrots, 1 April to 15 May 1991	3 000 tonnes	4,3 %
09.1409	0709 60 10	Sweet peppers, 1 January to 31 December 1991	360 tonnes	2,8 %
09.1411	ex 0706 90 90	Salad beetroot, 1 January to 31 December 1991	1 800 tonnes	5,4 %
09.1407	ex 0806 10 15 ex 0806 10 19	Fresh table grapes, 8 June to 14 July 1991 Fresh table grapes, 15 July to 4 August 1991	} 9 200 tonnes	4,6 % 5,6 %
09.1413	0806 20 11 0806 20 12 ex 0806 20 18 ex 0806 20 91 ex 0806 20 92 ex 0806 20 98	Dried grapes, in immediate containers of a net capacity not exceeding 15 kg 1 January to 31 December 1991	1 800 tonnes	exemption
09.1421	2009 60 51 2009 60 71 ex 2009 60 90	Fruit juices (including grape must) and vegetable juices, unfermented and not containing added spirit, whether or not containing added sugar or other sweetening matter : — Grape juice (including grape must) : — — Of a density not exceeding 1,33 g/cm ³ at 20 °C ; — — — Of a value exceeding ECU 18 per 100 kg net weight : — — — — Concentrated — — — — Of a value not exceeding ECU 18 per 100 kg net weight : — — — — With an added sugar content exceeding 30 % by weight : — — — — — Concentrated — — — — Other : concentrated within the meaning of additional note 6 to chapter 20 of the combined nomenclature Wine of fresh grapes, including fortified wines ; grape must other than that of heading No 2009 : — Other grape must : — — Other :	} 3 600 tonnes	17,9 % + AD S/Z

(a) Notwithstanding the rules for the interpretation of the combined nomenclature, the wording for the designation of the products is to be considered as having no more than an indicative value, the preferential scheme being determined, within the context of this table, the application of the CN code. Where ex CN code positions are indicated, the preferential scheme is to be determined by a application of the CN code and corresponding description taken together.

(b) Taric codes appear in the Annex.

(1)	(2)	(3)	(4)	(5)
09.1421 (cont'd)	ex 2204 30 91	— — — Of a density of 1,33 g/cm³ or less at 20 °C and of an actual alcoholic strength by volume not exceeding 1 % vol, concentrated within the meaning of additional note 6 to chapter 20 of the combined nomenclature 1 January to 31 December 1991		
09.1415	2204 21 25 ex 2204 21 29 ex 2204 21 35 ex 2204 21 39	Wine of fresh grapes, including fortified wines ; grape must other than that of heading No 2009 : — Other wine, grape must with fermentation prevented or arrested by the addition of alcohol : — — In containers holding 2 litres or less : — — — Other : — — — — Of an actual alcoholic strength by volume not exceeding 13 % vol : — — — — — Other : — — — — — White — — — — — Other — — — — — Of an actual alcoholic strength by volume exceeding 13 % vol but not exceeding 15 % vol : — — — — — Other : — — — — — White, other than liqueur wines of an actual alcoholic strength by volume of 15 % vol — — — — — Other than liqueur wines of an actual alcoholic strength by volume of 15 % vol 1 January to 31 December 1991	42 000 hl	2,3 ECU/hl 2,6 ECU/hl
09.1423	2204 29 25 ex 2204 29 29 2204 29 35 ex 2204 29 39	— — Other : — — — Other : — — — — Of an actual alcoholic strength by volume not exceeding 13 % vol : — — — — — Other : — — — — — White — — — — — Other wine — — — — — Of an actual alcoholic strength by volume exceeding 13 % vol but not exceeding 15 % vol : — — — — — Other : — — — — — White — — — — — Other wine 1 January to 31 December 1991	26 000 hl	6,9 ECU/hl 8,5 ECU/hl
09.1417	ex 2204 21 35 ex 2204 21 39 ex 2204 21 49 ex 2204 21 59	— Other wine ; grape must with fermentation prevented or arrested by the addition of alcohol : — — In containers holding 2 litres or less : — — — Other : — — — — Of an actual alcoholic strength by volume exceeding 13 % vol but not exceeding 15 % vol : — — — — — Other : — — — — — White liqueur wines of an actual alcoholic strength by volume of 15 % vol — — — — — Other, liqueur wines of an actual alcoholic strength by volume of 15 % vol — — — — — Of an actual alcoholic strength by volume exceeding 15 % vol but not exceeding 18 % vol : — — — — — Other, liqueur wines — — — — — Of an actual alcoholic strength by volume exceeding 18 % vol but not exceeding 22 % vol : — — — — — Other, liqueur wines — — Other : — — — Other : — — — — Of an actual alcoholic strength by volume exceeding 13 % vol but not exceeding 15 % vol : — — — — — Other :	180 000 hl	3,2 ECU/hl 3,9 ECU/hl 4,4 ECU/hl

(1)	(2)	(3)	(4)	(5)
09.14017 (cont'd)	ex 2204 29 35	— — — — — White liqueur wines, of an actual alcoholic strength by volume of 15 % vol		} 2,4 ECU/hl
	ex 2204 29 39	— — — — — Other liqueur wines of an actual alcoholic strength by volume of 15 % vol		
		— — — — — Of an actual alcoholic strength by volume exceeding 15 % vol but not exceeding 18 % vol :		} 3,2 ECU/hl
	ex 2204 29 49	— — — — — Other, liqueur wines		
		— — — — — Of an actual alcoholic strength by volume exceeding 18 % vol but not exceeding 22 % vol :		} 4,4 ECU/hl
	ex 2204 29 59	— — — — — Other liqueur wines		
		1 January to 31 December 1991		

(b) Within the limits of these tariff quotas, the Kingdom of Spain and the Portuguese Republic will apply duties calculated in accordance with the relevant provisions of the Protocol to the Accession Agreement between the European Economic Community and the Republic of Cyprus consequent on the accession of the Kingdom of Spain and the Portuguese Republic to the Community.

2. Importations of the wine in question shall be subject to the free-at-frontier price. It shall qualify for the tariff quotas only if Article 54 of Regulation (EEC) No 822/87 is adhered to.

3. Liqueur wines shall qualify for the tariff quota only if they are designated as liqueur wines in the VI 1 document or VI 2 extract provided for by Regulation (EEC) No 3590/85.

Article 2

The tariff quotas referred to in Article 1 shall be managed by the Commission, which may take all appropriate administration thereof.

Article 3

If an importer presents in a Member State a declaration of entry into free circulation, including a request for preferential benefit for a product covered by this Regulation and if that declaration is accepted by the customs authorities, the Member States concerned shall inform the Commission and draw an amount corresponding to its requirements from the corresponding quota amount.

The drawing requests, with indication of the date of acceptance of the said declarations, must be transmitted to the Commission without delay.

The drawings are granted by the Commission by reference to the date of acceptance of the declarations of entry into free circulation by the customs authorities of the Member States concerned to the extent that the available balance so permits.

If a Member State does not use the quantities drawn, it shall return them as soon as possible to the corresponding quota amount.

If the quantities requested are greater than the available balance of the quota amount, allocation shall be made on a pro rata basis with respect to the requests. Member States shall be informed by the Commission in accordance with the same procedures.

Article 4

Each Member States shall ensure that importers of the products concerned have free access to the quotas for such time as the residual balance of the corresponding quota volumes so permits.

Article 5

The Member States and the Commission shall cooperate closely that this Regulation is complied with.

Article 6

This Regulation shall enter into force on 1 January 1991.

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

Done at Brussels, 19 November 1990.

For the Council

The President

G. CARLI

ANNEX

TARIC codes

Order No	CN code	TARIC code
09.1403	ex 0706 10 00	0706 10 00*12
09.1411	ex 0706 90 90	0706 90 90*20
09.1407	ex 0806 10 15 ex 0806 10 19	0806 10 15*80 0806 10 15*91 0806 10 15*98 0806 10 19*10 0806 10 19*21 0806 10 19*23
09.1413	ex 0806 20 91 ex 0806 20 92 ex 0806 20 98	0806 20 91*10 0806 20 92*10 0806 20 98*10
09.1421	ex 2009 60 90 ex 2204 30 91	2009 60 90*10 2204 30 91*11 2204 30 91*91
09.1415	ex 2204 21 29 ex 2204 21 35 ex 2204 21 39	2204 21 29*95 2204 21 29*96 2204 21 35*95 2204 21 39*95
09.1423	ex 2204 29 29 ex 2204 29 39	2204 29 29*91 2204 29 39*93
09.1417	ex 2204 21 35 ex 2204 21 39 ex 2204 21 49 ex 2204 21 59 ex 2204 29 35 ex 2204 29 39 ex 2204 29 49 ex 2204 29 59	2204 21 35*11 2204 21 39*11 2204 21 49*19 2204 21 49*91 2204 21 59*19 2204 21 59*91 2204 29 35*91 2204 29 35*97 2204 29 39*91 2204 29 39*97 2204 29 49*19 2204 29 49*89 2204 29 59*19 2204 29 59*89

COUNCIL REGULATION (EEC) No 3348/90

of 19 November 1990

opening and providing for the administration of a Community tariff quota for fresh or dried hazelnuts, shelled or not, originating in Turkey (1991)

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 Annex to Council Regulation (EEC) No 3721/84 of 18 December 1984 on imports into the Community of agricultural products originating in Turkey⁽¹⁾, provides that fresh or dried hazelnuts, shelled or not and originating in Turkey shall be admitted on importation into the Community at zero duty within the limits of a Community tariff quota of 25 000 tonnes; whereas the Community tariff quota concerned should therefore be opened for 1991;

Whereas, however, within the limits of this tariff quota the Kingdom of Spain and the Portuguese Republic shall apply customs duties calculated in accordance with the relevant provisions of Council Regulation (EEC) No 2573/87 of 11 August 1987 laying down the arrangements for trade between Spain and Portugal on the one hand and Algeria, Egypt, Jordan, Lebanon, Tunisia and Turkey on the other⁽²⁾;

Whereas equal and continuous access to the quota should be ensured for all Community importers and the rate laid down for the quota should be applied consistently to all

imports of the products in question into the Member States until the quota is exhausted;

Whereas, it is appropriate to take the necessary measures to ensure efficient Community administration of this tariff quota while offering the Member States the opportunity to draw from the quota volume the necessary quantities corresponding to actual imports; whereas this method of administration required close cooperation between the Member States and the Commission;

Whereas since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any operation concerning the administration of the quota may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1991 the customs duty applicable to imports into the Community of the following products originating in Turkey shall be suspended at the level indicated and within the limits of a Community tariff quota as shown below:

Order No	CN code	Description	Amount of quota (in tonnes)	rate of quota duty (%)
09.0201	0802 21 00 0802 22 00	Fresh or dried hazelnuts, shelled or not.	25 000	0

Within the limits of this tariff quota the Kingdom of Spain and the Portuguese Republic shall apply customs duties calculated in accordance with Regulation (EEC) No 2573/87.

2. Imports of the products in question may not be charged against this tariff quota if they already qualify for the same customs duties under other preferential tariff arrangements.

Article 2

The tariff quota referred to in Article 1 shall be administered by the Commission, which may take any appropriate measure with a view to ensuring the efficient administration thereof.

Article 3

If an importer presents in a Member State a declaration of entry into free circulation including a request for preferential benefit for a product covered by this Regulation and if this declaration is accepted by the customs authorities, the Member State concerned shall draw, from the tariff quota, by means of notification to the Commission, a quantity corresponding to these needs.

The requests for drawing, with the indication of the date of acceptance of the said declaration, must be communicated to the Commission without delay.

⁽¹⁾ OJ No L 343, 31. 12. 1984, p. 6.

⁽²⁾ OJ No L 250, 1. 9. 1987, p. 1.

The drawings are granted by the Commission on the basis of the date of acceptance of the declaration of entry into free circulation by the customs authorities of the Member State concerned, to the extent that the available balance so permits.

If a Member State does not use the quantities drawn, it shall return them as soon as possible to the tariff quota.

If the quantities requested are greater than the available balance of the quota, allocation shall be made on a pro rata basis with respect to the requests. Member States shall be informed by the Commission of the drawings made.

Article 4

Each Member State shall ensure that importers of the product concerned have equal and continuous access to

the quota for such time that the residual balance of the quota volume permits.

Article 5

The Member States and the Commission shall cooperate closely in order to ensure that this Regulation is complied with.

Article 6

This Regulation shall enter into force on 1 January 1991.

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

Done at Brussels, 19 November 1990.

For the Council

The President

G. CARLI

COMMISSION REGULATION (EEC) No 3349/90

of 22 November 1990

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 1340/90 ⁽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 the opinion of the Monetary Committee,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 1801/90 ⁽⁵⁾ and subsequent amending Regulations ;

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

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

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

Whereas these exchange rates being those recorded on 21 November 1990 ;

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

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1801/90 to today's offer prices and quotations known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 23 November 1990.

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

Done at Brussels, 22 November 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 134, 28. 5. 1990, 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 167, 30. 6. 1990, p. 8.

ANNEX

to the Commission Regulation of 22 November 1990 fixing the import levies on cereals
and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Levies	
	Portugal	Third country
0709 90 60	28,53	143,64 ⁽²⁾ ⁽³⁾
0712 90 19	28,53	143,64 ⁽²⁾ ⁽³⁾
1001 10 10	22,76	196,78 ⁽¹⁾ ⁽³⁾
1001 10 90	22,76	196,78 ⁽¹⁾ ⁽³⁾
1001 90 91	29,00	168,20
1001 90 99	29,00	168,20
1002 00 00	53,97	155,14 ⁽⁶⁾
1003 00 10	45,30	148,84
1003 00 90	45,30	148,84
1004 00 10	36,94	144,87
1004 00 90	36,94	144,87
1005 10 90	28,53	143,64 ⁽²⁾ ⁽³⁾
1005 90 00	28,53	143,64 ⁽²⁾ ⁽³⁾
1007 00 90	45,30	146,33 ⁽⁴⁾
1008 10 00	45,30	61,00
1008 20 00	45,30	129,71 ⁽⁴⁾
1008 30 00	45,30	70,19 ⁽⁵⁾
1008 90 10	⁽⁷⁾	⁽⁷⁾
1008 90 90	45,30	70,19
1101 00 00	53,48	249,30
1102 10 00	89,24	230,88
1103 11 10	48,54	318,27
1103 11 90	57,03	268,51

⁽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 or in the 'overseas countries and territories'.

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

⁽⁴⁾ Where millet and sorghum originating in the ACP or OCT 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 (OJ No L 142, 9. 6. 1977, p. 10) and Commission Regulation (EEC) No 2622/71 (OJ No L 271, 10. 12. 1971, p. 22).

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

COMMISSION REGULATION (EEC) No 3350/90

of 22 November 1990

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 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 1340/90⁽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 the opinion of the Monetary Committee,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EEC) No 1802/90⁽⁵⁾ and subsequent amending Regulations;

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

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

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

Whereas these exchange rates being those recorded on 21 November 1990;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The premiums referred to in Article 15 of Regulation (EEC) No 2727/75 to be added to the import levies fixed in advance in respect of cereals and malt coming from Portugal shall be zero.

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

Article 2

This Regulation shall enter into force on 23 November 1990.

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

Done at Brussels, 22 November 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 134, 28. 5. 1990, 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 167, 30. 6. 1990, p. 11.

ANNEX

to the Commission Regulation of 22 November 1990 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CN code	Current	1st period	2nd period	3rd period
	11	12	1	2
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 10	0	0	0	0
1001 10 90	0	0	0	0
1001 90 91	0	0	0	20,96
1001 90 99	0	0	0	20,96
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 10	0	0	0	0
1004 00 90	0	0	0	0
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	29,35

B. Malt

CN code	Current	1st period	2nd period	3rd period	4th period
	11	12	1	2	3
1107 10 11	0	0,00	0,00	37,31	37,31
1107 10 19	0	0,00	0,00	27,88	27,88
1107 10 91	0	0	0	0	0
1107 10 99	0	0	0	0	0
1107 20 00	0	0	0	0	0

COMMISSION REGULATION (EEC) No 3351/90

of 22 November 1990

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 2902/89⁽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 4014/88⁽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 4015/88⁽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 4016/88⁽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 application of the rules recalled above to the levy rates indicated by tenderers on 19 and 20 November 1990 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,

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 23 November 1990.

⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.⁽²⁾ OJ No L 280, 29. 9. 1989, p. 2.⁽³⁾ OJ No L 169, 28. 6. 1976, p. 24.⁽⁴⁾ OJ No L 358, 27. 12. 1988, p. 1.⁽⁵⁾ OJ No L 169, 28. 6. 1976, p. 43.⁽⁶⁾ OJ No L 358, 27. 12. 1988, 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 358, 27. 12. 1988, 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.

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

Done at Brussels, 22 November 1990.

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	77,00 ⁽¹⁾
1509 10 90	77,00 ⁽¹⁾
1509 90 00	89,00 ⁽²⁾
1510 00 10	77,00 ⁽¹⁾
1510 00 90	122,00 ⁽²⁾

⁽¹⁾ 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.

⁽²⁾ 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.

⁽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 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	16,94
0711 20 90	16,94
1522 00 31	38,50
1522 00 39	61,60
2306 90 19	6,16

COMMISSION REGULATION (EEC) No 3352/90
of 22 November 1990
fixing additional amounts for poultrymeat products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

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

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

Whereas, pursuant to Commission Regulation (EEC) No 2261/69⁽⁷⁾, as last amended by Regulation (EEC) No

3986/87, the import levies on slaughtered ducks and geese originating in and coming from Romania are not increased by an additional amount;

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 23 November 1990.

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 77.

⁽²⁾ OJ No L 128, 11. 5. 1989, p. 29.

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

⁽⁴⁾ OJ No L 300, 18. 10. 1989, p. 10.

⁽⁵⁾ OJ No L 107, 8. 5. 1968, p. 7.

⁽⁶⁾ OJ No L 376, 31. 12. 1987, p. 7.

⁽⁷⁾ OJ No L 286, 14. 11. 1969, p. 24.

⁽⁸⁾ OJ No L 265, 8. 12. 1970, p. 13.

⁽⁹⁾ OJ No L 232, 12. 10. 1972, p. 3.

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

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

Done at Brussels, 22 November 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 22 November 1990 fixing additional amounts for poultrymeat products

(ECU/100 kg)

CN code	Origin of imports ⁽¹⁾	Additional amount
0207 10 79	01	15,00
0207 23 59	01	15,00
0207 39 53	02	50,00
0207 43 11	02	50,00
0207 39 75	03	55,00
0207 43 61	03	55,00

⁽¹⁾ Origin :

- 01 Israel.
- 02 Bulgaria and Israel.
- 03 Bulgaria.

COMMISSION REGULATION (EEC) No 3353/90

of 22 November 1990

laying down detailed rules for the application of the aid scheme for small producers of certain arable crops

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1346/90 of 14 May 1990 instituting aid for small producers of certain arable crops ⁽¹⁾, and in particular Article 3 thereof,

Whereas Article 2 of Regulation (EEC) No 1346/90 defines the concept of small producers benefiting from the aid scheme; whereas the factors to be taken into account for the application of the criteria adopted should be defined;

Whereas, as regards the criterion of the main source of agricultural income, the gross standard margins laid down in Commission communication 88/C/133/01 ⁽²⁾ should be taken as a basis; whereas, however, in certain cases the utilized agricultural area under crops eligible for aid may, compared to the total utilized agricultural area of the holding, be sufficient to provide the main income;

Whereas, as regards the criterion of farming as main occupation, the special provisions laid down in Council Regulation (EEC) No 797/85 of 12 March 1985 on improving the efficiency of agricultural structures ⁽³⁾, as last amended by Regulation (EEC) No 2176/90 ⁽⁴⁾, should be taken into account;

Whereas, for the proper functioning of the aid scheme, Member States must carry out checks ensuring that aid is granted in accordance with the conditions laid down; whereas aid applications must include a minimum amount of information for the purposes of the checks to be carried out;

Whereas, to ensure efficient application, provision should be made for random on-the-spot checks of the accuracy of applications submitted; whereas these checks should be made on a sufficiently representative number of aid applications;

Whereas provision should be made for the recovery of aid in the case of undue payment and for appropriate penalties to be imposed for false declarations;

Whereas, for the proper operation of the aid scheme, provision should be made for the data given in aid applications to be computerized;

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 aid referred to in Article 1 of Regulation (EEC) No 1346/90 shall be granted to producers satisfying the conditions set out in Article 2 of that Regulation and in accordance with the detailed rules laid down in this Regulation.

Article 2

1. For the purposes of Article 2 (1) of Regulation (EEC) No 1346/90, 'utilized agricultural area' means the total area of arable land, permanent grassland and pasture, land given over to permanent crops and family gardens of an agricultural holding. However, Member States may exclude waste land in the areas referred to in the Annex and where fallow is normally part of the rotation system from the calculation of the total area.

For the purposes of this Regulation, 'agricultural holding' means a techno-economic unit under a single management producing agricultural products.

2. The condition laid down in the second indent of Article 2 (1) of Regulation (EEC) No 1346/90 shall be deemed to have been met when:

- the total standard gross margin for the crops referred to in Article 1 (1) of Regulation (EEC) No 1346/90 is greater than the total standard gross margin for other crop and livestock enterprises; the standard gross margin to be taken into account for the purposes of this Regulation are those determined pursuant to Commission Decision 85/377/EEC ⁽⁵⁾ and listed in Commission communication 88/C 133/01, or
- at least 75 % of the utilized agricultural area of the holding is given over to the crops referred to in Article 1 (1) of Regulation (EEC) No 1346/90 and on condition that the aid application does not indicate the presence on the holding of intensive livestock farming in excess of:
 - 3 livestock units per ha UAA, and /or
 - 100 pigs and/or calves and/or 1 000 head of poultry per holding.

⁽¹⁾ OJ No L 134, 28. 5. 1990, p. 10.

⁽²⁾ OJ No C 133, 24. 5. 1988, p. 1.

⁽³⁾ OJ No L 93, 30. 3. 1985, p. 1.

⁽⁴⁾ OJ No L 198, 28. 7. 1990, p. 6.

⁽⁵⁾ OJ No L 220, 17. 8. 1985, p. 1.

The table given in the Annex to Regulation (EEC) No 797/85 shall be used to convert cattle, equines, sheep and goats into livestock units.

3. For the purposes of this Regulation, Member States shall define the concept of farmers who practise farming as their main occupation referred to in the third indent of Article 2 (1) of Regulation (EEC) No 1346/90.

For natural persons this definition shall include at least the condition that the part of the income coming from the agricultural holding must be not less than 50 % of the farmer's total income and that the working time devoted to activities outside the holding must be less than half the farmer's total working time.

For persons other than natural persons, Member States shall define the said concept taking into account the criteria mentioned above.

4. Member States shall communicate to the Commission the definition adopted pursuant to paragraph 3.

Article 3

1. All producers of the products referred to in Article 1 (1) of Regulation (EEC) No 1346/90 satisfying the requirements laid down in Article 2 of that Regulation shall submit an aid application to the competent body of the Member State concerned before a date to be fixed by that Member State and at the latest by 31 May of each year for the current marketing year.

2. The aid application shall include at least the following information :

- the name, first name(s) and address of the applicant,
- the total utilized agricultural area of the holding in hectares and ares, distinguishing between the area owner-farmed and the area farmed as a tenant. Should the applicant also own areas which are let out, he shall mention this in the application, indicating the names, first names and addresses of the tenants of the areas in question,
- the area in hectares and ares given over to the crops referred to in Article 1 (1) of Regulation (EEC) No 1346/90, where these are main crops, the area given over to other crops and the area of waste land,
- the cadastral reference of the areas referred to in the second and third indents or an equivalent document recognized by the body responsible for checking the areas such as a map or an aerial or satellite photograph allowing the inspection authorities to clearly identify the location of the areas,
- the number of livestock units broken down by species, including the number of poultry, present on the holding at the time the application is submitted,
- a declaration by the applicant, under penalty of rejection of the application, that the application for aid

includes all the areas belonging to the categories referred to in the second and third indents,

- an undertaking by the applicant that he will submit himself to any checks allowing his capacity as a 'small producer' to be verified.

Article 4

1. Member States shall set up a system of administrative and physical checks ensuring that the conditions for the grant of the aid are met. They shall carry out on-the-spot random checks on the accuracy of the applications submitted and verify compliance with the conditions referred to in Article 2 (2) and (3).

2. The on-the-spot checks shall be carried out on 5 % of applications submitted in each competent administrative unit each year. The holdings checked must be representative of the various types of production and the geographical and topographical distribution of the holdings in question.

Article 5

1. The checks shall relate primarily to the area sown with one or other of the crops giving entitlement to the aid. In these checks, all the areas covered by an application must be visited and the crops in question must be verified.

The areas shall be measured as follows :

- (a) continuous areas : systematic measurement ;
- (b) fragmented areas : in accordance with the following formula :
 - from two to five : the largest and one medium-sized area must be measured,
 - from six to ten : the two largest plus one medium-sized area must be measured,
 - more than ten : the two largest plus three medium-sized areas must be measured.

In cases covered by (b), the results of measurement shall be extrapolated to all the areas covered by the application. However, the applicant may request all the said areas to be measured.

2. At the request of the Member State concerned, the measurement referred to in paragraph 1 may also be carried out by measuring the areas on aerial or satellite photographs. In this case the Member State shall give the undertaking that :

- the information referred to in the fourth indent of Article 3 (2) allows the inspectors to identify the areas involved,
- the method used and the results obtained have the same probative force under the national legal system as on-the-spot measuring methods,
- the Commission will be informed regularly of the cases in which this paragraph is applied and of the progress of work and the results obtained.

Article 6

1. The percentage referred to in Article 4 (2) shall be increased to 10 % in cases where, on checking the applications for aid in any administrative unit, it is found that 20 % of the applications checked have led to a correction to the detriment of the beneficiaries.
2. Should paragraph 1 be applied, Member States shall inform the Commission without delay.

Article 7

The areas referred to in the second indent of Article 3 (2) shall be checked and the number of livestock units, including the number of poultry, on the holding shall be verified by a visit to the holding involved, and/or by any cross-checking possible for enterprises benefiting under a special scheme.

Article 8

1. Member States shall pay the amount of aid by 31 March of the marketing year following the end of that in respect of which the aid is granted at the latest.
2. For the purposes of Article 6 of Council Regulation (EEC) No 1676/85 ⁽¹⁾, the operative event for entitlement to the aid shall be considered to have occurred on 1 July of the following marketing year.
3. The aid shall be converted into national currency using the agricultural conversion rate for cereals.

Article 9

1. If the check reveals a discrepancy in the aid application of up to 10 % and a maximum of one hectare between the area for which aid was applied and that determined, the aid shall be calculated on the basis of the area determined less the excess.
2. If the abovementioned excess is greater than the limits provided for in paragraph 1, the application for the marketing year in question shall be rejected. Furthermore, if the excess is the result of an application containing, either wilfully or as a result of gross negligence, incorrect information, the applicant shall be excluded from aid for the following marketing year.
3. In cases where the condition laid down in the first indent of Article 2 (1) of Regulation (EEC) No 1346/90 is not met, either wilfully or as a result of gross negligence, the applicant shall lose his entitlement to aid for the following marketing year and any aid already paid,

recovered under Article 12 (1), shall be increased by 20 %.

Article 10

Each inspection visit must be recorded in a report indicating among other things the number of parcels visited, those measured, the measuring instruments used, and all the reasons which led to the application being rejected or accepted in part.

Article 11

If the check cannot be carried out for reasons attributable to the applicant, Article 9 (2) shall apply, except in cases of *force majeure*. Evidence indicating the existence of a case of *force majeure* must be submitted by the party concerned in writing within 10 days from the date of the planned verification.

Article 12

1. In the case of undue payment of the aid, the amounts involved shall be recovered, plus interest calculated on the basis of the time elapsing between payment of the aid and repayment by the beneficiary. Member States shall fix the rate of interest to be applied for this calculation on the basis of the interbank interest rates applicable on the last working day of the month of payment of the aid to the applicant, plus at least two percentage points.
2. The amounts referred to in paragraph 1 shall be paid to the disbursing authorities and agencies, who shall deduct them from the expenditure financed by the EAGGF, Guarantee Section.

Article 13

Member States shall take any additional measures necessary for the application of this Regulation, in particular those intended to prevent several applications being made for the same area. For this purpose Member States shall computerize the data given in the aid applications. These measures shall be communicated to the Commission without delay.

Article 14

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

It shall apply from the 1990/91 marketing year.

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

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

Done at Brussels, 22 November 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

Areas where waste land may be excluded for the calculation of the UAA

1. Portugal: the entire territory;
 2. Spain: the areas referred to in the Annex to Commission Regulation (EEC) No 777/89 ⁽¹⁾;
 3. France: the areas referred to in the Annex to Commission Regulation (EEC) No 778/89 ⁽²⁾;
 4. Italy: the areas referred to in the Annex to Commission Regulation (EEC) No 2157/89 ⁽³⁾.
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⁽¹⁾ OJ No L 84, 29. 3. 1989, p. 25.

⁽²⁾ OJ No L 84, 29. 3. 1989, p. 27.

⁽³⁾ OJ No L 207, 19. 7. 1989, p. 14.

COMMISSION REGULATION (EEC) No 3354/90

of 22 November 1990

amending Regulation (EEC) No 1327/89 authorizing Spain not to apply in certain areas the measures provided for in Council Regulation (EEC) No 1442/88 on the granting, for the 1989/90 to 1995/96 wine years, of permanent abandonment premiums in respect of wine-growing areas

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

Having regard to Council Regulation (EEC) No 1442/88 of 24 May 1988 on the granting, for the 1988/89 to 1995/96 wine years, of permanent abandonment premiums in respect of wine-growing areas⁽¹⁾, as amended by Regulation (EEC) No 1327/90⁽²⁾, and in particular Article 12 (1) and (2) thereof,

Whereas, pursuant to Commission Regulation (EEC) No 2729/88 of 31 August 1988 laying down detailed rules for the application of Regulation (EEC) No 1442/88 on the granting, for the 1988/89 to 1995/96 wine years, of permanent abandonment premiums in respect of wine-growing areas⁽³⁾, as last amended by Regulation (EEC) No 678/89⁽⁴⁾, Spain lodged before 1 October 1990 an application to alter the areas excluded from the scope of the measures provided for in Regulation (EEC) No 1442/88 from the 1991/92 wine year;

Whereas in the areas listed in the Annex there are risks of depopulation or of the quality policy being called into question or limited possibilities of alternative crops; whereas the criteria selected to determine the list corres-

pond to those defined in Article 12 (1) and (2) of Regulation (EEC) No 1442/88; whereas the wine-growing potential of the areas recognized as suitable for the production of quality wine psr in those areas as a whole is less than 10 % of the national wine-growing potential;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Commission Regulation (EEC) No 1327/89⁽¹⁾ is hereby replaced by the Annex to this Regulation.

Article 2

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

It shall apply from the 1991/92 wine year.

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

Done at Brussels, 22 November 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 132, 28. 5. 1988, p. 3.

⁽²⁾ OJ No L 132, 23. 5. 1990, p. 23.

⁽³⁾ OJ No L 241, 1. 9. 1988, p. 108.

⁽⁴⁾ OJ No L 73, 17. 3. 1989, p. 23.

⁽⁵⁾ OJ No L 133, 17. 5. 1989, p. 8.

ANNEX

Areas in respect of which Spain is authorized not to apply the measures provided for in Regulation (EEC) No 1442/88

Wine-growing areas recognized as suitable for the production of quality wines psr following their entry in a register for the purpose in accordance with the national procedure laid down pursuant to Regulation (EEC) No 823/87 ⁽¹⁾, located in the following provinces for the following designations :

Region	Designation of origin	Province
Castilla-León	Bierzo	León
	Ribera del Duero	Burgos, Segovia, Soria, Valladolid
	Rueda	Avila, Segovia, Valladolid
	Toro	Valladolid, Zamora
Castilla-La Mancha	Almansa (white varieties)	Albacete
	Mancha (red varieties)	Albacete, Ciudad Real, Cuenca, Toledo
	Mentrida (white varieties)	Toledo
	Jumilla (white varieties)	Albacete, Toledo
	Valdepeñas (red varieties)	Ciudad Real
Valencia	Almansa	Valencia : of Ayora commune
	Utiel-Requena	Valencia : of Requena and Venta del Moro communes

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 59.

COMMISSION REGULATION (EEC) No 3355/90

of 22 November 1990

fixing the aid for soya beans

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 1491/85 of 23 May 1985 laying down special measures in respect of soya beans ⁽¹⁾, as last amended by Regulation (EEC) No 2217/88 ⁽²⁾, and in particular Article 2 (7) thereof,

Having regard to Council Regulation 2286/88 of 19 July 1988 providing for the granting of special aid for soya beans produced and processed in Portugal ⁽³⁾,

Whereas the amount of the aid referred to in Article 2 (1) of Regulation (EEC) No 1491/85 was fixed by Commission Regulation (EEC) No 3272/90 ⁽⁴⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 3272/90 to

the information at present available to the Commission that the amount of the aid at present in force should be altered as set out in this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The amount of the aid provided in article 2 for in Regulation (EEC) No 1491/85 and the amount of the special aid provided for in Article 1 of Regulation (EEC) No 2286/88 in the case of Portugal shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 23 November 1990.

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

Done at Brussels, 22 November 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 151, 10. 6. 1985, p. 15.

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 11.

⁽³⁾ OJ No L 201, 27. 7. 1988, p. 2.

⁽⁴⁾ OJ No L 314, 14. 11. 1990, p. 10.

ANNEX

to the Commission Regulation of 22 November 1990 fixing the aid for soya beans

(ECU/100 kg)

	Seed harvested in		
	Spain	Portugal	another Member State
Seed processed in current period			
— Spain	0,000	24,254	24,254
— Portugal	18,710	24,254 (*)	24,254
— another Member State	18,710	24,254	24,254
Seed processed in first period			
— Spain	0,000	24,285	24,285
— Portugal	18,741	24,285 (*)	24,285
— another Member State	18,741	24,285	24,285
Seed processed in second period			
— Spain	18,520	24,064	24,064
— Portugal	18,520	24,064	24,064
— another Member State	18,520	24,064	24,064
Seed processed in third period			
— Spain	18,378	23,922	23,922
— Portugal	18,378	23,922	23,922
— another Member State	18,378	23,922	23,922
Seed processed in fourth period			
— Spain	18,267	23,811	23,811
— Portugal	18,267	23,811	23,811
— another Member State	18,267	23,811	23,811
Seed processed in fifth period			
— Spain	18,485	24,029	24,029
— Portugal	18,485	24,029	24,029
— another Member State	18,485	24,029	24,029

(*) Special aid.

COMMISSION REGULATION (EEC) No 3356/90**of 22 November 1990****fixing the import levies on white sugar and raw sugar**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 1069/89 ⁽²⁾, and in particular Article 16 (8) thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 2547/90 ⁽³⁾, as last amended by Regulation (EEC) No 3335/90 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2547/90 to the information known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 23 November 1990.

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

Done at Brussels, 22 November 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 114, 27. 4. 1989, p. 1.

⁽³⁾ OJ No L 237, 1. 9. 1990, p. 102.

⁽⁴⁾ OJ No L 321, 21. 11. 1990, p. 11.

ANNEX

to the Commission Regulation of 22 November 1990 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	39,45 ⁽¹⁾
1701 11 90	39,45 ⁽¹⁾
1701 12 10	39,45 ⁽¹⁾
1701 12 90	39,45 ⁽¹⁾
1701 91 00	45,25
1701 99 10	45,25
1701 99 90	45,25 ⁽²⁾

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the levy applicable is calculated in accordance with the provisions of Article 2 of Commission Regulation (EEC) No 837/68 (OJ No L 151, 30. 6. 1968, p. 42).

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

COMMISSION REGULATION (EEC) No 3357/90

of 22 November 1990

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to 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 1340/90⁽²⁾, and in particular the fourth subparagraph of Article 16⁽²⁾,

Having regard to the opinion of the Monetary Committee,

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

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

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

Whereas these specific criteria are defined, as far as wheat and rye flour, groats and meal are concerned, in Article 4 of Regulation (EEC) No 2746/75; whereas furthermore, when the refund on these products is being calculated, account must be taken of the quantities of cereals required for their manufacture; whereas these quantities were fixed in Commission Regulation No 162/67/EEC⁽⁴⁾, as amended by Regulation (EEC) No 1607/71⁽⁵⁾;

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 export possibilities exist for a quantity of 600 000 tonnes of common wheat and 500 000 tonnes of barley to certain destinations; whereas the procedure laid down in Article 9 (4) of Regulation (EEC) No 891/89⁽⁶⁾, as last amended by Regulation (EEC) No 2553/90⁽⁷⁾, should be used; whereas account should be taken of this when the refunds are fixed;

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

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

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

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

Whereas, pursuant to Article 275 of the Act of Accession, refunds may be granted in the case of exports to Portugal; whereas, in the light of the situation and the level of prices no refund should be fixed in the case of exports to Portugal;

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

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 134, 28. 5. 1990, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No 128, 27. 6. 1967, p. 2574/67.

⁽⁵⁾ OJ No L 168, 27. 7. 1971, p. 16.

⁽⁶⁾ OJ No L 94, 7. 4. 1989, p. 13.

⁽⁷⁾ OJ No L 241, 4. 9. 1990, p. 6.

⁽⁸⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁹⁾ OJ No L 201, 31. 7. 1990, p. 9.

HAS ADOPTED THIS REGULATION:

2. The refund on export to Portugal has not been fixed.

Article 1

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

Article 2

This Regulation shall enter into force on 23 November 1990.

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

Done at Brussels, 22 November 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 22 November 1990 fixing the export refunds on cereals
and on wheat or rye flour, groats and meal

(ECU/tonne)

Product code	Destination (1)	Amount of refund
0709 90 60 000	—	—
0712 90 19 000	—	—
1001 10 10 000	—	—
1001 10 90 000	01	0
1001 90 91 000	—	—
1001 90 99 000	04	100,00
	05	100,00
	06	116,00 (2)
	02	20,00
1002 00 00 000	03	100,00
	05	100,00
	02	20,00
1003 00 10 000	—	—
1003 00 90 000	04	87,00
	06	104,00 (2)
	02	20,00
1004 00 10 000	—	—
1004 00 90 000	—	—
1005 10 90 000	—	—
1005 90 00 000	03	70,00
	02	0
1007 00 90 000	—	—
1008 20 00 000	—	—
1101 00 00 110	01	157,00
1101 00 00 120	01	157,00
1101 00 00 130	01	138,00
1101 00 00 150	01	128,00
1101 00 00 170	01	118,00
1101 00 00 180	01	106,00
1101 00 00 190	—	—
1101 00 00 900	—	—
1102 10 00 100	01	157,00
1102 10 00 200	01	157,00
1102 10 00 300	01	157,00
1102 10 00 500	01	157,00
1102 10 00 900	—	—
1103 11 10 100	01	232,00
1103 11 10 200	01	219,00
1103 11 10 500	01	196,00
1103 11 10 900	01	185,00
1103 11 90 100	01	157,00
1103 11 90 900	—	—

(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 Zone II (b),
- 06 Soviet Union.

(²) Refund fixed under the procedure laid down in Article 9 (4) of amended Regulation (EEG) No 891/89 in respect of a quantity of 600 000 tonnes of soft wheat.

(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 500 000 tonnes of barley.

NB: The zones are those defined in Commission Regulation (EEC) No 1124/77 (OJ No L 134, 28. 5. 1977, p. 53), as last amended by Regulation (EEC) No 3049/89 (OJ No L 292, 11. 10. 1989, p. 10).

COMMISSION REGULATION (EEC) No 3358/90

of 22 November 1990

altering the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1340/90 ⁽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 1806/89 ⁽⁴⁾, and in particular Article 12 (4) thereof,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy ⁽⁵⁾, as last amended by Regulation (EEC) No 2205/90 ⁽⁶⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on products processed from cereals and rice were fixed by Commission Regulation (EEC) No 3109/90 ⁽⁷⁾, as last amended by Regulation (EEC) No 3319/90 ⁽⁸⁾;

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

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

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

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

Whereas these exchange rates being those recorded on 21 November 1990;

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

Whereas the levy on the basic product as last fixed differs from the average levy by more than ECU 3,02 per tonne of basic product; whereas, pursuant to Article 1 of Commission Regulation (EEC) No 1579/74 ⁽¹¹⁾, as last amended by Regulation (EEC) No 1740/78 ⁽¹²⁾, the levies at present in force must therefore be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products processed from cereals and rice covered by Regulation (EEC) No 2744/75 as fixed in the Annex to amended Regulation (EEC) No 3109/90 are hereby altered to the amounts set out in the Annex.

Article 2

This Regulation shall enter into force on 23 November 1990.

⁽¹¹⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽¹²⁾ OJ No L 202, 26. 7. 1978, p. 8.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 134, 28. 5. 1990, p. 1.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁷⁾ OJ No L 296, 27. 10. 1990, p. 43.

⁽⁸⁾ OJ No L 318, 17. 11. 1990, p. 29.

⁽⁹⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽¹⁰⁾ OJ No L 281, 1. 11. 1975, p. 65.

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

Done at Brussels, 22 November 1990.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX

to the Commission Regulation of 22 November 1990 altering the import levies on products processed from cereals and rice

(ECU/tonne)

CN code	Import levies		
	Portugal	ACP or OCT	Third countries (other than ACP or OCT)
1103 19 10	104,21	279,83	285,87
1103 29 10	104,21	279,83	285,87
1104 19 30	104,21	279,83	285,87
1104 29 15	75,56	206,76	209,78
1104 29 35	90,28	248,74	251,76
1104 29 95	58,65	158,57	161,59

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 20 November 1990

on health protection measures in respect of Zimbabwe

(90/610/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine animals and swine and fresh meat or meat products from third countries⁽¹⁾, as last amended by Directive 90/425/EEC⁽²⁾, and in particular Article 15 thereof,

Whereas animal health conditions and veterinary certification requirements for imports of fresh meat from Zimbabwe were established by Commission Decision 85/472/EEC⁽³⁾, as last amended by Decision 88/559/EEC⁽⁴⁾;

Whereas following outbreaks of foot-and-mouth disease strain SAT reported in Zimbabwe, Commission Decision 89/405/EEC⁽⁵⁾ temporarily suspended imports of meat from Zimbabwe;

Whereas the authorities of Zimbabwe have adopted severe measures to eliminate the disease and avoid its re-introduction;

Whereas these strict measures include, in particular, the prohibition of movements of livestock except for pedigree male bovines under strict movement control from the southern regions of Zimbabwe to the disease-free region of Mashonaland Central and the northern part of Masho-

naland West; whereas the southern regions are clearly demarcated from the disease-free region; whereas measures are applied throughout the country to monitor the movements of livestock and to detect any outbreak of the disease;

Whereas the central veterinary authorities of Zimbabwe have confirmed that Zimbabwe has remained free of foot-and-mouth disease since 9 November 1989 and have undertaken to inform the Member States and the Commission of any new outbreak of foot-and-mouth disease therein within 24 hours, by telex or telegram, or of an alteration to their vaccination policy against it; whereas the competent authorities of Zimbabwe have given assurances that meat intended for the Community will be produced, handled and stored entirely separately from meat which does not fulfil the terms of this Decision;

Whereas the responsible veterinary authorities of Zimbabwe have confirmed that Zimbabwe has for at least 12 months been free of rinderpest and no vaccinations have been carried out against this disease during that time;

Whereas following a Commission mission to Zimbabwe it is now considered suitable to restore the authority to import fresh meat from certain parts of Zimbabwe from 25 October 1990;

Whereas this Decision will be reviewed in the light of the developing animal health situation in Zimbabwe and in particular of the appearance of foot-and-mouth disease, of the vaccination policy employed, of the designation of buffer zones and of the designation of regions from which animals come whose meat is intended for export to the Community;

⁽¹⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽²⁾ OJ No L 224, 18. 8. 1990, p. 29.

⁽³⁾ OJ No L 278, 18. 10. 1985, p. 31.

⁽⁴⁾ OJ No L 307, 12. 11. 1988, p. 50.

⁽⁵⁾ OJ No L 189, 4. 7. 1989, p. 45.

Whereas the animal health requirements to be established, pursuant to Article 16 of Directive 72/462/EEC for imports of fresh meat from third countries have not yet been laid down at Community level for Zimbabwe; whereas, pending the entry into force of such requirements, the Member States may continue to apply their national animal health rules on imports of fresh meat from this country;

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

Decisions 85/472/EEC and 89/405/EEC are hereby revoked.

Article 2

The prohibition provided for in Article 14 (2) of Directive 72/462/EEC shall not apply, in respect of de-boned meat of bovine animals, to the following areas of Zimbabwe:

- the veterinary region of Mashonaland Central,
- the veterinary region of Mashonaland West northern part only.

Article 3

If a Member State authorizes the import of de-boned fresh meat exclusively of animals of the bovine species coming from Zimbabwe, the following conditions shall apply:

- the meat shall satisfy the requirements of the specimen health certificate annexed hereto; the certificate shall accompany the meat during transport to the importing Member State,
- the meat shall not enter the importing Member State's territory for at least 21 days from the date of slaughter,
- the meat shall come from bovine animals coming from the regions mentioned in Article 2 and slaughtered in those regions.

Article 4

This Decision shall apply from 25 October 1990.

Article 5

This Decision is addressed to the Member States.

Done at Brussels, 20 November 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

ANIMAL HEALTH CERTIFICATE

for fresh de-boned meat ⁽¹⁾ excluding offal of bovine animals, intended for consignment to the
European Economic Community

Country of destination

Reference number of the public health certificate

Exporting country: Zimbabwe

Ministry

Department

Reference

(Optional)

I. Identification of meat

Meat of bovine animals

Nature of cuts ⁽²⁾

Nature of packaging

Number of cuts or packages

Net weight

II. Origin of meat

Address(es) and veterinary approval number(s) of the approved slaughterhouse(s)

.....

Address(es) and veterinary approval number(s) of the approved cutting plant(s)

.....

III. Destination of meat

The meat will be sent from

(Place of loading)

to

(Country and place of destination)

by the following means of transport ⁽³⁾

Name and address of consignor

.....

Name and address of consignee

.....

⁽¹⁾ 'Fresh de-boned meat' means all parts from domestic animals of the bovine species, excluding offals, fit for human consumption which have not undergone any preserving process; however, chilled and frozen meat shall be considered as fresh meat.

⁽²⁾ Only fresh de-boned meat from domestic animals of the bovine species from which the major accessible lymphatic glands have been removed is authorized for importation.

⁽³⁾ For railway wagons or lorries, the vehicle registration number should be stated, for aircraft the flight number and for vessels the name.

IV. Attestation of health

I, the undersigned, official veterinarian, certify that :

1. The fresh, de-boned meat described above :

(a) originates from cattle which :

- were born and reared in the Republic of Zimbabwe and which, in the preceding 12 months or since birth, have remained in one or more of the following areas :
 - the veterinary region of Mashonaland Central
 - the veterinary region of Mashonaland West, northern part only,
- bore, in accordance with the legal provisions, a mark indicating their region of origin, that is for the veterinary region of Mashonaland Central brand 'C', and for the veterinary region of Mashonaland West, northern part only brand 'L',
- had not been vaccinated against foot-and-mouth disease within the past 12 months,
- on the way to the slaughterhouse and while awaiting slaughter therein did not come into contact with animals not satisfying the requirements laid down in Decision 90/610/EEC as regards export of their meat to a Member State, and if they were conveyed by vehicle or container, the latter were cleaned and disinfected before loading,
- when subjected to an *ante-mortem* health inspection at the slaughterhouse during the 24 hours preceding slaughter, which included examination of the mouth and feet, showed no symptom of foot-and-mouth disease,
- were slaughtered after the entry into force of Decision 90/610/EEC (date of slaughter...);

(b) was obtained in a slaughterhouse in which no case of foot-and-mouth disease has been detected for at least three months ;

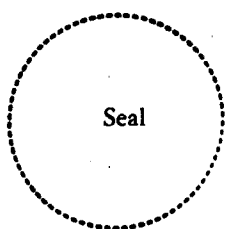
(c) has been kept strictly separate from meat not conforming to the requirements for export to a Member State laid down in the Decisions of the European Economic Community currently in force ;

(d) has had the major accessible lymphatic glands removed ;

(e) originates from carcasses which were matured at an ambient temperature of more than + 2 °C for at least 24 hours after slaughter and before de-boning.

2. During the period between arrival of the cattle at the slaughterhouse and completion of the packing of the meat of the same cattle for export to a Member State, in boxes or cartons, no animals or meat not conforming to the requirements laid down in the Decisions of the European Economic Community currently in force as regards export of meat to a Member State was present in the slaughterhouse or cutting plant.

Done at, on
(Place) (Date)



.....
(Signature of official veterinarian)

(Name in capital letters, title, and qualification of signatory)
