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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 206/91

of 22 January 1991

concerning the exclusion of milk products from inward processing arrangements and of recourse to certain usual forms of handling

THE COUNCIL 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 3577/90⁽²⁾, and in particular Articles 12 (2) and 18 (1) thereof,

Having regard to the proposal from the Commission,

Whereas, under Article 18 (1) of Regulation (EEC) No 804/68, the use of inward processing arrangements may, in special cases and to the extent necessary for the proper working of the common organization of the market in milk and milk products, be prohibited, in whole or in part, in respect of the products referred in Article 1 of that Regulation which are intended for the manufacture of products referred to in that Article or of the goods listed in the Annex to that Regulation; whereas Regulations (EEC) No 1999/85⁽³⁾ and No 3677/86⁽⁴⁾, as last amended by Regulation (EEC) No 731/90⁽⁵⁾, lay down provisions on inward processing relief arrangements;

Whereas the use of milk products imported from non-member countries under inward processing arrangements may jeopardize the normal disposal of products of Community origin and the proper working of the common organization of the market in milk and milk products; whereas the use of inward processing arrangements should therefore be prohibited in the case of those products;

Whereas, for the same reasons, provision should be made for the possibility of also prohibiting certain of the usual forms of handling within the meaning of Council Directive 71/235/EEC of 21 June 1971 on harmonization of the provisions laid down by law, regulation or administra-

tive action relating to the usual forms of handling which may be carried out in customs warehouses and in free zones⁽⁶⁾ and in accordance with the rules laid down in Council Regulation (EEC) No 2503/88 of 25 July 1988 on customs warehouses⁽⁷⁾ and in Council Regulation (EEC) No 2504/88 of 25 July 1988 on free zones and free warehouses⁽⁸⁾;

Whereas electrolysed whey powder is not produced in the Community;

Whereas further time is required to carry out the necessary adjustments before the traditional trade in whey is suspended;

Whereas it is appropriate, given the relative strength of the cheese market and the suitability of certain cheeses for processing, to exempt a limited number of cheeses;

Whereas, at this stage, the duration of these measures should be limited to the end of the 1991/92 marketing year,

HAS ADOPTED THIS REGULATION:

Article 1

1. The use of inward processing arrangements shall be prohibited in the case of the products specified in Article 1 of Regulation (EEC) No 804/68 when they are intended for the manufacture of the products referred to in that Article or of goods listed in the Annex to that Regulation.

2. However, the use of inward processing arrangements shall not be prohibited for electrolysed whey powder falling within CN code ex 0404 10 11 and for whey falling within CN code 0404 10 91 for use in the manufacture of products falling within CN codes 0404 10 11, 1702 10, 1901 10, 1901 90 90 and 2106 90 51 and of lactalbumin falling within CN codes 3502 90 51 and 3502 90 59.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 188, 20. 7. 1985, p. 1.

⁽⁴⁾ OJ No L 351, 12. 12. 1986, p. 1.

⁽⁵⁾ OJ No L 81, 28. 3. 1990, p. 14.

⁽⁶⁾ OJ No L 143, 29. 6. 1971, p. 28.

⁽⁷⁾ OJ No L 225, 15. 8. 1988, p. 1.

⁽⁸⁾ OJ No L 225, 15. 8. 1988, p. 8.

3. Furthermore, the use of inward processing arrangements shall not be prohibited for cheese classified under the following CN codes :

- 0406 90 13 (Emmentaler)
- ex 0406 90 15 (Gruyère)
- 0406 90 21 (Cheddar)
- 0406 90 23 (Edam)
- ex 0406 90 77 (Gouda)
- ex 0406 90 11 (Other Cheese for processing, namely, Emmentaler, Gruyère, Cheddar, Edam and Gouda which would otherwise be classified under CN codes 0406 90 13, ex 0406 90 15, 0406 90 21, 0406 90 23 and ex 0406 90 77)

for use in the manufacture of powdered cheese falling within CN code 0406 20 90, of processed cheese falling within CN codes 0406 30 10, 0406 30 31, 0406 30 39 and 0406 30 90 and of products falling within CN codes 2106 90 10, 2106 90 91 and 2106 90 99.

4. Recourse to certain of the usual forms of handling specified in Article 1 of Directive 71/235/EEC may, in accordance with the procedure laid down in Article 30 of Regulation (EEC) No 804/68, be prohibited in the case of the products specified in Article 1 of the said Regulation which are the subject of a customs warehousing procedure or are in a free zone.

Article 2

1. When a milk product referred to in Article 1 of Regulation (EEC) No 804/68 is not produced within the Community, the Commission, at the request of a Member State, may authorize its importation under the inward

processing arrangements through the procedure referred to in Article 30 of Regulation (EEC) No 804/68.

2. Requests for the authorizations referred to in paragraph 1 shall indicate at least :

- the CN code, the quantity and the composition of the product to be imported,
- the compensatory products to be manufactured and the CN code, the quantity and the composition of each,
- where imported milk products are to be combined with products of Community origin in the manufacture of compensatory products, the composition should indicate separately, for each component, that part which is of Community origin and that part which comes from products imported under inward processing arrangements,
- the period of validity of the authorization, and
- the maximum period between the date of importation and that of re-exportation of the compensatory products.

3. Requests for authorizations for the products referred to in Article 1 (2) and (3) and in this Article shall include a written undertaking from the importer and/or processor not to put any of the compensatory products into free circulation in the Community.

Article 3

This Regulation shall enter into force on 1 February 1991. However, Article 1 (1) shall not apply to imports made under inward processing arrangements pursuant to authorizations valid on that date.

This Regulation shall apply until the end of the 1991/92 marketing year.

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

Done at Brussels, 22 January 1991.

For the Council

The President

R. STEICHEN

COMMISSION REGULATION (EEC) No 207/91

of 29 January 1991

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 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 3577/90⁽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 3844/90⁽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 28 January 1991;

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 3844/90 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 30 January 1991.

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

Done at Brussels, 29 January 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 9.⁽⁵⁾ OJ No L 367, 29. 12. 1990, p. 13.

ANNEX

to the Commission Regulation of 29 January 1991 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CN code	(ECU/tonne)	
	Levies	
	Third country	
0709 90 60	140,25 ⁽²⁾ ⁽³⁾	
0712 90 19	140,25 ⁽²⁾ ⁽³⁾	
1001 10 10	200,16 ⁽¹⁾ ⁽²⁾	
1001 10 90	200,16 ⁽¹⁾ ⁽²⁾	
1001 90 91	192,67	
1001 90 99	192,67	
1002 00 00	157,65 ⁽⁶⁾	
1003 00 10	155,33	
1003 00 90	155,33	
1004 00 10	147,39	
1004 00 90	147,39	
1005 10 90	140,25 ⁽²⁾ ⁽³⁾	
1005 90 00	140,25 ⁽²⁾ ⁽³⁾	
1007 00 90	147,22 ⁽⁴⁾	
1008 10 00	66,36	
1008 20 00	127,76 ⁽⁴⁾	
1008 30 00	75,57 ⁽⁵⁾	
1008 90 10	⁽⁷⁾	
1008 90 90	75,57	
1101 00 00	283,76 ⁽⁸⁾	
1102 10 00	234,96 ⁽⁸⁾	
1103 11 10	324,04 ⁽⁸⁾	
1103 11 90	305,37 ⁽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 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).

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

COMMISSION REGULATION (EEC) No 208/91

of 29 January 1991

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 3577/90⁽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 3845/90⁽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 28 January 1991;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 30 January 1991.

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

Done at Brussels, 29 January 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁵⁾ OJ No L 367, 29. 12. 1990, p. 10.

ANNEX

to the Commission Regulation of 29 January 1991 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CN code	(ECU/tonne)			
	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 10	0	0	0	0
1001 10 90	0	0	0	0
1001 90 91	0	0	0	0
1001 90 99	0	0	0	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 10	0	0	0	0
1004 00 90	0	0	0	0
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	1,60	1,60	1,60
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	0

B. Malt

CN code	(ECU/tonne)				
	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

COMMISSION REGULATION (EEC) No 209/91
of 28 January 1991
on the supply of various lots of butteroil as food aid

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

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management ⁽¹⁾, as last amended by Regulation (EEC) No 1930/90 ⁽²⁾, and in particular Article 6 (1) (c) thereof,

Whereas Council Regulation (EEC) No 1420/87 of 21 May 1987 laying down implementing rules for Regulation (EEC) No 3972/86 on food-aid policy and food-aid management ⁽³⁾ lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas following the taking of a number of decisions on the allocation of food aid the Commission has allocated to certain countries and beneficiary organizations 68 tonnes of butteroil;

Whereas it is necessary to provide for the carrying-out of this measure in accordance with the rules laid down by Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community

food aid ⁽⁴⁾; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

Article 1

Milk products shall be mobilized in the Community, as Community food aid, for supply to the recipients listed in the Annex in accordance with Regulation (EEC) No 2200/87 and under the conditions set out in the Annex. Supplies shall be awarded by the tendering procedure.

The successful tenderer is deemed to have noted and accepted all the general and specific conditions applicable. Any other condition or reservation included in his tender is deemed unwritten.

Article 2

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

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

Done at Brussels, 28 January 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 174, 7. 7. 1990, p. 6.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

ANNEX

1. **Operation No⁽¹⁾**: 1140/90
2. **Programme**: 1990
3. **Recipient⁽²⁾**: Euronaid, PO box 77, NL-2340 AB Oegstgeest
4. **Representative of the recipient⁽³⁾**: See OJ No 103, 16. 4. 1987
5. **Place or country of destination**: Ethiopia
6. **Product to be mobilized**: butteroil
7. **Characteristics and quality of the goods⁽²⁾(⁽⁴⁾)(⁽¹¹⁾)**:
See OJ No C 216, 14. 8. 1987, p. 7, I.3.1 and I.3.2.
8. **Total quantity**: 68 tonnes
9. **Number of lots**: 1
10. **Packaging and marking**: 5 kg⁽⁸⁾(⁽¹⁰⁾)(⁽¹³⁾)
OJ No C 216, 14. 8. 1987, p. 7 (I.3.3.)
Supplementary marking on packaging:
'ACTION No 1140/90 / BUTTEROIL / ETHIOPIA / CARITAS GERMANY / 900423 B / ADDIS ABABA VIA ASSAB / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY / FOR FREE DISTRIBUTION'
and OJ No C 216, 14. 8. 1987, p. 8 (I.3.4.)
11. **Method of mobilization**: Community market
12. **Stage of supply**: free at port of shipment⁽⁹⁾
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 5 — 18. 3. 1991
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **In the case of an invitation to tender, date of expiry of the period allowed for submission of tenders^(*)**: 12 noon on 18. 2. 1991
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon on 4. 3. 1991;
 - (b) period for making the goods available at the port of shipment: 18. 3 — 4. 4. 1991;
 - (c) deadline for the supply: —
22. **Amount of the tendering security**: ECU 20 per tonne.
23. **Amount of the delivery security**: 10 % of the tender in ecus.
24. **Address for submission of tenders**:
Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, Bâtiment Loi 120, bureau 7/58, 200 Rue de la Loi, B-1049 Brussels (telex: AGREC 22037 B or 25670 B)
25. **Refund payable on request by the successful tenderer^(*)**: Refund applicable on 1. 1. 1991, fixed by Commission Regulation (EEC) No 3804/90 (OJ No L 365 of 28. 12. 1990, p. 54).

Notes :

- (¹) The operation number is to be quoted in all correspondence.
- (²) The successful tenderer shall deliver to the beneficiary for each action number/shipping number a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation in the Member State concerned, have not been exceeded.
- (³) Commission delegate to be contacted by the successful tenderer : see list published in OJ No C 227, 7. 9. 1985, p. 4.
- (⁴) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of the Annex, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably :
 - by porter at the office referred to in point 24 of the Annex, or
 - by telecopier on one of the following numbers in Brussels :
 - 235 01 32,
 - 236 10 97,
 - 235 01 30,
 - 236 20 05.
- (⁵) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56), as last amended by Regulation (EEC) No 2226/89 (OJ No L 214, 25. 7. 1989, p. 10), is applicable as regards to export refund and, where appropriate, the monetary and accession compensatory amounts, the representative rate and the monetary coefficient. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 25 of this Annex.
- (⁶) The successful tenderer shall give the beneficiaries' representative, at the time of delivery, a certificate of origin for each action number/shipping number.
- (⁷) The successful tenderer shall give the beneficiaries' representative, at the time of delivery, a health certificate for each action number/shipping number.
- (⁸) To be delivered on standard pallets — 40 cartons each pallet — wrapped in plastic shrink cover.
- (⁹) Shipment has to take place from a Community port, served by liner vessels and must have a regular communication with the country of destination. The regular communication must have a frequency of at least four weeks with preadvertised sailings.
- (¹⁰) The supplier should send a duplicate of the original invoice to :
MM De Keyzer & Schütz BV, Postbus 1438, Blaak 16, NL-3000 BK Rotterdam.
- (¹¹) Radioactivity analysis must indicate caesium 134 and caesium 137 levels.
- (¹²) The successful tenderer is to contact the recipient as soon as possible to establish what consignment documents are required.
- (¹³) Manufacturing and expiration dates must be printed on each individual carton.

COMMISSION REGULATION (EEC) No 210/91

of 29 January 1991

opening an invitation to tender for the fixing of aid for the private storage of
carcasses and half-carcasses of lamb

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 3577/90 ⁽²⁾, and in particular Article 7 (5) thereof,Whereas Commission Regulation (EEC) No 3446/90 of 27 November 1990 laying down detailed rules for granting private storage aid for sheepmeat and goatmeat ⁽³⁾, provides in particular for detailed rules on the invitation to tender;Whereas Commission Regulation (EEC) No 3447/90 of 28 November 1990 on special conditions for the granting of private storage aid for sheepmeat and goatmeat ⁽⁴⁾ provides in particular the minimum quantities in respect of which a tender may be submitted;

Whereas the application of Article 7 (3) of Regulation (EEC) No 3013/89 results in the opening of invitations to tender for private storage aid;

Whereas that Article provides for the application of these measures on the basis of the situation of each quotation

zone; whereas it is appropriate consequently to open tenders separately for each of the zones where the conditions are fulfilled;

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

HAS ADOPTED THIS REGULATION:

Article 1

An invitation to tender is hereby opened in Spain for aid to private storage for carcasses and half-carcasses of lamb.

Subject to the provisions of Regulation (EEC) No 3447/90 tenders may be made to the intervention agency of the Member States concerned.

Article 2

Tenders must be submitted not later than 2 p.m. on 14 February 1991 to the relevant intervention agency.

*Article 3*This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

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

Done at Brussels, 29 January 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.⁽³⁾ OJ No L 333, 30. 11. 1990, p. 39.⁽⁴⁾ OJ No L 333, 30. 11. 1990, p. 46.

COMMISSION REGULATION (EEC) No 211/91

of 29 January 1991

amending Regulation (EEC) No 2377/80 on special detailed rules for the application of the system of import and export licences in the beef and veal sector

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 3577/90⁽²⁾, and in particular Article 15 (2) thereof,

Whereas Article 4 of Commission Regulation (EEC) No 2377/80⁽³⁾; as last amended by Regulation (EEC) No 2996/90⁽⁴⁾, lays down the period of validity of import licences;

Whereas for a certain period a sharp increase has been noted in imports of live calves from third countries; whereas such imports could disturb the Community market; whereas it is therefore necessary to ensure more frequent monitoring of the foreseeable trend of imports of such animals by limiting the period of validity of import licences to 30 days and by introducing weekly notification of the quantities for which licences have been issued;

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

Regulation (EEC) No 2377/80 is hereby amended as follows:

1. Article 4 is replaced by the following:

'Article 4

Import licences shall be valid for the following periods:

(a) import licences with advance fixing of the levy shall be valid from their day of issue, within the meaning of Article 21 (1) of Commission Regulation (EEC) No 3719/88^(*):

(i) for 30 days for products falling within heading 0201 and subheading 0206 10 95 of the combined nomenclature, originating in and coming from Argentina or Uruguay;

(ii) for 60 days for products falling within heading 0202 and subheading 0206 29 91 of the combined nomenclature, originating in and coming from Argentina, Australia, New Zealand or Uruguay;

(iii) for 45 days for products falling within heading 0202 and subheading 0206 29 91 of the combined nomenclature, originating in and coming from Romania;

(iv) for 30 days for products falling within subheading codes 0102 90 10 of the combined nomenclature;

(b) import licences referred to in Article 3 (b) shall be valid for 90 days from their actual day of issue, but import licences referred to in Article 12 for 42 days from their actual day of issue;

(c) other import licences shall be valid from their day of issue within the meaning of Article 21 (1) of Regulation (EEC) No 3719/88:

(i) for 30 days for products falling within subheading 0102 90 10 of the combined nomenclature;

(ii) for 90 days for other products.

(*) OJ No L 331, 2. 12. 1988, p. 1.'

2. Article 16 (1) is replaced by the following:

'1. Member States shall communicate to the Commission:

(i) On Monday and Thursday of each week, before 4 p.m., by telex or fax, for the products falling within heading codes 0201 and 0202 and subheading 0206 10 95 and 0206 29 91 of the combined nomenclature, and specifying, by product, the quantities and countries of destination:

— a list of export licences with advance fixing of refunds applied for since the previous communication, and

— a list of export licences issued since the previous communication.

(ii) On the Tuesday of each week, by telex or fax, for products falling within subheading code 0102 90 10 of the combined nomenclature, the number of animals for which, during the previous

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁴⁾ OJ No L 286, 18. 10. 1990, p. 17.

week, import licences and import licences with advance fixing of levies were issued, specifying the exporting country.'

Article 2

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

3. Annex IV is replaced by the Annex to this Regulation.

It shall apply for licences issued from 4 February 1991.

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

Done at Brussels, 29 January 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

ANNEX IV

List of Article 8 (2)

- 0102 90 10
 - 0102 90 31, 0102 90 33, 0102 90 35, 0102 90 37
 - 0201 10 10, 0201 10 90, 0201 20 11, 0201 20 19
 - 0201 20 31, 0201 20 39
 - 0201 20 51, 0201 20 59
 - 0201 20 90
 - 0201 30, 0206 10 95
 - 0202 10, 0202 20 10
 - 0202 20 30
 - 0202 20 50
 - 0202 20 90
 - 0202 30 10
 - 0202 30 50
 - 0202 30 90, 0206 29 91
 - 0210 20 10
 - 0210 20 90, 0210 90 41
 - 0210 90 90
 - 1602 50 10, 1602 90 61
 - 1602 50 90, 1602 90 69'
-

COMMISSION REGULATION (EEC) No 212/91

of 29 January 1991

amending Regulation (EEC) No 915/89 laying down detailed rules for the application of arrangements for producers who have taken part in the arrangements for the set-aside of arable land to be exempted from the co-responsibility levies in the cereals sector

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 3577/90⁽²⁾, and in particular Article 4 (5) thereof,

Having regard to 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 3577/90, and in particular Article 1a (6) thereof,

Whereas Commission Regulation (EEC) No 915/89⁽⁴⁾ lays down that reimbursement of the co-responsibility levies for producers who have taken part in the arrangements for the set-aside of arable land under Regulation (EEC) No 797/85 shall take place by 31 December at the latest following the end of the marketing year in respect of which the aid is granted;

Whereas, moreover, under Article 4 of Regulation (EEC) No 915/89, the reimbursement of the aid to small producers of cereals provided for in Council Regulation (EEC) No 729/89 of 20 March 1989 laying down general rules for the special arrangements applicable to small producers as part of the co-responsibility arrangements in the cereals sector⁽⁵⁾, as amended by Regulation (EEC) No

1347/90⁽⁶⁾, should be made first; whereas for administrative reasons the aid in question in respect of marketing year 1989/90 should be paid to the recipients by 28 February 1991 at the latest; whereas for legal reasons it is necessary to defer to the same date the time limit for reimbursement laid down in Regulation (EEC) No 915/89;

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 following is added to Article 3 (1) of Regulation (EEC) No 915/89: 'However, the reimbursement in respect of marketing year 1989/90 shall be made by 28 February 1991 at the latest'.

Article 2

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

This Regulation shall apply from 1 January 1991.

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

Done at Brussels, 29 January 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 93, 30. 3. 1985, p. 1.

⁽⁴⁾ OJ No L 97, 11. 4. 1989, p. 9.

⁽⁵⁾ OJ No L 80, 23. 3. 1989, p. 5.

⁽⁶⁾ OJ No L 134, 28. 5. 1990, p. 12.

COMMISSION REGULATION (EEC) No 213/91

of 29 January 1991

fixing the import levies on white sugar and raw sugar

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EEC) No 3577/90⁽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 3608/90⁽³⁾, as last amended by Regulation (EEC) No 149/91⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Commission Regulation (EEC) No 3608/90 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;

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

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

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

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

Whereas these exchange rates being those recorded on 28 January 1991,

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 30 January 1991.

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

Done at Brussels, 29 January 1991.

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, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 350, 14. 12. 1990, p. 68.

⁽⁴⁾ OJ No L 17, 23. 1. 1991, p. 15.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 9.

ANNEX

to the Commission Regulation of 29 January 1991 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	41,34 ⁽¹⁾
1701 11 90	41,34 ⁽¹⁾
1701 12 10	41,34 ⁽¹⁾
1701 12 90	41,34 ⁽¹⁾
1701 91 00	45,66
1701 99 10	45,66
1701 99 90	45,66 ⁽²⁾

⁽¹⁾ The levy applicable is calculated in accordance with the provisions of Article 2 or 3 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 214/91

of 29 January 1991

on the opening of a sale by periodic invitation of tender for oilseeds held by the Spanish intervention agency

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 3577/90⁽²⁾, and in particular Article 26 (3) thereof,

Having regard to Commission Regulation (EEC) No 3418/82 of 20 December 1982 on the procedure for sale of oilseed held by the intervention agencies⁽³⁾, as last amended by Regulation (EEC) No 676/89⁽⁴⁾, and in particular Article 4 thereof,

Whereas Article 2 of Council Regulation No 724/67/EEC of 17 October 1967 laying down conditions for intervention in respect of oilseeds during the last two months of the marketing year and principles for the disposal of seeds bought in by intervention agencies⁽⁵⁾, as last amended by Regulation (EEC) No 2203/90⁽⁶⁾, provides that oilseeds held by intervention agencies are to be sold by invitation to tender;

Whereas Regulation (EEC) No 3418/82 lays down the procedures and the terms for the sale of oilseeds held by the intervention agencies; whereas, pursuant to the provisions of Article 4 thereof, a sale by periodic invitation to tender may be decided on in accordance with the provisions in Articles 5 to 9 thereof;

Whereas, in the present situation of the market, a periodic invitation to tender should be issued for the sale of 9 175 tonnes of sunflower seed held by the Spanish intervention agency;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Spanish intervention agency shall issue a periodic invitation to tender under the conditions laid down in Regulation (EEC) No 3418/82 for the sale of 9 175 tonnes of sunflower seed

Article 2

1. The closing date for the submission of tenders for the first partial invitation to tender shall expire on 11 February 1991.

2. The closing date for the submission of tenders for the last partial invitation to tender shall expire on 27 March 1991.

3. The notice of invitation to tender to be published by the intervention agency shall indicate the places of storage.

4. Tenders must be lodged with the intervention agency at the following address:

SENPA, Beneficencia, 8, 28004 Madrid; Tel. 347 65 00
Telex: 23427 SENPA, E Telefax: 521 9382.

Article 3

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

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

Done at Brussels, 29 January 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

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

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 360, 21. 12. 1982, p. 19.

⁽⁴⁾ OJ No L 73, 17. 3. 1989, p. 17.

⁽⁵⁾ OJ No 252, 19. 10. 1967, p. 10.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 5.