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## I

*(Acts whose publication is obligatory)*

**COUNCIL REGULATION (EEC) No 305/91**

**of 4 February 1991**

**amending Regulation (EEC) No 1785/81 on the common organization of the markets in the sugar sector**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 42 and 43 thereof,

Having regard to the proposal from the Commission <sup>(1)</sup>,

Having regard to the opinion of the European Parliament <sup>(2)</sup>,

Having regard to the opinion of the Economic and Social Committee <sup>(3)</sup>,

Whereas the Community aid schemes aimed at placing raw sugar imported on preferential conditions and sugar imported for refining, in particular in Portugal, on similar terms expire on 30 June 1991; whereas, however, the Community stated in its declaration annexed to the Final Act of the Treaty of Accession of Portugal on supplies to the sugar refining industry in Portugal that it was prepared to carry out, before the end of the transitional period, an overall examination of the supply situation of the refining industry in the Community on the basis of a report from the Commission; whereas, since the transitional period expires at the end of 1992, the said arrangements should, in order not to anticipate the conclusions of that report, be continued until the end of the 1992/93 marketing year;

Whereas Article 23 of Regulation (EEC) No 1785/81 <sup>(4)</sup>, as last amended by Regulation (EEC) No 3577/90 <sup>(5)</sup>, lays down, on the one hand, that the system of production quotas for sugar is to apply for the marketing years 1986/87 to 1990/91 and, on the other hand, that the

Council is to determine, before 1 January 1991, the system to be applied from 1 July 1991;

Whereas the common organization of the markets in the sugar sector has been based since the 1986/87 marketing year, on the one hand, on the principle of financial responsibility of producers for each marketing year for losses incurred from the disposal of surpluses of Community production under the system of quotas related to internal consumption and, on the other hand, on a system of price and disposal guarantees differentiated according to production quotas allocated to each undertaking; whereas the abovementioned principle and system should be renewed for a further period of two marketing years, 1991/92 and 1992/93, in order to curb the production of the Community, with its great technical production capacity, at a time when the world sugar market continues to be characterized, despite some improvement, by great volatility of prices and by cyclical trends;

Whereas, therefore, it is extremely difficult to foresee how the world market in sugar will develop in the medium term; whereas, further, the absence of an international sugar agreement containing binding clauses for all the member countries of such an agreement makes it difficult to alter unilaterally the price and disposal guarantees conferred on Community producers; whereas, in addition, in the current situation, any reduction of guarantees in this sector entails the risk of a substantial decrease in areas under sugar beet within the quota system to the advantage of other agricultural enterprises for which the sector is not, or is only partly, financed by the producers themselves; whereas, under these circumstances, the basic quantities of sugar and isoglucose should be kept unchanged for the two marketing years referred to above;

Whereas transitional measures for implementation of the production quota arrangements in the continental region of Portugal were applied throughout the 1987/88 to 1990/91 marketing years; whereas the difficulties encountered with regard to such implementation persist and it is therefore desirable to extend the said measures for two additional marketing years;

<sup>(1)</sup> OJ No C 258, 13. 10. 1990, p. 9.

<sup>(2)</sup> OJ No C 19, 28. 1. 1991.

<sup>(3)</sup> Opinion delivered on 20 November 1990 (not yet published in the Official Journal).

<sup>(4)</sup> OJ No L 177, 1. 7. 1981, p. 4.

<sup>(5)</sup> OJ No L 353, 17. 12. 1990, p. 23.

Whereas, because of its special situation and given the size of agricultural holdings, production of sugar beet in Italy is still encountering difficulties, even in the northern regions, in particular as regards application of modern production methods, and for structural reasons in the central and southern regions, where sugar beet growing is essential for regeneration of the particularly clayey soils and thus preventing a return to monoculture; whereas such difficulties are not without incidence on sugar production itself; whereas the Italian Republic should therefore be authorized to continue to grant, for a specified period corresponding to that of the quota system, national adjustment aid, albeit on a degressive basis, having regard to the degree of reduction already attained for the 1990/91 marketing year under the authorization to grant such an aid provided for in Article 4 (1) and (2) of Regulation (EEC) No 1254/89<sup>(1)</sup>; whereas, furthermore, the Italian Republic intends to continue restructuring the sugar-beet sector and sugar production under restructuring plans pursuant to Articles 92, 93 and 94 of the Treaty; whereas, therefore it is justifiable to authorize Italy to continue, for the marketing years 1991/92 and 1992/93, adjusting the said aid, notwithstanding the said Articles, where the aid is linked to a restructuring plan; whereas account should also be taken of the situation as regards interest rates in Italy;

Whereas, given the characteristics of the market in white sugar in the United Kingdom and those of its refining industry, it is appropriate to extend, for the 1991/92 and 1992/93 marketing years, the term of validity of the authorization given to that Member State to grant fixed-rate national adjustment aid to its preferential raw sugar refining industry, but at a reduced level;

Whereas this Regulation must be applied under the best possible conditions; whereas, to that end, certain transitional measures may prove necessary; whereas it should be laid down that these are to be adopted in accordance with the procedure laid down in Article 41 of Regulation (EEC) No 1785/81,

HAS ADOPTED THIS REGULATION:

#### *Article 1*

Regulation (EEC) No 1785/81 is hereby amended as follows:

1. in Article 9 (4b), 'From the 1987/88 until 1990/91 marketing year,' is replaced by 'From the 1991/92 to the 1992/93 marketing year.';
2. in Article 9 (4c), '1988/89 to 1990/91' is replaced by '1991/92 to 1992/93.';

3. Article 23 is replaced by the following:

#### *Article 23*

1. Articles 24 to 32 shall apply in respect of the 1991/92 and 1992/93 marketing years.
2. For the period referred to in paragraph 1 and notwithstanding Articles 24 (2) and 25, the A and B quotas of sugar-producing undertakings and isoglucose-producing undertakings shall be those which obtained in the 1990/91 marketing year.
3. For the period referred to in paragraph 1, the basic A and B production quantities for sugar and isoglucose serving for the allocation of quotas shall be those fixed, as the case may be, in Articles 24 (2) and 24 (a) (2).
4. The Council, acting in accordance with the procedure laid down in Article 43 (2) of the Treaty, shall determine, before 1 January 1993, the system to be applied from 1 July 1993.';

4. Article 24 (1) is replaced by the following:

'1. Member States shall, under the conditions of this Title, allocate an A quota and a B quota to each sugar-producing undertaking and each isoglucose-producing undertaking established in their territory which had an A quota and a B quota during the 1990/91 marketing year.';

5. in the third subparagraph of Article 24 (1) (a), 'from 1987/88 to 1990/91' is replaced by '1991/92 and 1992/93';

6. Article 24 (3), (4) and (5) are replaced by the following:

'3. For the period referred to in Article 23 (1) and notwithstanding paragraph 1 (a), Articles 24 (a) and 25, the A quota and the B quota of each sugar-producing undertaking and each isoglucose-producing undertaking shall be equal, respectively, to the A quota and the B quota allocated to it for the 1990/91 marketing year.';

7. Article 24 (7) is deleted;

8. in Article 28 (2) the introductory words are replaced by the following:

'2. Before the end of the 1992/93 marketing year, a cumulative recording shall be made of the 1991/92 and 1992/93 marketing years.';

<sup>(1)</sup> OJ No L 126, 9. 5. 1989, p. 1.

9. Article 29 (1) is replaced by the following :

'1. If it is found, after application of Articles 28 and 28a to the 1990/91 marketing year, that the actual total loss for the said marketing year :

(a) is not fully covered by the proceeds of the production levy and, where appropriate, the additional levy, the resulting financial burden shall be added to the estimated total loss referred to in Article 28 (1) (e) for the marketing year during which the finding is made ;

(b) is less than the proceeds of the production levies and, where appropriate, the additional levy, an amount equal to the difference shall be deducted from the estimated total loss or, as the case may be, added to the estimated total loss resulting from application of Articles 28 and 28a to the marketing year during which the finding is made.' ;

10. Article 46 (1) to (5) is replaced by the following :

'1. The Italian Republic shall be authorized, during the marketing years 1991/92 and 1992/93, to grant, under the terms of paragraphs 2, 3 and 4, adjustment aid to sugar-beet producers and, should the case arise, to sugar producers.

2. The aid referred to in paragraph 1 may be granted only in respect of the quantity of sugar produced within the limit of the A and B quotas of each sugar-producing undertaking.

3. For the production referred to in paragraph 2, the maximum amount of the aid may not :

(a) per 100 kilograms of white sugar, exceed 23,64 % of the intervention price for white sugar fixed in accordance with Article 3 (1) (a) for the marketing year in question ;

nor

(b) exceed, for each of the 1991/92 and 1992/93 marketing years, 70 % of the overall financial commitment in ecus already authorized in this context for the 1988/89 marketing year.

4. However, the Italian Republic may adjust the aids referred to in paragraphs 2 and 3 where this is necessitated by exceptional requirements connected with current plans for restructuring the sugar sector in Italy. In applying Articles 92, 93 and 94 of the Treaty, the Commission shall assess in particular whether such aid is consistent with the restructuring plans.

5. In addition, during the marketing years 1991/92 and 1992/93, the Italian Republic shall be authorized, when the interest rate granted in Italy to the most solvent applicant is higher, by 3 % or more, than the interest rate used to calculate the reimbursement referred to in Article 8, to cover the effect of this difference on the storage costs by a national aid.'

11. In Article 46 (6) :

— the introductory words of the first subparagraph read : '6. During the 1991/92 and 1992/93 marketing years, the United Kingdom may...';

— '0,50 ECU' is replaced by 'ECU 0,45' in the second subparagraph ;

12. In Article 48, 'until 30 June 1987' is replaced by 'until 30 June 1992'.

#### *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 1 July 1991.

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

Done at Brussels, 4 February 1991.

*For the Council*

*The President*

R. STEICHEN

**COUNCIL REGULATION (EEC) No 306/91**  
**of 4 February 1991**

**amending Regulation (EEC) No 857/84 adopting general rules for the application  
of the levy referred to in Article 5c of Regulation (EEC) No 804/68 in the milk  
and milk products sector**

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 <sup>(1)</sup>, as last amended by Regula-  
tion (EEC) No 3117/90 <sup>(2)</sup>, and in particular Article 5c (6)  
thereof,

Having regard to the proposal from the Commission,

Whereas Regulation (EEC) No 857/84 <sup>(3)</sup>, as last amended  
by Regulation (EEC) No 1183/90 <sup>(4)</sup>, provides for the  
possibility of re-allocating against payment the quantities  
freed by a producer to another producer in certain regions  
and collecting areas; whereas the conditions for imple-  
menting this provision need to be updated,

Whereas Article 12 (b) of Regulation (EEC) No 857/84  
defines, as far as is necessary for determining the levy,  
certain milk products; whereas, by way of clarification,  
the non-restrictive nature of that definition should be  
specified,

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EEC) No 857/84 is hereby amended as  
follows:

1. The first indent of Article 4 (1) (d) is replaced by the  
following:

‘— shall be less than the maximum referred to in the  
first subparagraph of Article 2 (2) of Regulation  
(EEC) No 1336/86;’;

2. Article 12 (b) is replaced by the following:

‘(b) other milk products: cream, butter and cheese, in  
particular;’.

*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 be binding in its entirety and directly applicable in all Member  
States.

Done at Brussels, 4 February 1991.

*For the Council*

*The President*

R. STEICHEN

<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 13.

<sup>(2)</sup> OJ No L 303, 31. 10. 1990, p. 5.

<sup>(3)</sup> OJ No L 90, 1. 4. 1984, p. 13.

<sup>(4)</sup> OJ No L 119, 11. 5. 1990, p. 27.

## COUNCIL REGULATION (EEC) No 307/91

of 4 February 1991

on reinforcing the monitoring of certain expenditure chargeable to the  
Guarantee Section of the European Agricultural Guidance and Guarantee Fund

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION :

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament<sup>(1)</sup>,

Whereas, pursuant to Article 8 of Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy<sup>(2)</sup>, as last amended by Regulation (EEC) No 2048/88<sup>(3)</sup>, Member States are to take the measures necessary to satisfy themselves that the transactions financed by the European Agricultural Guidance and Guarantee Fund (EAGGF) are actually carried out and are executed correctly, to prevent and deal with irregularities and to recover sums lost as a result of irregularities or negligence;

Whereas the monitoring and detection of fraud and irregularities in connection with exports of agricultural products, products exported as goods not falling within Annex II to the Treaty and measures applicable to certain sectors or certain products must be reinforced;

Whereas the Member States must be encouraged to take measures to step up controls in these areas;

Whereas the resulting financial effort may, for some Member States, entail considerable additional budget expenditure, not least with regard to the requirements in respect of the nature and frequency of checks on goods laid down by Regulation (EEC) No 386/90<sup>(4)</sup>, and provision should be made for a Community financial contribution over a certain period;

Whereas account must be taken of the diversity of the administrative structures existing in the Member States; whereas the latter should therefore be authorized to take reinforcement measures in accordance with differing procedures,

*Article 1*

1. Where a Member State, in accordance with paragraph 2, reinforces the monitoring and detection of fraud and irregularities in connection with exports of agricultural products and products exported as goods not falling within Annex II to the Treaty, the Community shall, during a period of five years beginning on the first day of the month following entry into force of this Regulation, bear part :

- of the remuneration of the agents referred to in paragraph 2 occupying supplementary posts created after the entry into force of this Regulation, which is to be fixed on a flat-rate basis throughout the Community,
- of the cost of training and briefing agents employed on the duties referred to in paragraph 2.
- of the cost of equipping agents employed on the duties referred to in paragraph 2,
- of the costs arising from the monitoring work entrusted to the approved surveillance firms and laboratories referred to in paragraph 2,

up to a total amount of ECU 10 million per year.

The Community financial contribution shall be 50 % for the first three years and 25 % for fourth and fifth years.

This amount shall, each year, be allocated by the Commission among the Member States which apply therefor, in proportion to their average expenditure on export refunds for agricultural products and for agricultural products exported as goods not falling within Annex II to the Treaty, as taken into account for the last two financial years, within the meaning of Article 101 of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities<sup>(5)</sup>, as last amended by Regulation (Euratom, ECSC, EEC) No 610/90<sup>(6)</sup>. However, during the first three years, the amount applied by way of expenditure on refunds shall be at least equivalent, in the case of Spain, to two-thirds of the amount taken into account for Italy and, in the case of Portugal, to two-thirds of the amount taken into account for Greece.

<sup>(1)</sup> OJ No C 324, 24. 12. 1990.

<sup>(2)</sup> OJ No L 94, 28. 4. 1970, p. 13.

<sup>(3)</sup> OJ No L 185, 15. 7. 1988, p. 1.

<sup>(4)</sup> OJ No L 42, 16. 2. 1990, p. 6.

<sup>(5)</sup> OJ No L 356, 31. 12. 1977, p. 1.

<sup>(6)</sup> OJ No L 70, 16. 3. 1990, p. 1.

2. The reinforcement measures referred to in paragraph 1 may consist in :

- entrusting agents with the specific task of :
  - checking the quantity and quality of the products intended for export, with a view to the granting of refunds,
  - detecting and dealing with fraud and irregularities in connection with the products referred to in paragraph 1,
- entrusting approved firms specializing in surveillance work, or approved laboratories, with the task of :
  - checking the quantity and quality of the products intended for export, with a view to the granting of refunds,
  - verifying whether the products in question have been imported into the third country of destination.

3. The approved surveillance firms and laboratories referred to in paragraph 2 must provide all guarantees as to their independence. In particular, they may not, in supervised transactions or in similar export transactions, act in the capacity of exporter, customs agent, carrier, agent in the Community or in a third country, consignee, storer or in any other capacity that could give rise to a conflict of interests.

#### Article 2

1. Where a Member State has one or more services, branches thereof, or agencies or sets up the same, entrusted in particular with the monitoring of one or more of the measures referred to in paragraph 2 and with the detection and prosecution of fraud and irregularities connected with those measures, the Community shall, during a period of five years, beginning on the first day of the month following the entry into force of this Regulation, bear part :

- of the remuneration of the agents employed by that service or agency and occupying supplementary posts created after the entry into force of this Regulation, which is to be fixed on a flat-rate basis throughout the Community,
- of the cost of training and briefing the agents employed by this service or agency,
- of the cost of equipping the agents employed by this service or agency

up to a total amount of ECU 10 million per year.

The Community financial contribution shall be 50 % for the first three years and 25 % for the fourth and fifth years.

This amount shall, each year, be allocated by the Commission among the Member States which apply therefor, in proportion to their average expenditure on the measures referred to in paragraph 2, as taken into account for the last two financial years, within the meaning of Article 101 of the Financial Regulation of 21 December 1977. However, during the first three years, the amount

applied by way of expenditure for these measures shall be at least equivalent, in the case of Spain, to two-thirds of the amount taken into account for Italy and, in the case of Portugal, to two-thirds of the amount taken into account for Greece.

2. The monitoring referred to in paragraph 1 may relate to :

- (a) aid per hectare ;
- (b) aid for the set-aside of arable land ;
- (c) premiums provided for in the beef and veal and sheepmeat and goatmeat sectors ;
- (d) aid for oil seeds ;
- (e) measures provided for in the wine sector ;
- (f) measures provided for in the fruit and vegetables sector ;
- (g) measures provided for in the tobacco sector ;
- (h) measures provided for dried grapes ;
- (i) aid for cotton.

3. The agencies referred to in paragraph 1 shall have full administrative and financial latitude. They shall recruit their staff, organize their activities, carry out their tasks and effect the relevant expenditure in full independence of the existing administrative structures without prejudice to the general surveillance carried out by the Member State.

Their status shall ensure their independence *vis-à-vis* the recipients, including indirect recipients, of the measure monitored or their representative and *vis-à-vis* those working in the trade concerned.

They shall be vested by the Member State with all powers necessary to carry out the tasks entrusted to them in accordance with paragraph 1.

#### Article 3

The Community financial contribution under this Regulation may not be combined with that provided for, in respect of the products referred to in Articles 1 and 2, by other regulations, and in particular :

- Council Regulation (EEC) No 283/72 of 7 February 1972 concerning irregularities and the recovery of sums wrongly paid in connection with the financing of the common agricultural policy and the organization of an information system in this field <sup>(1)</sup>,
- Council Regulation (EEC) No 765/85 of 12 March 1985 on increasing the staff of the departments responsible for quality control of agricultural products in Greece <sup>(2)</sup>,
- Council Regulation (EEC) No 2048/89 of 19 June 1989 laying down general rules on controls in the wine sectors <sup>(3)</sup>,

<sup>(1)</sup> OJ No L 36, 10. 2. 1972, p. 1.

<sup>(2)</sup> OJ No L 86, 27. 3. 1985, p. 5.

<sup>(3)</sup> OJ No L 202, 14. 7. 1989, p. 32.

— Council Regulation (EEC) No 4045/89 of 21 December 1989 on scrutiny by Member States of transactions forming part of the system of financing by the Guarantee Section of the European Agricultural Guidance and Guarantee Fund and repealing Directive 77/435/EEC<sup>(1)</sup>.

#### *Article 4*

For the purposes of this Regulation, 'remuneration' means the salaries, less the taxes and fiscal charges, of the agents concerned, and the travel costs that are necessary for the carrying out of their duties. The amount of the remuneration shall be determined on a flat-rate and uniform basis throughout the Community by reference to the salaries applied by Member States for similar functions.

#### *Article 5*

The equipment costs shall include in particular the purchase or hire of data-processing, office and transport equipment, with the exclusion, however, of basic office equipment.

#### *Article 6*

The annual amount representing the expenditure borne by the Community shall be fixed by the Commission on the basis of information supplied by the Member States. At the request of the Member States, the Commission may make advance payments to be deducted from the definitive amount of its contribution.

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

Done at Brussels, 4 February 1991.

#### *Article 7*

Detailed rules for the application of this Regulation, and in particular the flat-rate amounts referred to in Articles 1 (1) and 2 (1), the rules on approved firms and laboratories as referred to in Article 1 (2) and those applicable to the agencies referred to in Article 2, shall be adopted in accordance with the procedure laid down in Article 13 of Regulation (EEC) No 729/70.

#### *Article 8*

The amounts expressed in ecus shall be converted into national currencies by applying the exchange rates in force on the first working day of the calendar year in which each 12-month period of application of this Regulation begins, as published in the 'C' series of the *Official Journal of the European Communities*.

#### *Article 9*

Each year before 30 September, the Commission shall assess, on the basis of a report forwarded by the Member States concerned before 30 June of the year following the year of the expenditure, the results obtained by the measures co-financed by the Community.

Full details of this assessment shall be given in the annual financial report referred to in Article 10 of Regulation (EEC) No 729/70.

#### *Article 10*

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

*For the Council*

*The President*

R. STEICHEN

<sup>(1)</sup> OJ No L 388, 30. 12. 1989, p. 18.

## COMMISSION REGULATION (EEC) No 308/91

of 8 February 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<sup>(1)</sup>, as last amended by Regulation (EEC) No 3577/90<sup>(2)</sup>, 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<sup>(3)</sup>, as last amended by Regulation (EEC) No 2205/90<sup>(4)</sup>, 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<sup>(5)</sup> 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 7 February 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 9 February 1991.

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

Done at Brussels, 8 February 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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

## ANNEX

to the Commission Regulation of 8 February 1991 fixing the import levies on cereals and on wheat or rye flour, groats and meal

| CN code    | Levy                                 |
|------------|--------------------------------------|
| 0709 90 60 | 143,90 <sup>(2)</sup> <sup>(3)</sup> |
| 0712 90 19 | 143,90 <sup>(2)</sup> <sup>(3)</sup> |
| 1001 10 10 | 202,40 <sup>(1)</sup> <sup>(2)</sup> |
| 1001 10 90 | 202,40 <sup>(1)</sup> <sup>(2)</sup> |
| 1001 90 91 | 197,55                               |
| 1001 90 99 | 197,55                               |
| 1002 00 00 | 160,25 <sup>(6)</sup>                |
| 1003 00 10 | 164,49                               |
| 1003 00 90 | 164,49                               |
| 1004 00 10 | 150,02                               |
| 1004 00 90 | 150,02                               |
| 1005 10 90 | 143,90 <sup>(2)</sup> <sup>(3)</sup> |
| 1005 90 00 | 143,90 <sup>(2)</sup> <sup>(3)</sup> |
| 1007 00 90 | 149,24 <sup>(4)</sup>                |
| 1008 10 00 | 70,11                                |
| 1008 20 00 | 132,22 <sup>(4)</sup>                |
| 1008 30 00 | 79,27 <sup>(5)</sup>                 |
| 1008 90 10 | (7)                                  |
| 1008 90 90 | 79,27                                |
| 1101 00 00 | 290,76 <sup>(8)</sup>                |
| 1102 10 00 | 238,54 <sup>(8)</sup>                |
| 1103 11 10 | 327,17 <sup>(8)</sup>                |
| 1103 11 90 | 312,75 <sup>(8)</sup>                |

(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 309/91

of 8 February 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<sup>(1)</sup>, as last amended by Regulation (EEC) No 3577/90<sup>(2)</sup>, 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<sup>(3)</sup>, as last amended by Regulation (EEC) No 2205/90<sup>(4)</sup>, 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<sup>(5)</sup> 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 7 February 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 9 February 1991.

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

Done at Brussels, 8 February 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 353, 17. 12. 1990, p. 23.

<sup>(3)</sup> OJ No L 164, 24. 6. 1985, p. 1.

<sup>(4)</sup> OJ No L 201, 31. 7. 1990, p. 9.

<sup>(5)</sup> OJ No L 367, 29. 12. 1990, p. 10.

## ANNEX

to the Commission Regulation of 8 February 1991 fixing the premiums to be added to the import levies on cereals, flour and malt

## A. Cereals and flour

(ECU/tonne)

| CN code    | Current<br>2 | 1st period<br>3 | 2nd period<br>4 | 3rd period<br>5 |
|------------|--------------|-----------------|-----------------|-----------------|
| 0709 90 60 | 0            | 0               | 0               | 3,85            |
| 0712 90 19 | 0            | 0               | 0               | 3,85            |
| 1001 10 10 | 0            | 0               | 0               | 2,82            |
| 1001 10 90 | 0            | 0               | 0               | 2,82            |
| 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               | 3,85            |
| 1005 90 00 | 0            | 0               | 0               | 3,85            |
| 1007 00 90 | 0            | 0               | 0               | 0               |
| 1008 10 00 | 0            | 0               | 0               | 0               |
| 1008 20 00 | 0            | 3,16            | 3,16            | 3,18            |
| 1008 30 00 | 0            | 0               | 0               | 0               |
| 1008 90 90 | 0            | 0               | 0               | 0               |
| 1101 00 00 | 0            | 0               | 0               | 0               |

## B. Malt

(ECU/tonne)

| CN code    | Current<br>2 | 1st period<br>3 | 2nd period<br>4 | 3rd period<br>5 | 4th period<br>6 |
|------------|--------------|-----------------|-----------------|-----------------|-----------------|
| 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 310/91****of 8 February 1991****fixing the import levies on rice and broken rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice <sup>(1)</sup>, as last amended by Regulation (EEC) No 1806/89 <sup>(2)</sup>, and in particular Article 11 (2) thereof,

Having regard to Commission Regulation (EEC) No 883/87 of 23 March 1987 laying down detailed rules for the application of Council Regulation (EEC) No 3877/86 on imports rice of the long-grain aromatic Basmati variety falling within CN codes 1006 10, 1006 20 and 1006 30 <sup>(3)</sup>, as amended by Regulation (EEC) No 1546/87 <sup>(4)</sup>, and in particular Article 8 thereof,

Whereas the import levies on rice 230/91 broken rice were fixed by Commission Regulation (EEC) No 3846/90 <sup>(5)</sup>, as last amended by Regulation (EEC) No 179/91 <sup>(6)</sup>,

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 11 February 1991.

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

Done at Brussels, 8 February 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 166, 25. 6. 1976, p. 1.

<sup>(2)</sup> OJ No L 177, 24. 6. 1989, p. 1.

<sup>(3)</sup> OJ No L 80, 24. 3. 1987, p. 20.

<sup>(4)</sup> OJ No L 144, 4. 6. 1987, p. 10.

<sup>(5)</sup> OJ No L 367, 29. 12. 1990, p. 16.

<sup>(6)</sup> OJ No L 27, 1. 2. 1991, p. 5.

## ANNEX

to the Commission Regulation of 8 February 1991 fixing the import levies on rice and broken rice

(ECU/tonne)

| CN code    | Arrangement<br>in Regulation (EEC)<br>No 3877/86 | ACP or OCT<br>( <sup>(1)</sup> ) ( <sup>(2)</sup> ) | Third countries<br>(except ACP or OCT)<br>( <sup>(3)</sup> ) ( <sup>(4)</sup> ) |
|------------|--------------------------------------------------|-----------------------------------------------------|---------------------------------------------------------------------------------|
| 1006 10 21 | —                                                | 158,81                                              | 324,82                                                                          |
| 1006 10 23 | 238,04                                           | 155,09                                              | 317,39                                                                          |
| 1006 10 25 | 238,04                                           | 155,09                                              | 317,39                                                                          |
| 1006 10 27 | 238,04                                           | 155,09                                              | 317,39                                                                          |
| 1006 10 92 | —                                                | 158,81                                              | 324,82                                                                          |
| 1006 10 94 | 238,04                                           | 155,09                                              | 317,39                                                                          |
| 1006 10 96 | 238,04                                           | 155,09                                              | 317,39                                                                          |
| 1006 10 98 | 238,04                                           | 155,09                                              | 317,39                                                                          |
| 1006 20 11 | —                                                | 199,41                                              | 406,03                                                                          |
| 1006 20 13 | 297,56                                           | 194,77                                              | 396,74                                                                          |
| 1006 20 15 | 297,56                                           | 194,77                                              | 396,74                                                                          |
| 1006 20 17 | 297,56                                           | 194,77                                              | 396,74                                                                          |
| 1006 20 92 | —                                                | 199,41                                              | 406,03                                                                          |
| 1006 20 94 | 297,56                                           | 194,77                                              | 396,74                                                                          |
| 1006 20 96 | 297,56                                           | 194,77                                              | 396,74                                                                          |
| 1006 20 98 | 297,56                                           | 194,77                                              | 396,74                                                                          |
| 1006 30 21 | —                                                | 247,28                                              | 518,42 ( <sup>(5)</sup> )                                                       |
| 1006 30 23 | 440,28 ( <sup>(5)</sup> )                        | 281,63                                              | 587,04 ( <sup>(5)</sup> )                                                       |
| 1006 30 25 | 440,28 ( <sup>(5)</sup> )                        | 281,63                                              | 587,04 ( <sup>(5)</sup> )                                                       |
| 1006 30 27 | 440,28 ( <sup>(5)</sup> )                        | 281,63                                              | 587,04 ( <sup>(5)</sup> )                                                       |
| 1006 30 42 | —                                                | 247,28                                              | 518,42 ( <sup>(5)</sup> )                                                       |
| 1006 30 44 | 440,28 ( <sup>(5)</sup> )                        | 281,63                                              | 587,04 ( <sup>(5)</sup> )                                                       |
| 1006 30 46 | 440,28 ( <sup>(5)</sup> )                        | 281,63                                              | 587,04 ( <sup>(5)</sup> )                                                       |
| 1006 30 48 | 440,28 ( <sup>(5)</sup> )                        | 281,63                                              | 587,04 ( <sup>(5)</sup> )                                                       |
| 1006 30 61 | —                                                | 263,71                                              | 552,12 ( <sup>(5)</sup> )                                                       |
| 1006 30 63 | 471,98 ( <sup>(5)</sup> )                        | 302,30                                              | 629,31 ( <sup>(5)</sup> )                                                       |
| 1006 30 65 | 471,98 ( <sup>(5)</sup> )                        | 302,30                                              | 629,31 ( <sup>(5)</sup> )                                                       |
| 1006 30 67 | 471,98 ( <sup>(5)</sup> )                        | 302,30                                              | 629,31 ( <sup>(5)</sup> )                                                       |
| 1006 30 92 | —                                                | 263,71                                              | 552,12 ( <sup>(5)</sup> )                                                       |
| 1006 30 94 | 471,98 ( <sup>(5)</sup> )                        | 302,30                                              | 629,31 ( <sup>(5)</sup> )                                                       |
| 1006 30 96 | 471,98 ( <sup>(5)</sup> )                        | 302,30                                              | 629,31 ( <sup>(5)</sup> )                                                       |
| 1006 30 98 | 471,98 ( <sup>(5)</sup> )                        | 302,30                                              | 629,31 ( <sup>(5)</sup> )                                                       |
| 1006 40 00 | —                                                | 80,79                                               | 167,58                                                                          |

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

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

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

(<sup>(4)</sup>) The import levy on rice originating in Bangladesh is specified in Regulation (EEC) No 3491/90.

(<sup>(5)</sup>) 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 311/91

of 8 February 1991

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice <sup>(1)</sup>, as last amended by Regulation (EEC) No 1806/89 <sup>(2)</sup>, and in particular Article 13 (6) thereof,Whereas the premiums to be added to the levies on rice and broken rice were fixed by Commission Regulation (EEC) No 3847/90 <sup>(3)</sup>, as last amended by Regulation (EEC) No 231/91 <sup>(4)</sup>;

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 shown in the Annex hereto,

HAS ADOPTED THIS REGULATION :

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 11 February 1991.

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

Done at Brussels, 8 February 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*<sup>(1)</sup> OJ No L 166, 25. 6. 1976, p. 1.<sup>(2)</sup> OJ No L 177, 24. 6. 1989, p. 1.<sup>(3)</sup> OJ No L 367, 29. 12. 1990, p. 19.<sup>(4)</sup> OJ No L 27, 1. 2. 1991, p. 7.

## ANNEX

to the Commission Regulation of 8 February 1991 fixing the premiums to be added to the import levies on rice and broken rice

| CN code    | (ECU/tonne)  |                 |                 |                 |
|------------|--------------|-----------------|-----------------|-----------------|
|            | Current<br>2 | 1st period<br>3 | 2nd period<br>4 | 3rd period<br>5 |
| 1006 10 21 | 0            | 0               | 0               | —               |
| 1006 10 23 | 0            | 0               | 0               | —               |
| 1006 10 25 | 0            | 0               | 0               | —               |
| 1006 10 27 | 0            | 0               | 0               | —               |
| 1006 10 92 | 0            | 0               | 0               | —               |
| 1006 10 94 | 0            | 0               | 0               | —               |
| 1006 10 96 | 0            | 0               | 0               | —               |
| 1006 10 98 | 0            | 0               | 0               | —               |
| 1006 20 11 | 0            | 0               | 0               | —               |
| 1006 20 13 | 0            | 0               | 0               | —               |
| 1006 20 15 | 0            | 0               | 0               | —               |
| 1006 20 17 | 0            | 0               | 0               | —               |
| 1006 20 92 | 0            | 0               | 0               | —               |
| 1006 20 94 | 0            | 0               | 0               | —               |
| 1006 20 96 | 0            | 0               | 0               | —               |
| 1006 20 98 | 0            | 0               | 0               | —               |
| 1006 30 21 | 0            | 0               | 0               | —               |
| 1006 30 23 | 0            | 0               | 0               | —               |
| 1006 30 25 | 0            | 0               | 0               | —               |
| 1006 30 27 | 0            | 0               | 0               | —               |
| 1006 30 42 | 0            | 0               | 0               | —               |
| 1006 30 44 | 0            | 0               | 0               | —               |
| 1006 30 46 | 0            | 0               | 0               | —               |
| 1006 30 48 | 0            | 0               | 0               | —               |
| 1006 30 61 | 0            | 0               | 0               | —               |
| 1006 30 63 | 0            | 0               | 0               | —               |
| 1006 30 65 | 0            | 0               | 0               | —               |
| 1006 30 67 | 0            | 0               | 0               | —               |
| 1006 30 92 | 0            | 0               | 0               | —               |
| 1006 30 94 | 0            | 0               | 0               | —               |
| 1006 30 96 | 0            | 0               | 0               | —               |
| 1006 30 98 | 0            | 0               | 0               | —               |
| 1006 40 00 | 0            | 0               | 0               | 0               |

**COMMISSION REGULATION (EEC) No 312/91****of 8 February 1991****concerning applications for STM licences for cereals submitted from 4 February 1991 onwards for imports of common wheat into Spain**

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

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 85 (1) thereof,

Whereas Commission Regulation (EEC) No 598/86 of 28 February 1986 on the application of the supplementary trade mechanism to imports into Spain of common wheat of bread-making quality from the Community as constituted at 31 December 1985 <sup>(1)</sup>, as last amended by Regulation (EEC) No 262/91 <sup>(2)</sup>, sets a target ceiling for 1991 of 402 000 tonnes;

Whereas, pursuant to Article 6 (2) of Commission Regulation (EEC) No 574/86 of 28 February 1986 laying down detailed rules for the application of the supplementary trade mechanism (STM) <sup>(3)</sup>, as last amended by Regulation (EEC) No 3296/88 <sup>(4)</sup>, the Commission has been notified of applications received on 4 February 1991 for STM licences for imports of common wheat of bread-making

quality into Spain which are well in excess of the ceiling set; whereas measures should be taken to deal with this situation,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. Applications for STM licences for common wheat of bread-making quality falling within CN code 1001 90 99 which were submitted on 4 February 1991 and notified to the Commission shall be accepted for the tonnages applied for, adjusted by a coefficient of 0,2123.

2. The issue of STM licences for applications received from 5 February 1991 onwards is hereby suspended.

*Article 2*

This Regulation shall enter into force on 9 February 1991.

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

Done at Brussels, 8 February 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 58, 1. 3. 1986, p. 16.

<sup>(2)</sup> OJ No L 27, 1. 2. 1991, p. 109.

<sup>(3)</sup> OJ No L 57, 1. 3. 1986, p. 1.

<sup>(4)</sup> OJ No L 293, 27. 10. 1988, p. 7.

**COMMISSION REGULATION (EEC) No 313/91**  
**of 5 February 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<sup>(1)</sup>, as last amended by Regulation (EEC) No 1930/90<sup>(2)</sup>, 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<sup>(3)</sup> 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 2 875 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<sup>(4)</sup>; 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 Annexes in accordance with Regulation (EEC) No 2200/87 and under the conditions set out in the Annexes. 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 this 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, 5 February 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 370, 30. 12. 1986, p. 1.

<sup>(2)</sup> OJ No L 174, 7. 7. 1990, p. 6.

<sup>(3)</sup> OJ No L 136, 26. 5. 1987, p. 1.

<sup>(4)</sup> OJ No L 204, 25. 7. 1987, p. 1.

**ANNEX I****LOT A**

1. **Operations Nos<sup>(1)</sup>**: 1176/90; 1177/90; 1178/90 and 1189/90.
2. **Programme**: 1990.
3. **Recipient**: World Food Programme, Via Cristoforo Colombo 426, I-00145 Rome (telex 626675 I WFP).
4. **Representative of the recipient<sup>(3)</sup>**: see OJ No C 103 of 16. 4. 1987.
5. **Place or country of destination**: see Annex II.
6. **Product to be mobilized**: butteroil.
7. **Characteristics and quality of the goods<sup>(2)</sup>(6)(7) — A 3: <sup>(2)</sup>(6)(7)(8).**
- see OJ No C 216, 14. 8. 1987, p. 7 (I.3.1 and I.3.2).
8. **Total quantity**: 2 875 tonnes.
9. **Number of lots**: 1.
10. **Packaging and marking**: 5 kg and OJ No C 216, 14. 8. 1987, p. 7 (I.3.3).  
Supplementary marking on the packaging: see Annex II, 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.
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**: 20 to 30 April 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<sup>(4)</sup>**: 12 noon on 25 February 1991.
21. **In the case of a second invitation to tender**:
  - (a) deadline for the submission of tenders: 12 noon on 11 March 1991;
  - (b) period for making the goods available at the port of shipment: 1 to 10 May 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 amount 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<sup>(5)</sup>**: refund applicable on 1. 1. 1991, fixed by Commission Regulation (EEC) No 3804/90 (OJ No L 365, 28. 12. 1990, p. 54).

*Notes :*

- (<sup>1</sup>) The operation number is to be quoted in all correspondence.
- (<sup>2</sup>) At the request of the beneficiary the successful tenderer shall deliver 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.
- (<sup>3</sup>) Commission delegate to be contacted by the successful tenderer : see list published in *Official Journal of the European Communities* No C 227 of 7 September 1985, page 4.
- (<sup>4</sup>) 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 30,
    - 235 01 32,
    - 236 10 97,
    - 236 20 05.
- (<sup>5</sup>) 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, 24. 7. 1989, p. 10), is applicable as regards the 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 the Annex.
- (<sup>6</sup>) The successful tenderer shall give the beneficiaries' representative, at the time of delivery, a health certificate.
- (<sup>7</sup>) The successful tenderer shall give the beneficiaries' representative, at the time of delivery, a certificate of origin.
- (<sup>8</sup>) The successful tenderer shall give the beneficiaries' representative, at the time of delivery, a certificate in English stating that the butteroil does not contain any pork fat (lard).
-

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

| Designación del lote<br>Parti<br>Bezeichnung der Partie<br>Χαρακτηρισμός της παρτίδας<br>Lot<br>Désignation du lot<br>Designazione della partita<br>Aanduiding van de partij<br>Designação do lote | Cantidad total del lote (en toneladas)<br>Totalmængde (tons)<br>Gesamtmenge der Partie (in Tonnen)<br>Συνολική ποσότητα της παρτίδας (σε τόνους)<br>Total quantity (in tonnes)<br>Quantité totale du lot (en tonnes)<br>Quantità totale della partita (in tonnellate)<br>Totale hoeveelheid van de partij (in ton)<br>Quantidade total (em toneladas) | Cantidades parciales (en toneladas)<br>Delmængde (tons)<br>Teilmengen (in Tonnen)<br>Μερικές ποσότητες (σε τόνους)<br>Partial quantities (in tonnes)<br>Quantités partielles (en tonnes)<br>Quantitativi parziali (in tonnellate)<br>Deelhoeveelheden (in ton)<br>Quantidades parciais (em toneladas) | Beneficiario<br>Modtager<br>Empfänger<br>Δικαιούχος<br>Beneficiary<br>Bénéficiaire<br>Beneficiario<br>Begunstigde<br>Beneficiário | País destinatario<br>Modtagerland<br>Bestimmungsland<br>Χώρα προορισμού<br>Recipient country<br>Pays destinataire<br>Paese destinatario<br>Bestemmingsland<br>País destinatário | Inscripción en el embalaje<br>Emballagens påtegnig<br>Aufschrift auf der Verpackung<br>Ένδειξη επί της συσκευασίας<br>Markings on the packaging<br>Inscription sur l'emballage<br>Iscrizione sull'imballaggio<br>Aanduiding op de verpakking<br>Inscrição na embalagem |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| A                                                                                                                                                                                                  | 2 875                                                                                                                                                                                                                                                                                                                                                 | 39                                                                                                                                                                                                                                                                                                    | WFP                                                                                                                               | Mauritania                                                                                                                                                                      | Action No 1176/90 / Butteroil / Mauritania 02629 / Gift of the European Economic Community / Action of the World Food Programme / Nouakchott in transit to Fouldgaita, Mauritania                                                                                      |
|                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                       | 128                                                                                                                                                                                                                                                                                                   | WFP                                                                                                                               | China                                                                                                                                                                           | Action No 1177/90 / Butteroil / China 03357 / Gift of the European Economic Community / Action of the World Food Programme / Xingang                                                                                                                                   |
|                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                       | 2 500                                                                                                                                                                                                                                                                                                 | WFP                                                                                                                               | Pakistan                                                                                                                                                                        | Action No 1178/90 / Butteroil / Pakistan 04256 / Gift of the European Economic Community / Action of the World Food Programme / Karachi                                                                                                                                |
|                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                       | 208                                                                                                                                                                                                                                                                                                   | WFP                                                                                                                               | Yemen                                                                                                                                                                           | Action No 1189/90 / Butteroil / Yemen 02613 / Gift of the European Economic Community / Action of the World Food Programme / Hodeidah                                                                                                                                  |

**COMMISSION REGULATION (EEC) No 314/91**  
**of 7 February 1991**  
**on the supply of refined rape seed oil 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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 1930/90 <sup>(2)</sup>, and in particular Article 6 (i) (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 <sup>(3)</sup> 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 3 000 tonnes of refined rape seed oil;

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 <sup>(4)</sup>; 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*

Refined rape seed oil 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, 7 February 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 370, 30. 12. 1986, p. 1.

<sup>(2)</sup> OJ No L 174, 7. 7. 1990, p. 6.

<sup>(3)</sup> OJ No L 136, 26. 5. 1987, p. 1.

<sup>(4)</sup> OJ No L 204, 25. 7. 1987, p. 1.

## ANNEX

## LOTS A and B

1. **Operations Nos** <sup>(1)</sup>: 964/90 ; 965/90.
2. **Programme** : 1990.
3. **Recipient** <sup>(2)</sup>: Mozambique.
4. **Representative of the recipient** <sup>(3)</sup>: Cogropa, Av. 25 de Setembro, 916 r/c, 1, PO Box 308, Maputo, Moçambique (tel. 41 70 71, telex 6370 ; fax 20135).
5. **Place or country of destination** : Mozambique
6. **Product to be mobilized** : refined rape seed oil.
7. **Characteristics and quality of the goods** <sup>(4)</sup> <sup>(7)</sup>: see list published in OJ No C 216, 14. 8. 1987, p. 11 (under III.A.1).
8. **Total quantity** : 3 000 tonnes net.
9. **Number of lots** : 2 (A : 2 000 tonnes ; B : 1 000 tonnes)
10. **Packaging and marking** : see note <sup>(6)</sup> and see OJ No C 216, 14. 8. 1987, p. 12 (under III. B).  
The cans must carry the following wording :
  - Lot A : 'ACÇÃO Nº 964/90 / ÓLEO VEGETAL / DONATIVO DA COMUNIDADE ECONÓMICA EUROPEIA'
  - Lot B : 'ACÇÃO Nº 965/90 / ÓLEO VEGETAL / DONATIVO DA COMUNIDADE ECONÓMICA EUROPEIA'
11. **Method of mobilization** : the Community market.
12. **Stage of supply** <sup>(8)</sup>: free at destination.
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** : Armazem da Cogropa, Avenue Moçambique, KM 10, CP 2746, Maputo
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage** :
  - Lot A : 20. 3 — 10. 4. 1991 ;
  - Lot B : 20. 4. — 10. 5. 1991.
18. **Deadline for the supply** :
  - Lot A : 31. 5. 1991 ;
  - Lot B : 1. 7 — 15. 7. 1991.
19. **Procedure for determining the costs of supply** <sup>(9)</sup>: tendering.
20. **Date of expiry of the period allowed for submission of tenders** : 26. 2. 1991, at 12 noon.
21. **In the case of a second invitation to tender** :
  - (a) deadline for the submission of tenders : 12. 3. 1991, at 12 noon.
  - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage :
    - Lot A : 3. 4 — 24. 4. 1991 ;
    - Lot B : 4. 5 — 24. 5. 1991 ;
  - (c) deadline for the supply :
    - Lot A : 14. 6. 1991 ;
    - Lot B : 16. 7 — 31. 7. 1991.
22. **Amount of the tendering security** : ECU 15 per tonne.
23. **Amount of the delivery security** : 10 % of the amount of the tender in ecus.
24. **Address for submission of tenders** <sup>(9)</sup>: 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 Bruxelles, telex AGREC 22037 B or 25670 B
25. **Refund payable on request by the successful tenderer** : —

## Note :

- (<sup>1</sup>) The operation number is to be quoted in all correspondence.
- (<sup>2</sup>) Commission delegate to be contacted by the successful tenderer : FSC da Camara, CP 1306, Maputo, tel. 74 40 93, telex 6—146 CCE MO.
- (<sup>3</sup>) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the products to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.
- The radioactivity certificate must indicate the caesium — 134 and — 137 levels.
- (<sup>4</sup>) Point (g) of Article 7 (3) of Regulation (EEC) No 2200/87 shall not be applicable to tenders submitted.
- (<sup>5</sup>) 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) of Regulation (EEC) No 2200/87 has been lodged, preferably :
- either 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.
- (<sup>6</sup>) The vegetable oil is packaged in hermetically sealed 20-litre plastic cans, placed in 20-foot containers. The free holding period for containers must be at least 15 days.
- The cans must be stackable, with two flat sides, with an integrated handle and a sealed screw top.
- The 20-litre drums shall be capable of surviving the following vertical-shock tests :
- First test (on three samples) : the package must hit the impact point diagonally on the base rim or, if there is no rim, on a peripheral point or edge. Second test (on another three samples) : the package must hit the impact point on the weakest point that has not been tested during the first vertical-shock test, e.g. a sealing device.
- Height of drop : 1,20 m.
- (<sup>7</sup>) The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following documents :
- certificate of origin.
  - health certificate.
- (<sup>8</sup>) The successful tenderer is to contact the recipient as soon as possible to establish which consignment documents are required and how they are required and how they are to be distributed.
- (<sup>9</sup>) The cost of emptying the containers shall not be borne by the successful tenderer.
-

**COMMISSION REGULATION (EEC) No 315/91**

of 7 February 1991

**amending Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Custom Tariff**

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

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff<sup>(1)</sup>, as last amended by Regulation (EEC) No 53/91<sup>(2)</sup>, and in particular Article 9 thereof,

Whereas Regulation (EEC) No 2658/87 established a goods nomenclature, hereinafter called the 'combined nomenclature', to meet, at one and the same time, the requirements both of the Common Customs Tariff and of the external trade statistics of the Community;

Whereas, in order to ensure the uniform application of the combined nomenclature, there is a need to adopt provisions classifying residues from the extraction of germ of maize oil;

Whereas subheading 2306 90 91 includes only other residues from the extraction of oil of germs of maize, excluding products containing components from other parts of maize grains which have been added after processing and not been subjected to the oil extraction process;

Whereas it is appropriate to state precisely the scope of subheading 2306 90 91 by introducing a new Additional Note to Chapter 23;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Nomenclature Committee;

HAS ADOPTED THIS REGULATION:

*Article 1*

1. The following Additional Note 1 is added to Chapter 23 of the combined nomenclature annexed to Regulation (EEC) No 2658/87:

1. Subheading 2306 90 91 includes only residues from the extraction of oil from the germs of maize, excluding products containing components from parts of maize grains which have been added after processing and not been subjected to the oil extraction process.

2. Present Additional Notes 1 and 2 become, respectively, 2 and 3.

*Article 2*

This Regulation shall enter into force on 1 April 1991.

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

Done at Brussels, 7 February 1991.

*For the Commission*

Christiane SCRIVENER

*Member of the Commission*

<sup>(1)</sup> OJ No L 256, 7. 9. 1987, p. 1.

<sup>(2)</sup> OJ No L 7, 10. 1. 1991, p. 14.

## COMMISSION REGULATION (EEC) No 316/91

of 7 February 1991

concerning the classification of certain goods in the combined nomenclature

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs tariff <sup>(1)</sup> as last amended by Regulation (EEC) No 53/91 <sup>(2)</sup>, and in particular Article 9 thereof,

Whereas in order to ensure uniform application of the combined nomenclature annexed to the said Regulation, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation ;

Whereas Regulation (EEC) No 2658/87 has set down the general rules for the interpretation of the combined nomenclature and these rules also apply to any other nomenclature which is wholly or partly based on it or which adds any additional subdivisions to it and which is established by specific Community provisions, with a view to the application of tariff or other measures relating to trade in goods ;

Whereas, pursuant to the said general rules, the goods described in column 1 of the table annexed to the present

Regulation must be classified under the appropriate CN codes indicated in column 2, by virtue of the reasons set out in column 3 ;

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

HAS ADOPTED THIS REGULATION :

*Article 1*

The goods described in column 1 of the annexed table are now classified within the combined nomenclature under the appropriate CN codes indicated in column 2 of the said table.

*Article 2*This Regulation shall enter into force on the 21st day after 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, 7 February 1991.

*For the Commission*

Christiane SCRIVENER

*Member of the Commission*<sup>(1)</sup> OJ No L 256, 7. 9. 1987, p. 1.<sup>(2)</sup> OJ No L 7, 10. 1. 1991, p. 14.

## ANNEX

| Description of goods                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Classification<br>CN code | Reasons                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (1)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | (2)                       | (3)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 1. Grated cheese which as a result of its high moisture content and conditions of transport or packaging (partially vacuum packed) becomes agglomerated                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | 0406 20 90                | Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the combined nomenclature and by the wording of CN codes 0406, 0406 20 and 0406 20 90.                                                                                                                                                                                                                                                                                                                                                       |
| 2. White pasty substance known as 'creamed coconut' manufactured by means of the fine grinding of coconut pulp and pasteurized. It is presented in immediate packings with a net content of 200 g and is generally intended for use in the kitchen in the preparation of sauces, etc.                                                                                                                                                                                                                                                                                                                                                                     | 2008 19 90                | Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the combined nomenclature and by the wording of CN codes 2008, 2008 19 and 2008 19 90.<br><br>Classification in Chapter 8 is ruled out because of pasteurization (see also the explanatory notes to the HS heading 20.08, first paragraph). The pasty consistency of the product also excludes classification under heading 1106 (see also the explanatory notes to the CN codes 2008 11 10 to 2008 19 90, second paragraph, second indent). |
| 3. Product obtained merely by the etherification of starch with epichlorohydrin and sodium monochloracetate in the presence of sodium hydroxide, having the following characteristics :<br><br>Appearance ..... white, crumbly powder<br>Dry matter ..... 92,8 %<br>Ash (at 600 °C) ..... 15,1 %<br>Containing ..... sodium and chloride ions<br>Solubility ..... turbid solution in water, swells considerably<br><br>Solution pH ..... 11,6<br>Microscopic image ..... starch-type, unrecognizable<br>Iodine test ..... dark blue<br>Paper chromatography ..... positive for starch ether<br>IR spectrum ..... characteristic carboxymethyl ether bands | 3505 10 50                | Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the combined nomenclature and by the wording of CN codes 3505, 3505 10 and 3505 10 50.                                                                                                                                                                                                                                                                                                                                                       |

## COMMISSION REGULATION (EEC) No 317/91

of 8 February 1991

amending Regulation (EEC) No 1102/89 laying down certain measures for implementing Council Regulation (EEC) No 1101/89 on structural improvements in inland waterway transport

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1101/89 of 27 April 1989 on structural improvements in inland waterway transport<sup>(1)</sup>, as amended by Regulation (EEC) No 3572/90<sup>(2)</sup>, and in particular Article 6 thereof,

Having regard to the views expressed by the Member States and the organizations representing inland waterway carriers at Community level in the consultations held by the Commission on 23 November 1990 in accordance with Article 6 of Regulation (EEC) No 1101/89,

Whereas with German unification Germany's inland waterway fleet capacity has increased by the number of vessels that were registered in the former German Democratic Republic at the date of unification; whereas this increase in capacity could jeopardize the measures taken at Community level to bring about structural improvements in the Member States' inland waterway transport;

Whereas, in accordance with Article 6 of Regulation (EEC) No 1101/89, the German Government, in its communication of 9 November 1990, requested the Commission, with a view to reducing the capacity of the vessels of its fleet which formed part of that of the former German Democratic Republic, to organize a scrapping scheme in addition to that carried out as of 1 January 1990 under the terms of Regulation (EEC) No 1101/89 and Commission Regulation (EEC) No 1102/89<sup>(3)</sup>, as amended by Regulation (EEC) No 3685/89<sup>(4)</sup>;

Whereas the scrapping operation must be based on the same principles as those set out in the said Regulations, although account should also be taken of the economic situation and the structure of the fleet of German vessels registered in the former German Democratic Republic at the date of German unification;

Whereas a 20 % reduction in the fleet's overall capacity is considered necessary to attain the objective pursued by the additional scrapping scheme; whereas because of the special situation with regard to the ownership of the

vessels of the fleet, the premium-rate percentage system provided for in Article 6 of Regulation (EEC) No 1102/89 should be abandoned as far as fixing the rates of the scrapping premiums is concerned and the rates of those premiums should be determined for the different types and categories of inland waterway craft on the basis of the average rate paid per tonne or kW scrapped under the scrapping scheme begun on 1 January 1990;

Whereas Regulation (EEC) No 1102/89 applies to German vessels registered in the former German Democratic Republic at the date of German unification; whereas it is therefore necessary to amend that Regulation,

HAS ADOPTED THIS REGULATION:

## Article 1

Regulation (EEC) No 1102/89 is hereby amended as follows:

1. the following paragraph 3 is added to Article 1:

'3. For the former German Democratic Republic's fleet, the target cut in capacity shall be 20 %. In order to achieve this target a total budget of ECU 7,68 million is considered necessary, ECU 6,60 million thereof for dry cargo vessels, ECU 0,22 million for tanker vessels and ECU 0,86 million for pusher craft.'

2. the following paragraph is added to Article 2:

'For the former German Democratic Republic's fleet, the scrapping scheme shall become operational on 1 March 1991.'

3. the following paragraph 3 is added to Article 5:

'3. The rate of scrapping premiums for the different types and categories of German vessels from the former German Democratic Republic's fleet shall be as follows:

— dry cargo vessels:

|                          |                   |
|--------------------------|-------------------|
| — self-propelled barges: | ECU 92 per tonne, |
| — push barges:           | ECU 46 per tonne, |
| — lighters:              | ECU 33 per tonne; |

— tanker vessels:

|                          |                    |
|--------------------------|--------------------|
| — self-propelled barges: | ECU 179 per tonne, |
| — push barges:           | ECU 89 per tonne,  |
| — lighters:              | ECU 32 per tonne;  |

— pusher craft: 168 ECU/kW';

<sup>(1)</sup> OJ No L 116, 28. 4. 1989, p. 25.

<sup>(2)</sup> OJ No L 353, 17. 12. 1990, p. 12.

<sup>(3)</sup> OJ No L 116, 28. 4. 1989, p. 30.

<sup>(4)</sup> OJ No L 360, 9. 12. 1989, p. 20.

## 4. the following paragraph 5 is added to Article 6:

'5. Contrary to the procedure set out in paragraphs 1 to 4, the owners of German vessels registered in the former German Democratic Republic at the date of German unification shall submit their applications for scrapping premiums to the German Fund between 1 March and 1 April 1991.

Applications for scrapping premiums received by the authorities of that Fund shall not be withdrawn or modified.

Valid applications for scrapping premiums shall be deemed to be accepted by the Fund within the limits of the financial resources provided by in Article 1 (3). The Fund authorities shall notify applicants before 1 June 1991 as to whether their applications have been accepted or refused.

The Fund authorities shall send to the Commission before 1 May 1991 a list of the applications which they have received for scrapping premiums, mentioning in particular the amounts of the scrapping premiums

requested for the various types and categories of inland waterway craft.';

## 5. the following subparagraph is added to Article 7 (1):

'For German vessels of the former German Democratic Republic's fleet, this deadline is extended to 31 August 1991.';

## 6. the following paragraph 5 is added to Article 8:

'5. The provisions of paragraphs 1 to 4 shall not apply to vessels of the former German Democratic Republic's fleet. If, however, the finances required to cover valid applications for scrapping premiums for those vessels exceed the financial resources available in the various accounts referred to in Article 1 (3), the German Fund shall give priority to the first application received.'

*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 be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 8 February 1991.

*For the Commission*

Karel VAN MIERT

*Member of the Commission*

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**COMMISSION REGULATION (EEC) No 318/91****of 8 February 1991****amending Regulation (EEC) No 1627/89 on the buying-in of beef by invitation to tender**

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<sup>(1)</sup>, as last amended by Regulation (EEC) No 3577/90<sup>(2)</sup>, and in particular Article 6 (7) thereof,

Whereas Commission Regulation (EEC) No 1627/89 of 9 June 1989 on the buying-in of beef by invitation to tender<sup>(3)</sup>, as last amended by Regulation (EEC) No 27/91<sup>(4)</sup>, opens buying-in by invitation to tender in certain Member States or regions of a Member State for certain quality groups;

Whereas the application of Article 6 (2), (3) and the first indent of (5) of Regulation (EEC) No 805/68 and the need to limit intervention to the buying-in of the quantities necessary to ensure reasonable support for the market result, on the basis of the prices of which the Commission is aware, in an amendment, in accordance

with the Annex hereto, to the list of Member States or regions of a Member State where buying-in is open by invitation to tender, and the list of the quality groups which may be bought in;

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*

Annexes I and II to Regulation (EEC) No 1627/89 are hereby replaced by Annexes I and II hereto.

*Article 2*

This Regulation shall enter into force on 12 February 1991.

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

Done at Brussels, 8 February 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 24.

<sup>(2)</sup> OJ No L 353, 17. 12. 1990, p. 23.

<sup>(3)</sup> OJ No L 159, 10. 6. 1989, p. 36.

<sup>(4)</sup> OJ No L 3, 5. 1. 1991, p. 15.

*ANEXO I — BILAG I — ANHANG I — ΠΑΡΑΡΤΗΜΑ I — ANNEX I — ANNEXE I —  
ALLEGATO I — BIJLAGE I — ANEXO I*

**Estados miembros o regiones de Estados miembros y grupos de calidades previstos en el apartado 1 del artículo 1**

**Medlemsstater eller regioner og kvalitetsgrupper, jf. artikel 1, stk. 1**

**Mitgliedstaaten oder Gebiete eines Mitgliedstaats sowie die in Artikel 1 Absatz 1 genannten Qualitätsgruppen**

**Κράτη μέλη ή περιοχές κρατών μελών και ομάδες ποιότητας που αναφέρονται στο άρθρο 1 παράγραφος 1**

**Member States or regions of a Member State and quality groups referred to in Article 1 (1)**

**États membres ou régions d'États membres et groupes de qualités visés à l'article 1<sup>er</sup>, paragraphe 1**

**Stati membri o regioni di Stati membri e gruppi di qualità di cui all'articolo 1, paragrafo 1**

**In artikel 1 lid 1 bedoelde Lid-Statens of gebieden van een Lid-Staat en kwaliteitsgroepen**

**Estados-membros ou regiões de Estados-membros e grupos de qualidades referidos no n.º 1 do artigo 1.º**

|                                                   |             |   |   |             |   |   |
|---------------------------------------------------|-------------|---|---|-------------|---|---|
| Estados miembros o regiones de Estados miembros   | Categoría A |   |   | Categoría C |   |   |
| Medlemsstat eller region                          | Kategori A  |   |   | Kategori C  |   |   |
| Mitgliedstaaten oder Gebiete eines Mitgliedstaats | Kategorie A |   |   | Kategorie C |   |   |
| Κράτος μέλος ή περιοχή κράτους μέλους             | Κατηγορία Α |   |   | Κατηγορία Γ |   |   |
| Member States or regions of a Member State        | Category A  |   |   | Category C  |   |   |
| États membres ou régions d'États membres          | Catégorie A |   |   | Catégorie C |   |   |
| Stati membri o regioni di Stati membri            | Categoria A |   |   | Categoria C |   |   |
| Lid-Staat of gebied van een Lid-Staat             | Categorie A |   |   | Categorie C |   |   |
| Estados-membros ou regiões de Estados-membros     | Categoria A |   |   | Categoria C |   |   |
|                                                   | U           | R | O | U           | R | O |
| France                                            |             |   |   |             | × | × |
| Luxembourg                                        |             |   |   |             |   | × |

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

Estados miembros o regiones de Estados miembros y grupos de calidades previstos en el apartado 2 del artículo 1

Medlemsstater eller regioner og kvalitetsgrupper, jf. artikel 1, stk. 2

Mitgliedstaaten oder Gebiete eines Mitgliedstaats sowie die in Artikel 1 Absatz 2 genannten Qualitätsgruppen

Κράτη μέλη ή περιοχές κρατών μελών και ομάδες ποιότητας που αναφέρονται στο άρθρο 1 παράγραφος 2

Member States or regions of a Member State and quality groups referred to in Article 1 (2)

États membres ou régions d'États membres et groupes de qualités visés à l'article 1<sup>er</sup>, paragraphe 2

Stati membri o regioni di Stati membri e gruppi di qualità di cui all'articolo 1, paragrafo 2

In artikel 1 lid 2 bedoelde Lid-Staten of gebieden van een Lid-Staat en kwaliteitsgroepen

Estados-membros ou regiões de Estados-membros e grupos de qualidades referidos no n.º 2 do artigo 1.º

|                                                   |             |   |   |             |   |   |
|---------------------------------------------------|-------------|---|---|-------------|---|---|
| Estados miembros o regiones de Estados miembros   | Categoría A |   |   | Categoría C |   |   |
| Medlemsstat eller region                          | Kategori A  |   |   | Kategori C  |   |   |
| Mitgliedstaaten oder Gebiete eines Mitgliedstaats | Kategorie A |   |   | Kategorie C |   |   |
| Κράτος μέλος ή περιοχή κράτους μέλους             | Κατηγορία Α |   |   | Κατηγορία Γ |   |   |
| Member States or regions of a Member State        | Category A  |   |   | Category C  |   |   |
| États membres ou régions d'États membres          | Catégorie A |   |   | Catégorie C |   |   |
| Stati membri o regioni di Stati membri            | Categoria A |   |   | Categoria C |   |   |
| Lid-Staat of gebied van een Lid-Staat             | Categorie A |   |   | Categorie C |   |   |
| Estados-membros ou regiões de Estados-membros     | Categoria A |   |   | Categoria C |   |   |
|                                                   | U           | R | O | U           | R | O |
| Belgique/België                                   | x           | x | x |             |   |   |
| Danmark                                           |             | x | x |             |   |   |
| Deutschland                                       | x           | x |   |             |   |   |
| France                                            | x           | x | x |             |   |   |
| Ireland                                           |             |   |   | x           | x | x |
| Italia                                            | x           | x | x |             |   |   |
| Luxembourg                                        |             | x | x |             |   |   |
| Nederland                                         |             | x |   |             |   |   |
| North Ireland                                     |             |   |   | x           | x | x |
| Great Britain                                     |             |   |   | x           | x | x |

**COMMISSION REGULATION (EEC) No 319/91****of 8 February 1991****on the issue of import licences for high-quality fresh, chilled or frozen beef and veal**

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

Having regard to Council Regulation (EEC) No 3840/90 of 20 December 1990 opening a Community tariff quota for high-quality fresh, chilled or frozen meat of bovine animals falling within CN codes 0201 and 0202 and for products falling within CN codes 0206 10 95 and 0206 29 91 (1991) (1), and in particular Article 2 thereof,

Whereas Commission Regulation (EEC) No 3884/90 of 27 December 1990 laying down detailed rules for the application of import arrangements provided for by Council Regulations (EEC) No 3840/90 and (EEC) No 3841/90 in the beef and veal sectors (2) provides in Article 7, that applications for and the issue of import licences for the meat referred to in Article 1 (1) (d) thereof are to be effected in accordance with the provisions of Articles 12 and 15 of Commission Regulation (EEC) No 2377/80 of 4 September 1980 on special detailed rules for the application of the system of import and export licences in the beef and veal sector (3), as last amended by Regulation (EEC) No 211/91 (4);

Whereas Article 1 (1) (d) of Regulation (EEC) No 3884/90 fixes the amount of high-quality fresh, chilled or frozen beef and veal originating in and imported from the

United States of America and Canada which may be imported on special terms in 1991 at 10 000 tonnes;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

1. All applications for import licences from 1 until 5 February 1991 for high-quality fresh, chilled or frozen beef and veal as referred to in Article 1 (1) (d) of Regulation (EEC) No 3884/90 shall be met in full.
2. Applications for licences may be submitted, in accordance with Article 12 of Regulation (EEC) No 2377/80, during the first five days of March 1991 for 2 491,25 tonnes.

*Article 2*

This Regulation shall enter into force on 11 February 1991.

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

Done at Brussels, 8 February 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

(1) OJ No L 367, 29. 12. 1990, p. 6.

(2) OJ No L 367, 29. 12. 1990, p. 129.

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

(4) OJ No L 24, 30. 1. 1991, p. 11.

## COMMISSION REGULATION (EEC) No 320/91

of 8 February 1991

correcting Regulation (EEC) No 54/91 amending Regulation (EEC) No 1481/86 on the determination of prices of fresh or chilled sheep carcasses on representative Community markets and the survey of prices of certain other qualities of sheep carcasses in the Community

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 <sup>(1)</sup>, as amended by Regulation (EEC) No 3577/90 <sup>(2)</sup>, and in particular Article 4 (5) thereof,

Whereas Regulation (EEC) No 1481/86 <sup>(3)</sup> was last amended by Commission Regulation (EEC) No 54/91 <sup>(4)</sup> concerning certain coefficients;

Whereas the Annex to Regulation (EEC) No 54/91 was omitted in publication; whereas the published text does not therefore correspond to the measures covered by the opinion delivered by the Management Committee;

whereas a correction must accordingly be made to the Regulation in question,

HAS ADOPTED THIS REGULATION:

*Article 1*

Annex I to Regulation (EEC) No 1481/86 is 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 with effect from 7 January 1991.

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

Done at Brussels, 8 February 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 289, 7. 10. 1989, p. 1.

<sup>(2)</sup> OJ No L 353, 17. 12. 1990, p. 23.

<sup>(3)</sup> OJ No L 7, 10. 1. 1991, p. 23.

<sup>(4)</sup> OJ No L 130, 16. 5. 1986, p. 12.

*ANNEX**ANNEX I***COEFFICIENTS TO BE USED IN CALCULATING THE PRICE RECORDED ON THE REPRESENTATIVE COMMUNITY MARKETS**

|                  |          |
|------------------|----------|
| Belgium          | 0,39 %   |
| Denmark          | 0,15 %   |
| Germany          | 4,59 %   |
| Spain            | 20,55 %  |
| France           | 16,91 %  |
| Greece           | 8,23 %   |
| Ireland          | 5,37 %   |
| Italy            | 4,81 %   |
| Luxembourg       | —        |
| Netherlands      | 2,05 %   |
| Portugal         | 2,48 %   |
| Great Britain    | 32,30 %  |
| Northern Ireland | 2,17 %   |
|                  | <hr/>    |
|                  | 100,00 % |

## COMMISSION REGULATION (EEC) No 321/91

of 8 February 1991

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<sup>(1)</sup>, as last amended by Regulation (EEC) No 3577/90<sup>(2)</sup>, 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<sup>(3)</sup>, as last amended by Regulation (EEC) No 1806/89<sup>(4)</sup>, 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<sup>(5)</sup>, as last amended by Regulation (EEC) No 2205/90<sup>(6)</sup>, 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 205/91<sup>(7)</sup>, as last amended by Regulation (EEC) No 291/91<sup>(8)</sup>;

Whereas Council Regulation (EEC) No 1906/87<sup>(9)</sup> amended Council Regulation (EEC) No 2744/75<sup>(10)</sup> 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 7 February 1991;

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<sup>(11)</sup>, as last amended by Regulation (EEC) No 1740/78<sup>(12)</sup>, 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 205/91 are hereby altered to the amounts set out in the Annex.

*Article 2*

This Regulation shall enter into force on 11 February 1991.

(<sup>1</sup>) OJ No L 281, 1. 11. 1975, p. 1.  
 (<sup>2</sup>) OJ No L 353, 17. 12. 1990, p. 23.  
 (<sup>3</sup>) OJ No L 166, 25. 6. 1976, p. 1.  
 (<sup>4</sup>) OJ No L 177, 24. 6. 1989, p. 1.  
 (<sup>5</sup>) OJ No L 164, 24. 6. 1985, p. 1.  
 (<sup>6</sup>) OJ No L 201, 31. 7. 1990, p. 9.  
 (<sup>7</sup>) OJ No L 23, 29. 1. 1991, p. 24.  
 (<sup>8</sup>) OJ No L 35, 7. 2. 1991, p. 16.  
 (<sup>9</sup>) OJ No L 182, 3. 7. 1987, p. 49.  
 (<sup>10</sup>) OJ No L 281, 1. 11. 1975, p. 65.

(<sup>11</sup>) OJ No L 168, 25. 6. 1974, p. 7.  
 (<sup>12</sup>) OJ No L 202, 26. 7. 1978, p. 8.

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

Done at Brussels, 8 February 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

**ANNEX**

**to the Commission Regulation of 8 February 1991 altering the import levies on products processed from cereals and rice**

(ECU/tonne)

| CN code    | Import levies |                                                   |
|------------|---------------|---------------------------------------------------|
|            | ACP or OCT    | Third countries<br>(other than<br>ACP or OCT) (*) |
| 1102 30 00 | 195,96        | 198,98                                            |
| 1103 14 00 | 195,96        | 198,98                                            |
| 1103 29 50 | 195,96        | 198,98                                            |
| 1104 19 91 | 332,77        | 338,81                                            |
| 1108 19 10 | 281,00        | 311,83                                            |

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

## II

*(Acts whose publication is not obligatory)*

## COUNCIL

## COUNCIL DIRECTIVE

of 4 February 1991

amending, with a view to fixing certain maximum authorized dimensions for  
road trains, Directive 85/3/EEC

(91/60/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 75 thereof,

Having regard to the proposal from the Commission <sup>(1)</sup>,

Having regard to the opinion of the European Parliament <sup>(2)</sup>,

Having regard to the opinion of the Economic and Social Committee <sup>(3)</sup>,

Whereas, Council Directive 85/3/EEC of 19 December 1984 on the weights, dimensions and certain other technical characteristics of certain road vehicles <sup>(4)</sup>, as last amended by Directive 89/461/EEC <sup>(5)</sup>, by only fixing a maximum length for road trains, encourages carriers and manufacturers to continuously increase the maximum load length of such vehicles;

Whereas this increase involves a reduction in the space reserved for the driver;

Whereas there is a consequent deterioration in the comfort and safety of the driver's working area;

Whereas the current standards should be improved so as to lead to a better balance between the rational use of

road trains and the requirements of road safety, in particular by fixing the maximum load length,

HAS ADOPTED THIS DIRECTIVE:

*Article 1*

Directive 85/3/EEC is hereby amended as follows:

1. the following Article is inserted:

*Article 4b*

For the purposes of Article 3 (1), road trains the motor vehicle of which was put into circulation before 31 December 1991 which do not comply with the requirements of sections 1.7 and 1.8 of Annex I shall until 31 December 1998 be deemed to conform to such requirements provided that they do not exceed the total length of 18,00 m';

2. Section 1.1 of Annex I is replaced by the following:

## 1.1. Maximum length:

|                       |           |
|-----------------------|-----------|
| — motor vehicle       | 12,00 m   |
| — trailer             | 12,00 m   |
| — articulated vehicle | 16,50 m   |
| — road train          | 18,35 m   |
| — articulated bus     | 18,00 m'; |

<sup>(1)</sup> OJ No C 316, 16. 12. 1989, p. 5, and  
OJ No C 268, 24. 10. 1990, p. 12.

<sup>(2)</sup> OJ No C 149, 18. 6. 1990, p. 28.

<sup>(3)</sup> OJ No C 182, 23. 7. 1990, p. 29.

<sup>(4)</sup> OJ No L 2, 3. 1. 1985, p. 14.

<sup>(5)</sup> OJ No L 226, 3. 8. 1989, p. 7.

3. The following sections are inserted in Annex I:

1.7. Maximum distance measured parallel to the longitudinal axis of the road train from the foremost external point of the loading area behind the cabin to the rearmost point of the trailer of the combination, minus the distance between the rear of the drawing vehicle and the front of the trailer 15,65 m.

1.8. Maximum distance measured parallel to the longitudinal axis of the road train from the foremost point of the loading area behind the cabin to the rearmost point of the trailer of the combination 16,00 m'.

*Article 2*

1. Member States shall take the measures necessary to comply with this Directive before 1 October 1991. They shall forthwith inform the Commission thereof.

2. When the Member States adopt the provisions referred to in paragraph 1, these shall contain a reference

to this Directive or shall be accompanied by such a reference at the time of their official publication. The form of this reference shall be decided by the Member States.

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

*Article 3*

This Directive is addressed to the Member States.

Done at Brussels, 4 February 1991.

*For the Council*

*The President*

J. F. POOS

**COUNCIL DECISION****of 4 February 1991****amending Decision 90/218/EEC concerning the administration of Bovine Somatotropin (BST)**

(91/61/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission <sup>(1)</sup>,

Having regard to the opinion of the European Parliament <sup>(2)</sup>,

Having regard to the opinion of the Economic and Social Committee <sup>(3)</sup>,

Whereas, by Decision 90/218/EEC <sup>(4)</sup> concerning the administration of Bovine Somatotropin (BST), the Council requested Member States to prohibit, until 31 December 1990, the administration of Bovine Somatotropin on their territory by any means whatsoever to dairy cows as the effects and consequences of such administration were not sufficiently clear at the time;

Whereas the time limit originally provided for in order to make in-depth studies of such effects and consequences was short and the maintenance of the status quo of national rules concerning the authorization of this substance had been agreed under a gentleman's agreement;

Whereas an additional time limit is necessary before the results of the studies being carried out become available and it therefore appears necessary, in order to avoid prejudging the contents of such results, to extend, to the authorization to place on the market, the prohibition to administer Bovine Somatotropin, provided for by Decision 90/218/EEC,

HAS ADOPTED THIS DECISION:

*Article 1*

Decision 80/218/EEC is hereby amended as follows:

1. the title is replaced by the following:

'Council Decision 90/218/EEC of 25 April 1990 concerning the placing on the market and administration of Bovine Somatotropin (BST)';

2. Article 1 is replaced by the following:

*'Article 1*

Notwithstanding the scientific and technical examination of applications laid down by Community law, Member States shall take care, until 31 December 1991, not to authorize the placing on the market of Bovine Somatotropin and not to administer it on their territory by any means whatsoever to dairy cows.'

3. In Article 4, '1 October 1990' and '31 December 1990' are replaced by '1 October 1991' and '31 December 1991' respectively.

*Article 2*

This Decision is addressed to the Member States.

Done at Brussels, 4 February 1991.

*For the Council**The President*

R. STEICHEN

<sup>(1)</sup> OJ No C 2, 4. 1. 1991, p. 11.

<sup>(2)</sup> Opinion delivered on 25 January 1991 (not yet published in the Official Journal).

<sup>(3)</sup> Opinion delivered on 30 January 1991 (not yet published in the Official Journal).

<sup>(4)</sup> OJ No L 116, 8. 5. 1990, p. 27.

# COMMISSION

## COMMISSION DECISION

of 28 January 1991

**on the eligibility of expenditure to be incurred in 1991 by Germany, Greece and the United Kingdom for the purpose of ensuring compliance with the Community system for the conservation and management of fishery resources**

**(Only the German, Greek and Portuguese texts are authentic)**

(91/62/EEC)

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

Having regard to Council Decision 89/631/EEC of 27 November 1989 on a Community financial contribution towards expenditure incurred by Member States for the purpose of ensuring compliance with the Community system for the conservation and management of fishery resources<sup>(1)</sup>, and in particular Article 2 (2) thereof,

Whereas, in accordance with Decision 89/631/EEC, the Commission has received applications for Community financial contributions from Germany, Greece and the United Kingdom towards expenditure to be incurred during 1991;

Whereas the applications refer to expenditure for the acquisition or modernization of vessels, aircraft and land vehicles including their equipment, systems for the detection and recording of fishing activities and systems for recording and transmitting catch data and other relevant information;

Whereas such expenditure will help to develop monitoring and supervision facilities for the proper implementation of the Community's fishery resources conservation arrangements;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Management Committee for Fishery Resources,

HAS ADOPTED THIS DECISION:

### *Article 1*

The expenditure foreseen for 1991 shown in the Annex, corresponding to an amount of ECU 8 816 565, is eligible for a financial contribution under Decision 89/631/EEC. The Community contribution shall be 50 % of the eligible expenditure.

### *Article 2*

This Decision is addressed to the Federal Republic of Germany, the Hellenic Republic and the United Kingdom.

Done at Brussels, 28 January 1991.

*For the Commission*

Manuel MARÍN

*Vice-President*

<sup>(1)</sup> OJ No L 364, 14. 12. 1989, p. 64.

*ANNEX*

| Member States                 | Cost       |                |                | Total<br>in ecus |
|-------------------------------|------------|----------------|----------------|------------------|
|                               | Germany    | Greece         | United Kingdom |                  |
| Total in national currency    | 976 500 DM | 564 360 000 Dr | 3 901 300 £    |                  |
| Total in ecus                 | 474 285    | 2 783 170      | 5 559 110      | 8 816 565        |
| Community contribution (50 %) | 237 142    | 1 391 585      | 2 779 555      | 4 408 282        |