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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 409/91

of 21 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⁽¹⁾, as last amended by Regulation (EEC) No 3577/90⁽²⁾, and in particular Article 13 (5) thereof,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽³⁾, as last amended by Regulation (EEC) No 2205/90⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 322/91⁽⁵⁾ and subsequent amending Regulations;

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

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

the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85,

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

Whereas these exchange rates being those recorded on 20 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 322/91 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 22 February 1991.

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

Done at Brussels, 21 February 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁵⁾ OJ No L 38, 12. 2. 1991, p. 1.

ANNEX

to the Commission Regulation of 21 February 1991 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CN code	Levy
0709 90 60	141,93 ⁽²⁾ ⁽³⁾
0712 90 19	141,93 ⁽²⁾ ⁽³⁾
1001 10 10	201,44 ⁽¹⁾ ⁽²⁾
1001 10 90	201,44 ⁽¹⁾ ⁽²⁾
1001 90 91	193,69
1001 90 99	193,69
1002 00 00	159,37 ⁽⁶⁾
1003 00 10	163,53
1003 00 90	163,53
1004 00 10	149,12
1004 00 90	149,12
1005 10 90	141,93 ⁽²⁾ ⁽³⁾
1005 90 00	141,93 ⁽²⁾ ⁽³⁾
1007 00 90	148,29 ⁽⁴⁾
1008 10 00	67,22
1008 20 00	137,25 ⁽⁴⁾
1008 30 00	76,44 ⁽²⁾
1008 90 10	(7)
1008 90 90	76,44
1101 00 00	285,36 ⁽⁸⁾
1102 10 00	236,90 ⁽⁸⁾
1103 11 10	325,59 ⁽⁸⁾
1103 11 90	306,91 ⁽⁸⁾

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

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

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

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

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

(6) The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 (OJ No L 142, 9. 6. 1977, p. 10) and Commission Regulation (EEC) No 2622/71 (OJ No L 271, 10. 12. 1971, p. 22).

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

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

COMMISSION REGULATION (EEC) No 410/91

of 21 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⁽¹⁾, as last amended by Regulation (EEC) No 3577/90⁽²⁾, and in particular Article 15 (6) thereof,Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽³⁾, as last amended by Regulation (EEC) No 2205/90⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EEC) No 3845/90⁽⁵⁾ and subsequent amending Regulations;

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

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

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

Whereas these exchange rates being those recorded on 20 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 22 February 1991.

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

Done at Brussels, 21 February 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 9.⁽⁵⁾ OJ No L 367, 29. 12. 1990, p. 10.

ANNEX

to the Commission Regulation of 21 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 2	1st period 3	2nd period 4	3rd period 5
0709 90 60	0	0	0	2,56
0712 90 19	0	0	0	2,56
1001 10 10	0	0	0	1,60
1001 10 90	0	0	0	1,60
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	2,56
1005 90 00	0	0	0	2,56
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	0

B. Malt

(ECU/tonne)

CN code	Current 2	1st period 3	2nd period 4	3rd period 5	4th period 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 411/91

of 21 February 1991

fixing the minimum levies on the importation of olive oil and levies on the importation of other olive oil sector products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 3577/90⁽²⁾, and in particular Article 16 (2) thereof,Having regard to Council Regulation (EEC) No 1514/76 of 24 June 1976 on imports of olive oil originating in Algeria⁽³⁾, as last amended by Regulation (EEC) No 4014/88⁽⁴⁾, and in particular Article 5 thereof,Having regard to Council Regulation (EEC) No 1521/76 of 24 June 1976 on imports of olive oil originating in Morocco⁽⁵⁾, as last amended by Regulation (EEC) No 4015/88⁽⁶⁾, and in particular Article 5 thereof,Having regard to Council Regulation (EEC) No 1508/76 of 24 June 1976 on imports of olive oil originating in Tunisia⁽⁷⁾, as last amended by Regulation (EEC) No 413/86⁽⁸⁾, and in particular Article 5 thereof,Having regard to Council Regulation (EEC) No 1180/77 of 17 May 1977 on imports into the Community of certain agricultural products originating in Turkey⁽⁹⁾, as last amended by Regulation (EEC) No 4016/88⁽¹⁰⁾, and in particular Article 10 (2) thereof,Having regard to Council Regulation (EEC) No 1620/77 of 18 July 1977 laying down detailed rules for the importation of olive oil from Lebanon⁽¹¹⁾;Whereas by Regulation (EEC) No 3131/78⁽¹²⁾, as amended by the Act of Accession of Greece, the Commission decided to use the tendering procedure to fix levies on olive oil;Whereas Article 3 of Council Regulation (EEC) No 2751/78 of 23 November 1978 laying down general rules for fixing the import levy on olive oil by tender⁽¹³⁾ specifies that the minimum levy rate shall be fixed for each of the products concerned on the basis of the situation on

the world market and the Community market and of the levy rates indicated by tenderers;

Whereas, with regard to Turkey and the Maghreb countries, the provisions of this Regulation should be without prejudice to the additional amount to be determined in accordance with the agreements between the Community and these third countries;

Whereas, in the collection of the levy, account should be taken of the provisions in the Agreements between the Community and certain third countries; whereas in particular the levy applicable for those countries must be fixed, taking as a basis for calculation the levy to be collected on imports from the other third countries;

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 18 and 19 February 1991 leads to the minimum levies being fixed as indicated in Annex I to this Regulation;

Whereas the import levy on olives falling within 29 codes 0709 90 39 and 0711 20 90 and on products falling within CN codes 1522 00 31, 1522 00 39 and 2306 90 19 must be calculated from the minimum levy applicable on the olive oil contained in these products; whereas, however, the levy charged for olive oil may not be less than an amount equal to 8 % of the value of the imported product, such amount to be fixed at a standard rate; whereas application of these provisions leads to the levies being fixed as indicated in Annex II to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

Article 3

This Regulation shall enter into force on 22 February 1991.

⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.⁽³⁾ OJ No L 169, 28. 6. 1976, p. 24.⁽⁴⁾ OJ No L 358, 27. 12. 1988, p. 1.⁽⁵⁾ OJ No L 169, 28. 6. 1976, p. 43.⁽⁶⁾ OJ No L 358, 27. 12. 1988, p. 2.⁽⁷⁾ OJ No L 169, 28. 6. 1976, p. 9.⁽⁸⁾ OJ No L 48, 26. 2. 1986, p. 1.⁽⁹⁾ OJ No L 142, 9. 6. 1977, p. 10.⁽¹⁰⁾ OJ No L 358, 27. 12. 1988, p. 3.⁽¹¹⁾ OJ No L 181, 21. 7. 1977, p. 4.⁽¹²⁾ OJ No L 370, 30. 12. 1978, p. 60.⁽¹³⁾ OJ No L 331, 28. 11. 1978, p. 6.

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

Done at Brussels, 21 February 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX I

Minimum import levies on olive oil

(ECU/100 kg)

CN code	Non-member countries
1509 10 10	77,00 ⁽¹⁾
1509 10 90	77,00 ⁽¹⁾
1509 90 00	89,00 ⁽²⁾
1510 00 10	77,00 ⁽¹⁾
1510 00 90	122,00 ⁽³⁾

⁽¹⁾ For imports of oil falling within this CN code and produced entirely in one of the countries listed below and transported directly from any of those countries to the Community, the levy to be collected is reduced by :

(a) Lebanon : ECU 0,60 per 100 kg ;

(b) Turkey : ECU 11,48 per 100 kg ^(*) provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force ;

(c) Algeria, Tunisia and Morocco : ECU 12,69 per 100 kg ^(*) provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force.

^(*) These amounts may be increased by an additional amount to be determined by the Community and the third countries in question.

⁽²⁾ For imports of oil falling within this CN code :

(a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by ECU 3,86 per 100 kg ;

(b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by ECU 3,09 per 100 kg.

⁽³⁾ For imports of oil falling within this CN code :

(a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by ECU 7,25 per 100 kg ;

(b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by ECU 5,80 per 100 kg.

ANNEX II

Import levies on other olive oil sector products

(ECU/100 kg)

CN code	Non-member countries
0709 90 39	16,94
0711 20 90	16,94
1522 00 31	38,50
1522 00 39	61,60
2306 90 19	6,16

COMMISSION REGULATION (EEC) No 412/91**of 20 February 1991****postponing the date for the take-over of beef and veal offered for sale by the
intervention agencies under Regulation (EEC) No 2848/89**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,Having regard to Council Regulation (EEC) No 805/68 of
27 June 1968 on the common organization of the market
in beef and veal ⁽¹⁾, as last amended by Regulation (EEC)
No 3577/90 ⁽²⁾,Whereas Commission Regulation (EEC) No 2848/89 ⁽³⁾
fixes certain selling prices for beef and veal taken over by
the intervention agencies before 1 September 1990;
whereas the situation regarding these stocks is such that
this date should be replaced by 1 January 1991;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*In Article 4 of Regulation (EEC) No 2848/89, '1
September 1990' is hereby replaced by '1 January 1991'.*Article 2*This Regulation shall enter into force on 25 February
1991.This Regulation shall be binding in its entirety and directly applicable in all Member
States.

Done at Brussels, 20 February 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.⁽³⁾ OJ No L 274, 23. 9. 1989, p. 9.

COMMISSION REGULATION (EEC) No 413/91

of 20 February 1991

on the sale by the procedure laid down in Regulation (EEC) No 2539/84 of bone-in beef held by certain intervention agencies and intended for export to certain destinations and amending Regulation (EEC) No 569/88

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EEC) No 3577/90⁽²⁾, and in particular Article 7 (3) thereof,

Whereas Commission Regulation (EEC) No 2539/84 of 5 September 1984 laying down detailed rules for certain sales of frozen beef held by the intervention agencies⁽³⁾, as amended by Regulation (EEC) No 1809/87⁽⁴⁾, has provided for the possibility of applying a two-stage procedure when selling beef from intervention stocks;

Whereas certain intervention agencies hold stocks of bone-in intervention meat; whereas an extension of the period of storage for the meat bought in should be avoided on account of the ensuing high costs; whereas outlets exist in certain third countries for the products in question; whereas it is appropriate therefore to offer this meat for sale in accordance with Regulation (EEC) No 2539/84;

Whereas quarters from intervention stocks may in certain cases have been handled a number of times; whereas, in order to help with the presentation and marketing of such meat, its repackaging should be authorized, subject to the observance of precise conditions;

Whereas it is necessary to lay down a time limit for export of the said meat; whereas this time limit should be fixed by taking into account Article (5) (b) 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⁽⁵⁾, as last amended by Regulation (EEC) No 211/91⁽⁶⁾;

Whereas, in order to ensure that beef sold is exported, the lodging of security, as specified at (a) of Article 5 (2) of Regulation (EEC) No 2539/84, should be required;

Whereas products held by intervention agencies and intended for export are subject to the provisions of

Commission Regulation (EEC) No 569/88⁽⁷⁾, as last amended by Regulation (EEC) No 398/91⁽⁸⁾; whereas, however, the Annex to the said Regulation setting out the entries to be made should be expanded;

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

1. A sale shall be organized of approximately:

- 2 000 tonnes of bone-in beef held by the Irish intervention agency and bought in before 1 December 1990,
- 2 000 tonnes of bone-in beef held by the Italian intervention agency and bought in before 1 December 1990,
- 2 000 tonnes of bone-in beef held by the Spanish intervention agency and bought in before 1 December 1990,
- 2 000 tonnes of bone-in beef held by the German intervention agency and bought in before 1 December 1990,
- 2 000 tonnes of bone-in beef held by the French intervention agency and bought in before 1 December 1990.

This meat shall be for export to the destinations under 02 referred to in footnote No 7 to the Annex to Commission Regulation (EEC) No 103/91⁽⁹⁾.

Subject to the provisions of this Regulation, the sale shall take place in accordance with the provisions of Regulation (EEC) No 2539/84.

The provisions of Commission Regulation (EEC) No 985/81⁽¹⁰⁾ shall not apply to this sale. However, the competent authorities may allow bone-in forequarters and

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 238, 6. 9. 1984, p. 13.

⁽⁴⁾ OJ No L 170, 30. 6. 1987, p. 23.

⁽⁵⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁶⁾ OJ No L 24, 30. 1. 1991, p. 11.

⁽⁷⁾ OJ No L 55, 1. 3. 1988, p. 1.

⁽⁸⁾ OJ No L 48, 21. 2. 1991, p. 5.

⁽⁹⁾ OJ No L 12, 17. 1. 1991, p. 12.

⁽¹⁰⁾ OJ No L 99, 10. 4. 1981, p. 38.

hindquarters, the packaging material of which is torn or soiled, to be placed in new packaging of the same type under their supervision before presentation for consignment at the customs office of departure.

2. The qualities and the minimum prices referred to in Article 3 (1) of Regulation (EEC) No 2539/84 are given in Annex I hereto.

3. Only those tenders shall be taken into consideration which reach the intervention agencies concerned not later than 12 noon on 28 February 1991.

4. Particulars of the qualities and the places where the products are stored may be obtained by interested parties at the addresses given in Annex II.

Article 2

The products referred to in Article 1 must be exported within five months from the date of conclusion of the contract of sale.

Article 3

1. The security provided for in Article 5 (1) of Regulation (EEC) No 2539/84 shall be ECU 30 per 100 kilograms.

2. The security provided for in Article 5 (2) (a) of Regulation (EEC) No 2539/84 shall be ECU 120 per 100 kilograms.

Article 4

In part I of the Annex to Regulation (EEC) No 569/88, 'Products to be exported in the same state as that in which they were when removed from intervention stock', the following item and footnote are added:

'80. Commission Regulation (EEC) No 413/91 of 20 February 1991 on the sale by procedure laid down in Regulation (EEC) No 2539/84 of bone-in beef held by certain intervention agencies and intended for export⁽⁸⁰⁾.

⁽⁸⁰⁾ OJ No L 49, 22. 2. 1991, p. 9.'

Article 5

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, 20 February 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

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

Estado miembro Medlemsstat Mitgliedstaat Κράτος μέλος Member State État membre Stato membro Lid-Staat Estado-membro	Productos Produkter Erzeugnisse Προϊόντα Products Produits Prodotti Produkten Produtos	Cantidades (toneladas) Mængde (tons) Mengen (Tonnen) Ποσότητες (τόνοι) Quantités (tonnes) Quantités (tonnes) Quantità (tonnellate) Hoeveelheid (ton) Quantidade (toneladas)	Precio mínimo expresado en ecus por tonelada Mindstepriser i ECU/ton Mindestpreise, ausgedrückt in ECU/Tonne Ελάχιστες τιμές πώλησεως εκφραζόμενες σε Ecu ανά τόνο Minimum prices expressed in ecus per tonne Prix minimaux exprimés en écus par tonne Prezzi minimi espressi in ecu per tonnellata Minimumprijzen uitgedrukt in ecu per ton Preço mínimo expresso em ecus por tonelada
Ireland	— Forequarters, from : Category C, classes U, R and O	1 000	1 350
	— Hindquarters, from : Category C, classes U, R and O	1 000	2 350
Italia	— Quarti anteriori, provenienti dai : Categoria A, classi U, R e O	1 000	1 350
	— Quarti posteriori, provenienti dai : Categoria A, classi U, R e O	1 000	2 350
España	— Cuartos delanteros, provenientes de : Categoría A, clases U, R y O	1 000	1 350
	— Cuartos traseros, provenientes de : Categoría A, clases U, R y O	1 000	2 350
Deutschland	— Vorderviertel, stammend von : Kategorien A/C	1 000	1 350
	— Hinterviertel, stammend von : Kategorien A/C	1 000	2 350
France	— Quartiers avant : catégorie A/C	1 000	1 350
	— Quartiers arrière : catégorie A/C	1 000	2 350

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

**Direcciones de los organismos de intervención — Interventionsorganernes adresser —
Anschriften der Interventionsstellen — Διευθύνσεις των οργανισμών παρεμβάσεως — Addresses
of the intervention agencies — Adresses des organismes d'intervention — Indirizzi degli
organismi d'intervento — Adressen van de interventiebureaus — Endereços dos organismos de
intervenção**

- IRELAND:** Department of Agriculture and Food
Agriculture House
Kildare Street
Dublin 2
Tel. (01) 78 90 11, ext. 22 78
Telex 4280 and 5118
- ITALIA:** Azienda di Stato per gli interventi nel mercato agricolo (AIMA)
Via Palestro 81
I-00185 Roma
Tel. 47 49 91
Telex 61 30 03
- ESPAÑA** Servicio nacional de productos agrarios (SENPA)
c/ Beneficencia 8
28003 Madrid
Tel. 222 29 61
Télex 23427 SENPA E
- DEUTSCHLAND:** Bundesanstalt für landwirtschaftliche Marktordnung (BALM)
Geschäftsbereich 3 (Fleisch und Fleischerzeugnisse)
Postfach 180 107 — Adickesallee 40
D-6000 Frankfurt am Main 18
Tel. (069) 1 56 40, App. 772/773
Telex: 04 11 56
- FRANCE:** Ofival
Tour Montparnasse
33, avenue du Maine
F-75755 Paris Cedex 15
(tél.: 45 38 84 00; télex: 26 06 43).
-

COMMISSION REGULATION (EEC) No 414/91

of 21 February 1991

adopting interim protective measures in regard to applications for STM licences
for milk and milk products lodged between 11 and 15 February 1991

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 608/86 ⁽¹⁾ laying down detailed rules for applying the supplementary trade mechanism to milk products imported into Spain from the Community of Ten and from Portugal, as last amended by Regulation (EEC) No 334/91 ⁽²⁾, fixes the indicative ceilings for milk sector products for 1991 and splits these up into monthly ceilings;

Whereas applications for STM licences for cheese of category 2 lodged between 11 and 15 February 1991 relate to quantities higher than the ceiling set for the first quarter;

Whereas Article 85 (1) of the Act of Accession states that the Commission may take interim protective measures necessary by an emergency procedure where the situation indicates that the initiative ceiling will be attained or exceeded; whereas to this it is necessary, as an interim protective measure, in view of the number of requests, for

the products concerned, to issue licences up to a percentage of the quantities applied for category 2 and to suspend all further issuing of licences for the products in question,

HAS ADOPTED THIS REGULATION:

Article 1

1. Applications for STM licences as referred to in Regulation (EEC) No 606/86 lodged between 11 and 15 February products falling within:

— category 2 of CN code ex 0406 are hereby accepted up to a percentage of 37,98 %.

2. The issuing of STM licences is hereby provisionally suspended for products falling with category 2 above the percentage referred to in paragraph 1.

Article 2

This Regulation shall enter into force on 22 February 1991.

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

Done at Brussels, 21 February 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 58, 1. 3. 1986, p. 28.

⁽²⁾ OJ No L 39, 13. 2. 1991, p. 15.

COMMISSION REGULATION (EEC) No 415/91

of 21 February 1991

amending Regulation (EEC) No 1000/90 continuing promotional and publicity measures in respect of milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1079/77 of 17 May 1977 on a co-responsibility levy and on measures for expanding the markets in milk and milk products⁽¹⁾, as last amended by Regulation (EEC) No 3660/90⁽²⁾, and in particular Article 4 thereof,

Whereas Commission Regulation (EEC) No 1000/90⁽³⁾, as last amended by Regulation (EEC) No 3291/90⁽⁴⁾, provides for the continuation of promotional and publicity measures in respect of milk and milk products; whereas, since the financial resources earmarked for those measures have not been exhausted, some of the remaining funds should be used for the production of a catalogue of cheeses marketed in the Community; whereas such a catalogue could help to promote the whole range of products marketed in the Community; whereas it is accordingly appropriate to extend the list of the measures referred to in Article 1 (2) of the Regulation concerned;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1000/90 is hereby amended as follows:

1. in Article 1 (2),

— in the first subparagraph, the following indent is added:

‘— the production of a catalogue of the cheeses marketed in the Community’,

— the following third subparagraph is added:

‘However, with a view to implementation of the last indent of the first subparagraph, the Commission shall conduct a single tendering procedure.’;

2. The following Article 8a is inserted:

Article 8a

Notwithstanding Articles 1 (3) and (5), 2 (1) and (3), 3, 4 (2), 5, 6, 7 and 8:

- (a) the measure referred to in the last indent of the first subparagraph of Article 1 (2) shall be carried out not later than 1 January 1992 by any natural or legal person having the necessary qualifications and experience, who can furnish proof thereof and who undertakes to ensure the satisfactory completion of the work;
- (b) the Community contribution is fixed at 100 % of the expenditure; no account shall be taken of administrative expenses incurred in carrying out the measure;
- (c) proposals must reach the Commission before the date specified in the invitation to tender;
- (d) proposals shall be accompanied by an undertaking to comply with the provisions of this Regulation;
- (e) within the period specified in the invitation to tender, the Commission shall examine the proposals submitted and select one of them for financing, after consulting the Management Committee for Milk and Milk Products in accordance with Article 31 of Council Regulation (EEC) No 804/68;
- (f) information concerning the content and financing of the contract and the presentation and distribution of the catalogue shall be set out by the Commission in the invitation to tender published in the *Official Journal of the European Communities*.

Article 2

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

⁽¹⁾ OJ No L 131, 26. 5. 1977, p. 6.

⁽²⁾ OJ No L 362, 27. 12. 1990, p. 44.

⁽³⁾ OJ No L 101, 21. 4. 1990, p. 22.

⁽⁴⁾ OJ No L 317, 16. 11. 1990, p. 1.

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

Done at Brussels, 21 February 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 416/91**of 21 February 1991****adopting interim protective measures on applications for STM licences in the
beef and veal sector submitted during the period 11 to 15 February**

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 3690/90 ⁽¹⁾
laying down detailed rules for the application of the
supplementary trade mechanism in the beef and veal
sector set the indicative ceilings applicable in the beef
and veal sector and the maximum quantities for which
STM licences may be issued each quarter;

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

Whereas the licence applications lodged between 11 and
15 February 1991 have achieved that ceiling set for fresh
and refrigerated meat; whereas as an interim protective
measure only a percentage of the amounts applied for in

that period should be granted and no further certificates
issued for the time being,

HAS ADOPTED THIS REGULATION:

Article 1

For fresh and refrigerated beef and veal:

1. applications for STM licences for the following
products submitted between 11 and 15 February 1991
and notified to the Commission shall be accepted for
85,382 %;
2. the issuing of STM licences in response to applications
submitted from 18 February 1991 onwards is
suspended for the time being.

Article 2

This Regulation shall enter into force on 25 February
1991.

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

Done at Brussels, 21 February 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 357, 20. 12. 1990, p. 27.

COMMISSION REGULATION (EEC) No 417/91

of 21 February 1991

fixing the import levies on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 305/91 ⁽²⁾, and in particular Article 16 (8) thereof,Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 3608/90 ⁽³⁾, as last amended by Regulation (EEC) No 402/91 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Commission Regulation (EEC) No 3608/90 to the information known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto;

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

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

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

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

Whereas these exchange rates being those recorded on 20 February 1991,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 22 February 1991.

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

Done at Brussels, 21 February 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 37, 9. 2. 1991, p. 1.

⁽³⁾ OJ No L 350, 14. 12. 1990, p. 68.

⁽⁴⁾ OJ No L 48, 21. 2. 1991, p. 16.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 9.

ANNEX

to the Commission Regulation of 21 February 1991 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	41,46 ⁽¹⁾
1701 11 90	41,46 ⁽¹⁾
1701 12 10	41,46 ⁽¹⁾
1701 12 90	41,46 ⁽¹⁾
1701 91 00	45,50
1701 99 10	45,50
1701 99 90	45,50 ⁽²⁾

⁽¹⁾ The levy applicable is calculated in accordance with the provisions of Article 2 or 3 of Commission Regulation (EEC) No 837/68 (OJ No L 151, 30. 6. 1968, p. 42).

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

COMMISSION REGULATION (EEC) No 418/91

of 21 February 1991

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 3577/90⁽²⁾, and in particular the fourth subparagraph of Article 16 (2) thereof,

Having regard to the opinion of the Monetary Committee,

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

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

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

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

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

Whereas export possibilities exist for a quantity of 100 000 tonnes of durum wheat meal to certain destinations; whereas the procedure laid down in Article 9 (4) of Regulation (EEC) No 891/89⁽⁶⁾, as last amended by Regulation (EEC) No 325/91⁽⁷⁾, should be used; whereas account should be taken of this when the refunds are fixed;

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 22 February 1991.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

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

⁽⁵⁾ OJ No L 168, 27. 7. 1971, p. 16.

⁽⁶⁾ OJ No L 94, 7. 4. 1989, p. 13.

⁽⁷⁾ OJ No L 38, 12. 2. 1991, p. 12.

⁽⁸⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁹⁾ OJ No L 201, 31. 7. 1990, p. 9.

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

Done at Brussels, 21 February 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 21 February 1991 fixing the export refunds on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)		
Product code	Destination (1)	Amount of refund
0709 90 60 000	—	—
0712 90 19 000	—	—
1001 10 10 000	—	—
1001 10 90 000	04	140,00
	06	50,00
	02	0
1001 90 91 000	—	—
1001 90 99 000	04	100,00
	05	100,00
	02	20,00
1002 00 00 000	03	100,00
	05	100,00
	02	20,00
1003 00 10 000	07	87,00
	02	0
1003 00 90 000	04	87,00
	06	30,00
	02	20,00
1004 00 10 000	—	—
1004 00 90 000	—	—
1005 10 90 000	—	—
1005 90 00 000	03	65,00
	02	0
1007 00 90 000	—	—
1008 20 00 000	—	—
1101 00 00 100	01	135,00
1101 00 00 130	01	119,00
1101 00 00 150	01	110,00
1101 00 00 170	01	102,00
1101 00 00 180	01	91,00
1101 00 00 190	—	—
1101 00 00 900	—	—
1102 10 00 600	01	135,00
1102 10 00 900	—	—
1103 11 10 100	01	240,00 (?)
1103 11 10 200	01	226,00 (?)
1103 11 10 500	01	202,00 (?)
1103 11 10 900	01	190,00 (?)
1103 11 90 100	01	135,00
1103 11 90 900	—	—

(¹) The destinations are identified as follows :

- 01 All third countries,
- 02 Other third countries,
- 03 Switzerland, Austria and Liechtenstein,
- 04 Switzerland, Austria, Liechtenstein, Ceuta and Melilla,
- 05 Zone II (b),
- 06 The Soviet Union,
- 07 Poland and Hungary.

(²) Refund fixed under the procedure laid down in Article 9 (4) of amended Regulation (EEC) No 891/89 in respect of a quantity of 100 000 tonnes of durum wheat meal.

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

COMMISSION REGULATION (EEC) No 419/91

of 21 February 1991

amending Regulation (EEC) No 3797/90 on protective measures applicable to imports of certain semi-processed red fruits originating in Poland and Yugoslavia

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables ⁽¹⁾, as last amended by Regulation (EEC) No 2201/90 ⁽²⁾, and in particular Article 18 (2) thereof,

Whereas Article 1 (1) of Commission Regulation (EEC) No 3797/90 ⁽³⁾ sets a minimum import price for certain frozen red fruits without added sugar whilst distinguishing between whole fruit and other fruit; whereas Article 1 (4) of the said Regulation specifies the conditions under which the price set for the 'whole fruit' category and for the 'other' category are to apply;

Whereas, so as to avoid divergent applications of this measure, it is necessary to specify further under what conditions certain whole fruit are subject to compliance with the minimum price set for the 'whole fruit' category

and other whole fruit are to benefit from the lower minimum price set for the 'other' category,

HAS ADOPTED THIS REGULATION:

Article 1

Article 1 (4) of Regulation (EEC) No 3797/90 is hereby replaced by the following:

'4. The price set for the products indicated above as "whole fruit" shall apply to whole IQF frozen fruit of Class I or "Extra" Class (strawberries) or "Extra" Class (raspberries). It shall also apply to other whole fruits which are not accompanied on release for free circulation in the Community by a certificate indicating the quality class as certified by a Polish or Yugoslav quality control body.'

Article 2

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

It shall apply with effect from 1 January 1991.

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

Done at Brussels, 21 February 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ OJ No L 201, 31. 7. 1990, p. 1.

⁽³⁾ OJ No L 365, 28. 12. 1990, p. 22.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 4 February 1991

amending Decision 90/177/Euratom, EEC authorizing Belgium not to take into account certain categories of transactions and to use certain approximate estimates for the calculation of the VAT own resources base

(Only the Dutch and French texts are authentic)

(91/82/EEC, Euratom)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Treaty establishing the European Atomic Energy Community,

Having regard to Council Regulation (EEC, Euratom) No 1553/89 of 29 May 1989 on the definitive uniform arrangements for the collection of own resources accruing from value added tax⁽¹⁾, and in particular Article 13 thereof,

Whereas, pursuant to Article 28 (3) of the Sixth Council Directive 77/388/EEC of 17 May 1977 on the harmonization of the laws of the Member States relating to turnover taxes — Common system of value added tax: uniform basis of assessment⁽²⁾, hereinafter called 'the Sixth Directive', Member States may continue to exempt or tax certain transactions; whereas these transactions must be taken into account for the determination of the VAT own resources base;

Whereas with effect from 1 January 1990 the possibility afforded Member States of continuing to tax or exempt certain transactions listed in Annexes E and F to the Sixth Directive was terminated by virtue of Article 1 (1), first paragraph, and (2) (a) of Council Directive 89/465/EEC⁽³⁾; whereas, consequently, the authorizations granted in this connection by the Commission for the purposes of determining the VAT own resources base should also be discontinued;

Whereas, in the case of Belgium, the Commission, on the basis of Regulation (EEC, Euratom) No 1553/89, adopted

Decision 90/177/Euratom, EEC⁽⁴⁾ authorizing Belgium, with effect from 1989, not to take into account certain categories of transactions and to use certain approximate estimates for the calculation of the VAT own resources base;

Whereas, since Belgium began exempting the transactions referred to in Annex E, point 3 to the Sixth Directive on 1 January 1990, the authorization not to take such transactions into account for the calculation of the VAT base should be discontinued with effect from that date;

Whereas the Advisory Committee on Own Resources has approved the report recording the opinions of its members on this Decision,

HAS ADOPTED THIS DECISION:

Article 1

Article 1 (1) of Decision 90/177/Euratom, EEC is hereby repealed with effect from 1 January 1990.

Article 2

This Decision is addressed to the Kingdom of Belgium.

Done at Brussels, 4 February 1991.

For the Commission

Peter SCHMIDHUBER

Member of the Commission

⁽¹⁾ OJ No L 155, 7. 6. 1989, p. 9.

⁽²⁾ OJ No L 145, 13. 6. 1977, p. 1.

⁽³⁾ OJ No L 226, 3. 8. 1989, p. 21.

⁽⁴⁾ OJ No L 99, 19. 4. 1990, p. 24.

COMMISSION DECISION

of 4 February 1991

amending Decision 90/176/Euratom, EEC authorizing France not to take into account certain categories of transactions and to use certain approximate estimates for the calculation of the VAT own resources base

(Only the French text is authentic)

(91/83/EEC, Euratom)

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

Having regard to the Treaty establishing the European Atomic Energy Community,

Having regard to Council Regulation (EEC, Euratom) No 1553/89 of 29 May 1989 on the definitive uniform arrangements for the collection of own resources accruing from value added tax⁽¹⁾, and in particular Article 13 thereof,

Whereas, pursuant to Article 28 (3) of the Sixth Council Directive 77/388/EEC of 17 May 1977 on the harmonization of the laws of the Member States relating to turnover taxes — Common system of value added tax: uniform basis of assessment⁽²⁾, hereinafter called 'the Sixth Directive', Member States may continue to exempt or tax certain transactions; whereas these transactions must be taken into account for the determination of the VAT own resources base;

Whereas with effect from 1 January 1990 the possibility afforded Member States of continuing to tax or exempt certain transactions listed in Annexes E and F to the Sixth Directive was terminated by virtue of Article 1 (1), first paragraph, and (2) (a) of Council Directive 89/465/EEC⁽³⁾; whereas, consequently, the authorizations granted in this connection by the Commission for the purposes of determining the VAT own resources base should also be discontinued;

Whereas, in the case of France, the Commission, on the basis of Regulation (EEC, Euratom) No 1553/89, adopted Decision 90/176/Euratom, EEC⁽⁴⁾ authorizing France,

with effect from 1989, not to take into account certain categories of transactions and to use certain approximate estimates for the calculation of the VAT own resources base;

Whereas, since France began taxing the transactions referred to in Annex F, point 3 to the Sixth Directive on 1 January 1990, the authorization not to take such transactions into account for the calculation of the VAT base should be discontinued with effect from that date;

Whereas the Advisory Committee on Own Resources has approved the report recording the opinions of its members on this Decision,

HAS ADOPTED THIS DECISION:

Article 1

Article 1 (1) of Decision 90/176/Euratom, EEC is hereby repealed with effect from 1 January 1990.

Article 2

This Decision is addressed to the French Republic.

Done at Brussels, 4 February 1991.

For the Commission

Peter SCHMIDHUBER

Member of the Commission

⁽¹⁾ OJ No L 155, 7. 6. 1989, p. 9.

⁽²⁾ OJ No L 145, 13. 6. 1977, p. 1.

⁽³⁾ OJ No L 226, 3. 8. 1989, p. 21.

⁽⁴⁾ OJ No L 99, 19. 4. 1990, p. 22.

COMMISSION DECISION

of 4 February 1991

amending Decision 90/178/Euratom, EEC authorizing Luxembourg not to take into account certain categories of transactions and to use certain approximate estimates for the calculation of the VAT own resources base

(Only the French text is authentic)

(91/84/EEC, Euratom)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Treaty establishing the European Atomic Energy Community,

Having regard to Council Regulation (EEC, Euratom) No 1553/89 of 29 May 1989 on the definitive uniform arrangements for the collection of own resources accruing from value added tax⁽¹⁾, and in particular Article 13 thereof,

Whereas, pursuant to Article 28 (3) of the Sixth Council Directive 77/388/EEC of 17 May 1977 on the harmonization of the laws of the Member States relating to turnover taxes — Common system of value added tax: uniform basis of assessment⁽²⁾, hereinafter called 'the Sixth Directive', Member States may continue to exempt or tax certain transactions; whereas these transactions must be taken into account for the determination of the VAT own resources base;

Whereas with effect from 1 January 1990 the possibility afforded Member States of continuing to tax or exempt certain transactions listed in Annexes E and F to the Sixth Directive was terminated by virtue of Article 1 (1), first paragraph, and (2) (a) of Council Directive 89/465/EEC⁽³⁾; whereas, consequently, the authorizations granted in this connection by the Commission for the purposes of determining the VAT own resources base should also be discontinued;

Whereas, in the case of Luxembourg, the Commission, on the basis of Regulation (EEC, Euratom) No 1553/89, adopted Decision 90/178/Euratom, EEC⁽⁴⁾ authorizing Luxembourg, with effect from 1989, not to take into

account certain categories of transactions and to use certain approximate estimates for the calculation of the VAT own resources base;

Whereas, since Luxembourg began exempting the transactions referred to in Annex E, point 3 to the Sixth Directive on 1 January 1990, the authorization not to take such transactions into account for the calculation of the VAT base should be discontinued with effect from that date;

Whereas the Advisory Committee on Own Resources has approved the report recording the opinions of its members on this Decision,

HAS ADOPTED THIS DECISION:

Article 1

Article 1 (1) of Decision 90/178/Euratom, EEC is hereby repealed with effect from 1 January 1990.

Article 2

This Decision is addressed to the Grand Duchy of Luxembourg.

Done at Brussels, 4 February 1991.

For the Commission

Peter SCHMIDHUBER

Member of the Commission

⁽¹⁾ OJ No L 155, 7. 6. 1989, p. 9.

⁽²⁾ OJ No L 145, 13. 6. 1977, p. 1.

⁽³⁾ OJ No L 226, 3. 8. 1989, p. 21.

⁽⁴⁾ OJ No L 99, 19. 4. 1990, p. 26.

COMMISSION DECISION

of 4 February 1991

amending Decision 90/183/Euratom, EEC authorizing Ireland not to take into account certain categories of transactions and to use certain approximate estimates for the calculation of the VAT own resources base

(Only the English text is authentic)

(91/85/EEC; Euratom)

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

Having regard to the Treaty establishing the European Atomic Energy Community,

Having regard to Council Regulation (EEC, Euratom) No 1553/89 of 29 May 1989 on the definitive uniform arrangements for the collection of own resources accruing from value added tax⁽¹⁾, and in particular Article 13 thereof,

Whereas, pursuant to Article 28 (3) of the Sixth Council Directive 77/388/EEC of 17 May 1977 on the harmonization of the laws of the Member States relating to turnover taxes — Common system of value added tax: uniform basis of assessment⁽²⁾, hereinafter called 'the Sixth Directive', Member States may continue to exempt or tax certain transactions; whereas these transactions must be taken into account for the determination of the VAT own resources base;

Whereas with effect from 1 January 1990 the possibility afforded Member States of continuing to tax or exempt certain transactions listed in Annexes E and F to the Sixth Directive was terminated by virtue of Article 1 (1), first paragraph, and (2) (a) of Council Directive 89/465/EEC⁽³⁾; whereas, consequently, the authorizations granted in this connection by the Commission for the purposes of determining the VAT own resources base should also be discontinued;

Whereas, in the case of Ireland, the Commission, on the basis of Regulation (EEC, Euratom) No 1553/89, adopted Decision 90/183/Euratom, EEC⁽⁴⁾ authorizing Ireland,

with effect from 1989, not to take into account certain categories of transactions and to use certain approximate estimates for the calculation of the VAT own resources base;

Whereas, since Ireland began exempting the transactions referred to in Annex E, point 14 to the Sixth Directive in 1989, the authorization not to take such transactions into account for the calculation of the VAT base should be discontinued with effect from then;

Whereas the Advisory Committee on Own Resources has approved the report recording the opinions of its members on this Decision,

HAS ADOPTED THIS DECISION:

Article 1

Article 1 (2) of Decision 90/183/Euratom, EEC is hereby repealed with effect from the 1989 financial year.

Article 2

This Decision is addressed to Ireland.

Done at Brussels, 4 February 1991.

For the Commission

Peter SCHMIDHUBER

Member of the Commission

⁽¹⁾ OJ No L 155, 7. 6. 1989, p. 9.

⁽²⁾ OJ No L 145, 13. 6. 1977, p. 1.

⁽³⁾ OJ No L 226, 3. 8. 1989, p. 21.

⁽⁴⁾ OJ No L 99, 19. 4. 1990, p. 35.

COMMISSION DECISION

of 4 February 1991

amending Decision 90/182/Euratom, EEC authorizing the United Kingdom not to take into account certain categories of transactions and to use certain approximate estimates for the calculation of the VAT own resources base

(Only the English text is authentic)

(91/86/EEC, Euratom)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Treaty establishing the European Atomic Energy Community,

Having regard to Council Regulation (EEC, Euratom) No 1553/89 of 29 May 1989 on the definitive uniform arrangements for the collection of own resources accruing from value added tax⁽¹⁾, and in particular Article 13 thereof,

Whereas, pursuant to Article 28 (3) of the Sixth Council Directive 77/388/EEC of 17 May 1977 on the harmonization of the laws of the Member States relating to turnover taxes — Common system of value added tax: uniform basis of assessment⁽²⁾, hereinafter called 'the Sixth Directive', Member States may continue to exempt or tax certain transactions; whereas these transactions must be taken into account for the determination of the VAT own resources base;

Whereas the possibility afforded to Member States of continuing to tax or exempt certain transactions listed in Annexes E and F to the Sixth Directive was terminated with effect from 1 January 1990 by virtue of Article 1 (1), first paragraph, and (2) (a) of Council Directive 89/465/EEC⁽³⁾; whereas, consequently, the authorizations granted in this connection by the Commission for the purposes of determining the VAT own resources base should also be discontinued;

Whereas the Commission, on the basis of Regulation (EEC, Euratom) No 1553/89, adopted Decision 90/182/Euratom, EEC⁽⁴⁾ authorizing the United Kingdom, with effect from 1989, not to take into account certain cat-

egories of transactions and to use certain approximate estimates for the calculation of the VAT own resources base;

Whereas, since the United Kingdom began exempting the transactions referred to in point 6 of Annex E to the Sixth Directive on 1 January 1990 and taxing those referred to in points 21 and 22 of Annex F to that Directive on 1 August 1990, the authorizations granted in respect of such transactions should be discontinued with effect from those dates;

Whereas the Advisory Committee on Own Resources has approved the report recording the opinions of its members on this Decision,

HAS ADOPTED THIS DECISION:

Article 1

1. Article 1 of Decision 90/182/Euratom, EEC is hereby repealed with effect from 1 January 1990.
2. Article 2 (2) of Decision 90/182/Euratom, EEC is hereby repealed with effect from 1 August 1990.

Article 2

This Decision is addressed to the United Kingdom.

Done at Brussels, 4 February 1991.

For the Commission

Peter SCHMIDHUBER

Member of the Commission

⁽¹⁾ OJ No L 155, 7. 6. 1989, p. 9.

⁽²⁾ OJ No L 145, 13. 6. 1977, p. 1.

⁽³⁾ OJ No L 226, 3. 8. 1989, p. 21.

⁽⁴⁾ OJ No L 99, 19. 4. 1990, p. 33.

COMMISSION DECISION

of 4 February 1991

amending Decision 90/179/Euratom, EEC authorizing the Federal Republic of Germany to use statistics for years earlier than the last year and not to take into account certain categories of transactions or to use certain approximate estimates for the calculation of the VAT own resources base

(Only the German text is authentic)

(91/87/EEC, Euratom)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Treaty establishing the European Atomic Energy Community,

Having regard to Council Regulation (EEC, Euratom) No 1553/89 of 29 May 1989 on the definitive uniform arrangements for the collection of own resources accruing from value added tax⁽¹⁾, and in particular Article 13 thereof,

Whereas, pursuant to Article 28 (3) of the Sixth Council Directive 77/388/EEC of 17 May 1977 on the harmonization of the laws of the Member States relating to turnover taxes — Common system of value added tax: uniform basis of assessment⁽²⁾, hereinafter called 'the Sixth Directive', Member States may continue to exempt or tax certain transactions; whereas these transactions must be taken into account for the determination of the VAT own resources base;

Whereas, in the case of the Federal Republic of Germany, the Commission, on the basis of Regulation (EEC, Euratom) No 1553/89, adopted Decision 90/179/Euratom, EEC⁽³⁾ authorizing the Federal Republic of Germany, with effect from 1989, not to take into account certain categories of transactions and to use certain approximate estimates for the calculation of the VAT own resources base;

Whereas, since the Federal Republic of Germany terminated, on 1 January 1990, the graduated tax relief arrangements for small businesses granted under Article 24 (2) of the Sixth Directive, the authorization relating to the calculation of the VAT base in connection with these arrangements should be discontinued with effect from that date; whereas the leasing and maintenance of ter-

minals by the Federal Post and Telecommunications authority, Telekom, have been taxed since 1 July 1990 and should therefore be taken into account with effect from that date;

Whereas the Advisory Committee on Own Resources has approved the report recording the opinions of its members on this Decision,

HAS ADOPTED THIS DECISION:

Article 1

Decision 90/179/Euratom, EEC is hereby amended as follows:

1. Article 3 (1) is repealed with effect from 1 January 1990.
2. The following is added to Article 3 (3) with effect from 1 July 1990: 'and the delivery and installation of terminals by the Federal Post and Telecommunications authority, Telekom (Annex F, ex point 5).'

Article 2

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 4 February 1991.

For the Commission

Peter SCHMIDHUBER

Member of the Commission

⁽¹⁾ OJ No L 155, 7. 6. 1989, p. 9.

⁽²⁾ OJ No L 145, 13. 6. 1977, p. 1.

⁽³⁾ OJ No L 99, 19. 4. 1990, p. 28.

COMMISSION DECISION

of 4 February 1991

amending Decision 89/471/EEC authorizing methods for grading pig carcasses in Germany

(Only the German text is authentic)

(91/88/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organization of the market in pigmeat⁽¹⁾, as last amended by Regulation (EEC) No 1249/89⁽²⁾, and in particular Article 4 (6) thereof,Having regard to Council Regulation (EEC) No 3220/84 of 13 November 1984 determining the Community scale for grading pig carcasses⁽³⁾, as last amended by Regulation (EEC) No 3577/90⁽⁴⁾, and in particular Article 5 (2) thereof,Whereas the Commission, by Decision 89/471/EEC⁽⁵⁾, as last amended by Decision 90/668/EEC⁽⁶⁾, has authorized methods for grading pig carcasses in Germany;

Whereas it is necessary, for reasons of control, to be able to verify on the carcass the site where the apparatus for grading has taken the measurement; whereas steps should be taken to ensure that the said site could be identified after the end of the measurement procedure;

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

HAS ADOPTED THIS DECISION:

Article 1

The following subparagraph is added to Article 1 (2) of Decision 89/471/EEC:

'After the end of the measurement procedure it must be possible to verify on the carcass that the apparatus measured the values of measurement X₁ and X₂ on the site provided for in the Annex, Part 1, point 2. The corresponding marking of the measurement site must be made at the same time as the measurement procedure.'

Article 2

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 4 February 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 1.⁽²⁾ OJ No L 129, 11. 5. 1989, p. 12.⁽³⁾ OJ No L 301, 20. 11. 1984, p. 1.⁽⁴⁾ OJ No L 353, 17. 12. 1990, p. 23.⁽⁵⁾ OJ No L 233, 10. 8. 1989, p. 30.⁽⁶⁾ OJ No L 364, 28. 12. 1990, p. 30.

COMMISSION DECISION

of 5 February 1991

**making financial provision for a project relating to the inactivation of the agents
of scrapie and bovine spongiform encephalopathy**

(91/89/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field⁽¹⁾, and in particular Article 20 thereof,

Whereas it is important to establish safe processes in the rendering industry which will ensure freedom from infective levels of the agents of scrapie and bovine spongiform encephalopathy;

Whereas a study to identify such processes will be carried out in the United Kingdom in cooperation with certain other Member States and the Commission; whereas it is necessary to obtain the necessary scrapie-infected material for the study from sheep or goats in several Member States, to ensure that all possible strains are tested;

Whereas financial aid should be given to Member States in order to obtain the necessary material;

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

HAS ADOPTED THIS DECISION:

Article 1

A comparative study on the inactivation of the agents of scrapie and bovine spongiform encephalopathy shall be

carried out in the United Kingdom, in order to identify practical processes which will destroy all strains of the agents, in accordance with the terms and provisions of the Annex.

Article 2

The Community shall participate in the cost of purchasing suitable sheep and goats in the framework of this study, up to ECU 25 per animal, up to a maximum of 4 000 head in the United Kingdom and 1 000 in other Member States.

Article 3

The Community financial contribution shall be granted after supporting documents have been submitted.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 5 February 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 224, 18. 8. 1990, p. 19.

ANNEX

Protocol for study on parameters to inactivate the BSE/scrapie agent in the commercial rendering process

1. The work related to this study will be carried out in the United Kingdom, as follows :

1. Pilot-plant rendering — Prosper de Mulder, Doncaster ;
2. Bio-assay in mice — Institute for Animal Health, Compton.

The provision of suitable material will be supervised by the Veterinary Service of the Ministry of Agriculture, Fisheries and Food of the United Kingdom, who will act as coordinators for this project.

2. Objectives and results

The objectives are to study rendering processes. The expected results and achievements will be a definition of parameters for rendering which will produce a safe product from the point of view of scrapie and BSE.

3. Summary of the literature

The causal agents of scrapie and BSE are highly resistant to heat, chemicals and ionizing radiation.

It appears that, prior to 1980/81, the rendering processes used in the United Kingdom did control the infective agent, but, some time in the early 1980s, changes in the rendering processes allowed sufficient agent to survive and cause disease. The newer systems differ from the old, and from those in use in other Member States, in a number of respects and neither the literature nor investigations carried out to date reveal the precise parameters necessary to inactivate the agent.

4. The work to be carried out

This research will use brains from :

1. cattle infected with BSE ;
2. sheep or goats affected with scrapie,
 - (a) from United Kingdom sources ;
 - (b) from other Member States.

The objective of 2 (a) and (b) is to take account of possible strain differences. The full protocol will be repeated with each type and source of material.

In each case the infective brains will be processed in pilot-scale rendering equipment to simulate the most representative systems in use in the United Kingdom and other Member States. The resulting material will be assessed by bio-assay. It will be injected into susceptible strains of mice which will be observed and examined for signs of disease. The full protocol has been submitted to and agreed by the Scientific Veterinary Committee.

It is anticipated that the results will be obtained in two to three years from commencement of the study.

COMMISSION DECISION**of 8 February 1991****on the organization by France of refresher courses for personnel responsible for veterinary inspections****(Only the French text is authentic)****(91/90/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field⁽¹⁾, and in particular Article 36 thereof,

Whereas the French authorities have asked the Commission to entrust the Centre national de formation des techniciens des services vétérinaires (Lyon-Corbas) with the organization of refresher courses meeting the requirements laid down in Article 36 of Decision 90/424/EEC;

Whereas it is necessary to establish the arrangements for such an operation and to determine the Community's financial contribution;

Whereas the objectives pursued by such an operation mean that provision should be made for the participation of inspection personnel from other Member States;

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

HAS ADOPTED THIS DECISION:

Article 1

For the purposes of this Decision, the competent authority shall be the Centre national de formation des techniciens des services vétérinaires (Lyon-Corbas), represented by its Director.

Article 2

The competent authority shall undertake:

1. to organize in 1991, 1992 and 1993 refresher courses for personnel responsible for veterinary checks. The nature, content and timetable of these courses shall be as set out in the Annex;

2. to reserve half of the places offered to inspection personnel from other Member States. Account shall be taken, in the allocation of places, of a balance between the Member States;
3. to present to the Commission and to the Member States meeting within the Standing Veterinary Committee an annual report on the course of the exercise. The first report shall be presented in December 1991.

Article 3

The Community's financial contribution is hereby fixed at:

- 50 % of the costs incurred by the competent authority for the training of national personnel,
- 100 % of the costs incurred by the competent authority for the accommodation and training of personnel from other Member States.

Article 4

1. The costs referred to in the first indent of Article 3 shall be as follows:

- instruction costs,
- charges for documentation, material and equipment,
- travel expenses of participants.

2. The costs referred to in the second indent of Article 3 shall include:

- the costs referred to in paragraph 1,
- the costs incurred in presenting the refresher courses to the competent authorities of the other Member States,
- the costs relating to the linguistic aids required for the smooth operation of the courses,
- the subsistence expenses of the personnel from the other Member States.

Article 5

The Community's financial contribution shall be granted after presentation of the supporting documents.

⁽¹⁾ OJ No L 224, 18. 8. 1990, p. 19.

Article 6

Before 30 June 1993, a review of the pedagogical and financial aspects shall be drawn up by the Commission on the basis of a report to be presented by the competent authority.

In the light of experience acquired, a further decision could be adopted with a view to developing and improving the operation undertaken.

Article 7

This Decision is addressed to the French Republic.

Done at Brussels, 8 February 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

I

NATURE OF COURSES

1. The courses are intended for personnel actually taking part in inspection operations. They are designed to develop the knowledge of such personnel and, by the pooling of their experience, to strengthen mutual trust. On account of the role veterinarians play in the inspection system set up in the Community context, certain courses are specifically intended for them.
2. In principle, the courses will last two weeks and be open to about 22 trainees. They will be a mixture of theory and practical exercises. The trainees will also together take part in drawing up a report on a subject, the Community importance of which will become apparent during the course.

II

1. Module No 1: Meat, cuts of meat and minced meat (veterinarians)

In principle, this module is reserved for veterinarians. In the light of the Community rules applicable on the matter, the emphasis will be on the new approach as regards inspections (extension of *ante mortem* inspections to cover livestock, search for residues, link between the *ante* and *post mortem* inspection). With regard to cuts of meat and minced meat, the course will concentrate mainly on the inspection methods for product hygiene (technological, physico-chemical and microbiological criteria).

2. Module No 2: Meat, cuts of meat and minced meat

The course corresponding to this module will be centred on the inspection techniques in the production undertakings, particularly in the slaughterhouses. Pursuant to Community rules, attention will be given to hygiene on the premises and of personnel and *ante* and *post mortem* inspections. Matters relating to market preparation, storage and transport will also be looked into.

3. Module No 3: Meat-based products, meat-based preparations, ready-to-serve dishes

This module covers the main points of Module No 2 but relates to meat-based products, meat-based preparations and ready-to-serve dishes and to the establishments in which they are processed. The specific technologies relating to these types of products and their repercussions on health will also be studied.

4. Module No 4: Milk and milk products

On the basis of work undertaken at Community level, the course will concentrate mainly on the inspection methods for milk and milk products.

The emphasis will be on the inspections of raw milk as a raw material and of milk-based products (physical, chemical and bacteriological checks).

5. Module No 5: Fishery products, molluscs and crustaceans, aquaculture products

This module covers the various health aspects for the placing on the market and for the transport and processing of fishery products, molluscs and crustaceans. The emphasis will in particular be on organoleptic, physico-chemical and microbiological checks.

As regards the agriculture products, the course will include an analysis of the types in breeding establishments with a view to preventing the outbreak and spread of contagious diseases, as well as consideration of the problems associated with the presence of residues.

III

PROVISIONAL TIMETABLE OF THE COURSES

April 1991: Meat, cuts of meat and minced meat (Veterinarians)

October 1991: Meat-based products, meat-based preparations, ready-to-serve dishes

February 1992 : Milk and milk products
April 1992 : Meat, cuts of meat and minced meat
September 1992 : Meat-based products, meat-based preparations, ready-to-serve dishes
October 1992 : Fishery products, molluscs and crustaceans, aquaculture animals and products

February 1993 : Milk and milk products
April 1993 : Meat, cuts of meat and minced meat (Veterinarians)
September 1993 : Meat, cuts of meat and minced meat
October 1993 : Fishery products, molluscs and crustaceans, aquaculture animals and products
