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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 551/91

of 7 March 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 the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 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 533/91⁽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 6 March 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 533/91 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 8 March 1991.

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

Done at Brussels, 7 March 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 59, 6. 3. 1991, p. 1.

ANNEX

to the Commission Regulation of 7 March 1991 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Levy
0709 90 60	137,13 ⁽²⁾ ⁽³⁾
0712 90 19	137,13 ⁽²⁾ ⁽³⁾
1001 10 10	200,63 ⁽¹⁾ ⁽²⁾
1001 10 90	200,63 ⁽¹⁾ ⁽²⁾
1001 90 91	185,71
1001 90 99	185,71
1002 00 00	158,44 ⁽⁴⁾
1003 00 10	154,17
1003 00 90	154,17
1004 00 10	146,79
1004 00 90	146,79
1005 10 90	137,13 ⁽²⁾ ⁽³⁾
1005 90 00	137,13 ⁽²⁾ ⁽³⁾
1007 00 90	147,75 ⁽⁴⁾
1008 10 00	63,62
1008 20 00	142,00 ⁽⁴⁾
1008 30 00	72,94 ⁽⁷⁾
1008 90 10	(7)
1008 90 90	72,94
1101 00 00	274,35 ⁽⁵⁾
1102 10 00	236,54 ⁽⁵⁾
1103 11 10	323,74 ⁽⁵⁾
1103 11 90	294,84 ⁽⁵⁾

⁽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 552/91

of 7 March 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 6 March 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 8 March 1991.

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

Done at Brussels, 7 March 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 7 March 1991 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CN code	(ECU/tonne)			
	Current 3	1st period 4	2nd period 5	3rd period 6
0709 90 60	0	5,07	5,07	5,07
0712 90 19	0	5,07	5,07	5,07
1001 10 10	0	0,53	0,53	0,53
1001 10 90	0	0,53	0,53	0,53
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	5,07	5,07	5,07
1005 90 00	0	5,07	5,07	5,07
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

CN code	(ECU/tonne)				
	Current 3	1st period 4	2nd period 5	3rd period 6	4th period 7
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 553/91

of 7 March 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 4 and 5 March 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 8 March 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, 7 March 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 ⁽¹⁾ 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 ⁽¹⁾ 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.
- ⁽¹⁾ 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 554/91

of 7 March 1991

fixing for Great Britain the level of the variable slaughter premium for sheep
and the amounts to be charged on products leaving region 1

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 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat ⁽¹⁾, as amended by Regulation (EEC) No 3577/90 ⁽²⁾,

Having regard to Commission Regulation (EEC) No 1633/84 of 8 June 1984 laying down detailed rules for applying the variable slaughter premium for sheep and repealing Regulation (EEC) No 2661/80 ⁽³⁾, as last amended by Regulation (EEC) No 1075/89 ⁽⁴⁾, and in particular Articles 3 (1) and 4 (1) thereof,

Whereas the United Kingdom is the only country which grants the variable slaughter premium, in region 5, within the meaning of Article 22 (2) of Regulation (EEC) No 3013/89 whereas it is necessary therefore for the Commission to fix, for the week beginning 11 February 1991, the level of the premium and the amount to be charged on products leaving that region;

Whereas Article 3 (1) of Regulation (EEC) No 1633/84 stipulates that the level of the variable slaughter premium is to be fixed each week by the Commission;

Whereas Article 4 (1) of Regulation (EEC) No 1633/84 lays down that the amount to be charged on products leaving region 1 shall be fixed weekly by the Commission;

Whereas in the Annex to Commission Regulation (EEC) No 3618/89 of 1 December 1989 on the application of the guarantee limitation arrangements for sheepmeat and goatmeat ⁽⁵⁾ the weekly amounts of the guide level are set out pursuant to Article 25 of Regulation (EEC) No 3013/89;

Whereas, pursuant to the provisions of Article 24 (2) and (3) of Regulation (EEC) No 3013/89, for the week beginning 11 February 1991, the variable slaughter premium for sheep certified as eligible in the United Kingdom is to be in accordance with the amounts fixed in the Annexes hereto; whereas, for that week, in the light of the Judgment of the Court of Justice of 9 February 1988 in Case 61/86, the provisions of Article 9 (5) of Regulation (EEC) No 3013/89 and of Article 4 of Regulation (EEC) No 1633/84 lead to the amounts to be charged on products, leaving region 1, being fixed in accordance with those Annexes;

Whereas, as regards the controls necessary for the application of the provisions relating to the said amounts, the system of controls provided for by Regulation (EEC) No 1633/84 should be maintained without prejudice to the preparation of any more specific provisions;

HAS ADOPTED THIS REGULATION:

Article 1

For sheep or sheepmeat certified as eligible in the United Kingdom in region 1, within the meaning of Article 22 (2) of Regulation (EEC) No 3013/89, for the variable slaughter premium during the week beginning 11 February 1991, the level of the premium is fixed at ECU 95,858 per 100 kilograms of estimated or actual dressed carcase weight within the limits laid down by Article 1 (1) (b) of Regulation (EEC) No 1633/84.

Article 2

For products referred to in Article 1 (a) and (c) of Regulation (EEC) No 3013/89 which left the territory of region 1 during the week beginning 11 February 1991, the amounts to be charged shall be equivalent to those fixed in the Annexes hereto.

Article 3

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

It shall apply with effect from 11 February 1991.

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 154, 9. 6. 1984, p. 27.

⁽⁴⁾ OJ No L 114, 27. 4. 1989, p. 13.

⁽⁵⁾ OJ No L 351, 2. 12. 1989, p. 18.

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

Done at Brussels, 7 March 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 7 March 1991 fixing for Great Britain the level of the variable slaughter premium for sheep and the amounts to be charged on products leaving region 1

(ECU/100 kg)

CN code	Amounts	
	A. Products qualifying for the premium specified in Article 24 of Regulation (EEC) No 3013/89	B. Products specified in Article 4 (4) of Regulation (EEC) No 1633/84 ⁽¹⁾
	Live weight	Live weight
0104 10 90	45,053	0
0104 20 90		0
	Net weight	Net weight
0204 10 00	95,858	0
0204 21 00	95,858	0
0204 50 11		0
0204 22 10	67,101	
0204 22 30	105,444	
0204 22 50	124,615	
0204 22 90	124,615	
0204 23 00	174,462	
0204 30 00	71,894	
0204 41 00	71,894	
0204 42 10	50,326	
0204 42 30	79,083	
0204 42 50	93,462	
0204 42 90	93,462	
0204 43 00	130,847	
0204 50 13		0
0204 50 15		0
0204 50 19		0
0204 50 31		0
0204 50 39		0
0204 50 51		0
0204 50 53		0
0204 50 55		0
0204 50 59		0
0204 50 71		0
0204 50 79		0
0210 90 11	124,615	
0210 90 19	174,462	
1602 90 71 :		
— unboned (bone-in)	124,615	
— boned or boneless	174,462	

⁽¹⁾ Eligibility for these reduced amounts is subject to compliance with the conditions laid down in the second subparagraph of Article 5 (3) of Regulation (EEC) No 1633/84.

COMMISSION REGULATION (EEC) No 555/91**of 7 March 1991****on the supply of various lots of skimmed-milk powder as food aid**

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

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

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

Whereas following the taking of a number of decisions on the allocation of food aid the Commission has allocated to certain beneficiary organizations 1 495 tonnes of skimmed-milk powder;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

Milk products shall be mobilized in the Community, as Community food aid, for supply to the recipients listed in the Annex in accordance with Regulation (EEC) No 2200/87 and under the conditions set out in the 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 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 March 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 174, 7. 7. 1990, p. 6.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

ANNEX I

LOTS A and B

1. **Operations Nos :** 1205 — 1213/90 (1)
2. **Programme :** 1990
3. **Recipient :** Euronaid, PO Box 77, NL-2340 AB Oegstgeest
4. **Representative of the recipient (2) :** see OJ No C 103, 16. 4. 1987
5. **Place or country of destination :** see Annex II
6. **Product to be mobilized :** vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods (2) (6) (7) :** see OJ No C 216, 14. 8. 1987, p. 4 (I.1.B.1 — I.1.B.3)
8. **Total quantity :** 575 tonnes
9. **Number of lots :** two (A : 375 tonnes ; B : 200 tonnes)
10. **Packaging and marking :** 25 kg (8) (9) (10) see OJ No C 216, 14. 8. 1987, pp. 4 and 6, (I.1.B.4 and I.1.B.4.3)
Supplementary marking on packaging : see Annex II and OJ No C 216, 14. 8. 1987, p. 6 (under I.1.B.5)
11. **Method of mobilization of product :** Community market
The manufacture of the skimmed-milk powder, and the incorporation of vitamins must be carried out after the award of the tender
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 :** 15 — 25. 4. 1991
18. **Deadline for the supply :** —
19. **Procedure for determining the costs of supply :** invitation to tender
20. **Date of expiry of the period allowed for submission of tenders (4) :** 12 noon on 25. 3. 1991
21. **In the case of a second invitation to tender :**
 - (a) deadline for the submission of tenders : 12 noon on 8. 4. 1991
 - (b) period for making the goods available at the port of shipment : 1 — 8. 5. 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, Attention Mr N. Arend, Bâtiment Loi 120, bureau 7/58, rue de la Loi 200, B-1049 Bruxelles ; telex AGREC 22037 B or 25670 B
25. **Refund payable on application by the successful tenderer (5) :** refund applicable on 1. 2. 1991, fixed by Commission Regulation (EEC) No 261/91 (OJ No L 27, 1. 2. 1991, p. 89)

LOT C

1. **Operations Nos :** 1214 and 1215/90⁽¹⁾
2. **Programme :** 1990
3. **Recipient :** Euronaid, PO Box 77, NL-2340 AB Oegstgeest
4. **Representative of the recipient⁽²⁾ :** see OJ No C 103, 16. 4. 1987
5. **Place of country of destination :** see Annex II
6. **Product to be mobilized :** vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods⁽²⁾ ⁽³⁾ ⁽⁴⁾ ⁽⁵⁾ :** see OJ No C 216, 14. 8. 1987, p. 4 (I.1.B.1 — I.1.B.3)
8. **Total quantity :** 720 tonnes
9. **Number of lots :** one
10. **Packaging and marking :** 25 kg⁽⁶⁾ see OJ No C 216, 14. 8. 1987, pp. 4 and 6 (I.1.B.4 and I.1.B.4.3)
Supplementary marking on packaging : see Annex II and OJ No C 216, 14. 8. 1987, p. 6 (I.1.B.5)
11. **Method of mobilization :** the Community market ;
the skimmed-milk powder must be manufactured and the vitamins incorporated after the award of the tender
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 :** 15 — 25. 4. 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⁽⁷⁾ :** 12 noon on 25. 3. 1991
21. **In the case of a second invitation to tender :**
 - (a) deadline for the submission of tenders : 12 noon on 8. 4. 1991
 - (b) period for making the goods available at the port of shipment : 1 — 8. 5. 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, A l'attention de Monsieur N. Arend, Bâtiment Loi 120, bureau 7/58, rue de la Loi 200, B-1049 Bruxelles ; telex AGREC 22037 B or 25670 B
25. **Refund payable on application by the successful tenderer⁽⁸⁾ :** refund applicable on 1. 2. 1991, fixed by Commission Regulation (EEC) No 261/91 (OJ No L 27, 1. 2. 1991, p. 89)

LOT D

1. **Operation No :** 1202/90 ⁽¹⁾
2. **Programme :** 1990
3. **Recipient :** Euronaid, PO Box 77, NL-2340 AB Oegstgeest
4. **Representative of the recipient ⁽²⁾ :** see OJ No C 103, 16. 4. 1987
5. **Place or country of destination :** Liberia
6. **Product to be mobilized :** vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods ⁽³⁾ ⁽⁴⁾ ⁽⁵⁾ :**
see OJ No C 216, 14. 8. 1987, p. 4 (I.1.B.1 — I.1.B.3)
8. **Total quantity :** 200 tonnes
9. **Number of lots :** one
10. **Packaging and marking :** 25 kg ⁽⁶⁾
see OJ No C 216, 14. 8. 1987, pp. 4 and 6, (I.1.B.4 and I.1.B.4.3)
Supplementary marking on packaging :
'ACTION No 1202/90 / MILK POWDER / LIBERIA / CATHWEL / 900128 / FREETOWN / GIFT
OF THE EUROPEAN ECONOMIC COMMUNITY / FOR FREE DISTRIBUTION'
and see OJ No C 216, 14. 8. 1987, p. 6, I.1.B.5
11. **Method of mobilization :** the Community market;
the skimmed-milk powder must be manufactured and the vitamins incorporated after the award of the tender
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 — 31. 5. 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 ⁽⁷⁾ :** 12 noon on 25. 3. 1991
21. **In the case of a second invitation to tender :**
 - (a) deadline for the submission of tenders : 12 noon on 8. 4. 1991
 - (b) period for making the goods available at the port of shipment : 20 — 31. 5. 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, Attention Mr N. Arend, Bâtiment Loi 120, bureau 7/58, rue de la Loi 200, B-1049 Bruxelles; telex AGREC 22037 B or 25670 B
25. **Refund payable on application by the successful tenderer ⁽⁸⁾ :** refund applicable on 1. 2. 1991, fixed by Commission Regulation (EEC) No 261/91 (OJ No L 27, 1. 2. 1991, p. 89)

Notes :

- (¹) The operation number is to be quoted in all correspondence.
- (²) The successful tenderer shall deliver to the beneficiary for each action number/shipping number a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.
- Radioactivity analysis must indicate the caesium-134 and -137 levels.
- (³) Commission delegate to be contacted by the successful tenderer : see list published in OJ No C 227, 7. 9. 1985, p. 4.
- (⁴) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of this 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 this Annex, or
 - by telecopier on one of the following numbers in Brussels :
 - 235 01 32,
 - 236 10 97,
 - 235 01 30,
 - 236 20 05.
- (⁵) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56), as last amended by Regulation (EEC) No 2226/89 (OJ No L 214, 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 Annexes.
- (⁶) The successful tenderer shall give the beneficiaries' representative, at the time of delivery, a certificate of origin for each action number/shipping number.
- (⁷) The successful tenderer shall give the beneficiaries' representative, at the time of delivery, a health certificate for each action number/ shipping number.
- (⁸) Shipment to take place in 20-foot containers, condition FCL/LCL. The supplier shall be responsible for the cost of making the containers available in the stack position at the container terminal at the port of shipment. The recipient shall be responsible for all subsequent loading costs including the cost of moving the containers from the container terminal.
- The provisions of Article 13 (2), second paragraph, of Regulation (EEC) No 2200/87 shall not apply.
- (⁹) The supplier should send a duplicate of the original invoice to :
- MM De Keyzer & Schütz BV,
Postbus 1438,
Blaak 16,
NL-3000 BK Rotterdam.
- (¹⁰) The successful tenderer has to submit to the recipient's agent a complete packaging list of each container, specifying the number of bags belonging to each shipping number as specified in the invitation to tender.
- The successful tenderer has to seal each container with a numbered locktainer, the number of which is to be provided to the beneficiary's forwarder.
- (¹¹) A radiation certificate must be issued by official authorities and be legalized for Sudan.

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

Designación del lote Parti Bezeichnung der Partie Χαρακτηρισμός της παρτίδας Lot Désignation du lot Designazione della partita Aanduiding van de partij Designação do lote	Cantidad total del lote (en toneladas) Totalmængde (tons) Gesamtmenge der Partie (in Tonnen) Συνολική ποσότητα της παρτίδας (σε τόνους) Total quantity (in tonnes) Quantité totale du lot (en tonnes) Quantità totale della partita (in tonnellate) Totale hoeveelheid van de partij (in ton) Quantidade total (em toneladas)	Cantidades parciales (en toneladas) Delmængde (tons) Teilmengen (in Tonnen) Μερικές ποσότητες (σε τόνους) Partial quantities (in tonnes) Quantités partielles (en tonnes) Quantitativi parziali (in tonnellate) Deelhoeveelheden (in ton) Quantidades parciais (em toneladas)	Beneficiario Modtager Empfänger Δικαιούχος Beneficiary Bénéficiaire Beneficiario Begunstigde Beneficiário	País destinatario Modtagerland Bestimmungsland Χώρα προορισμού Recipient country Pays destinataire Paese destinatario Bestemmingsland País destinatário	Inscripción en el embalaje Emballagens påtegnig Aufschrift auf der Verpackung Ένδειξη επί της συσκευασίας Markings on the packaging Inscription sur l'emballage Iscrizione sull'imballaggio Aanduiding op de verpakking Inscrição na embalagem
A	375	240	Oxfam Belgique	Algérie	Action n° 1205/90 / Lait en poudre / Algérie / Oxfam B / 900830 / Arzew (option : Oran) / Don de la Communauté économique européenne / Pour distribution gratuite
		30	Caritas N	Angola	Acção n° 1206/90 / Leite em pó / Angola / Caritas N / 900344 / Luanda / Donativo da Comunidade Económica Europeia / Destinado a distribuição gratuita
		15	Caritas N	Angola	Acção n° 1207/90 / Leite em pó / Angola / Caritas N / 900345 / Namibe / Donativo da Comunidade Económica Europeia / Destinado a distribuição gratuita
		45	Oikos	Angola	Acção n° 1208/90 / Leite em pó / Angola / Oikos / 906704 / Luanda / Donativo da Comunidade Económica Europeia / Destinado a distribuição gratuita
		45	ICR	Uganda	Action No 1209/90 / Milk powder / Uganda / ICR / 904607 / Kampala via Mombasa / Gift of the European Economic Community / For free distribution
B	200	30	WCC	India	Action No 1210/90 / Milk powder / India / WCC / 900702 / Madras / Gift of the European Economic Community / For free distribution
		15	ACA	India	Action No 1211/90 / Milk powder / India / ACA / 901600 / Madras / Gift of the European Economic Community / For free distribution
		30	ACA	India	Action No 1212/90 / Milk powder / India / ACA / 901603 / Bombay / Gift of the European Economic Community / For free distribution
		125	CAM	India	Action No 1213/90 / Milk powder / India / CAM / 902005 / Bombay / Gift of the European Economic Community / For free distribution

Designación del lote Parti Bezeichnung der Partie Χαρακτηρισμός της παρτίδας Lot Désignation du lot Designazione della partita Aanduiding van de partij Designação do lote	Cantidad total del lote (en toneladas) Totalmængde (tons) Gesamtmenge der Partie (in Tonnen) Συνολική ποσότητα της παρτίδας (σε τόνους) Total quantity (in tonnes) Quantité totale du lot (en tonnes) Quantità totale della partita (in tonnellate) Totale hoeveelheid van de partij (in ton) Quantidade total (em toneladas)	Cantidades parciales (en toneladas) Deilmængde (tons) Teilmengen (in Tonnen) Μερικές ποσότητες (σε τόνους) Partial quantities (in tonnes) Quantités partielles (en tonnes) Quantitativi parziali (in tonnellate) Deelhoeveelheden (in ton) Quantidades parciais (em toneladas)	Beneficiario Modtager Empfänger Δικαιούχος Beneficiary Bénéficiaire Beneficiario Begunstigde Beneficiário	País destinatario Modtagerland Bestimmungsland Χώρα προορισμού Recipient country Pays destinataire Paese destinatario Bestemmingsland País destinatário	Inscripción en el embalaje Emballagens påtegning Aufschrift auf der Verpackung Ένδειξη επί της συσκευασίας Markings on the packaging Inscription sur l'emballage Iscrizione sull'imballaggio Aanduiding op de verpakking Inscrição na embalagem
C	720	690	Concern	Ethiopia	Action No 1214/90 / Milk powder / Ethiopia / Concern / 905412 / Assab / Gift of the European Economic Community / For free distribution
		30	Cafod	Sudan	Action No 1215/90 / Milk powder / Sudan / 907600 / Khartoum via Port Sudan

COMMISSION RECOMMENDATION No 556/91/ECSC

of 7 March 1991

on Community surveillance of imports of certain iron and steel products covered by the ECSC Treaty and originating in non-member countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Article 74 thereof,

Whereas by recommendation No 3979/89/ECSC ⁽¹⁾, the Commission subjected to a Community monitoring system the imports into the Community of certain iron and steel products covered by the ECSC Treaty;

Whereas the reasons which originally led the Commission to introduce this measure continue to apply and the said surveillance system should therefore be continued so as to provide more detailed information on foreseeable imports and the terms and conditions of such imports;

Whereas an abnormal increase in imports of seconds and products of substandard quality has recently been observed, and these imports should be monitored more closely,

MAKES THE FOLLOWING RECOMMENDATION:

Article 1

1. The release for free circulation in the Community of iron and steel products covered by the ECSC Treaty, listed in Annex II and originating in non-member countries other than EFTA, shall be subject to the issue of an import document.

2. The products referred to in paragraph 1 shall be considered as being of first-choice quality until the importer provides proof to the contrary.

3. The import document shall be issued or endorsed by the Member States, free of charge and for any quantities requested, upon receipt of the application and in any case within not more than 10 working days from the submission of the completed application and presentation of two duplicates of the relevant purchase contract(s) and the vendor's order confirmation(s). The originals of these documents as well as the pro forma invoice must be produced if required by the licence-issuing authority.

4. Paragraph 1 shall apply without prejudice to the maintenance of existing quantitative restrictions imposed by Member States on certain iron and steel products in respect of certain non-member countries.

5. The period of validity of the import document is hereby fixed at three months, without prejudice to possible changes in the import arrangements in force.

Article 2

1. The importer's application must state:

- (a) the name, address, occupation, telephone, telefax and telex numbers of the importer;
- (b) the description of the goods and the CN code ⁽²⁾;
- (c) the country of origin;
- (d) the country of consignment;
- (e) the net weight, by individual lots;
- (f) the currency and value invoiced (cif or daf);
- (g) the proposed date and place of customs clearance;
- (h) where the products concerned are seconds or of substandard quality, the precise characteristics establishing that this is the case, in accordance with the instructions given by the Commission in its communication on distinguishing criteria.

2. The following additional information shall also be supplied by the importer:

A. For goods originating in and consigned direct from one of the countries listed in Annex I (direct importation):

- (a) the commercial description of the goods, including exact specifications, whether they are for use in shipbuilding, details of the exporter and place of delivery;
- (b) the delivered price per tonne, exclusive of VAT, including details of all the items figuring in the calculation of the delivered price, particularly extras, rebates and transport costs to the point of delivery;
- (c) particulars of:
 - (i) the Community producer's price list chosen for calculating the delivered price, including the date of the chosen list; or
 - (ii) where appropriate, the non-member country offer on which the terms of the delivery have been aligned, in sufficient detail to identify the offer and including the date;

⁽¹⁾ OJ No L 380, 29. 12. 1989, p. 17.

⁽²⁾ OJ No L 247, 10. 9. 1990, p. 1.

- (d) for goods falling within CN code 7201, the name and address of the final purchaser, where known.
- B. For goods originating in one of the countries listed in Annex I but consigned from any non-member country other than the country of origin (indirect importation), and for goods originating in a non-member country not listed in Annex I:
- (a) a complete description corresponding to that appearing in the list of products subject to the basic prices in force, and details of the exporter and the place of delivery;
 - (b) the cif or daf price at the Community frontier, per tonne, in the currency of the contract, plus customs duties applicable and unloading costs;
 - (c) for goods falling within CN code 7201, the name and address of the final purchaser, where known.
3. The importer shall declare that neither he nor the purchaser will be granted any reduction, rebate or other form of refund not mentioned in the contract for the transaction, either at the time of the transaction or subsequently.
4. The importer shall certify that his application for an import document is accurate.
5. The importer shall state whether his application is a repeat of a previous application concerning the same delivery.

Article 3

1. When an import document for goods originating in the countries listed in Annex I is granted, the Member States shall notify the Commission of any differences between:

- the delivered price calculated on the basis of the reference price list, and
- the delivered price calculated on the basis of the contract or the pro forma invoice.

They shall also furnish all necessary documents, in particular the duplicates of import licence applications, purchase contracts and vendor's order confirmations, whenever the price difference noted is considerable or relates to a large quantity.

If abnormally high levels of imports of seconds or substandard goods are observed, the Commission shall in addition request that Member States provide, for a period that it shall determine, proof as to the nature of these

products, in accordance with the criteria referred to in Article 2 (1) (h). This shall apply to imports in which the proportion of seconds or substandard goods exceeds 10 % of the total delivery specified in the contract, and where their quantity exceeds 50 tonnes.

2. When an import document is granted for goods:

- originating in non-member countries other than those listed in Annex I,
- originating in a country listed in Annex I, but consigned from a non-member country other than the country of origin (indirect importation),

Member States shall inform the Commission of any difference, in ecus per tonne, between:

- the basic price as published in the *Official Journal of the European Communities*, and
- the cif or daf price at the Community frontier, including customs duties applicable and unloading costs.

If abnormally high levels of imports of seconds or substandard goods are observed, the Commission shall in addition request that the Member States provide, for a period that it shall determine, proof as to the nature of these products, in accordance with the criteria referred to in Article 2 (1) (h). This shall apply to imports in which the proportion of seconds or substandard goods exceeds 10 % of the total delivery specified in the contract, and where their quantity exceeds 50 tonnes.

3. Within the first 10 days of each month, the Member States shall notify the Commission of the tonnage and values (calculated on the basis of the cif or daf prices) for which import documents were issued during the preceding month.

4. The information supplied by the Member States shall include:

- (a) a breakdown by country of origin;
- (b) a breakdown by product (combined nomenclature) for each country of origin;
- (c) for each country of origin, the quantities of products declared as being seconds or of substandard quality;
- (d) within the total of any one product originating in any one country, the quantities not imported direct from that country and, in such cases, an indication of the country of consignment;
- (e) full details of each case detected by customs of fraud relating to a large quantity (in accordance with the standard set out under paragraphs 1 and 2) of products declared as being seconds or of substandard quality.

5. Within the first 10 days of each month, Member States shall notify to the Commission :

- (a) the tonnage and the values (calculated on the basis of the cif or daf price) for which import documents expired during the preceding month without having been fully or partially used ;
- (b) the tonnage and the values (calculated on the basis of the cif or daf price) for which previously-issued import documents were renewed in whole or in part in the preceding month.

Article 4

The recommendation is addressed to the Member States.

Article 5

This recommendation shall take effect on the day of its publication in the *Official Journal of the European Communities*.

It shall apply until 31 December 1991.

Done at Brussels, 7 March 1991.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX I

Brazil	Poland
Bulgaria	Romania
Czechoslovakia	Hungary

ANNEX II

7201 10 11	7208 22 95	7209 31 00	7212 21 11	7218 90 19	7224 90 09
7201 10 19	7208 22 98	7209 32 10	7212 29 11	7218 90 50	7224 90 15
7201 10 30	7208 23 10	7209 32 90	7212 30 11		7224 90 30
7201 10 90	7208 23 91	7209 33 10	7212 40 10	7219 11 10	
7201 20 00	7208 23 95	7209 33 90	7212 40 91	7219 11 90	
7201 30 10	7208 23 98	7209 34 10	7212 50 31	7219 12 10	7225 10 10
7201 30 90	7208 24 10	7209 34 90	7212 50 51	7219 12 90	7225 10 91
7201 40 00	7208 24 91	7209 41 00	7212 60 11	7219 13 10	7225 10 99
	7208 24 99	7209 42 10	7212 60 91	7219 13 90	7225 20 10
	7208 31 00	7209 42 90		7219 14 10	7225 20 30
7202 11 20	7208 32 10	7209 43 10	7213 10 00	7219 14 90	7225 30 00
7202 11 80	7208 32 30	7209 43 90	7213 20 00	7219 21 11	7225 40 10
7202 99 11	7208 32 51	7209 44 10	7213 31 00	7219 21 19	7225 40 30
	7208 32 59	7209 44 90	7213 39 00	7219 21 90	7225 40 50
7203 90 00	7208 32 91	7209 90 10	7213 41 00	7219 22 10	7225 40 70
	7208 32 99		7213 49 00	7219 22 90	7225 40 90
7204 50 10	7208 33 10	7210 11 10	7213 50 10	7219 23 10	7225 50 10
7204 50 90	7208 33 91	7210 12 11	7213 50 90	7219 23 90	7225 50 90
	7208 33 99	7210 12 19		7219 24 10	7225 90 10
7206 10 00	7208 34 10	7210 20 10	7214 20 00	7219 24 90	
7206 90 00	7208 34 90	7210 31 10	7214 30 00	7219 31 10	7226 10 10
	7208 35 10	7210 39 10	7214 40 10	7219 31 90	7226 10 30
7207 11 11	7208 41 00	7210 41 10	7214 40 91	7219 32 10	7226 20 10
7207 11 19	7208 42 10	7210 49 10	7214 40 99	7219 32 90	7226 20 31
7207 12 11	7208 42 30	7210 50 10	7214 50 10	7219 33 10	7226 20 51
7207 12 19	7208 42 51	7210 60 11	7214 50 91	7219 33 90	7226 20 71
7207 19 11	7208 42 59	7210 60 19	7214 50 99	7219 34 10	7226 91 10
7207 19 15	7208 42 91	7210 70 21	7214 60 00	7219 34 90	7226 91 90
7207 19 31	7208 42 99	7210 70 29		7219 35 10	7226 92 10
7207 20 11	7208 43 10	7210 90 31	7215 90 10	7219 35 90	7226 99 11
7207 20 15	7208 43 91	7210 90 33		7219 90 11	7226 99 31
7207 20 17	7208 43 99	7210 90 35	7216 10 00	7219 90 19	
7207 20 31	7208 44 10	7210 90 39	7216 21 00		7227 10 00
7207 20 33	7208 44 90		7216 22 00	7220 11 00	7227 20 00
7207 20 51	7208 45 10	7211 11 00	7216 31 11	7220 12 00	7227 90 10
7207 20 55	7208 90 10	7211 12 10	7216 31 19	7220 20 10	7227 90 30
7207 20 57		7211 12 90	7216 31 91	7220 90 11	7227 90 80
7207 20 71		7211 19 10	7216 31 99	7220 90 31	
		7211 19 91	7216 32 11		7228 10 10
7208 11 00		7211 19 99	7216 32 19	7221 00 10	7228 10 30
7208 12 10	7209 11 00	7211 21 00	7216 32 91	7221 00 90	7228 20 11
7208 12 91	7209 12 10	7211 22 10	7216 32 99		7228 20 19
7208 12 95	7209 13 10	7211 22 90	7216 33 10	7222 10 11	7228 20 30
7208 12 98	7209 13 90	7211 29 10	7216 33 90	7222 10 19	7228 30 10
7208 13 10	7209 14 10	7211 29 91	7216 40 10	7222 10 51	7228 30 30
7208 13 91	7209 14 90	7211 29 99	7216 40 90	7222 10 59	7228 30 80
7208 13 95	7209 21 00	7211 30 10	7216 50 10	7222 10 99	7228 60 10
7208 13 98	7209 22 10	7211 41 10	7216 50 90	7222 30 10	7228 70 10
7208 14 10	7209 22 90	7211 41 91	7216 90 10	7222 40 11	7228 70 31
7208 14 91	7209 23 10	7211 49 10		7222 40 19	7228 80 10
7208 14 99	7209 23 90	7211 90 11	7218 10 00	7222 40 30	7228 80 90
7208 21 10	7209 24 10		7218 90 11		
7208 21 90	7209 24 91	7212 10 10	7218 90 13	7224 10 00	
7208 22 10	7209 24 99	7212 10 91	7218 90 15	7224 90 01	7301 10 00
7208 22 91					

COMMISSION REGULATION (EEC) No 557/91

of 7 March 1991

amending Regulation (EEC) No 2041/75 on special detailed rules for the application of the system of import and export licences and advance-fixing certificates for oils and fats

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

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 3577/90⁽²⁾, and in particular Article 20 (3) thereof,

Whereas, to facilitate the adoption of appropriate measures in the case of a disturbance or risk of disturbance of the market in olive oil, provision should be made, in respect of export licences applied for in the context of a normal refund, for a period of reflection of five working days between the application and the issue of the licence; whereas, in view of the foreseeable demand for such licences and in order not to create an excessive administrative load, provision should be made for a single weekly notification by Member States; whereas it is necessary, therefore, to amend Commission Regulation (EEC) No 2041/75⁽³⁾, as last amended by Regulation (EEC) No 2662/87⁽⁴⁾; whereas the CN codes of the products concerned should accordingly be specified;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 5 (1) of Regulation (EEC) No 2041/75 is replaced by the following:

'1. As regards the products falling within CN codes 0709 90 39, 0711 20 90, 1509, 1510 00, 1522 00 31,

1522 00 39 and 2306 90 19, and without prejudice to the application of the provisions of Article 20b of Regulation No 136/66/EEC, the licence or certificate shall be issued on the third working day following the day on which the application is lodged.

However, licences and certificates applied for under a tendering procedure opened under Article 5 of Council Regulation (EEC) No 1650/86 shall be issued immediately once the amount of the maximum refund for the tendering procedure in question has been fixed.

Notwithstanding the first subparagraph, in the case of olive oil falling within CN codes 1509 and 1510 00 for the 1990/91 marketing year, export licences other than those referred to in the second subparagraph shall be issued on the fifth working day following the day on which the application is lodged. 28 and 29 March, 1 April, 9 and 10 May and 16 August 1991 shall not be deemed to constitute working days.

Applications for licences may be lodged only on Monday, Tuesday, or Wednesday of each week. Applications lodged on Thursday or Friday shall be deemed to have been lodged on Monday of the following week.

Member States shall notify the Commission no later than 2 p.m. (Brussels time) each Thursday of applications for licences lodged on the preceding Monday, Tuesday or Wednesday, broken down by quality and type of packaging, failing which the applications shall be deemed to be inadmissible.'

Article 2

This Regulation shall enter into force on the third 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 March 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

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

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 213, 11. 8. 1975, p. 1.

⁽⁴⁾ OJ No L 252, 3. 9. 1987, p. 6.

COMMISSION REGULATION (EEC) No 558/91

of 7 March 1991

amending Regulation (EEC) No 1495/80 implementing certain provisions of Council Regulation (EEC) No 1224/80 on the valuation of goods for customs purposes

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1224/80 of 28 May 1980 on the valuation of goods for customs purposes⁽¹⁾, as last amended by Regulation (EEC) No 4046/89⁽²⁾, and in particular Article 19 (1) (b) thereof,

Whereas Commission Regulation (EEC) No 1495/80⁽³⁾, as last amended by Regulation (EEC) No 220/85⁽⁴⁾, adopted certain implementing provisions for Regulation (EEC) No 1224/80 in order to ensure its uniform application;

Whereas Article 10 of Regulation (EEC) No 1224/80 does not specify the extent of the period which customs authorities may grant to individuals or enterprises for the supply of information and/or documents and, for this reason, the approach of customs authorities in this matter varies significantly from one Member State to another;

Whereas the granting of excessive periods is likely to delay the levying of the customs duties due;

Whereas it is necessary to ensure the uniform application of the abovementioned Article 10 and to adopt to this end implementing provisions which exclude, whenever possible, any divergence of treatment of individuals or firms as well as any unjustified delays in the levying of customs duties;

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

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

Done at Brussels, 7 March 1991.

Article 1

The following Article 11a is hereby inserted in Regulation (EEC) No 1495/80:

Article 11a

1. In determining the period referred to in Article 10 (1) of Regulation (EEC) No 1224/80, the customs authorities shall take into account the particular nature of information and/or documents to be furnished. Where information or documents are not supplied at the time of acceptance of the declaration, the period to be granted for their communication or production shall correspond, as a general rule, to that provided for in the Community provisions concerning release of goods for free circulation.

2. The customs authorities may, to the extent that it appears indispensable, extend the period fixed above. The total period granted shall take account of the prescribed periods in force.

Article 2

This Regulation shall enter into force on 1 July 1991.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 134, 31. 5. 1980, p. 1.

⁽²⁾ OJ No L 388, 30. 12. 1989, p. 24.

⁽³⁾ OJ No L 154, 21. 6. 1980, p. 14.

⁽⁴⁾ OJ No L 25, 30. 1. 1985, p. 7.

COMMISSION REGULATION (EEC) No 559/91

of 7 March 1991

amending Regulation (EEC) No 1546/88 laying down detailed rules for the application of the additional levy referred to in Article 5c of Council Regulation (EEC) No 804/68

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk products ⁽¹⁾, as last amended by Regulation (EEC) No 3641/90 ⁽²⁾, and in particular Article 5c (7) thereof,

Having regard to Council Regulation (EEC) No 857/84 of 31 March 1984 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 ⁽³⁾, as last amended by Regulation (EEC) No 306/91 ⁽⁴⁾, and in particular Articles 6 (3) and 11 (c) thereof,

Whereas the additional levy scheme in the milk and milk products sector applies both in the territory of the former German Democratic Republic and in Portugal as from 1 April 1991 pursuant to Regulations (EEC) No 804/68 and (EEC) No 857/84, as amended by Regulations (EEC) No 3577/90 ⁽⁵⁾, (EEC) No 3641/90 and (EEC) No 3642/90 ⁽⁶⁾; whereas, to take account of this new situation, Commission Regulation (EEC) No 1546/88 ⁽⁷⁾, as last amended by Regulation (EEC) No 2333/90 ⁽⁸⁾, should be amended accordingly;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1546/88 is hereby amended as follows:

1. in Article 5:

(a) the following is added to the third subparagraph of paragraph 1:

'and in the case of Portugal, by 31 December 1991.';

(b) the following subparagraph is added to paragraph 4:

'in the case of Portugal the reference quantity referred to in the first subparagraph under (a) shall correspond to direct sales in 1990.';

2. the following is added to the first subparagraph of Article 12 (1):

'with the exception, for Germany, of the territory of the former German Democratic Republic, where they shall be those recorded for the 1989 calendar year and with the exception of Portugal where they shall be those recorded for the 1990 calendar year.';

3. the following second subparagraph is added to Article 19 (2):

'in the case of Spain, Germany (as regards the territory of the former German Democratic Republic) and Portugal, the date 1 October 1984 mentioned in the first subparagraph is replaced by 1 October 1991.'

Article 2

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

It shall apply from 1 April 1991.

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

Done at Brussels, 7 March 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 362, 27. 12. 1990, p. 5.

⁽³⁾ OJ No L 90, 1. 4. 1984, p. 13.

⁽⁴⁾ OJ No L 37, 9. 2. 1991, p. 4.

⁽⁵⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽⁶⁾ OJ No L 362, 27. 12. 1990, p. 7.

⁽⁷⁾ OJ No L 139, 4. 6. 1988, p. 12.

⁽⁸⁾ OJ No L 211, 9. 8. 1990, p. 5.

COMMISSION REGULATION (EEC) No 560/91

of 7 March 1991

amending certain Regulations relating to cereals and rice as a consequence of the accession of Portugal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 1866/89 ⁽²⁾, and in particular Articles 4 (5) and 10 (2) 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 ⁽³⁾, as last amended by Regulation (EEC) No 4016/88 ⁽⁴⁾, and in particular Article 4 thereof,

Having regard to Council Regulation (EEC) No 1250/77 of 17 May 1977 concerning imports of rice from the Arab Republic of Egypt ⁽⁵⁾, and in particular Article 4 thereof,

Having regard to Council Regulation (EEC) No 715/90 of 5 March 1990 on the adjustments applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the ACP States or in the overseas countries and territories (OCT) ⁽⁶⁾ as amended by Regulation (EEC) No 297/91 ⁽⁷⁾, and in particular Article 27 thereof,

Whereas, pursuant to the Act of Accession, the provisions of the common organization of the markets apply to Portugal as from 1 January 1991; whereas the application of these provisions means that indications concerning Portugal need to be added to the following Regulations:

- Commission Regulation (EEC) No 2622/71 of 9 December 1971 on detailed rules concerning imports of rye from Turkey ⁽⁸⁾, as last amended by Regulation (EEC) No 3817/85 ⁽⁹⁾,
- Commission Regulation (EEC) No 2942/73 of 30 October 1973 on detailed rules for the application of Council Regulation (EEC) No 2412/73 of 24 July 1973 concerning imports of rice from the Arab Republic of Egypt ⁽¹⁰⁾, as amended by Regulation (EEC) No 3817/85,
- Commission Regulation (EEC) No 2047/84 of 17 July 1984 determining the rice intervention centres other

than Vercelli ⁽¹¹⁾, as amended by Regulation (EEC) No 3817/85,

- Commission Regulation (EEC) No 999/90 of 20 April 1990 laying down detailed rules for imports of rice originating in the African, Caribbean and Pacific States (ACP) and the overseas countries and territories (OCT) ⁽¹²⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The following is added to Article 1 of Regulation (EEC) No 2622/71:

‘Imposição especial de exportação, nos termos do Regulamento (CEE) n° 1234/71, paga num montante de ...’

2. The following is added to the end of Article 2 of Regulation (EEC) No 2942/73:

‘Aplicada a imposição especial de exportação’.

3. The following is added to the Annex to Regulation (EEC) No 2047/84:

‘5. PORTUGAL

Region	Intervention centre
Beira Litoral	— Granja do Ulmeiro
	— Amieira
	— Lourical
	— Caldas da Rainha
Ribatejo	— Coruche
	— Mora
	— Pavia
	— Ponte de Sor
	— Vale de Figueira
Alentejo	— Alcácer do Sal
	— Águas de Moura
	— Ferreira do Alentejo.

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽³⁾ OJ No L 142, 9. 6. 1977, p. 10.

⁽⁴⁾ OJ No L 358, 27. 12. 1988, p. 3.

⁽⁵⁾ OJ No L 146, 14. 6. 1977, p. 9.

⁽⁶⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽⁷⁾ OJ No L 36, 8. 2. 1991, p. 9.

⁽⁸⁾ OJ No L 271, 10. 12. 1971, p. 22.

⁽⁹⁾ OJ No L 368, 31. 12. 1985, p. 16.

⁽¹⁰⁾ OJ No L 302, 31. 10. 1973, p. 1.

⁽¹¹⁾ OJ No L 190, 18. 7. 1984, p. 5.

⁽¹²⁾ OJ No L 101, 21. 4. 1990, p. 20.

4. Regulation (EEC) No 999/90 is hereby amended as follows :

Article 2

The following is added to Article 2 (2) :

'Imposição especial cobrada na exportação do arroz'.

The following is added to Article 3 (1) (a) :

'Direito nivelador reduzido ACP/PTU'.

This Regulation shall enter into force on the third day following its publication in 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, 7 March 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 561/91

of 7 March 1991

adopting interim protective measures in regard to applications for STM licences for milk and milk products lodged between 25 February and 1 March 1991 in regard to 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 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 milk of a net content not exceeding two litres lodged between 25 February and 1 March 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 the milk 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 25 February and 1 March 1991 for:

— milk of a net content not exceeding two litres, falling within CN codes ex 0401, 0403 and ex 0404, are hereby accepted up to a percentage of 16,37 %.

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

Article 2

This Regulation shall enter into force on 8 March 1991.

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

Done at Brussels, 7 March 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 562/91

of 7 March 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 400 000 tonnes of barley to certain destinations; whereas the procedure laid down in Article 9 (4) of Regulation (EEC) No 891/89⁽⁶⁾, as last amended by Regulation (EEC) No 3633/90⁽⁷⁾, should be used; whereas account should be taken of this when the refunds are fixed;

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

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

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

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

Whereas 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 8 March 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 355, 18. 12. 1990, p. 10.

⁽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, 7 March 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 7 March 1991 fixing the export refunds on cereals fixing
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	120,00
	06	50,00
	02	0
1001 90 91 000	—	—
1001 90 99 000	04	90,00
	05	90,00
	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	99,50 (2)
	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	0
1101 00 00 130	01	0
1101 00 00 150	01	0
1101 00 00 170	01	0
1101 00 00 180	01	0
1101 00 00 190	—	—
1101 00 00 900	—	—
1102 10 00 600	01	0
1102 10 00 900	—	—
1103 11 10 100	01	0
1103 11 10 200	01	0
1103 11 10 500	01	0
1103 11 10 900	01	0
1103 11 90 100	01	0
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 400 000 tonnes of barley.

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

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 28 January 1991

concerning the conclusion of the Protocol for the accession of Venezuela to the
General Agreement on Tariffs and Trade

(91/129/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Whereas Venezuela entered into negotiations with the European Economic Community and the other Contracting Parties to the General Agreement on Tariffs and Trade with a view to its accession to the said Agreement;

Whereas the results of these negotiations are acceptable to the Community,

HAS DECIDED AS FOLLOWS:

Article 1

The Protocol for the accession of Venezuela to the General Agreement on Tariffs and Trade is hereby approved on behalf of the European Economic Community.

The text of the Protocol is attached to this Decision.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Protocol in order to bind the Community.

Done at Brussels, 28 January 1991.

For the Council

The President

J.-C. JUNCKER

PROTOCOL FOR THE ACCESSION
of Venezuela to the General Agreement on Tariffs and Trade

The governments which are contracting parties to the General Agreement on Tariffs and Trade (hereinafter referred to as 'Contracting Parties' and 'the General Agreement', respectively), the European Economic Community and the Government of Venezuela (hereinafter referred to as 'Venezuela'),

Having regard to the results of the negotiations directed towards the accession of Venezuela to the General Agreement,

Have through their representative agreed as follows:

PART I

General

1. Venezuela shall, upon entry into force of this Protocol pursuant to paragraph 6, become a Contracting Party to the General Agreement, as defined in Article XXXII thereof, and shall apply to the Contracting Parties, provisionally and subject to this Protocol:

- (a) Parts I, III and IV of the General Agreement, and
- (b) Part II of the General Agreement to the fullest extent not inconsistent with its legislation existing on the date of this Protocol.

The obligations incorporated in paragraph 1 of Article I by reference to Article III and those incorporated in paragraph 2 (b) of Article II by reference to Article VI of the General Agreement shall be considered as falling within Part II of the General Agreement for the purpose of this paragraph.

2. (a) The provisions of the General Agreement to be applied to Contracting Parties by Venezuela shall, except as otherwise provided in this Protocol and in the commitments listed in paragraph 90 of document L/6696, be the provisions contained in the text annexed to the Final Act of the second session of the Preparatory Committee of the United Nations Conference on Trade and Employment, as rectified, amended and otherwise modified by such instruments as may have become effective on the day on which Venezuela becomes a Contracting Party.

- (b) In each case in which paragraph 6 of Article V, subparagraph 4 (d) of Article VII and subparagraph 3 (c) of Article X of the General Agreement refer to

the date of that Agreement, the applicable date in respect of Venezuela shall be the date of this Protocol.

PART II

Schedule

3. The Schedule in the Annex shall, upon the entry into force of this Protocol, become a Schedule to the General Agreement relating to Venezuela.

- 4. (a) In each case in which paragraph 1 of Article II of the General Agreement refers to the date of that Agreement, the applicable date in respect of each product which is the subject of a concession provided for in the Schedule annexed to this Protocol shall be the date of this Protocol.

- (b) For the purpose of the reference in paragraph 6 (a) of Article II of the General Agreement the date of that Agreement, the applicable date in respect of the Schedule annexed to this Protocol shall be the date of this Protocol.

PART III

Final provisions

5. This Protocol shall be deposited with the Director-General to the Contracting Parties. It shall be open for acceptance by signature or otherwise, by Venezuela, until 31 December 1990. It shall also be open for acceptance by the Contracting Parties and by the European Economic Community.

6. This Protocol shall enter into force on the 30th day following the day upon which it is accepted by Venezuela.

7. Venezuela, having become a Contracting Party to the General Agreement according to paragraph 1 of this Protocol, may accede to the General Agreement upon the applicable terms of this Protocol by deposit of an instrument of accession with the Director-General. Such accession shall take effect on the day on which the General Agreement enters into force pursuant to Article XXVI or on the 30th day following the day of the deposit of the instrument of accession, whichever is the later. Accession to the General Agreement pursuant to this paragraph shall, for the purposes of paragraph 2 of Article XXXII of that Agreement, be regarded as acceptance of the Agreement pursuant to paragraph 4 of Article XXVI thereof.

8. Venezuela may withdraw its provisional application of the General Agreement before its accession thereto pursuant to paragraph 7; such withdrawal shall take effect on the 60th day following the day on which written notice thereof is received by the Director-General.

9. The Director-General shall promptly furnish a certified copy of this Protocol and a notification of each

acceptance thereof, pursuant to paragraph 5, to each Contracting Party, to the European Economic Community, to Venezuela and to each government which has acceded provisionally to the General Agreement.

10. This Protocol shall be registered in accordance with the provisions of Article 102 of the Charter of the United Nations.

Done at Geneva this twenty-sixth day of July one thousand nine hundred and ninety, in a single copy, in the English, French and Spanish languages, except as otherwise specified with respect to the Schedule annexed hereto, each text being authentic.

ANNEX

Schedule LXXXVI — Venezuela

(This Schedule may be consulted in the GATT Secretariat in Geneva.)

Information concerning the signing of the Protocol of accession of Venezuela to the General Agreement on Tariffs and Trade

The Protocol of accession of Venezuela to the General Agreement on Tariffs and Trade was signed on 26 February 1991 on behalf of the European Economic Community by Mr Tran van Tinh, head of the Commission's Permanent Delegation in Geneva, empowered to that end by the President of the Council.

CORRIGENDA

Corrigendum to Council Regulation (EEC) No 3925/90 of 21 December 1990 totally or partially suspending the duties applicable to certain products falling within Chapters 1 to 24 of the combined nomenclature and originating in Malta (1991)

(Official Journal of the European Communities No L 376 of 31 December 1990)

On page 16, in the fourth column, against order No 16.2020 :

for: '25 %',

read: '2,5 %'.

Corrigendum to Commission Regulation (EEC) No 484/91 of 28 February 1991 fixing the refunds applicable for March 1991 to cereal and rice sector products supplied as Community and national food aid

(Official Journal of the European Communities No L 55 of 1 March 1991)

On page 31, in the title of the Annex :

for: 'applicable for February 1991',

read: 'applicable for March 1991'.
