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Legislation

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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 792/91**of 25 March 1991****extending the provisional anti-dumping duty on imports of aspartame
originating in Japan and the United States of America**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2423/88 of 11 July 1988 on protection against dumped or subsidized imports from countries not members of the European Economic Community⁽¹⁾, and in particular Article 11 thereof,

Having regard to the proposal from the Commission,

Whereas, by Regulation (EEC) No 3421/90⁽²⁾, the Commission imposed a provisional anti-dumping duty on imports of aspartame originating in Japan and the United States of America;

Whereas the examination of the facts has not yet been completed and the Commission has informed the exporters concerned in Japan and the United States of America of its intention to propose an extension of the period of

validity of the provisional duty for a further period not exceeding two months; whereas none of the exporters involved has objected,

HAS ADOPTED THIS REGULATION:

Article 1

The provisional anti-dumping duty on imports of aspartame originating in Japan and the United States of America is hereby extended for a period not exceeding two months as from 30 March 1991.

Article 2

This Regulation shall enter into force on the day following that 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, 25 March 1991.

For the Council

The President

R. STEICHEN

⁽¹⁾ OJ No L 209, 2. 8. 1988, p. 1.

⁽²⁾ OJ No L 330, 29. 11. 1990, p. 16.

COUNCIL REGULATION (EEC) No 793/91

of 25 March 1991

amending Regulation (EEC) No 3926/90 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1991 and certain conditions under which they may be fished

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 170/83 of 25 January 1983 establishing a Community system for the conservation and management of fishery resources ⁽¹⁾, as amended by the Act of Accession of Spain and Portugal, and in particular Article 11 thereof,

Having regard to the proposal from the Commission,

Whereas, under the terms of Article 3 of Regulation (EEC) No 170/83, it is for the Council to establish the total allowable catches (TACs) by stock or group of stocks, the share available for the Community and the specific conditions under which these catches must be taken; whereas, under Article 4 of the same Regulation, the share available to the Community is allocated among the Member States;

Whereas Regulation (EEC) No 3926/90 ⁽²⁾ fixes, for certain fish stocks and groups of fish stocks, the TACs for 1991 and certain conditions under which they may be fished;

Whereas, in accordance with the procedure provided for in Article 2 of the Agreement on fisheries between the European Economic Community and the Kingdom of Norway ⁽³⁾ and Article 2 of the Agreement on fisheries between the European Economic Community and the Government of Sweden ⁽⁴⁾, the parties have consulted on their reciprocal fishing rights for 1991 in the Skagerrak and Kattegat; whereas these consultations have been concluded and it is possible, as a result, to fix definitively the TACs and the Community shares available for the stocks in these areas,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to this Regulation shall replace the corresponding elements of the Annex to Regulation (EEC) No 3926/90.

Article 2

This Regulation shall enter into force on the day following that 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, 25 March 1991.

For the Council

The President

R. STEICHEN

⁽¹⁾ OJ No L 24, 27. 1. 1983, p. 1.

⁽²⁾ OJ No L 378, 31. 12. 1990, p. 1.

⁽³⁾ OJ No L 226, 29. 8. 1980, p. 48.

⁽⁴⁾ OJ No L 226, 29. 8. 1980, p. 2.

[illegible]

(1)	(2)	(3)	(4)	(5)
Camarón norteño / Dybhavsreje / Tiefseegarnele / Γαρίδα / Northern deepwater prawn / Crevette nordique / Gamberello boreale / Noorse garnaal / Camarão ártico (<i>Pandalus borealis</i>)	III a (Skagerrak)	8 550	België/Belgique Danmark Deutschland Ελλάδα España France Ireland Italia Luxembourg Nederland Portugal United Kingdom	3 235 ⁽¹⁹⁾
			CEE/EØF/EWG/EOK/EEC/EEG	3 235

COUNCIL REGULATION (EEC) No 794/91

of 25 March 1991

amending Regulation (EEC) No 1424/76 with regard to the conditions for selling products to be supplied under food-aid schemes

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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 1806/89⁽²⁾, and in particular Article 5 (5) thereof,

Having regard to the proposal from the Commission,

Whereas Council Regulation (EEC) No 1424/76⁽¹⁾ of 21 June 1976 laying down general rules for intervention on the market in rice, as amended by Regulation (EEC) No 1908/87⁽²⁾, provides that paddy rice held by intervention agencies must be sold by tender; whereas there should be an exception to that selling procedure in the case of food aid supplied pursuant to international conventions or other complementary programmes;Whereas, for the purposes of Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management⁽³⁾, as last amended by Regulation (EEC) No 1930/90⁽⁴⁾, the products to be supplied by the successful tenderer are always purchased by the latter; whereas, where products held by intervention agencies are being mobilized, the most suitable procedure for bringing about satisfactory competition between all Community traders in order to calculate the overall supply costs would be to sell the products concerned at prices and in accordance with detailed rules of application which are determined in advance and designed to avoid disruption on the Community market and distortion of the conditions of competition; whereas the use of that procedure should

be specified in the case of Community food aid supplied pursuant to Regulation (EEC) No 1424/76,

HAS ADOPTED THIS REGULATION:

Article 1

Article 4 of Regulation (EEC) No 1424/76 is hereby replaced by the following:

Article 4

1. If special circumstances so require, the Council, acting by qualified majority on a proposal from the Commission, may establish selling procedures other than laid down in Article 3.

2. Where rice is purchased from intervention agencies for the purposes of fulfilling obligations arising from the award of food-aid supply contracts in connection with international conventions or other complementary programmes, the conditions applicable with regard to price and the detailed rules of application shall be determined in advance.

The detailed rules of application shall be adopted by the Commission in accordance with the procedure provided for in Article 27 of Regulation (EEC) No 1418/76.

Article 2

This Regulation shall enter into force on the day following that 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, 25 March 1991.

For the Council

The President

R. STEICHEN

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 24.

⁽⁴⁾ OJ No L 182, 3. 7. 1987, p. 53.

⁽⁵⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽⁶⁾ OJ No L 174, 7. 7. 1990, p. 6.

COMMISSION REGULATION (EEC) No 795/91

of 26 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 850 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 Annex. Supplies shall be awarded by the tendering procedure.

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

Article 2

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

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

Done at Brussels, 26 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

LOT A

1. **Operation No** ⁽¹⁾: 976/90
2. **Programme**: 1990
3. **Recipient**: Mozambique
4. **Representative of the recipient** ⁽²⁾: COGROPA, Av. 25 de Setembro, 916 r/c, 1 — PO Box 308, Maputo, Moçambique (tel.: 41 70 71 — telex 6370; Fax 2 01 35)
5. **Place or country of destination**: Mozambique
6. **Product to be mobilized**: skimmed milk powder
7. **Characteristics and quality of the goods** ⁽³⁾ ⁽⁴⁾: (See OJ No C 216, 14. 8. 1987, p. 4, I.1.A.1. to I.1.A.2.)
8. **Total quantity**: 500 tonnes
9. **Number of lots**: 1
10. **Packaging and marking**: 25 kg ⁽¹⁰⁾ ⁽¹¹⁾
OJ No C 216, 14. 8. 1987, p. 3 (I.1.A.3.)
Supplementary markings on the packaging:
'ACÇÃO Nº 976/90 / LEITE EM PÓ / DONATIVO DA COMUNIDADE ECONÓMICA EUROPEIA'
and see OJ No C 216, 14. 8. 1987, p. 3 (I.1.A.4.)
11. **Method of mobilization**: Community market
The skimmed-milk powder must be manufactured after the award of the tender
12. **Stage of supply**: free at port of landing — landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Maputo
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 1. 5 to 15. 5. 1991
18. **Deadline for the supply**: 15. 6. 1991
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** ⁽⁴⁾: 12 noon, 15. 4. 1991
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon, 29. 4. 1991;
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 20 — 31. 5. 1991
 - (c) deadline for the supply: 30. 6. 1991
22. **Amount of the tendering security**: ECU 20 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders**: Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, bâtiment Loi 120, bureau 7/58, 200 rue de la Loi, B-1049 Brussels; telex AGREC 22037 B or 25670 B
25. **Refund payable on application by the successful tenderer** ⁽⁵⁾: Refund applicable on 15. 3. 1991, fixed by Commission Regulation (EEC) No 627/91 (OJ No L 68, 15. 3. 1991, p. 33)

LOT B

1. **Operation No** ⁽¹⁾: 1255/90⁽¹⁾
2. **Programme**: 1990
3. **Recipient**: Comores
4. **Representative of the recipient** ⁽²⁾: M. Ahmed Abdallah Sourette, Ministre des finances, de l'économie, du budget et du plan, BP 324, Moroni tel. Moroni 2 17 67
5. **Place or country of destination**: Comores
6. **Product to be mobilized**: Vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods** ⁽²⁾: (See OJ No C 216, 14. 8. 1987, p. 4 (I.1.B.1 to I.1.B.3))
8. **Total quantity**: 100 tonnes
9. **Number of lots**: 1 (B1: 60 tonnes — B2: 40 tonnes)
10. **Packaging and marking**: 25 kg ⁽¹⁾ ⁽³⁾ OJ No C 216, 14. 8. 1987, p. 4 and 6 (I.1.B.4 e I.1.B.4.3)
Supplementary markings on the packaging:
'ACTION n° 1255/90 / LAIT ÉCRÉMÉ EN POUDRE VITAMINÉ / COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE'
and see OJ No C 216, 14. 8. 1987, p. 6 (I.1.B.5)
11. **Method of mobilization**: 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 landing — landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: B 1: Port Moroni (Grande Comore);
B 2: Port Mutsamudu (Anjouan).
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 1 to 10. 6. 1991
18. **Deadline for the supply**: 15. 7. 1991
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** ⁽⁴⁾: 12 noon, 15. 4. 1991
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon, 29. 4. 1991;
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 1. to 10. 6. 1991
 - (c) deadline for the supply: 15. 7. 1991
22. **Amount of the tendering security**: ECU 20 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders**: Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, Bâtiment Loi 120, bureau 7/58, 200 rue de la Loi, B-1049 Bruxelles; telex AGREC 22037 B or 25670 B
25. **Refund payable on application by the successful tenderer** ⁽⁵⁾: Refund applicable 15. 3. 1991, fixed by Commission Regulation (EEC) No 627/91 (OJ No L 68 of 15. 3. 1991, p. 33).

LOT C

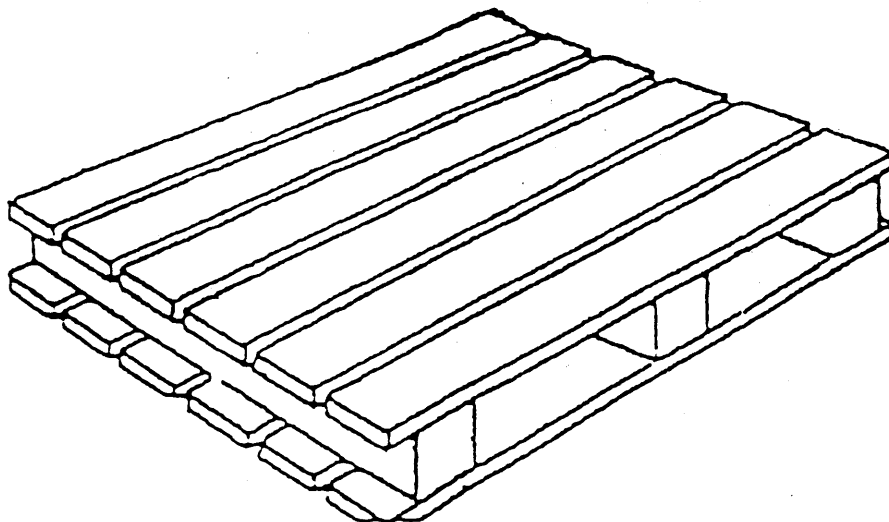
1. **Operation No** ⁽¹⁾: 1261/90
2. **Programme**: 1990
3. **Recipient** ⁽¹⁴⁾: Ligue des sociétés de la Croix-Rouge et du Croissant-Rouge, service logistique, case postale 372, CH-1211 Genève 19 (tel. 734 55 80; telex 412 133 LRCS CH; telefax: 733 03 95)
4. **Representative of the recipient** ⁽³⁾ ⁽¹⁵⁾: Société nationale de la Croix-Rouge haïtienne, place des Nations Unies (Bicentenaire), Port-au-Prince, Haïti (tel. 310 54 / 310 35; telex 20 30 01)
5. **Place or country of destination**: Haïti
6. **Product to be mobilized**: Vitaminized skimmed milk powder ⁽¹¹⁾
7. **Characteristics and quality of the goods** ⁽²⁾ ⁽⁶⁾ ⁽⁷⁾: See OJ No C 216, 14. 8. 1987, p. 4 (I.1.B.1. to I.1.B.3.)
8. **Total quantity**: 50 tonnes
9. **Number of lots**: 1
10. **Packaging and marking**: 25 kilograms in containers of 20 feet.
OJ No C 216, 14. 8. 1987, p. 4 and 6 (I.1.B.4 and I.1.B.4.3).
Supplementary markings on the packaging:
'ACTION No 1261/90 / a red cross / LAIT ÉCRÉMÉ EN POUDRE VITAMINÉ SPRAY / ACTION DE LA LIGUE DES SOCIÉTÉS DE LA CROIX-ROUGE ET DU CROISSANT-ROUGE (LICROSS) / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE POUR DISTRIBUTION GRATUITE / PORT-AU-PRINCE / HAÏTI'
and see OJ No C 216, 14. 8. 1987, p. 6 (I.1.B.5.)
11. **Method of mobilization**: 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 destination
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: Entrepôts Croix-Rouge, Diquini, Mairie de Diquini
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 1 — 15. 5. 1991
18. **Deadline for the supply**: 30. 6. 1991
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** ⁽⁴⁾: 12 noon, on 15. 4. 1991
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon on 29. 4. 1991
 - (b) period for making the goods available at the port of shipment: 15 to 31. 5. 1991
 - (c) deadline for the supply: 15. 7. 1991
22. **Amount of the tendering security**: ECU 20 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders**: Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, bâtiment Loi 120, bureau 7/58, 200 rue de la Loi, B-1049 Bruxelles; telex AGREC 22037 B or 25670 B
25. **Refund payable on request by the successful tenderer** ⁽⁵⁾: refund applicable on 15. 3. 1991, fixed by Commission Regulation (EEC) No 627/91 in OJ No L 68, 15. 3. 1991, p. 33

LOT D

1. **Operation No** ⁽¹⁾: 1266/90
2. **Programme**: 1990
3. **Recipient** ⁽¹⁾: League of Red Cross and Red Crescent Societies Logistic Service, PO Box 372, CH-1211 Genève 19, Telex: 412 133 LRCS CH — Fax: 733 03 95 — Tel.: 734 55 80
4. **Representative of the recipient** ⁽²⁾ ⁽¹⁾: Croissant-Rouge Tunisien, 19, rue d'Angleterre, Tunis 1000, Tel.: 240 630, 245 572; Telex 14524 HILAL TN
5. **Place or country of destination**: Tunisia
6. **Product to be mobilized**: Vitaminized skimmed milk powder
7. **Characteristics and quality of the goods** ⁽³⁾ ⁽⁴⁾ ⁽⁷⁾: (See OJ No C 216, 14. 8. 1987, p. 4, I.1.B.1. to I.1.B.3)
8. **Total quantity**: 200 tonnes
9. **Number of lots**: 1
10. **Packaging and marking**: 25 kg ⁽¹⁾
OJ No C 216, 14. 8. 1987, p. 4 and 6 (I.1.B.4 and I.1.B.4.3)
Supplementary markings on the packaging:
'ACTION N° 1266/90 / a red crescent with the points facing to the left / LAIT ÉCRÉMÉ VITAMINÉ EN POUDRE / ACTION DE LA LIGUE DES SOCIÉTÉS DE LA CROIX-ROUGE ET DU CROIS-SANT-ROUGE (LICROSS) / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE / POUR DISTRIBUTION GRATUITE / TUNIS'
and see OJ No C 216, 14. 8. 1987, p. 6 (I.1.B.5)
11. **Method of mobilization**: 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 landing — landed
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**: Tunis — Radès
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 10 to 21. 5. 1991
18. **Deadline for the supply**: 3. 6. 1991
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** ⁽⁴⁾: 12 noon, 15. 4. 1991
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon, 29. 4. 1991
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 24. 5 to 5. 6. 1991
 - (c) deadline for the supply: 17. 6. 1991
22. **Amount of the tendering security**: ECU 20 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders**: Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, bâtiment Loi 120, bureau 7/58, 200 rue de la Loi, B-1049 Bruxelles; telex AGREC 22037 B or 25670 B
25. **Refund payable on request by the successful tenderer** ⁽⁵⁾: refund applicable on 15. 3. 1991, fixed by Commission Regulation (EEC) No 627/91 in OJ No L 68, 15. 3. 1991, p. 33

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 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 this Annex.
- (⁶) The successful tenderer shall give the beneficiaries' representative, at the time of delivery, a certificate of origin.
- (⁷) The successful tenderer shall give the beneficiaries' representative, at the time of delivery, a health certificate.
- (⁸) Commission delegate to be contacted by the successful tenderer:
FSC Da Camara, CP 1306, Maputo, tél. 74 40 93, télex 6-146 CCE-MO.
- (⁹) Veterinary certificate issued by an official entity stating that the product was processed with pasteurized milk, coming from healthy animals, processed under excellent sanitary conditions which are supervised by qualified technical personnel and that the area of production of raw milk had not registered food-and-mouth disease nor any other notifiable infectious/contagious disease during the 90 days prior to the processing.
- (¹⁰) The following documents must be sent to the beneficiary's representative immediately after loading to enable him to obtain an import license:
- original *pro forma* invoice indicating:
 - type of goods,
 - fob price,
 - insurance costs,
 - freight costs,
 - packing list,
 - veterinary certificate,
 - certificate of origin,
 - bill of lading (1/3 original).
- (¹¹) Palletization of skimmed-milk powder:
- 25 kilogram bags to be supplied on a two-way double deck reversible pallet with protruding slats, as per design, of the following dimensions:
- 1,1 m × 1,4 m (approximately):
- upper board 22 mm thick
 - bottom board 22 mm thick
 - blocks 95 × 95 mm
- 40 bags to be placed onto the pallets, interlocked and shrink-wrapped with a plastic sheet of 150 micron thickness, with three external adjustable nylon straps in each direction to secure the unit-load.



- (¹²) Commission delegate to be contacted by the successful tenderer : M. Aubenas, EEC Delegate, B.P. 559, Moroni, telex : 212 DELCEC KO, tel. : 73 31 91.
- (¹³) The successful tenderer shall send a copy of the shipping documents to the following address : Delegation of the Commission to ... (country of destination), s/c service 'valise diplomatique', Berlaymont 1/123, rue de la Loi 200, B-1049 Brussels.
- (¹⁴) The successful tenderer is to contact the recipient as soon as possible to establish which consignment documents are required and how they are to be distributed.
- (¹⁵) Transport documents must be legalized by the diplomatic representation in the country of origin of the goods.
-

COMMISSION REGULATION (EEC) No 796/91
of 26 March 1991
on the supply of various lots of white sugar as food aid

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

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

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

Whereas, following the taking of a number of decisions on the allocation of food aid, the Commission has allocated to certain countries and beneficiary organizations 1 196 tonnes of sugar;

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

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

The successful tenderer is deemed to have noted and accepted all the general and specific conditions applicable. Any other condition or reservation included in 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, 26 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, B and C

1. **Operation Nos** (1): see Annex II
2. **Programme**: 1990
3. **Recipient** (2): Euronaid, Rhijsgeesterstraatweg 40, Postbus 77, NL-2340 AB Oegstgeest
4. **Representative of the recipient** (3): see OJ No C 103, 16. 4. 1987
5. **Place or country of destination**: see Annex II
6. **Product to be mobilized**: white sugar
7. **Characteristics and quality of the goods** (3) (4): white sugar of category 2 standard quality (Council Regulation (EEC) No 793/72 (OJ No L 94, 21. 4. 1972, p. 1)) meeting the requirements set out in Article 3 (3) of Commission Regulation (EEC) No 2103/77 (OJ No L 246, 27. 9. 1977, p. 12)
8. **Total quantity**: 696 tonnes
9. **Number of lots**: three (A: 430 tonnes; B: 120 tonnes; C: 146 tonnes)
10. **Packaging and marking**: new jute bags, with inner polythene bag at least 0,05 mm thick, minimum weight of jute and polythene 420 grams, net capacity 50 kilograms. Lots A and C (4) (5) (6); Lot B (4)
Marking on bags at least 5 cm high: see Annex II
11. **Method of mobilization** (1): C-sugar produced in the Community as defined at (c) in the sixth subparagraph of Article 24 (1a) of Council Regulation (EEC) No 1785/81 (OJ No L 177, 1. 7. 1981, p. 4)
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**: 1. to 30. 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**: 16. 4. 1991 at 12 noon
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 23. 4. 1991 at 12 noon
 - (b) period for making the goods available at the port of shipment: 1 — 30. 5. 1991
 - (c) deadline for the supply: —
22. **Amount of the tendering security**: ECU 15 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders** (7)
Bureau de l'aide alimentaire,
à l'attention de Monsieur N. Arend,
Bâtiment Loi 120, bureau 7/58,
200, rue de la Loi,
B-1049 Bruxelles;
telex AGREC 22037 B or 25670 B
25. **Refund payable on request by the successful tenderer** (8): —

LOT D

1. **Operation Nos** ⁽¹⁾: 1074/90
2. **Programme**: 1989
3. **Recipient**: Angola
4. **Representative of the recipient** ⁽²⁾: Edimba/Importang, rua da Calada nº 10, C.P. 1003, Luanda Tel 39 27 87; Tlx 3085/3169
5. **Place or country of destination**: Angola
6. **Product to be mobilized**: white sugar
7. **Characteristics and quality of the goods** ⁽³⁾ ⁽⁷⁾: white sugar of category 2 standard quality (Council Regulation (EEC) No 793/72 (OJ No L 94, 21. 4. 1972, p. 1)) meeting the requirements set out in Article 3 (3) of Commission Regulation (EEC) No 2103/77 (OJ No L 246, 27. 9. 1977, p. 12)
8. **Total quantity**: 500 tonnes
9. **Number of lots**: 1
10. **Packaging and marking** ⁽⁴⁾ ⁽¹³⁾: new jute bags, with inner polythene bag at least 0,05 mm thick, minimum weight of jute and polythene 420 g, net capacity 50 kilograms
Markings on the packing in letters at least 5 cm high: see Annex II
11. **Method of mobilization**: sugar produced in the Community as defined at (c) in the sixth subparagraph of Article 24 (1) (a) of Council Regulation (EEC) No 1785/81 (OJ No L 177, 1. 7. 1981, p. 4)
12. **Stage of supply**: free at port of landing — landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient** Namibe ⁽¹⁴⁾
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 where the supply is awarded at the port of shipment stage**: 1 — 30. 5. 1991
18. **Deadline for the supply**: 15. 6. 1991
19. **Procedure for determining the costs of supply**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon on 16. 4. 1991
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon on 23. 4. 1991
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 1. — 30. 5. 1991
 - (c) deadline for the supply: 15. 6. 1991
22. **Amount of the tendering security**: ECU 15/tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders** ⁽⁵⁾:
Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, bâtiment Loi 120, bureau 7/58, 200 rue de la Loi, B-1049 Bruxelles; telex: AGREC 22037 B or 25670 B
25. **Refund payable on request by the successful tenderer** ⁽⁶⁾: —

Notes:

- (¹) The operation number is to be quoted in all correspondence.
- (²) Commission delegate to be contacted by the successful tenderer: see list published in OJ No C 227, 7. 9. 1985, p. 4.
- (³) The successful tenderer shall deliver to the beneficiary 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.

The radioactivity certificate must indicate the caesium-134 and -137 levels.

Lots A-B-C: The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following documents:

- phytosanitary certificate,
- certificate of origin.

- (⁴) Since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.
- (⁵) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of the Annex, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably:
- either by porter at the office referred to in point 24 of the Annex,
 - or by telecopier on one of the following numbers in Brussels:
 - 235 01 32,
 - 236 10 97,
 - 235 01 30,
 - 236 20 05.

- (⁶) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56) is not applicable. The rules given in Commission Regulation (EEC) No 2630/81 (OJ No L 258, 11. 9. 1981, p. 16) apply to exportation of sugar supplied under this Regulation.

- (⁷) The rule provided at the second indent of Article 18 (2) (a) Regulation (EEC) No 2103/77 is binding for determination of the sugar category.

- (⁸) The successful tenderer shall contact the recipient as soon as possible to establish which consignment documents are required and how they are to be distributed.

- (⁹) 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.

- (¹⁰) 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) The supplier should send a duplicate of the original invoice to:

MM De Keyzer & Schütz BV,
Postbus 1438,
Blaak 16,
3000 BK Rotterdam, Netherlands.

- (¹²) The successful tenderer has to submit to the recipient's agent complete packing list of each container, specifying number of bags belonging to each shipping number as specified in the invitation to tender.

- (¹³) The sacks must be ready-equipped with disposable slings. Maximum weight of sack sling: 1,5 tonnes.

- (¹⁴) The following rates of unloading are reported at present:
Namibe: unloading of between 100 and 300 tonnes per day.
Vessels of 8 000 tonnes maximum.

*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 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
A	430	A 1 : 20	Euroaid	Angola	Acção nº 1099/90 / Açúcar / Angola / Oikos / 906702 / Luanda / Donativo da Comunidade Económica Europeia / Destinado a distribuição gratuita
		A 2 : 6	Euroaid	Madagascar	Action nº 1100/90 / Sucre / Madagascar / SSP / 901300 / Majunga / Don de la Communauté économique européenne / Pour distribution gratuite
		A 3 : 12	Euroaid	Madagascar	Action nº 1101/90 / Sucre / Madagascar / Appel détresse / 906804 / Antananarivo via Toamasina / Don de la Communauté économique européenne / Pour distribution gratuite
		A 4 : 54	Euroaid	Moçambique	Acção nº 1102/90 / Açúcar / Moçambique / Caritas Alemã / 900426 / Maputo / Donativo da Comunidade Económica Europeia / Destinado a distribuição gratuita
		A 5 : 70	Euroaid	Moçambique	Acção nº 1103/90 / Açúcar / Moçambique / Caritas Alemã / 900437 / Xai Xai via Maputo / Donativo da Comunidade Económica Europeia / Destinado a distribuição gratuita
		A 6 : 50	Euroaid	Moçambique	Acção nº 1104/90 / Açúcar / Moçambique / Caritas Alemã / 900438 / Inhambane via Maputo / Donativo da Comunidade Económica Europeia / Destinado a distribuição gratuita
		A 7 : 20	Euroaid	Burundi	Action nº 1105/90 / Sucre / Burundi / Caritas / 900220 B / Bujumbura via Mombasa / Don de la Communauté économique européenne / Pour distribution gratuite
		A 8 : 18	Euroaid	Uganda	Action No 1106/90 / Sugar / Uganda / SSP / 901302 / Kampala via Mombasa / 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) 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 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
		A 9 : 20	Euroaid	Uganda	Action No 1107/90 / Sugar / Uganda / ICR / 904609 / Kampala via Mombasa / Gift of the European Economic Community / For free distribution
		A 10 : 60	Euroaid	India	Action No 1108/90 / Sugar / India / CAM / 902046 / Madras / Gift of the European Economic Community / For free distribution
		A 11 : 60	Euroaid	India	Action No 1109/90 / Sugar / India / GFSS / 903505 / Bombay / Gift of the European Economic Community / For free distribution
		A 12 : 30	Euroaid	India	Action No 1110/90 / Sugar / India / Somedí / 906502 / Bombay / Gift of the European Economic Community / For free distribution
		A 13 : 10	Euroaid	India	Action No 1111/90 / Sugar / India / Somedí / 906503 / Rajkot via Bombay / Gift of the European Economic Community / For free distribution
B	120	B 1 : 40	Euroaid	Algérie	Action n° 1112/90 / Sucre / Algérie / Caritas / 900225 / Arzew / Don de la Communauté économique européenne / Pour distribution gratuite
		B 2 : 40	Euroaid	Algérie	Action n° 1113/90 / Sucre / Algérie / WCC / 900700 / Tindouf via Arzew / Don de la Communauté économique européenne / Pour distribution gratuite
		B 3 : 40	Euroaid	Algérie	Action n° 1114/90 / Sucre / Algérie / Oxfam B / 900811 / Arzew / Don de la Communauté économique européenne / Pour distribution gratuite
C	146	C 1 : 14	Euroaid	Algérie	Action n° 1227/90 / Sucre / Algérie / Oxfam B / 900829 / Arzew (option Oran) / Don de la Communauté économique européenne / Pour distribution gratuite
		C 2 : 39	Euroaid	Angola	Acção n° 1228/90 / Açúcar / Angola / Caritas N / 900350 / Luanda / Donativo da Comunidade Económica Europeia / Destinado a distribuição gratuita

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 påtegnning 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 3: 15	Euronaïd	Angola	Acção nº 1229/90 / Açúcar / Angola / Caritas N / 900351 / Namibe / Donativo da Comunidade Económica Europeia / Destinado a distribuição gratuita
		C 4: 18	Euronaïd	Madagascar	Action nº 1230/90 / Sucre / Madagascar / AATM / 901745 / Fianarantsoa via Toamasina / Don de la Communauté économique européenne / Pour distribution gratuite
		C 5: 40	Euronaïd	Moçambique	Acção nº 1231/90 / Açúcar / Moçambique / Caritas Alemã / 900439 / Maputo / Donativo da Comunidade Económica Europeia / Destinado a distribuição gratuita
		C 6: 20	Euronaïd	India	Action No 1232/90 / Sugar / India / CAM / 902018 / Madras / Gift of the European Economic Community / For free distribution
D	500		Angola	Angola	Acção nº 1074/90 / Açúcar / Comunidade Europeia

COMMISSION REGULATION (EEC) No 797/91

of 27 March 1991

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

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

Having regard to Council Regulation (EEC) No 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat ⁽¹⁾, as amended by Regulation (EEC) No 3577/90 ⁽²⁾, and in particular Article 7 (5) thereof,

Whereas Commission Regulation (EEC) No 3446/90 of 27 November 1990 laying down detailed rules for granting private storage aid for sheepmeat and goatmeat ⁽³⁾ provides in particular for detailed rules on the invitation to tender;

Whereas Commission Regulation (EEC) No 3447/90 of 28 November 1990 on special conditions for the granting of private storage aid for sheepmeat and goatmeat ⁽⁴⁾ provides in particular the minimum quantities in respect of which a tender may be submitted;

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

Whereas that Article provides for the application of these measures on the basis of the situation of each quotation zone; whereas it is appropriate consequently to open tenders separately for each of the zones where the conditions are fulfilled;

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

HAS ADOPTED THIS REGULATION:

Article 1

Separate invitations to tender are opened in France, Great Britain, Denmark, Ireland, Northern Ireland, Germany, the Netherlands, Greece, Spain and Portugal for aid to private storage for carcasses and half-carcasses of lamb.

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

Article 2

Tenders must be submitted not later than 2 p.m. on 19 April 1991 to the relevant intervention agency.

Article 3

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

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

Done at Brussels, 27 March 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 333, 30. 11. 1990, p. 39.

⁽⁴⁾ OJ No L 333, 30. 11. 1990, p. 46.

COMMISSION REGULATION (EEC) No 798/91

of 27 March 1991

opening an invitation to tender for the reduction in the levy on maize imported
from third countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1799/87 of 25 June 1987 on special arrangements for imports of maize and sorghum into Spain from 1987 to 1990 ⁽¹⁾, and in particular Articles 3 (2) and 8 thereof,

Whereas, as part of an agreement with the United States of America, the Community has undertaken to import a certain quantity of maize into Spain in the years 1987 to 1990; whereas by Decision 91/30/EEC ⁽²⁾ on the conclusion of the exchange of letters complementing the above mentioned agreement, the Council approved the extension of that agreement to 1991, that extension being without prejudice to the rights and obligations arising from the original agreement;

Whereas under the said rights and obligations Commission Regulation (EEC) No 3181/90 ⁽³⁾ opens invitations to tender for the reduction in the levy on imports of the quantities outstanding for 1990; whereas a closer estimate of those quantities calls for a further invitation to tender to be opened;

Whereas, pursuant to Article 3 (3) of Regulation (EEC) No 1799/87, the levy reduction is to be applied to maize imported into Spain under cover of a licence valid in that Member State alone;

Whereas the specific additional rules required for administering the invitation to tender should be laid down, including in particular rules on the lodging by operators and the release of securities against fulfilment of their obligations, and in particular the obligation to process or use the imported product in Spain;

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. Further to the invitations to tender opened by Regulation (EEC) No 3181/90, an invitation to tender is hereby opened for the reduction in the import levy on maize to be imported into Spain.

2. The invitation to tender shall be open until 25 April 1991. During that period, weekly invitations shall be issued with quantities and closing dates as shown in the notice of invitation to tender.

Article 2

1. Tenders shall be lodged in writing with the competent authority against a receipt or forwarded to that authority by telex, telegram or telefax.

2. Tenders shall indicate:

- the weekly invitation in response to which they are made;
- the name and exact address of the tenderer, with telex or telefax number,
- the type and quantity of the product to be imported;
- the reduction in the import levy proposed, in ecus per tonne;
- the origin of the maize to be imported;

3. Tenders shall be valid only if:

- (a) they do not exceed the maximum quantity available for each closing date for the submission of applications;
- (b) evidence is provided before expiry of the time limit for submission that the tenderer has lodged a security for an amount per tonne equal to that of the reduction proposed in the tender;
- (c) they are accompanied by a written undertaking to lodge with the competent authority within two days of receipt of notification of award as mentioned in Article 4 (2) an application for an import licence for the quantities awarded together with an application for advance fixing of the levy at the reduced rate proposed in the tender and an application for advance fixing of the Spanish monetary compensatory amounts;
- (d) they are for at least 1 000 tonnes.

4. Tenders not meeting the requirements set out in paragraph 1, 2 and 3 or incorporating terms other than those provided for in the invitation to tender shall not be valid.

5. Once submitted, tenders may not be withdrawn.

⁽¹⁾ OJ No L 170, 30. 6. 1987, p. 1.

⁽²⁾ OJ No L 17, 23. 1. 1991, p. 17.

⁽³⁾ OJ No L 304, 1. 11. 1990, p. 65.

Article 3

1. Notwithstanding Article 21 (1) of Commission Regulation (EEC) No 3719/88 ⁽¹⁾ import licences shall, for the purposes of determining their term of validity, be deemed to have been issued on the closing date for the submission of tenders.

2. Import licences issued in connection with awards made under this invitation to tender shall be valid from the date on which they are issued within the meaning of paragraph 1, until 30 April 1991.

3. Notwithstanding Article 2 (2) of Commission Regulation (EEC) No 891/89 ⁽²⁾, Article 5 (2) of Commission Regulation (EEC) No 3105/87 ⁽³⁾ shall apply in respect of licences issued under this Regulation.

4. Notwithstanding Article 9 of Regulation (EEC) No 3719/88, rights conferred by import licences shall not be transferable.

Article 4

1. On the basis of tenders submitted and forwarded, the Commission shall decide in accordance with the procedure laid down in Article 26 of Council Regulation (EEC) No 2727/75 ⁽⁴⁾;

- either to set a maximum reduction in the import levy, or
- to make no awards.

Where a maximum reduction in the import levy is set, awards shall be made to the tenderer or tenderers offering the maximum or a smaller reduction.

2. As soon as the Commission has reached a decision as referred to in paragraph 1, the competent Spanish authority shall notify all tenderers in writing of the outcome of their tenders.

Article 5

1. Where the successful tenderer lodges an application for an import licence as referred to in Article 2 (3) (c)

within the time limit laid down, a licence shall be issued for the quantities for which he has been awarded a contract.

2. Where the undertaking referred to in Article 2 (3) (c) is not fulfilled, the tendering security shall be forfeit.

Article 6

1. The tendering security shall be released:

- (a) where the tender is not accepted;
- (b) where the successful tenderer provides proof in accordance with Articles 6 and 7 of (EEC) No 3105/87 that the product imported has been processed or used in Spain;
- (c) where the successful tenderer provides proof that the product imported has become unfit for any use or where import cannot be effected to reasons of *force majeure*.

2. Article 33 of Regulation (EEC) No 3719/88 shall apply to securities.

Article 7

Tenders lodged must be forwarded by the competent Spanish authority to the Commission to arrive not more than two hours after the time limit laid down in the notice of invitation to tender. They must be forwarded in the form shown in the Annex.

Should no tenders be received, Spain shall inform the Commission within the same period as that referred to in the first paragraph.

Article 8

The times for the purposes of this Regulation shall be Brussels time.

Article 9

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, 27 March 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 331, 2. 12. 1988, p. 1.

⁽²⁾ OJ No L 94, 7. 4. 1989, p. 13.

⁽³⁾ OJ No L 294, 17. 10. 1987, p. 15.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 1.

*ANNEX***Weekly invitation to tender for the reduction in the levy on maize imported from third countries**

(Regulation (EEC) No 798/91)

Deadline for submission of tenders (date/time)

1	2	3	4	5
Numbering of tenderers	Quantity (tonnes)	Reduction in import levy	MCA fixed in advance	Origin of the cereals
1				
2				
3				
4				
5				
etc.				

COMMISSION REGULATION (EEC) No 799/91

of 27 March 1991

opening an invitation to tender for the reduction in the levy on grain sorghum imported from third countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1799/87 of 25 June 1987 on special arrangements for imports of maize and sorghum into Spain from 1987 to 1990 ⁽¹⁾, and in particular Articles 3 (2) and 8 thereof,

Whereas, as part of an agreement with the United States of America, the Community has undertaken to import a certain quantity of grain sorghum into Spain in the years 1987 to 1990; whereas by Decision 91/30/EEC ⁽²⁾ on the conclusion of the exchange of letters complementing to above mentioned agreement, the Council approved the extension of that agreement to 1991, that extension being without prejudice to the rights and obligations arising from the original agreement;

Whereas under the said rights and obligations Commission Regulation (EEC) No 3181/90 ⁽³⁾ opens invitations to tender for the reduction in the levy on imports of the quantities outstanding for 1990; whereas a closer estimate of those quantities calls for a further invitation to tender to be opened;

Whereas, pursuant to Article 3 (3) of Regulation (EEC) No 1799/87, the levy reduction is to be applied to grain sorghum imported into Spain under cover of a licence valid in that Member State alone;

Whereas Council Regulation (EEC) No 715/90 of 5 March 1990 on the arrangements applicable to agriculture products and certain goods resulting from the processing of agriculture products originating in the ACP States or in the overseas countries and territories (OCT) ⁽⁴⁾, as last amended by Regulation (EEC) No 523/91 ⁽⁵⁾, provides in particular for a reduction of 60 % in the levy applicable to grain sorghum up to a quota of 100 000 tonnes per calendar year and of 50 % in excess of that quota;

Whereas, if that benefit is combined with the reduction provided for under this Regulation, this is likely to disturb the Spanish market for cereals; whereas such combined benefits should be ruled out for the sake of the satisfactory functioning of the invitation to tender;

Whereas the specific additional rules required for administering the invitation to tender should be laid down, including in particular rules on the lodging by operators and the release of securities against fulfilment of their obligations, and in particular the obligation to process or use the imported product in Spain;

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. Further to the invitations to tender opened by Regulation (EEC) No 3181/90, an invitation to tender is hereby opened for the reduction in the import levy on grain sorghum to be imported into Spain.
2. Under this invitation to tender, the reduction in the import levy on grain sorghum provided for in Article 11 of Regulation (EEC) No 715/90 shall not apply grain sorghum to be imported into Spain.
3. The invitation to tender shall be open until 25 April 1991. During that period, weekly invitations shall be issued with quantities and closing dates as shown in the notice of invitation to tender.

Article 2

1. Tenders shall be lodged in writing with the competent authority against a receipt or forwarded to that authority by telex, telegram or telefax.
2. Tenders shall indicate:
 - the weekly invitation in response to which they are made;
 - the name and exact address of the tenderer, with telex or telefax number,
 - the type and quantity of the product to be imported;
 - the reduction in the import levy proposed, in ecus per tonne;
 - the origin of the grain sorghum to be imported;
3. Tenders shall be valid only if:
 - (a) they do not exceed the maximum quantity available for each closing date for the submission of applications;

⁽¹⁾ OJ No L 170, 30. 6. 1987, p. 1.

⁽²⁾ OJ No L 17, 23. 1. 1991, p. 17.

⁽³⁾ OJ No L 304, 1. 11. 1990, p. 68.

⁽⁴⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽⁵⁾ OJ No L 58, 5. 3. 1991, p. 1.

- (b) evidence is provided before expiry of the time limit for submission that the tenderer has lodged a security for an amount per tonne equal to that of the reduction proposed in the tender;
 - (c) they are accompanied by a written undertaking to lodge with the competent authority within two days of receipt of notification of award as mentioned in Article 4 (2) an application for an import licence for the quantities awarded together with an application for advance fixing of the levy at the reduced rate proposed in the tender and an application for advance fixing of the Spanish monetary compensatory amounts;
 - (d) they are for at least 1 000 tonnes.
4. Tenders not meeting the requirements set out in paragraph 1, 2 and 3 or incorporating terms other than those provided for in the invitation to tender shall not be valid.
5. Once submitted, tenders may not be withdrawn.

Article 3

1. Notwithstanding Article 21 (1) of Commission Regulation (EEC) No 3719/88 ⁽¹⁾ import licences shall, for the purposes of determining their term of validity, be deemed to have been issued on the closing date for the submission of tenders.
2. Import licences issued in connection with awards made under this invitation to tender shall be valid from the date on which they are issued within the meaning of paragraph 1, until 30 April 1991.
3. Notwithstanding Article 2 (2) of Commission Regulation (EEC) No 891/89 ⁽²⁾, Article 5 (2) of Commission Regulation (EEC) No 3105/87 ⁽³⁾ shall apply in respect of licences issued under this Regulation.
4. Notwithstanding Article 9 of Regulation (EEC) No 3719/88, rights conferred by import licences shall not be transferable.

Article 4

1. On the basis of tenders submitted and forwarded, the Commission shall decide in accordance with the procedure laid down in Article 26 of Council Regulation (EEC) No 2727/75 ⁽⁴⁾:

— either to set a maximum reduction in the import levy,
or

— to make no awards.

Where a maximum reduction in the import levy is set, awards shall be made to the tenderer or tenderers offering the maximum or a smaller reduction.

2. As soon as the Commission has reached a decision as referred to in paragraph 1, the competent Spanish authority shall notify all tenderers in writing of the outcome of their tenders.

Article 5

1. Where the successful tenderer lodges an application for an import licence as referred to in Article 2 (3) (c) within the time limit laid down, a licence shall be issued for the quantities for which he has been awarded a contract.
2. Where the undertaking referred to in Article 2 (3) (c) is not fulfilled, the tendering security shall be forfeit.

Article 6

1. The tendering security shall be released:
- (a) where the tender is not accepted;
 - (b) where the successful tenderer provides proof in accordance with Articles 6 and 7 of (EEC) No 3105/87 that the product imported has been processed or used in Spain;
 - (c) where the successful tenderer provides proof that the product imported has become unfit for any use or where import cannot be effected for reasons of *force majeure*.
2. Article 33 of Regulation (EEC) No 3719/88 shall apply to securities.

Article 7

Tenders lodged must be forwarded by the competent Spanish authority to the Commission to arrive not more than two hours after the time limit laid down in the notice of invitation to tender. They must be forwarded in the form shown in the Annex.

Should no tenders be received, Spain shall inform the Commission within the same period as that referred to in the first paragraph.

Article 8

The times for the purposes of this Regulation shall be Brussels time.

Article 9

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

⁽¹⁾ OJ No L 331, 2. 12. 1988, p. 1.

⁽²⁾ OJ No L 94, 7. 4. 1989, p. 13.

⁽³⁾ OJ No L 294, 17. 10. 1987, p. 15.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 1.

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

Done at Brussels, 27 March 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

*ANNEX***Weekly invitation to tender for the reduction in the levy on grain sorghum imported from third countries**

(Regulation (EEC) No 799/91)

Deadline for submission of tenders (date/time)

1	2	3	4	5
Numbering of tenderers	Quantity (tonnes)	Reduction in import levy	MCA fixed in advance	Origin of the cereals
1				
2				
3				
4				
5				
etc.				

COMMISSION REGULATION (EEC) No 800/91

of 27 March 1991

on the issuing of a standing invitation to tender for the resale on the Greek domestic market of 150 000 tonnes of barley held by the Greek intervention agency

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 7 (6) thereof,

Whereas Article 3 of Council Regulation (EEC) No 1581/86 of 23 May 1986 laying down general rules for intervention on the market in cereals⁽³⁾, as last amended by Regulation (EEC) No 2203/90⁽⁴⁾, provides that cereals held by intervention agencies are to be sold by invitation to tender;

Whereas Commission Regulation (EEC) No 1836/82⁽⁵⁾, as last amended by Regulation (EEC) No 2619/90⁽⁶⁾, lays down the procedure and conditions for the disposal of cereals held by intervention agencies;

Whereas Council Regulation (EEC) No 3918/90⁽⁷⁾ provides for the transfer to Greece of 150 000 tonnes of barley held by the German intervention agency; whereas the conditions for the sale of the cereals in question should be laid down;

Whereas these cereals must be disposed of in animal feed in Greece; whereas, in order to ensure compliance with the use and destination thus laid down, the successful tenderer must be required to lodge a security and the conditions for its release must be laid down; whereas, in addition, the provisions of Commission Regulation (EEC) No 569/88 of 16 February 1988 laying down common detailed rules for verifying the use and/or destination of products from intervention⁽⁸⁾, as last amended by Regulation (EEC) No 673/91⁽⁹⁾, should apply as regards verification of the use and/or destination;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Greek intervention agency shall sell by invitation to tender on the Greek domestic market 150 000 tonnes of

barley transferred to Greece in accordance with Regulation (EEC) No 3918/90.

Article 2

1. The sale provided for in Article 1 shall take place in accordance with the terms of Regulation (EEC) No 1836/82.
2. Notwithstanding:
 - Article 13 (1) of that Regulation, tenders shall cover the actual quality of the lot to which the tender relates,
 - Article 5 (1) of that Regulation, the minimum price to be paid shall be equal to the intervention price for barley applying on the closing date for the submission of tenders,
 - Articles 2 and 12 of that Regulation (EEC) No 1836/82, the minimum period shall be three working days before the first closing date for the submission of tenders.

Article 3

1. Tenderers shall undertake to process in animal feed in Greece, by 30 June 1991 at the latest, any products that they are awarded, unless they are prevented from so doing by *force majeure*.
2. The successful tenderer shall lodge a security of ECU 20 per tonne with the Greek intervention agency against discharge of compliance with the conditions laid down in paragraph 1. Such security shall be lodged within two working days at the latest of that on which the notice of award is received.

Article 4

1. The obligations referred to in Article 3 (1) shall be considered primary requirements within the meaning of Article 20 of Commission Regulation (EEC) No 2220/85⁽¹⁰⁾. They shall not be considered to have been discharged until the successful tenderer provides proof:

- of disposal of the products in animal feed in Greece,
- that the product has become unfit for any use.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 139, 24. 5. 1986, p. 36.

⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 5.

⁽⁵⁾ OJ No L 202, 9. 7. 1982, p. 23.

⁽⁶⁾ OJ No L 249, 12. 9. 1990, p. 8.

⁽⁷⁾ OJ No L 375, 21. 12. 1990, p. 5.

⁽⁸⁾ OJ No L 55, 1. 3. 1988, p. 1.

⁽⁹⁾ OJ No L 75, 21. 3. 1991, p. 24.

⁽¹⁰⁾ OJ No L 205, 3. 8. 1985, p. 5.

Proof as referred to in the first indent may consist in particular in proof of incorporation of animal feed.

Securities for quantities in respect of which proof is not provided within 12 months of the date of receipt of the statement of award of contracts referred to in Article 15 of Regulation (EEC) No 1836/82 shall be forfeit.

2. Regulation (EEC) No 569/88 shall apply in the field covered by this Regulation.

Article 5

1. The closing date for the submission of tenders in response to the first partial invitation to tender shall be no later than 5 April 1991.

2. The closing date for the submission of tenders for the last partial invitation to tender shall be 31 May 1991.

3. Tenders must be lodged with the Greek intervention agency:

YDAGEP, Ministry of Agriculture,
Domestic Market Directorate,
241 Acharnon Street,
GR-10446 Athens.
(Telex: 221735 YDAG GR).

Article 6

The Greek intervention agency shall notify the Commission at the latest by Tuesday of the week following the closing date for the submission of tenders of the quantities and average prices of the various lots sold.

Article 7

This Regulation shall enter into force on the third 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, 27 March 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 801/91
of 26 March 1991
on the supply of various lots of butteroil as food aid

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

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

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

Whereas following the taking of a number of decisions on the allocation of food aid the Commission has allocated to certain countries and beneficiary organizations 150 tonnes of butteroil;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

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

Article 2

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

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

Done at Brussels, 26 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

1. **Operation No :** 970/90 ⁽¹⁾
2. **Programme :** 1990
3. **Recipient :** Mozambique
4. **Representative of the recipient ⁽²⁾ ⁽⁷⁾ :**
COGROPA,
Ave 25 de Setembro, 916 r/c, 1,
PO Box 308,
Tel: 41 70 71 — Telex: 6370 — Fax: 20135,
MAPUTO, Mozambique
5. **Place or country of destination :** Mozambique
6. **Product to be mobilized :** butteroil
7. **Characteristics and quality of the goods ⁽²⁾ ⁽⁸⁾ ⁽⁹⁾ :**
see OJ No C 216, 14. 8. 1987, p. 7, I.3.1 and I.3.2
8. **Total quantity :** 150 tonnes
9. **Number of lots :** 1
10. **Packaging and marking :** 20 kg : in containers of 20 foot and OJ No C 216, 14. 8. 1987, p. 7 and 8 (I.3.3. and I.3.4.)
Special markings on packaging :
"ACÇÃO Nº 970/90 / BUTTEROIL / COMUNIDADE ECONÓMICA EUROPEIA"
and OJ No C 216, 14. 8. 1987, p. 8 (I.3.4)
11. **Method of mobilization :** Community market
12. **Stage of supply :** free at destination-warehouse
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 :** COGROPA — Av. de Moçambique, CP 2746 — MAPUTO
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage :** 1 — 15. 5. 1991
18. **Deadline for the supply :** 15. 6. 1991
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 ⁽¹⁾ :** 12 noon on 15. 4. 1991
21. **In the case of a second invitation to tender :**
 - (a) deadline for the submission of tenders : 12 noon on 29. 4. 1991
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage : 20 — 31. 5. 1991
 - (c) deadline for the supply : 30. 6. 1991
22. **Amount of the tendering security :** ECU 20 per tonne
23. **Amount of the delivery security :** 10 % of the amount of the tender in ecus
24. **Address for submission of tenders :**
Bureau de l'aide alimentaire,
à l'attention de Monsieur N. Arend,
Bâtiment Loi 120, bureau 7/58,
Rue de la Loi, 200
B-1049 Bruxelles
(telex : AGREC 22037 B or 25670 B)
25. **Refund payable on request by the successful tenderer ⁽¹⁾ :** Refund applicable on 15. 3. 1991, fixed by Commission Regulation (EEC) No 627/91 (OJ No L 68, 15. 3. 1991, p. 33).

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) The following documents must be sent to the beneficiary's representative immediately after loading to enable him to obtain an import license :
- original *pro forma* invoice indicating :
 - type of goods,
 - fob price,
 - insurance costs,
 - freight costs,
 - packing list,
 - veterinary certificate,
 - certificate of origin,
 - bill of lading (1/3 original).
- (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 this Annex.
- (6) The successful tenderer shall give the beneficiaries' representative, at the time of delivery, a certificate of origin.
- (7) Commission delegate to be contacted by the successful tenderer :
FSC Da Camara, CP 1306, Maputo, tél. 74 40 39, télex 6-146 CCE-MO.
- (8) Veterinary certificate issued by an official entity stating that the product derives from healthy animals, was processed under excellent sanitary conditions which are supervised by qualified technical personnel and that the area of production of raw milk had not registered foot-and-mouth disease.

COMMISSION REGULATION (EEC) No 802/91

of 27 March 1991

fixing for the 1991 marketing year the reference prices for tomatoes

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 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 3920/90⁽²⁾, and in particular Article 27 (1) thereof,

Whereas, pursuant to Article 23 (1) of Regulation (EEC) No 1035/72, reference prices valid for the whole Community are to be fixed at the beginning of the marketing year;

Whereas tomatoes are produced in such quantities in the Community that reference prices should be fixed for them;

Whereas tomatoes harvested during a given crop year are marketed from January to December; whereas the quantities harvested from January to March and during the last 10 days of December are so small that there is no need to fix reference prices for the whole year; whereas reference prices should therefore be fixed only for the period 1 April up to and including 20 December;

Whereas, Article 23 (2) (b) of Regulation (EEC) No 1035/72 stipulates that reference prices are to be fixed at the same level as for the preceding marketing year, adjusted, after deducting the standard cost of transporting Community products between production areas and Community consumption centres in the preceding year, by:

- the increase in production costs for fruit and vegetables, less productivity growth, and
- the standard rate of transport costs in the current marketing year;

Whereas the resulting figure may nevertheless not exceed the arithmetic mean of producer prices in each Member

State plus transport costs for the current year, after this amount has been increased by the rise in production costs less productivity growth; whereas the reference price may, however, not be lower than in the preceding marketing year;

Whereas, to take seasonal variations into account, the year should be divided into several periods and a reference price fixed for each of these periods;

Whereas producer prices are to correspond to the average of the prices recorded on the representative market or markets situated in the production areas where prices are lowest during the three years prior to the date on which the reference price is fixed, for a home-grown product with defined commercial characteristics, being a product or variety representing a substantial proportion of the production marketed over the year or over part thereof and satisfying specified requirements as regards market preparation; whereas, when the average of prices recorded on each representative market is being calculated, prices which could be considered excessively high or excessively low in relation to normal price fluctuations on that market are to be disregarded;

Whereas, up to 10 July, Community-produced tomatoes are grown mainly under glass; whereas the reference prices for this period of the marketing year must therefore be fixed for a product of that type; whereas tomatoes imported from certain third countries during the same period will have been grown in the open; whereas, although such tomatoes may be classed in class I, their quality and price are not comparable with those of products grown under glass; whereas the prices for tomatoes not grown under glass should therefore be adjusted by a conversion factor;

Whereas, from October to December inclusive, tomatoes imported from certain third countries are cultivated under glass; whereas a conversion factor should also be applied to the prices of these tomatoes to make them comparable with the reference prices which are during this period calculated on the basis of prices of Community products cultivated in the open;

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

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 375, 31. 12. 1990, p. 17.

HAS ADOPTED THIS REGULATION:

Article 1

1. For the 1991 marketing year, the reference prices for tomatoes (CN code 0702 00), expressed in ecus per 100 kg net of packed products of class I, of all sizes, shall be as follows:

— April:	197,27,
— May:	136,75,
— 1 June to 10 July:	99,96,
— 11 July to 31 August:	41,90,
— September:	44,99,
— 1 October to 20 December:	46,47.

2. For the purpose of calculating the entry price:

- (a) the prices for tomatoes not produced under glass, imported from third countries, shall, after deduction of customs duties, be multiplied:
- for April, by a conversion factor of 1,80,
 - for May, by a conversion factor of 1,70,
 - from 1 June to 10 July by a conversion factor of 1,65;
- (b) the price for tomatoes produced under glass and imported from third countries shall, after deduction of customs duties, be multiplied by a conversion factor of 0,65 from 1 October to 20 December.

Article 2

This Regulation shall enter into force on 1 April 1991.

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

Done at Brussels, 27 March 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 803/91

of 27 March 1991

laying down detailed rules for imports of olive oil originating in Tunisia

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 513/91 of 25 February 1991 laying down general rules for imports of olive oil originating in Tunisia⁽¹⁾, and in particular Article 3 thereof,

Whereas, pursuant to Articles 1 and 2 of Regulation (EEC) No 513/91, provision should be made for the rate of imports of olive oil originating in Tunisia should be determined; whereas the present situation and outlook as regards supplies of olive oil to the Community market permits the disposal of the anticipated quantity without any risk of market disruption provided that imports are not concentrated within a short period each year; whereas it should be provided that licences may be issued according to a monthly calendar;

Whereas provision should be made for rules for the issue of import licences in order to ensure equal access for importers of olive oil to the quota in question;

Whereas, pursuant to Article 3 of Regulation (EEC) No 513/91, provision should be made for the necessary measures to prevent any deflection of trade and in particular to ensure that the levy calculated pursuant to Articles 97 and 295 of the Act of Accession is charged if the oil is released for consumption in Spain or Portugal;

Whereas the quantity of oil imported from Tunisia must not exceed a given quantity; whereas the tolerance provided for in Article 8 of Commission Regulation (EEC) No 3719/88 of 16 November 1988 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products⁽²⁾, as last amended by Regulation (EEC) No 1599/90⁽³⁾, should therefore not be allowed;

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

Article 1

1. Untreated olive oil corresponding to CN codes 1509 10 10 and 1509 10 90, wholly obtained in Tunisia and transported direct from that country to the Community, which qualifies for the special levy provided for in Article 4 of the Additional Protocol to the Cooperation Agreement between the European Economic Community and the Republic of Tunisia or from the levy applicable in Spain and Portugal that result therefrom in accordance with Articles 97 and 295 of the Act of Accession may be imported from 1 March of each marketing year. Import licences shall be issued for up to 46 000 tonnes each marketing year.

2. Licences may be issued in accordance with the conditions laid down in this Regulation in respect of up to 5 000 tonnes per month for March, April and October and 10 000 tonnes per month for May to September. If the quantity authorized for one month is not used entirely during the month in question, the remainder shall be added to the quantity for the following month, but may not be carried over thereafter.

Article 2

1. With a view to the application of the special levy referred to in Article 1 or of the levy applicable in Spain and Portugal that results therefrom, importers must submit an import licence application to the competent authorities of the Member States. Such applications must be accompanied by a copy of the purchase contract concluded with the Tunisian exporter.

2. Import licence applications must be submitted on Mondays and Tuesdays of each week. Member States shall notify the Commission every Wednesday of the data in licence applications received. However, no applications may be submitted in November to the following February inclusive.

3. Each week the Commission shall draw up a total of the quantities for which import licences have been submitted. It shall authorize the Member States to issue licences until the monthly quota is exhausted; where there is a risk of the monthly quota being exhausted, the Commission shall authorize the Member States to issue import licences in proportion to the quantity available.

⁽¹⁾ OJ No L 56, 2. 3. 1991, p. 1.

⁽²⁾ OJ No L 331, 2. 12. 1988, p. 1.

⁽³⁾ OJ No L 151, 15. 6. 1990, p. 29.

4. Once the maximum quantity provided for in the Additional Protocol is reached, the Commission shall inform the Member States.

5. For the purposes of this Article, where a week begins in one month and finishes in the following month, it must be considered part of the month in which the Thursday falls.

Article 3

Import licences as provided for in Article 2 shall be valid for 60 days from the date of issue but shall not be valid after 31 October each marketing year.

The provisions of Commission Regulation (EEC) No 2041/75⁽¹⁾, shall, in the case of import licences without advance fixing of the levy, be applicable as regards the securities and the period for issuing the licences.

Article 4

1. Member States of the Community as constituted at 31 December 1985 in which olive oil originating in Tunisia is released for free circulation in accordance with the conditions laid down in Article 1 shall introduce a system of controls. The latter shall provide, without prejudice to the application of paragraph 2, that in cases where olive oil corresponding to CN codes 1509 10 10 and 1509 10 90 put up in immediate packages of a net capacity of more than five litres or in bulk, is exported to another Member State, the operators must demonstrate to the satisfaction of those Member States that the oil concerned is not of Tunisian origin.

2. Where olive oil has been released for free circulation in accordance with paragraph 1 and is exported to another Member State, the document attesting to the Community status of the product shall bear a reference to the levy collected on release for free circulation and one of the following:

- Aceite de oliva importado de Túnez — Reglamento (CEE) n° 513/91,
- Olivenolie indført fra Tunesien — Forordning (EØF) nr. 513/91,
- Olivenöl, eingeführt aus Tunesien — Verordnung (EWG) Nr. 513/91,
- Ελαιόλαδο εισαχθέν από την Τυνησία — Κανονισμός (ΕΟΚ) αριθ. 513/91,
- Olive oil imported from Tunisia — Regulation (EEC) No 513/91,
- Huile d'olive importée de Tunisie — Règlement (CEE) n° 513/91,
- Olio d'oliva importato dalla Tunisia — Regolamento (CEE) n. 513/91,
- Olijfolie ingevoerd uit Tunesië — Verordening (EEG) nr. 513/91,
- Azeite importado da Tunísia — Regulamento (CEE) n° 513/91.

3. By way of derogation from Article 8 (4) of Regulation (EEC) No 3719/88⁽²⁾, the quantity released for free circulation must not exceed that specified in boxes 10 and 11 of the import licence. '0' shall accordingly be entered in box 22 of the said licence.

4. Where olive oil for which the document, as referred to in paragraph 2, attesting to the Community status of the goods concerned is released for consumption in Spain or Portugal, an amount resulting from the application of the percentages laid down in Articles 97 and 295 of the Act of Accession to the difference between the minimum levy per 100 kilograms applicable on the day the declaration of release for consumption is accepted and the levy collected on release for free circulation in the Community shall be charged in those Member States.

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, 27 March 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 213, 11. 8. 1975, p. 1.

COMMISSION REGULATION (EEC) No 804/91**of 27 March 1991****fixing for the 1991 marketing year the Community offer prices for tomatoes
applicable with regard to Spain and 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 Regulations (EEC) No 3709/89 ⁽¹⁾ and No 3648/90 ⁽²⁾ laying down general rules for implementing the Act of Accession of Spain and Portugal as regards the compensation mechanism on imports of fruit and vegetables originating respectively in Spain and Portugal, and in particular Article 4 (1) thereof,

Whereas, Commission Regulation (EEC) No 3820/90 ⁽³⁾, lays down detailed rules for the application of the compensation mechanism to imports of fruit and vegetables from Spain,

Whereas, pursuant to Article 152 and Article 318 of the Act of Accession, a compensation mechanism is to be introduced on imports into the Community as constituted at 31 December 1985, hereinafter referred to as the 'Community of Ten', of fruit and vegetables from Spain and Portugal for which a reference price is fixed with regard to third countries; whereas, Community offer prices for tomatoes coming from Spain and Portugal should be fixed only during the period where reference prices are fixed with regard to third countries, this means from 1 April up to and including 20 December;

Whereas, in accordance with Articles 152 (2) (a) and 318 (1) (a) of the Act of Accession, a Community offer price is to be calculated annually on the basis of the arithmetic mean of the producer prices in each Member State of the Community of Ten, plus transport and packaging costs incurred by the products from the production regions to the representative consumption centres of the Community and bearing in mind developments in the cost of production in the fruit and vegetable sector; whereas the abovementioned producer prices correspond to the average prices recorded during the three years preceding the date of fixing of the Community offer price; whereas, however, the annual Community offer price cannot exceed the reference price applied for third countries;

Whereas, in order to take account of seasonal variations in prices, the marketing year should be divided into one or

more periods and a Community offer price should be fixed for each of them;

Whereas, in accordance with Article 1 of Regulations (EEC) Nos 3709/89 and 3648/90, the producer prices to be used for the determination of the Community offer price are to be those of a domestic product defined by its commercial characteristics recorded on the representative market or markets located in the production areas where prices are lowest for products or varieties representing a considerable proportion of production marketed throughout the year or during a part of the latter and which meet quality Class I requirements and conditions laid down as regards packaging; whereas the average price for each representative market must be established after disregarding prices which may be considered excessively high or excessively low compared with the normal fluctuations recorded on the market; whereas, moreover, if the average price for a Member State shows excessive variations with respect of normal price fluctuations, it shall not be taken into account;

Whereas, up to 10 July, tomatoes produced in the Community of Ten are grown mainly under glass; whereas the Community offer prices for this period of the marketing year must therefore be fixed for a product of that type; whereas tomatoes imported from Spain and Portugal during the same period will have been grown in the open; whereas, although such tomatoes may be classed in Class I, their quality and price are not comparable with those of products grown under glass; whereas the prices for tomatoes not grown under glass should therefore be adjusted by a conversion factor;

Whereas the application of the abovementioned criteria results in Community offer prices being fixed for tomatoes for the period 1 April to 20 December 1991 at the levels set out hereinafter;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. For the 1991 marketing year, the Community offer prices for tomatoes (CN code 0702 00), applicable with regard to Spain and Portugal, expressed in ecus per 100 kilograms net of packed products of class I, of all sizes, shall be as follows:

⁽¹⁾ OJ No L 363, 13. 12. 1989, p. 3.

⁽²⁾ OJ No L 362, 27. 12. 1990, p. 16.

⁽³⁾ OJ No L 366, 29. 12. 1990, p. 43.

— April :	144,17,	the prices for tomatoes, not produced under glass, imported from Spain and Portugal shall, after deduction of customs duties, be multiplied :
— May :	97,85,	— for April, by a conversion factor of 1,80,
— 1 June to 10 July :	69,55,	— for May, by a conversion factor of 1,70,
— 11 July to 31 August :	41,90,	— from 1 June to 10 July, by a conversion factor of 1,65.
— September :	44,99,	
— 1 October to 20 December :	46,47.	

Article 2

2. For the purpose of calculating the Spanish and Portuguese offer prices :

This Regulation shall enter into force on 1 April 1991.

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

Done at Brussels, 27 March 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 805/91

of 27 March 1991

fixing for the 1991 marketing year the reference prices for aubergines

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 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 3920/90⁽²⁾, and in particular Article 27 (1) thereof,

Whereas, pursuant to Article 23 (1) of Regulation (EEC) No 1035/72, reference prices valid for the whole Community are to be fixed at the beginning of the marketing year;

Whereas aubergines are produced in such quantities in the Community that reference prices should be fixed for them;

Whereas aubergines harvested during a given crop year are marketed from January to December; whereas the quantities harvested from 1 January to 31 March and in November and December are so small that there is no need to fix reference prices for these periods; whereas reference prices should be fixed only for the period 1 April to 31 October inclusive;

Whereas Article 23 (2) (b) of Regulation (EEC) No 1035/72 stipulates that reference prices are to be fixed at the same level as for the preceding marketing year, adjusted, after deducting the standard cost of transporting Community products between production areas and Community consumption centres in the preceding year, by:

- the increase in production costs for fruit and vegetables, less productivity growth, and
- the standard rate of transport costs in the current marketing year;

Whereas the resulting figure may nevertheless not exceed the arithmetic mean of producer prices in each Member State plus transport costs for the current year, after this

amount has been increased by the rise in production costs less productivity growth; whereas the reference price may, however, not be lower than in the preceding marketing year;

Whereas, to take seasonal price variations into account, the marketing year should be divided into several periods and a reference price fixed for each of these periods;

Whereas producer prices are to correspond to the average of the prices recorded on the representative market or markets situated in the production areas where prices are lowest, during the three years prior to the date on which the reference price is fixed, for a home-grown product with defined commercial characteristics, being a product or variety representing a substantial proportion of the production marketed over the year or over part thereof and satisfying specified requirements as regards market preparation; whereas, when the average of prices recorded on each representative market is being calculated, prices which could be considered excessively high or excessively low in relation to normal price fluctuations on that market are to be disregarded;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1991 marketing year, the reference prices for aubergines (CN code 0709 30 00), expressed in ecus per 100 kilograms net of packed products of class I, of all sizes, shall be as follows:

— April:	87,72,
— May:	82,00,
— June:	78,58,
— July:	69,85,
— August:	46,72,
— September:	50,09,
— October:	54,13.

Article 2

This Regulation shall enter into force on 1 April 1991.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 375, 31. 12. 1990, p. 17.

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

Done at Brussels, 27 March 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 806/91

of 27 March 1991

fixing for the 1991 marketing year the reference prices for courgettes

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 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables ⁽¹⁾, as last amended by Regulation (EEC) No 3920/90 ⁽²⁾, and in particular Article 27(1) thereof,

Whereas, pursuant to Article 23(1) of Regulation (EEC) No 1035/72, reference prices valid for the whole Community are to be fixed at the beginning of the marketing year;

Whereas courgettes are produced in such quantities in the Community that reference prices should be fixed for them;

Whereas courgettes harvested during a given crop year are marketed from January to December; whereas the quantities harvested from 1 January to 20 April and in October, November and December are so small that there is no need to fix reference prices for these periods; whereas reference prices should be fixed only for the period 21 April up to and including 30 September;

Whereas Article 23(2)(b) of Regulation (EEC) No 1035/72 stipulates that reference prices are to be fixed at the same level as for the preceding marketing year, adjusted, after deducting the standard cost of transporting Community products between production areas and Community consumption centres in the preceding year, by:

- the increase in production costs for fruit and vegetables, less productivity growth, and
- the standard rate of transport costs in the current marketing year;

Whereas the resulting figure may nevertheless not exceed the arithmetic mean of producer prices in each Member

State plus transport costs for the current year, after this amount has been increased by the rise in production costs less productivity growth; whereas the reference price may, however, not be lower than in the preceding marketing year;

Whereas, to take seasonal price variations into account, the marketing year should be divided into several periods and a reference price fixed for each of these periods;

Whereas producer prices are to correspond to the average of the prices recorded on the representative market or markets situated in the production areas where prices are lowest, during the three years prior to the date on which the reference price is fixed, for a home-grown product with defined commercial characteristics, being a product or variety representing a substantial proportion of the production marketed over the year or over part thereof and satisfying specified requirements as regards market preparation; whereas, when the average of prices recorded on each representative market is being calculated, prices which could be considered excessively high or excessively low in relation to normal price fluctuations on that market are to be disregarded;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1991 marketing year, the reference prices for courgettes falling within CN code 0709 90 70, expressed in ecu per 100 kilograms net of packed products of class I, of all sizes, shall be as follows:

— April (21 to 30):	71,79,
— May:	63,12,
— June:	42,18,
— July:	38,56,
— August:	44,91,
— September:	49,60.

Article 2

This Regulation shall enter into force on 21 April 1991.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 375, 31. 12. 1990, p. 17.

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

Done at Brussels, 27 March 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 807/91

of 27 March 1991

fixing for the 1991 marketing year the Community offer prices for courgettes
applicable with regard to Spain and 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 Regulations (EEC) No 3709/89 ⁽¹⁾ and No 3648/90 ⁽²⁾ laying down general rules for implementing the Act of Accession of Spain and Portugal as regards the compensation mechanism on imports of fruit and vegetables originating respectively in Spain and Portugal, and in particular Article 4 (1) thereof,

Whereas, Commission Regulation (EEC) No 3820/90 ⁽³⁾, lays down detailed rules for the application of the compensation mechanism to imports of fruit and vegetables from Spain,

Whereas, pursuant to Article 152 and Article 318 of the Act of Accession, a compensation mechanism is to be introduced on imports into the Community as constituted at 31 December 1985, hereinafter referred to as the 'Community of Ten', of fruit and vegetables from Spain and Portugal for which a reference price is fixed with regard to third countries; whereas, Community offer prices for courgettes coming from Spain and Portugal should be fixed only during the period where reference prices are fixed with regard to third countries, this means from 21 April up to and including 30 September;

Whereas, in accordance with Articles 152 (2) (a) and 318 (1) (a) of the Act of Accession, a Community offer price is to be calculated annually on the basis of the arithmetic mean of the producer prices in each Member State of the Community of Ten, plus transport and packaging costs incurred by the products from the production regions to the representative consumption centres of the Community and bearing in mind developments in the cost of production in the fruit and vegetable sector; whereas the abovementioned producer prices correspond to the average prices recorded during the three years preceding the date of fixing of the Community offer price; whereas, however, the annual Community offer price cannot exceed the reference price applied for third countries;

Whereas, in order to take account of seasonal variations in prices, the marketing year should be divided into one or

more periods and a Community offer price should be fixed for each of them;

Whereas, in accordance with Article 1 of Regulations (EEC) Nos 3709/89 and 3648/90, the producer prices to be used for the determination of the Community offer price are to be those of a domestic product defined by its commercial characteristics recorded on the representative market or markets located in the production areas where prices are lowest for products or varieties representing a considerable proportion of production marketed throughout the year or during a part of the latter and which meet quality Class I requirements and conditions laid down as regards packaging; whereas the average price for each representative market must be established after disregarding prices which may be considered excessively high or excessively low compared with the normal fluctuations recorded on the market; whereas, moreover, if the average price for a Member State shows excessive variations with respect of normal price fluctuations, it shall not be taken into account;

Whereas the application of the abovementioned criteria results in Community offer prices being fixed for courgettes for the period 21 April to 30 September 1991 at the levels set out hereinafter;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. For the 1991 marketing year, the Community offer prices for courgettes (CN code 0709 90 70) applicable with regard to Spain and Portugal, expressed in ecus per 100 kilograms net of packed products of Class I, of all sizes, shall be as follows:

— April (from 21 to 30):	71,79,
— May:	59,33,
— June:	38,95,
— July:	38,56,
— August:	44,91,
— September:	49,60.

Article 2

This Regulation shall enter into force on 21 April 1991.

⁽¹⁾ OJ No L 363, 13. 12. 1989, p. 3.

⁽²⁾ OJ No L 362, 27. 12. 1990, p. 16.

⁽³⁾ OJ No L 366, 29. 12. 1990, p. 43.

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

Done at Brussels, 27 March 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 808/91

of 27 March 1991

fixing for the 1991 marketing year the Community offer prices for aubergines
applicable with regard to Spain and 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 Regulations (EEC) No 3709/89 ⁽¹⁾ and No 3648/90 ⁽²⁾ laying down general rules for implementing the Act of Accession of Spain and Portugal as regards the compensation mechanism on imports of fruit and vegetables originating respectively in Spain and Portugal, and in particular Article 4 (1) thereof,

Whereas, Commission Regulation (EEC) No 3820/90 ⁽³⁾, lays down detailed rules for the application of the compensation mechanism to imports of fruit and vegetables from Spain,

Whereas, pursuant to Article 152 and Article 318 of the Act of Accession, a compensation mechanism is to be introduced on imports into the Community as constituted at 31 December 1985, hereinafter referred to as the 'Community of Ten', of fruit and vegetables from Spain and Portugal for which a reference price is fixed with regard to third countries; whereas, Community offer prices for aubergines coming from Spain and Portugal should be fixed only during the period where reference prices are fixed with regard to third countries, this means from 1 April up to and including 31 October;

Whereas, in accordance with Articles 152 (2) (a) and 318 (1) (a) of the Act of Accession, a Community offer price is to be calculated annually on the basis of the arithmetic mean of the producer prices in each Member State of the Community of Ten, plus transport and packaging costs incurred by the products from the production regions to the representative consumption centres of the Community and bearing in mind developments in the cost of production in the fruit and vegetable sector; whereas the abovementioned producer prices correspond to the average prices recorded during the three years preceding the date of fixing of the Community offer price; whereas, however, the annual Community offer price cannot exceed the reference price applied for third countries;

Whereas, in order to take account of seasonal variations in prices, the marketing year should be divided into one or more periods and a Community offer price should be fixed for each of them;

Whereas, in accordance with Article 1 of Regulations (EEC) Nos 3709/89 and 3648/90, the producer prices to be used for the determination of the Community offer price are to be those of a domestic product defined by its commercial characteristics recorded on the representative market or markets located in the production areas where prices are lowest for products or varieties representing a considerable proportion of production marketed throughout the year or during a part of the latter and which meet quality Class I requirements and conditions laid down as regards packaging; whereas the average price for each representative market must be established after disregarding prices which may be considered excessively high or excessively low compared with the normal fluctuations recorded on the market; whereas, moreover, if the average price for a Member State shows excessive variations with respect of normal price fluctuations, it shall not be taken into account;

Whereas the application of the abovementioned criteria results in Community offer prices being fixed for aubergines for the period 1 April to 31 October 1991 at the levels set out hereinafter;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1991 marketing year, the Community offer prices for aubergines (CN code 0709 30 00) applicable with regard to Spain and Portugal, expressed in ecus per 100 kilograms net of packed products of Class I, of all sizes, shall be as follows:

— April :	80,11,
— May :	81,90,
— June :	77,76,
— July :	59,61,
— August :	42,84,
— September :	49,45,
— October :	50,43.

Article 2

This Regulation shall enter into force on 1 April 1991.

⁽¹⁾ OJ No L 363, 13. 12. 1989, p. 3.

⁽²⁾ OJ No L 362, 27. 12. 1990, p. 16.

⁽³⁾ OJ No L 366, 29. 12. 1990, p. 43.

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

Done at Brussels, 27 March 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 809/91

of 27 March 1991

on a protective measure applicable to imports of provisionally preserved cultivated mushrooms

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 Council Regulation (EEC) No 521/77 ⁽³⁾ lays down detailed rules for applying protective measures in the market in products processed from fruit and vegetables;

Whereas quantities of cultivated mushrooms provisionally preserved, but unsuitable for consumption in that state, released for free circulation in the Community have increased since the beginning of 1990;

Whereas the levels of prices applying in the main third country supplying the Community for the 1990/91 marketing year are lower than those for similar products obtained in the Community; whereas it is accordingly difficult to market the latter;

Whereas Commission Regulation (EEC) No 2891/90 of 5 October 1990 on the issue of import licences for provisionally preserved cultivated mushrooms ⁽⁴⁾ fixes the maximum quantity of that product which may be released for free circulation in 1990; whereas that measure was reintroduced for the first quarter of 1991 by Commission Regulation (EEC) No 3758/90 of 21 December 1990 on a protective measure applicable to imports of provisionally preserved cultivated mushrooms ⁽⁵⁾;

Whereas there is a danger that from 1 April 1991 applications for import licences may be excessive in relation to actual requirements and may be submitted for speculative reasons pending the entry into force of new regulations on the tariff classification of certain provisionally preserved mushrooms and the relevant adaptation of the import arrangements for the mushrooms in question and in view of the uncertain outcome of the discussions on

the subject now under way with certain exporting countries; whereas this could create serious disturbances on the Community market, which could undermine the objectives of Article 39 of the Treaty; whereas protective measures must therefore be applied from 1 April 1991;

Whereas the protective measures must be such as to prevent large-scale imports during a very limited period; whereas, to that end, taking into consideration the criteria laid down in Regulation (EEC) No 521/77 and pending the entry into force of the abovementioned measures and the outcome of the discussions referred to above, the quantities of the product in question which may be released for free circulation for a transitional period of four months should be determined on the basis of the quantities imported during the same period in the two preceding years and of a rate of increase in line with the smooth development of trade;

Whereas, in order to ensure that the said quantity is properly used and to avoid the submission of applications for speculative reasons, the bulk of the quantity should be reserved for importers who in the past obtained supplies of provisionally preserved cultivated mushrooms on the basis of the quantities they obtained in 1989 and 1990, while access to that quantity should be maintained for new importers;

Whereas, lastly, the additional rules necessary for the issue of the licences should be laid down; whereas such rules are complementary to or derogate from the provisions of Commission Regulation (EEC) No 2405/89 of 1 August 1989 laying down special detailed rules for the application of the system of import licences and advance fixing certificates for products processed from fruit and vegetables ⁽⁶⁾, as amended by Regulation (EEC) No 619/90 ⁽⁷⁾,

HAS ADOPTED THIS REGULATION:

Article 1

1. For the period 1 April to 31 July 1991, import licences shall be issued for 14 200 tonnes of cultivated mushrooms provisionally preserved but unsuitable for consumption in that state and covered by CN code ex 0711 90 50.

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ OJ No L 201, 31. 7. 1990, p. 1.

⁽³⁾ OJ No L 73, 21. 3. 1977, p. 28.

⁽⁴⁾ OJ No L 276, 6. 10. 1990, p. 29.

⁽⁵⁾ OJ No L 360, 22. 12. 1990, p. 49.

⁽⁶⁾ OJ No L 227, 4. 8. 1989, p. 34.

⁽⁷⁾ OJ No L 67, 15. 3. 1990, p. 31.

2. Import licences shall be applied for and issued in accordance with Regulation (EEC) No 2405/89, without prejudice to the specific provisions of this Regulation.

Article 2

1. The quantity fixed in Article 1 (1) shall be allocated as follows:

- (a) 12 000 tonnes to importers who have submitted applications for import licences for the products in question in the course of 1989 and 1990;
- (b) 2 000 tonnes to importers who do not fulfil the condition set out in (a).

However, where the quantities specified in (a) or (b) is not applied for, or is only partially applied for, the quantity available shall be allocated to the other group of importers who have submitted applications.

- 2. (a) No application for a licence submitted by an importer as referred to in paragraph 1 (a) may relate to a quantity in excess of 20 % of the quantity supplied to that importer in 1989 and 1990.
- (b) No application for a licence submitted by an importer as referred to in paragraph 1 (b) may

relate to a quantity in excess of 15 % of the quantity shown therein.

Article 3

Applications for import licences shall be submitted to the competent authorities of the Member States on 2 and 3 April 1991. Those authorities shall forward the applications to the Commission by 4 p.m. on 4 April 1991 at the latest, distinguishing between the quantities applied for under points (a) and (b) of Article 2 (1).

Article 4

By 5 April 1991 at the latest, the Commission shall fix and communicate by telex to the Member States the quantities for which licences are to be issued for each of the two categories of applications mentioned in Article 2 (1).

Article 5

The licences for which applications are forwarded pursuant to Article 3 shall be issued on 8 April 1991.

Article 6

This Regulation shall enter into force on 1 April 1991.

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

Done at Brussels, 27 March 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 810/91
of 27 March 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 Council Regulation (EEC) No 521/77 ⁽³⁾ lays down detailed rules for applying protective measures in the market in products processed from fruit and vegetables;

Whereas Article 5 of Commission Regulation (EEC) No 3797/90 ⁽⁴⁾, as amended by Regulation (EEC) No 419/91 ⁽⁵⁾, provides that the Regulation is to apply until 31 March 1991;

Whereas major quantities of the products in question are still available in Poland and in Yugoslavia; whereas, from 1 April 1991, unless there is an agreement with the exporting countries on compliance with a free-at-frontier price for forthcoming months, the products will be imported into the Community in major quantities and at

fairly low prices; whereas, under the circumstances, the Community market would be threatened with disturbance which would have a negative impact on the sale of Community products from the new harvest; whereas that situation is likely to jeopardize the objectives of Article 39 of the Treaty; whereas the requirement for a minimum import price and countervailing charges on products not complying with that price, should accordingly be maintained for a sufficiently lengthy period to forestall such negative effects,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 5 of Regulation (EEC) No 3797/90, the date '31 March 1991' is hereby replaced by '31 July 1991'.

Article 2

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

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

Done at Brussels, 27 March 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 73, 21. 3. 1977, p. 28.

⁽⁴⁾ OJ No L 365, 28. 12. 1990, p. 22.

⁽⁵⁾ OJ No L 49, 22. 2. 1991, p. 23.

COUNCIL REGULATION (EEC) No 811/91
of 27 March 1991

**amending for the third time Regulation (EEC) No 2340/90 preventing trade by
the Community as regards Iraq and Kuwait**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Whereas, under Regulation (EEC) No 2340/90 ⁽¹⁾, as last amended by Regulation (EEC) No 542/91 ⁽²⁾, trade between the Community, on the one hand, and Iraq, on the other, was forbidden, with the exception of certain medical products and, under certain conditions, food-stuffs, following the resolutions of the United Nations Security Council establishing an embargo after the invasion of Kuwait by Iraqi forces;

Whereas the United Nations Security Council adopted on 2 March 1991 Resolution 686 (1991);

Whereas, in these circumstances, the Community and its Member States, meeting within the framework of political cooperation, consider it desirable to facilitate humanitarian action in Iraq and, therefore, appropriate to enlarge, as of 2 March 1991, the possibility for supplies of products intended strictly for medical purposes within the scope and conditions laid down in the relevant resolutions of the United Nations Security Council, and in particular Resolution 661 (1990),

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

Having regard to the proposal from the Commission,

HAS ADOPTED THIS REGULATION:

Article 1

As of 2 March 1991, the Annex to Regulation (EEC) No 2340/90 shall be replaced by the text appearing in the Annex to this Regulation.

Article 2

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

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

Done at Brussels, 27 March 1991.

For the Council

The President

R. GOEBBELS

⁽¹⁾ OJ No L 213, 9. 8. 1990, p. 1.

⁽²⁾ OJ No L 60, 7. 3. 1991, p. 5.

*ANNEX**ANNEX***LIST OF PRODUCTS REFERRED TO IN ARTICLE 3 (1)****A. Medical products**

- 3001 Glands and other organs for organo-therapeutic uses, dried, whether or not powdered ; extracts of glands or other organs or of their secretions for organo-therapeutic uses ; heparin and its salts ; other human or animal substances prepared for therapeutic or prophylactic uses, not elsewhere specified or included.
- ex 3002 Human blood ; animal blood prepared for therapeutic, prophylactic or diagnostic uses ; antisera and other blood fractions ; vaccines for human medicine.
- 3004 Medicaments (excluding goods of heading Nos 3002, 3005 or 3006) consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured doses or in forms or packings for retail sale.
- 3005 Wadding, gauze, bandages and similar articles (for example, dressings, adhesive plasters, poultices) impregnated or coated with pharmaceutical substances or put up in forms or packings for retail sale for medical, surgical, dental or veterinary purposes.
- 3006 Pharmaceutical goods specified in Note 3 to Chapter 30.
- ex 9018 Syringes, needles, catheters, canulae and the like ; blood transfusion apparatus.

B. Foodstuffs

Any foodstuff intended for humanitarian purposes as part of emergency aid operations.

C. Other products

All products other than those listed under A intended strictly for medical purposes, provided that these are to be supplied under the strict supervision of the Community or the government of any Member State or by appropriate humanitarian agencies.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 25 March 1991

authorizing the automatic renewal or maintenance in force of provisions governing matters covered by the common commercial policy contained in the friendship, trade and navigation treaties and similar agreements concluded between Member States and third countries

(91/167/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to Council Decision 69/494/EEC of 16 December 1969 on the progressive standardization of agreements concerning commercial relations between Member States and third countries and on the negotiation of Community agreements ⁽¹⁾, and in particular Article 3 thereof,

Having regard to the proposal from the Commission,

Whereas the automatic renewal or continuance in force of the friendship, trade and navigation treaties and similar agreements concluded by Member States was last authorized by Decision 90/61/EEC ⁽²⁾;

Whereas the Member States concerned have again requested authorization for the automatic renewal or continuance in force of provisions governing matters covered by the common commercial policy within the meaning of Article 113 of the Treaty and contained in the friendship, trade and navigation treaties and similar agreements listed in the Annex, in order to avoid interrupting their commercial relations with the third countries concerned as are based on such agreements;

Whereas, however, most of the matters covered by these provisions of national treaties and agreements will in future be governed by Community agreements; whereas,

in that case, authorization should be given only in respect of those matters not covered by Community agreements; whereas, in addition, such authorization does not absolve the Member States from the obligation of avoiding and, where appropriate, eliminating any incompatibility between such treaties and agreements and the provisions of Community law;

Whereas the provisions of the treaties and agreements to be automatically renewed or maintained in force must not, furthermore, during the period under consideration, constitute an obstacle to the implementation of the common commercial policy;

Whereas the Member States concerned have stated that the automatic renewal or continuance in force of these treaties and agreements should not be such as to constitute an obstacle to the opening of Community commercial negotiations with the relevant third countries or the transfer of the commercial fields covered by current bilateral agreements to Community agreements;

Whereas, at the conclusion of the consultation provided for in Article 2 of Decision 69/494/EEC, it was established, as the aforesaid statements by the Member States confirm, that the provisions of the relevant treaties and bilateral agreements will not, during the period under consideration, constitute an obstacle to the implementation of the common commercial policy;

Whereas, nevertheless, the Member States concerned have stated that they would be willing to adapt and, if necessary, terminate those treaties and agreements should it be found, during the period under consideration, that the automatic renewal or continuance in force of the provisions thereof relating to matters covered by Article

⁽¹⁾ OJ No L 326, 29. 12. 1969, p. 39.

⁽²⁾ OJ No L 42, 16. 2. 1990, p. 59.

113 of the Treaty hinder the implementation of the common commercial policy;

Whereas the treaties and agreements involved contain termination clauses requiring a period of notice of between three and 12 months;

Whereas, therefore, there is no reason for not authorizing the automatic renewal or continuance in force, until 31 December 1992, of the provisions in question,

HAS ADOPTED THIS DECISION :

Article 1

The provisions governing matters covered by the common commercial policy within the meaning of Article 113 of the Treaty and contained in the friendship,

trade and navigation treaties and similar agreements listed in the Annex hereto may be automatically renewed or maintained in force until 31 December 1991 as regards those areas not covered by agreements between the Community and the third countries concerned in so far as their provisions are not contrary to existing common policies.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 25 March 1991.

For the Council

The President

R. STEICHEN

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

Estado miembro Medlemsstat Mitgliedstaat Κράτος μέλος Member State État membre Stato membro Lid-Staat Estado-membro	País tercero Tredjeland Drittland Τρίτη χώρα Third country Pays tiers Paese terzo Derde land País terceiro	Naturaleza del Acuerdo Aftalens art Art des Abkommens Φύση της συμφωνίας Type of Agreement Nature de l'accord Natura dell'accordo Aard van de overeenkomst Natureza do acordo	Fecha del Acuerdo Aftalens dato Zeitpunkt des Abkommens Ημερομηνία της συμφωνίας Date of the Agreement Date de l'accord Data dell'accordo Datum van de overeenkomst Data do acordo
(1)	(2)	(3)	(4)
BELGIQUE/BELGIË	El Salvador	Convention commerciale / Handelsovereenkomst	21. 3. 1906
	États-Unis / Verenigde Staten	Traité d'amitié, de commerce et de navigation / Vriendschaps-, handels- en scheepvaartverdrag	21. 2. 1961
	Éthiopie / Ethiopië	Traité / Verdrag	6. 9. 1906
	Honduras	Traité d'amitié, de commerce et de navigation / Vriendschaps-, handels- en scheepvaartverdrag	25. 3. 1909
		Déclaration complémentaire / Aanvullende verklaring	30. 8. 1909
	Liberia	Traité d'amitié, de commerce et de navigation / Vriendschaps-, handels- en scheepvaartverdrag	31. 5. 1885
	Maroc / Marokko	Traité d'amitié, de commerce et de navigation / Vriendschaps-, handels- en scheepvaartverdrag	4. 1. 1862
	Norvège / Noorwegen	Traité de commerce et de navigation / Handels- en scheepvaartverdrag	27. 6. 1910
	République Dominicaine / Dominicaanse Republiek	Traité d'amitié, de commerce et de navigation / Vriendschaps-, handels- en scheepvaartverdrag	21. 8. 1884
	Venezuela	Traité d'amitié, de commerce et de navigation / Vriendschaps-, handels- en scheepvaartverdrag	1. 3. 1884
BENELUX	Paraguay	Accord de commerce et de navigation / Handels- en scheepvaartakkoord	13. 8. 1963
	Union soviétique / USSR	Traité de commerce / Handelsverdrag	14. 7. 1971
DANMARK	Bolivia	Handelstraktat	9. 11. 1931
	Brasiliën	Midlertidig aftale om mestbegunstigelsesklausul	30. 7. 1936
	Bulgarien	Ordning vedrørende den gensidige anvendelse af mestbegunstigelsesklausul (brevveksling)	27. 7. / 5. 8. 1921
	Burma	Noteveksling vedrørende mestbegunstigelsesklausul	29. 4. 1948 og 17. 4. 1950
	Chile	Handels- og søfartstraktat	4. 2. 1899
	Columbia	Handels- og søfartstraktat	21. 6. 1923
	Costa Rica	Handels- og søfartstraktat	26. 9. 1956
	Den Arabiske Republik	Midlertidig handelsaftale	7. 5. 1930
	Egypten		
	Den Dominikanske Republik	Venskabs-, handels- og søfartstraktat	26. 7. 1852
	De Forenede Stater	Handels- og søfartstraktat	1. 10. 1951
	El Salvador	Handels- og søfartstraktat	9. 7. 1958
	Guatemala	Handels- og søfartstraktat	4. 3. 1948
	Haiti	Handelstraktat	21. 10. 1937
	Iran	Venskabs-, etablerings- og handelstraktat	20. 2. 1934

(1)	(2)	(3)	(4)
DANMARK (fortsat)	Israel	Foreløbig aftale (modus vivendi) om mestbegunstigelses-klausul i alle sager om søfart og i alt vedrørende told, osv.	14. 11. 1952
	Japan	Handels- og søfartstraktat	12. 2. 1912
	Jugoslavien	Handelsdeklaration	17./30. 3. 1909
	Liberia	Venskabs-, handels- og søfartstraktat	21. 5. 1860
	Paraguay	Handels- og søfartstraktat	3. 5. 1967
	Peru	Handels- og søfartstraktat	10. 6. 1957
	Polen	Handels- og søfartstraktat	22. 3. 1924
	Rumænien	Noteveksling om handel og søfart	28. 8. 1930
	Sovjetunionen	Handels- og søfartstraktat	17. 8. 1946
	Thailand	Venskabs-, handels- og søfartstraktat	5. 11. 1937
		Noteveksling	9. 3. 1972
	Tjekkoslaviet	Noteveksling om handel og søfart	18. 4. 1925
		Noteveksling om varebehandling	26. 8. 1929
	Tyrkiet	Etablerings-, handels- og søfartstraktat	31. 5. 1930
	Ungarn	Handels- og søfartskonvention	14. 3. 1887
	Uruguay	Handels- og søfartstraktat	4. 3. 1953
	Zaire	Handelskonvention	23. 2. 1885
	Østrig	Handelstraktat	6. 4. 1928
DEUTSCHLAND	Arabische Republik Ägypten	Handelsabkommen (ratifiziert)	21. 4. 1951
	Argentinien	Handelsvertrag	19. 9. 1857
	Chile	Handelsvertrag	2. 2. 1951
	Dominikanische Republik	Freundschafts-, Handels- und Schifffahrtsvertrag	23. 12. 1957
	Ecuador	Handelsvertrag	1. 8. 1953
	El Salvador	Abkommen über die Meistbegünstigung (ratifiziert)	31. 10. 1952
	Indien	Handelsabkommen	19. 3. 1952 und 31. 3. 1955
	Iran	Handels-, Zoll- und Schifffahrtsvertrag	17. 2. 1929
	Island	Vorläufiger Handels- und Schifffahrtsvertrag	19. 12. 1950
	Japan	Handels- und Schifffahrtsvertrag	20. 7. 1927
	Pakistan	Handelsabkommen (ratifiziert)	4. 3. 1950
	Paraguay	Abkommen über die Meistbegünstigung (ratifiziert)	30. 7. 1955
	Peru	Handelsabkommen (ratifiziert)	20. 7. 1951
	Saudi-Arabien	Freundschaftsvertrag, bestätigt und abgeändert durch Briefwechsel	26. 4. 1929 31. 3./10. 7. 1952
	Türkei	Handelsvertrag	27. 5. 1930
	UdSSR	Abkommen über allgemeine Fragen des Handels und der Schifffahrt (ratifiziert)	25. 4. 1958
	Uruguay	Abkommen über die Meistbegünstigung (ratifiziert)	18. 4. 1953
	Vereinigte Staaten	Freundschafts-, Handels- und Schifffahrtsvertrag	29. 10. 1954
ΕΛΛΑΔΑ	Βουλγαρία	Συνθήκη εμπορίου	9. 7. 1964
	Καμερούν	Εμπορική συμφωνία	29. 10. 1962
	Κύπρος	Εμπορική συμφωνία	23. 8. 1962
	Αίγυπτος	Προσωρινή εμπορική συμφωνία	10. 4. 1926
	Ηνωμένες Πολιτείες της Αμερικής	Συνθήκη φιλίας, εμπορίου και ναυτιλίας	3. 8. 1951
	Ινδία	Συμφωνία εμπορίου	14. 2. 1958
	Ιράν	Σύμβαση εγκαταστάσεως, εμπορίου και ναυτιλίας	9. 1. 1931
	Ισραήλ	Σύμβαση εμπορίου και ναυτιλίας	22. 7. 1952
	Ιαπωνία	Συνθήκη φιλίας, εμπορίου και ναυτιλίας	20. 5. 1899

(1)	(2)	(3)	(4)
ΕΛΛΑΔΑ (συνέχεια)	Λίβανος	Προξενική σύμβαση ναυτιλίας, εμπορικών και αστικών δικαιωμάτων	6. 10. 1948
	Λιθuania	Εμπορική συμφωνία	16. 3. 1957
	Πακιστάν	Εμπορική συμφωνία	17. 1. 1963
	Γιουγκοσλαβία	Οικονομική συνεργασία και εμπορικές συναλλαγές	1. 10. 1960
		Εμπορική συμφωνία	17. 12. 1974
		Συμφωνία εμπορίου και ναυτιλίας	2. 11. 1927
	Γκάνα	Ανταλλαγή επιστολών	13. 11. 1926
	Νιγηρία	Ανταλλαγή επιστολών	13. 11. 1926
	Σιέρα Λεόνε	Ανταλλαγή επιστολών	13. 11. 1926
	Νέα Ζηλανδία	Ανταλλαγή επιστολών	13. 11. 1926
	Τζαμάικα	Ανταλλαγή επιστολών	17. 11. 1926
	Τρινιτάντ και Τομπάγκο	Ανταλλαγή επιστολών	17. 11. 1926
	Σρι Λάνκα	Ανταλλαγή επιστολών	26. 11. 1926
	ΕΕΣΣΔ	Σύμβαση εμπορίου και ναυτιλίας	11. 6. 1929
ESPAÑA	Andorra	Canje de Notas	13. 7. 1867
	Brasil	Canje de Notas que regula el intercambio comercial	16. 5. 1962
	Costa Rica	Convenio de cooperación económica	29. 8. 1972
	Ecuador	Convenio de cooperación económica	9. 5. 1974
	Guatemala	Convenio de cooperación económica	31. 10. 1972
	Honduras	Convenio de cooperación económica	17. 10. 1972
	Hungría	Acuerdo a largo plazo sobre intercambios comerciales, navegación, transporte y desarrollo de la cooperación económica, industrial y técnica	8. 4. 1976
	México	Acuerdo de cooperación económica y comercial	14. 10. 1977
	Panamá	Protocolo de cooperación económica	15. 6. 1964
	Perú	Acuerdo comercial	23. 5. 1953
	Uruguay	Tratado comercial sobre la concesión de la cláusula de nación más favorecida	24. 2. 1954
FRANCE	Albanie	Traité de commerce et de navigation	14. 12. 1963
	Canada	Convention d'établissement et de navigation	12. 5. 1933
	Colombie	Convention relative à l'établissement des nationaux, au commerce et à la navigation	30. 5. 1892
	Costa Rica	Traité de commerce	30. 4. 1953
	Cuba	Convention commerciale et protocole	6. 11. 1929
	Équateur	Accord commercial	20. 3. 1959
	El Salvador	Traité de commerce	23. 3. 1953
	États-Unis	Convention de navigation et de commerce modifiée par accord	17. 7. 1919
	Hongrie	Convention commerciale	13. 10. 1925
	Iran	Convention d'établissement et de navigation	24. 6. 1964
	Liberia	Traité de commerce et de navigation	17. 4. 1852
	Libye	Convention de coopération économique	10. 8. 1955
	Paraguay	Accord commercial	11. 9. 1956
	Pologne	Traité de commerce et de navigation	22. 5. 1937
	République Dominicaine	Accord commercial (1)	20. 12. 1954
	Roumanie	Convention de commerce et de navigation	27. 8. 1930
	Tchécoslovaquie	Convention commerciale	2. 7. 1928
	Turquie	Convention de commerce et de navigation	29. 8. 1929
	Uruguay	Convention de commerce et de navigation	4. 6. 1892
		Protocole additionnel	30. 12. 1953
	Venezuela	Accord de commerce et de navigation	26. 7. 1950
	Yugoslavie	Convention de commerce et de navigation	30. 1. 1929

(1) Reconstitution autorisée sous réserve d'une déclaration du gouvernement français concernant les articles 11 et 12 relatifs à l'obligation d'achat de tabac.

(1)	(2)	(3)	(4)
IRELAND	Arab Republic of Egypt	Exchange of notes in regard to commercial relations	25/28. 7. 1930
		Exchange of notes prolonging the provisional Commercial Agreement of 25/28. 7. 1930	27. 2. 1951
	Brazil	Exchange of notes in regard to commercial relations	16. 10. 1931
	Costa Rica	Exchange of notes in regard to commercial relations	2. 8. 1933 and 2. 4. 1934
	Guatemala	Exchange of notes in regard to commercial relations	8. 2. and 10. 4. 1930
	United States	Treaty of friendship, commerce and navigation	21. 10. 1950
	Vietnam	Exchange of notes in regard to commercial relations	1. 12. 1964
ITALIA	Africa del Sud	Estensione del trattato con il Regno Unito alle province di : Natal	10. 3. 1884
		Transval	28. 5. 1906
		Orange	13. 7. 1907
		Nota verbale	1. 5. 1948
	Argentina	Convenzione commerciale	1. 6. 1894
		Protocollo	31. 1. 1895
		Protocollo addizionale	4. 3. 1937
		Convenzione sui pagamenti	4. 3. 1937
	Bulgaria	Protocollo sostitutivo del trattato di commercio e di navigazione (*)	19. 12. 1950
	Cile	Trattato di commercio e di navigazione	12. 7. 1898
	Cuba	Trattato d'amicizia, di commercio e di navigazione	
		Protocollo addizionale	29. 12. 1903
	Ecuador	Trattato d'amicizia, di commercio e di navigazione	12. 8. 1900
		Convenzione addizionale	26. 2. 1911
	Haiti	Convenzione di commercio e di navigazione e scambi di note	14. 6. 1954
	Iran	Trattato di commercio, di stabilimento e di navigazione	26. 1. 1955
		Scambio di note	9. 2. 1955
	Iugoslavia	Convenzione di commercio e di navigazione	31. 3. 1955
	Libano	Trattato d'amicizia, di commercio e di navigazione	15. 2. 1949
	Liberia	Trattato d'amicizia, di commercio e di navigazione	23. 10. 1862
		Dichiarazione comune	24. 11. 1951
	Nicaragua	Trattato d'amicizia, di commercio e di navigazione	25. 1. 1906
	Nuova Zelanda	Scambio di note	24. 11. 1967
	Panama	Trattato d'amicizia, di commercio e di navigazione, protocollo e scambio di note	7. 10. 1965
	Perù	Trattato di commercio e di navigazione e dichiarazione	23. 12. 1874
	Polonia	Trattato di commercio	12. 5. 1922
	Romania	Protocollo doganale (*)	25. 11. 1950
	Stati Uniti	Trattato d'amicizia, di commercio e di navigazione	2. 2. 1948
		Accordo supplementare al trattato	26. 9. 1951
	Svizzera	Trattato di commercio	27. 1. 1923
		Protocolli	28. 11. 1925 e 30. 12. 1933
	Turchia	Trattato di commercio e di navigazione e scambio di note	29. 12. 1936
	Ungheria	Trattato di commercio e di navigazione	4. 7. 1928
		Protocollo doganale (*)	28. 3. 1950
	URSS	Trattato di commercio e di navigazione	11. 12. 1948
	Uruguay	Trattato di commercio	26. 2. 1947
	Venezuela	Trattato d'amicizia, di navigazione e di commercio	19. 6. 1861
		Modus vivendi	29. 6. 1939
	Yemen	Trattato d'amicizia e di relazioni economiche	4. 9. 1937
LUXEMBOURG	États-Unis	Traité d'amitié, d'établissement et de navigation	23. 2. 1962

(*) Protocollo richiamato e riesaminato in occasione dell'accordo commerciale quadro fra i due paesi.

(1)	(2)	(3)	(4)
NEDERLAND	Afghanistan	Vriendschaps- en handelsverdrag	26. 7. 1939
	Arabische Republiek Egypte	Voorlopige handelsovereenkomst	17. 3. 1930
	Bolivia	Handelsverdrag	30. 5. 1929
	Brazilië	Voorlopig handelsakkoord	15. 3. 1937
	Bulgarije	Notawisseling	1/9. 3. 1922
	Canada	Handelsovereenkomst	11. 7. 1924
	Colombia	Vriendschaps-, handels- en scheepvaartverdrag	1. 5. 1829
	Costa Rica	Handels- en scheepvaartovereenkomst	3. 6. 1957
	El Salvador	Handelsverdrag en briefwisseling	13. 3. 1956
	Ethiopië	Overeenkomst nopens de meestbegunstigingsclausule	30. 9. 1926
	Guatemala	Handelsverdrag	12. 5. 1926
	Haiti	Handelsverdrag en notawisseling	7. 9. 1926
	Hongarije	Handelsovereenkomst	9. 12. 1924
	Iran	Voorlopig handelsverdrag en briefwisseling	20. 6. 1928
	Japan	Handels- en scheepvaartverdrag	6. 7. 1912
	Jemen	Vriendschapsverdrag	12. 4. 1939
	Joegoslavië	Handels- en scheepvaartverdrag	28. 5. 1930
	Liberia	Vriendschaps-, handels- en scheepvaartverdrag	20. 12. 1862
	Marokko	Handels- en scheepvaartverdrag	18. 5. 1858
	Maskate	Handelsverdrag	27. 8. 1877
	Mexico	Handelsverdrag	27. 1. 1950
	Polen	Handels- en scheepvaartverdrag	30. 5. 1924
	Roemenië	Handelsschikking	29. 8. 1930
	Tsjechoslowakije	Overeenkomst	20. 1. 1923
	Turkije	Notawisseling	21. 11. 1929
	Uruguay	Handels- en scheepvaartverdrag	29. 1. 1934
		Protocol	12. 6. 1953
	Venezuela	Verdrag betreffende de diplomatieke betrekkingen	11. 5. 1920
	Verenigde Staten	Vriendschaps-, handels- en scheepvaartverdrag	27. 3. 1956
	Zaire	Overeenkomst met de internationale Vereniging van de Kongo	27. 12. 1884
	Zuid-Afrika	Voorlopig akkoord nopens de handelsbetrekkingen en de scheepvaart	20. 2. 1935
PORTUGAL	Bulgária	Acordo de comércio a longo prazo	11. 2. 1975
	Checoslováquia	Acordo de comércio a longo prazo	1. 3. 1975
	Cuba	Acordo de comércio a longo prazo	13. 9. 1976
	União das Repúblicas Socialistas Soviéticas	Acordo de comércio	19. 12. 1974
UEBL/BLEU	Afrique du Sud / Zuid-Afrika	Accord commercial provisoire / Voorlopig handelsakkoord	13. 7. 1937
	Albanie / Albanië	Échange de lettres / Briefwisseling	19. 2. 1929
	Argentine / Argentinië	Accord provisoire / Voorlopig akkoord	16. 1. 1934
	Bolivie / Bolivia	Traité d'amitié et de commerce / Vriendschaps- en handelsverdrag	18. 4. 1912
		Avenant au traité / Aanvullend protocol	10. 12. 1963
	Brésil / Brazilië	Accord commercial provisoire / Voorlopig handelsakkoord	14. 1. 1932
	Bulgarie / Bulgarije	Échange de lettres / Briefwisseling	8. 2. 1926
	Canada	Convention de commerce / Handelsovereenkomst	3. 7. 1924
	Chili	Accord commercial provisoire / Voorlopig handelsakkoord	27. 8. 1936
	Colombie / Colombia	Échange de lettres portant application à l'UEBL du traité conclu entre les Pays-Bas et la Colombie le 1 ^{er} mai 1829 / Briefwisseling van toepassing in de BLEU voor het Verdrag afgesloten tussen Nederland en Colombia van 1 mei 1829	19 et/en 22. 8. 1936

(1)	(2)	(3)	(4)
UEBL/BLEU (suite/vervolg)	Équateur / Ecuador	Traité d'amitié, de commerce et de navigation / Vriendschaps-, handels- en scheepvaartverdrag	5. 3. 1887
		Avenant au traité / Aanvullend protocol	19. 10. 1937
	Guatemala	Traité de commerce et de navigation / Handels- en scheepvaartverdrag	7. 11. 1924
	Haïti	Accord commercial provisoire / Voorlopig handelsakkoord	9. 7. 1936
	Hongrie / Hongarije	Échange de lettres / Briefwisseling	30. 9. 1924
	Iran	Convention de commerce et de navigation / Handels- en scheepvaartovereenkomst	9. 5. 1929
	Nouvelle-Zélande / Nieuw-Zeeland	Accord commercial provisoire par échange de lettres / Voorlopig handelsakkoord bij briefwisseling	5. 12. 1933
	Pologne / Polen	Traité de commerce / Handelsverdrag	30. 12. 1922
	Roumanie / Roemenië	Accord commercial provisoire / Voorlopig handelsakkoord	28. 8. 1930
	Suisse / Zwitserland	Traité de commerce / Handelsverdrag	26. 8. 1929
	Tchécoslovaquie / Tsjechoslowakije	Traité de commerce / Handelsverdrag	28. 12. 1925
	Union soviétique / USSR	Convention commerciale provisoire / Voorlopige handels-overeenkomst	5. 9. 1935
	Uruguay	Accord commercial provisoire / Voorlopig handelsakkoord	22. 2. 1937
	Viêt-nam / Vietnam	Échange de lettres portant sur le traitement de la nation la plus favorisée dans le domaine tarifaire / Briefwisseling betreffende de toepassing van de meestbegunstigingsclausule op tarifair gebied	16 et/en 20. 1. 1956
	Yémen / Jemen	Convention commerciale / Handelsovereenkomst	7. 12. 1936
	Yougoslavie / Joegoslavië	Traité de commerce et de navigation / Handels- en scheepvaartverdrag	16. 12. 1926
UNITED KINGDOM	Afghanistan	Treaty of friendship and commerce	22. 11. 1921
		Trade convention	5. 6. 1923
		Exchange of notes	6. 5. 1930
	Argentina	Treaty of amity, commerce and navigation	2. 2. 1825
	Bolivia	Treaty of commerce	1. 8. 1911
	Burma	Treaty regarding the recognition of Burmese independence, and related matters, with exchange of notes	17. 10. 1947
		Exchange of notes regulating commercial relations pending the conclusion of a new Treaty of commerce and navigation	24. 12. 1949
	Colombia	Treaty of friendship, commerce and navigation	16. 2. 1866
		Protocol applying the Treaty of certain parts of the Dominions	20. 8. 1912
		Exchange of notes	30. 12. 1938
	Costa Rica	Treaty of friendship, commerce and navigation	27. 11. 1849
		Protocol respecting the application of the Treaty to certain parts of the Dominions	18. 8. 1913
	Czechoslovakia	Treaty of commerce with declaration	14. 7. 1923
	Hungary	Treaty of commerce and navigation	23. 7. 1926
	Iran	Treaty of peace and commerce	4. 3. 1857
		Commercial convention	9. 2. 1903
	Japan	Agreement modifying the commercial convention	21. 3. 1920
		Treaty of commerce, establishment and navigation, with Protocols and exchanges of notes	14. 11. 1962
		Exchange of notes on voluntary export control	14. 11. 1962
	Liberia	Treaty of friendship and commerce	21. 11. 1848
		Agreement modifying the Treaty of 21. 11. 1848	23. 7. 1908
	Morocco	General treaty	9. 12. 1856
		Convention of commerce and navigation	9. 12. 1856
		Exchange of notes, concerning the convention of 9. 12. 1856	1. 3. 1957

(1)	(2)	(3)	(4)
UNITED KINGDOM (cont'd)	Muscat and Oman	Treaty of friendship, commerce and navigation with exchange of letters	20. 12. 1951
	Nepal	Treaty of peace and friendship	30. 10. 1950
	Nicaragua	Treaty of friendship, commerce and navigation	28. 7. 1905
	Peru	Treaty of friendship, commerce and navigation	10. 4. 1850
		Agreement relating to commerce and navigation (with Protocols and exchanges of notes)	6. 10. 1936
		Exchange of notes regarding the continuance in force of Articles 4 and 5 of the Commercial Agreement of 6. 10. 1936	28. 1. 1950
	Poland	Treaty of commerce and navigation	26. 11. 1923
	Romania	Treaty of commerce and navigation with Protocols and exchange of notes	6. 8. 1930
	Soviet Union	Temporary Commercial Agreement	16. 2. 1934
	Switzerland	Treaty of friendship, commerce and reciprocal establishment	6. 9. 1855
		Convention applying the Treaty of 1855 to the Dominions	30. 3. 1914
		Exchange of notes applying to Liechtenstein Commercial Agreements in force	26. 4. 1924
	Turkey	Treaty of commerce and navigation	1. 3. 1930
		Exchange of notes relating to certain commercial matters	28. 2. 1957
	United States	Convention of commerce	3. 7. 1815
		Convention	20. 10. 1818
		Convention of commerce	6. 8. 1827
	Venezuela	Treaty of amity, commerce and navigation	18. 4. 1825
		Convention	29. 10. 1834
		Exchange of notes	3. 2. 1903
	Yugoslavia	Treaty of commerce and navigation with exchanges of notes	12. 5. 1927
		Agreement on trade and payments	27. 11. 1936

COMMISSION

COMMISSION DECISION

of 27 March 1991

relating to protection measures concerning trichinosis

(91/168/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 90/675/EEC of 10 December 1990 laying down the principles governing the organization of veterinary checks on products entering the Community from third countries⁽¹⁾, and in particular Article 19 thereof;

Whereas in accordance with Article 19 of Directive 90/675/EEC the necessary decisions shall be adopted in particular concerning the importation of certain third countries' products liable to constitute a serious threat to public health;

Whereas cases of human trichinosis have appeared in the territory of the Community following the consumption of soliped meat originating in the United States of America;

Whereas, in order to protect public health, imports of certain fresh soliped meat originating in the United States of America should be immediately and temporarily banned;

Whereas for fresh soliped meat consisting of striated muscles having undergone a treatment guaranteeing the avoidance of all hazards, a supplementary mention should be included in the certificate envisaged in Annex A of Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine and porcine animals, and fresh meat or meat products from third countries⁽²⁾, as last amended by Directive 91/69/EEC⁽³⁾;

Whereas the measures laid down in this Decision are in accordance with the opinion of the Standing Veterinary Committee;

HAS ADOPTED THIS DECISION:

Article 1

Member States shall prohibit the imports originating in the United States of America of fresh meat of solipeds consisting of striated muscles with the exception of that which has undergone the same cold treatment as pigmeat, as prescribed by Annex IV of Council Directive 77/96/EEC⁽⁴⁾.

Article 2

The health certificate envisaged in Annex A to Directive 72/462/EEC accompanying the fresh soliped meat sent from the United States of America must include the following comment:

'Fresh soliped meat in compliance with Decision 91/168/EEC relating to protection measures concerning trichinosis'.

Article 3

The Commission will carry out a re-inspection as soon as possible. This Decision shall be modified, repealed or extended in the light of this inspection.

Article 4

Without prejudice to Article 3, the present decision is valid for two months from its notification.

Article 5

This Decision is addressed to the Member States.

Done at Brussels, 27 March 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 373, 21. 12. 1990, p. 1.

⁽²⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽³⁾ OJ No L 46, 19. 2. 1991, p. 37.

⁽⁴⁾ OJ No L 26, 31. 1. 1977, p. 67.

CORRIGENDA**Corrigendum to Commission Regulation (EEC) No 745/91 of 26 March 1991 fixing the
sluice-gate prices and levies for poultrymeat**

(Official Journal of the European Communities No L 80 of 27 March 1991)

On page 30 in the Annex against CN code 0207 43 15 in the column 'Levy':

for: '112,92',

read: '112,92 (?)';

on page 31 in the Annex against CN code 0207 43 63 in the column 'Levy':

for: '58,77 (?)',

read: '59,77 (?)'.
