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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 880/91

of 10 April 1991

fixing the import levies on cereals and on wheat or rye flour, groats and meal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 3577/90⁽²⁾, and in particular Article 13 (5) thereof,

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

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 533/91⁽⁵⁾ and subsequent amending Regulations;

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

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

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

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

Whereas these exchange rates being those recorded on 9 April 1991;

Whereas the aforesaid corrective factor affects the entire calculation basis for the levies, including the equivalence coefficients;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 533/91 to today's offer prices and quotations known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 2727/75 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 11 April 1991.

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

Done at Brussels, 10 April 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁵⁾ OJ No L 59, 6. 3. 1991, p. 1.

ANNEX

to the Commission Regulation of 10 April 1991 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Levy
0709 90 60	136,63 ⁽²⁾ ⁽³⁾
0712 90 19	136,63 ⁽²⁾ ⁽³⁾
1001 10 10	194,35 ⁽¹⁾ ⁽³⁾
1001 10 90	194,35 ⁽¹⁾ ⁽³⁾
1001 90 91	176,82
1001 90 99	176,82
1002 00 00	154,95 ⁽⁶⁾
1003 00 10	151,40
1003 00 90	151,40
1004 00 10	141,26
1004 00 90	141,26
1005 10 90	136,63 ⁽²⁾ ⁽³⁾
1005 90 00	136,63 ⁽²⁾ ⁽³⁾
1007 00 90	142,17 ⁽⁴⁾
1008 10 00	49,38
1008 20 00	137,20 ⁽⁴⁾
1008 30 00	62,53 ⁽⁷⁾
1008 90 10	⁽⁷⁾
1008 90 90	62,53
1101 00 00	261,29 ⁽⁸⁾
1102 10 00	231,46 ⁽⁸⁾
1103 11 10	314,82 ⁽⁸⁾
1103 11 90	281,33 ⁽⁸⁾

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

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

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

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

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

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

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

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

COMMISSION REGULATION (EEC) No 881/91

of 10 April 1991

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 3577/90 ⁽²⁾, and in particular Article 15 (6) thereof,Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy ⁽³⁾, as last amended by Regulation (EEC) No 2205/90 ⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

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

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

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

rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85,

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

Whereas these exchange rates being those recorded on 9 April 1991;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 11 April 1991.

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

Done at Brussels, 10 April 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁵⁾ OJ No L 367, 29. 12. 1990, p. 10.

ANNEX

to the Commission Regulation of 10 April 1991 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(ECU/tonne)

CN code	Current 4	1st period 5	2nd period 6	3rd period 7
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 10	0	0	0	0
1001 10 90	0	0	0	0
1001 90 91	0	0	0	0
1001 90 99	0	0	0	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 10	0	0	0	0
1004 00 90	0	0	0	0
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	0

B. Malt

(ECU/tonne)

CN code	Current 4	1st period 5	2nd period 6	3rd period 7	4th period 8
1107 10 11	0	0	0	0	0
1107 10 19	0	0	0	0	0
1107 10 91	0	0	0	0	0
1107 10 99	0	0	0	0	0
1107 20 00	0	0	0	0	0

COMMISSION REGULATION (EEC) No 882/91**of 9 April 1991****establishing unit values for the determination of the customs value of certain perishable goods**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Commission Regulation (EEC) No 1577/81 of 12 June 1981 establishing a system of simplified procedures for the determination of the customs value of certain perishable goods ⁽¹⁾, as last amended by Regulation (EEC) No 3334/90 ⁽²⁾, and in particular Article 1 thereof,

Whereas Article 1 of Regulation (EEC) No 1577/81 provides that the Commission shall periodically establish unit values for the products referred to in the classification in the Annex;

Whereas the result of applying the rules and criteria laid down in that same Regulation to the elements communi-

cated to the Commission in accordance with Article 1 (2) of that Regulation is that the unit values set out in the Annex to this Regulation should be established in regard to the products in question,

HAS ADOPTED THIS REGULATION:

Article 1

The unit values provided for in Article 1 (1) of Regulation (EEC) No 1577/81 are hereby established as set out in the table in the Annex hereto.

Article 2

This Regulation shall enter into force on 12 April 1991.

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

Done at Brussels, 9 April 1991.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 154, 13. 6. 1981, p. 26.

⁽²⁾ OJ No L 321, 21. 11. 1990, p. 6.

ANNEX

Code	CN code	Description	Amount of unit values per 100 kg net									
			ECU	Bfrs/Lfrs	Dkr	DM	FF	Dr	£ Irl	Lit	Fl	£
1.10	0701 90 51 0701 90 59	New potatoes	33,97	1 439	268,65	70,01	237,00	7 599	26,19	51 969	78,91	23,50
1.20	0702 00 10 0702 00 90	Tomatoes	96,04	4 069	759,40	197,91	669,93	21 481	74,05	146 899	223,05	66,44
1.30	0703 10 19	Onions (other than seed)	21,97	931	173,76	45,28	153,29	4 915	16,94	33 613	51,03	15,20
1.40	0703 20 00	Garlic	279,73	11 853	2 211,90	576,46	1 951,30	62 568	215,69	427 874	649,68	193,53
1.50	ex 0703 90 00	Leeks	36,57	1 549	289,23	75,37	255,15	8 181	28,20	55 950	84,95	25,30
1.60	ex 0704 10 10 ex 0704 10 90	Cauliflowers	111,88	4 727	881,91	229,55	781,19	24 749	86,13	171 354	258,72	78,54
1.70	0704 20 00	Brussels sprouts	53,72	2 267	423,88	110,06	374,08	11 735	41,29	82 719	124,09	37,72
1.80	0704 90 10	White cabbages and red cabbages	23,77	1 004	187,40	48,78	165,99	5 259	18,30	36 411	54,97	16,69
1.90	ex 0704 90 90	Sprouting broccoli or calabrese (<i>Brassica oleracea</i> var. <i>italica</i>)	110,45	4 680	873,37	227,61	770,47	24 705	85,16	168 946	256,52	76,41
1.100	ex 0704 90 90	Chinese cabbage	70,92	3 005	560,80	146,15	494,73	15 863	54,68	108 483	164,72	49,06
1.110	0705 11 10 0705 11 90	Cabbage lettuce (head lettuce)	88,13	3 734	696,91	181,62	614,80	19 713	67,96	134 812	204,69	60,97
1.120	ex 0705 29 00	Endives	69,92	2 951	551,84	143,36	487,84	15 388	53,87	107 438	161,60	49,09
1.130	ex 0706 10 00	Carrots	48,89	2 071	386,58	100,74	341,03	10 935	37,69	74 780	113,54	33,82
1.140	ex 0706 90 90	Radishes	54,33	2 302	429,62	111,96	379,00	12 152	41,89	83 107	126,19	37,58
1.150	0707 00 11 0707 00 19	Cucumbers	69,45	2 942	549,17	143,12	484,47	15 534	53,55	106 232	161,30	48,05
1.160	0708 10 10 0708 10 90	Peas (<i>Pisum sativum</i>)	259,59	10 999	2 052,63	534,95	1 810,79	58 062	200,16	397 063	602,90	179,59
1.170		Beans :										
1.170.1	0708 20 10 0708 20 90	Beans (<i>Vigna</i> spp., <i>Phaseolus</i> spp.)	191,01	8 093	1 510,36	393,62	1 332,41	42 723	147,28	292 166	443,62	132,14
1.170.2	0708 20 10 0708 20 90	Beans (<i>Phaseolus</i> ssp., <i>vulgaris</i> var. <i>Compressus Savi</i>)	317,72	13 462	2 512,30	654,75	2 216,31	71 065	244,98	485 982	737,91	219,81
1.180	ex 0708 90 00	Broad beans	52,81	2 237	417,63	108,84	368,42	11 813	40,72	80 787	122,66	36,54
1.190	0709 10 00	Globe artichokes	79,64	3 374	629,78	164,13	555,58	17 814	61,41	121 825	184,98	55,10
1.200		Asparagus :										
1.200.1	ex 0709 20 00	— green	352,80	14 949	2 789,64	727,03	2 460,97	78 910	272,03	539 632	819,38	244,08
1.200.2	ex 0709 20 00	— other	215,87	9 147	1 706,92	444,85	1 505,82	48 283	166,45	330 189	501,36	149,34
1.210	0709 30 00	Aubergines (egg-plants)	87,47	3 706	691,67	180,26	610,18	19 565	67,44	133 798	203,16	60,51
1.220	ex 0709 40 00	Ribbed celery (<i>Apium graveolens</i> var. <i>dulce</i>)	72,47	3 071	573,09	149,35	505,57	16 211	55,88	110 860	168,33	50,14
1.230	0709 51 30	Chantarelles	547,80	23 223	4 305,96	1 127,97	3 777,47	112 445	420,46	845 160	1 271,93	383,30
1.240	0709 60 10	Sweet peppers	152,61	6 466	1 206,72	314,49	1 064,54	34 134	117,67	233 429	354,44	105,58
1.250	0709 90 50	Fennel	132,46	5 606	1 044,13	272,03	925,86	29 388	102,12	202 520	306,62	92,52
1.260	0709 90 70	Courgettes	91,77	3 888	725,63	189,11	640,14	20 526	70,76	140 367	213,13	63,48
1.270	ex 0714 20 10	Sweet potatoes, whole, fresh (intended for human consumption)	72,78	3 080	573,11	149,64	502,35	15 180	55,82	112 490	168,76	50,99
2.10	ex 0802 40 00	Chestnuts (<i>Castanea</i> spp.), fresh	87,98	3 716	694,15	180,34	612,04	18 967	67,47	135 667	203,31	61,65
2.20	ex 0803 00 10	Bananas (other than plantains), fresh	61,23	2 594	484,21	126,19	427,16	13 696	47,21	93 666	142,22	42,36
2.30	ex 0804 30 00	Pineapples, fresh	56,95	2 413	450,31	117,36	397,25	12 738	43,91	87 109	132,26	39,40
2.40	ex 0804 40 10 ex 0804 40 90	Avocados, fresh	139,89	5 927	1 106,14	288,28	975,82	31 289	107,86	213 973	324,89	96,78

Code	CN code	Description	Amount of unit values per 100 kg net									
			ECU	Bfrs/Lfrs	Dkr	DM	FF	Dr	£ Irl	Lit	Fl	£
2.50	ex 0804 50 00	Guavas and mangoes, fresh	173,00	7 330	1 367,92	356,50	1 206,76	38 694	133,39	264 613	401,79	119,68
2.60		Sweet oranges, fresh :										
2.60.1	0805 10 11 0805 10 21 0805 10 31 0805 10 41	— Sanguines and semi-sanguines	51,05	2 163	403,73	105,22	356,16	11 420	39,37	78 098	118,58	35,32
2.60.2	0805 10 15 0805 10 25 0805 10 35 0805 10 45	— Navels, Navelines, Navelates, Salustianas, Vernas, Valencia lates, Maltese, Shamoutis, Ovalis, Trovita and Hamlins	42,26	1 791	334,22	87,10	294,84	9 454	32,59	64 652	98,16	29,24
2.60.3	0805 10 19 0805 10 29 0805 10 39 0805 10 49	— Others	34,76	1 471	273,98	71,38	242,95	7 711	26,79	53 142	80,45	24,27
2.70		Mandarins (including tangerines and satsumas), fresh ; clementines, wilkings and similar citrus hybrids, fresh :										
2.70.1	ex 0805 20 10	— Clementines	98,73	4 183	780,66	203,45	688,69	22 082	76,12	151 013	229,30	68,30
2.70.2	ex 0805 20 30	— Monreales and Satsumas	85,75	3 633	678,08	176,72	598,19	19 181	66,12	131 170	199,17	59,32
2.70.3	ex 0805 20 50	— Mandarins and wilkings	50,18	2 123	395,58	103,06	350,77	11 134	38,69	76 727	116,16	35,05
2.70.4	ex 0805 20 70 ex 0805 20 90	— Tangerines and others	80,36	3 405	635,43	165,60	560,57	17 974	61,96	122 920	186,64	55,59
2.80	ex 0805 30 10	Lemons (<i>Citrus limon</i> , <i>Citrus limonum</i>), fresh	47,42	2 009	374,95	97,72	330,78	10 606	36,56	72 532	110,13	32,80
2.85	ex 0805 30 90	Limes (<i>Citrus aurantifolia</i>), fresh	56,24	2 383	444,73	115,90	392,33	12 580	43,36	86 029	130,62	38,91
2.90		Grapefruit, fresh :										
2.90.1	ex 0805 40 00	— white	32,94	1 395	260,47	67,88	229,78	7 368	25,40	50 386	76,50	22,79
2.90.2	ex 0805 40 00	— pink	65,54	2 777	518,30	135,07	457,24	14 661	50,54	100 261	152,23	45,34
2.100	0806 10 11 0806 10 15 0806 10 19	Table grapes	125,39	5 313	991,51	258,40	874,70	28 047	96,68	191 800	291,23	86,75
2.110	0807 10 10	Water-melons	27,15	1 151	213,48	55,92	187,27	5 574	20,84	41 901	63,05	19,00
2.120		Melons (other than water-melons) :										
2.120.1	ex 0807 10 90	— Amarillo, Cuper, Honey dew (including Cantalene), Onteniente, Piel de Sapo (including Verde Liso), Rochet, Tendral, Futuro	64,29	2 724	508,40	132,50	448,50	14 381	49,57	98 347	149,33	44,48
2.120.2	ex 0807 10 90	— other	160,77	6 812	1 271,26	331,31	1 121,49	35 960	123,96	245 915	373,40	111,22
2.130	0808 10 91 0808 10 93 0808 10 99	Apples	71,02	3 009	561,57	146,35	495,41	15 885	54,76	108 631	164,94	49,13
2.140		Pears										
2.140.1	0808 20 31 0808 20 33 0808 20 35 0808 20 39	Pears — Nashi (<i>Pyrus pyrifolia</i>)	179,02	7 585	1 415,54	368,91	1 248,77	40 041	138,03	273 825	415,77	123,85
2.140.2	0808 20 31 0808 20 33 0808 20 35 0808 20 39	Other	69,12	2 928	546,57	142,44	482,17	15 460	53,29	105 729	160,54	47,82
2.150	0809 10 00	Apricots	140,85	5 932	1 109,84	288,19	981,41	30 821	108,42	216 792	324,75	99,48
2.160	0809 20 10 0809 20 90	Cherries	151,28	6 386	1 193,65	309,95	1 053,40	33 046	116,27	232 934	349,44	106,23
2.170	ex 0809 30 00	Peaches	156,67	6 630	1 234,89	321,73	1 095,02	34 757	120,78	239 522	362,64	109,42

Code	CN code	Description	Amount of unit values per 100 kg net									
			ECU	Bfrs/Lfrs	Dkr	DM	FF	Dr	£ IrI	Lit	Fl	£
2.180	ex 0809 30 00	Nectarines	130,02	5 509	1 028,08	267,93	906,96	29 081	100,25	198 874	301,97	89,95
2.190	0809 40 11 0809 40 19	Plums	132,21	5 602	1 045,44	272,46	922,27	29 572	101,94	202 231	307,06	91,47
2.200	0810 10 10 0810 10 90	Strawberries	224,63	9 518	1 776,16	462,90	1 566,90	50 242	173,20	343 583	521,69	155,40
2.205	0810 20 10	Raspberries	996,07	42 154	7 851,10	2 045,49	6 961,84	220 979	767,90	1 522 810	2 305,61	695,69
2.210	0810 40 30	Fruit of the species <i>Vaccinium myrtillus</i>	145,50	6 146	1 147,96	298,25	1 012,17	31 366	111,57	224 360	336,22	101,95
2.220	0810 90 10	Kiwi fruit (<i>Actinidia chinensis</i> Planch.)	72,67	3 070	572,85	149,11	507,43	16 076	55,95	111 305	168,05	51,01
2.230	ex 0810 90 80	Pomegranates	54,65	2 307	431,24	111,97	380,57	11 938	42,00	84 154	126,24	38,38
2.240	ex 0810 90 80	Khakis (including Sharon fruit)	84,91	3 597	671,41	174,98	592,31	18 992	65,47	129 879	197,20	58,74
2.250	ex 0810 90 30	Lychees	235,15	9 951	1 853,49	482,89	1 643,55	52 168	181,28	359 505	544,31	164,23

COMMISSION REGULATION (EEC) No 883/91

of 10 April 1991

fixing the export refunds on white sugar and raw sugar exported in its unaltered state

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EEC) No 464/91⁽²⁾, and in particular point (a) of the first subparagraph of Article 19 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 19 of Regulation (EEC) No 1785/81 provides that the difference between quotations or prices on the world market for the products listed in Article 1 (1) (a) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar⁽³⁾, as last amended by Regulation (EEC) No 1489/76⁽⁴⁾, provides that when refunds on white and raw sugar, undenatured and exported in its unaltered state are being fixed account must be taken of the situation on the Community and world markets in sugar and in particular of the price and cost factors set out in Article 3 of that Regulation; whereas the same Article provides that the economic aspect of the proposed exports should also be taken into account;

Whereas the refund on raw sugar must be fixed in respect of the standard quality; whereas the latter is defined in Article 1 of Council Regulation (EEC) No 431/68 of 9 April 1968 determining the standard quality for raw sugar and fixing the Community frontier crossing point for calculating cif prices for sugar⁽⁵⁾; whereas, furthermore, this refund should be fixed in accordance with Article 5 (2) of Regulation (EEC) No 766/68; whereas candy sugar is defined in Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar⁽⁶⁾, as last amended by Regulation (EEC) No 1714/88⁽⁷⁾; whereas the refund thus calculated for sugar containing added flavouring or colouring matter must apply to their sucrose content and, accordingly, be fixed per 1 % of the said content;

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

Whereas, in special cases, the amount of the refund may be fixed by other legal instruments;

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

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

Whereas the refund must be fixed every two weeks; whereas it may be altered in the intervening period;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, are hereby fixed to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 11 April 1991.

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 54, 28. 2. 1991, p. 22.

⁽³⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁴⁾ OJ No L 167, 26. 6. 1976, p. 13.

⁽⁵⁾ OJ No L 89, 10. 4. 1968, p. 3.

⁽⁶⁾ OJ No L 50, 4. 3. 1970, p. 1.

⁽⁷⁾ OJ No L 152, 18. 6. 1988, p. 23.

⁽⁸⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁹⁾ OJ No L 201, 31. 7. 1990, p. 9.

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

Done at Brussels, 10 April 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 10 April 1991 fixing the export refunds on white sugar and raw sugar exported in its unaltered state

Product code	(ECU) Amount of refund	
	per 100 kg	per percentage point of sucrose content and per 100 kg net of the product in question
1701 11 90 100	32,99 ⁽¹⁾	
1701 11 90 910	33,34 ⁽¹⁾	
1701 11 90 950	⁽²⁾	
1701 12 90 100	32,99 ⁽¹⁾	
1701 12 90 910	33,34 ⁽¹⁾	
1701 12 90 950	⁽²⁾	
1701 91 00 000		0,3586
1701 99 10 100	35,86	
1701 99 10 910	36,24	
1701 99 10 950	36,24	
1701 99 90 100		0,3586

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the refund applicable is calculated in accordance with the provisions of Article 5 (3) of Regulation (EEC) No 766/68.

⁽²⁾ Fixing suspended by Commission Regulation (EEC) No 2689/85 (OJ No L 255, 26. 9. 1985, p. 12), as amended by Regulation (EEC) No 3251/85 (OJ No L 309, 21. 11. 1985, p. 14).

COMMISSION REGULATION (EEC) No 884/91

of 10 April 1991

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

Whereas the United Kingdom is the only country which grants the variable slaughter premium, in region 5, within the meaning of Article 22 (2) of Regulation (EEC) No 3013/89 whereas it is necessary therefore for the Commission to fix, for the week beginning 18 March 1991, the level of the premium and the amount to be charged on products leaving that region;

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

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

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

Whereas, pursuant to the provisions of Article 24 (2) and (3) of Regulation (EEC) No 3013/89, for the week beginning 18 March 1991, the variable slaughter premium for sheep certified as eligible in the United Kingdom is to be in accordance with the amounts fixed in the Annexes hereto; whereas, for that week, in the light of the Judgment of the Court of Justice of 9 February 1988 in Case 61/86, the provisions of Article 9 (5) of Regulation (EEC) No 3013/89 and of Article 4 of Regulation (EEC) No 1633/84 lead to the amounts to be charged on products, leaving region 1, being fixed in accordance with those Annexes;

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

HAS ADOPTED THIS REGULATION:

Article 1

For sheep or sheepmeat certified as eligible in the United Kingdom in region 1, within the meaning of Article 22 (2) of Regulation (EEC) No 3013/89, for the variable slaughter premium during the week beginning 18 March 1991, the level of the premium is fixed at ECU 72,026 per 100 kilograms of estimated or actual dressed carcass weight within the limits laid down by Article 1 (1) (b) of Regulation (EEC) No 1633/84.

Article 2

For products referred to in Article 1 (a) and (c) of Regulation (EEC) No 3013/89 which left the territory of region 1 during the week beginning 18 March 1991, the amounts to be charged shall be equivalent to those fixed in the Annexes hereto.

Article 3

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

It shall apply with effect from 18 March 1991.

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 154, 9. 6. 1984, p. 27.

⁽⁴⁾ OJ No L 114, 27. 4. 1989, p. 13.

⁽⁵⁾ OJ No L 351, 2. 12. 1989, p. 18.

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

Done at Brussels, 10 April 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 10 April 1991 fixing for Great Britain the level of the variable slaughter premium for sheep and the amounts to be charged on products leaving region 1

(ECU/100 kg)

CN code	Amounts	
	A. Products qualifying for the premium specified in Article 24 of Regulation (EEC) No 3013/89	B. Products specified in Article 4 (4) of Regulation (EEC) No 1633/84 ⁽¹⁾
	Live weight	Live weight
0104 10 90	33,852	0
0104 20 90		0
	Net weight	Net weight
0204 10 00	72,026	0
0204 21 00	72,026	0
0204 50 11		0
0204 22 10	50,418	
0204 22 30	79,229	
0204 22 50	93,634	
0204 22 90	93,634	
0204 23 00	131,087	
0204 30 00	54,020	
0204 41 00	54,020	
0204 42 10	37,814	
0204 42 30	59,422	
0204 42 50	70,226	
0204 42 90	70,226	
0204 43 00	98,316	
0204 50 13		0
0204 50 15		0
0204 50 19		0
0204 50 31		0
0204 50 39		0
0204 50 51		0
0204 50 53		0
0204 50 55		0
0204 50 59		0
0204 50 71		0
0204 50 79		0
0210 90 11	93,634	
0210 90 19	131,087	
1602 90 71 :		
— unboned (bone-in)	93,634	
— boned or boneless	131,087	

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

COMMISSION REGULATION (EEC) No 885/91

of 9 April 1991

on the issuing of a standing invitation to tender for the resale on the internal market of 12 600 tonnes of common wheat held by the Dutch 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 amended by Regulation (EEC) No 2203/90 ⁽⁴⁾, provides that cereals held by the intervention agency are to be sold by 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, in the present market situation, a standing invitation to tender for the resale on the internal market of 12 600 tonnes of common wheat held by the Dutch intervention agency should be issued;

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 Dutch intervention agency shall issue a standing invitation to tender for the resale on the internal market

of 12 600 tonnes of common wheat held by it in accordance with Regulation (EEC) No 1836/82.

Article 2

1. The final date for the submission of tenders for the first partial invitation to tender shall be 24 April 1991.
2. The final date for the submission of tenders for the last partial invitation to tender shall be 29 May 1991.
3. Tenders must be lodged with the Dutch intervention agency:

Voedselvoorzienings In- en Verkoopbureau (VIB),
Burg. Kessenplein 3, 6431 KM Hoensbroek.
Corr. adres: Postbus 960, 6430 AZ Hoensbroek
(telex 56 396).

Article 3

Not later than Tuesday of the week following the final date for the submission of tenders, the Dutch intervention agency shall notify the Commission of the quantities and average prices of the various lots sold.

Article 4

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, 9 April 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.
⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.
⁽³⁾ OJ No L 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.

COMMISSION REGULATION (EEC) No 886/91

of 10 April 1991

amending Regulation (EEC) No 1443/82 laying down detailed rules for the application of the quota system in the sugar sector

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 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EEC) No 464/91⁽²⁾, and in particular Article 28 (8) and the second subparagraph of Article 39 thereof,

Whereas isoglucose producing undertakings are not authorized to have recourse to the procedure by which production may be carried forward from one marketing year to the next, unlike sugar producing undertakings that are dependent upon the production of sugar beet or sugar cane;

Whereas isoglucose production takes place on a continuing basis throughout the marketing year in order to be able to respond rapidly and without interruption to the fluctuation in demand which reaches its highest level at the end and at the beginning of the marketing year; whereas the isoglucose that is produced is difficult to store in sufficient quantities to meet the peaks in demand because prolonged storage carries the risk of jeopardizing the indispensable sterile nature of the product; whereas under these conditions the isoglucose producing undertakings are obliged to interrupt their end of marketing year production at the risk of producing C isoglucose that cannot be marketed on the internal Community market;

Whereas the prejudicial position of isoglucose undertakings renders it necessary as a consequence to adjust the provisions concerning the establishment of isoglucose production on a monthly basis laid down in Commission Regulation (EEC) No 1443/82⁽³⁾, as last amended by Regulation (EEC) No 1964/88⁽⁴⁾, by making them more flexible but in a way that is limited in order to ensure that this flexibility should not lead through automatic usage to the introduction of a disguised form of carry forward arrangement and by such a means to an indirect increase in the production quotas of the isoglucose undertakings concerned;

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

Article 1

The following paragraph 2a is hereby inserted in Article 3 of Regulation (EEC) No 1443/82:

'2a. Notwithstanding the first and second subparagraphs of paragraph 2, the competent Member State authorities may, on the basis of a duly justified prior request in writing from the undertaking, establish either:

- (a) cumulatively the production of the months of May and June of a marketing year for counting against the marketing year in question; or
- (b) cumulatively the production of the month of June of a marketing year together with that of the month of July of the following marketing year for counting against the latter marketing year. The request for accumulation of production must indicate at least the quantity of the production of the month of June to be accumulated with that of the month of July. The quantity of the month of June to be accumulated with that of the month of July may not exceed 7 % of the sum of the A and B quotas of the undertaking in question that are applicable to the marketing year during which the request for accumulation is made. The quantity so accumulated shall be considered as the first production within the quotas of the undertaking concerned.

The Member State shall verify the justification of the request and shall consider this taking into account the production situation of the undertaking and the market demand, in particular as regards the quotas and production levies. Only one of the methods referred to in the first subparagraph may be used by an undertaking at any one time.

After agreement by the Member State, the isoglucose producing undertaking in question shall communicate to the Member State, before the following 15 July in the case referred to under (a) of the first subparagraph and before the following 15 August in the case referred to under (b), the quantities, expressed as dry matter, actually produced during the relevant period of two months, account being taken of the quantity to be accumulated referred to under (b) of the first subparagraph.

On the basis of these communications the Member State shall establish the cumulative isoglucose production of the undertaking concerned during the two months in question to

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 54, 28. 2. 1991, p. 22.

⁽³⁾ OJ No L 158, 9. 6. 1982, p. 17.

⁽⁴⁾ OJ No L 173, 5. 7. 1988, p. 10.

be counted against the production of the marketing year in accordance with (a) or (b) as the case may be of the first subparagraph and communicate it separately to the Commission.

The provisions under (b) of the first subparagraph shall not be applicable to the last marketing year

included in the period referred to in Article 23 (1) of Regulation (EEC) No 1785/81.

Article 2

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

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

Done at Brussels, 10 April 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 887/91

of 10 April 1991

reducing the quantities of table wine covered by approved contracts and
declarations for distillation as provided for in Regulation (EEC) No 3748/90

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EEC) No 3577/90 ⁽²⁾, and in particular Article 41 (10) thereof,

Whereas Article 3 (1) of Commission Regulation (EEC) No 2721/88 of 31 August 1988 laying down detailed rules for voluntary distillation as provided for in Articles 38, 41 and 42 of Regulation (EEC) No 822/87 ⁽³⁾, as amended by Regulation (EEC) No 2355/89 ⁽⁴⁾, provides for a mechanism enabling the total quantity of table wine which may be sent for distillation to be kept within a given limit;

Whereas information forwarded to the Commission by the Member States shows that, on expiry of the time limit laid down for the submission of delivery contracts and declarations to intervention agencies, the quantity of table wine covered by contracts and declarations exceeds that laid down in Article 1 of Commission Regulation (EEC) No 3748/90 of 19 December 1990 opening, for the 1990/91 wine year, distillation of table wine as provided for in Article 41 of Regulation (EEC) No 822/87 ⁽⁵⁾, which was considered sufficient to withdraw from the market approximately 0,036 million hectolitres, 1,548 million hectolitres, 0,100 million hectolitres and 5,832 million hectolitres respectively in production regions 3, 4, 5 and 6 as referred to in Article 1 of Regulation (EEC) No 3748/90; whereas, under these circumstances, the provision enabling distillation to be limited to the quantity provided for should be applied and the quantities in each contract and declaration should accordingly be reduced sufficiently;

Whereas Article 6 (5) of Regulation (EEC) No 2721/88 provides that producers may not deliver less than 10 hectolitres of wine; whereas provision should consequently be made, in cases where the reduction applicable to a contract would lead to the delivery of a quantity of less than that minimum, for the quantity which may be delivered to be 10 hectolitres;

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

HAS ADOPTED THIS REGULATION:

Article 1

The quantity of table wine which may be delivered for distillation as provided for in Regulation (EEC) No 3748/90 shall be equal to a percentage of the quantities in contracts or declarations submitted for approval.

That percentage shall be as follows for each of the regions referred to in Article 4 (2) of Commission Regulation (EEC) No 441/88 ⁽⁶⁾:

— Region 3 :	96,5,
— Region 4 :	48,4,
— Region 5 :	33,3,
— Region 6 :	27,4.

However, if the quantity resulting from the application of that percentage is less than 10 hectolitres, the quantity which may be delivered shall be 10 hectolitres.

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, 10 April 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 241, 1. 9. 1988, p. 88.

⁽⁴⁾ OJ No L 222, 1. 8. 1989, p. 60.

⁽⁵⁾ OJ No L 360, 22. 12. 1990, p. 37.

⁽⁶⁾ OJ No L 45, 18. 2. 1988, p. 15.

COMMISSION REGULATION (EEC) No 888/91**of 10 April 1991****amending Regulation (EEC) No 2190/90 on the sale at a price fixed in advance of unprocessed dried grapes to distillation industries**

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 8 (7) thereof,

Having regard to Council Regulation (EEC) No 1206/90 of 7 May 1990 laying down general rules for the system of production aid for processed fruit and vegetables⁽³⁾, as amended by Regulation (EEC) No 2202/90⁽⁴⁾, and in particular Article 6 (2) thereof,

Whereas Article 6 (2) of Commission Regulation (EEC) No 626/85 of 12 March 1985 on the purchasing, selling and storage of unprocessed dried grapes and figs by storage agencies⁽⁵⁾, as last amended by Regulation (EEC) No 3601/90⁽⁶⁾, provides that products intended for particular uses to be specified are to be sold at prices fixed in advance or determined by an invitation to tender;

Whereas the Greek storage agencies are still holding 158 tonnes of unprocessed currants from the 1986 harvest and 11 848 tonnes of unprocessed sultanas from the 1988 harvest; whereas there are difficulties in disposing those products on the market for feedingstuffs; whereas, in view of the additional demand from the distilling industry, the

quantities intended for that industry by Commission Regulation (EEC) No 2190/90⁽⁷⁾ should be increased;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 1 (1) of Regulation (EEC) No 2190/90 is hereby replaced by the following:

'1. The Greek storage agencies listed in the Annex shall organize a sale of a maximum of 158 tonnes of currants from the 1986 harvest and of 10 000 tonnes of sultanas from the 1988 harvest in accordance with Regulations (EEC) No 626/85 and (EEC) No 913/89 at a price of:

- ECU 11,3 per 100 kilograms net for currants, and
- ECU 9,3 per 100 kilograms net for sultanas.'

Article 2

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

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

Done at Brussels, 10 April 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 119, 11. 5. 1990, p. 74.

⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 4.

⁽⁵⁾ OJ No L 72, 13. 3. 1985, p. 7.

⁽⁶⁾ OJ No L 350, 14. 12. 1990, p. 54.

⁽⁷⁾ OJ No L 198, 28. 7. 1990, p. 29.

COMMISSION REGULATION (EEC) No 889/91
of 10 April 1991
amending Regulation (EEC) No 2086/90 on the sale for delivery in the French
overseas departments of cereals held by the French 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 Commission Regulation (EEC) No 2086/90⁽³⁾, as last amended by Regulation (EEC) No 3670/90⁽⁴⁾, opened a tendering procedure for the sale for delivery in the French overseas departments of cereals held by the French intervention agency;

Whereas it is necessary to defer the final partial invitation to tender provided for by Regulation (EEC) No 2086/90; whereas in order to meet specific local requirements the total volume to be sold by tender by the French intervention agency should be raised to 128 000 tonnes;

Whereas this increase necessitates adjustments in destinations and time limits; whereas the Annex to Regulation (EEC) No 2086/90 must therefore be amended;

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

Article 1 of Regulation (EEC) No 2086/90 is replaced by the following:

'Article 1

The French intervention agency is authorized to sell by tender on the Community market 128 000 tonnes of cereals to be delivered to the destinations and within the time limits specified in the Annex.'

Article 2

Article 2 (1) of Regulation (EEC) No 2086/90 is replaced by the following:

'1. The invitation to tender shall be open from 1 August 1990 to 30 June 1991.'

Article 3

The Annex to Regulation (EEC) No 2086/90 is replaced by the Annex to this Regulation.

Article 4

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, 10 April 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 190, 21. 7. 1990, p. 33.

⁽⁴⁾ OJ No L 356, 19. 12. 1990, p. 26.

ANNEX

	Guadeloupe	Martinique	French Guiana	Réunion
Cereals	Quantity (tonnes)			
— Common wheat	60 000	5 000	1 000	20 000
— Maize	10 000	15 000	2 000	15 000
Latest delivery date : 31 July 1991.				

COMMISSION REGULATION (EEC) No 890/91
of 10 April 1991
amending Regulation (EEC) No 625/78 on detailed rules of application for public
storage of skimmed-milk powder

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas Article 2 (5) of Commission Regulation (EEC) No 625/78 ⁽³⁾, as last amended by Regulation (EEC) No 472/91 ⁽⁴⁾, lays down provisions on the taking of samples and the analysis of skimmed-milk powder offered for public intervention; whereas the application of those provisions is coming up against practical difficulties; whereas provisions should accordingly be made for other detailed rules on the subject, care being taken to ensure that controls are effective;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 625/78 is hereby amended as follows:

1. in Article 2 (5), the second sentence is replaced by the following:

‘Samples must be taken and analyses conducted in accordance with the provisions of Annex IV.’;

2. the Annex hereto is added as Annex IV.

Article 2

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

However, the Member States may decide to apply the provisions of this Regulation to quantities of skimmed-milk powder offered for intervention from 1 March 1991.

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

Done at Brussels, 10 April 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 362, 27. 12. 1990, p. 5.

⁽³⁾ OJ No L 84, 31. 3. 1978, p. 19.

⁽⁴⁾ OJ No L 54, 28. 2. 1991, p. 35.

*ANNEX**ANNEX IV***Sampling and analysis of skimmed-milk powder offered for intervention**

1. Number of packages to be selected for sampling checks :
 - offers containing up to 800 25-kg bags : at least eight,
 - offers containing more than 800 25-kg bags : at least eight, plus one for each additional 800 bags or fraction thereof.
 2. Weight of sample : samples of at least 200 g are to be taken from each package.
 3. Grouping of samples : no more than nine samples are to be combined in a global sample.
 4. Analysis of samples : each global sample is to undergo an analysis to verify all the quality characteristics laid down in Annex I.
-

COMMISSION REGULATION (EEC) No 891/91

of 10 April 1991

amending Regulation (EEC) No 1589/87 on the sale by tender of butter to intervention agencies

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 3641/90 ⁽²⁾, and in particular the first subparagraph of Article 7a(1) and (3) thereof,

Whereas Article 3(3)(c) of Commission Regulation (EEC) No 1589/87 ⁽³⁾, as last amended by Regulation (EEC) No 1310/90 ⁽⁴⁾, provides that tenderers must express the prices they offer per 100 kilograms of butter in the currency of the Member State in which the invitation to tender is issued; whereas in order to make it simpler to fix the maximum buying-in price for the tender award, tenderers should be required to present their offers in ecus, to no more than two decimal places, per 100 kilograms of butter;

Whereas Article 4 of Regulation (EEC) No 1589/87 provides that tenderers must lodge a security of ECU 10 per tonne to guarantee on the one hand maintenance of the tender after the expiry of the final date for the submission of tenders and on the other hand delivery of the butter to the depot; whereas the amount of that security has proved insufficient to ensure the fulfilment of the abovementioned primary requirements; whereas it should accordingly be increased;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1589/87 is hereby amended as follows:

1. in Article 3(3)(c), 'in the currency of the Member State in which the invitation to tender is issued' is replaced by 'in ecus, to no more than two decimal places';
2. in Article 4(1), '10 ECU' is replaced by 'ECU 30';
3. Article 11 is replaced by the following:

'Article 11

The proposed price referred to in Article 3(3)(c), the securities provided for in Article 4 and the maximum price referred to in Article 5 shall be converted into national currency using the representative rate valid on the final date for the submission of tenders.'

Article 2

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

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

Done at Brussels, 10 April 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 362, 27. 12. 1990, p. 5.

⁽³⁾ OJ No L 146, 6. 6. 1987, p. 27.

⁽⁴⁾ OJ No L 129, 19. 5. 1990, p. 29.

COMMISSION REGULATION (EEC) No 892/91**of 10 April 1991****on the issue of import licences for high-quality fresh, chilled or frozen beef and veal**

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

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

Whereas Commission Regulation (EEC) No 3884/90 of 27 December 1990 laying down detailed rules for the application of import arrangements provided for by Council Regulations (EEC) No 3840/90 and (EEC) No 3841/90 in the beef and veal sectors (2) provides in Article 7, that applications for and the issue of import licences for the meat referred to in Article 1 (1) (d) thereof are to be effected in accordance with the provisions of Articles 12 and 15 of Commission Regulation (EEC) No 2377/80 of 4 September 1980 on special detailed rules for the application of the system of import and export licences in the beef and veal sector (3), as last amended by Regulation (EEC) No 815/91 (4);

Whereas Article 1 (1) (d) of Regulation (EEC) No 3884/90 fixes the amount of high-quality fresh, chilled or frozen

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. All applications for import licences from 1 until 5 April 1991 for high-quality fresh, chilled or frozen beef and veal as referred to in Article 1 (1) (d) of Regulation (EEC) No 3884/90 shall be met in full.

2. Applications for licences may be submitted, in accordance with Article 12 of Regulation (EEC) No 2377/80, during the first five days of May 1991 for 4 157,25 tonnes.

Article 2

This Regulation shall enter into force on 11 April 1991.

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

Done at Brussels, 10 April 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

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

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

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

(4) OJ No L 83, 3. 4. 1991, p. 6.

COMMISSION REGULATION (EEC) No 893/91**of 10 April 1991****fixing the maximum export refund for white sugar for the 49th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EEC) No 983/90**

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 464/91 ⁽²⁾, and in particular the first subparagraph of Article 19 (4) (b) thereof,

Whereas Commission Regulation (EEC) No 983/90 of 19 April 1990 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar ⁽³⁾, as amended by Regulation (EEC) No 2786/90 ⁽⁴⁾, requires partial invitations to tender to be issued for the export of this sugar;

Whereas, pursuant to Article 9 (1) of Regulation (EEC) No 983/90, a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question;

Whereas, following an examination of the tenders submitted in response to the 49th partial invitation to tender, the provisions set out in Article 1 should be adopted;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 49th partial invitation to tender for white sugar issued pursuant to amended Regulation (EEC) No 983/90 the maximum amount of the export refund is fixed at ECU 39,065 per 100 kilograms.

Article 2

This Regulation shall enter into force on 11 April 1991.

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

Done at Brussels, 10 April 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 54, 28. 2. 1991, p. 22.

⁽³⁾ OJ No L 100, 20. 4. 1990, p. 9.

⁽⁴⁾ OJ No L 265, 28. 9. 1990, p. 15.

COMMISSION REGULATION (EEC) No 894/91

of 10 April 1991

introducing a countervailing charge on cucumbers originating in the Canary Islands

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 the second subparagraph of Article 27 (2) thereof,

Whereas Article 25 (1) of Regulation (EEC) No 1035/72 provides that, if the entry price of a product imported from a third country remains at least ECU 0,6 below the reference price for two consecutive market days, a countervailing charge must be introduced in respect of the exporting country concerned, save in exceptional circumstances; whereas this charge is equal to the difference between the reference price and the arithmetic mean of the last two entry prices available for that exporting country;

Whereas Commission Regulation (EEC) No 222/91 of 30 January 1991 fixing for the 1991 marketing year the reference prices for cucumbers⁽³⁾ fixed the reference price for products of class I for the month of April 1991 at ECU 92,76 per 100 kilograms net;

Whereas the entry price for a given exporting country is equal to the lowest representative prices recorded for at least 30 % of the quantities from the exporting country concerned which are marketed on all representative markets for which prices are available less the duties and the charges indicated in Article 24 (3) of Regulation (EEC) No 1035/72; whereas the meaning of representative price is defined in Article 24 (2) of Regulation (EEC) No 1035/72;

Whereas, in accordance with Article 3 (1) of Commission Regulation (EEC) No 2118/74⁽⁴⁾, as last amended by Regulation (EEC) No 3811/85⁽⁵⁾, the prices to be taken into consideration must be recorded on the representative markets or, in certain circumstances, on other markets; whereas it is necessary to multiply the prices with the coefficient fixed in the first indent of Article 1 (2) of Regulation (EEC) No 222/91;

Whereas, for cucumbers originating in the Canary Islands the entry price calculated in this way has remained at least ECU 0,6 below the reference price for two consecutive market days; whereas a countervailing charge should therefore be introduced for these cucumbers;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁶⁾, as last amended by Regulation (EEC) No 2205/90⁽⁷⁾,
- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

Whereas, in accordance with Article 4 of Protocol 2 to the Act of Accession of Spain and Portugal, the products, including cucumbers specified in Annex A to the Protocol, qualify for preferential arrangements, subject to the tariff quota determined by Council Regulation (EEC) No 3414/90⁽⁸⁾ concerning certain adjustments to the arrangements applicable to the Canary Islands,

HAS ADOPTED THIS REGULATION:

Article 1

When cucumbers falling within CN codes 0707 00 11 and 0707 00 19 and originating in the Canary Islands are imported, a countervailing charge shall be levied, the amount of which shall be fixed at ECU 12,93 per 100 kilograms net weight.

However this charge shall not be levied on quantities imported into Spain within the tariff quotas fixed by Regulation (EEC) No 3414/90.

Article 2

This Regulation shall enter into force on 12 April 1991.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 375, 31. 12. 1990, p. 17.

⁽³⁾ OJ No L 26, 31. 1. 1991, p. 26.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁸⁾ OJ No L 330, 29. 11. 1990, p. 1.

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

Done at Brussels, 10 April 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 895/91

of 10 April 1991

introducing a countervailing charge on fresh lemons originating in Morocco

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 the second subparagraph of Article 27 (2) thereof,

Whereas Article 25 (1) of Regulation (EEC) No 1035/72 provides that, if the entry price of a product imported from a third country remains at least ECU 0,6 below the reference price for two consecutive market days, a countervailing charge must be introduced in respect of the exporting country concerned, save in exceptional circumstances; whereas this charge is equal to the difference between the reference price and the arithmetic mean of the last two entry prices available for that exporting country;

Whereas Commission Regulation (EEC) No 1488/90 of 31 May 1990 fixing for the 1990/91 marketing year the reference prices for fresh lemons⁽³⁾ fixed the reference price for products of class I for the period from November 1990 to April 1991 at ECU 47,15 per 100 kilograms net;

Whereas the entry price for a given exporting country is equal to the lowest representative prices recorded for at least 30 % of the quantities from the exporting country concerned which are marketed on all representative markets for which prices are available less the duties and the charges indicated in Article 24 (3) of Regulation (EEC) No 1035/72; whereas the meaning of representative price is defined in Article 24 (2) of Regulation (EEC) No 1035/72;

Whereas, in accordance with Article 3 (1) of Commission Regulation (EEC) No 2118/74⁽⁴⁾, as last amended by

Regulation (EEC) No 3811/85⁽⁵⁾, the prices to be taken into consideration must be recorded on the representative markets or, in certain circumstances, on other markets;

Whereas, for fresh lemons originating in Morocco, the entry price calculated in this way has remained at least ECU 0,6 below the reference price for two consecutive market days; whereas a countervailing charge should therefore be introduced for these fresh lemons;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁶⁾, as last amended by Regulation (EEC) No 2205/90⁽⁷⁾,
- for other currencies, an exchange rate based on an average of the ecu rates published in the Official Journal of the European Communities, C series, over a period to be determined, multiplied by the coefficient referred to in the previous indent,

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of ECU 6,62 per 100 kilograms net is applied to fresh lemons (CN code ex 0805 30 10) originating in Morocco.

Article 2

This Regulation shall enter into force on 12 April 1991.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 375, 31. 12. 1990, p. 17.

⁽³⁾ OJ No L 140, 1. 6. 1990, p. 99.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 201, 31. 7. 1990, p. 9.

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

Done at Brussels, 10 April 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 896/91

of 10 April 1991

suspending the preferential customs duties and re-introducing the Common Customs Tariff duty on imports of multiflorous (spray) carnations originating in Israel

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 4088/87 of 21 December 1987 fixing conditions for the application of preferential customs duties on imports of certain flowers originating in Cyprus, Israel, Jordan and Morocco⁽¹⁾, as amended by Regulation (EEC) No 3551/88⁽²⁾, and in particular Article 5 (2) (b) thereof,

Whereas Regulation (EEC) No 4088/87 lays down the conditions for applying a preferential duty on large-flowered roses, small-flowered roses, uniflorous (bloom) carnations and multiflorous (spray) carnations within the limit of tariff quotas opened annually for imports into the Community of fresh cut flowers;

Whereas Council Regulation (EEC) No 728/90⁽³⁾ opens and provides for the administration of Community tariff quotas for cut flowers and flower buds, fresh, originating in Cyprus, Jordan, Morocco and Israel respectively;

Whereas Article 2 of Regulation (EEC) No 4088/87 provides, on the one hand, that for a given product of a given origin, the preferential customs duty is to be applicable only if the price of the imported product is at least equal to 85 % of the Community producer price; whereas, on the other hand, the preferential customs duty is, except in exceptional cases, suspended and the Common Customs Tariff duty introduced for a given product of a given origin:

(a) if, on two successive market days, the prices of the imported product are less than 85 % of the Community producer price in respect of at least 30 % of the quantities for which prices are available on representative import markets;

or

(b) if, over a period of five to seven successive market days, the prices of the imported product are alternatively above and below 85 % of the Community producer price in respect of at least 30 % of the quantities for which prices are available on the representative import markets and if, for three days during that period, the prices of the import product have been below that level;

Whereas Commission Regulation (EEC) No 3129/90⁽⁴⁾ fixes the Community producer prices for carnations and roses for the application of the import arrangements;

Whereas Commission Regulation (EEC) No 700/88⁽⁵⁾, as amended by Regulation (EEC) No 3556/88⁽⁶⁾, lays down the detailed rules for the application of the arrangements;

Whereas, in order to enable the arrangements to operate normally, the following should be used for the calculation of the import prices:

- for the currencies which are maintained against one another within a maximum spread at any given moment for spot rate transactions of 2,25 %, a conversion rate based on their central rate adjusted by the correcting factor provided for in the last subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁷⁾, as last amended by Regulation (EEC) No 2205/90⁽⁸⁾,
- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

Whereas, on the basis of prices recorded pursuant to Regulations (EEC) No 4088/87 and (EEC) No 700/88, it must be concluded that the conditions laid down in Article 2 (2) of Regulation (EEC) No 4088/87 for suspension of the preferential customs duty are met for multiflorous (spray) carnations originating in Israel; whereas the Common Customs Tariff duty should be reintroduced,

HAS ADOPTED THIS REGULATION:

Article 1

For imports of multiflorous (spray) carnations (CN codes ex 0603 10 13 and ex 0603 10 53) originating in Israel, the preferential customs duty fixed by Council Regulation (EEC) No 728/90 is hereby suspended and the Common Customs Tariff duty is hereby reintroduced.

Article 2

This Regulation shall enter into force on 12 April 1991.

⁽¹⁾ OJ No L 382, 31. 12. 1987, p. 22.

⁽²⁾ OJ No L 311, 17. 11. 1988, p. 1.

⁽³⁾ OJ No L 81, 28. 3. 1990, p. 7.

⁽⁴⁾ OJ No L 299, 30. 10. 1990, p. 26.

⁽⁵⁾ OJ No L 72, 18. 3. 1988, p. 16.

⁽⁶⁾ OJ No L 311, 17. 11. 1988, p. 8.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁸⁾ OJ No L 201, 31. 7. 1990, p. 9.

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

Done at Brussels, 10 April 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 897/91**of 10 April 1991****altering the corrective amount applicable to the refund on cereals**

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

Having regard to Council Regulation (EEC) No 2727/75
of 29 October 1975 on the common organization of the
market in cereals ⁽¹⁾, as last amended by Regulation (EEC)
No 3577/90 ⁽²⁾, and in particular the fourth sentence of
the second subparagraph of Article 16(4) thereof,

Having regard to Council Regulation (EEC) No 2746/75
of 29 October 1975 laying down general rules for granting
export refunds on cereals and criteria for fixing the
amount of such refunds ⁽³⁾,

Whereas the corrective amount applicable to the refund
on cereals was fixed by Commission Regulation (EEC) No
695/91 ⁽⁴⁾, as last amended by Regulation (EEC) No
871/91 ⁽⁵⁾;

Whereas, on the basis of today's cif prices and cif forward
delivery prices, taking foreseeable developments on the

market into account, the corrective amount at present
applicable to the refund on cereals should be altered,

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 16(4) of
Regulation (EEC) No 2727/75, fixed in the Annex to
amended Regulation (EEC) No 695/91 which is appli-
cable to the export refunds fixed in advance in respect of
cereals, is hereby altered to the amounts set out in the
Annex hereto.

Article 2

This Regulation shall enter into force on 11 April 1991.

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

Done at Brussels, 10 April 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.
⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.
⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.
⁽⁴⁾ OJ No L 76, 22. 3. 1991, p. 21.
⁽⁵⁾ OJ No L 89, 10. 4. 1991, p. 12.

ANNEX

to the Commission Regulation of 10 April 1991 altering the corrective amount applicable to the refund on cereals

(ECU/tonne)

Product code	Destination (¹)	Current 4	1st period 5	2nd period 6	3rd period 7	4th period 8	5th period 9	6th period 10
0709 90 60 000	—	—	—	—	—	—	—	—
0712 90 19 000	—	—	—	—	—	—	—	—
1001 10 10 000	—	—	—	—	—	—	—	—
1001 10 90 000	01	0	0	- 40,00	- 40,00	- 40,00	- 40,00	- 40,00
1001 90 91 000	—	—	—	—	—	—	—	—
1001 90 99 000	01	0	0	0	- 30,00	- 30,00	- 30,00	- 30,00
1002 00 00 000	01	0	0	0	- 30,00	- 30,00	- 30,00	- 30,00
1003 00 10 000	01	0	0	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00
1003 00 90 000	01	0	0	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00
1004 00 10 000	—	—	—	—	—	—	—	—
1004 00 90 000	—	—	—	—	—	—	—	—
1005 10 90 000	—	—	—	—	—	—	—	—
1005 90 00 000	01	0	0	0	0	—	—	—
1007 00 90 000	—	—	—	—	—	—	—	—
1008 20 00 000	—	—	—	—	—	—	—	—
1101 00 00 100	01	0	0	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00
1101 00 00 130	01	0	0	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00
1101 00 00 150	01	0	0	0	- 30,00	- 30,00	- 30,00	- 30,00
1101 00 00 170	01	0	0	0	- 30,00	- 30,00	- 30,00	- 30,00
1101 00 00 180	01	0	0	0	- 30,00	- 30,00	- 30,00	- 30,00
1101 00 00 190	—	—	—	—	—	—	—	—
1101 00 00 900	—	—	—	—	—	—	—	—
1102 10 00 600	01	0	0	0	- 30,00	- 30,00	- 30,00	- 30,00
1102 10 00 900	—	—	—	—	—	—	—	—
1103 11 10 100	01	0	0	- 50,00	- 50,00	- 50,00	- 50,00	- 50,00
1103 11 10 200	01	0	0	- 50,00	- 50,00	- 50,00	- 50,00	- 50,00
1103 11 10 500	01	0	0	- 50,00	- 50,00	- 50,00	- 50,00	- 50,00
1103 11 10 900	01	0	0	- 50,00	- 50,00	- 50,00	- 50,00	- 50,00
1103 11 90 100	01	0	0	0	- 30,00	- 30,00	- 30,00	- 30,00
1103 11 90 900	—	—	—	—	—	—	—	—

(¹) For the following destinations:

01 All third countries.

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

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 8 April 1991

authorizing extension or tacit renewal of certain trade agreements concluded
between Member States and third countries

(91/181/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 extension or tacit renewal beyond the end of the transitional period was last authorized in the case of the Agreements and Protocols listed in the Annex by Decision 90/225/EEC ⁽²⁾;

Whereas the Member States concerned have, with a view to avoiding any disruption of their commercial relations with third countries concerned based on Agreements, requested authorization to extend or renew the abovementioned Agreements;

Whereas, however, most of the areas covered by these national Agreements are henceforth the subject of Community Agreements; whereas, in this situation, there should be authorization for the maintenance of national Agreements only for those areas not covered by Community Agreements; whereas, in addition, such authorization should not, therefore, adversely affect the obligation incumbent upon the Member States to avoid and, where appropriate, to eliminate any incompatibility between such Agreements and the provisions of Community law;

Whereas the provisions of the Agreements to be either prolonged or renewed should not furthermore, during the period under consideration, constitute an obstacle to the implementation of the common commercial policy;

Whereas the Member States concerned have declared that the extension or tacit renewal of these Agreements would neither constitute an obstacle to the opening of Community negotiations with the third countries concerned and the transfer of the commercial substance of those Agreements to Community Agreements nor, during the period under consideration, hinder the adoption of the measures necessary to complete the standardization of the import arrangements of the Member States;

Whereas at the conclusion of the consultations provided for in Article 2 of Decision 69/494/EEC it was established, as the aforesaid declarations by the Member States concerned confirm, that the provisions of the Agreements to be extended or renewed would not, during the period under consideration, constitute an obstacle to the implementation of the common commercial policy;

Whereas, in these circumstances, the Agreements concerned may be either extended or tacitly renewed for a limited period,

HAS ADOPTED THIS DECISION:

Article 1

The trade Agreements and Protocols between Member States and third countries, as listed in the Annex hereto, may be extended or tacitly renewed up to the dates indicated for each of them for those areas not covered by Agreements between the Community and the third countries concerned and in so far as their provisions are not contrary to existing common policies.

⁽¹⁾ OJ No L 326, 29. 12. 1969, p. 39.

⁽²⁾ OJ No L 120, 11. 5. 1990, p. 72.

Article 2

This Decision is addressed to the Member States.

Done at Luxembourg, 8 April 1991.

For the Council

The President

J.-C. JUNCKER

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

Estado miembro	País tercero	Naturaleza y fecha del Acuerdo	Prorrogado o tácitamente reconducido hasta el
Medlemsstat	Tredjeland	Aftalens art og datering	Udløb efter forlængelse eller stiltiende videreførelse
Mitgliedstaat	Drittland	Art und Datum des Abkommens	Ablauf nach Verlängerung oder stillschweigender Verlängerung
Κράτος μέλος	Τρίτη χώρα	Φύση και ημερομηνία της συμφωνίας	Ημερομηνία λήξεως κατόπιν της παρατάσεως ή της σιωπηρής ανανεώσεως
Member State	Third country	Type and date of Agreement	Prolonged or tacitly renewed until
État membre	Pays tiers	Nature et date de l'accord	Échéance après prorogation ou tacite reconduction
Stato membro	Paese terzo	Natura e data dell'accordo	Scadenza dopo la proroga o il tacito rinnovo
Lid-Staat	Derde land	Aard en datum van het akkoord	Vervaldatum na al dan niet stilzwijgende verlenging
Estado-membro	País terceiro	Natureza e data do acordo	Prorrogado ou tacitamente renovado até
(1)	(2)	(3)	(4)
BENELUX	Honduras	Handelsakkoord/ Accord commercial	30. 1. 1959
	Joegoslavië/ Yougoslavie	Handelsakkoord/ Accord commercial	18. 6. 1958
	Marokko/ Maroc	Handelsakkoord/ Accord commercial	5. 8. 1958
			27. 5. 1992
DANMARK	Indonesien	Handelsaftale	9. 9. 1952
	Madagaskar	Handelsaftale	10. 12. 1965
	Marokko	Handelsaftale	26. 7. 1961
	Senegal	Handelsaftale	11. 4. 1962
	Tunesien	Handelsaftale	8. 6. 1960
DEUTSCHLAND			30. 6. 1992
	Afghanistan	Handelsabkommen	31. 1. 1958
	Jugoslawien	Handelsabkommen	11. 6. 1952
		Protokoll	16. 7. 1964
	Philippinen	Handelsabkommen	28. 2. 1964
	Türkei	Abkommen über Warenverkehr	16. 2. 1952
ΕΛΛΑΔΑ			31. 5. 1992
	Ιράν	Εμπορική συμφωνία	3. 2. 1976
	Τυνησία	Εμπορική συμφωνία	2. 3. 1960
	Ιορδανία	Εμπορική συμφωνία	27. 2. 1977
	Συρία	Εμπορική συμφωνία	27. 5. 1969
	Μάλτα	Εμπορική συμφωνία	14. 4. 1976
ESPAÑA			3. 2. 1992
	Angola	Acuerdo de cooperación y comercial	18. 3. 1983
	Egipto	Acuerdo comercial	19. 5. 1976
	Irak	Acuerdo de cooperación económica, técnica y comercial	23. 12. 1972
	República Dominicana	Convenio de cooperación económica	2. 6. 1973
	Siria	Convenio de cooperación económica	26. 9. 1952
			18. 3. 1992
			18. 5. 1992
			27. 5. 1992
			1. 6. 1992
			8. 4. 1992

(1)	(2)	(3)		(4)
FRANCE	RAE (république arabe d'Égypte)	Accord commercial	10. 7. 1964	10. 7. 1992
ITALIA	Colombia	Modus vivendi	19. 6. 1952	19. 6. 1992
	Somalia	Accordo commerciale e di cooperazione economica e tecnica	1. 7. 1960	30. 6. 1992
	Turchia	Accordo commerciale	24. 1. 1952	31. 5. 1992
PORTUGAL	Paquistão	Acordo comercial	6. 7. 1981	6. 7. 1992

COMMISSION

COMMISSION DECISION

of 8 April 1991

terminating the anti-dumping proceeding concerning imports of high carbon ferro-chromium originating in Albania and the USSR

(91/182/EEC)

THE COMMISSION 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 9 thereof,

After consultation with the Advisory Committee as provided for in Regulation (EEC) No 2423/88,

Whereas :

ing in Albania and the USSR, and subsequently commenced an investigation.

- (2) The Commission officially so advised the exporters and importers known to be concerned, the representative of the USSR and the Community producers. The parties concerned were given the opportunity to make their views known in writing, to request a hearing and to answer the questionnaires addressed to them seeking the information the Commission deemed to be necessary for the assessment of dumping and injury. None of the complainant Community producers replied to the questionnaires or requested an extension of the time limit for reply set up by the Commission.
- (3) As a result, the allegations of injury contained in the complaint could not be further investigated and verified. Therefore, the Commission considers that it is not possible to make a determination on injury or threat of injury with respect to the Community industry concerned.

A. PROCEDURE

- (1) The Commission received a complaint lodged by the Comité de Liaison des Producteurs de Ferroallages de la CEE on behalf of producers representing substantially all Community production of high carbon ferro-chromium. The complaint contained evidence of dumping and injury resulting therefrom which was considered sufficient to justify the initiation of a proceeding. The Commission accordingly announced by a notice published in the *Official Journal of the European Communities*⁽²⁾ the initiation of an anti-dumping proceeding concerning imports into the Community of ferro-chromium containing by weight more than 6 % of carbon falling within CN code 7202 41 90 originat-

B. TERMINATION OF PROCEEDING

- (4) In view of the circumstances set out above the Commission concludes that the anti-dumping proceeding concerning imports of high carbon ferro-chromium originating in Albania and the USSR should be terminated forthwith.
- (5) The Advisory Committee has been consulted and has raised no objections.
- (6) The complainant was informed of the Commission's reasons to terminate the proceeding and did not comment,

⁽¹⁾ OJ No L 209, 2. 8. 1988, p. 1.

⁽²⁾ OJ No C 252, 6. 10. 1990, p. 11.

HAS DECIDED AS FOLLOWS :

Sole Article

The anti-dumping proceeding concerning imports of ferro-chromium containing by weight more than 6 % of carbon originating in Albania and the USSR and falling with CN code 7202 41 90 is hereby terminated.

Done at Brussels, 8 April 1991.

For the Commission

Frans ANDRIESEN

Vice-President
