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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 987/91

of 23 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 22 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 24 April 1991.

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

Done at Brussels, 23 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 23 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	130,26 ⁽¹⁾ ⁽³⁾
0712 90 19	130,26 ⁽¹⁾ ⁽³⁾
1001 10 10	189,24 ⁽¹⁾ ⁽³⁾
1001 10 90	189,24 ⁽¹⁾ ⁽³⁾
1001 90 91	162,05
1001 90 99	162,05
1002 00 00	151,05 ⁽⁴⁾
1003 00 10	144,36
1003 00 90	144,36
1004 00 10	136,74
1004 00 90	136,74
1005 10 90	130,26 ⁽¹⁾ ⁽³⁾
1005 90 00	130,26 ⁽¹⁾ ⁽³⁾
1007 00 90	134,70 ⁽⁴⁾
1008 10 00	41,68
1008 20 00	133,21 ⁽⁴⁾
1008 30 00	49,58 ⁽³⁾
1008 90 10	⁽⁷⁾
1008 90 90	49,58
1101 00 00	241,40 ⁽⁸⁾
1102 10 00	226,00 ⁽⁸⁾
1103 11 10	306,90 ⁽⁸⁾
1103 11 90	259,07 ⁽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 988/91

of 23 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 22 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 24 April 1991.

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

Done at Brussels, 23 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 23 April 1991 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CN code	Current	1st period	2nd period	3rd period
	4	5	6	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

CN code	Current	1st period	2nd period	3rd period	4th period
	4	5	6	7	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 989/91

of 23 April 1991

on the issuing of a standing invitation to tender for the resale on the internal market of 5 000 tonnes of barley held by the Irish 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 5 000 tonnes of barley held by the Irish 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 Irish intervention agency shall issue a standing invitation to tender for the resale on the internal market of

5 000 tonnes of barley 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 2 May 1991.
2. The final date for the submission of tenders for the last partial invitation to tender shall expire on 30 May 1991.
3. Tenders must be lodged with the Irish intervention agency:

Department of Agricultural and Food, Cereals Division, Agriculture House, Kildare Street, IRL-Dublin 2 (telex: AGRI EI 5118; fax: 616263),

Article 3

Not later than Tuesday of the week following the final date for the submission of tenders, the Irish 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, 23 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 990/91**of 22 April 1991****on the supply of various consignments of cereals 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 28 584,88 tonnes of cereals;

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⁾, as amended by Regulation (EEC) No 790/91 ⁽⁵⁾; 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

Cereals shall be mobilized in the Community, as Community food aid for supply to the recipients listed in the Annexe, 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, 22 April 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.

⁽⁵⁾ OJ No L 81, 28. 3. 1991, p. 108.

ANNEX I

LOT A

1. **Operation No** ⁽¹⁾: 1254/90
2. **Programme**: 1990
3. **Recipient** ⁽²⁾: Comores
4. **Representative of the recipient** ⁽³⁾:
M. Ahmed Abdallah Sourette, Ministre des finances, de l'économie, du budget et du plan, BP 324,
Moroni (tel. 217 67 — Moroni)
5. **Place or country of destination**: Comores
6. **Product to be mobilized**: milled rice (product code 1006 30 92 900)
7. **Characteristics and quality of the goods** ⁽⁴⁾: see list published in OJ No C 216, 14. 8. 1987, p. 3
(under II.A.10)
8. **Total quantity**: 833 tonnes (2 000 tonnes of cereals)
9. **Number of lots**: one (two parts, A1: 500 tonnes; A2: 333 tonnes)
10. **Packaging and marking** ⁽⁵⁾: see list published in OJ No C 216, 14. 8. 1987, p. 3 (under II.B.1 (a))
Marking on the bags in letters at least 5 cm high:
'ACTION N° 1254/90 / RIZ / COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE'
11. **Method of mobilization of product**: the Community market
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**: A1: Moroni (Grande Comore); A2: 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 — 15. 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 the submission of tenders**: 12 noon on 6. 5. 1991
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon on 21. 5. 1991
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 15 — 29. 6. 1991
 - (c) deadline for the supply: 29. 7. 1991
22. **Amount of tendering security**: ECU 5 per tonne
23. **Amount of delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders** ⁽⁶⁾:
Bureau de l'aide alimentaire,
Attention Mr N. Arend,
Bâtiment Loi 120, bureau 7/46,
200 rue de la Loi,
B-1049 Brussels
(telex: AGREC 22037 B or 25670 B)
25. **Refund payable on application by the successful tenderer** ⁽⁷⁾: refund applicable on 29. 4. 1991,
fixed by Commission Regulation (EEC) No 712/91 (OJ No L 77, 23. 3. 1991, p. 38)

LOTS B, C and D

1. **Operation No⁽¹⁾**: see Annex II
2. **Programme**: 1990
3. **Recipient^(*)**: Ligue des Sociétés de la Croix-Rouge et du Croissant-Rouge, Service Logistique, BP 372, CH-1211 Genève 19; tel. 734 55 80, telex 412133 LRCS CH, fax 733 03 95
4. **Representative of the recipient⁽²⁾**: see Annex II
5. **Place or country of destination**: see Annex II
6. **Product to be mobilized**: milled rice (product code 1006 30 92 900)
7. **Characteristics and quality of the goods⁽³⁾⁽¹⁰⁾**: see list published in OJ No C 216, 14. 8. 1987, p. 3 (under II.A.10)
8. **Total quantity**: 600 tonnes (1 440 tonnes of cereals)
9. **Number of lots**: three (Lot B: 300 tonnes; Lot C: 100 tonnes; Lot D: 200 tonnes)
10. **Packaging and marking⁽⁴⁾⁽¹¹⁾**: see list published in OJ No C 216, 14. 8. 1987, p. 3 (under II.B.1 (c))
Marking on the bags in letters at least 5 cm high: see Annex II
11. **Method of mobilization⁽⁵⁾**: the Community market
12. **Stage of supply**: free at port of landing — landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: Lot B: Alger; Lot C: Tunis-Radès; Lot D: Hodeida
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**: Lots B and D: 1 — 15. 6. 1991; Lot C: 1 — 16. 9. 1991
18. **Deadline for the supply**: Lots B and D: 30. 6. 1991; Lot C: 24. 9. 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**: 12 noon on 6. 5. 1991
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon 21. 5. 1991
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: Lots B and D: 15 — 29. 6. 1991; Lot C: 16. 9. 1991
 - (c) deadline for the supply: Lots B and D: 14. 7. 1991; Lot C: 24. 9. 1991
22. **Amount of the tendering security**: ECU 5 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders⁽⁶⁾**:

Bureau de l'aide alimentaire,
à l'attention de Monsieur N. Arend,
Bâtiment Loi 120, bureau 7/46,
200 rue de la Loi,
B-1049 Brussels
(telex AGREC 22037 B or 25670 B)
25. **Refund payable on request by the successful tenderer⁽⁷⁾**: refund applicable on 29. 4. 1991, fixed by Commission Regulation (EEC) No 712/91 (OJ No L 77, 23. 3. 1991, p. 38)

LOT E

1. **Operation No⁽¹⁾:** 1270/90
2. **Programme:** 1990
3. **Recipient⁽²⁾:** Ligue des Sociétés de la Croix-Rouge et du Croissant-Rouge, Service Logistique, BP 372, CH-1211 Genève 19; tel. 734 55 80, telex 412133 LRCS CH, fax 733 03 95
4. **Representative of the recipient⁽²⁾:**
Cruz Roja Boliviana, Ave. Simón Bolívar n° 1515, La Paz; tel. 34 09 48 / 32 65 68, telex 3318 BOLCRUZ
5. **Place or country of destination:** Bolivia
6. **Product to be mobilized:** rolled oats
7. **Characteristics and quality of the goods⁽³⁾⁽¹⁰⁾:** see list published in OJ No C 216, 14. 8. 1987, p. 3 (under II.A.9)
8. **Total quantity:** 120 tonnes (206,88 tonnes of cereals)
9. **Number of lots:** one
10. **Packaging and marking⁽⁴⁾:** see list published in OJ No C 216, 14. 8. 1987, p. 3 (under II.B.3)
In 20-foot containers
Marking on the bags in letters at least 5 cm high:
'ACCIÓN N° 1270/90 / a red cross / COPOS DE AVENA / DONACIÓN DE LA COMUNIDAD ECONÓMICA EUROPEA / ACCIÓN DE LA LIGA DE LAS SOCIEDADES DE LA CRUZ ROJA Y DE LA MEDIA LUNA ROJA (LICROSS) / DISTRIBUCIÓN GRATUITA / LA PAZ'
11. **Method of mobilization⁽⁵⁾:** the Community market
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:**
Almacenes de la Cruz Roja, Calle Cuba n° 1155, La Paz
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage:** 1 — 9. 9. 1991
18. **Deadline for the supply:** 30. 10. 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 6. 5. 1991
21. **In the case of a second invitation to tender:**
 - (a) deadline for the submission of tenders: 12 noon on 21. 5. 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 — 9. 9. 1991
 - (c) deadline for the supply: 30. 10. 1991
22. **Amount of the tendering security:** ECU 5 per tonne
23. **Amount of the delivery security:** 10 % of the amount of the tender in ecus
24. **Address for submission of tenders⁽⁶⁾:** Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, bâtiment Loi 120, bureau 7/46, 200 rue de la Loi, B-1049 Brussels (telex AGREC 22037 B or 25670 B)
25. **Refund payable on request by the successful tenderer⁽⁷⁾:** refund applicable on 29. 4. 1991, fixed by Commission Regulation (EEC) No 712/91 (OJ No L 77, 23. 3. 1991, p. 38)

LOTS F and G

1. **Operation Nos** ⁽¹⁾: 961/89 and 1258/90
2. **Programme**: 1989 and 1990
3. **Recipient** ⁽²⁾: Ligue des Sociétés de la Croix-Rouge et du Croissant-Rouge, service logistique, BP 372, CH-1211 Geneva 19; tel. 734 55 80, telex 412133 LRCS CH, fax 733 03 95
4. **Representative of the recipient** ⁽³⁾: Croissant-Rouge Algérien, 15 bis, boulevard Mohamed V, Alger; tel. 264 57 27/28; telex Hilal 67356 DZ or 66442 CRA DZ
5. **Place or country of destination**: Algeria
6. **Product to be mobilized**: common wheat flour
7. **Characteristics and quality of the goods** ⁽⁴⁾ ⁽¹⁰⁾: see OJ No C 216, 14. 8. 1987, p. 3 (under IIA.6)
8. **Total quantity**: 600 tonnes (822 tonnes of cereals)
9. **Number of lots**: two (Lot F: 300 tonnes; Lot G: 300 tonnes)
10. **Packaging and marking** ⁽⁴⁾ ⁽¹¹⁾: see OJ No C 216, 14. 8. 1987, p. 3 (under IIB.2 (c))
Marking on the bags in letters at least 5 cm high:
'ACTION n° 961/89 (or ACTION n° 1258/90) / a red crescent with the points facing to the right / FARINE DE FROMENT TENDRE / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE / ACTION DE LA LIGUE DES SOCIÉTÉS DE LA CROIX-ROUGE ET DU CROISSANT-ROUGE (LICROSS) / POUR DISTRIBUTION GRATUITE / ALGER'
11. **Method of mobilization**: the Community market
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**: Alger
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 — 15. 6. 1991
18. **Deadline for the supply**: 30. 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 6. 5. 1991
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon on 21. 5. 1991
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 15 — 29. 6. 1991
 - (c) deadline for the supply: 14. 7. 1991
22. **Amount of the tendering security**: ECU 5 per 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 7/46, 200 rue de la Loi, B-1049 Brussels (telex AGREC 22037 B or 25670 B)
25. **Refund payable on request by the successful tenderer** ⁽⁶⁾: refund applicable on 29. 4. 1991, fixed by Commission Regulation (EEC) No 712/91 (OJ No L 77, 23. 3. 1991, p. 38)

LOTS H and I

1. **Operation Nos** ⁽¹⁾: 1276 and 1263/90
2. **Programme** : 1990
3. **Recipient** ⁽²⁾: Ligue des Sociétés de la Croix-Rouge et du Croissant-Rouge, Service logistique, BP 372, CH-1211 Genève 19; tel. 734 55 80, telex 412133 LRCS CH, fax 733 03 95
4. **Representative of the recipient** ⁽³⁾: Croissant-Rouge Tunisien, 19, rue d'Angleterre, Tunis 1000, telex 14524 HILAL TN, tel. 24 06 30/24 55 72
5. **Place or country of destination** : Tunisia
6. **Product to be mobilized** : Lot H: durum wheat; Lot I: common wheat
7. **Characteristics and quality of the goods** ⁽⁴⁾: see list published in OJ No C 216, 14. 8. 1987, p. 3 (under II.A.2): Lot H; (under II.A): Lot I
8. **Total quantity** : 400 tonnes
9. **Number of lots** : two (Lot H: 200 tonnes; Lot I: 200 tonnes)
10. **Packaging and marking** ⁽⁵⁾ ⁽¹⁾: see list published in OJ No C 216, 14. 8. 1987, p. 3 (under II.B.1 (c))
Marking on the bags in letters at least 5 cm high: see Annex II
11. **Method of mobilization** : the Community market ⁽⁶⁾
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** : Tunis-Radès
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** : Lot H: 15 — 30. 5. 1991; Lot I: 15 — 30. 9. 1991
18. **Deadline for the supply** : Lot H: 15. 6. 1991; Lot I: 10. 10. 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 6. 5. 1991
21. **In the case of a second invitation to tender** :
 - (a) deadline for the submission of tenders: 12 noon on 21. 5. 1991
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: Lot H: 29. 5 — 14. 6. 1991; Lot I: 15 — 30. 9. 1991
 - (c) deadline for the supply: Lot H: 29. 6. 1991; Lot I: 10. 10. 1991
22. **Amount of the tendering security** : ECU 5 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 7/46,
200 rue de la Loi,
B-1049 Brussels
(telex 22037 AGREC B or 25670 B)
25. **Refund payable on request by the successful tenderer** ⁽⁸⁾: refund applicable on 29. 4. 1991, fixed by Commission Regulation (EEC) No 712/91 (OJ No L 77, 23. 3. 1991, p. 38)

LOT K

1. **Operation Nos** ⁽¹⁾: 57 to 59/71
2. **Programme**: 1991
3. **Recipient** ⁽²⁾: Euronaid, Rhijngesterstraatweg 40, PO Box 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**: Sudan
6. **Product to be mobilized**: common wheat
7. **Characteristics and quality of the goods** ⁽⁴⁾ ⁽¹⁴⁾: see list published in OJ No C 216, 14. 8. 1987, p. 3 (under II.A.1)
8. **Total quantity**: 23 716 tonnes
9. **Number of lots**: one (three parts, K1: 9 000 tonnes; K2: 10 000 tonnes; K3: 4 716 tonnes)
10. **Packaging and marking** ⁽⁵⁾ ⁽¹³⁾: see list published in OJ No C 216, 14. 8. 1987, p. 3 (under II.B.1 (c))
Marking on the bags in letters at least 5 cm high: see Annex II
11. **Method of mobilization**: the Community market
12. **Stage of supply** ⁽¹⁵⁾: free at port of shipment — fob stowed
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**: before 15. 6. 1991
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon on 6. 5. 1991
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon on 21. 5. 1991
 - (b) period for making the goods available at the port of shipment: before 15. 6. 1991
 - (c) deadline for the supply: —
22. **Amount of the tendering security**: ECU 5 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders** ⁽⁶⁾: Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, bâtiment Loi 120, bureau 7/46, 200 rue de la Loi, B-1049 Brussels (telex AGREC 22037 B or 25670 B)
25. **Refund payable on request by the successful tenderer** ⁽⁷⁾: refund applicable on 29. 4. 1991, fixed by Commission Regulation (EEC) No 712/91 (OJ No L 77, 23. 3. 1991, p. 38)

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 beneficiaries 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 shall give the caesium-134 and -137 and iodine-131 levels.
- The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following documents :
- certificate of origin (Lots B, C, D, E, F, G, H I and K),
— phytosanitary certificate (Lots B, C, D, F, G, H, I and K).
- (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 this 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 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.
- (⁶) 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 refunds and, where appropriate, the monetary and accession compensatory amounts, the representative rate and the monetary coefficient. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 25 of the Annexes.
- (⁷) Commission delegate to be contacted by the successful tenderer :
M Aubenas, Délégué, CCE, BP 559 Moroni ; tel. 73 31 91, telex 212 DELCEC KO.
- (⁸) The shipping documents must be authenticated by the diplomatic representative in the exporting country.
- (⁹) Once the successful tenderer has been informed of the award of the contract, he shall immediately contact the beneficiary with a view to determining what documents are required for the consignment and their distribution.
- (¹⁰) The successful tenderer shall give the beneficiaries' representative, at the time of delivery, a certificate of fumigation (Lots B, D, E, F and G).
- (¹¹) To be delivered on standard pallets, wrapped in plastic shrink cover.
- (¹²) Gift certificate legalized by a consulate of Bolivia.
- (¹³) The supplier should send a duplicate of the original invoice to : M. De Keyzer and Schütz BV, Postbus 1438, Blaak 16, NL-3000 BK Rotterdam.
- (¹⁴) Radiation certificate legalized by a consulate of Sudan.
- (¹⁵) By way of derogation from Articles 7 (3) (f) and 13 (2) of Regulation (EEC) No 2200/87, the price tendered must include the loading and stowage costs. The loading and stowage operations will be the responsibility of the successful tenderer.

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

Designación del lote Parti Bezeichnung der Partie Χαρακτηρισμός της παρτίδας	Cantidad total del lote (en toneladas) Totalmenge (in Tonnen) Gesamtmenge der Partie (in Tonnen) Συνολική ποσότητα της παρτίδας (σε τόνους)	Cantidades parciales (en toneladas) Teilmenge (in Tonnen) Μερικές ποσότητες (σε τόνους) Partial quantities (in tonnes) Quantités partielles (en tonnes) Quantitativi parziali (in tonnellate) Totale hoeveelheden (in ton) Quantidades parciais (em toneladas)	Beneficiario Modtager Empfänger Δικαιούχος Beneficiary Bénéficiaire Beneficiário Begunstigde Beneficiário	Representante del beneficiario Modtagerens repræsentant Vertreter des Begünstigten Εκπρόσωπος του δικαιούχου Representative of the recipient Représentant du bénéficiaire Rappresentante del beneficiario Vertegenwoordiger van de begunstigde Representante do beneficiário	Pais 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
B	300		Licross	Croissant-Rouge algérien, 15 bis boulevard Mohamed V, Alger (tél.: 264-57 27 28 ; télex : hilui 67 356 ou 66 442 CRA DZ)	Algérie	Action n° 1244/90 / (!) / Riz / Action de la Ligue des sociétés de la Croix-Rouge et du Croissant-Rouge (Licross) / Don de la Communauté économique européenne / Pour distribution gratuite / Alger
C	100		Licross	Croissant-Rouge tunisien, 19, rue d'Angleterre, Tunis 1000 (tél.: 240 630 ; télex : 14 524 HILAL TN)	Tunisie	Action n° 1262/90 / (!) / Riz blanchi usine / Action de la Ligue des sociétés de la Croix-Rouge et du Croissant-Rouge (Licross) / Don de la Communauté économique européenne / Pour distribution gratuite / Tunis
D	200		Licross	Red Crescent Society of the Yemen Arab Republic, Head Office, Building No 10, Street 26 September, Sana'a, Yemen Arab Republic (tel. 20 31 31/32/33 ; telex 3124 HILAL YE)	Yemen Arab Republic	Action No 1274/90 / (!) / Rice / Gift of the European Economic Community / Action of the League of Red Cross and Red Crescent Societies (Licross) / For free distribution / Sana'a

Designación del lote	Cantidad total del lote (en toneladas)	Cantidades parciales (en toneladas)	Beneficiario	Representante del beneficiario	Pais destinatario	Inscripción en el embalaje
Parti	Totalmængde (tons)	Delmængde (tons)	Modtager	Modtagerens repræsentant	Modtagerland	Emballagens påtegning
Bezeichnung der Partie	Gesamtmenge (in Tonnen)	Teilmengen (in Tonnen)	Empfänger	Vetreter der Begünstigten	Bestimmungsland	Aufschrift auf der Verpackung
Χαρακτηρισμός της παρτίδας	Συνολική ποσότητα της παρτίδας (σε τόνοις)	Μερικές ποσότητες (σε τόνοις)	Δικαιούχος	Εκπρόσωπος του δικαιούχου	Χώρα προορισμού	Ένδειξη επί της συσκευασίας
Lot	Total quantity (in tonnes)	Partial quantities (in tonnes)	Beneficiary	Representative of the recipient	Recipient country	Markings on the packaging
Désignation du lot	Quantité totale du lot (en tonnes)	Quantités partielles (en tonnes)	Bénéficiaire	Représentant du bénéficiaire	Pays destinataire	Inscription sur l'emballage
Designazione della partita	Quantità totale della partita (in tonnellate)	Quantitativi parziali (in tonnellate)	Beneficiario	Rappresentante del beneficiario	Paese destinatario	Iscrizione sull'imballaggio
Aanduiding van de partij	Totale hoeveelheid van de partij (in ton)	Deelhoeveelheden (in ton)	Begunstigde	Vertegenwoordiger van de begunstigde	Bestemmingsland	Aanduiding op de verpakking
Designação do lote	Quantidade total (em toneladas)	Quantidades parciais (em toneladas)	Beneficiário	Representante do beneficiário	País destinatário	Inscrição na embalagem
H	200		Licross		Tunisie	Action n° 1267/90 / (1) / Froment dur / Action de la Ligue des sociétés de la Croix-Rouge et du Croissant-Rouge (Licross) / Don de la Communauté économique européenne / Pour distribution gratuite / Tunis
I	200		Licross		Tunisie	Action n° 1263/90 / (1) / Froment tendre / Action de la Ligue des sociétés de la Croix-Rouge et du Croissant-Rouge (Licross) / Don de la Communauté économique européenne / Pour distribution gratuite / Tunis
K	23 716	K 1 : 9 000	Euronaid		Sudan	Action No 57/91 / Wheat / Sudan / 911113 / Port Sudan
		K 2 : 10 000	Euronaid		Sudan	Action No 58/91 / Wheat / Sudan / 915406 / Port Sudan
		K 3 : 4 716	Euronaid		Sudan	Action No 59/91 / Wheat / Sudan / 917403 / Port Sudan

(1) Una media luna roja con las puntas orientadas hacia la derecha.

(1) En rød halvmåne, hvis spidser vendt mod højre.

(1) Ein Halbmond, dessen Enden nach rechts gerichtet sind.

(1) Ερυθρή ημισέληνος με τα άκρα προσανατολισμένα προς τα δεξιά.

(1) A red crescent with the points facing to the right.

(1) Un croissant rouge, pointes orientées vers la droite.

(1) Una mezzaluna rossa con le punte rivolte verso la destra.

(1) Een rode halve maan, waarvan de punten naar rechts zijn gericht.

(1) Um crescente vermelho com as pontas orientadas para a direita.

COMMISSION REGULATION (EEC) No 991/91

of 23 April 1991

laying down definitive measures on the issuing of STM licences for beef and veal
in trade with Spain

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

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 85 (3) thereof,

Having regard to Council Regulation (EEC) No 569/86 of 25 February 1986 laying down general rules for the application of the supplementary mechanism applicable to trade ⁽¹⁾, as last amended by Regulation (EEC) No 3296/88 ⁽²⁾, and in particular Article 7 (1) thereof,

Whereas Commission Regulation (EEC) No 4026/89 of 22 December 1989 laying down detailed rules for the application of the supplementary trade mechanism in the beef and veal sector between the Community as constituted at 31 December 1985 and Spain ⁽³⁾, as last amended by Regulation (EEC) No 840/91 ⁽⁴⁾, sets the annual indicative ceiling for imports into Spain of certain beef and veal products;

Whereas STM licences issued in response to applications lodged from 11 to 15 March 1991 have exhausted that fraction of the indicative ceiling set aside for the first quarter of 1991 for fresh or chilled meat;

Whereas the Commission accordingly adopted, by an emergency procedure, appropriate interim protective measures by Regulation (EEC) No 657/91 ⁽⁵⁾; whereas definitive measures must be adopted; whereas, in view of

the situation of the market in Spain, an increase in the indicative ceiling cannot be contemplated;

Whereas, as a definitive measure as referred to in Article 85 (3) of the Act of Accession, the abovementioned interim protective measures should be confirmed in order to prevent any disturbance on the Spanish market;

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

HAS ADOPTED THIS REGULATION:

Article 1

For fresh or chilled beef or veal:

1. the issuing of STM licences in response to applications lodged from 11 to 15 March 1991 is hereby definitively discontinued;
2. further applications for STM licences may be lodged from 18 March 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, 23 April 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 55, 1. 3. 1986, p. 106.

⁽²⁾ OJ No L 293, 27. 10. 1988, p. 7.

⁽³⁾ OJ No L 382, 30. 12. 1989, p. 62.

⁽⁴⁾ OJ No L 85, 5. 4. 1991, p. 23.

⁽⁵⁾ OJ No L 73, 20. 3. 1991, p. 17.

COMMISSION REGULATION (EEC) No 992/91

of 23 April 1991

amending Regulations (EEC) No 1105/68 and (EEC) No 1634/85 as regards the amount of aid granted for skimmed milk and skimmed-milk powder for use as feed

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 10 (3) thereof,

Whereas Article 2a of Council Regulation (EEC) No 986/68 of 15 July 1968 laying down general rules for granting aid for skimmed milk and skimmed-milk powder for use as feed⁽³⁾, as last amended by Regulation (EEC) No 1115/89⁽⁴⁾, determines the factors required to fix that aid;

Whereas in view of recent developments on the market in skimmed milk and skimmed-milk powder the aid can be reduced; whereas Article 1a (3) of Commission Regulation (EEC) No 1105/68 of 27 July 1968 on detailed rules for granting aid for skimmed milk for use as feed⁽⁵⁾, as last amended by Regulation (EEC) No 2870/90⁽⁶⁾, and Article 1 of Commission Regulation (EEC) No 1634/85 of 17 June 1985 fixing the amount of the aid for skimmed

milk and skimmed-milk powder for use as feed⁽⁷⁾, as amended by Regulation (EEC) No 2870/90, should accordingly be amended;

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

In Article 1a (3) of Regulation (EEC) No 1105/68, 'ECU 56,82' is hereby replaced by 'ECU 52,74'.

Article 2

In Article 1 of Regulation (EEC) No 1634/85, 'ECU 5,27' is hereby replaced by 'ECU 5,68' and 'ECU 70' is replaced by 'ECU 65'.

Article 3

This Regulation shall enter into force on 1 May 1991.

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

Done at Brussels, 23 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 169, 18. 7. 1968, p. 4.

⁽⁴⁾ OJ No L 118, 29. 4. 1989, p. 7.

⁽⁵⁾ OJ No L 184, 29. 7. 1968, p. 24.

⁽⁶⁾ OJ No L 275, 5. 10. 1990, p. 19.

⁽⁷⁾ OJ No L 158, 18. 6. 1985, p. 7.

COMMISSION REGULATION (EEC) No 993/91
of 23 April 1991

**laying down detailed rules for the granting of private storage aid for
long-keeping cheeses**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Article 2

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 Articles 9 (3) and 28 thereof,

Whereas Council Regulation (EEC) No 508/71 ⁽³⁾ provides that private storage aid may be granted for certain long-keeping cheeses where there is a serious imbalance of the market which may be eliminated or reduced by seasonal storage;

Whereas the seasonal nature of Emmental and Gruyère cheese production is aggravated by the fact that the seasonal trend in consumption of such cheeses is the opposite of their production; whereas, therefore, provision should be made for recourse to such storage in respect of a quantity corresponding to the difference between summer and winter production;

Whereas the detailed rules for the application of this measure should essentially be the same as those laid down for a similar measure during previous years;

Whereas, in view of experience in controls, the provisions relating thereto should be specified, in particular as regards the documents to be presented and the on-the-spot checks to be conducted; whereas these new requirements on the subject make it necessary to stipulate that the Member States may provide that the costs of controls be fully or in part charged to the contractor;

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

Aid shall be granted in respect of the private storage of 20 150 tonnes of Emmental and Gruyère cheeses manufactured in the Community which satisfy the requirements of Articles 2 and 3 hereof.

1. The intervention agency may conclude storage contracts only if the following conditions are satisfied:

- (a) the batch of cheeses to which a contract relates must comprise at least five tonnes;
- (b) the cheeses shall be indelibly marked with an indication (which may take the form of a number) of the undertaking in which they were manufactured and of the day and month of manufacture;
- (c) the cheeses must have been manufactured at least 10 days before the date specified in the contract as being the date of commencement of storage;

(d) the cheeses must have undergone quality tests which establish that their classification after maturing could be expected to be:

- 'Premier choix' in France,
- 'Markenkäse' or 'Klasse fein' in Germany,
- 'first quality' in Denmark,
- 'special grade' in Ireland;

(e) the storer shall undertake:

- to keep the cheese during the entire period of storage in premises where the maximum temperature is as indicated under paragraph 2,
- not, during the term of the contract, to alter the composition of the batch covered by the contract without authorization from the intervention agency. If the condition concerning the minimum quantity fixed for each batch continues to be met, the intervention agency may authorize an alteration which is limited to the removal or replacement of cheeses which are found to have deteriorated to such an extent that they can no longer be stored.

In the event of release from store of certain quantities:

- (i) if the aforesaid quantities are replaced with the authorization of the intervention agency, the contract is deemed not to have undergone any alteration;
- (ii) if the aforesaid quantities are not replaced, the contract is deemed to have been concluded *ab initio* for the quantity permanently retained.

Any costs of controls arising from an alteration shall be met by the storer,

- to keep stock records and to inform the intervention agency each week of the cheeses put into storage during the previous week and of scheduled withdrawals.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 362, 27. 12. 1990, p. 5.

⁽³⁾ OJ No L 58, 11. 3. 1971, p. 1.

2. The maximum temperature in the storage premises shall be +6 °C for Emmental and +10 °C for Gruyère. In the case of Emmental which has already been matured, Member States may permit a maximum temperature of +10 °C.

3. Storage contracts shall be concluded :

- (a) in writing, stating the date when storage covered by the contract begins ; this date may not be earlier than the day following that on which the operations connected with putting the batch of cheese covered by the contract into storage are completed ;
- (b) after completion of the operations connected with putting the batch of cheese covered by the contract into storage and at the latest 40 days after the date when storage by the contract begins.

Article 3

1. Aid shall be granted only for such cheeses as are put into storage during the storage period. This period shall begin on 1 May 1991 and end on or before 30 September of the same year.

2. Stored cheese may be withdrawn from storage only during the period for withdrawal. This period shall begin on 1 October 1991 and end on 31 March of the following year.

Article 4

1. The amount of the aid shall be ECU 2,13 per tonne per day. Conversion into national currency shall be carried out using the representative rate applicable on the day of withdrawal from storage.

2. No aid shall be granted in respect of storage under contract for less than 90 days. The maximum aid payable shall not exceed an amount corresponding to 180 days' storage under contract.

By way of derogation from the second indent of Article 2 (1) (e), when the period of 90 days specified in the first subparagraph has elapsed and the period for withdrawal referred to in Article 3 (2) has begun, the storer may remove all or part of the batch under contract. The minimum quantity that may be removed shall be 500 kilograms. The Member States may, however, increase this quantity to two tonnes.

The date of the start of operations to remove the batch of cheese covered by the contract shall not be included in the period of storage under contract.

Article 5

The periods, dates and time limits referred to in this Regulation shall be determined in accordance with Council Regulation (EEC, Euratom) No 1182/71 ⁽¹⁾.

However, Article 3 (4) of that Regulation shall not apply in respect of the determination of the periods referred to in this Regulation.

⁽¹⁾ OJ No L 124, 8. 6. 1971, p. 1.

Article 6

1. The Member States shall ensure that the conditions granting entitlement to payment of the aid are fulfilled.

2. The contractor shall make available to the national authorities responsible for verifying execution of the measure any documentation permitting in particular the following particulars of products placed in private storage to be verified :

- (a) ownership at the time of entry into storage ;
- (b) the origin and the date of manufacture of the cheeses ;
- (c) the date of entry into storage ;
- (d) presence in the store ;
- (e) the date of removal from storage.

3. The contractor or, where applicable, the operator of the store shall keep stock accounts available at the store, covering :

- (a) identification, by contract number, of the products placed in private storage ;
- (b) the dates of entry into and removal from storage ;
- (c) the number of cheeses and their weight by batch ;
- (d) the location of the products in the store.

4. Products stored must be easily identifiable and must be identified individually by contract. A special mark shall be affixed to cheeses covered by the contract.

5. On entry into storage, the competent agencies shall conduct checks in particular to ensure that products stored are eligible for the aid and to prevent any possibility of substitution of products during storage under contract, without prejudice to the application of Article 2 (1) (e).

6. The national authorities responsible for controls shall undertake :

- (a) an unannounced check to see that the products are present in the store. The sample concerned must be representative and must correspond to at least 10 % of the overall quantity under contract for a private storage aid measure. Such checks must include, in addition to an examination of the accounts referred to in paragraph 3, a physical check of the weight and type of products and their identification. Such physical checks must relate to at least 5 % of the quantity subject to the unannounced check ;
- (b) a check to see that the products are present at the end of the storage period under contract.

7. Checks conducted pursuant to paragraphs 5 and 6 must be the subject of a report stating:

- the date of the check,
- its duration,
- the operations conducted.

The report on checks must be signed by the official responsible and countersigned by the contractor or, where applicable, by the store operator.

8. In the case of irregularities affecting at least 5 % of the quantities of products subject to the checks the latter shall be extended to a larger sample to be determined by the competent agency.

The Member States shall notify such cases to the Commission within four weeks.

9. The Member States may provide that the costs of controls are to be fully or in part charged to the contractor.

Article 7

The Member States shall forward to the Commission on or before the Tuesday of each week particulars as to the following:

- (a) the quantities of cheese for which storage contracts have been concluded during the preceding week;
- (b) any quantities in respect of which the authorization referred to in the second indent of Article 2 (1) (e) has been given.

Article 8

This Regulation shall enter into force on 1 May 1991.

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

Done at Brussels, 23 April 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 994/91
of 23 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
946/91 ⁽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 24 April 1991.

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

Done at Brussels, 23 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 97, 18. 4. 1991, p. 8.

ANNEX

to the Commission Regulation of 23 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	0	- 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).

COMMISSION REGULATION (EEC) No 995/91

of 23 April 1991

abolishing the 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 Commission Regulation (EEC) No 894/91⁽³⁾ introduced a countervailing charge on cucumbers originating in the Canary Islands;

Whereas for these products originating in the Canary Islands there were no prices for six consecutive working

days; whereas the conditions specified in Article 26 (1) of Regulation (EEC) No 1035/72 are therefore fulfilled and the countervailing charge on imports of cucumbers originating in the Canary Islands can be abolished,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 894/91 is hereby repealed.

Article 2

This Regulation shall enter into force on 24 April 1991.

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

Done at Brussels, 23 April 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 375, 31. 12. 1990, p. 17.

⁽³⁾ OJ No L 90, 11. 4. 1991, p. 26.

COMMISSION REGULATION (EEC) No 996/91

of 23 April 1991

abolishing a countervailing charge on cucumbers originating in Poland

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 Commission Regulation (EEC) No 923/91⁽³⁾
introduced a countervailing charge on cucumbers origin-
ating in Poland;

Whereas for cucumbers originating in Poland there were
no prices for six consecutive working days; whereas the

conditions specified in Article 26 (1) of Regulation (EEC)
No 1035/72 are therefore fulfilled and the countervailing
charge on imports of cucumbers originating in Poland
can be abolished,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 923/91 is hereby repealed.

Article 2

This Regulation shall enter into force on 24 April 1991.

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

Done at Brussels, 23 April 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 375, 31. 12. 1990, p. 17.

⁽³⁾ OJ No L 92, 13. 4. 1991, p. 27.

COMMISSION REGULATION (EEC) No 997/91

of 23 April 1991

abolishing the countervailing charge and re-establishing a preferential customs duty on imports of tomatoes originating in Turkey

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 Commission Regulation (EEC) No 911/91⁽³⁾ introduced a countervailing charge on tomatoes originating in Turkey and suspended the preferential customs duty on imports of these products;

Whereas for this product originating in Turkey there were no prices for six consecutive days; whereas the conditions specified in Article 26 (1) of Regulation (EEC) No 1035/72 are therefore fulfilled and the countervailing

charge on imports of tomatoes originating in Turkey can be abolished;

Whereas, in accordance with Article 2 of Council Regulation (EEC) No 3671/81 of 15 December 1981 on imports into the Community of certain agricultural products originating in Turkey⁽⁴⁾, as amended by Regulation (EEC) No 1555/84⁽⁵⁾, the preferential rate of customs duty should be re-established at the same time as the countervailing charge is abolished,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 911/91 is hereby repealed.

Article 2

This Regulation shall enter into force on 24 April 1991.

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

Done at Brussels, 23 April 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 375, 31. 12. 1990, p. 17.

⁽³⁾ OJ No L 91, 12. 4. 1991, p. 51.

⁽⁴⁾ OJ No L 367, 23. 12. 1981, p. 9.

⁽⁵⁾ OJ No L 150, 6. 6. 1984, p. 4.

COMMISSION REGULATION (EEC) No 998/91

of 23 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 1 April 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 1 April 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 1 April 1991, the level of the premium is fixed at ECU 66,761 per 100 kilograms of estimated or actual dressed carcase weight within the limits laid down by Article 1 (1) (b) of Regulation (EEC) No 1633/84.

Article 2

For products referred to in Article 1 (a) and (c) of Regulation (EEC) No 3013/89 which left the territory of region 1 during the week beginning 1 April 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 1 April 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, 23 April 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 23 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	31,378	0
0104 20 90		0
	Net weight	Net weight
0204 10 00	66,761	0
0204 21 00	66,761	0
0204 50 11		0
0204 22 10	46,733	
0204 22 30	73,437	
0204 22 50	86,789	
0204 22 90	86,789	
0204 23 00	121,505	
0204 30 00	50,071	
0204 41 00	50,071	
0204 42 10	35,050	
0204 42 30	55,078	
0204 42 50	65,092	
0204 42 90	65,092	
0204 43 00	91,129	
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	86,789	
0210 90 19	121,505	
1602 90 71 :		
— unboned (bone-in)	86,789	
— boned or boneless	121,505	

⁽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 999/91

of 23 April 1991

fixing the import levies on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 464/91 ⁽²⁾, and in particular Article 16 (8) thereof,Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 3608/90 ⁽³⁾, as last amended by Regulation (EEC) No 983/91 ⁽⁴⁾;

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

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

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

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

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

Whereas these exchange rates being those recorded on 22 April 1991,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 24 April 1991.

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

Done at Brussels, 23 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 350, 14. 12. 1990, p. 68.

⁽⁴⁾ OJ No L 102, 23. 4. 1991, p. 17.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 9.

ANNEX

to the Commission Regulation of 23 April 1991 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	39,70 ⁽¹⁾
1701 11 90	39,70 ⁽¹⁾
1701 12 10	39,70 ⁽¹⁾
1701 12 90	39,70 ⁽¹⁾
1701 91 00	43,94
1701 99 10	43,94
1701 99 90	43,94 ⁽²⁾

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

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

COMMISSION REGULATION (EEC) No 1000/91

of 23 April 1991

altering the basic amount of the import levies on syrups and certain other products in the sugar sector

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 Article 16 (8) thereof,Whereas the import levies on syrups and certain other sugar products were fixed by Commission Regulation (EEC) No 757/91 ⁽³⁾, as last amended by Regulation (EEC) No 972/91 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 757/91 to the information known to the Commission that the basic amount of the levy on syrups and certain other sugar products at present in force should be altered;

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

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

rate, multiplied by the corrective factor provided for in the last subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽⁵⁾, as last amended by Regulation (EEC) No 2205/90 ⁽⁶⁾,

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

HAS ADOPTED THIS REGULATION:

Article 1

The basic amounts of the import levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81, as fixed in the Annex to amended Regulation (EEC) No 757/91 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 24 April 1991.

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

Done at Brussels, 23 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 81, 28. 3. 1991, p. 17.

⁽⁴⁾ OJ No L 100, 20. 4. 1991, p. 29.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 9.

ANNEX

to the Commission Regulation of 23 April 1991 altering the basic amount of the import
levies on syrups and certain other products in the sugar sector

(ECU)

CN code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question	Amount of levy per 100 kg of dry matter
1702 20 10	0,4394	—
1702 20 90	0,4394	—
1702 30 10	—	52,48
1702 40 10	—	52,48
1702 60 10	—	52,48
1702 60 90	0,4394	—
1702 90 30	—	52,48
1702 90 60	0,4394	—
1702 90 71	0,4394	—
1702 90 90	0,4394	—
2106 90 30	—	52,48
2106 90 59	0,4394	—

COMMISSION REGULATION (EEC) No 1001/91
of 23 April 1991
fixing the amount of the subsidy on oil seeds

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

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

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 3577/90⁽²⁾, and in particular Article 27 (4) thereof,

Having regard to Council Regulation (EEC) No 1678/85 of 11 June 1985 fixing the conversion rates to be applied in agriculture⁽³⁾, as last amended by Regulation (EEC) No 952/91⁽⁴⁾,

Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza, rape and sunflower seed⁽⁵⁾, as last amended by Regulation (EEC) No 2206/90⁽⁶⁾, and in particular Article 2 (3) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the amount of the subsidy referred to in Article 27 of Regulation No 136/66/EEC was fixed by Commission Regulation (EEC) No 772/91⁽⁷⁾, as last amended by Regulation (EEC) No 985/91⁽⁸⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 772/91 to the information known to the Commission that the amount of the subsidy at present in force should be altered to the amount set out in the Annexes hereto,

HAS ADOPTED THIS REGULATION:

Article 1

1. The amounts of the subsidy and the exchange rates referred to in Article 33 (2) and (3) of Commission Regulation (EEC) No 2681/83⁽⁹⁾ shall be as set out in the Annexes hereto.

2. However, the amount of the aid fixed in advance for the 1991/92 marketing year for colza, rape and sunflower seed shall be confirmed or replaced with effect from 24 April 1991 to take account of the prices and related measures for the 1991/92 marketing year and of the consequences of the maximum guaranteed quantity arrangements.

Article 2

This Regulation shall enter into force on 24 April 1991.

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

Done at Brussels, 23 April 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

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

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁴⁾ OJ No L 101, 22. 4. 1991, p. 43.

⁽⁵⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 11.

⁽⁷⁾ OJ No L 81, 28. 3. 1991, p. 62.

⁽⁸⁾ OJ No L 102, 23. 4. 1991, p. 20.

⁽⁹⁾ OJ No L 266, 28. 9. 1983, p. 1.

ANNEX I

Aids to colza and rape seed other than 'double zero'

(amounts per 100 kg)

	Current 4	1st period 5	2nd period 6	3rd period 7 (1)	4th period 8 (1)	5th period 9 (1)
1. Gross aids (ECU):						
— Spain	0,000	0,000	0,000	9,483	9,553	9,553
— Portugal	26,861	25,949	25,919	16,453	16,523	16,523
— Other Member States	18,891	18,979	18,949	9,483	9,553	9,553
2. Final aids:						
Seed harvested and processed in:						
— Federal Republic of Germany (DM)	44,47	44,68	44,61	22,32	22,49	22,49
— Netherlands (Fl)	50,11	50,34	50,26	25,15	25,34	25,34
— BLEU (Bfrs/Lfrs)	917,28	921,55	920,09	460,46	463,86	463,86
— France (FF)	149,16	149,85	149,61	74,87	75,43	75,43
— Denmark (Dkr)	169,64	170,43	170,16	85,16	85,78	85,78
— Ireland (£ Irl)	16,601	16,678	16,652	8,333	8,395	8,394
— United Kingdom (£)	14,516	14,583	14,559	7,124	7,180	7,158
— Italy (Lit)	33 276	33 431	33 378	16 704	16 827	16 752
— Greece (Dr)	3 707,69	3 707,36	3 668,38	1 370,66	1 388,88	1 276,67
— Spain (Pta)	0,00	0,00	0,00	1 583,24	1 593,47	1 575,57
— Portugal (Esc)	5 462,17	5 481,22	5 475,09	3 511,87	3 526,18	3 486,53

ANNEX II

Aids to colza and rape seed 'double zero'

(amounts per 100 kg)

	Current 4	1st period 5	2nd period 6	3rd period 7 (1)	4th period 8 (1)	5th period 9 (1)
1. Gross aids (ECU):						
— Spain	0,000	0,000	0,000	11,983	12,053	12,053
— Portugal	28,361	28,449	28,419	18,953	19,023	19,023
— Other Member States	21,391	21,479	21,449	11,983	12,053	12,053
2. Final aids:						
Seed harvested and processed in:						
— Federal Republic of Germany (DM)	50,36	50,57	50,49	28,21	28,37	28,37
— Netherlands (Fl)	56,74	56,97	56,89	31,79	31,97	31,97
— BLEU (Bfrs/Lfrs)	1 038,67	1 042,94	1 041,48	581,85	585,25	585,25
— France (FF)	168,90	169,59	169,35	94,61	95,17	95,17
— Denmark (Dkr)	192,09	192,88	192,61	107,61	108,23	108,23
— Ireland (£ Irl)	18,798	18,875	18,849	10,530	10,592	10,590
— United Kingdom (£)	16,465	16,531	16,508	9,073	9,129	9,107
— Italy (Lit)	37 679	37 834	37 781	21 107	21 231	21 155
— Greece (Dr)	4 264,96	4 264,62	4 225,64	1 927,92	1 946,14	1 833,93
— Spain (Pta)	10,11	24,66	18,64	1 965,48	1 975,71	1 957,81
— Portugal (Esc)	5 983,86	6 002,91	5 996,78	4 033,56	4 047,87	4 008,22

(1) Amount fixed provisionally, pending and subject to the setting of the prices and related measures and of the application of the maximum guaranteed quantity arrangements for the 1991/92 marketing year, conforming in particular:

- to the Commission's proposals for the 1991/92 marketing year as regards the target price, the monthly increases, the reduction for rape seed other than 'double zero' and the arrangements applying to rape seed harvested in Spain;
- to the adjustment resulting from the maximum guaranteed quantity arrangements and that of the agricultural conversion rates applied for the 1990/91 marketing year.

ANNEX III

Aids to sunflower seed

(amounts per 100 kg)

	Current 4	1st period 5	2nd period 6	3rd period 7	4th period 8 (1)
1. Gross aids (ECU):					
— Spain	29,220	28,485	28,485	28,485	22,365
— Portugal	38,171	37,455	37,455	37,455	29,481
— Other Member States	25,931	25,215	25,215	25,215	17,241
2. Final aids:					
(a) Seed harvested and processed in (2):					
— Federal Republic of Germany (DM)	61,05	59,36	59,36	59,36	40,59
— Netherlands (Fl)	68,78	66,88	66,88	66,88	45,73
— BLEU (Bfrs/Lfrs)	1 259,11	1 224,35	1 224,35	1 224,35	837,16
— France (FF)	204,74	199,09	199,09	199,09	136,13
— Denmark (Dkr)	232,86	226,43	226,43	226,43	154,82
— Ireland (£ Irl)	22,788	22,158	22,158	22,158	15,151
— United Kingdom (£)	20,001	19,429	19,429	19,429	13,153
— Italy (Lit)	45 676	44 415	44 415	44 415	30 369
— Greece (Dr)	5 269,48	5 061,47	5 028,09	4 991,32	3 048,03
— Portugal (Esc)	8 028,94	7 884,01	7 884,01	7 879,03	6 233,41
(b) Seed harvested in Spain and processed:					
— in Spain (Pta)	4 580,44	4 475,31	4 473,83	4 467,76	3 560,64
— in another Member State (Pta)	4 640,30	4 538,01	4 536,56	4 530,65	3 634,16

(1) Amount fixed provisionally, pending and subject to the setting of the prices and related measures and of the application of the maximum guaranteed quantity arrangements for the 1991/92 marketing year, on the basis in particular:

— of the Commission's proposals for the 1991/92 marketing year as regards the target price, the monthly increases, the reduction for rape seed other than 'double zero' and the arrangements applying to rape seed harvested in Spain;

— the adjustment resulting from the maximum guaranteed quantity arrangements and the agricultural conversion rates applied for the 1990/91 marketing year.

(2) For seed harvested in Member States other than Spain and processed in Spain, the amounts shown in 2 (a) to be multiplied by 1,0186140.

ANNEX IV

Exchange rate of the ecu to be used for converting final aids into the currency of the processing country when the latter is a country other than the country of production

(value of ECU 1)

	Current 4	1st period 5	2nd period 6	3rd period 7	4th period 8	5th period 9
DM	2,062830	2,061040	2,059430	2,057990	2,057990	2,054700
Fl	2,323570	2,321740	2,319950	2,318520	2,318520	2,314080
Bfrs/Lfrs	42,428300	42,391300	42,353700	42,329000	42,329000	42,229100
FF	6,969980	6,965080	6,960160	6,955610	6,955610	6,941750
Dkr	7,908610	7,908180	7,906340	7,904840	7,904840	7,901430
£Irl	0,772003	0,772260	0,773021	0,773568	0,773568	0,775926
£	0,689966	0,691035	0,692030	0,692801	0,692801	0,694400
Lit	1 530,66	1 532,39	1 534,24	1 535,59	1 535,59	1 541,62
Dr	223,87100	225,94600	227,93800	230,13200	230,13200	235,82200
Esc	179,70400	179,97500	180,32800	180,88400	180,88400	182,69100
Pta	127,24400	127,62400	127,95400	128,25500	128,25500	129,00700

COMMISSION REGULATION (EEC) No 1002/91

of 23 April 1991

fixing the amount of aid for peas, field beans and sweet lupins

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 1431/82 of 18 May 1982 laying down special measures for peas, field beans and sweet lupins ⁽¹⁾, as last amended by Regulation (EEC) No 3577/90 ⁽²⁾, and in particular Article 3 (6) (a) thereof,Having regard to Commission Regulation (EEC) No 3540/85 of 5 December 1985 laying down detailed rules for the application of the special measures for peas, field beans and sweet lupins ⁽³⁾, as last amended by Regulation (EEC) No 2249/90 ⁽⁴⁾, and in particular Article 26a (7) thereof,Whereas, as provided for in Article 3 (1) of Regulation (EEC) No 1431/82, aid is granted for peas, field beans and sweet lupins harvested in the Community and used in the manufacture of feedingstuffs where the world market price of soya cake is lower than the activating price; whereas this aid is equal to a proportion of the difference between these prices; whereas this proportion of the price difference was fixed in Article 3a of Council Regulation (EEC) No 2036/82 ⁽⁵⁾, as last amended by Regulation (EEC) No 2206/90 ⁽⁶⁾;

Whereas, in accordance with Article 3 (2) of Regulation (EEC) No 1431/82, aid is granted for peas and field beans harvested in the Community where the world market price for these products is lower than the guide price; whereas this aid is equal to the difference between the two prices;

Whereas the threshold price activating the aid for peas, field beans and sweet lupins for the 1990/91 marketing year was fixed by Council Regulation (EEC) No 1189/90 ⁽⁷⁾; whereas, as provided for in Article 2a of Regulation (EEC) No 1431/82, the activating price for the aid for peas, field beans and sweet lupins is increased monthly as from the beginning of the third month of the marketing year; whereas the amount of the monthly increases in the threshold price was fixed by Council Regulation (EEC) No 1191/90 ⁽⁸⁾;Whereas the abatement of the subsidy which arises, where appropriate, from the system of maximum guaranteed quantities for the 1990/91 year, has been fixed by Commission Regulation (EEC) No 2510/90 ⁽⁹⁾;Whereas the threshold price activating the aid and the minimum price fixed by the Council are to be reduced in accordance with Commission Regulation (EEC) No 1755/90 of 27 June 1990 establishing the activating threshold price for aid, the guide price and the minimum price for peas, field beans and sweet lupins fixed in ecus by the Council and reduced as a result of the monetary realignment of 5 January 1990 ⁽¹⁰⁾;

Whereas, owing to the lack of an activating threshold price, a guide price for peas, field beans and sweet lupins and of the adjustment in the rate of aid resulting from the maximum guaranteed quantity arrangements for the 1991/92 marketing year, the amount of the aid fixed in advance for this marketing year has only been able to be calculated provisionally conforming to the Commission's price proposals to the Council; whereas this amount should, therefore, only be applied provisionally and should be confirmed or replaced once the prices and related measures and the consequences of the maximum guaranteed quantity arrangements for the 1991/92 marketing year are known;

Whereas, pursuant to Article 4 of Regulation (EEC) No 1431/82, the world market price for soya cake must be determined on the basis of the most favourable purchase possibilities, excepting offers and quotations which cannot be considered representative of the real market trend; whereas account must be taken both of all offers on the world market and of the prices quoted on exchanges that are important for international trade;

Whereas, pursuant to Article 1 of Commission Regulation (EEC) No 2049/82 ⁽¹¹⁾, as last amended by Regulation (EEC) No 1238/87 ⁽¹²⁾, the price must be determined per 100 kilograms of bulk soya cake of the standard quality defined in Article 1 (2) of Council Regulation (EEC) No 1464/86 ⁽¹³⁾ delivered to Rotterdam; whereas the necessary adjustments, notably those referred to in Article 2 of Regulation (EEC) No 2049/82, must be made for offers and quotations not of the type referred to above;

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

⁽¹⁾ OJ No L 162, 12. 6. 1982, p. 28.⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.⁽³⁾ OJ No L 342, 19. 12. 1985, p. 1.⁽⁴⁾ OJ No L 203, 1. 8. 1990, p. 56.⁽⁵⁾ OJ No L 219, 28. 7. 1982, p. 1.⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 11.⁽⁷⁾ OJ No L 119, 11. 5. 1990, p. 37.⁽⁸⁾ OJ No L 119, 11. 5. 1990, p. 40.⁽⁹⁾ OJ No L 237, 1. 9. 1990, p. 8.⁽¹⁰⁾ OJ No L 162, 28. 6. 1990, p. 18.⁽¹¹⁾ OJ No L 219, 28. 7. 1982, p. 36.⁽¹²⁾ OJ No L 117, 5. 5. 1987, p. 9.⁽¹³⁾ OJ No L 133, 21. 5. 1986, p. 21.

- in the case of currencies which are maintained in relation to each other at any moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the correcting factor provided for in Article 6 (1) of Council Regulation (EEC) No 1677/85 ⁽¹⁾, as last amended by Regulation (EEC) No 2205/90 ⁽²⁾,
- 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 pursuant to Articles 121 (2) and 307 (2) of the Act of Accession the amount of the aid for products harvested and processed in either of these Member States should be reduced by the customs duty charged on importation of products from third countries;

Whereas the world market price for peas and field beans and the amount of aid referred to in Article 3 (2) of Regulation (EEC) No 1431/82 were fixed by Commission Regulation (EEC) No 1834/90 ⁽³⁾; whereas in terms of Article 2a of Regulation (EEC) No 1431/82 the guide price is increased monthly as from the beginning of the third month of the marketing year;

Whereas, pursuant to Article 26a of Regulation (EEC) No 3540/85, the gross aid expressed in ecus that results from

Article 3 of Regulation (EEC) No 1431/82 shall be weighted by the differential amount referred to in Article 12a of Regulation (EEC) No 2036/82 and then converted into the final aid in the currency of the Member State in which the products are harvested using the agricultural conversion rate of that Member State,

HAS ADOPTED THIS REGULATION:

Article 1

1. The amounts of aid provided for in Article 3 (1) of Regulation (EEC) No 1431/82 is indicated in the Annexes hereto.

2. However, the amount of the aid fixed in advance for the 1991/92 marketing year for peas, field beans and sweet lupins shall be confirmed or replaced with effect from 24 April 1991 to take account of the prices and related measures for the 1991/92 marketing year and of the consequences of the maximum guaranteed quantity arrangements.

Article 2

This Regulation shall enter into force on 24 April 1991.

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

Done at Brussels, 23 April 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 6.

⁽²⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽³⁾ OJ No L 167, 30. 6. 1990, p. 94.

ANNEX I

Gross aid

Products intended for human consumption :

(ECU per 100 kg)

	Current 4	1st period 5	2nd period 6	3rd period 7 (1)	4th period 8 (1)	5th period 9 (1)	6th period 10 (1)
Peas used :							
— in Spain	6,681	6,681	6,681	4,537	4,537	4,695	4,853
— in Portugal	6,699	6,699	6,699	4,555	4,555	4,713	4,871
— in another Member State	6,834	6,834	6,834	4,690	4,690	4,848	5,006
Field beans used :							
— in Spain	6,834	6,834	6,834	4,690	4,690	4,848	5,006
— in Portugal	6,699	6,699	6,699	4,555	4,555	4,713	4,871
— in another Member State	6,834	6,834	6,834	4,690	4,690	4,848	5,006

Products used in animal feed :

(ECU per 100 kg)

	Current 4	1st period 5	2nd period 6	3rd period 7 (1)	4th period 8 (1)	5th period 9 (1)	6th period 10 (1)
A. Peas used :							
— in Spain	9,018	9,085	9,018	6,548	6,548	6,705	6,863
— in Portugal	9,070	9,137	9,070	6,605	6,605	6,763	6,920
— in another Member State	9,070	9,137	9,070	6,605	6,605	6,763	6,920
B. Field beans used :							
— in Spain	9,018	9,085	9,018	6,548	6,548	6,705	6,863
— in Portugal	9,070	9,137	9,070	6,605	6,605	6,763	6,920
— in another Member State	9,070	9,137	9,070	6,605	6,605	6,763	6,920
C. Sweet lupins harvested in Spain and used :							
— in Spain	10,671	10,761	10,671	9,087	9,087	9,087	9,087
— in Portugal	10,740	10,830	10,740	9,163	9,163	9,163	9,163
— in another Member State	10,740	10,830	10,740	9,163	9,163	9,163	9,163
D. Sweet lupins harvested in another Member State and used :							
— in Spain	10,671	10,761	10,671	9,087	9,087	9,087	9,087
— in Portugal	10,740	10,830	10,740	9,163	9,163	9,163	9,163
— in another Member State	10,740	10,830	10,740	9,163	9,163	9,163	9,163

[illegible]

[illegible]

[illegible]

ANNEX VIII

Corrective amount to be added to amounts in Annex VII

(in national currency per 100 kg)

Use of products :	BLEU	DK	DE	EL	ES	FR	IRL	IT	NL	PT	UK
Products harvested in :											
— BLEU (Bfrs/Lfrs)	0,00	0,00	0,00	26,92	0,17	0,00	0,00	0,00	0,00	0,00	0,00
— Denmark (Dkr)	0,00	0,00	0,00	4,98	0,03	0,00	0,00	0,00	0,00	0,00	0,00
— Federal Republic of Germany (DM)	0,00	0,00	0,00	1,31	0,01	0,00	0,00	0,00	0,00	0,00	0,00
— Greece (Dr)	0,00	0,00	0,00	135,30	0,87	0,00	0,00	0,00	0,00	0,00	0,00
— Spain (Pta)	0,00	0,00	0,00	85,06	0,54	0,00	0,00	0,00	0,00	0,00	0,00
— France (FF)	0,00	0,00	0,00	4,38	0,03	0,00	0,00	0,00	0,00	0,00	0,00
— Ireland (£ Irl)	0,000	0,000	0,000	0,487	0,003	0,000	0,000	0,000	0,000	0,000	0,000
— Italy (Lit)	0	0	0	977	6	0	0	0	0	0	0
— Netherlands (Fl)	0,00	0,00	0,00	1,47	0,01	0,00	0,00	0,00	0,00	0,00	0,00
— Portugal (Esc)	0,00	0,00	0,00	115,70	0,74	0,00	0,00	0,00	0,00	0,00	0,00
— United Kingdom (£)	0,000	0,000	0,000	0,432	0,003	0,000	0,000	0,000	0,000	0,000	0,000

ANNEX IX

Exchange rate of the ecu to be used

	BLEU	DK	DE	EL	ES	FR	IRL	IT	NL	PT	UK
In national currency, ECU 1 =	42,4032	7,84195	2,05586	222,838	127,270	6,89509	0,767417	1 538,24	2,31643	178,333	0,692558

(¹) Amount fixed provisionally, pending and subject to the setting of the prices and related measures and of the application of the maximum guaranteed quantity arrangements for the 1991/92 marketing year, conforming in particular:

- to the Commission's proposals for the 1991/92 marketing year as regards the target price, the activating threshold prices and the monthly increases;
- to the adjustment resulting from the maximum guaranteed quantity arrangements and that of the agricultural conversion rates applied for the 1990/91 marketing year.

COMMISSION REGULATION (EEC) No 1003/91
of 23 April 1991
fixing the aid for soya beans

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

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 1491/85 of 23 May 1985 laying down special measures in respect of soya beans ⁽¹⁾, as last amended by Regulation (EEC) No 3577/90 ⁽²⁾, and in particular Article 2 (7) thereof,

Whereas the amount of the aid referred to in Article 2 (1) of Regulation (EEC) No 1491/85 was fixed by Commission Regulation (EEC) No 771/91 ⁽³⁾, as amended by Regulation (EEC) No 819/91 ⁽⁴⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 771/91 to the information at present available to the Commission that the amount of the aid at present in force should be altered as set out in this Regulation,

Article 1

1. The amount of the aid provided for in Article 2 of Regulation (EEC) No 1491/85 shall be as set out in the Annex hereto.

2. However, the amount of the aid fixed in advance for the 1991/92 marketing year for soya seed shall be confirmed or replaced with effect from 24 April 1991 to take account of the prices and related measures for the 1991/92 marketing year and of the consequences of the maximum guaranteed quantity arrangements.

Article 2

This Regulation shall enter into force on 24 April 1991.

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

Done at Brussels, 23 April 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 23 April 1991 fixing the aid for soya beans

(ECU/100 kg)

	Current period 4	First period 5	Second period 6	Third period 7	Fourth period 8	Fifth period 9 ⁽¹⁾
Seed harvested:						
— Spain	15,741	15,627	15,552	15,552	15,963	15,368
— another Member State	21,285	21,171	21,096	21,096	21,507	19,092

⁽¹⁾ Amount fixed provisionally, pending and subject to the setting of the prices and related measures and of the application of the maximum guaranteed quantity arrangements for the 1991/92 marketing year, conforming in particular:

- to the Commission's proposals for the 1991/92 marketing year as regards the guide price,
- to the adjustment resulting from the maximum guaranteed quantity arrangements applied for the 1990/91 marketing year.

⁽¹⁾ OJ No L 151, 10. 6. 1985, p. 15.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 81, 28. 3. 1991, p. 60.

⁽⁴⁾ OJ No L 83, 3. 4. 1991, p. 12.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 9 April 1991

concerning an application for reimbursement of anti-dumping duties collected on imports of certain kinds of compact disc players originating in Japan

(Harman Deutschland)

(Only the German text is authentic)

(91/233/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 16 thereof,

Whereas :

A. PROCEDURE

- (1) Council Regulation (EEC) No 112/90⁽²⁾ imposed a definitive anti-dumping duty on imports of certain kinds of compact disc players originating in Japan or the Republic of Korea. The anti-dumping duty was set at 32 % for products originating in Japan, including the products of Benytone Corporation.
- (2) In April 1990, Harman Deutschland, an independent importer based in Heilbronn, Germany, submitted an application for reimbursement of definitive anti-dumping duties paid on imports of compact disc players produced by Benytone Cor-

poration, the amount involved being DM [...] ⁽³⁾. The applicant did not provide all the information required in order to establish that the duties collected exceeded the actual dumping margin, as stipulated in the Commission notice concerning the reimbursement of anti-dumping duties ⁽⁴⁾. The Commission gave the applicant a period of time within which to provide additional information in connection with the application. As no additional information had been received by the end of the time allotted, the Commission contacted the exporter direct in order to inform it of the relevant rules and the consequences for the importer of failure to cooperate. The exporter failed, however, to provide any information concerning normal value and the prices of all its consignments released for free circulation in the Community in the six months preceding the imports in question, and the Commission accordingly informed the applicant that in these circumstances the application could not succeed.

- (3) The applicant had the opportunity to submit its comments.
- (4) The Commission informed the Member States and indicated its own point of view on the matter. No Member State raised any objection.

⁽¹⁾ OJ No L 209, 2. 8. 1988, p. 1.

⁽²⁾ OJ No L 13, 17. 1. 1990, p. 21.

⁽³⁾ In accordance with Article 8 of Regulation (EEC) No 2423/88, which deals with the non-disclosure of business secrets, certain figures have been omitted from the published version of this Decision.

⁽⁴⁾ OJ No C 266, 22. 10. 1986, p. 2.

B. ARGUMENTS PRESENTED BY THE APPLICANT

- (5) The applicant's main argument was that the duties collected exceeded the actual dumping margin.

C. ADMISSIBILITY

- (6) The application is admissible, as it was submitted in accordance with the Community's anti-dumping rules, notably with regard to time limits.

D. MERITS

- (7) The application cannot be granted. Reimbursement of anti-dumping duties depends on the provision of evidence by the importer making the application that the actual dumping margin is lower than the anti-dumping duty paid, or is non-existent. The applicant was unable to provide the information required to show that the application was well founded, despite the efforts made to obtain such information from the exporter, which must bear the responsibility for this shortcoming. On the expiry of the time allowed for providing the information, the Commission was obliged to conclude

that the conditions for granting a reimbursement had not been met.

- (8) It follows that the application must be rejected,

HAS ADOPTED THIS DECISION:

Article 1

The application by Harman Deutschland for reimbursement of anti-dumping duties is hereby rejected.

Article 2

This Decision is addressed to the Federal Republic of Germany and Harman Deutschland, Händerstraße 1, 7100 Heilbronn.

Done at Brussels, 9 April 1991.

For the Commission

Frans ANDRIESEN

Vice-President
