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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 1266/91

of 15 May 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 14 May 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 16 May 1991.

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

Done at Brussels, 15 May 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 15 May 1991 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Levy
0709 90 60	137,44 ⁽¹⁾ ⁽²⁾
0712 90 19	137,44 ⁽¹⁾ ⁽²⁾
1001 10 10	193,20 ⁽¹⁾ ⁽²⁾
1001 10 90	193,20 ⁽¹⁾ ⁽²⁾
1001 90 91	159,19
1001 90 99	159,19
1002 00 00	153,45 ⁽³⁾
1003 00 10	147,13
1003 00 90	147,13
1004 00 10	138,04
1004 00 90	138,04
1005 10 90	137,44 ⁽¹⁾ ⁽²⁾
1005 90 00	137,44 ⁽¹⁾ ⁽²⁾
1007 00 90	144,11 ⁽⁴⁾
1008 10 00	38,45
1008 20 00	134,33 ⁽⁵⁾
1008 30 00	49,33 ⁽⁶⁾
1008 90 10	(7)
1008 90 90	49,33
1101 00 00	237,57 ⁽⁸⁾
1102 10 00	229,90 ⁽⁸⁾
1103 11 10	313,98 ⁽⁸⁾
1103 11 90	255,53 ⁽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 1267/91

of 15 May 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 14 May 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 16 May 1991.

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

Done at Brussels, 15 May 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 15 May 1991 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(ECU/tonne)

CN code	Current 5	1st period 6	2nd period 7	3rd period 8
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 10	0	1,32	1,32	1,32
1001 10 90	0	1,32	1,32	1,32
1001 90 91	0	0	0	0
1001 90 99	0	0	0	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 10	0	0	0	0
1004 00 90	0	0	0	0
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	0

B. Malt

(ECU/tonne)

CN code	Current 5	1st period 6	2nd period 7	3rd period 8	4th period 9
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 1268/91

of 14 May 1991

on the issuing of a standing invitation to tender for the resale on the internal market of 10 000 tonnes of common wheat held by the Belgian 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 10 000 tonnes of common wheat held by the Belgian 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 Belgian intervention agency shall issue a standing invitation to tender for the resale on the internal market

of 10 000 tonnes of common wheat held by it in accordance with Regulation (EEC) No 1836/82.

Article 2

1. The final date for the submission of tenders for the first partial invitation to tender shall be 28 May 1991.
2. The final date for the submission of tenders for the last partial invitation to tender shall expire on 25 June 1991.
3. Tenders must be lodged with the Belgian intervention agency:

Office belge de l'économie et de l'agriculture (OBEA)/
Belgische Dienst voor Bedrijfsleven en Landbouw
(BDBL), rue de Trèves 82/Trierstraat 82, B-1040 Bruxelles/Brussel (télex: OBEA 24076, 65567; télécopieur: 2302533).

Article 3

Not later than Tuesday of the week following the final date for the submission of tenders, the Belgian 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, 14 May 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 1269/91

of 14 May 1991

on the issuing of a standing invitation to tender for the resale on the internal market of 100 000 tonnes of bread-making wheat held by the German 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 100 000 tonnes of bread-making wheat held by the German 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 German intervention agency shall issue a standing invitation to tender for the resale on the internal market

of 100 000 tonnes of bread-making wheat held by it in accordance with Regulation (EEC) No 1836/82.

Article 2

1. The final date for the submission of tenders for the first partial invitation to tender shall be 28 May 1991.
2. The final date for the submission of tenders for the last partial invitation to tender shall be 25 June 1991.
3. Tenders must be lodged with the German intervention agency:

Bundesanstalt für landwirtschaftliche Marktordnung (BALM), D-6000 Frankfurt-am-Main, Adickesallee 40 (telex: 4-11475, 4-16044; télécopieur: 1564-651).

Article 3

Not later than Tuesday of the week following the final date for the submission of tenders, the German 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, 14 May 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 1270/91**of 14 May 1991****on the issuing of a standing invitation to tender for the resale on the internal market of 35 000 tonnes of common wheat fodder held by the French intervention agency**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 3577/90 ⁽²⁾, and in particular Article 7 (6) thereof,Whereas 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 35 000 tonnes of common wheat fodder held by the French 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 French intervention agency shall issue a standing invitation to tender for the resale on the internal market

of 35 000 tonnes of common wheat fodder 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 28 May 1991.

2. The final date for the submission of tenders for the last partial invitation to tender shall expire on 25 June 1991.

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

Office national interprofessionnel des céréales, 21, avenue Bosquet, F-75326 Paris Cedex 07 (Telex: OFIBLE A 200490F; télécopieur 45519099).

Article 3

Not later than Tuesday of the week following the final date for the submission of tenders, the French 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, 14 May 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 1271/91

of 14 May 1991

on the issuing of a standing invitation to tender for the resale on the internal market of 100 000 tonnes of bread-making wheat held by the French intervention agency

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 3577/90⁽²⁾, and in particular Article 7 (6) thereof,

Whereas 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 100 000 tonnes of bread-making wheat held by the French 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 French intervention agency shall issue a standing invitation to tender for the resale on the internal market

of 100 000 tonnes of bread-making wheat held by it in accordance with Regulation (EEC) No 1836/82.

Article 2

1. The final date for the submission of tenders for the first partial invitation to tender shall be 28 May 1991.
2. The final date for the submission of tenders for the last partial invitation to tender shall be 25 June 1991.
3. Tenders must be lodged with the French intervention agency:

Office national interprofessionnel des céréales, 21, avenue Bosquet, F-75326 Paris Cedex 07 (Telex: OFIBLE A 200490F; télécopieur 45519099).

Article 3

Not later than Tuesday of the week following the final date for the submission of tenders, the French 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, 14 May 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 1272/91

of 14 May 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 28 May 1991.

2. The final date for the submission of tenders for the last partial invitation to tender shall expire on 25 June 1991.

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

Department of Agriculture, Food and 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, 14 May 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 1273/91

of 15 May 1991

fixing aid levels and maximum storage period for private storage of skimmed-milk powder

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas Council Regulation (EEC) No 777/87 of 16 March 1987 modifying the intervention arrangements for butter and skimmed-milk powder ⁽³⁾, as last amended by Regulation (EEC) No 3577/90 ⁽⁴⁾, lays down the criteria on the basis of which, until the end of the eighth twelve-month period of application of the additional levy arrangements provided for in Article 5c of Regulation (EEC) No 804/68, buying-in of skimmed-milk powder by intervention agencies may be suspended; whereas Commission Regulation (EEC) No 1362/87 ⁽⁵⁾, as amended by Regulation (EEC) No 3493/88 ⁽⁶⁾, lays down the detailed rules of application therefor;

Whereas the condition laid down in Article 1 (2) of Regulation (EEC) No 777/87 for the suspension of buying-in of skimmed-milk powder as provided for in Article 7 (1) of Regulation (EEC) No 804/68 is met; whereas Commission Regulation (EEC) No 1159/91 ⁽⁷⁾ provides for the suspension of buying-in;

Whereas, in accordance with Article 7a of Regulation (EEC) No 804/68, Article 4 (1) of Regulation (EEC) No

1362/87 provides that the aid for private storage of skimmed-milk powder and the maximum period of storage must be fixed when the decision to suspend buying-in as referred to above is taken; whereas account must be taken, in the calculation of the said aid, of the existence of intervention prices differing from the common price in Spain and Portugal;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The aid provided for in Article 4 (1) of Regulation (EEC) No 1362/87 shall be as follows:

- Community of Ten: ECU 0,35 per tonne per day;
- Spain: ECU 0,44 per tonne per day;
- Portugal: ECU 0,44 per tonne per day.

2. The maximum period of storage under contract under that Regulation shall be 150 days.

Article 2

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

It shall apply from 6 May 1991.

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

Done at Brussels, 15 May 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 78, 20. 3. 1987, p. 10.

⁽⁴⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽⁵⁾ OJ No L 129, 19. 5. 1987, p. 9.

⁽⁶⁾ OJ No L 306, 11. 11. 1988, p. 22.

⁽⁷⁾ OJ No L 112, 4. 5. 1991, p. 68.

COMMISSION REGULATION (EEC) No 1274/91

of 15 May 1991

introducing detailed rules for implementing Regulation (EEC) No 1907/90 on certain marketing standards for eggs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1907/90 of 26 June 1990 on certain marketing standards for eggs⁽¹⁾ and in particular Articles 5 (3), 10 (3), 11 (2), 20 (1) and 22 (2) thereof;

Whereas Regulation (EEC) No 1907/90 contains a thorough revision of such marketing standards as were implemented in pursuance of previous Regulations; whereas provision is made therein for detailed rules necessary for the implementation of such standards to be adopted in accordance with Article 17 of Council Regulation (EEC) No 2771/75⁽²⁾, as last amended by Regulation (EEC) No 1235/89⁽³⁾; whereas such rules are in particular to be laid down as regards the conditions for registration of collectors and packing centres, the identification, frequency of collection and the delivery and handling of eggs, quality criteria and weight gradings, the particulars of indications on eggs and their packs, terms to be used for indications of the type of farming, and criteria concerning the origin of eggs, and exemption in the case of small quantities from the obligation for eggs to be packed in large packs;

Whereas both technological developments and consumer demand now make it appropriate to provide for prompter delivery, collection, grading and packing of eggs; whereas however certain producers are in a position to provide guarantees of maintaining the temperature at which the eggs are kept at a level such as would make possible a permanent exemption from the general requirement of daily collection or delivery in the case of eggs intended for labelling as 'extra' eggs as provided for in Article 12 of Regulation (EEC) No 1907/90; whereas, however, for a transitional period, it is appropriate to provide for a general exemption for the benefit of all operators;

Whereas markets, access to which is restricted to authorized packing and processing undertakings, provide guarantees of correct handling such that they may be allowed to deliver eggs on the second working day following that of reception;

Whereas the deliberate cumulation of the various time limits, to the detriment of egg freshness, must be prevented in the case where a packing centre delivers ungraded eggs to another packing centre;

Whereas only undertakings whose premises and technical equipment are suited to the scale of their operations, which therefore permit the proper handling of the eggs, should be authorized to collect, or to grade eggs by quality and weight;

Whereas, for the avoidance of confusion and in order to facilitate identification of consignments of eggs for the purposes of the enforcement of this Regulation, each packing centre should be allotted a distinguishing registration number based on a uniform coding system;

Whereas, in order to ensure that the consumer is supplied with good quality produce, criteria of a high standard should be fixed for each quality grade;

Whereas quality characteristics for fresh eggs, also known as Grade 'A' eggs, should be defined so as to be limited to eggs of the highest quality; whereas certain eggs may be considered to be 'extra fresh' in so far as especially stringent arrangements apply to their collection and further distribution;

Whereas eggs of ordinary quality, the characteristics of which do not allow their inclusion in the grade 'fresh eggs' must be described as 'second quality eggs' and graded as such; whereas eggs which have undergone a process of cleaning, dipping refrigeration or preservation should, as a general rule, be put in that grade;

Whereas a third quality grade should be established for eggs which do not meet the requirements of the higher grades but are still suitable for human consumption;

Whereas in practice these eggs are largely intended for direct delivery to the food industry, including food industry undertakings approved in accordance with Council Directive 89/437/EEC of 20 June 1989 on hygiene and health problems affecting the production and placing on the market of egg products⁽⁴⁾, as amended by Directive 89/662/EEC⁽⁵⁾, and on condition that packs

⁽¹⁾ OJ No L 173, 6. 7. 1990, p. 5.

⁽²⁾ OJ No L 282, 1. 11. 1975, p. 49.

⁽³⁾ OJ No L 128, 11. 5. 1989, p. 29.

⁽⁴⁾ OJ No L 212, 22. 7. 1989, p. 87.

⁽⁵⁾ OJ No L 395, 30. 12. 1989, p. 13.

containing them are labelled with that destination, do not in that case need to bear the distinguishing mark which would otherwise identify them as Grade 'C' eggs;

Whereas under the same conditions this waiver may also be extended to Grade 'B' eggs; whereas such labelling must also not allow of confusion, whether accidental or deliberate with that provided for in the case of eggs unfit for human consumption which may be delivered only to the non-food industry;

Whereas, since graded eggs are liable to depreciate in transport, high standards should be enforced as regards packing, storage and transport; whereas such risks, including that of microbiological contamination, can be substantially reduced by imposing severe restrictions on the use of packing material; whereas detailed conditions need to be laid down in order to give effect to certain exemptions provided for in the case of direct local deliveries for retail sale of eggs without special packaging, otherwise known as loose sales;

Whereas, in addition to the mandatory packing date for use on egg packs and grading date in the case of loose sales, relevant additional information may be provided to the consumer by the optional indication on eggs or on packs containing them of the recommended sell-by date and/or best-before date and/or laying date; whereas it seems appropriate to relate the recommended sell-by date and best-before date to the quality criteria for eggs; whereas subject to certain safeguards it is appropriate to provide that the laying date may also be stamped on eggs at the farm;

Whereas, to counter the risk of fraud, not only daily collection and immediate grading and marking, but also especially rigorous registration, record-keeping and monitoring procedures need to be introduced in the case of eggs on which it is intended to stamp the date of laying;

Whereas, in the case of eggs on which the date of laying has been stamped at the farm, the rule providing for daily collection may be relaxed in order to avoid discrimination against producer establishments other than those supplying packing centres situated at the same site;

Whereas, in view of current commercial practice, it seems unnecessary to provide for specific indications for the eggs of laying hens kept in batteries; whereas, however, provision should be made for a limited number of indications for the eggs of hens not raised in batteries, so as to avoid confusion amongst consumers as regards the principal non-battery production systems;

Whereas, in order to safeguard the consumer from misleading statements which might otherwise be made with the fraudulent intention to obtain prices higher than those prevailing for eggs of hens raised in batteries, it is necessary, in the case of the optional use of indications relating to particular types of non-battery farming, to lay down minimum husbandry criteria to be respected, as well as especially rigorous registration, record-keeping, and monitoring procedures;

Whereas, in order to ensure uniform application of the provisions of Regulation (EEC) No 1907/90, and in particular of those concerning supervision, including the special arrangements to be implemented for monitoring the use of the laying date, and of indications of particular types of non-battery farming, and of those concerning the origin of eggs, provision should be made for the continuous exchange of information between the Member States and the Commission;

Whereas bands and labels must allow easy identification of the packs and contents thereof;

Whereas special attention should be given to large and small packs containing industrial eggs, on the one hand, and 'extra' eggs on the other;

Whereas packing centres should be in a position to repack eggs, this being necessary, in particular, when the packing is damaged, when a trader wishes to sell eggs under his own name or when eggs in large packs are required to be repacked in small packs; whereas it is also necessary in such cases that the origin and age of the eggs be given in the notices affixed to bands, labels and packs; whereas these notices should show that the eggs have been regraded or repacked;

Whereas it is necessary, in the interest of correct and unequivocal information to wholesale and retail purchasers and to the final consumer, to make special arrangements for the labelling of eggs which have been repacked, and in particular in cases where packs are re-used, as well as where eggs are regraded in a lower quality grade;

Whereas the additional delay caused by repacking makes it essential to forbid the use of the indication 'extra' in the case of repacked eggs;

Whereas effective supervision of compliance with marketing standards requires the examination of a sufficient number of eggs chosen so as to form a representative sample of the batch checked; whereas at the end of the checking process the batch checked should be marked with the decision of the checker;

Whereas, following the provision for and definition of loose sales enacted in Regulation (EEC) No 1907/90, the sampling parameters should also be extended to such sales;

Whereas, since the methods used for grading eggs by quality and weight are not fully accurate, the process should admit of certain tolerances; whereas, moreover, as storage and transport conditions can affect the quality and weight of the batch, it is advisable to differentiate tolerances according to marketing stage;

Whereas, in order to facilitate marketing and the checking of eggs graded by quality and weight when contained in large packs, provision should be made for an average minimum net weight for each weight grade;

Whereas Regulation (EEC) No 1907/90 delegates to the Commission the enactment of a number of provisions formerly contained in Regulation (EEC) No 2772/75, in order to facilitate future amendments; whereas this has made necessary a large number of amendments to Commission Regulation (EEC) No 95/69⁽¹⁾, as last amended by Regulation (EEC) No 3906/86⁽²⁾, which should for the sake of clarity be redrafted;

Whereas, therefore, Regulation (EEC) No 95/69 as well as Commission Regulation (EEC) No 1295/70⁽³⁾, as amended by Regulation (EEC) No 36/85⁽⁴⁾, should be repealed;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Eggs shall be delivered from producers to, or collected from producers by, the establishments referred to in Article 4 (1) (a) of Regulation (EEC) No 1907/90 at least every third working day.

However, delivery or collection from producers to packing centres only may take place once a week in those cases where ambient temperatures at which eggs are kept at the farm do not exceed 18 °C.

2. Eggs intended for marketing as 'extra', as provided by Article 12 of Regulation (EEC) No 1907/90, shall only be delivered to, or collected by, packing centres every working day from each producer. However, such delivery or collection may take place every second working day in those cases where ambient temperatures at which eggs are kept at the farm do not exceed 18 °C.

During a transitional period until 31 December 1992, delivery and collection of these eggs may generally take place every second working day.

3. Eggs on which it is intended to indicate the laying date in accordance with Article 17 shall only be delivered from each producer, to, or collected from each producer by, packing centres on the day of laying.

Eggs on which the laying date is stamped at the farm shall be delivered or collected not later than the working day following the day of laying.

4. All collectors shall deliver eggs to packing centres not later than the working day following that of reception.

However, operators at markets within the meaning of Article 2 (2) (a) of Regulation (EEC) No 1907/90 may deliver eggs not later than the second working day following that of reception by the market.

5. Each delivery shall be identified by the name and address of the producer or collector and the date of dispatch.

6. Packing centres are to grade and pack eggs at the latest on the second working day following that on which the eggs were received at the packing centre, except in cases where:

- the eggs received from producers are delivered to other packing centres not later than the working day following that of reception,
- it is intended to indicate the laying date on eggs in which case they shall be graded and packed on the day of laying.

7. The indications provided for in Articles 7 and 10 (1) and (2) (c) of Regulation (EEC) No 1907/90 shall be apposed not later than on the day of grading and packing.

Article 2

Eggs shall be maintained, during storage at the producer's premises and during transport from producer to collector or packing centre, at a temperature best suited to assure an optimal conservation of their quality.

⁽¹⁾ OJ No L 13, 18. 1. 1969, p. 13.

⁽²⁾ OJ No L 364, 23. 12. 1986, p. 20.

⁽³⁾ OJ No L 145, 3. 7. 1970, p. 1.

⁽⁴⁾ OJ No L 5, 8. 1. 1985, p. 5.

Article 3

1. Only undertakings and producers satisfying the conditions laid down in paragraphs 2 to 4 shall be approved as collector or packing centres within the meaning of Regulation (EEC) No 1907/90.

2. The premises of collectors and packing centres must be :

- (a) of sufficient area in relation to the volume of work done ;
- (b) so built and equipped :
 - that they afford suitable ventilation and lighting,
 - that they may be properly cleaned and disinfected,
 - that the eggs are protected from wide variations in the outside temperature ;
- (c) reserved for handling and storing eggs ; however, a part of the premises may be used for storing other products on condition that the latter do not impart extraneous odours to the eggs.

3. The technical equipment of packing centres must ensure proper handling of the eggs and include in particular :

- (a) suitable candling equipment continuously manned throughout and allowing the quality of each egg to be examined separately. Where use is made of an automatic machine for candling, sorting and grading, the equipment must include an independent candling lamp ;
- (b) devices for measuring the height of the air space ;
- (c) a machine for grading the eggs by weight ;
- (d) one or more adjusted balances for weighing eggs ;
- (e) equipment for stamping eggs, where use is made of the provisions of Articles 7 and 8 of Regulation (EEC) No 1907/90.

4. The premises and technical equipment must be kept clean and in good repair and be free of extraneous odours.

Article 4

1. Any request for the approval of a collector or packing centre shall be submitted to the competent authority of the Member State on whose territory the premises of the collector or centre are situated.

2. That authority shall give the packing centre approved by it a distinguishing number, the first figure of which shall be as follows :

Belgium	1
Germany	2
France	3
Italy	4
Luxembourg	5
Netherlands	6
Denmark	7
Ireland	8
United Kingdom	9
Greece	10
Spain	11
Portugal	12.

3. Only packing centres which have been subject to special registration may be authorized to pack Grade 'A' eggs marked 'extra' or to indicate the laying date in accordance with Article 17 or the terms provided for in Article 18.

4. Each Member State shall provide the other Member States and the Commission, before 1 June 1991, with a list of the approved centres in its territory, showing the name and address and the number allotted to each centre. Any alteration of that list shall be communicated at the beginning of each quarter of the calendar year to the other Member States and to the Commission.

Article 5

1. Grade 'A' eggs shall have the following minimum characteristics :

Shell and cuticle : normal, clean, undamaged ;

Air space : height not exceeding 6 mm, stationary ; however, for eggs to be marked as 'extra', it shall not exceed 4 mm at the time of packing, or time of customs clearance, in the case of imports ;

White : clear, limpid, of gelatinous consistency, free of extraneous matters of any kind ;

Yolk : visible on candling as a shadow only, without clearly discernible outline, not moving appreciably away from the centre of the egg on rotation, free of extraneous matter of any kind ;

Germ cell : imperceptible development ;

Odour : free of extraneous odour.

2. Grade 'a' eggs shall not be washed or cleaned by any other means before or after grading.

3. Grade 'A' eggs shall not be treated for preservation or refrigerated in premises or plants where the temperature is artificially maintained at less than $+5^{\circ}\text{C}$. However, eggs which have been kept at a temperature below $+5^{\circ}\text{C}$ during transport of not more than 24 hours or on retail premises or in annexes thereto, shall not be considered as refrigerated in so far as the quantity stored in these annexes does not exceed the requirements for three days of retail sale on the premises in question.

Article 6

1. Grade 'B' eggs shall have the following minimum characteristics:

- Shell: normal and undamaged;
- Air space: height not exceeding 9 mm;
- White: clear, limpid, free of extraneous matter of any kind;
- Yolk: — visible on candling as a shadow only; this characteristic is not required of eggs preserved in lime,
— free of extraneous matter of any kind;
- Germ cell: imperceptible development;
- Odour: free of extraneous odour.

2. Grade 'B' shall include three types of eggs:

(a) eggs neither refrigerated nor preserved:

Grade 'B' eggs which have not undergone any preservative treatment and have not been refrigerated in premises or plants where the temperature is artificially maintained at less than $+5^{\circ}\text{C}$.

However, eggs which have been kept at a temperature below $+5^{\circ}\text{C}$ during transport of not more than 24 hours or on retail premises or in annexes thereto, shall not be considered as refrigerated in so far as the quantity stored in these annexes does not exceed the requirements for three days of retail sale on the premises in question;

(b) refrigerated eggs:

Grade 'B' eggs which have been refrigerated in premises artificially maintained at a temperature below $+5^{\circ}\text{C}$;

(c) preserved eggs:

Grade 'B' eggs which have been preserved, whether refrigerated or not, in a gas mixture the composition of which differs from that of atmospheric air, and those which have undergone any other preservative treatment.

Article 7

Grade 'C' eggs shall be eggs which do not meet the requirements applicable to eggs in Grades 'A' and 'B'. They may only be passed to food industry undertakings approved in accordance with Article 6 of Directive 89/437/EEC or to non-food industry undertakings.

Article 8

Grade 'A' eggs shall be graded by weight as follows:

- Grade 0: 75 g and over,
- Grade 1: from 70 g up to 75 g,
- Grade 2: from 65 g up to 70 g,
- Grade 3: from 60 g up to 65 g,
- Grade 4: from 55 g up to 60 g,
- Grade 5: from 50 g up to 55 g,
- Grade 6: from 45 g up to 50 g,
- Grade 7: under 45 g.

Article 9

In the case of stamping Grade 'A' eggs in accordance with Article 7 of Regulation (EEC) No 1907/90, the following applies:

- the Grade 'A' distinguishing mark shall be a circle of at least 12 mm in diameter,
- the distinguishing mark for weight grading shall be a number between 2 mm and 3 mm high, placed inside the abovementioned circle,
- the packing centre number shall be of three or more figures at least 5 mm high,
- the indication of dates consists of letters and figures at least 5 mm high showing the terms listed in Annex I, followed by day and month as defined in Article 14.

Article 10

1. The distinguishing mark showing quality grading for Grade 'B' eggs shall be as follows:

- (a) for 'eggs neither refrigerated nor preserved', a circle at least 12 mm in diameter in which shall appear the letter B in roman type at least 5 mm high;
- (b) for 'refrigerated eggs', an equilateral triangle with each side at least 10 mm long;
- (c) for 'preserved eggs', a rhombus with diagonals of 16 mm and 7 mm.

Anyone who refrigerates or otherwise preserves eggs shall mark them as indicated in (b) or (c) before doing so.

For eggs preserved in lime, however, these marks may be applied after the preserving process has been carried out.

2. The distinguishing mark for the quality grading of Grade 'C' eggs shall be a circle at least 12 mm in diameter in which shall appear the letter C in roman type at least 5 mm high.

3. Notwithstanding the above, Grade 'B' and 'C' eggs need not be marked in the case of direct deliveries to the food industry, provided that packs containing them are clearly marked to show this destination.

Article 11

1. The distinguishing marks applied in accordance with Articles 9 and 10 and the indications on eggs provided for in Articles 16, 17, 18 and 19 must be clearly legible.

2. Eggs shall be marked in an indelible colour resistant to boiling. The product used must comply with the provisions in force in respect of colouring matters which may be used in foodstuffs intended for human consumption.

Article 12

1. Packs, including inner packing material, must be shock-resistant, dry, clean and in good repair, and made of materials which protect the eggs from extraneous odour and the risk of quality deterioration.

2. Large packs, used for transporting and dispatching eggs, including inner packing material, shall not be re-used unless they are as new and meet the technical requirements of paragraph 1. Re-used large packs, must not bear any previous marking likely to lead to confusion.

3. Small packs may not be re-used.

4. The derogation referred to in Article 11 (2) of Regulation (EEC) No 1907/90 applies in the case of delivery within a radius of 20 km from the packing centre and for daily quantities of less than 3 600 eggs per delivery and of less than 360 per buyer. The name, address and number of the packing centre as well as the number of eggs, quality and weight grades and grading date shall be indicated on accompanying documents.

Article 13

1. Eggs must be stored in clean, dry premises, free of extraneous odour.

2. Eggs in transport and during storage must be kept clean, dry and free of extraneous odour and effectively protected from shocks, weather and the effect of light.

3. Eggs in store and in transport must be protected from extremes of temperature.

Article 14

The indication of the packing date referred to in Articles 7 and 10 of Regulation (EEC) No 1907/90 shall comprise one or more of the following:

- EMBALADO EL :
- PAKKET DEN :
- VERPACKT AM :
- ΗΜΕΡΟΜΗΝΙΑ ΣΥΣΚΕΥΑΣΙΑΣ :
- PACKING DATE :
- EMBALLE LE :
- DATE D'IMBALLAGGIO :
- VERPAKT OP :
- EMBALADO EM :

For this purpose the date shall be indicated by two sets of figures representing, in the following order:

- the day, from 01 to 31,
- the month, from 01 to 12.

Article 15

In addition to the packing date, as a date, the recommended sell-by date and/or best-before date and/or laying date may be indicated by the operator at the time of packing. The laying date may, however, also be stamped on eggs at the farm.

Article 16

The recommended sell-by date is an indication of the last date eggs should be offered for sale to the consumer, after which there remains a reasonable storage period of at least seven days in the home. It shall be fixed in such a way that Grade 'A' eggs will retain the characteristics described in Article 5 (1) of this Regulation until the end of that storage period when properly stored. The best-before date corresponds to the end of this storage period.

The indication must be worded in such a way that the meaning of these dates is clear.

Article 17

1. Where the laying date is indicated on eggs and on packs containing them, packing centres shall keep separate records:

- of the names and addresses of the producers supplying such eggs, who shall be registered following an inspection by the competent authority of the Member State,
- at the request of this authority, of the number of laying hens kept by each producer.

2. The producers referred to in paragraph 1 shall subsequently be inspected regularly. They shall keep current records:

- of the date of placing, the age at placing and the number of laying hens, broken down by henhouse,
- of the daily egg production of each henhouse,
- of the number or weight of eggs delivered and on which it is intended to indicate the laying date, or on which the laying date has already been stamped at the farm, broken down by buyer, and to include the latter's name, address, and packing centre number.

3. Eggs on which it is intended to indicate the laying date shall be delivered to packing centres in sealed containers. Deliveries of these eggs and of eggs on which the laying date has already been stamped at the farm shall be identified by:

- date of lay,
- name, address and number of producer, together with a coded reference to the henhouse from which the eggs came,
- the date of dispatch,
- the number or weight of the eggs in the delivery.

This information shall be shown on the container and on accompanying documents, the latter to be kept at the packing centre for a period of at least 12 months.

4. Containers referred to in paragraph 3 shall be opened in the packing centre immediately before grading starts. All eggs from a single container shall be graded and packed without interruption. The laying date shall be stamped during or immediately after grading on those eggs intended for such marking. In the case of packing centres supplied from their own production units situated at the same site, eggs are to be stamped, and/or graded and packed on the day of laying or delivered to other packing centres.

5. Packing centres shall keep separate records of:

- daily quantities, by producer, of eggs arriving at the centre and on which it is intended to indicate the laying date, or on which the laying date has already

been stamped at the farm, including the producer's name, address and registration number,

- the number and/or weight of eggs sold, by weight grade and buyer, together with the latter's name and address, as well as reference numbers of small packs, and in the case of loose sales, of large packs, containing these eggs. Such reference numbers shall be in an uninterrupted ascending numerical sequence.

6. Where packing centres are supplied only from their own production units situated at the same site, the first and second indents of paragraph 2, the third and fourth sentences only of paragraph 4, and paragraph 5 shall apply.

7. Production units and packing centres referred to in paragraph 1 shall be inspected at least once every two months.

Article 18

1. Grade 'A' eggs as well as small packs containing such eggs may carry one of the following terms, as appropriate, to indicate the type of farming as referred to in Article 10 (3) of Regulation (EEC) No 1907/90:

<i>on packs:</i>	<i>on eggs:</i>
(a) Huevos de gallinas camperas	Camperas
Æg fra fritgående høns	Fritgående
Eier aus Freilandhaltung	Freiland
Αυγά ελεύθερης βοσκής	Ελεύθερης βοσκής
Free range eggs	Free range
Œufs de poules élevées en libre parcours	Libre parcours
Uova di allevamento all'aperto	Aperto estensivo
— sistema estensivo	
Eieren van hennen met vrije uitloop — extensief systeem	Vrije uitloop — extensief
Ovos de galina criada ao ar livre	Ar livre;
(b) Huevos de gallinas criadas en parque	Parque
Æg fra fritgående høns — intensivt system	Fritgående — int.
Eier aus intensiver Auslaufhaltung	Auslauf
Αυγά περιορισμένης βοσκής	Περιορισμένης βοσκής
Semi-intensive eggs	Semi-intensive
Œufs de poules élevées en plein air	Plein air
Uova di allevamento all'aperto	Aperto
Eieren van hennen met vrije uitloop	Vrije uitloop
Ovos de galinha criada em parque	Parque;

(c) Huevos de gallinas explotadas en el suelo	Suelo
Skrabeæg	Skrabeæg
Eier aus Bodenhaltung	Bodenhaltung
Αυγά δαπέδου με στρώμνη	Δαπέδου-στρώμνη
Deep litter eggs	Deep litter
Œufs de poules élevées au sol	Poules au sol
Uova di galline allevate a terra	Allevate a terra
Scharreleieren	Scharrelei
Ovos de cama	Cama ;
(d) Huevos de gallinas criadas en aseladero	Aseladero
Æg fra volierehønseshold	Voliere
Eier aus Volierenhaltung	Voliere
Αυγά κλιμακωτής σχάρας	Κλιμακωτής σχάρας
Perchery eggs (Barn eggs)	Perchery (Barn)
Œufs de poules élevées sur perchoirs	Perchoirs
Uova di galline allevate in voliera	Voliera
Volière-eieren	Volière
Ovos de capoeira	Capoeira.

The terms given may be used only for eggs produced in poultry enterprises meeting the criteria set out in the Annex.

In the case of loose sales, these indications of the type of farming may be used only if individual eggs are marked with the respective term.

2. Packing centres authorized to use the terms referred to in paragraph 1 shall keep a separate record, by type of farming :

- of the names and addresses of the producers of such eggs, who shall be registered following an inspection by the competent authority of the Member State,
- at the request of this authority, of the number of laying hens kept by each producer.

The said producers shall subsequently be inspected regularly. They shall keep records of the date of placing, the age at placing and the number of laying hens by type of poultry system, showing also the number of eggs produced and delivered per day, the date of dispatch and the names of the purchasers.

3. In accordance with Article 4 (4) each Member State shall provide the other Member States and the Commission with a list of the packing centres in its territory thus registered, and any alteration to that list.

4. Eggs as referred to in paragraph 1 shall be delivered to packing centres in containers bearing one of the terms referred to in paragraph 1 in one or more Community languages. Deliveries shall be identified by name and address of producer, type, number or weight of eggs and date of dispatch and delivery, and up-to-date records thereof and of stocks on a weekly basis shall be kept at the packing centre.

5. Eggs as referred to in paragraph 1 shall be graded and packed only on days indicated at least one working day in advance to the competent authority of the Member State. During storage, grading and packing they shall be clearly separated from any other eggs.

6. Packing centres as referred to in paragraph 2 shall keep separate records of daily quality and weight grading and of sales of eggs and small packs marked in accordance with paragraph 1 including the name and address of buyer, number of packs, the number and/or weight of eggs sold by grade of weight and date of delivery, instead of keeping sales records, they may, however, keep files of invoices or delivery notes marked as indicated in paragraph 1.

7. Large packs containing eggs or small packs marked in accordance with paragraph 1 shall bear one of the indications referred to in paragraph 1.

8. The provision of paragraphs 1 to 7 shall apply without prejudice to national technical measures going beyond the minimum requirements set out in the Annex, which are applicable only to producers of the Member State concerned, provided that they are compatible with Community law and are in conformity with the common marketing standards for eggs.

9. The national measures referred to in paragraph 8 shall be communicated to the Commission.

10. At any time and at the request of the Commission, Member States shall provide all the information necessary for assessing the compatibility of the measures referred to in this Article with Community law and their conformity with the common marketing standards for eggs.

Article 19

1. In order to indicate the origin of Grade 'A' eggs or small packs containing eggs in accordance with Article 10 (3) of Regulation (EEC) No 1907/90, terms and/or symbols may be used which refer to the Member State and/or to an administrative or other region, defined by the competent authority of the Member State in which the eggs were produced. In the case of loose egg sales these indications of the origin of eggs may be used only if individual eggs are marked with the respective terms and or symbols.

2. Packing centres which make use of the terms and/or symbols referred to in paragraph 1 shall keep a detailed record of deliveries by origin, showing the name and address of the producer, the number or weight of eggs and the date of delivery. The producer shall keep current records of the number and age of laying hens, showing also the number of eggs produced and delivered, the date of dispatch, and the names of the purchaser.

3. Packing centres as referred to in paragraph 2 shall keep separate records of the daily quality and weight grading and sales of small packs and of eggs marked with the terms and/or symbols referred to in paragraph 1, including name and address of the buyer, the number of packs, the number or weight of eggs sold and the date of delivery, as well as of stocks on a weekly basis.

Instead of keeping records, they may however keep files or invoices or delivery notes marked as indicated in paragraph 1.

4. Large packs containing eggs or small packs marked with the terms and/or symbols referred to in paragraph 1 shall bear the same terms and/or symbols.

Article 20

1. Each Member State shall report to the other Member States and to the Commission:

- the monitoring methods applied for the implementation of Articles 17, 18 and 19,
- annual, before 1 April, the average number of laying hens present⁽¹⁾, the number or weight of eggs delivered as recorded in accordance with Article 18 (2) and (4) as well as the number or weight of eggs sold, as recorded in accordance with Article 18 (6), in the previous calendar year.

2. The checks carried out in the Member State shall be discussed, on a regular basis, in accordance with the procedure laid down in Article 18 of Regulation (EEC) No 2771/75.

Article 21

1. The bands and labels provided for in Article 11 of Regulation (EEC) No 1907/90 shall be white and the indications shall be printed in black.

2. Apart from the information provided for in Article 10 of Regulation (EEC) No 1907/90, these bands and

labels, which may be numbered, shall bear an official marking laid down by the competent authority. Each Member State shall before 1 June 1991 provide one or more specimens of the band and label to the other Member States and to the Commission.

Article 22

1. The following shall be marketed in packs with a yellow band or label which cannot be re-used after the pack has been opened:

- (a) eggs referred to in Article 2 (2) (b) of Regulation (EEC) No 1907/90 and not of Grade 'A', 'B' or 'C';
- (b) Grade 'A' or 'B' eggs which no longer have the characteristics of those grades but have not been regraded;
- (c) Grade 'C' eggs.

2. The bands of labels mentioned in paragraph 1 shall conform to a model laid down by the competent authority. Each Member State shall, before 1 June 1991, provide one or more specimens of the band and label to the other Member States and to the Commission. They shall show in clearly visible and legible black type:

- (a) the name or business name and address of the undertaking which dispatched the eggs;
- (b) the number or net weight of the packed eggs;
- (c) the marking 'EGGS FOR THE FOODSTUFFS INDUSTRY' in black capital letters, 2 cm high, in one or more languages of the Community.

Article 23

1. Industrial eggs within the meaning of Article 1 (2) of Regulation (EEC) No 1907/90 shall be marketed in packs with a red band or label.

2. The band and the label mentioned in paragraph 1 shall conform to a model laid down by the competent authority. Each Member State shall, before 1 June 1991, provide one or more specimens of the band and label to the other Member States and to the Commission. The band and the label shall bear:

- (a) the name or business name and address of the undertaking to which the eggs are being sent;
- (b) the name or business name and address of the undertaking which dispatched the eggs;
- (c) the marking 'industrial eggs' in black capital letters, 2 cm high, and the marking 'unsuitable for human consumption' in black letters at least 0,8 cm high, in one or more languages of the Community.

⁽¹⁾ Average number of laying hens present =

$$\frac{\text{number of hens placed} \times \text{laying weeks.}}{\text{number of hens placed}}$$

Article 24

1. The board or label mentioned in Article 12 of Regulation (EEC) No 1907/90 must be affixed in such a way that none of the information on the pack is obscured by the position of the band or label.
2. The word 'extra' shall be printed in white in italics 1 cm high, on a red background.
3. Large packs containing small packs marked 'extra' shall be marked in capital letters 2 cm high, 'PACK CONTAINING SMALL "EXTRA" PACKS' in one or more languages of the Community.

Article 25

1. Eggs which have been regraded in accordance with Article 8 (2) of Regulation (EEC) No 1907/90 may be marketed in the packs in which they were contained before regrading. If they are repacked, each pack may contain only the eggs of a single batch.
2. The band or label on large packs shall bear in clear and legible a black characters at least the following information :
 - (a) the name or business name and address of the undertaking which regraded the eggs or had them regraded ;
 - (b) the distinguishing number of the packing centre which first packed the eggs or, in the case of imported eggs, the country of origin ;
 - (c) the quality and weight grading ;
 - (d) the number of eggs packed ;
 - (e) the words 'packing date :', followed by the date of first packing ;
and below this the word 'regraded :' followed by the date of the regrading in the same manner as provided for in Article 14 ;
 - (f) particulars of the refrigeration or method of preservation, uncoded and in Roman type, for refrigerated or preserved eggs.

3. Small packs containing regraded eggs shall bear only the particulars provided for in paragraph 2, in clearly visible and legible characters ; in cases where the original packs are being re-used, the particulars which are no longer applicable shall be covered over. In addition, small packs may bear the trade mark of the undertaking which regraded the eggs or had them regraded.

Article 26

1. Except in the case provided for in Article 8 (2) of Regulation (EEC) No 1907/90 packed eggs may be repacked in other large or small packs only by packing centres. Each pack shall contain only the eggs of a single batch.
2. The band or label on large packs shall bear in clearly visible and legible black characters at least the following information :
 - (a) the name or business name and address of the undertakings which repacked the eggs or had them repacked ;
 - (b) the distinguishing number of the packing centre which repacked the eggs ;
 - (c) the quality and weight grading ;
 - (d) the number of eggs packed ;
 - (e) the words 'packing date :', followed by the date of first packing ;
and below this the word 'repacked :', followed by the date of repacking, in the same manner as provided for in Article 14 ;
 - (f) particulars of the refrigeration or method of preservation, uncoded and in Roman type, for refrigerated or preserved eggs ;
 - (g) the distinguishing number of the packing centre which first packed the eggs or, in the case of imported eggs, the country of origin ;
3. Small packs containing repacked eggs shall bear, in clearly visible and legible characters, only the particulars provided for in paragraph 2. In addition, small packs may bear the trade mark of the undertaking which repacked the eggs or had them repacked. The word 'extra' may not be used.
4. The provisions of Article 1 (6) and (7) shall apply.

Article 27

1. The provisions of Article 21 shall apply to the bands and labels mentioned in Articles 25 and 26. The specimens shall be supplied before 1 June 1991.
2. If the original packs are used for regrading and repacking they shall be considered as re-used within the meaning of Article 12 (2).
3. The particulars on the bands or labels of large packs which are re-used in accordance with Article 12 (2) shall be completely covered over by new bands or new labels or rendered illegible in some other manner.

4. Large packs may bear one or more of the particulars appearing on the bands and labels with which they are fastened. In addition, large packs may bear the trade mark of the undertaking which repacked the eggs or had them repacked.

Article 28

The forms of wording defined in this Regulation for use on eggs and packs shall be expressed at least in the language or languages of the Member State in which retailing or any other use takes place.

Article 29

1. The decisions provided for in Article 19 (2) of Regulation (EEC) No 1907/90 shall not be taken unless the check has been carried out in accordance with the provisions of paragraphs 2 to 5.

2. Where the eggs are in large packs not containing small packs, at least the following numbers of eggs shall be checked as samples.

Number of eggs in the batch	Number of eggs to be checked	
	% of batch	Minimum number of eggs
up to 180	100	—
181 to 1 800	15	180
1 801 to 3 600	10	270
3 601 to 10 800	5	360
10 801 to 18 000	4	540
18 001 to 36 000	3	720
36 001 to 360 000	1,5	1 080
over 360 000	0,5	5 400

3. Where the eggs are in small packs, whether or not these are inside large packs, at least the following numbers of small packs and eggs shall be checked as samples.

Number of eggs in the batch	Percentage of small packs checked	Number of eggs to be checked per pack checked (%)
up to 180	100	100
181 to 1 800	15	100
1 801 to 3 600	10	100
3 601 to 10 800	5	100
10 801 to 18 000	4	100
18 001 to 36 000	3	100
36 001 to 360 000	1,5	100
over 360 000	0,5	100

4. For batches of not more than 18 000 eggs, the eggs to be checked shall be selected from at least 20 % of the large packs.

For batches of more than 18 000 eggs, the eggs to be checked shall be selected from at least 10 % of the large packs and from at least ten large packs.

5. In the case of non-packed eggs which are displayed or put up for sale in the retail trade, 100 % of the eggs up to 180 eggs and for greater quantities 15 % of the eggs with a minimum of 180 eggs shall be checked as samples.

Article 30

1. After the check and after any necessary correction of the batch for compliance with Regulation (EEC) No 1907/90, the checker shall affix to the pack a band bearing an official stamp and the following particulars :

(a) 'Checked on (date) ... ,

at (place) ... ;

(b) the number allotted to the checker by the checking agency.

2. The check band shall be white red imprint. If the pack was fastened before the check, it shall be refastened by means of the check band, which may, if appropriate, be affixed over the original band or label.

3. After small packs marked 'extra' have been checked, the check band shall include the particulars referred to in paragraph 1 and the word 'extra' in italics 1 cm high.

Article 31

1. In the checking of a batch of Grade 'A' eggs, the following tolerances shall be allowed :

(a) on dispatch from the packing centre :

— 5 % of eggs with quality defects, of which not more than :

— 2 % of eggs which are broken or with a cracked shell, visible to the naked eye,

— 1 % of eggs with meat or blood stains.

However, in the checking of eggs marketed as 'extra' no tolerance shall be allowed for the height of the air space either at the time of packing or on customs clearance.

(b) at the other marketing stages :

— 7 % of eggs with quality defects, of which not more than :

— 4 % of eggs which are broken or with a cracked shell, visible to the naked eye,

— 1 % of eggs with meat or blood stains.

2. In the checking of a batch of Grade 'B' eggs, a tolerance of 7 % of eggs with quality defects shall be allowed.

3. Where the batch checked is of less than 180 eggs, the percentages referred to in paragraphs 1 and 2 shall be doubled.

Article 32

In the checking of a batch of Grade 'A' eggs, a tolerance shall be allowed as regards the weight per egg. Such a batch may contain not more than 6 % of eggs of the next lower weight grade.

Where the batch checked is of less than 180 eggs, the abovementioned percentage shall be doubled.

Article 33

Large packs of Grade 'A' eggs, graded according to weight grades, shall have the following minimum net weights :

Grade 0 : 7,5 kg/100 eggs

Grade 1 : 7,1 kg/100 eggs

Grade 2 : 6,6 kg/100 eggs

Grade 3 : 6,1 kg/100 eggs

Grade 4 : 5,6 kg/100 eggs

Grade 5 : 5,1 kg/100 eggs

Grade 6 : 4,6 kg/100 eggs

Grade 7 : minimum weight not laid down.

Article 34

Each Member State on whose territory a batch of eggs from another Member State is regraded shall ensure that the decision to regrade is immediately communicated to that Member State and, at the request of that Member State, to the competent authority which it designates.

Article 35

Member States shall communicate to the Commission before 1 January 1992 measures taken in application of this Regulation.

Article 36

Regulation (EEC) Nos 95/69 and 1295/70 are hereby repealed.

Article 37

This Regulation shall apply with effect from 1 July 1991. However, Articles 4 (4), 21 (2), 22 (2), 23 (2) and 27 (1) shall apply with effect from 1 June 1991.

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

Done at Brussels, 15 May 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

*ANNEX I***1. Packing date :**

emb.
pakket
verp.
συσκ.
packed
emb. le
imb.
verp.
emb.

3. Best-before date :

cons. preferente
Mindst holdbar til
Mind.-haltbar
Λήξη
Best before
à cons. de préf. av.
da consumarsi
tenm. houdb. tot
Lim. de consumo

2. Sell-by date :

vender antes
Sælges til
Verkauf bis
Πώληση
Sell by
à vend. de préf. av.
da vendersi
uit. verk. dat.
Lim. de venda

4. Laying date :

puesta
lagt
gelegt
ωστοκία
laid
pondu le
deposizione
gelegd
post

*ANNEX II***Minimum criteria to be met by poultry enterprises producing eggs as referred to in Article 18 (1)
(a), (b), (c) and (d)**

- (a) Eggs in small packs bearing the words 'Free range eggs' must be produced in poultry enterprises in which :
- hens have continuous daytime access to open-air runs,
 - the ground to which hens have access is mainly covered with vegetation,
 - the maximum stocking density is not greater than 1 000 hens per hectare of ground available to the hens or one hen per 10 m²,
 - the interior of the building must satisfy the conditions specified in (c) or (d).
- (b) Eggs in small packs bearing the words 'Semi-intensive eggs' must be produced in poultry enterprises in which :
- hens have continuous daytime access to open-air runs,
 - the ground to which hens have access is mainly covered with vegetation,
 - the maximum stocking density is not greater than 4 000 hens per hectare of ground available to the hens or one hen per 2,5 m²,
 - the interior of the building must satisfy the conditions specified in (c) or (d).
- (c) Eggs in small packs bearing the words 'Deep litter eggs' must be produced in poultry enterprises in which :
- the maximum stocking density is not greater than seven hens per square metre of floor space available to the hens,
 - at least a third of this floor area is covered with a litter material such as straw, wood shavings, sand or turf,
 - a sufficiently large part of the floor area available to the hens is used for the collection of bird droppings.
- (d) Eggs in small packs bearing the words 'Perchery eggs (Barn eggs)' must be produced in poultry enterprises in which :
- the maximum stocking density is not greater than 25 hens per square metre of floor space available to the hens,
 - the interior or the building is fitted with perches of a length sufficient to ensure at least 15 cm of perch space for each hen.
-

COMMISSION REGULATION (EEC) No 1275/91

of 15 May 1991

fixing the import levy on molasses

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 market in sugar⁽¹⁾, as last amended by Regulation (EEC) No 464/91⁽²⁾, and in particular Article 16 (8) thereof,

Whereas the import levy on molasses was fixed by Commission Regulation (EEC) No 15/91⁽³⁾, as last amended by Regulation (EEC) No 678/91⁽⁴⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 15/91 to the information at present available to the Commission that the levy at present in force should be altered pursuant to Article 1 of this Regulation;

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 14 May 1991,

HAS ADOPTED THIS REGULATION:

Article 1

The import levy referred to in Article 16 (1) of Regulation (EEC) No 1785/81 shall be, in respect of molasses falling within CN codes 1703 10 00 and 1703 90 00, ECU 0,12 per 100 kilograms.

Article 2

This Regulation shall enter into force on 16 May 1991.

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

Done at Brussels, 15 May 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 2, 4. 1. 1991, p. 8.

⁽⁴⁾ OJ No L 75, 21. 3. 1991, p. 38.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 9.

COMMISSION REGULATION (EEC) No 1276/91

of 15 May 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 16 May 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 16 May 1991.

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

Done at Brussels, 15 May 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 5	1st period 6	2nd period 7 (1)	3rd period 8 (1)	4th period 9 (1)	5th period 10 (1)	6th period 11 (1)
Peas used :							
— in Spain	6,681	6,681	4,537	4,537	4,695	4,853	5,011
— in Portugal	6,699	6,699	4,555	4,555	4,713	4,871	5,029
— in another Member State	6,834	6,834	4,690	4,690	4,848	5,006	5,164
Field beans used :							
— in Spain	6,834	6,834	4,690	4,690	4,848	5,006	5,164
— in Portugal	6,699	6,699	4,555	4,555	4,713	4,871	5,029
— in another Member State	6,834	6,834	4,690	4,690	4,848	5,006	5,164

Products used in animal feed :

(ECU per 100 kg)

	Current 5	1st period 6	2nd period 7 (1)	3rd period 8 (1)	4th period 9 (1)	5th period 10 (1)	6th period 11 (1)
A. Peas used :							
— in Spain	9,143	9,209	6,676	6,505	6,663	6,820	6,978
— in Portugal	9,194	9,260	6,732	6,563	6,720	6,878	7,035
— in another Member State	9,194	9,260	6,732	6,563	6,720	6,878	7,035
B. Field beans used :							
— in Spain	9,143	9,209	6,676	6,505	6,663	6,820	6,978
— in Portugal	9,194	9,260	6,732	6,563	6,720	6,878	7,035
— in another Member State	9,194	9,260	6,732	6,563	6,720	6,878	7,035
C. Sweet lupins harvested in Spain and used :							
— in Spain	10,837	10,926	9,258	9,030	9,030	9,030	9,030
— in Portugal	10,906	10,993	9,333	9,107	9,107	9,107	9,107
— in another Member State	10,906	10,993	9,333	9,107	9,107	9,107	9,107
D. Sweet lupins harvested in another Member State and used :							
— in Spain	10,837	10,926	9,258	9,030	9,030	9,030	9,030
— in Portugal	10,906	10,993	9,333	9,107	9,107	9,107	9,107
— in another Member State	10,906	10,993	9,333	9,107	9,107	9,107	9,107

Final aid

(in national currency per 100 kg)

	Current 5	1st period 6	2nd period 7 (1)	3rd period 8 (1)	4th period 9 (1)	5th period 10 (1)	6th period 11 (1)
Products harvested in :							
— BLEU (Bfrs/Lfrs)	331,83	331,83	227,73	227,73	235,40	243,07	250,74
— Denmark (Dkr)	61,37	61,37	42,12	42,12	43,53	44,95	46,37
— Federal Republic of Germany (DM)	16,09	16,09	11,04	11,04	11,41	11,79	12,16
— Greece (Dr)	1 129,66	1 129,66	648,68	648,68	684,13	719,57	755,02
— Spain (Pta)	1 050,11	1 050,11	721,02	721,02	745,27	769,53	793,78
— France (FF)	53,96	53,96	37,03	37,03	38,28	39,53	40,77
— Ireland (£ Irl)	6,006	6,006	4,121	4,121	4,260	4,399	4,538
— Italy (Lit)	12 038	12 038	8 261	8 261	8 540	8 818	9 096
— Netherlands (Fl)	18,13	18,13	12,44	12,44	12,86	13,28	13,70
— Portugal (Esc)	1 426,09	1 426,09	978,69	978,69	1 011,66	1 044,63	1 077,60
— United Kingdom (£)	5,327	5,327	3,656	3,656	3,779	3,902	4,026

— Peas, and field beans used in Portugal (Esc): 28,17.

Partial aids

(in national currency per 100 kg)

[illegible]

Corrective amount to be added to the amounts in Annex III

Use of the products	BLEU	DK	DE	EL	ESP	FR	IRL	IT	NL	PT	UK
Products harvested in :											
— BLEU (Bfrs/Lfrs)	0,00	0,00	0,00	41,33	0,19	0,00	0,00	0,00	0,00	0,00	0,00
— Denmark (Dkr)	0,00	0,00	0,00	7,64	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	2,00	0,01	0,00	0,00	0,00	0,00	0,00	0,00
— Greece (Dr)	0,00	0,00	0,00	210,00	0,95	0,00	0,00	0,00	0,00	0,00	0,00
— Spain (Pta)	0,00	0,00	0,00	130,58	0,59	0,00	0,00	0,00	0,00	0,00	0,00
— France (FF)	0,00	0,00	0,00	6,72	0,03	0,00	0,00	0,00	0,00	0,00	0,00
— Ireland (£ Irl)	0,000	0,000	0,000	0,748	0,003	0,000	0,000	0,000	0,000	0,000	0,000
— Italy (Lit)	0	0	0	1 499	7	0	0	0	0	0	0
— Netherlands (Fl)	0,00	0,00	0,00	2,26	0,01	0,00	0,00	0,00	0,00	0,00	0,00
— Portugal (Esc)	0,00	0,00	0,00	177,60	0,80	0,00	0,00	0,00	0,00	0,00	0,00
— United Kingdom (£)	0,000	0,000	0,000	0,663	0,003	0,000	0,000	0,000	0,000	0,000	0,000

Partial aids

[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	30,05	0,14	0,00	0,00	0,00	0,00	0,00	0,00
— Denmark (Dkr)	0,00	0,00	0,00	5,56	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	1,46	0,01	0,00	0,00	0,00	0,00	0,00	0,00
— Greece (Dr)	0,00	0,00	0,00	152,73	0,69	0,00	0,00	0,00	0,00	0,00	0,00
— Spain (Pta)	0,00	0,00	0,00	94,97	0,43	0,00	0,00	0,00	0,00	0,00	0,00
— France (FF)	0,00	0,00	0,00	4,89	0,02	0,00	0,00	0,00	0,00	0,00	0,00
— Ireland (£ Irl)	0,000	0,000	0,000	0,544	0,002	0,000	0,000	0,000	0,000	0,000	0,000
— Italy (Lit)	0	0	0	1090	5	0	0	0	0	0	0
— Netherlands (Fl)	0,00	0,00	0,00	1,64	0,01	0,00	0,00	0,00	0,00	0,00	0,00
— Portugal (Esc)	0,00	0,00	0,00	129,16	0,58	0,00	0,00	0,00	0,00	0,00	0,00
— United Kingdom (£)	0,000	0,000	0,000	0,483	0,002	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	225,214	127,286	6,89509	0,767417	1 538,24	2,31643	179,188	0,693368

(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 1277/91

of 15 May 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 22 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 22 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 2 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 22 April 1991, the level of the premium is fixed at ECU 52,713 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 22 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 22 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, 15 May 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 15 May 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	24,775	0
0104 20 90		0
	Net weight	Net weight
0204 10 00	52,713	0
0204 21 00	52,713	0
0204 50 11		0
0204 22 10	36,899	
0204 22 30	57,984	
0204 22 50	68,527	
0204 22 90	68,527	
0204 23 00	95,938	
0204 30 00	39,535	
0204 41 00	39,535	
0204 42 10	27,675	
0204 42 30	43,489	
0204 42 50	51,396	
0204 42 90	51,396	
0204 43 00	71,954	
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	68,527	
0210 90 19	95,938	
1602 90 71 :		
— unboned (bone-in)	68,527	
— boned or boneless	95,938	

⁽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 1278/91

of 15 May 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 1245/91⁽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 14 May 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 16 May 1991.

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

Done at Brussels, 15 May 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 119, 14. 5. 1991, p. 25.

⁽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 15 May 1991 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	40,50 ⁽¹⁾
1701 11 90	40,50 ⁽¹⁾
1701 12 10	40,50 ⁽¹⁾
1701 12 90	40,50 ⁽¹⁾
1701 91 00	43,55
1701 99 10	43,55
1701 99 90	43,55 ⁽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 1279/91

of 15 May 1991

introducing a corrective amount on the import of courgettes into the
Community of Ten from Spain (except 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 3709/89
of 4 December 1989 laying down general rules for imple-
menting the Act of Accession of Spain and Portugal as
regards the compensatory mechanism for imports of fruit
and vegetables from Spain ⁽¹⁾, and in particular Article 4
(2) thereof,Whereas Article 152 of the Act of Accession introduces
from 1 January 1990 a compensatory mechanism for
imports into the Community as constituted on 31
December 1985, hereinafter called 'the Community of
Ten', of fruit and vegetables from Spain (except the
Canary Islands) for which a reference price is fixed with
regard to third countries;Whereas Regulation (EEC) No 3709/89 lays down general
rules for applying the said compensatory mechanism;Whereas Commission Regulation (EEC) No 807/91 ⁽²⁾
fixed, for the 1991 marketing year, the Community offer
price for courgettes applicable with regard to Spain
(except Canary Islands);Whereas Commission Regulation (EEC) No 3815/89 ⁽³⁾
lays down detailed rules for applying the compensatory
mechanism on imports of fruit and vegetables from Spain
(except the Canary Islands);Whereas, in the case of courgettes the offer price for the
Spanish product as calculated in accordance with the
provisions of Council Regulation (EEC) No 3709/89 hasremained for two consecutive market days at a level at
least ECU 0,6 below the Community offer price; whereas
a corrective amount equal to the difference between the
Community offer price and the Spanish offer price must
therefore be introduced for these products from Spain
(except the Canary Islands);Whereas if the system is to operate normally the offer
price of the Spanish product should be calculated on the
following basis:

- in the case of currencies the spot market rates for
which are maintained in relationship to each other
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 ⁽⁴⁾, as last
amended by Regulation (EEC) No 2205/90 ⁽⁵⁾;
- 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 coeffi-
cient referred to in the preceding indent;

HAS ADOPTED THIS REGULATION:

*Article 1*On import into the Community of Ten of courgettes (CN
ex 0709 90 70) from Spain (except the Canary Islands) a
corrective amount of ECU 3,77 per 100 kilograms net
shall be levied.*Article 2*

This Regulation shall enter into force on 17 May 1991.

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

Done at Brussels, 15 May 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 363, 13. 12. 1989, p. 3.⁽²⁾ OJ No L 82, 28. 3. 1991, p. 43.⁽³⁾ OJ No L 371, 20. 12. 1989, p. 28.⁽⁴⁾ OJ No L 164, 24. 6. 1985, p. 1.⁽⁵⁾ OJ No L 153, 13. 6. 1987, p. 1.

CORRIGENDA

Corrigendum to Commission Directive 91/31/EEC of 19 December 1990 adapting the technical definition of 'multilateral development banks' in Council Directive 89/647/EEC of 18 December 1989 on a solvency ratio for credit institutions

(Official Journal of the European Communities No L 17 of 23 January 1991)

On page 20 in the introductory phrase before Article 1 :

for: 'HAS ADOPTED THIS REGULATION';

read: 'HAS ADOPTED THIS DIRECTIVE';
