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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 1353/91**of 24 May 1991****extending, for the third time, the 1990/1991 marketing year in the milk and beef and veal sectors**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽³⁾, as last amended by Regulation (EEC) No 3577/90 ⁽⁴⁾, and in particular Article 4 thereof,

Having regard to the proposal from the Commission,

Whereas Regulation (EEC) No 1025/91 ⁽⁵⁾ extends the 1990/1991 marketing year in the milk and beef and veal sectors to 26 May 1991;

Whereas it has proved necessary to reconsider all the problems relating to the fixing of prices for the forthco-

ming marketing year, which will involve delay in the fixing of those prices; whereas the 1990/1991 marketing year must therefore be extended in the milk and beef and veal sectors until 16 June 1991,

HAS ADOPTED THIS REGULATION:

Article 1

1. The 1990/1991 milk year shall end on 16 June 1991 and the 1991/1992 milk year shall begin on 17 June 1991.
2. The 1990/1991 marketing year for beef and veal shall end on 16 June 1991 and the 1991/1992 marketing year shall begin on 17 June 1991.

Article 2

This Regulation shall enter into force on 27 May 1991.

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

Done at Brussels, 24 May 1991.

For the Council

The President

R. STEICHEN

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 362, 27. 12. 1990, p. 5.

⁽³⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽⁴⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽⁵⁾ OJ No L 106, 26. 4. 1991, p. 1.

COUNCIL REGULATION (EEC) No 1354/91**of 24 May 1991****fixing the basic price and the buying-in price for cauliflowers for the period 27 May to 16 June 1991**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

to 16 June 1991, pending a decision for the 1991/92 marketing year ;

Having regard to the Treaty establishing the European Economic Community,

Whereas the application of Articles 148 (1) and 285 (1) of the Act of Accession to Spain and Portugal respectively results in price levels differing from those of the common prices ; whereas, pursuant to Articles 149 and 285 of the said Act, the Spanish and Portuguese prices should be aligned on the common prices at the beginning of the marketing year ; whereas the criteria laid down for that alignment result in the basic price and the buying-in price applicable in those two Member States being fixed at the levels given below,

Having regard to the Act of Accession of Spain and Portugal, and in particular Articles 89 (1) and 234 (2) thereof,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables ⁽¹⁾, as last amended by Regulation (EEC) No 3920/90 ⁽²⁾, and in particular Article 16 (1) thereof,

HAS ADOPTED THIS REGULATION :

Having regard to the proposal from the Commission,

*Article 1*Having regard to the opinion of the European Parliament ⁽³⁾,

Whereas, pursuant to Article 16 (1) of Regulation (EEC) No 1035/72, a basic price and a buying-in price are to be fixed for each marketing year for each of the products listed in Annex II to the said Regulation ; whereas cauliflowers harvested in a given growing season are marketed from May to April of the following year ;

1. For the period 27 May to 31 May 1991, the basic price and the buying-in price for cauliflowers, expressed in ecus per 100 kilograms net, shall be as follows :

- basic price : ECU 25,50 in Spain, ECU 27,66 in Portugal and ECU 30,91 in the other Member States,
- buying-in price : ECU 11,08 in Spain, ECU 12,05 in Portugal and ECU 13,45 in the other Member States.

Whereas Commission Regulation (EEC) No 1081/91 of 26 April 1991 laying down precautionary measures for fruit and vegetables as regards cauliflowers for the period 1 May to 26 May 1991 ⁽⁴⁾ fixes the prices at which the intervention operations provided for in Articles 15 and 19 of Regulation (EEC) No 1035/72 are to be carried out during the period in question ;

2. For the period 1 June to 16 June 1991, the basic price and the buying-in price for cauliflowers, expressed in ecus per 100 kilograms net, shall be as follows :

- basic price : ECU 20,99 in Spain, ECU 21,67 in Portugal and ECU 24,92 in the other Member States,
- buying-in price : ECU 9,09 in Spain, ECU 9,40 in Portugal and ECU 10,80 in the other Member States.

Whereas, in order to ensure the continuity of cauliflower prices, it is therefore necessary to fix the basic price and the buying-in price for this product for the period 27 May

3. The amounts given in paragraphs 1 and 2 refer to trimmed cauliflowers of quality grade I, packaged.

These amounts do not take account of the cost of the packaging in which the product is put up.

Article 2

This Regulation shall enter into force on 27 May 1991.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 375, 31. 12. 1990, p. 17.

⁽³⁾ Opinion delivered on 16 May 1991, (not yet published in the Official Journal).

⁽⁴⁾ OJ No L 108, 30. 4. 1991, p. 27.

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

Done at Brussels, 24 May 1991.

For the Council

The President

R. STEICHEN

COUNCIL REGULATION (EEC) No 1355/91

of 24 May 1991

fixing the basic price and the buying-in price for apricots, peaches, nectarines
and lemons for the period 1 June to 16 June 1991

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European
Economic Community,

Having regard to the Act of Accession of Spain and
Portugal, and in particular Articles 89 (1) and 234 (2)
thereof,

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

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parli-
ament⁽³⁾,

Whereas, pursuant to Article 16 (1) of Regulation (EEC)
No 1035/72, a basic price and a buying-in price are to be
fixed for each marketing year for each of the products
listed in Annex II to the said Regulation; whereas the
products harvested in a given growing season are
marketed from May to August of each year in the case of
apricots, from May to October of each year in the case of
peaches and nectarines and from June to May of the
following year in the case of lemons; whereas, however,
in accordance with the third subparagraph of Article 16
(1) of Regulation (EEC) No 1035/72, no basic price or
buying-in price should be fixed during the slack market-
ing period at the beginning of the marketing year;

Whereas, in order to ensure the continuity of lemon
prices and to ensure that intervention is possible for
peaches and nectarines from 1 June 1991, it is necessary
to fix the basic price and the buying-in price for these
products for the period 1 June to 16 June 1991, pending
a decision for the 1991/92 marketing year;

Whereas the application of Articles 148 (1) and 285 (1) of
the Act of Accession to Spain and Portugal respectively
results in price levels differing from those of the common
prices; whereas, pursuant to Articles 149 and 285 of the
said Act, the Spanish and Portuguese prices should be
aligned on the common prices at the beginning of the
marketing year; whereas the criteria laid down for that
alignment result in the basic price and the buying-in
price applicable in those two Member States being fixed
at the levels given below,

Article 1

For the period 1 June to 16 June 1991, the basic price
and the buying-in price for apricots, peaches, nectarines
and lemons, expressed in ecus per 100 kilograms net,
shall be as follows:

for apricots:

- basic price: ECU 31,44 in Spain, ECU 33,34 in
Portugal and ECU 41,68 in the other Member States,
- buying-in price: ECU 17,91 in Spain, ECU 19,00 in
Portugal and ECU 23,74 in the other Member States;

for peaches:

- basic price: ECU 43,51 in Spain and ECU 45,31 in
the other Member States;
- buying-in price: ECU 24,18 in Spain and ECU 25,17
in the other Member States;

for nectarines:

- basic price: ECU 59,07,
- buying-in price: ECU 28,35;

for lemons:

- basic price: ECU 29,89 in Spain, ECU 32,36 in
Portugal and ECU 42,47 in the other Member States,
- buying-in price: ECU 17,59 in Spain, ECU 18,95 in
Portugal and ECU 24,95 in the other Member States.

These prices refer, respectively, to:

- packed apricots of quality class I of a size over 30
millimetres,
- packed peaches of the Amsden, Cardinal, Charles
Ingouf, Dixired, Jeronimo, J. H. Hale, Merrill
Gemfree, Michelini, Red Haven, San Lorenzo, Spring-
crest and Springtime varieties of quality class I, size 61
to 67 millimetres,
- packed nectarines of the Armking, Crimsongold, Early
Sun Grand, Fantasia, Independence, May Grand,
Nectared, Snow Queen and Stark Red Gold varieties
of quality class I, size 61 to 67 millimetres,
- packed lemons of quality class I, size 53 to 62 milli-
metres.

These prices do not take account of the cost of the packa-
ging in which the product is put up.

Article 2

This Regulation shall enter into force on 1 June 1991.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 375, 31. 12. 1990, p. 17.

⁽³⁾ Opinion delivered on 16 May 1991, (not yet published in the
Official Journal).

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

Done at Brussels, 24 May 1991.

For the Council

The President

R. STEICHEN

COUNCIL REGULATION (EEC) No 1356/91**of 24 May 1991****fixing the basic price and the buying-in price for tomatoes for the period 11 June to 16 June 1991**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Articles 89 (1) and 234 (2) thereof,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 3920/90⁽²⁾, and in particular Article 16 (1) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament⁽³⁾,

Whereas, pursuant to Article 16 (1) of Regulation (EEC) No 1035/72, a basic price and a buying-in price are to be fixed for each marketing year for each of the products listed in Annex II to the said Regulation; whereas tomatoes harvested in a given growing season are marketed from January to December of each year; whereas, however, in accordance with the third subparagraph of Article 16 (1) of Regulation (EEC) No 1035/72, no basic price or buying-in price should be fixed during the slack marketing period at the beginning of the marketing year;

Whereas, in order to ensure that intervention is possible for tomatoes from 11 June 1991, it is necessary to fix the basic price and the buying-in price for this product for the period 11 June to 16 June 1991, pending a decision for the 1991/92 marketing year;

Whereas the application of Articles 148 (1) and 285 (1) of the Act of Accession to Spain and Portugal respectively

results in price levels differing from those of the common prices; whereas, pursuant to Articles 149 and 285 of the said Act, the Spanish and Portuguese prices should be aligned on the common prices at the beginning of the marketing year; whereas the criteria laid down for that alignment result in the basic price and the buying-in price applicable in those two Member States being fixed at the levels given below,

HAS ADOPTED THIS REGULATION:

Article 1

For the period 11 June to 16 June 1991, the basic price and the buying-in price for tomatoes, expressed in ecus per 100 kilograms net, shall be as follows:

- basic price: ECU 17,63 in Spain, ECU 23,99 in Portugal and ECU 28,41 in the other Member States,
- buying-in price: ECU 6,70 in Spain, ECU 9,12 in Portugal and ECU 10,80 in the other Member States.

These prices refer to packed 'round' and 'ribbed' tomatoes of quality class I, size 57 to 67 millimetres.

These prices do not take account of the cost of the packaging in which the product is put up.

Article 2

This Regulation shall enter into force on 11 June 1991.

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

Done at Brussels, 24 May 1991.

For the Council

The President

R. STEICHEN

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 375, 31. 12. 1990, p. 17.

⁽³⁾ Opinion delivered on 16 May 1991, (not yet published in the Official Journal).

COUNCIL REGULATION (EEC) No 1357/91

of 24 May 1991

fixing the guide price for dried fodder products for the period 27 May to 16 June 1991

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 89 (1) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament⁽¹⁾,

Whereas, pursuant to Article 4 of Council Regulation (EEC) No 1117/78 of 22 May 1978 on the common organization of the market in dried fodder⁽²⁾, as last amended by Regulation (EEC) No 2275/89⁽³⁾, a guide price must be set for certain dried fodder products; whereas this price must be set for a standard quality;

Whereas, pursuant to Article 5 (2) of Regulation (EEC) No 1117/78, the aid provided for in paragraph 1 of that Article must be equal to a percentage of the difference between the guide price and the average world market price for the products in question; whereas, in view of the characteristics of the market in question, the percentage should be set at 80 %;

Whereas, pursuant to Article 68 of the Act of Accession, prices in Spain have been set at a level differing from that of the common prices; whereas, pursuant to Article 70 (1) of the Act of Accession, the Spanish price should be aligned with the common price in annual steps at the beginning of each marketing year; whereas the rules laid down on this alignment give the Spanish price set below;

Whereas it has proved necessary to reconsider all the problems relating to the fixing of prices for the 1991/92 marketing year, which will involve delay in the fixing of

these prices; whereas it is therefore necessary to fix the guide price for dried fodder products provisionally for the period 27 May to 16 June 1991,

HAS ADOPTED THIS REGULATION:

Article 1

Notwithstanding Article 4 (2) of Regulation (EEC) No 1117/78, for the period 27 May to 16 June 1991 the guide price for the products referred to in the first and third indents of Article 1 (b) of that Regulation shall be provisionally fixed at:

- ECU 174,30/tonne for Spain,
- ECU 178,61/tonne for the other Member States.

This price shall be for a product with:

- a moisture content of 11 %,
- a total gross protein content of 18 % of the dry weight.

Article 2

For the period 27 May to 16 June 1991 the percentage to be used to calculate the aid referred to in Article 5 of Regulation (EEC) No 1117/78 shall be fixed at 80 % for the products referred to in the first and third indents of Article 1 (b) and in (c) of the said Regulation.

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 for the period from 27 May to 16 June 1991 without prejudice to decisions taken later for the 1991/1992 marketing year, which will be applied as from 1 May 1991.

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

Done at Brussels, 24 May 1991.

For the Council

The President

R. STEICHEN

⁽¹⁾ Opinion delivered on 16 May, (not yet published in the Official Journal).

⁽²⁾ OJ No L 142, 30. 5. 1978, p. 1.

⁽³⁾ OJ No L 218, 24. 7. 1989, p. 1.

COMMISSION REGULATION (EEC) No 1358/91

of 24 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 23 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 25 May 1991.

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

Done at Brussels, 24 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 24 May 1991 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CN code	Levy
0709 90 60	134,88 ⁽²⁾ ⁽³⁾
0712 90 19	134,88 ⁽²⁾ ⁽³⁾
1001 10 10	194,89 ⁽¹⁾ ⁽⁵⁾
1001 10 90	194,89 ⁽¹⁾ ⁽⁵⁾
1001 90 91	158,78
1001 90 99	158,78
1002 00 00	154,12 ⁽⁶⁾
1003 00 10	148,38
1003 00 90	148,38
1004 00 10	137,12
1004 00 90	137,12
1005 10 90	134,88 ⁽²⁾ ⁽³⁾
1005 90 00	134,88 ⁽²⁾ ⁽³⁾
1007 00 90	141,75 ⁽⁴⁾
1008 10 00	38,28
1008 20 00	134,12 ⁽⁴⁾
1008 30 00	47,99 ⁽⁵⁾
1008 90 10	(7)
1008 90 90	47,99
1101 00 00	236,99 ⁽⁸⁾
1102 10 00	229,67 ⁽⁸⁾
1103 11 10	315,72 ⁽⁸⁾
1103 11 90	254,13 ⁽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 1359/91

of 24 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 23 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 25 May 1991.

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

Done at Brussels, 24 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 24 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	0	0	0
1001 10 90	0	0	0	0
1001 90 91	0	0	0	0
1001 90 99	0	0	0	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 10	0	0	0	0
1004 00 90	0	0	0	0
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	0

B. Malt

(ECU/tonne)

CN code	Current 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 1360/91
of 24 May 1991
fixing the import levies on rice and broken rice

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

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 1806/89 ⁽²⁾, and in particular Article 11 (2) thereof,

Having regard to Commission Regulation (EEC) No 883/87 of 23 March 1987 laying down detailed rules for the application of Council Regulation (EEC) No 3877/86 on imports rice of the long-grain aromatic Basmati variety falling within CN codes 1006 10, 1006 20 and 1006 30 ⁽³⁾, as last amended by Regulation (EEC) No 674/91 ⁽⁴⁾, and in particular Article 8 thereof,

Whereas the import levies on rice 230/91 broken rice were fixed by Commission Regulation (EEC) No 915/91 ⁽⁵⁾, as last amended by Regulation (EEC) No 1298/91 ⁽⁶⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the products listed in Article 1 (1) (a) and (b) of Regulation (EEC) No 1418/76 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 27 May 1991.

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

Done at Brussels, 24 May 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽³⁾ OJ No L 80, 24. 3. 1987, p. 20.

⁽⁴⁾ OJ No L 75, 21. 3. 1991, p. 29.

⁽⁵⁾ OJ No L 92, 13. 4. 1991, p. 5.

⁽⁶⁾ OJ No L 123, 18. 5. 1991, p. 12.

ANNEX

to the Commission Regulation of 24 May 1991 fixing the import levies on rice and broken rice

(ECU/tonne)

CN code	Arrangement in Regulation (EEC) No 3877/86	ACP or OCT (⁽¹⁾) (⁽²⁾) (⁽³⁾) Bangladesh	Third countries (except ACP or OCT) (⁽⁴⁾)
1006 10 21	—	153,77	314,75
1006 10 23	216,92	141,01	289,22
1006 10 25	216,92	141,01	289,22
1006 10 27	216,92	141,01	289,22
1006 10 92	—	153,77	314,75
1006 10 94	216,92	141,01	289,22
1006 10 96	216,92	141,01	289,22
1006 10 98	216,92	141,01	289,22
1006 20 11	—	193,12	393,44
1006 20 13	271,14	177,16	361,52
1006 20 15	271,14	177,16	361,52
1006 20 17	271,14	177,16	361,52
1006 20 92	—	193,12	393,44
1006 20 94	271,14	177,16	361,52
1006 20 96	271,14	177,16	361,52
1006 20 98	271,14	177,16	361,52
1006 30 21	—	238,95	501,76 (⁽⁵⁾)
1006 30 23	433,50 (⁽⁵⁾)	277,11	578,00 (⁽⁵⁾)
1006 30 25	433,50 (⁽⁵⁾)	277,11	578,00 (⁽⁵⁾)
1006 30 27	433,50 (⁽⁵⁾)	277,11	578,00 (⁽⁵⁾)
1006 30 42	—	238,95	501,76 (⁽⁵⁾)
1006 30 44	433,50 (⁽⁵⁾)	277,11	578,00 (⁽⁵⁾)
1006 30 46	433,50 (⁽⁵⁾)	277,11	578,00 (⁽⁵⁾)
1006 30 48	433,50 (⁽⁵⁾)	277,11	578,00 (⁽⁵⁾)
1006 30 61	—	254,84	534,38 (⁽⁵⁾)
1006 30 63	464,72 (⁽⁵⁾)	297,46	619,62 (⁽⁵⁾)
1006 30 65	464,72 (⁽⁵⁾)	297,46	619,62 (⁽⁵⁾)
1006 30 67	464,72 (⁽⁵⁾)	297,46	619,62 (⁽⁵⁾)
1006 30 92	—	254,84	534,38 (⁽⁵⁾)
1006 30 94	464,72 (⁽⁵⁾)	297,46	619,62 (⁽⁵⁾)
1006 30 96	464,72 (⁽⁵⁾)	297,46	619,62 (⁽⁵⁾)
1006 30 98	464,72 (⁽⁵⁾)	297,46	619,62 (⁽⁵⁾)
1006 40 00	—	67,03	140,07

(⁽¹⁾) Subject to the application of the provisions of Articles 12 and 13 of Regulation (EEC) No 715/90.

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

(⁽³⁾) The import levy on rice entering the overseas department of Réunion is specified in Article 11a of Regulation (EEC) No 1418/76.

(⁽⁴⁾) The levy on imports of rice, not including broken rice (CN code 1006 40 00), originating in Bangladesh is applicable under the arrangements laid down in Regulation (EEC) Nos 3491/90 and 862/91.

(⁽⁵⁾) The levy on imports into Portugal is increased by the amount specified in Article 2 (2) of Regulation (EEC) No 3808/90.

COMMISSION REGULATION (EEC) No 1361/91

of 24 May 1991

fixing the premiums to be added to the import levies on rice and broken rice

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

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

Having regard to Council Regulation (EEC) No 1418/76
of 21 June 1976 on the common organization of the
market in rice ⁽¹⁾, as last amended by Regulation (EEC)
No 1806/89 ⁽²⁾, and in particular Article 13 (6) thereof,

Whereas the premiums to be added to the levies on rice
and broken rice were fixed by Commission Regulation
(EEC) No 3847/90 ⁽³⁾, as last amended by Regulation
(EEC) No 1299/91 ⁽⁴⁾;

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 shown in the Annex hereto,

HAS ADOPTED THIS REGULATION :

Article 1

The premiums to be added to the import levies fixed in
advance in respect of rice and broken rice originating in
third countries shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 27 May 1991.

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

Done at Brussels, 24 May 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽³⁾ OJ No L 367, 29. 12. 1990, p. 19.

⁽⁴⁾ OJ No L 123, 18. 5. 1991, p. 14.

ANNEX

to the Commission Regulation of 24 May 1991 fixing the premiums to be added to the import levies on rice and broken rice

CN code	(ECU/tonne)			
	Current 5	1st period 6	2nd period 7	3rd period 8
1006 10 21	0	0	0	—
1006 10 23	0	0	0	—
1006 10 25	0	0	0	—
1006 10 27	0	0	0	—
1006 10 92	0	0	0	—
1006 10 94	0	0	0	—
1006 10 96	0	0	0	—
1006 10 98	0	0	0	—
1006 20 11	0	0	0	—
1006 20 13	0	0	0	—
1006 20 15	0	0	0	—
1006 20 17	0	0	0	—
1006 20 92	0	0	0	—
1006 20 94	0	0	0	—
1006 20 96	0	0	0	—
1006 20 98	0	0	0	—
1006 30 21	0	0	0	—
1006 30 23	0	0	0	—
1006 30 25	0	0	0	—
1006 30 27	0	0	0	—
1006 30 42	0	0	0	—
1006 30 44	0	0	0	—
1006 30 46	0	0	0	—
1006 30 48	0	0	0	—
1006 30 61	0	0	0	—
1006 30 63	0	0	0	—
1006 30 65	0	0	0	—
1006 30 67	0	0	0	—
1006 30 92	0	0	0	—
1006 30 94	0	0	0	—
1006 30 96	0	0	0	—
1006 30 98	0	0	0	—
1006 40 00	0	0	0	0

COMMISSION REGULATION (EEC) No 1362/91**of 24 May 1991****amending Regulation (EEC) No 1013/91 and increasing to 60 000 tonnes the amount of common feed wheat held by the Danish intervention agency for which a standing invitation to tender for resale has been opened**

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,

Having regard to Council Regulation (EEC) No 1836/82 of 7 July 1982 laying down the procedure and conditions for the disposal of cereals held by intervention agencies⁽³⁾, as last amended by Regulation (EEC) No 2619/90⁽⁴⁾,

Whereas Commission Regulation (EEC) No 1013/91⁽⁵⁾ opened a standing invitation to tender for the resale of 30 000 tonnes of common feed wheat held by the Danish intervention agency;

Whereas in the present situation on the market the quantity of common feed wheat held by the Danish interven-

tion agency put up for sale on the internal market of the Community should be increased to 60 000 tonnes;

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

In Article 1 of Regulation (EEC) No 1013/91 'of 30 000 tonnes' is replaced by 'of 60 000 tonnes'.

Article 2

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

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

Done at Brussels, 24 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 202, 9. 7. 1982, p. 23.

⁽⁴⁾ OJ No L 249, 12. 9. 1990, p. 8.

⁽⁵⁾ OJ No L 105, 25. 4. 1991, p. 20.

COMMISSION REGULATION (EEC) No 1363/91

of 24 May 1991

amending Regulation (EEC) No 1271/91 and increasing to 350 000 tonnes the amount of bread-making wheat held by the French intervention agency for which a standing invitation to tender for resale has been opened

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,

Having regard to Council Regulation (EEC) No 1836/82 of 7 July 1982 laying down the procedure and conditions for the disposal of cereals held by intervention agencies ⁽³⁾, as last amended by Regulation (EEC) No 2619/90 ⁽⁴⁾,

Whereas Commission Regulation (EEC) No 1271/91 ⁽⁵⁾ opened a standing invitation to tender for the resale of 100 000 tonnes of bread-making wheat held by the French intervention agency;

Whereas in the present situation on the market the quantity of bread-making wheat held by the French interven-

tion agency put up for sale on the internal market of the Community should be increased to 350 000 tonnes;

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

In Article 1 of Regulation (EEC) No 1271/91 'of 100 000 tonnes' is replaced by 'of 350 000 tonnes'.

Article 2

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

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

Done at Brussels, 24 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 202, 9. 7. 1982, p. 23.

⁽⁴⁾ OJ No L 249, 12. 9. 1990, p. 8.

⁽⁵⁾ OJ No L 121, 16. 5. 1991, p. 8.

COMMISSION REGULATION (EEC) No 1364/91

of 24 May 1991

determining the origin of textiles and textile articles falling within Section XI of the combined nomenclature

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 802/68 of 27 June 1968 on the common definition of the concept of origin of goods ⁽¹⁾, as last amended by Regulation (EEC) No 456/91 ⁽²⁾, and in particular Article 14 thereof,

Whereas firstly :

- Article 5 of Regulation (EEC) No 802/68 lays down that a product, in the production of which two or more countries were concerned, shall be regarded as originating in the country in which the last substantial process or operation that is economically justified was performed, having been carried out in an undertaking equipped for the purpose, and resulting in the manufacture of a new product or representing an important stage of manufacture,
- in order to take account of the complexity of certain manufacturing processes, it is necessary to adopt provisions in order to specify the application of this Article 5 in relation to particular products,
- with regard to textiles and textile articles falling within Section XI of the combined nomenclature, the criteria laid down in Article 5 may be considered to be fulfilled where the products obtained have undergone one complete process constituting an important stage of manufacture ; this is normally the case where the working or processing results in the product obtained receiving a classification under a heading other than those covering the various materials utilized ; it is necessary, however, in the case of certain textile products to lay down specific conditions, either additional to the rule of the change of heading or by way of exception to this rule ;

Whereas secondly :

- some of the provisions presently applied to interpret Article 5 of Regulation (EEC) No 802/68 use the Common Customs Tariff nomenclature, which is itself based on the Customs Cooperation Council nomenclature,
- this has been replaced by the harmonized commodity description and coding system which is applied in the Community by means of the combined nomenclature,

- it is therefore necessary to adapt as appropriate the relevant provisions to take account of this change in nomenclature ;

Whereas thirdly

- it is appropriate to integrate in a single text all the provisions on textiles and textile articles falling within Section XI of the combined nomenclature adopted by the Commission to interpret Regulation (EEC) No 802/68 in accordance with the procedure defined in Article 14 thereof, with a view to facilitating the work of users and customs administration,
- this integration has to be accompanied by some modifications of the presentation or the wording of the existing provisions,
- it is desirable on this occasion to reformulate the provisions relating to printed or dyed fabrics, including knitted or crocheted fabrics, with a view to clarifying their content,
- it is also desirable to separately specify grege silk and silk waste as products on the basis of which working or processing may be carried out, to avoid any confusion as to whether they are products already prepared for spinning, which point has also been covered in an explanatory note ;
- it is also necessary to modify the provisions adopted in interpretation of Article 5 of Regulation (EEC) No 802/68 in relation to textile yarns to take into account the Judgment of the Court of Justice of 23 March 1983 in Case 162/82 ⁽³⁾ ; a new rule for dyeing and printing of yarn has now been formulated as a result of detailed studies of manufacturing operations and following consultations with the economic sector concerned ; this rule closely reflects the manufacturing realities involved in dyeing and printing of yarn and confirms the objective distinction between the nature of such operations carried out on yarn and on fabrics ;

Whereas the provisions of this Regulation are in accordance with the opinion of the Committee on Origin,

HAS ADOPTED THIS REGULATION :

Article 1

This Regulation lays down, for textiles and textile articles falling within Section XI of the combined nomenclature, the working or processing which shall be regarded as

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 1.

⁽²⁾ OJ No L 54, 28. 2. 1991, p. 4.

⁽³⁾ [1983] ECR, p. 1101.

satisfying the criteria provided in Article 5 of Regulation (EEC) No 802/68 and shall confer on the products concerned the origin of the country in which they were carried out.

'Country' means either a third country or the Community as appropriate.

Article 2

For textiles and textile articles falling within Section XI of the combined nomenclature, a complete process, as specified in Article 3, shall be regarded as a working or processing conferring origin in terms of Article 5 of Regulation (EEC) No 802/68.

Article 3

Working or processing as a result of which the products obtained receive a classification under a heading of the combined nomenclature other than those covering the various non-originating materials used shall be regarded as complete processes.

However, for products listed in Annex II, only the specific processes referred to in column 3 of that Annex in connection with each product obtained shall be regarded as complete, whether or not they involve a change of heading.

The method of applying the rules in Annex II is described in the introductory notes of Annex I.

Article 4

For purposes of Article 3, the following shall in any event be considered as insufficient working or processing to confer the status of originating products irrespective of whether or not there is a change of heading:

- (a) operations to ensure the preservation of products in good condition during transport and storage (ventila-

tion, spreading out, drying, removal of damaged parts and like operations);

- (b) simple operations consisting of removal of dust, sifting or screening, sorting, classifying, matching (including the making-up of sets of articles), washing, cutting-up;
- (c) (i) changes of packing and breaking-up and assembly of consignments;
- (ii) simple placing in bags, cases, boxes, fixing on cards or boards, etc., and all other simple packing operations;
- (d) the affixing of marks, labels or other like distinguishing signs on products or their packaging;
- (e) simple assembly of parts of products to constitute a complete product;
- (f) a combination of two or more operations specified in (a) to (e).

Article 5

The term 'value' used in Annex II shall mean the customs value at the time of import of the non-originating materials used or, if this is not known and cannot be ascertained, the first ascertainable price for such materials in the country of processing. The term 'ex-works price' used in Annex II shall mean the ex-works price of the product obtained, less any internal taxes refunded or refundable, on exportation.

Article 6

Commission Regulations (EEC) No 1039/71 ⁽¹⁾, (EEC) No 1480/77 ⁽²⁾, (EEC) No 749/78 ⁽³⁾ are hereby repealed.

Article 7

This Regulation shall enter into force three days after 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, 24 May 1991.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 113, 25. 5. 1971, p. 13.

⁽²⁾ OJ No L 164, 2. 7. 1977, p. 16.

⁽³⁾ OJ No L 101, 14. 4. 1978, p. 7.

ANNEX I

INTRODUCTORY NOTES TO THE LISTS OF WORKING OR PROCESSING REQUIRED TO BE CARRIED OUT ON NON-ORIGINATING MATERIALS IN ORDER THAT THE PRODUCT MANUFACTURED CAN OBTAIN ORIGINATING STATUS**GENERAL CONSIDERATIONS****Note 1**

- 1.1. The first two columns in the list in Annex II describe the product obtained. The first column gives the heading number, or the chapter number, used in the combined nomenclature and the second column gives the description of goods used in the combined nomenclature for that heading or chapter. For each entry in the first two columns, a rule is specified in column 3. Where the entry in the first column is preceded by an 'ex', this signifies that the rules in column 3 only applies to the part of that heading or chapter as described in column 2.
- 1.2. Where several heading numbers are grouped together in column 1 or a chapter number is given and the description of product in column 2 is therefore given in general terms, the adjacent rule in column 3 applies to all products which, under the combined nomenclature, are classified in headings of the chapter or in any of the headings grouped together in column 1.
- 1.3. Where the list includes different rules applying to different products within a heading, each indent contains the description of that part of the heading covered by the adjacent rule in column 3.

Note 2

- 2.1. The term 'manufacture' covers any kind of working or processing including 'assembly' or specific operations.
- 2.2. The term 'material' covers any 'ingredient', 'raw material', 'component' or 'part', etc., used in the manufacture of the product.
- 2.3. The term 'product' refers to the product being manufactured, even if it is intended for later use in another manufacturing operation.

Note 3

- 3.1. The working or processing required by a rule in column 3 has to be carried out only in relation to the non-originating materials used. The restrictions contained in a rule in column 3 likewise apply only to the non-originating materials used.
- 3.2. If a product, made from non-originating materials, which has itself acquired originating status during manufacture, is used as a material in the process of manufacture of another product, then the list rule applicable to the product in which it is incorporated does not apply to it.

For example, unembroidered fabric may obtain origin by being woven from yarn. If this is then used in making embroidered bed linen, then the percentage value limit imposed on the use of unembroidered fabric does not apply in this case.

Note 4

- 4.1. The rules in the list represent the minimum amount of working or processing required and the carrying out of more working or processing also confers originating status; conversely, the carrying out of less working or processing cannot confer origin. Thus if a rule says that non-originating material at a certain level of manufacture may be used, the use of such material at an earlier stage of manufacture is allowed and the use of such material at a later stage is not.
- 4.2. When a rule in a list specifies that a product may be manufactured from more than one material, this means that any one or more of the materials may be used. It does not require that all be used.
For example, the rule for yarns says that natural fibres may be used and that chemical materials, among other materials, may also be used. This does not mean that both have to be used; one can use one or the other or both.
- 4.3. When a rule in a list specifies that a product must be manufactured from a particular material, the condition obviously does not prevent the use of other materials which, because of their inherent nature, cannot satisfy the rule.

Note 5

- 5.1. The term 'fibres' used in the list in Annex II covers 'natural fibres' and 'man-made staple fibres' of CN codes 5501 to 5507, and fibres of a kind used for the manufacture of paper.
- 5.2. The term 'natural fibres' is used in the list in Annex II to refer to fibres other than artificial or synthetic fibres and is restricted to the stages before spinning takes place, including waste and, unless otherwise specified, the term 'natural fibres' includes fibres that have been carded, combed or otherwise processed but not spun.
- 5.3. The term 'natural fibres' includes horsehair of CN codes 0503, silk of CN codes 5002 and 5003 as well as the wool fibres, fine or coarse animal hair of CN codes 5101 to 5105, the cotton fibres of CN codes 5201 to 5203 and the other vegetable fibres of CN codes 5301 to 5305.
- 5.4. The term 'man-made staple fibres' is used in the list in Annex II to refer to synthetic or artificial filament tow, staple fibres or waste, of CN codes 5501 to 5507.
- 5.5 The terms 'textile pulp' and 'chemical materials' are used in the list in Annex II to describe the non-textile materials (these are not classified in Chapters 50 to 63) which can be used to manufacture artificial or synthetic fibres or yarns, or fibres of a kind used for the manufacture of paper.
- 5.6. For yarn obtained from two or more textile materials, the provision appearing in the list in Annex II shall be applied cumulatively both as regards the headings under which the mixed yarn is classified and for the headings under which yarn of each of the other textiles of which the mixture is composed would be classified.
- 5.7. For products obtained from two or more textile materials, the provisions appearing in column 3 are applicable for each of the textile materials of which the mixture is composed.

Note 6

- 6.1. The term 'prebleached' used in the list in Annex II to characterize the level of manufacture required when certain non-originating materials are used, applies to certain yarns, woven fabrics and knitted or crocheted fabrics which have only been washed after the spinning or weaving operation.

Prebleached products are at an earlier stage of manufacture than bleached products, which have undergone several baths in bleaching agents (oxydizing agents such as hydrogen peroxyde and reducing agents).

- 6.2. The term 'complete making-up' used in the list in Annex II means that all the operations following cutting of the fabric or knitting or crocheting of the fabric directly to shape have to be performed.

However, making-up shall not necessarily be considered as incomplete where one or more finishing operations have not been carried out.

The following is a list of examples of finishing operations :

- fitting of buttons and/or other types of fastenings,
- making of button-holes,
- finishing off the ends of trouser legs and sleeves or the bottom hemming of skirts and dresses,
- fitting or trimmings and accessories such as pockets, labels, badges, etc.,
- ironing and other preparations of garments for sale 'ready-made'.

Remarks concerning finishing operations — special cases

It is possible that in particular manufacturing operations, the accomplishment of finishing operations, especially in the case of a combination of operations, is of such importance that these operations must be considered as going beyond simple finishing.

In these particular cases, the non-accomplishing of finishing operations will deprive the making-up of its complete nature.

- 6.3. The term 'impregnation, coating, covering or laminating' does not cover those operations designed to bind fabrics together.

ANNEX II

LIST OF WORKING OR PROCESSING REQUIRED TO BE CARRIED OUT ON NON-ORIGINATING TEXTILES AND TEXTILE ARTICLES FALLING WITHIN SECTION XI IN ORDER THAT THE PRODUCT MANUFACTURED CAN OBTAIN ORIGINATING STATUS

CN code	Description of product	Working or processing carried out on non-originating materials that confers the status of originating products
(1)	(2)	(3)
ex 5101	Wool, not carded or combed : — degreased, not carbonized — carbonized	Manufacture from greasy, including piece-wasted wool, the value of which does not exceed 50 % of the ex-works price of the product Manufacture from degreased wool, not carbonized, the value of which does not exceed 50 % of the ex-works price of the product
ex 5103	Waste of wool or of fine or coarse animal hair, carbonized	Manufacture from non-carbonized waste, the value of which does not exceed 50 % of the ex-works price of the product
ex 5201	Cotton, not carded or combed, bleached	Manufacture from raw cotton, the value of which does not exceed 50 % of the ex-works price of the product
5501 to 5507	Man-made staple fibres : — not carded or combed or otherwise processed for spinning — carded or combed or other	Manufacture from chemical materials or textile pulp Manufacture from chemical materials or textile pulp or waste of CN code 5505
ex Chapters 50 to 55	Yarn, monofilament and thread, other than paper yarn : — printed or dyed — other	Manufacture from : — natural fibres not carded or combed or otherwise prepared for spinning, — grege silk or silk waste, — chemical materials or textile pulp, or — man-made staple fibres, filament tow or waste of fibres, not carded or combed or otherwise prepared for spinning or Printing or dyeing of yarn or monofilaments, unbleached or prebleached ⁽¹⁾ , accompanied by preparatory or finishing operations, twisting or texturizing not being considered as such, the value of non-originating material (including yarn), not exceeding 48 % of the ex-works price of the product Manufacture from : — natural fibres not carded or combed or otherwise prepared for spinning, — grege silk or silk waste, — chemical materials or textile pulp, or — man-made staple fibres, filament tow or waste of fibres, not carded or combed or otherwise prepared for spinning

CN code	Description of product	Working or processing carried out on non-originating materials that confers the status of originating products
(1)	(2)	(3)
ex Chapters 50 to 55	Woven fabrics, other than fabrics of paper yarn :	
	— printed or dyed	Manufactured from yarn or Printing or dyeing of unbleached or prebleached fabrics, accompanied by preparatory or finishing operations ⁽¹⁾ ⁽²⁾
	— other	Manufacture from yarn
5601	Wadding of textile materials and articles thereof ; textile fibres not exceeding 5 mm in length (flock), textile dust and mill neps	Manufacture from fibres
5602	Felt, whether or not impregnated, coated, covered or laminated :	
	— printed or dyed	Manufacture from fibres or Printing or dyeing of unbleached or prebleached felt, accompanied by preparatory or finishing operations ⁽¹⁾ ⁽²⁾
	— impregnated, coated, covered or laminated	Impregnation, coating, covering or laminating of non-wovens, unbleached ⁽¹⁾
	— other	Manufacture from fibres
5603	Non-wovens, whether or not impregnated, coated, covered or laminated :	
	— printed or dyed	Manufacture from fibres or Printing or dyeing of unbleached or prebleached non-wovens, accompanied by preparatory or finishing operations ⁽²⁾
	— impregnated, coated, covered or laminated	Impregnation, coating, covering or laminating of non-wovens, unbleached ⁽¹⁾
	— other	Manufacture from fibres
5604	Rubber thread and cord, textile covered, textile yarn and strip, and the like of CN codes 5404 or 5405, impregnated, coated, covered or sheathed with rubber or plastics :	
	— rubber thread and cord, textile covered	Manufacture from rubber thread or cord, not textile covered
	— other	Impregnation, coating, covering or sheathing of textile yarn and strip and the like, unbleached
5607	Twine cordage, rope and cables, whether or not plaited or braided and whether or not impregnated, coated, covered or sheathed with rubber or plastics	Manufacture from fibres, coir yarn, synthetic or artificial filament yarn or monofilament

CN code	Description of product	Working or processing carried out on non-originating materials that confers the status of originating products
(1)	(2)	(3)
5609	Articles of yarn, strip or the like of CN codes 5404 or 5405, twine, cordage, rope or cables, not elsewhere specified or included	Manufacture from fibres, coir yarn, synthetic or artificial filament yarn or monofilament
5704	Carpets and other textile floor coverings, of felt, not tufted or flocked, whether or not made up	Manufacture from fibres
Chapter 58	Special woven fabrics; tufted textile fabrics; lace; tapestries, trimmings; embroidery:	
	— embroidery in the piece, in strips or in motifs (CN code 5810)	Manufacture in which the value of the materials used does not exceed 50 % of the ex-works price of the product
	— printed or dyed	Manufacture from yarn or Printing or dyeing of unbleached or prebleached fabrics, felt or non-wovens, accompanied by preparatory or finishing operations ⁽¹⁾ ⁽²⁾
	— impregnated, coated or covered	Manufacture from unbleached fabrics, felt or non-wovens
	— other	Manufacture from yarn
5901	Textile fabrics coated with gum or amylaceous substances, of a kind used for the outer covers of books or the like; tracing cloth; prepared painting canvas, buckram and similar stiffened textile fabrics of a kind for hat foundations	Manufacture from unbleached fabrics
5902	Tyre-cord fabric of high tenacity yarn of nylon or other polyamides, polyesters or viscose rayon	Manufacture from yarn
5903	Textile fabrics, impregnated, coated, covered or laminated with plastics, other than those of CN code 5902	Manufacture from unbleached fabrics or Printing or dyeing of unbleached or prebleached fabrics, accompanied by preparatory or finishing operations ⁽¹⁾ ⁽²⁾
5904	Linoleum, whether or not cut to shape; floor coverings consisting of a coating or covering applied on a textile backing, whether or not cut to shape	Manufacture from unbleached fabrics, felt or non-wovens
5905	Textile wall coverings	Manufacture from unbleached fabrics or Printing or dyeing of unbleached or prebleached fabrics, accompanied by preparatory or finishing operations ⁽¹⁾ ⁽²⁾

CN code	Description of product	Working or processing carried out on non-originating materials that confers the status of originating products
(1)	(2)	(3)
5906	Rubberized textile fabrics, other than those of CN code 5902	Manufacture from bleached knitted or crocheted fabrics, or from other unbleached fabrics
5907	Textile fabrics otherwise impregnated, coated or covered; painted canvas being theatrical scenery, studio backcloths or the like	Manufacture from unbleached fabrics or Printing or dyeing of unbleached or prebleached fabrics, accompanied by preparatory or finishing operations ⁽¹⁾ ⁽²⁾
5908	Textile wicks, woven, plaited or knitted, for lamps, stoves, lighters, candles and the like; incandescent gas mantles and tubular knitted gas mantle fabric therefor, whether or not impregnated	Manufacture from yarn
5909	Textile hosepipe and similar textile tubing with or without lining, armour or accessories of other materials	Manufacture from yarn or fibres
5910	Transmission or conveyor belts or belting, of textile material, whether or not reinforced with metal or other material	Manufacture from yarn or fibres
5911	Textile products and articles, for technical uses, specified in note 7 to Chapter 59 of the combined nomenclature:	
	— polishing discs or rings other than of felt	Manufacture from yarn, waste fabrics or rags of CN code 6310
	— other	Manufacture from yarn of fibres
Chapter 60	Knitted or crocheted fabrics:	
	— printed or dyed	Manufacture from yarn or Printing or dyeing of unbleached or prebleached fabrics, accompanied by preparatory or finishing operations ⁽¹⁾ ⁽²⁾
	— other	Manufacture from yarn
Chapter 61	Articles of apparel and clothing accessories, knitted or crocheted:	
	— obtained by sewing together or otherwise assembling, two or more pieces of knitted or crocheted fabric which have been either cut to form or obtained directly to form	Complete making-up ^(*)
	— other	Manufacture from yarn
ex Chapter 62	Articles of apparel and clothing accessories, not knitted or crocheted, except of CN codes 6213 and 6214 for which the rules are set out below:	
	— finished or complete	Complete making-up ^(*)
	— unfinished or uncomplete	Manufacture from yarn

CN code	Description of product	Working or processing carried out on non-originating materials that confers the status of originating products
(1)	(2)	(3)
6213 and 6214	Handkerchiefs, shawls, scarves, mufflers, mantillas, veils and the like : — embroidered	Manufacture from yarn or Manufacture from unembroidered fabric, provided the value of the unembroidered fabric used does not exceed 40 % of the ex-works price of the product
	— other	Manufacture from yarn
6301 to ex 6306	Blankets and travelling rugs; bedlinen, table linen, toilet linen and kitchen linen; curtains (including drapes) and interior blinds; curtain and bed valances; other furnishing articles (excluding those of CN code 9494); sacks and bags of a kind used for the packing of goods; tarpaulins, awnings, and camping goods : — of felt or non-wovens : — not impregnated, coated, covered or laminated — impregnated, coated, covered or laminated — other : — knitted or crocheted — unembroidered — embroidered — not knitted or crocheted : — unembroidered — embroidered	Manufacture from fibres Impregnation, coating, covering or laminating of felt or non-wovens, unbleached (*) Complete making-up (*) Complete making-up (*) or Manufacture from unembroidered knitted or crocheted fabric provided the value of the unembroidered knitted or crocheted fabric used does not exceed 40 % of the ex-works price of the product
6307	Other made up textile articles (including dress patterns), except for fans and hand screens, non-mechanical, frames and handles therefor and parts of such frames and handles : — floor cloths, dish cloths, dusters and the like — other	Manufacture from yarn Manufacture in which the value of the materials used does not exceed 40 % of the ex-works price of the product

CN code	Description of product	Working or processing carried out on non-originating materials that confers the status of originating products
(1)	(2)	(3)
6308	Sets consisting of woven fabric and yarn, whether or not with accessories, for making up into rugs, tapestries, embroidered table cloths or serviettes or similar textile articles, put up in packings for retail sale	Incorporation in a set in which the total value of all the non-originating articles incorporated does not exceed 25 % of the ex-works price of the set

(¹) See introductory Note 6.1. in Annex I to this Regulation.

(²) However to be regarded as a working or processing conferring origin, thermoprinting has to be accompanied by printing of the transfer paper.

(³) See introductory note 6.3. in Annex 1 to this Regulation.

(⁴) See introductory note 6.2. in Annex to this Regulation.

COMMISSION REGULATION (EEC) No 1365/91

of 24 May 1991

on determining the origin of cotton linters, impregnated felt and nonwovens,
articles of apparel of leather, footwear and watch straps of textiles

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, as last amended by Commission Regulation (EEC) No 1056/91⁽²⁾, and in particular Article 15 thereof,

Whereas the classification of the goods described in the following Commission Regulations use the Common Customs Tariff nomenclature which is itself based on the Customs Cooperation Council nomenclature:

1. Commission Regulation (EEC) No 1039/71 of 24 May 1971 on determining the origin of certain textile articles⁽³⁾, as amended by Regulation (EEC) No 749/78⁽⁴⁾;
2. Commission Regulation (EEC) No 1480/77⁽⁵⁾ on determining the origin of certain knitted or crocheted articles and certain articles of apparel and footwear, as amended by Regulation (EEC) No 749/78;
3. Commission Regulation (EEC) No 749/78 of 10 April 1978 on determining the origin of certain textile products falling within Chapters 51 and 53 to 62 of the Common Customs Tariff, as amended by Regulation (EEC) No 2747/79⁽⁶⁾;

Whereas the Customs Cooperation Council nomenclature has been replaced by the harmonized commodity description and coding system which is applied in the Community by means of the combined nomenclature; whereas the classification of products referred to in Commission Regulations (EEC) No 1039/71, (EEC) No 1480/77 and (EEC) No 749/78 is adapted to the combined nomenclature

by Commission Regulation (EEC) No 1364/91⁽⁷⁾ as far as products falling within Section XI of that nomenclature are concerned; whereas it is necessary to adapt the classification of products referred to in these three Regulations and falling within other Sections of the combined nomenclature than Section XI;

Whereas the abovementioned adaptations to the combined nomenclature constitute simple and technical adaptations not entailing any amendment concerning the scope of the rules which had previously been laid down,

HAS ADOPTED THIS REGULATION:

Article 1

The products described in column (2) of the table set out in the Annex originate in the country in which the operations referred to in column (3) were carried out.

Article 2

The term 'value' used in the Annex shall mean the customs value at the time of import of the non-originating materials used or, if this is not known and cannot be ascertained, the first ascertainable price for such materials in the country of processing. The term 'ex-works price' used in the Annex shall mean the ex-works price of the product obtained, less any internal taxes refunded or refundable on exportation.

Article 3

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

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

Done at Brussels, 24 May 1991.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽²⁾ OJ No L 107, 27. 4. 1991, p. 10.

⁽³⁾ OJ No L 113, 25. 5. 1971, p. 13.

⁽⁴⁾ OJ No L 101, 14. 4. 1978, p. 7.

⁽⁵⁾ OJ No L 164, 2. 7. 1977, p. 16.

⁽⁶⁾ OJ No L 311, 7. 12. 1979, p. 18.

⁽⁷⁾ See page 18 of this Official Journal.

ANNEX

CN code	Description of product	Working or processing carried out on non-originating materials that confers the status of originating products
(1)	(2)	(3)
ex 1404	Cotton linters, bleached	Manufacture from raw cotton, the value of which does not exceed 50 % of the ex-works-price of product (')
ex 3401	Felt and nonwovens, impregnated, coated or covered with soap or detergent	Manufacture from felt or nonwovens
ex 3405	Felt and nonwovens, impregnated, coated or covered with polishes and creams for footwear, furniture, floors, coachwork, glass or metal, scouring pastes and powders and similar preparations	Manufacture from felt or nonwovens
ex 4203	Articles of apparel of leather or of composition leather	Sewing or assembly of two or more pieces of leather or of composition leather
6401 to 6405	Footwear	Manufacture from materials of any heading except for assemblies of uppers affixed to inner soles or to other sole components of heading No 6406
ex 9113	Watch straps, watch bands and watch bracelets and parts thereof, of textiles	Manufacture in which the value of the materials used does not exceed 40 % of the ex works price of the product (')

(') See Article 2 of this Regulation.

COMMISSION REGULATION (EEC) No 1366/91

of 24 May 1991

amending Regulation (EEC) No 863/91 on the special sale of intervention butter
for export to the Soviet Union and amending Regulation (EEC) No 569/88

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 Regula-
tion (EEC) No 3641/90 ⁽²⁾, and in particular Article 6 (7)
thereof,

Whereas Commission Regulation (EEC) No 863/91 ⁽³⁾, as
amended by Regulation (EEC) No 1218/91 ⁽⁴⁾, provides
for a special sale of intervention butter for export to the
Soviet Union by a special invitation to tender, each inter-
ested party being required to submit his tender by 12
noon on 14 May 1991 at the latest; whereas no tenders
have been submitted within the time limit laid down;
whereas a further time limit for the submission of tenders
should accordingly be set;

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

HAS ADOPTED THIS REGULATION:

Article 1

In Article 2 (3) of Regulation (EEC) No 863/91, the dates
'14 May 1991' and '18 May 1991' are hereby replaced by
'28 May 1991' and '30 May 1991' respectively.

Article 2

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

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

Done at Brussels, 24 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 88, 9. 4. 1991, p. 11.

⁽⁴⁾ OJ No L 116, 9. 5. 1991, p. 52.

COMMISSION REGULATION (EEC) No 1367/91

of 24 May 1991

laying down detailed rules for applying the supplementary trade mechanism to imports of cereals into Portugal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 251 thereof,

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

Having regard to Council Regulation (EEC) No 3659/90 of 11 December 1990 on products subject to the supplementary trade mechanism during the second stage of Portuguese accession⁽³⁾, and in particular Article 1 thereof,

Whereas Regulation (EEC) No 3659/90 provides that the supplementary trade mechanism is to apply during the second stage in accordance with the conditions laid down in Articles 250, 251 and 252 of the Act of Accession; whereas, for products falling within CN codes 1001 90 99, 1003 00 90 and 1005 90 00, that mechanism is to apply during periods which are critical to the marketing of cereals produced in Portugal; whereas those periods must be determined for each of the cereals in question taking into account the period of harvest;

Whereas Article 251 (1) of the Act of Accession provides for the fixing of a target import ceiling taking into account Portugal's traditional import flows and the gradual opening-up of the Portuguese market; whereas monthly target ceilings should be fixed in order to facilitate the disposal of Portuguese production;

Whereas, in order to prevent speculative applications for STM licences, the term of validity of the latter must be limited to a relatively short period which is sufficient for the completion of import operations under normal conditions; whereas holders of STM licences should be required to lodge a security in order to ensure that licence obligations are properly observed;

Whereas, with a view to ensuring minimum supplies to the greatest number of operators for their immediate needs, provision should be made for each operator to be able to submit tenders only up to a maximum quantity; whereas, with a view to preventing any circumvention of these provisions and consequently the buying-in of the quantities put up for sale by a small number of operators,

provision should be made for recognized operators only to take part in this allocation of the quantities to be exported;

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 measures provided for in this Regulation shall apply to the products listed in point 8 of the Annex to Regulation (EEC) No 3659/90. They shall apply to products imported into Portugal from the other member States during the following periods:

CN code	Type of cereal	Period
1001 90 99	Common wheat	from 1 June to 30 November
1003 00 90	Barley	from 1 June to 30 November
1005 90 00	Maize	from 1 September to the end of February of the following year

Article 2

1. The target import ceiling for the 1991/92 marketing year as referred to in Article 251 of the Act of Accession shall be as follows:

— for common wheat:	220 000 tonnes,
— for barley:	40 000 tonnes,
— for maize:	300 000 tonnes.

For each cereal those quantities shall be broken down into equal quantities for each month of the period referred to in Article 1. Quantities not allocated in the course of one month shall be carried over to the following month.

2. STM licence applications shall be admissible only if:

- they are submitted by a natural or legal person who is engaged in commercial activity in the cereals sector and is entered at 1 June 1991 in that capacity in a public register of a Member State;
- the applicant declares in writing that he has not submitted, and undertakes not to submit, during the same period, applications for the same product in other Member States;

⁽¹⁾ OJ No L 55, 1. 3. 1986, p. 106.

⁽²⁾ OJ No L 293, 27. 10. 1988, p. 7.

⁽³⁾ OJ No L 362, 27. 12. 1990, p. 38.

(c) all the applications from the same person do not cover more than 5 000 tonnes per cereal and per application submission period.

3. Notwithstanding Article 2 (2) of Commission Regulation (EEC) No 574/86⁽¹⁾, the name of the holder must be the same as that of the applicant. Rights arising from STM licences shall not be transferrable during the term of validity of the STM licence.

4. In the notification to the Commission as provided for in the second subparagraph of Article 6 (2) of Regulation (EEC) No 574/86, the Member States shall also indicate the identity of the applicants.

Article 3

1. STM licences for the cereals concerned shall be valid from their date of issue until the expiry of the second month following that of issue.

2. Licence applications must be accompanied by a security of ECU 5 per tonne.

Article 4

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

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

Done at Brussels, 24 May 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 57, 1. 3. 1986, p. 1.

COMMISSION REGULATION (EEC) No 1368/91

of 24 May 1991

fixing the import levies on live cattle and on beef and veal other than frozen

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EEC) No 3577/90⁽²⁾, and in particular Article 12 (8) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas under Article 9 of Regulation (EEC) No 805/68 a levy is applicable to the products specified in Article 1 (1) (a) of that Regulation; whereas Article 12 fixes the amount of the levy applicable by reference to a percentage of the basic levy;

Whereas in respect of bovine animals the basic levy is determined on the basis of the difference between the guide price and the Community free-at-frontier offer price plus the amount of the customs duty; whereas the Community free-at-frontier offer price is determined in the light of the most representative purchasing possibilities, as regards quality and quantity, recorded over a certain period for bovine animals and for the fresh or chilled meat specified in section (a) of the Annex to the said Regulation under CN codes 0201 10 10, 0201 10 90, 0201 20 11 and 0201 20 19, account being taken in particular of the position with respect to supply and demand, of world market prices for frozen meat of a category which is competitive with fresh or chilled meat and of past experience;

Whereas if it is found that the price of adult bovine animals on representative Community markets is higher than the guide price, the levy applicable equals the following percentage of the basic levy:

- (a) 75 % where the market price is less than or equal to 102 % of the guide price;
- (b) 50 % where the market price is more than 102 % and less than or equal to 104 % of the guide price;
- (c) 25 % where the market price is more than 104 % and less than or equal to 106 % of the guide price;
- (d) 0 % where the market price is more than 106 % of the guide price;

Whereas if it is found that the price of adult bovine animals on representative Community markets is equal to

or less than the guide price, the levy applicable equals the following percentage of the basic levy:

- (a) 100 % where the market price is more than or equal to 98 % of the guide price;
- (b) 105 % where the market price is less than 98 % and more than or equal to 96 % of the guide price;
- (c) 110 % where the market price is less than 96 % and more than or equal to 90 % of the guide price;
- (d) 114 % where the market price is less than 90 % of the guide price;

Whereas pursuant to Article 10 (4) of Regulation (EEC) No 805/68 the basic levy on the meat specified in sections (a), (c) and (d) of the Annex hereto is equal to the basic levy determined for bovine animals, multiplied by a standard coefficient fixed for each of the products in question; whereas these coefficients are fixed by Commission Regulation (EEC) No 586/77 of 18 March 1977 laying down rules for the application of levies on beef and veal and amending Regulation (EEC) No 950/68 on the Common Customs Tariff⁽³⁾, as last amended by Regulation (EEC) No 3988/87⁽⁴⁾;

Whereas the guide prices for adult bovine animals to be applied from 14 May 1990 were fixed by Council Regulation (EEC) No 1188/90⁽⁵⁾; whereas Council Regulation (EEC) No 1353/91⁽⁶⁾ has extended the 1990/91 marketing year for beef and veal until 16 June 1991;

Whereas the prices fixed by the Council are to be reduced in accordance with Commission Regulation (EEC) No 1252/90 of 11 May 1990 establishing the prices and amounts fixed in ecus by the Council in the beef and veal sector and reduced as a result of the monetary realignment of 5 January 1990⁽⁷⁾;

Whereas Regulation (EEC) No 586/77 stipulates that the basic levy is to be calculated according to the method set out in its Article 3 and on the basis of all the representative free-at-frontier offer prices of the Community determined for the products of each of the categories and cuts specified in Article 2 and established principally by reference to the prices specified in the customs documents accompanying products imported from third countries or from other information concerning export prices obtaining in those third countries;

⁽¹⁾ OJ No L 75, 23. 3. 1977, p. 10.

⁽²⁾ OJ No L 376, 31. 12. 1987, p. 31.

⁽³⁾ OJ No L 119, 11. 5. 1990, p. 36.

⁽⁴⁾ See page 1 of this Official Journal.

⁽⁵⁾ OJ No L 121, 12. 5. 1990, p. 30.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

Whereas, however, offer prices that do not correspond to real purchasing possibilities or that relate to unrepresentative quantities should not be taken into account; whereas offer prices should also be excluded when the movement of prices in general or the information available suggests that they are unrepresentative of the true trend of prices in the country of origin;

Whereas in cases where for one or more categories of bovine animals or cuts of meat a free-at-frontier offer price cannot be established, the most recent available price should be used for the calculation;

Whereas if the free-at-frontier offer price differs by less than ECU 0,60 per 100 kilograms of live weight from that previously used for the calculation of the levy, the latter price should be retained;

Whereas pursuant to Article 10 (3) of Regulation (EEC) No 805/68 a special basic levy is determined for certain third countries on the basis of the difference between the guide price and the average price recorded over a certain period plus the amount of the customs duty;

Whereas Commission Regulation (EEC) No 611/77 ⁽¹⁾, as amended by Regulation (EEC) No 925/77 ⁽²⁾, provides that the special levy on products originating in and coming from Austria, Sweden and Switzerland should be determined on the basis of the weighted average of the prices of adult bovine animals recorded on the representative markets of those third countries; whereas the weighting coefficients and representative markets are specified in the Annexes to Regulation (EEC) No 611/77;

Whereas the average price is not to be used for calculating the special levy unless it is at least ECU 1,21 per 100 kilograms of live weight more than the free-at-frontier offer price determined in accordance with Article 10 (2) of Regulation (EEC) No 805/68;

Whereas if the average price differs by less than ECU 0,60 per 100 kilograms of live weight from that previously used to calculate the levy, the latter may be retained;

Whereas in cases where one or more of the abovementioned third countries adopt, for reasons of health for

example, measures affecting the prices recorded on their markets, the Commission may use the latest prices recorded before the entry into force of such measures;

Whereas pursuant to Article 12 (6) of Regulation (EEC) No 805/68 the price of adult bovine animals on representative Community markets is the price established on the basis of prices recorded over a period to be determined on the representative market or markets of each Member State in respect of the various categories of adult bovine animals or of meat from such animals, after taking into account the size of each of these categories and the relative size of the bovine herd of each Member State;

Whereas the representative markets, categories and qualities of products and weighting coefficients are fixed in Annex II to Commission Regulation (EEC) No 610/77 of 18 March 1977 on the determination of prices of adult bovine animals on representative Community markets and the survey of prices of certain other cattle in the Community ⁽³⁾, as last amended by Regulation (EEC) No 3784/90 ⁽⁴⁾;

Whereas, for Member States with several representative markets, the price of each category and quality is equal to the arithmetic mean of the prices recorded on each of those markets; whereas, for representative markets held several times in one period of seven days, the price of each category and quality is equal to the arithmetic mean of the prices recorded on each market day; whereas in respect of Italy the price of each category and quantity is equal to the average, weighted by the special weighting coefficients fixed in Annex II to Regulation (EEC) No 610/77, of the prices recorded in the surplus and deficit zones; whereas the price recorded in the surplus zone is equal to the arithmetic mean of the prices recorded on each of the markets within that zone; whereas in respect of the United Kingdom the weighted average prices of adult bovine animals recorded on the representative markets of Great Britain on the one hand and Northern Ireland on the other are adjusted by the coefficient fixed in the abovementioned Annex II;

Whereas prices for the different categories and qualities not obtained from prices which are 'live weight excluding tax' are multiplied by the live weight conversion coefficients fixed in Annex II to the said Regulation and, in the case of Italy, are first increased or reduced by the corrective amounts fixed in the said Annex;

⁽¹⁾ OJ No L 77, 25. 3. 1977, p. 14.

⁽²⁾ OJ No L 109, 30. 4. 1977, p. 1.

⁽³⁾ OJ No L 77, 25. 3. 1977, p. 1.

⁽⁴⁾ OJ No L 364, 28. 12. 1990, p. 21.

Whereas if one or more Member States, for veterinary or health reasons for example, adopt measures affecting the normal trend of prices recorded on their markets the Commission may disregard the prices recorded on the market or markets in question, or use the latest prices recorded on the market or markets in question before the entry into force of such measures;

Whereas, in the absence of information, prices recorded on representative Community markets are determined mainly by reference to the most recently recorded prices;

Whereas for such period as the price of adult bovine animals recorded on representative Community markets differs by less than 0,24 ECU per 100 kilograms of live weight from the price previously used, the latter is retained;

Whereas levies must be fixed having regard to the obligations arising from international agreements concluded by the Community; whereas account should also be taken of Council Regulation (EEC) No 314/83 of 24 January 1983 on the conclusion of the Cooperation Agreement between the European Economic Community and the Socialist Federal Republic of Yugoslavia⁽¹⁾, and of Council Decision 87/605/EEC of 21 December 1987 on the conclusion of the additional Protocol to the Cooperation Agreement between the European Economic Community and the Socialist Federal Republic of Yugoslavia⁽²⁾, anticipating a reduction in the levy applicable on imports into the Community of certain products in the beef and veal sector originating in and coming from Yugoslavia;

Whereas Council Regulation (EEC) No 715/90⁽³⁾, as last amended by Regulation (EEC) No 523/91⁽⁴⁾, lays down the arrangements applicable on agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories;

Whereas the various cuts of beef and veal are defined in Regulation (EEC) No 586/77;

Whereas, pursuant to Article 33 (2) of Regulation (EEC) No 805/68, the nomenclature provided for in this Regulation is incorporated in the combined nomenclature;

Whereas the levies and special levies are fixed before the 27th day of each month and are applicable from the first Monday of the following month; whereas these levies may be altered in the period between two fixings where the basic levy or special basic levy is altered, or in the case of changes in the prices recorded on Community representative markets;

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 coefficient provided for in the last paragraph 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 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, having regard to the provisions of the aforementioned Regulation, and in particular to the information and quotations known to the Commission, the levies on live cattle and beef and veal other than frozen meat should be as set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on live cattle and beef and veal other than frozen meat shall be as set out in the Annex to the present Regulation.

Article 2

This Regulation shall enter into force on 27 May 1991.

⁽¹⁾ OJ No L 41, 14. 2. 1983, p. 1.

⁽²⁾ OJ No L 389, 31. 12. 1987, p. 72.

⁽³⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽⁴⁾ OJ No L 58, 5. 3. 1991, p. 1.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 9.

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

Done at Brussels, 24 May 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 24 May 1991 fixing the import levies on live cattle and on beef and veal other than frozen

(ECU/100 kg)

CN code	Yugoslavia ⁽²⁾	Austria/Sweden/ Switzerland	Other third countries
— Live weight —			
0102 90 10	—	26,638	(¹⁾ 124,192
0102 90 31	21,788	26,638	(¹⁾ 124,192
0102 90 33	—	26,638	(¹⁾ 124,192
0102 90 35	21,788	26,638	(¹⁾ 124,192
0102 90 37	21,788	26,638	(¹⁾ 124,192
— Net weight —			
0201 10 10	—	50,613	(¹⁾ 235,964
0201 10 90	41,397	50,613	(¹⁾ 235,964
0201 20 21	—	50,613	(¹⁾ 235,964
0201 20 29	41,397	50,613	(¹⁾ 235,964
0201 20 31	—	40,491	(¹⁾ 188,771
0201 20 39	33,118	40,491	(¹⁾ 188,771
0201 20 51	49,677	60,736	(¹⁾ 283,157
0201 20 59	49,677	60,736	(¹⁾ 283,157
0201 20 90	—	75,919	(¹⁾ 353,946
0201 30 00	—	86,841	(¹⁾ 404,864
0206 10 95	—	86,841	(¹⁾ 404,864
0210 20 10	—	75,919	353,946
0210 20 90	—	86,841	404,864
0210 90 41	—	86,841	404,864
0210 90 90	—	86,841	404,864
1602 50 10	—	86,841	404,864
1602 90 61	—	86,841	404,864

(¹) In accordance with amended Regulation (EEC) No 715/90, 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.

(²) This levy is applicable only to products complying with the provisions of the Commission Regulation (EEC) No 1368/88 (OJ No L 126, 20. 5. 1988, p. 26).

COMMISSION REGULATION (EEC) No 1369/91

of 24 May 1991

fixing the import levies on frozen beef and veal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EEC) No 3577/90⁽²⁾, and in particular Article 12 (8) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas under Article 9 of Regulation (EEC) No 805/68 a levy is applicable to the products specified in Article 1 (1) (a) of that Regulation; whereas Article 12 fixes the amount of the levy applicable by reference to a percentage of the basic levy;

Whereas, in respect of the types of frozen meat listed in section (b) of the Annex to the said Regulation under CN codes 0202 10 00 and 0202 20 10, the basic levy is determined on the basis of the difference between:

- the guide price multiplied by a coefficient representing the ratio existing in the Community between the price of fresh meat of a category competitive with the frozen meat in question, presented in the same form, and the average price of adult bovine animals, and
- the Community free-at-frontier offer price for frozen meat, plus the amount of the customs duty and a standard amount representing the specific costs of the import operations;

Whereas, by Commission Regulation (EEC) No 586/77 of 18 March 1977 laying down rules for the application of the levies on beef and veal and amending Regulation (EEC) No 950/68 on the Common Customs Tariff⁽³⁾, as last amended by Regulation (EEC) No 3988/87⁽⁴⁾, the abovementioned coefficient, calculated in accordance with the rules laid down in Article 11 (2) (a) of Regulation (EEC) No 805/68, has been fixed at 1,69 units of account and the standard amount referred to in Article 11 (2) (b) of the said Regulation has been fixed at ECU 6,65;

Whereas, if it is found that the price of adult bovine animals on representative Community markets is higher than the guide price, the levy applicable equals the following percentage of the basic levy:

- (a) 75 % where the market price is less than or equal to 102 % of the guide price;
- (b) 50 % where the market price is more than 102 % and less than or equal to 104 % of the guide price;

(c) 25 % where the market price is more than 104 % and less than or equal to 106 % of the guide price;

(d) 0 % where the market price is more than 106 % of the guide price;

Whereas, if it is found that the price of adult bovine animals on representative Community markets is equal to or less than the guide price, the levy applicable equals the following percentage of the basic levy:

(a) 100 % where the market price is more than or equal to 98 % of the guide price;

(b) 105 % where the market price is less than 98 % and more than or equal to 96 % of the guide price;

(c) 110 % where the market price is less than 96 % and more than or equal to 90 % of the guide price;

(d) 114 % where the market price is less than 90 % of the guide price;

Whereas the guide prices for adult bovine animals to be applied from 14 May 1990 have been fixed by Council Regulation (EEC) No 1188/90⁽⁵⁾; whereas Council Regulation (EEC) No 1353/91⁽⁶⁾ has extended the 1990/91 marketing year for beef and veal until 16 June 1991;

Whereas the prices fixed by the Council are to be reduced in accordance with Commission Regulation (EEC) No 1252/90 of 11 May 1990 establishing the prices and amounts fixed in ecus by the Council in the beef and veal sector and reduced as a result of the monetary realignment of 5 January 1990⁽⁷⁾;

Whereas the Community free-at-frontier offer price for frozen meat is determined by reference to the world market price based on the most representative purchasing possibilities, as regards quality and quantity, recorded over a certain period preceding the fixing of the basic levy, taking into account in particular:

- foreseeable developments on the market in frozen meat,
- the most representative prices on third country markets for fresh and chilled meat of a category which is competitive with frozen meat,
- past experience;

Whereas the basic levy on the types of frozen meat listed in section (b) of the Annex to Regulation (EEC) No 805/68 under CN codes 0202 20 50, 0202 20 90, 0202 30 10, 0202 30 50 and 0202 30 90 is equal to the basic levy fixed for the products falling within CN codes 0202 10 00 and 0202 20 10, multiplied by a standard

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 75, 23. 3. 1977, p. 10.

⁽⁴⁾ OJ No L 376, 31. 12. 1987, p. 31.

⁽⁵⁾ OJ No L 119, 11. 5. 1990, p. 36.

⁽⁶⁾ See page 1 of this Official Journal.

⁽⁷⁾ OJ No L 121, 12. 5. 1990, p. 30.

coefficient fixed for each of the products in question ; whereas these coefficients were fixed in Annex II to Regulation (EEC) No 586/77 ;

Whereas, for the purpose of fixing the free-at-frontier offer prices, offer prices that do not correspond to real purchasing possibilities or that relate to unrepresentative quantities should not be taken into account ; whereas offer prices should also be excluded when the movement of prices in general or the information available gives reason to believe that they are unrepresentative of the true trend of prices in the country of origin ;

Whereas, where the free-at-frontier offer price for frozen meat differs by less than one unit of account per 100 kilograms from that previously used for the calculation of the levy, the latter price should be retained ;

Whereas pursuant to Article 12 (6) of Regulation (EEC) No 805/68 the price of adult bovine animals on representative Community markets is the price established on the basis of prices recorded over a period to be determined on the representative market or markets of each Member State for the various categories of adult bovine animals or of meat from such animals, taking into account the size of each of these categories and the relative size of the bovine herd of each Member State ;

Whereas the representative markets, categories and qualities of products and weighting coefficients are fixed in Annex II to Commission Regulation (EEC) No 610/77 of 18 March 1977 on the determination of prices of adult bovine animals on representative Community markets and the survey of prices of certain other cattle in the Community ⁽¹⁾, as last amended by Regulation (EEC) No 3784/90 ⁽²⁾ ;

Whereas, for Member States with several representative markets, the price of each category and quality is equal to the arithmetic mean of the prices recorded on each of those markets ; for representative markets held several times in one period of seven days, the price of each category and quality is equal to the arithmetic mean of the prices recorded on each market day ; whereas in respect of Italy the price of each category and quality is equal to the average, weighted by the special weighting coefficients fixed in Annex II to Regulation (EEC) No 610/77, of the

prices recorded in the surplus and deficit zones ; whereas the price recorded in the surplus zone is equal to the arithmetic mean of the prices recorded on each of the markets within that zone ; whereas in respect of the United Kingdom the weighted average prices of adult bovine animals recorded on the representative markets of Great Britain on the one hand and Northern Ireland on the other are adjusted by the coefficient fixed in the abovementioned Annex II ;

Whereas prices for the different categories and qualities not obtained from prices which are 'live weight excluding tax', are multiplied by the live weight conversion coefficients fixed in Annex II to the said Regulation and, in the case of Italy, are first increased or reduced by the corrective amounts fixed in the said Annex ;

Whereas if one or more Member States, for veterinary or health reasons for example, adopt measures affecting the normal trend of prices recorded on their markets, the Commission may disregard the prices recorded on the market or markets in question, or use the latest prices recorded on the market or markets in question before the entry into force of such measures ;

Whereas, in the absence of information, prices recorded on representative Community markets are determined mainly by reference to the most recently recorded prices ;

Whereas, for such period as the price of adult bovine animals recorded on representative Community markets differs by less than ECU 0,24 per 100 kilograms of live weight from the price previously used, the latter is retained ;

Whereas the levies must be so fixed that obligations arising from international agreements concluded by the Community continue to be fulfilled ;

Whereas Council Regulation (EEC) No 715/90 ⁽³⁾, as last amended by Regulation (EEC) No 523/91 ⁽⁴⁾, lays down the arrangements applicable on agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories ;

Whereas the various cuts of frozen meat are defined in Regulation (EEC) No 586/77 ;

⁽¹⁾ OJ No L 77, 25. 3. 1977, p. 1.

⁽²⁾ OJ No L 364, 28. 12. 1990, p. 21.

⁽³⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽⁴⁾ OJ No L 58, 5. 3. 1991, p. 1.

Whereas, pursuant to Article 33 (2) of Regulation (EEC) No 805/68, the nomenclature provided for in this Regulation is incorporated in the combined nomenclature ;

Whereas the levies are fixed before the 27th day of each month and are applicable from the first Monday of the following month ; whereas these levies may be altered in the period between two fixings where the basic levy is altered, or in these case of changes in the prices recorded on Community representative markets ;

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 Council Regulation (EEC) No 1676/85 ⁽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, having regard to the provisions of the aforementioned Regulations, and in particular to the information and quotations known to the Commission, the levies on frozen beef and veal should be as set out in the Annex hereto,

HAS ADOPTED THIS REGULATION :

Article 1

The import levies on frozen beef and veal shall be as set out in the Annex.

Article 2

This Regulation shall enter into force on 27 May 1991.

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

Done at Brussels, 24 May 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽²⁾ OJ No L 201, 31. 7. 1990, p. 9.

ANNEX

to the Commission Regulation of 24 May 1991 fixing the import levies on frozen beef and veal ⁽¹⁾

<i>(ECU/100 kg)</i>	
CN code	Levy
	— Net weight —
0202 10 00	⁽¹⁾ 198,531
0202 20 10	⁽¹⁾ 198,531
0202 20 30	⁽¹⁾ 158,825
0202 20 50	⁽¹⁾ 248,164
0202 20 90	⁽¹⁾ 297,797
0202 30 10	⁽¹⁾ 248,164
0202 30 50	⁽¹⁾ 248,164
0202 30 90	⁽¹⁾ 341,473
0206 29 91	⁽¹⁾ 341,473

⁽¹⁾ In accordance with amended Regulation (EEC) No 715/90, 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.

COMMISSION REGULATION (EEC) No 1370/91

of 24 May 1991

fixing the import levies on milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 3641/90 ⁽²⁾, and in particular Article 14 (8) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 14 of Regulation (EEC) No 804/68 provides for charging a levy on imports of the products listed in Article 1 of that Regulation; whereas these products may be divided into groups; whereas the product groups and the pilot groups and the pilot product for each of these groups are set out in Annex I to Council Regulation (EEC) No 2915/79 of 18 December 1979 determining the groups of products and the special provisions for calculating levies on milk and milk products ⁽³⁾, as last amended by Regulation (EEC) No 3116/90 ⁽⁴⁾;

Whereas the levy on the products in any one group must be equal to the threshold price for the pilot product less the free-at-frontier price; whereas these threshold prices were fixed for the 1990/1991 milk year by Council Regulation (EEC) No 1182/90 ⁽⁵⁾; whereas Council Regulation (EEC) No 1353/91 ⁽⁶⁾ has extended the 1990/91 marketing year for milk until 16 June 1991;

Whereas the threshold price fixed by the Council is to be reduced by Commission Regulation (EEC) No 1552/90 of 8 June 1990 determining the reduced ecu values of milk sector prices and amounts consequent on the monetary realignment of 5 January 1990 ⁽⁷⁾

Whereas, however, Regulation (EEC) No 2915/79 lays down special provisions for calculating the levy on certain assimilated products; whereas these products are listed and the method of calculating the levy on them described in Annex II and in Articles 2 to 12 of that Regulation respectively;

Whereas, as provided for in Regulation (EEC) No 2915/79, the component of the levy established using a factor expressing the weight ratio existing between the milk components contained in the product on the one hand and the product itself on the other is, for products containing sugar or other sweeteners, calculated by multi-

plying the basic amount by the quantity of milk components contained in the product;

Whereas Article 12 of Regulation (EEC) No 2915/79 provides that for certain products originating in or coming from certain third countries a specific levy is to be applied; whereas the levy applicable to those products is fixed in Annex I to Commission Regulation (EEC) No 1767/82 ⁽⁸⁾, as last amended by Regulation (EEC) No 1502/90 ⁽⁹⁾;

Whereas, for as long as it is found that on importation into the Community the price of an assimilated product for which the levy is not equal to the levy on its pilot product is considerably lower than the price which would obtain if the ratio to the price of the pilot product were normal, the levy must be equal to the sum of two components:

- one component equal to the amount resulting from the provisions of Articles 2 to 7 of Regulation (EEC) No 2915/79 applicable to the assimilated product in question,
- an additional component fixed at a level which, the composition and quality of the assimilated product being taken into account, makes it possible to re-establish normal price ratios for imports into the Community;

Whereas Article 14 (3) of Regulation (EEC) No 804/68 provides that the levy on products in respect of which the customs duty has been bound within GATT must be limited to the amount resulting from that binding;

Whereas Commission Regulation (EEC) No 1073/68 ⁽¹⁰⁾, as amended by Regulation (EEC) No 222/88 ⁽¹¹⁾, provides that a free-at-frontier price must be established for each of the pilot products defined in Annex I to Regulation (EEC) No 2915/79; whereas these prices must be determined for products of good marketable quality;

Whereas the free-at-frontier prices must be established on the basis of the most favourable purchasing opportunities in international trade for the products listed in Article 1 of Regulation (EEC) No 804/68 other than assimilated products for which the levy is not equal to the levy on the related pilot products; whereas, when recording these purchasing opportunities, the Commission must take account of all information obtained direct or through the Member States concerning prices for delivery of third-country products free-at-Community-frontier and prices on third-country markets;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 362, 27. 12. 1990, p. 5.

⁽³⁾ OJ No L 329, 24. 12. 1979, p. 1.

⁽⁴⁾ OJ No L 303, 31. 10. 1990, p. 1.

⁽⁵⁾ OJ No L 119, 11. 5. 1990, p. 26.

⁽⁶⁾ See page 1 of this Official Journal.

⁽⁷⁾ OJ No L 146, 9. 6. 1990, p. 14.

⁽⁸⁾ OJ No L 196, 5. 7. 1982, p. 1.

⁽⁹⁾ OJ No L 141, 2. 6. 1990, p. 5.

⁽¹⁰⁾ OJ No L 180, 26. 7. 1968, p. 25.

⁽¹¹⁾ OJ No L 28, 1. 2. 1988, p. 1.

Whereas Commission Regulation (EEC) No 788/86⁽¹⁾, as last amended by Regulation (EEC) No 1525/90⁽²⁾, specifies the free-at-Spanish-frontier values of certain cheeses imported from and originating in Switzerland;

Whereas, however, no account should be taken of information relating to small quantities which are not representative of trade in the products in question and quantities in respect of which price trends in general or other information available to it lead the Commission to believe that the price in question is unrepresentative of the real trend of the market;

Whereas the prices used must be adjusted where they are not quoted free-at-Community-frontier or where they do not apply to products of good marketable quality; whereas the adjustment in respect of an assimilated product the levy on which is equal to the levy on its pilot product must be effected in such a way as to allow, in particular, for differences in composition, maturity, quality and presentation between the assimilated product and the related pilot product; whereas adjustments relating to composition must be calculated by multiplying the difference between the milk component content of the pilot product and that of the assimilated product in question by the value attributed in international trade to one unit of weight of the milk component in question; whereas, when the other adjustments are being effected, the difference between the value attributed on the Community market to each of the relevant characteristics of the pilot product and the value attributed on that market to the corresponding characteristics of the assimilated product in question must be taken into account;

Whereas, if no information on prices is available, the free-at-frontier price may, by way of exception, be established on the basis of the value of the raw materials contained in the pilot product in question (calculated on the basis of the prices of milk products for which prices are available), average processing costs and average yields;

Whereas, in exceptional circumstances, a free-at-frontier price may remain unchanged for a limited period where the new level of the price for a given quality or a specific origin, used as a basis for establishing the previous free-at-frontier price, has not reached the Commission to enable it to establish the next free-at-frontier price and if the Commission considers that the prices which are available could lead to sudden and considerable changes in the free-at-frontier price because they are not sufficiently representative of real market trends;

Whereas, in accordance with Article 19 (1) of Regulation (EEC) No 804/68, the nomenclature provided for in this Regulation is incorporated in the combined nomenclature;

Whereas Article 8 of Regulation (EEC) No 1073/68 provides that the levies are fixed every fortnight; whereas

they may be altered in the intervening period if necessary; whereas the levy remains valid until another becomes applicable;

Whereas Council Regulation (EEC) No 2730/75 of 29 October 1975 on glucose and lactose⁽³⁾, as amended by Regulation (EEC) No 222/88, stipulates that the treatment provided for lactose and lactose syrup falling within CN code 1702 10 90 by Regulation (EEC) No 804/68 and by the provisions adopted for the application of that Regulation is to be extended to lactose and lactose syrup falling within CN code 1702 10 10; whereas consequently the levy fixed for products falling within CN code 1702 10 90 also applies to products falling within CN code 1702 10 10; whereas to ensure that the provision in question is properly applied these products and the levy thereon should be explicitly mentioned in the list of levies;

Whereas Council Regulation (EEC) No 715/90⁽⁴⁾, as last amended by Regulation (EEC) No 523/91⁽⁵⁾, lays down the arrangements applicable to agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories;

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

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

Whereas it follows from applying these provisions that the levies on milk and milk products should be as set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies referred to in Article 14 of Regulation (EEC) No 804/68 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 27 May 1991.

⁽¹⁾ OJ No L 74, 19. 3. 1986, p. 20.

⁽²⁾ OJ No L 144, 7. 6. 1990, p. 15.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 20.

⁽⁴⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽⁵⁾ OJ No L 58, 5. 3. 1991, p. 1.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 201, 31. 7. 1990, p. 9.

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

Done at Brussels, 24 May 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 24 May 1991 fixing the import levies on milk and milk products

(ECU/100 kg net weight, unless otherwise indicated)

CN code	Note	Import levy
0401 10 10		18,27
0401 10 90		17,06
0401 20 11		25,03
0401 20 19		23,82
0401 20 91		30,37
0401 20 99		29,16
0401 30 11		77,42
0401 30 19		76,21
0401 30 31		148,42
0401 30 39		147,21
0401 30 91		248,45
0401 30 99		247,24
0402 10 11	(*)	130,78
0402 10 19	(*)	123,53
0402 10 91	(*) (*)	1,2353/kg + 28,91
0402 10 99	(*) (*)	1,2353/kg + 21,66
0402 21 11	(*)	182,14
0402 21 17	(*)	174,89
0402 21 19	(*)	174,89
0402 21 91	(*)	221,11
0402 21 99	(*)	213,86
0402 29 11	(*) (*) (*)	1,7489/kg + 28,91
0402 29 15	(*) (*)	1,7489/kg + 28,91
0402 29 19	(*) (*)	1,7489/kg + 21,66
0402 29 91	(*) (*)	2,1386/kg + 28,91
0402 29 99	(*) (*)	2,1386/kg + 21,66
0402 91 11	(*)	30,28
0402 91 19	(*)	30,28
0402 91 31	(*)	37,85
0402 91 39	(*)	37,85
0402 91 51	(*)	148,42
0402 91 59	(*)	147,21
0402 91 91	(*)	248,45
0402 91 99	(*)	247,24
0402 99 11	(*)	49,85
0402 99 19	(*)	49,85
0402 99 31	(*) (*)	1,4479/kg + 25,29
0402 99 39	(*) (*)	1,4479/kg + 24,08
0402 99 91	(*) (*)	2,4482/kg + 25,29
0402 99 99	(*) (*)	2,4482/kg + 24,08
0403 10 02		130,78
0403 10 04		182,14

(ECU/100 kg net weight, unless otherwise indicated)

CN code	Note	Import levy
0403 10 06		221,11
0403 10 12	(¹)	1,2353/kg + 28,91
0403 10 14	(¹)	1,7489/kg + 28,91
0403 10 16	(¹)	2,1386/kg + 28,91
0403 10 22		27,44
0403 10 24		32,78
0403 10 26		79,83
0403 10 32	(¹)	0,2140/kg + 27,70
0403 10 34	(¹)	0,2674/kg + 27,70
0403 10 36	(¹)	0,7379/kg + 27,70
0403 90 11		130,78
0403 90 13		182,14
0403 90 19		221,11
0403 90 31	(¹)	1,2353/kg + 28,91
0403 90 33	(¹)	1,7489/kg + 28,91
0403 90 39	(¹)	2,1386/kg + 28,91
0403 90 51		27,44
0403 90 53		32,78
0403 90 59		79,83
0403 90 61	(¹)	0,2140/kg + 27,70
0403 90 63	(¹)	0,2674/kg + 27,70
0403 90 69	(¹)	0,7379/kg + 27,70
0404 10 11		28,83
0404 10 19	(¹)	0,2883/kg + 21,66
0404 10 91	(²)	0,2883/kg
0404 10 99	(²)	0,2883/kg + 21,66
0404 90 11		130,78
0404 90 13		182,14
0404 90 19		221,11
0404 90 31		130,78
0404 90 33		182,14
0404 90 39		221,11
0404 90 51	(¹)	1,2353/kg + 28,91
0404 90 53	(¹) (²)	1,7489/kg + 28,91
0404 90 59	(¹)	2,1386/kg + 28,91
0404 90 91	(¹)	1,2353/kg + 28,91
0404 90 93	(¹) (²)	1,7489/kg + 28,91
0404 90 99	(¹)	2,1386/kg + 28,91
0405 00 10		256,25
0405 00 90		312,63
0406 10 10	(³)	234,44
0406 10 90	(³)	285,03
0406 20 10	(³) (⁴)	387,22
0406 20 90	(³)	387,22
0406 30 10	(³) (⁴)	186,58
0406 30 31	(³) (⁴)	175,55
0406 30 39	(³) (⁴)	186,58
0406 30 90	(³) (⁴)	283,30

(ECU/100 kg net weight, unless otherwise indicated)

CN code	Note	Import levy
0406 40 00	(³) (⁴)	148,14
0406 90 11	(³) (⁴)	224,77
0406 90 13	(³) (⁴)	196,74
0406 90 15	(³) (⁴)	196,74
0406 90 17	(³) (⁴)	196,74
0406 90 19	(³) (⁴)	387,22
0406 90 21	(³) (⁴)	224,77
0406 90 23	(³) (⁴)	188,31
0406 90 25	(³) (⁴)	188,31
0406 90 27	(³) (⁴)	188,31
0406 90 29	(³) (⁴)	188,31
0406 90 31	(³) (⁴)	188,31
0406 90 33	(⁴)	188,31
0406 90 35	(³) (⁴)	188,31
0406 90 37	(³) (⁴)	188,31
0406 90 39	(³) (⁴)	188,31
0406 90 50	(³) (⁴)	188,31
0406 90 61	(⁴)	387,22
0406 90 63	(⁴)	387,22
0406 90 69	(⁴)	387,22
0406 90 71	(⁴)	234,44
0406 90 73	(⁴)	188,31
0406 90 75	(⁴)	188,31
0406 90 77	(⁴)	188,31
0406 90 79	(⁴)	188,31
0406 90 81	(⁴)	188,31
0406 90 83	(⁴)	188,31
0406 90 85	(⁴)	188,31
0406 90 89	(³) (⁴)	188,31
0406 90 91	(⁴)	234,44
0406 90 93	(⁴)	234,44
0406 90 97	(⁴)	285,03
0406 90 99	(⁴)	285,03
1702 10 10		36,29
1702 10 90		36,29
2106 90 51		36,29
2309 10 15		95,07
2309 10 19		123,48
2309 10 39		115,78
2309 10 59		95,70
2309 10 70		123,48
2309 90 35		95,07
2309 90 39		123,48
2309 90 49		115,78
2309 90 59		95,70
2309 90 70		123,48

-
- (¹) The levy on 100 kg of product falling within this code is equal to the sum of the following :
- (a) the amount per kilogram shown, multiplied by the weight of milk and milk cream contained in 100 kg of product ; and
 - (b) the other amount indicated.
- (²) The levy on 100 kg of product falling within this code is equal to :
- (a) the amount per kilogram shown, multiplied by the weight of the dried milk contained in 100 kg of product plus, where appropriate,
 - (b) the other amount indicated.
- (³) Products falling within this code imported from a third country under special arrangements concluded between that country and the Community for which an IMA 1 certificate issued under the conditions provided for in Regulation (EEC) No 1767/82 is issued are subject to the levies in Annex I to that Regulation.
- (⁴) The levy applicable is limited under the conditions laid down in Regulation (EEC) No 715/90.
-

COMMISSION REGULATION (EEC) No 1371/91

of 24 May 1991

fixing the rate of the aid for dried fodder

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 1117/78 of 22 May 1978 on the common organization of the market in dried fodder⁽¹⁾, as last amended by Regulation (EEC) No 2275/89⁽²⁾, and in particular Article 5 (3) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, under Article 5 (1) of Regulation (EEC) No 1117/78, when the guide price is higher than the average world market price, aid is granted for dried fodder as described under Article 1 (b) and (c) of that Regulation and obtained from fodder plants harvested in the Community; whereas that aid takes account of a percentage of the difference between these two prices;

Whereas this percentage and the guide price were fixed by Council Regulation (EEC) No 1357/91 of 24 May 1991 fixing the guide price for dried fodder products for the period from 27 May to 16 June⁽³⁾;

Whereas, in the absence of the guide price for dried fodder and of the percentages referred to in Article 5 of Regulation (EEC) No 1117/78 and of the intervention price for barley for the 1991/92 marketing year, the rate of the aid was fixed in accordance with Commission proposals to the Council and should be confirmed or replaced once the guide price, related measures, the percentages referred to in Article 5 of Regulation (EEC) No 1117/78 and the intervention price for barley for the 1991/92 marketing year are known;

Whereas the average world market price is determined for a bulk pelleted product, delivered to Rotterdam, of the standard quality for which the guide price has been fixed;

Whereas, under Council Regulation (EEC) No 1417/78 of 19 June 1978 on the aid system for dried fodder⁽⁴⁾, as last

amended by Regulation (EEC) No 1110/89⁽⁵⁾, the average world market price for the products described in the first and third indents of Article 1 (b) of Regulation (EEC) No 1117/78 is to be determined on the basis of the most favourable actual purchase possibilities excepting those which cannot be considered representative of the real market trend; whereas offers and quotations recorded during the first 25 days of the month in question for quantities that can be delivered during the following calendar month are to be used; whereas the average world market price thus determined is used to fix the aid rate applicable on the following month;

Whereas the necessary adjustments must be made in the case of offers and quotations not of the type referred to above; whereas these adjustments were defined in Article 3 of Commission Regulation (EEC) No 1528/78 of 30 June 1978 laying down detailed rules for the application of the system of aid for dried fodder⁽⁶⁾, as last amended by Regulation (EEC) No 1757/90⁽⁷⁾;

Whereas, in accordance with Article 3 of Regulation (EEC) No 1417/78, when no offer or quotation can be used to determine the average world market price, that price is determined on the basis of the sum of the value of competing products; whereas those products are defined in Article 3 (3) of Regulation (EEC) No 1528/78;

Whereas, pursuant to Article 11 of Regulation (EEC) No 1417/78, when forward prices differ from that applying in the month when the application is lodged, the aid rate is adjusted by a correcting amount calculated from the trend of forward prices;

Whereas, where the average world market price is determined in accordance with Article 3 of Regulation (EEC) No 1417/78, the corrective amount must be equal to the difference between the average world market price and the average forward world market price determined by applying the criteria laid down in Article 3 (3) of Regulation (EEC) No 1528/78 and valid for delivery during a month other than that in which the aid is introduced,

⁽¹⁾ OJ No L 142, 30. 5. 1978, p. 1.

⁽²⁾ OJ No L 218, 28. 7. 1989, p. 1.

⁽³⁾ See page 7 of this Official Journal.

⁽⁴⁾ OJ No L 171, 28. 6. 1978, p. 1.

⁽⁵⁾ OJ No L 118, 29. 4. 1989, p. 1.

⁽⁶⁾ OJ No L 179, 1. 7. 1978, p. 10.

⁽⁷⁾ OJ No L 162, 28. 6. 1990, p. 21.

adjusted by the percentage fixed under Article 5 (2) of Regulation (EEC) No 1117/78 ; whereas where the average forward world market price for one or more months cannot be determined by applying the criteria laid down in Article 3 (3) of Regulation (EEC) No 1528/78, the corrective amount must be fixed for the month or months in question at a level such that the aid is equal to zero ;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a conversion rate based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽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 the rate of the additional aid must be fixed once per month so as to ensure application of the aid from the first day of the month following the date of its fixing ;

Whereas, pursuant to Articles 120 (2) and 306 (2) of the Act of Accession, the additional aid applicable in these two Member States is to be adjusted by an amount equal to the amount of customs duties on imports of these products from third countries ; whereas, in addition, in

Spain the amount is to be adjusted by the difference, multiplied by the percentage referred to in Article 5 (2) of Regulation (EEC) No 1117/78, between the guide price applied in Spain and the common guide price ;

Whereas, as the result of the applications of all these provisions to the offers and quotations which the Commission has recorded, the rate of the additional aid for dried fodder must be fixed as indicated in the table annexed to this Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

1. The rate of the aid referred to in Article 5 (3) of Regulation (EEC) No 1117/78 is fixed in the Annex to this Regulation.
2. However, the rate of aid for the 1991/92 marketing year shall be confirmed or replaced with effect from 27 May 1991 to take account of the guide price for dried fodder, the intervention price for barley and the percentages referred to in Article 5 of Regulation (EEC) No 1117/78 for the 1991/92 marketing year.

Article 2

This Regulation shall enter into force on 27 May 1991.

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

Done at Brussels, 24 May 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽²⁾ OJ No L 201, 31. 7. 1990, p. 9.

ANNEX

to the Commission Regulation of 24 May 1991 fixing the rate of the aid for dried fodder

Aid applicable from 27 May 1991 to dried fodder:

(ECU/tonne)

	Fodder dehydrated by artificial heat drying Protein concentrates			Fodder otherwise dried	
	Spain	Portugal	Other Member States	Portugal	Other Member States
Aid ⁽¹⁾	42,975	45,496	46,221	12,556	13,281

Aid in case of advance fixing for the month of:

(ECU/tonne)

June 1991 ⁽¹⁾	43,301	46,028	46,749	13,088	13,809
July 1991 ⁽¹⁾	62,023	64,891	65,471	31,951	32,531
August 1991 ⁽¹⁾	62,193	65,061	65,641	32,121	32,701
September 1991 ⁽¹⁾	61,568	64,432	65,016	31,492	32,076
October 1991 ⁽²⁾	0,000	0,000	0,000	0,000	0,000
November 1991 ⁽²⁾	0,000	0,000	0,000	0,000	0,000
December 1991 ⁽²⁾	0,000	0,000	0,000	0,000	0,000
January 1992 ⁽²⁾	0,000	0,000	0,000	0,000	0,000
February 1992 ⁽²⁾	0,000	0,000	0,000	0,000	0,000
March 1992 ⁽²⁾	0,000	0,000	0,000	0,000	0,000

⁽¹⁾ Rate fixed provisionally, pending and subject to the setting of the prices and related measures for the 1991/92 marketing year, as regards:

(a) the guide price for dried fodder;

(b) the percentage referred to in Article 5 of Regulation (EEC) No 1117/78;

(c) the intervention price for barley.

⁽²⁾ In accordance with Article 6 (b) of Regulation (EEC) No 1528/78.

COMMISSION REGULATION (EEC) No 1372/91

of 24 May 1991

introducing a countervailing charge on tomatoes originating in Israel

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

Whereas Commission Regulation (EEC) No 802/91 of 27 March 1991 fixing for the 1991 marketing year the reference prices for tomatoes⁽³⁾ fixed the reference price for products of class I for the month of May 1991 at ECU 136,75 per 100 kilograms net;

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

Whereas, in accordance with Article 3 (1) of Commission Regulation (EEC) No 2118/74⁽⁴⁾, as last amended by Regulation (EEC) No 3811/85⁽⁵⁾, the prices to be taken

into consideration must be recorded on the representative markets or, in certain circumstances, on other markets; whereas it is necessary to multiply the prices with the coefficient fixed in the first indent of Article 1 (2) of Regulation (EEC) No 802/91;

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

When tomatoes falling within CN code 0702 00 and originating in Israel are imported, a countervailing charge shall be levied, the amount of which shall be fixed at ECU 24,80 per 100 kilograms net weight.

Article 2

This Regulation shall enter into force on 28 May 1991.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 375, 31. 12. 1990, p. 17.

⁽³⁾ OJ No L 82, 28. 3. 1991, p. 33.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 201, 31. 7. 1990, p. 9.

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

Done at Brussels, 24 May 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 1373/91**of 24 May 1991****amending Regulation (EEC) No 2905/90 introducing a countervailing charge on tomatoes originating in the Canary Islands**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas Commission Regulation (EEC) No 1310/91⁽³⁾, introduced a countervailing charge on tomatoes originating in the Canary Islands;

Whereas Article 26 (1) of Regulation (EEC) No 1035/72 laid down the conditions under which a charge intro-

duced in application of Article 25 of that Regulation is amended; whereas, if those conditions are taken into consideration, the countervailing charge on the import of tomatoes originating in the Canary Islands must be altered,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 1310/91, '1,79 ECU' is hereby replaced by '32,26 ECU'.

Article 2

This Regulation shall enter into force on 25 May 1991.

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

Done at Brussels, 24 May 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 375, 31. 12. 1990, p. 17.

⁽³⁾ OJ No L 123, 18. 5. 1991, p. 36.

COMMISSION REGULATION (EEC) No 1374/91

of 24 May 1991

introducing a corrective amount on the import of aubergines 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 808/91 ⁽²⁾
fixed, for the 1991 marketing year, the Community offer
price for aubergines 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 aubergines, 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 aubergines
(CN code ex 0709 30 00) from Spain (except the Canary
Islands) a corrective amount of ECU 0,67 per 100 kilo-
grams net shall be levied.*Article 2*

This Regulation shall enter into force on 28 May 1991.

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

Done at Brussels, 24 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. 45.⁽³⁾ OJ No L 371, 20. 12. 1989, p. 28.⁽⁴⁾ OJ No L 164, 24. 6. 1985, p. 1.⁽⁵⁾ OJ No L 201, 31. 7. 1990, p. 9.

COMMISSION REGULATION (EEC) No 1375/91

of 24 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 20,61 per 100 kilograms net
shall be levied.*Article 2*

This Regulation shall enter into force on 28 May 1991.

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

Done at Brussels, 24 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.

COMMISSION REGULATION (EEC) No 1376/91

of 24 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 1318/91⁽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 23 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 25 May 1991.

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

Done at Brussels, 24 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 126, 22. 5. 1991, p. 11.

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

(ECU/100 kg)

CN code	Levy
1701 11 10	40,46 ⁽¹⁾
1701 11 90	40,46 ⁽¹⁾
1701 12 10	40,46 ⁽¹⁾
1701 12 90	40,46 ⁽¹⁾
1701 91 00	42,30
1701 99 10	42,30
1701 99 90	42,30 ⁽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 1377/91

of 24 May 1991

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

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 464/91 ⁽²⁾, and in particular Article 16 (8) thereof,

Whereas the import levies on syrups and certain other sugar products were fixed by Commission Regulation (EEC) No 1090/91 ⁽³⁾, as last amended by Regulation (EEC) No 1246/91 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1090/91 to the information known to the Commission that the basic amount of the levy on syrups and certain other sugar products at present in force should be altered;

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The basic amounts of the import levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81, as fixed in the Annex to amended Regulation (EEC) No 1090/91 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 25 May 1991.

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

Done at Brussels, 24 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 110, 1. 5. 1991, p. 9.

⁽⁴⁾ OJ No L 119, 14. 5. 1991, p. 27.

⁽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 24 May 1991 altering the basic amount of the import
levies on syrups and certain other products in the sugar sector

(ECU)

CN code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question	Amount of levy per 100 kg of dry matter
1702 20 10	0,4230	—
1702 20 90	0,4230	—
1702 30 10	—	52,98
1702 40 10	—	52,98
1702 60 10	—	52,98
1702 60 90	0,4230	—
1702 90 30	—	52,98
1702 90 60	0,4230	—
1702 90 71	0,4230	—
1702 90 90	0,4230	—
2106 90 30	—	52,98
2106 90 59	0,4230	—

COMMISSION REGULATION (EEC) No 1378/91**of 24 May 1991****altering the export refunds on white sugar and raw sugar exported in the natural state**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EEC) No 1324/91⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1324/91 to the infor-

mation known to the Commission that the export refunds at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, as fixed in the Annex to Regulation (EEC) No 1324/91 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 25 May 1991.

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

Done at Brussels, 24 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 127, 23. 5. 1991, p. 5.

ANNEX

to the Commission Regulation of 24 May 1991 altering the export refunds on white sugar
and raw sugar exported in the natural state

(ECU)

Product code	Amount of refund	
	per 100 kg	per percentage point of sucrose content and per 100 kg net of the product in question
1701 11 90 100	34,57 ⁽¹⁾	
1701 11 90 910	34,04 ⁽¹⁾	
1701 11 90 950	⁽²⁾	
1701 12 90 100	34,57 ⁽¹⁾	
1701 12 90 910	34,04 ⁽¹⁾	
1701 12 90 950	⁽²⁾	
1701 91 00 000		0,3758
1701 99 10 100	37,58	
1701 99 10 910	37,00	
1701 99 10 950	37,00	
1701 99 90 100		0,3758

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

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

COMMISSION REGULATION (EEC) No 1379/91

of 24 May 1991

altering the import levies on products processed from cereals and rice

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 14 (4) thereof,Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EEC) No 1806/89⁽⁴⁾, and in particular Article 12 (4) 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⁽⁵⁾, as last amended by Regulation (EEC) No 2205/90⁽⁶⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on products processed from cereals and rice were fixed by Commission Regulation (EEC) No 1101/91⁽⁷⁾, as amended by Regulation (EEC) No 1294/91⁽⁸⁾;Whereas Council Regulation (EEC) No 1906/87⁽⁹⁾ amended Council Regulation (EEC) No 2744/75⁽¹⁰⁾ as regards products falling within CN codes 2302 10, 2302 20, 2302 30 and 2302 40;

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

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.⁽⁴⁾ OJ No L 177, 24. 6. 1989, p. 1.⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 9.⁽⁷⁾ OJ No L 110, 1. 5. 1991, p. 37.⁽⁸⁾ OJ No L 122, 17. 5. 1991, p. 40.⁽⁹⁾ OJ No L 182, 3. 7. 1987, p. 49.⁽¹⁰⁾ OJ No L 281, 1. 11. 1975, p. 65.

— 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 23 May 1991;

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

Whereas the levy on the basic product as last fixed differs from the average levy by more than ECU 3,02 per tonne of basic product; whereas, pursuant to Article 1 of Commission Regulation (EEC) No 1579/74⁽¹¹⁾, as last amended by Regulation (EEC) No 1740/78⁽¹²⁾, the levies at present in force must therefore 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 processed from cereals and rice covered by Regulation (EEC) No 2744/75 as fixed in the Annex to amended Regulation (EEC) No 1101/91 are hereby altered to the amounts set out in the Annex.

Article 2

This Regulation shall enter into force on 25 May 1991.

⁽¹¹⁾ OJ No L 168, 25. 6. 1974, p. 7.⁽¹²⁾ OJ No L 202, 26. 7. 1978, p. 8.

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

Done at Brussels, 24 May 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 24 May 1991 altering the import levies on products processed from cereals and rice

(ECU / tonne)

CN code	Import levies	
	ACP or OCT	Third countries (other than ACP or OCT) ^(*)
1102 90 90	145,13	148,15
1103 19 90	145,13	148,15
1103 29 90	145,13	148,15
1104 19 99	256,10	262,14
1104 29 19	227,65	230,67
1104 29 39	227,65	230,67
1104 29 99	145,13	148,15

^(*) 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 1380/91
of 24 May 1991
fixing the amount of the subsidy on oil seeds

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

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

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

Having regard to Council Regulation (EEC) No 1678/85 of 11 June 1985 fixing the conversion rates to be applied in agriculture ⁽³⁾, as last amended by Regulation (EEC) No 1282/91 ⁽⁴⁾,

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

Having regard to the opinion of the Monetary Committee,
Whereas the amount of the subsidy referred to in Article 27 of Regulation No 136/66/EEC was fixed by Commission Regulation (EEC) No 772/91 ⁽⁷⁾, as last amended by Regulation (EEC) No 1317/91 ⁽⁸⁾;

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

HAS ADOPTED THIS REGULATION :

Article 1

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

2. However, the amount of the aid fixed in advance for the 1991/92 marketing year for colza, rape and sunflower seed shall be confirmed or replaced with effect from 25 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 25 May 1991.

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

Done at Brussels, 24 May 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

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

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁴⁾ OJ No L 125, 20. 5. 1991, p. 51.

⁽⁵⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 11.

⁽⁷⁾ OJ No L 81, 28. 3. 1991, p. 62.

⁽⁸⁾ OJ No L 126, 22. 5. 1991, p. 8.

⁽⁹⁾ OJ No L 266, 28. 9. 1983, p. 1.

ANNEX I

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

(amounts per 100 kg)

	Current 5	1st period 6	2nd period 7 (1)	3rd period 8 (1)	4th period 9 (1)	5th period 10 (1)
1. Gross aids (ECU):						
— Spain	0,000	0,000	8,351	9,007	9,007	9,007
— Portugal	25,383	25,183	15,321	15,977	15,977	15,977
— Other Member States	18,413	18,213	8,351	9,007	9,007	9,007
2. Final aids:						
Seed harvested and processed in:						
— Federal Republic of Germany (DM)	43,35	42,88	19,66	21,20	21,20	21,20
— Netherlands (Fl)	48,84	48,31	22,15	23,89	23,89	23,89
— BLEU (Bfrs/Lfrs)	894,07	884,36	405,49	437,35	437,35	437,35
— France (FF)	145,38	143,80	65,94	71,12	71,12	71,12
— Denmark (Dkr)	165,35	163,55	74,99	80,88	80,88	80,88
— Ireland (£ Irl)	16,181	16,005	7,339	7,915	7,915	7,915
— United Kingdom (£)	14,095	13,936	6,177	6,698	6,698	6,680
— Italy (Lit)	32 434	32 081	14 710	15 865	15 865	15 796
— Greece (Dr)	3 533,53	3 468,75	1 062,23	1 192,93	1 192,93	1 063,55
— Spain (Pta)	0,00	0,00	1 426,83	1 515,88	1 515,88	1 499,08
— Portugal (Esc)	5 350,53	5 309,50	3 267,20	3 401,81	3 401,81	3 361,76

ANNEX II

Aids to colza and rape seed 'double zero'

(amounts per 100 kg)

	Current 5	1st period 6	2nd period 7 (1)	3rd period 8 (1)	4th period 9 (1)	5th period 10 (1)
1. Gross aids (ECU):						
— Spain	0,000	0,000	10,851	11,507	11,507	11,507
— Portugal	27,883	27,683	17,821	18,477	18,477	18,477
— Other Member States	20,913	20,713	10,851	11,507	11,507	11,507
2. Final aids:						
Seed harvested and processed in:						
— Federal Republic of Germany (DM)	49,23	48,76	25,55	27,09	27,09	27,09
— Netherlands (Fl)	55,47	54,94	28,78	30,52	30,52	30,52
— BLEU (Bfrs/Lfrs)	1 015,46	1 005,75	526,88	558,74	558,74	558,74
— France (FF)	165,12	163,54	85,68	90,86	90,86	90,86
— Denmark (Dkr)	187,80	186,00	97,44	103,33	103,33	103,33
— Ireland (£ Irl)	18,378	18,202	9,536	10,112	10,112	10,112
— United Kingdom (£)	16,044	15,885	8,126	8,647	8,647	8,628
— Italy (Lit)	36 837	36 485	19 113	20 269	20 269	20 200
— Greece (Dr)	4 090,79	4 026,02	1 619,50	1 750,19	1 750,19	1 620,81
— Spain (Pta)	0,00	0,00	1 809,07	1 898,12	1 898,12	1 881,32
— Portugal (Esc)	5 872,22	5 831,19	3 788,89	3 923,50	3 923,50	3 883,45

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

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

ANNEX III

Aids to sunflower seed

(amounts per 100 kg)

	Current 5	1st period 6	2nd period 7	3rd period 8 (1)	4th period 9 (1)
1. Gross aids (ECU):					
— Spain	29,288	28,983	28,779	22,209	22,209
— Portugal	38,244	37,944	37,744	29,335	29,335
— Other Member States	26,004	25,704	25,504	17,095	17,095
2. Final aids:					
(a) Seed harvested and processed in (2):					
— Federal Republic of Germany (DM)	61,22	60,51	60,04	40,24	40,24
— Netherlands (Fl)	68,98	68,18	67,65	45,35	45,35
— BLEU (Bfrs/Lfrs)	1 262,66	1 248,09	1 238,38	830,07	830,07
— France (FF)	205,32	202,95	201,37	134,98	134,98
— Denmark (Dkr)	233,51	230,82	229,02	153,51	153,51
— Ireland (£ Irl)	22,852	22,588	22,412	15,023	15,023
— United Kingdom (£)	20,017	19,778	19,619	12,987	12,987
— Italy (Lit)	46 805	45 276	44 924	30 112	30 112
— Greece (Dr)	5 235,16	5 144,74	5 055,70	2 953,39	2 953,39
— Portugal (Esc)	8 030,98	7 969,42	7 928,38	6 190,60	6 190,60
(b) Seed harvested in Spain and processed:					
— in Spain (Pta)	4 592,15	4 547,61	4 517,92	3 540,15	3 540,15
— in another Member State (Pta)	4 652,72	4 608,99	4 579,84	3 614,01	3 614,01

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

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

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

ANNEX IV

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

(value of ECU 1)

	Current 5	1st period 6	2nd period 7	3rd period 8	4th period 9	5th period 10
DM	2,057450	2,055770	2,054290	2,052960	2,052960	2,049660
Fl	2,320190	2,318590	2,317010	2,315410	2,315410	2,311320
Bfrs/Lfrs	42,325800	42,289400	42,262400	42,238200	42,238200	42,157500
FF	6,977060	6,972750	6,968430	6,963900	6,963900	6,950940
Dkr	7,869500	7,869060	7,867630	7,867250	7,867250	7,861080
£Irl	0,769366	0,769412	0,769228	0,769504	0,769504	0,769790
£	0,694963	0,696061	0,696932	0,697691	0,697691	0,699265
Lit	1 529,55	1 531,13	1 532,82	1 534,43	1 534,43	1 540,14
Dr	225,65100	227,58800	229,87100	231,88500	231,88500	238,32000
Esc	180,18200	180,18800	180,46100	180,91700	180,91700	182,86100
Pta	127,66400	128,00900	128,29500	128,57200	128,57200	129,26100

COMMISSION REGULATION (EEC) No 1381/91

of 24 May 1991

fixing the amounts to be paid to recognized olive oil producer organizations and associations thereof for the 1990/1991 marketing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾; as last amended by Regulation (EEC) No 3577/90⁽²⁾, and in particular Article 20d (4) thereof,

Whereas Article 20d of Regulation No 136/66/EEC provides that a percentage of the production aid is to be withheld to help finance the work of the producer organizations and associations thereof;

Whereas Article 8 (1) of Commission Regulation (EEC) No 3061/84 of 31 October 1984 laying down detailed rules for the application of the system of production aid for olive oil⁽³⁾, as last amended by Regulation (EEC) No 928/91⁽⁴⁾, provides that the unit amounts to be paid to producer organizations and associations thereof are to be fixed on the basis of forecasts of the overall sum to be distributed; whereas the amount withheld was fixed for the 1990/1991 marketing year by Council Regulation (EEC) No 1314/90⁽⁵⁾; whereas the funds which will be available in each Member State as a result of the abovementioned amount withheld must be redistributed to those eligible in a suitable manner; whereas in Spain

and Portugal the amount withheld is less than that collected in the other Member States as a result of the lower level of production aid;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1990/1991 marketing year, the amounts provided for in Article 8 (1) (a) and (b) of Regulation (EEC) No 3061/84 shall be as follows:

- for Spain: ECU 4 and ECU 8 respectively,
- for Portugal: ECU 0 and ECU 1,5 respectively,
- for Greece: ECU 2 and ECU 2 respectively,
- for the other Member States: ECU 1,3 and ECU 1,3 respectively.

*Article 2*This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*.

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

Done at Brussels, 24 May 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.⁽³⁾ OJ No L 288, 1. 11. 1984, p. 52.⁽⁴⁾ OJ No L 94, 16. 4. 1991, p. 5.⁽⁵⁾ OJ No L 132, 23. 5. 1990, p. 5.