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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 1844/91

of 28 June 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 first subparagraph of Article 13 (1) of Regulation (EEC) No 2727/75 provides that a levy must be charged on imports of the products listed in Article 1 (a), (b) and (c) of that Regulation; whereas the levy is equal for each product to the threshold price less the cif price;

Whereas, the threshold prices for cereals and for wheat and rye flour, and wheat groats and meal, were fixed for the 1991/1992, marketing year by Council Regulations (EEC) No 2734/75⁽⁵⁾, (EEC) No 1704/91⁽⁶⁾, (EEC) No 1706/91⁽⁷⁾ and Commission Regulation (EEC) No 1824/91⁽⁸⁾;

Whereas, for the purpose of calculating the cif prices used to determine the levies, the Commission must take into

account the factors indicated in Commission Regulation No 156/67/EEC⁽⁹⁾, as last amended by Regulation (EEC) No 31/76⁽¹⁰⁾, and in particular the most favourable purchasing opportunities on the world market among those which are most representative of the real trend of the market, account being taken in particular of the need to prevent sudden variations likely to cause abnormal disturbances on the Community market; whereas the quality of the goods offered must also be taken into account, whether this quality corresponds to the standard quality fixed in Council Regulations (EEC) No 2731/75⁽¹¹⁾, as last amended by Regulation (EEC) No 2094/87⁽¹²⁾, and (EEC) No 2734/75, or whether adjustments need to be made by applying the coefficients of equivalence provided for in Commission Regulations No 158/67/EEC⁽¹³⁾, as last amended by Regulation (EEC) No 2124/87⁽¹⁴⁾, and No 159/67/EEC⁽¹⁵⁾;

Whereas the cif price is calculated for Rotterdam on the basis of the abovementioned elements, offers for other ports being adjusted, account being taken of the corrections necessitated by the differences in transport charges in relation to Rotterdam;

Whereas Council Regulation (EEC) No 715/90⁽¹⁶⁾, as last amended by Regulation (EEC) No 523/91⁽¹⁷⁾, 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, in accordance with Article 18 (1) of Regulation (EEC) No 2727/75, the nomenclature provided for in this Regulation is incorporated in the combined nomenclature;

⁽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 281, 1. 11. 1975, p. 34.
⁽⁶⁾ OJ No L 162, 26. 6. 1991, p. 4.
⁽⁷⁾ OJ No L 162, 26. 6. 1991, p. 7.
⁽⁸⁾ OJ No L 166, 28. 6. 1991, p. 41.

⁽⁹⁾ OJ No 128, 27. 6. 1967, p. 2533/67.
⁽¹⁰⁾ OJ No L 5, 10. 1. 1976, p. 18.
⁽¹¹⁾ OJ No L 281, 1. 11. 1975, p. 22.
⁽¹²⁾ OJ No L 196, 17. 7. 1987, p. 1.
⁽¹³⁾ OJ No 128, 27. 6. 1967, p. 2536/67.
⁽¹⁴⁾ OJ No L 197, 18. 7. 1987, p. 22.
⁽¹⁵⁾ OJ No 128, 27. 6. 1967, p. 2542/67.
⁽¹⁶⁾ OJ No L 84, 30. 3. 1990, p. 85.
⁽¹⁷⁾ OJ No L 58, 5. 3. 1991, p. 1.

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 27 June 1991 ;

Whereas on importation into Portugal of products listed in Annex XXIV to the Act of Accession an additional

amount is added to the levy ; whereas these amounts were set by Commission Regulation (EEC) No 3808/90 (1) ;

Whereas it follows from applying all the provisions of the abovementioned Regulations that the levies should be as set out in the Annex thereto ; whereas these levies are altered only where variations in the components used to calculate them have the effect of increasing or reducing them by ECU 0,73 or more,

HAS ADOPTED THIS REGULATION :

Article 1

The import levies to be charged on the 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 1 July 1991.

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

Done at Brussels, 28 June 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

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

ANNEX

to the Commission Regulation of 28 June 1991 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Levy
0709 90 60	128,78 ⁽²⁾ ⁽³⁾
0712 90 19	128,78 ⁽²⁾ ⁽³⁾
1001 10 10	161,07 ⁽¹⁾ ⁽³⁾
1001 10 90	161,07 ⁽¹⁾ ⁽³⁾
1001 90 91	139,40
1001 90 99	139,40
1002 00 00	134,35 ⁽⁶⁾
1003 00 10	134,35
1003 00 90	134,35
1004 00 10	113,81
1004 00 90	113,81
1005 10 90	128,78 ⁽²⁾ ⁽³⁾
1005 90 00	128,78 ⁽²⁾ ⁽³⁾
1007 00 90	136,87 ⁽⁴⁾
1008 10 00	24,86
1008 20 00	112,18 ⁽⁴⁾
1008 30 00	20,44 ⁽⁷⁾
1008 90 10	(7)
1008 90 90	20,44
1101 00 00	208,16 ⁽⁸⁾
1102 10 00	201,09 ⁽⁸⁾
1103 11 10	262,66 ⁽⁸⁾
1103 11 90	262,66 ⁽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 1845/91

of 28 June 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 Regulation (EEC) No 2727/75 of the Council 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 scale of premiums to be added to the import levies fixed in advance for cereals must include a premium for the current month and a premium for each of the three following months; whereas the amount of each premium must be the same throughout the Community;

Whereas Regulation (EEC) No 2745/75 of the Council⁽⁵⁾ laid down rules for the advance fixing of levies on cereals;

Whereas, under the terms of that Regulation, where the cif price for a cereal determined on the day on which the scale of premiums is fixed is higher than the cif forward delivery price for that cereal, the scale of the premium should, as a general rule, be equal to the difference between these two prices; whereas the cif price is that determined in accordance with Article 13 of Regulation (EEC) No 2727/75 on the day on which the scale of premiums is fixed; whereas the cif forward delivery price is also determined in accordance with Article 13 of Regulation (EEC) No 2727/75 but on the basis of offers at North Sea ports; whereas this price must be the cif price for shipment during the month in which the import licence is issued in the case of imports to be effected during that month; whereas, in the case of imports to be effected during the month following the month in which the import licence is issued, this price must be the cif price for shipment during that month; whereas, in the case of imports to be effected during the last two months

for which the import licence is valid, this price must be the cif price for shipment during the month preceding the month in which importation is expected to take place;

Whereas this price must be the cif price for shipment during the month preceding the month in which importation is expected to take place in the case of imports to be effected during the last two months for which the import licence is valid;

Whereas the premium shall be ECU 0 if the cif price determined on the day on which the premiums are fixed is equal to the cif forward delivery price or exceeds that price by not more than ECU 0,151 per tonne;

Whereas the premium may, however, be fixed at a higher level in exceptional circumstances and within certain specific limits;

Whereas Article 3 of CN code Regulation (EEC) No 1579/74 of the Commission of 24 June 1974 on the procedure for calculating the import levy on products processed from cereals and rice and for the advance fixing of this levy for these products and for compound feeding-stuffs manufactured from cereals⁽⁶⁾, as last amended by Regulation (EEC) No 1740/78⁽⁷⁾, provides for the addition of a premium to the levy fixed in advance for products falling within CN code 1107; whereas this premium is, per 100 kilograms of processed product, equal to the premium applicable on the day of application for an import licence to the quantity of basic product taken as a basis for the calculation of the variable component of the levy;

Whereas, pursuant to Regulation (EEC) No 971/73 of the Commission of 9 April 1973 on the advance fixing of the levy on wheat and meslin flour⁽⁸⁾, a premium is added to the levy fixed in advance for the products falling within CN code 1101 00 00 referred to in Article 1 (c) of Regulation (EEC) No 2727/75; whereas this premium is, per tonne of processed product, equal to the premium applicable on the date of application for an import licence for the basic product, account being taken of the quantity of the basic cereal required for the production of one tonne of flour;

Whereas, in accordance with Article 18 (1) of Regulation (EEC) No 2727/75, the nomenclature provided for in this Regulation is incorporated in the combined nomenclature;

⁽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 281, 1. 11. 1975, p. 76.

⁽⁶⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽⁷⁾ OJ No L 202, 26. 7. 1978, p. 8.

⁽⁸⁾ OJ No L 95, 11. 4. 1973, p. 10.

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 indent 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 27 June 1991;

Whereas it follows from applying all these provisions that the premiums should be as set out in the Annex hereto;

whereas the amount of the premiums should be altered only if application of the abovementioned provisions entails a change of more than 0,151 ECU,

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 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 July 1991.

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

Done at Brussels, 28 June 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 28 June 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 7	1st period 8	2nd period 9	3rd period 10
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 10	0	0	0	0,84
1001 10 90	0	0	0	0,84
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	3,78	3,78	3,82
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 7	1st period 8	2nd period 9	3rd period 10	4th period 11
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 1846/91
of 28 June 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 1761/91⁽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 1 July 1991.

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

Done at Brussels, 28 June 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 158, 22. 6. 1991, p. 9.

ANNEX

to the Commission Regulation of 28 June 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	—	151,81	310,82
1006 10 23	204,98	133,05	273,31
1006 10 25	204,98	133,05	273,31
1006 10 27	204,98	133,05	273,31
1006 10 92	—	151,81	310,82
1006 10 94	204,98	133,05	273,31
1006 10 96	204,98 ⁽¹⁾	133,05	273,31
1006 10 98	204,98	133,05	273,31
1006 20 11	—	190,66	388,52
1006 20 13	256,23	167,22	341,64
1006 20 15	256,23	167,22	341,64
1006 20 17	256,23	167,22	341,64
1006 20 92	—	190,66	388,52
1006 20 94	256,23	167,22	341,64
1006 20 96	256,23	167,22	341,64
1006 20 98	256,23	167,22	341,64
1006 30 21	—	235,62	495,10 (⁽²⁾)
1006 30 23	425,46 (⁽²⁾)	271,75	567,28 (⁽²⁾)
1006 30 25	425,46 (⁽²⁾)	271,75	567,28 (⁽²⁾)
1006 30 27	425,46 (⁽²⁾)	271,75	567,28 (⁽²⁾)
1006 30 42	—	235,62	495,10 (⁽²⁾)
1006 30 44	425,46 (⁽²⁾)	271,75	567,28 (⁽²⁾)
1006 30 46	425,46 (⁽²⁾)	271,75	567,28 (⁽²⁾)
1006 30 48	425,46 (⁽²⁾)	271,75	567,28 (⁽²⁾)
1006 30 61	—	251,29	527,29 (⁽²⁾)
1006 30 63	456,10 (⁽²⁾)	291,71	608,13 (⁽²⁾)
1006 30 65	456,10 (⁽²⁾)	291,71	608,13 (⁽²⁾)
1006 30 67	456,10 (⁽²⁾)	291,71	608,13 (⁽²⁾)
1006 30 92	—	251,29	527,29 (⁽²⁾)
1006 30 94	456,10 (⁽²⁾)	291,71	608,13 (⁽²⁾)
1006 30 96	456,10 (⁽²⁾)	291,71	608,13 (⁽²⁾)
1006 30 98	456,10 (⁽²⁾)	291,71	608,13 (⁽²⁾)
1006 40 00	—	70,32	146,65

(⁽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 1847/91**of 28 June 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 1762/91⁽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 1 July 1991.

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

Done at Brussels, 28 June 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 158, 22. 6. 1991, p. 11.

ANNEX

to the Commission Regulation of 28 June 1991 fixing the premiums to be added to the import levies on rice and broken rice

(ECU/tonne)

CN code	Current 7	1st period 8	2nd period 9	3rd period 10
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 1848/91
of 28 June 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 1630/91 ⁽²⁾, and in particular Article 14 (8) thereof,

Whereas the import levies on milk and milk products were fixed by Commission Regulation (EEC) No 1653/91 ⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1653/91 to the prices

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 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 1 July 1991.

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

Done at Brussels, 28 June 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 150, 15. 6. 1991, p. 19.

⁽³⁾ OJ No L 151, 15. 6. 1991, p. 22.

ANNEX

to the Commission Regulation of 28 June 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		17,85
0401 10 90		16,64
0401 20 11		24,49
0401 20 19		23,28
0401 20 91		29,79
0401 20 99		28,58
0401 30 11		76,03
0401 30 19		74,82
0401 30 31		145,86
0401 30 39		144,65
0401 30 91		244,30
0401 30 99		243,09
0402 10 11	(*)	126,87
0402 10 19	(*)	119,62
0402 10 91	(1) (*)	1,1962/kg + 28,03
0402 10 99	(1) (*)	1,1962/kg + 20,78
0402 21 11	(*)	176,49
0402 21 17	(*)	169,24
0402 21 19	(*)	169,24
0402 21 91	(*)	217,81
0402 21 99	(*)	210,56
0402 29 11	(1) (3) (*)	1,6924/kg + 28,03
0402 29 15	(1) (*)	1,6924/kg + 28,03
0402 29 19	(1) (*)	1,6924/kg + 20,78
0402 29 91	(1) (*)	2,1056/kg + 28,03
0402 29 99	(1) (*)	2,1056/kg + 20,78
0402 91 11	(*)	30,28
0402 91 19	(*)	30,28
0402 91 31	(*)	37,85
0402 91 39	(*)	37,85
0402 91 51	(*)	145,86
0402 91 59	(*)	144,65
0402 91 91	(*)	244,30
0402 91 99	(*)	243,09
0402 99 11	(*)	49,85
0402 99 19	(*)	49,85
0402 99 31	(1) (*)	1,4223/kg + 24,41
0402 99 39	(1) (*)	1,4223/kg + 23,20
0402 99 91	(1) (*)	2,4067/kg + 24,41
0402 99 99	(1) (*)	2,4067/kg + 23,20
0403 10 02		126,87
0403 10 04		176,49

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

CN code	Note	Import levy
0403 10 06		217,81
0403 10 12	(¹)	1,1962/kg + 28,03
0403 10 14	(¹)	1,6924/kg + 28,03
0403 10 16	(¹)	2,1056/kg + 28,03
0403 10 22		26,90
0403 10 24		32,20
0403 10 26		78,44
0403 10 32	(¹)	0,2086/kg + 26,82
0403 10 34	(¹)	0,2616/kg + 26,82
0403 10 36	(¹)	0,7240/kg + 26,82
0403 90 11		126,87
0403 90 13		176,49
0403 90 19		217,81
0403 90 31	(¹)	1,1962/kg + 28,03
0403 90 33	(¹)	1,6924/kg + 28,03
0403 90 39	(¹)	2,1056/kg + 28,03
0403 90 51		26,90
0403 90 53		32,20
0403 90 59		78,44
0403 90 61	(¹)	0,2086/kg + 26,82
0403 90 63	(¹)	0,2616/kg + 26,82
0403 90 69	(¹)	0,7240/kg + 26,82
0404 10 11		24,14
0404 10 19	(¹)	0,2414/kg + 20,78
0404 10 91	(²)	0,2414/kg + 20,78
0404 10 99	(²)	0,2414/kg + 20,78
0404 90 11		126,87
0404 90 13		176,49
0404 90 19		217,81
0404 90 31		126,87
0404 90 33		176,49
0404 90 39		217,81
0404 90 51	(¹)	1,1962/kg + 28,03
0404 90 53	(¹) (³)	1,6924/kg + 28,03
0404 90 59	(¹)	2,1056/kg + 28,03
0404 90 91	(¹)	1,1962/kg + 28,03
0404 90 93	(¹) (³)	1,6924/kg + 28,03
0404 90 99	(¹)	2,1056/kg + 28,03
0405 00 10		251,91
0405 00 90		307,33
0406 10 10	(⁴)	233,65
0406 10 90	(⁴)	285,03
0406 20 10	(³) (⁴)	374,63
0406 20 90	(⁴)	374,63
0406 30 10	(³) (⁴)	185,53
0406 30 31	(³) (⁴)	175,33
0406 30 39	(³) (⁴)	185,53
0406 30 90	(³) (⁴)	282,25

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

CN code	Note	Import, levy
0406 40 00	(3) (*)	148,14
0406 90 11	(3) (*)	221,80
0406 90 13	(3) (*)	180,59
0406 90 15	(3) (*)	180,59
0406 90 17	(3) (*)	180,59
0406 90 19	(3) (*)	374,63
0406 90 21	(3) (*)	221,80
0406 90 23	(3) (*)	188,31
0406 90 25	(3) (*)	188,31
0406 90 27	(3) (*)	188,31
0406 90 29	(3) (*)	188,31
0406 90 31	(3) (*)	188,31
0406 90 33	(*)	188,31
0406 90 35	(3) (*)	188,31
0406 90 37	(3) (*)	188,31
0406 90 39	(3) (*)	188,31
0406 90 50	(3) (*)	188,31
0406 90 61	(*)	374,63
0406 90 63	(*)	374,63
0406 90 69	(*)	374,63
0406 90 71	(*)	233,65
0406 90 73	(*)	188,31
0406 90 75	(*)	188,31
0406 90 77	(*)	188,31
0406 90 79	(*)	188,31
0406 90 81	(*)	188,31
0406 90 83	(*)	188,31
0406 90 85	(*)	188,31
0406 90 89	(3) (*)	188,31
0406 90 91	(*)	233,65
0406 90 93	(*)	233,65
0406 90 97	(*)	285,03
0406 90 99	(*)	285,03
1702 10 10		36,29
1702 10 90		36,29
2106 90 51		36,29
2309 10 15		92,14
2309 10 19		119,65
2309 10 39		112,12
2309 10 59		92,54
2309 10 70		119,65
2309 90 35		92,14
2309 90 39		119,65
2309 90 49		112,12
2309 90 59		92,54
2309 90 70		119,65

-
- (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 1849/91

of 28 June 1991

fixing the import levies on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

(EEC) No 431/68 and that for white sugar by Regulation (EEC) No 793/72⁽¹⁾;

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 1785/81 of 30 June 1981 on the common organization of the market in sugar⁽²⁾, as last amended by Regulation (EEC) No 464/91⁽³⁾, and in particular Article 16 (8) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 (1) of Regulation (EEC) No 1785/81 provides for charging a levy on imports of the products listed in Article 1 (1) of that Regulation;

Whereas the import levy on white sugar and raw sugar must be equal to the threshold price less the cif price; whereas the threshold price for each of these products was fixed by Council Regulation (EEC) No 1718/91 of 13 June 1991 fixing, for the 1991/92 marketing year, the derived intervention prices for white sugar, the intervention price for raw sugar, the minimum prices for A and B beet, the threshold prices, the amount of compensation for storage costs and the prices to be applied in Spain and Portugal⁽⁴⁾;

Whereas the cif price for raw sugar and white sugar is calculated by the Commission for a Community frontier crossing point which was fixed at Rotterdam by Regulation (EEC) No 431/68 of the Council of 9 April 1968 determining the standard quality for raw sugar and fixing the Community frontier crossing point for calculating cif prices for sugar⁽⁵⁾;

Whereas this price must be based on the most favourable purchasing opportunities on the world market established for each product on the basis of quotations or prices on that market adjusted for any deviation from the standard quality for which the threshold price is fixed; whereas the standard quality for raw sugar was defined by Regulation

Whereas, when the most favourable purchasing opportunities on the world market are being established, the Commission must take account of all available information on offers on the world market, on quotations on the exchanges which are important for world trade, on prices recorded on important third-country markets, and on sales concluded in international trade of which it has knowledge either directly or through the agency of the Member States;

Whereas, however, pursuant to Regulation (EEC) No 784/68 of the Commission of 26 June 1968 laying down detailed rules for calculating cif prices for white sugar and raw sugar⁽⁶⁾, the Commission must disregard information if the goods concerned are not of sound and fair marketable quality or if the price quoted in an offer relates to small quantities and is not representative of the market; whereas offer prices which can be assumed not to be representative of the actual market trends must also be disregarded;

Whereas any offer or prices taken into consideration which are not for goods delivered in bulk cif Rotterdam must be adjusted; whereas when this adjustment is being made account must be taken of the difference in the cost of transporting the goods between the port of loading and the port of destination and between the port of loading and Rotterdam; whereas, if the price or the offer relates to goods in bags, it must be reduced by ECU 0,73 per 100 kilograms under the terms of Article 4 of Regulation (EEC) No 784/68;

Whereas, if information on sugar of the standard quality is to be comparable, the price increases or reductions fixed pursuant to Article 15 of Regulation (EEC) No 1785/81 must be added to or deducted from the offers taken into consideration in the case of white sugar; whereas, in the case of raw sugar, the corrective factors provided for in Article 5 of Regulation (EEC) No 784/68 must be applied;

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.⁽²⁾ OJ No L 54, 28. 2. 1991, p. 22.⁽³⁾ OJ No L 162, 26. 6. 1991, p. 23.⁽⁴⁾ OJ No L 89, 10. 4. 1968, p. 3.⁽⁵⁾ OJ No L 94, 21. 4. 1972, p. 1.⁽⁶⁾ OJ No L 145, 27. 6. 1968, p. 10.

Whereas, pursuant to Article 7 of Regulation (EEC) No 784/68, a special cif price may be established for sugar which has been specially treated or specially packed if the offer price for such sugar is lower than the cif price established pursuant to the provisions referred to above;

Whereas a cif price may, by way of exception, be left unchanged for a limited period if the offer price which served as a basis for the previous calculation of the cif price is not available to the Commission and if the offer prices which are available and which appear not to be sufficiently representative of actual market trends would entail sudden and considerable changes in the cif price;

Whereas the levy is altered only if the variation in the elements used to calculate it would entail an increase or a reduction of not less than ECU 0,24 per 100 kilograms in relation to the levy previously fixed;

Whereas, in accordance with Article 21 (1) of Regulation (EEC) No 1785/81, the nomenclature provided for in this Regulation is incorporated in the Common Customs Tariff;

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 ⁽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 these exchange rates being those recorded on 27 June 1991;

Whereas it follows from applying these provisions that the levies for white sugar and raw sugar should be as set out in the Annex hereto,

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 1 July 1991.

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

Done at Brussels, 28 June 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 28 June 1991 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	34,42 ⁽¹⁾
1701 11 90	34,42 ⁽¹⁾
1701 12 10	34,42 ⁽¹⁾
1701 12 90	34,42 ⁽¹⁾
1701 91 00	40,21
1701 99 10	40,21
1701 99 90	40,21 ⁽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 1850/91

of 28 June 1991

fixing the reduced levy on imports into Portugal of certain quantities of raw sugar intended for Portuguese refineries

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 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, in accordance with Article 303 of the Act of Accession, a reduced levy is applied during the period of seven years following accession on imports into Portugal of certain quantities of raw sugar originating in certain third countries ;

Whereas Commission Regulation (EEC) No 599/86⁽³⁾, as last amended by Regulation (EEC) No 1456/91⁽⁴⁾, fixes the reduced levy applicable on imports into Portugal of certain quantities of raw sugar intended for Portuguese refineries ;

Whereas the levy should, in the light of the application of the detailed rules and arrangements specified in Regulation (EEC) No 599/86 to the data available to the Commission, be fixed as shown in Article 1 of this Regulation ;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁵⁾, as last amended by Regulation (EEC) No 2205/90⁽⁶⁾,
- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent,

HAS ADOPTED THIS REGULATION :

Article 1

The reduced levy on imports into Portugal of raw sugar intended for refining (CN codes 1701 11 10 and 1701 12 10) is fixed for this quality type at ECU 26,74 per 100 kilograms.

Article 2

This Regulation shall enter into force on 1 July 1991.

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

Done at Brussels, 28 June 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 58, 1. 3. 1986, p. 18.

⁽⁴⁾ OJ No L 138, 1. 6. 1991, p. 16.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 9.

COMMISSION REGULATION (EEC) No 1851/91**of 28 June 1991****fixing the production refund for white sugar used in the chemical industry**

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 9 (6) thereof,

Whereas pursuant to Article 9 (3) of Regulation (EEC) No 1785/81 it may be decided to grant production refunds on the products listed in Article 1 (1) (a) and (f) and on the syrups listed in Article 1 (1) (d) thereof which are in one of the situations referred to in Article 9 (2) of the Treaty and which are used in the manufacture of certain products of the chemical industry;

Whereas Council Regulation (EEC) No 1010/86 of 25 March 1986 laying down general rules for the production refund on certain sugar products used in the chemical industry⁽³⁾, as last amended by Regulation (EEC) No 464/91, establishes the framework within which the production refunds may be determined and lists the chemical products of which the manufacture makes it possible to grant a production refund for the basic products used in their manufacture; whereas Articles 5, 6 and 7 of Regulation (EEC) No 1010/86 provide that the production refund granted for raw sugar, sucrose syrups and unprocessed isoglucose shall be derived from the refund fixed for white sugar according to a method of calculation peculiar to each of these basic products;

Whereas Commission Regulation (EEC) No 1729/78 of 24 July 1978 laying down detailed rules of application in respect of the production refund for sugar used in the chemical industry⁽⁴⁾, as last amended by Regulation (EEC) No 464/91, specifies the method to be used for establishing the production refund; whereas Article 1 of Regulation (EEC) No 1729/78 provides that the production refund for white sugar shall be fixed at three-

monthly intervals for the periods beginning 1 July, 1 October, 1 January and 1 April; whereas the application of the abovementioned method entails fixing the production refund as stated in Article 1 for the period referred to therein;

Whereas the amendment of the definition of white sugar and raw sugar referred to in Article 1 (2) (a) and (b) of Regulation (EEC) No 1785/81 has the consequence that flavoured sugars or sugars containing added colouring agents or other substances are no longer considered as falling within these definitions but are to be considered as 'other sugars'; whereas Article 1 of Regulation (EEC) No 1010/86 provides for these sugars to be eligible as basic products to the production refund; whereas a method of calculation based on their sucrose content should be laid down for establishing the production refund applicable to these products;

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

HAS ADOPTED THIS REGULATION:

Article 1

The production refund per 100 kilograms of white sugar referred to in Article 4 of Regulation (EEC) No 1010/86 is hereby fixed at ECU 33,243 for three months from 1 July to 30 September 1991. For flavoured sugars or sugars containing added colouring agents or containing other substances obtained from white sugar or raw sugar the production refund shall be established by multiplying this amount by the sucrose content of the sugar in question determined in accordance with the polarimetric method as a percentage of the dry matter weight.

Article 2

This Regulation shall enter into force on 1 July 1991.

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 54, 28. 2. 1991, p. 22.

⁽³⁾ OJ No L 94, 9. 4. 1986, p. 9.

⁽⁴⁾ OJ No L 201, 25. 7. 1978, p. 26.

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

Done at Brussels, 28 June 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 1852/91

of 28 June 1991

fixing 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,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 (1) of Regulation (EEC) No 1785/81 provides for charging a levy on imports of the products listed in Article 1 (1) of that Regulation;

Whereas the levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 must be calculated, where appropriate, at a standard rate on the basis of the sucrose content (including other sugars expressed as sucrose) of the product concerned and of the levy on white sugar; whereas, however, the levies on maple sugar and maple syrup are limited to the amount resulting from application of the rate of duty bound within GATT;

Whereas Article 7 of Commission Regulation (EEC) No 837/68 of 28 June 1968 on detailed rules for the application of levies on sugar⁽³⁾, as last amended by Regulation (EEC) No 1428/78⁽⁴⁾, provides that the basic amount of the levy for 100 kilograms of product must be fixed per percentage point of sucrose content;

Whereas the basic amount of the levy must be equal to one-hundredth of the average of the levies applicable to 100 kilograms of white sugar during the first 20 days of the month preceding the month for which the basic amount of the levy is fixed; whereas, however, the levy applicable to white sugar on the day of the fixing of the basic amount must be substituted for the average of the levies, where that levy differs by at least ECU 0,73 from that average;

Whereas the basic amount must be fixed each month; whereas it must, however, be altered during the period between the day on which it is fixed and the first day of

the month following the month for which the basic amount is applicable, if the levy on white sugar differs by at least ECU 0,73 from the average referred to above or from the levy on white sugar used to fix the basic amount; whereas, in this case, the basic amount must be equal to one-hundredth of the levy on white sugar used to calculate the alteration;

Whereas the basic amount thus fixed must be adjusted on the basis of variations in the threshold price for white sugar occurring between the month in which the basic amount is fixed and the period of application; whereas this adjustment, equal to one-hundredth of the difference between these two threshold prices, must be deducted from or added to the basic amount in the circumstances provided for in Article 7 (6) of Regulation (EEC) No 837/68;

Whereas the levy on the products referred to in Article 1 (1) (f) and (g) of Regulation (EEC) No 1785/81 comprises, under Article 16 (6) of that Regulation, a variable element and a fixed element, with the latter, per 100 kilograms of dry matter, being equal to one-tenth of the fixed element established pursuant to point B of Article 14 (1) of Council Regulation (EEC) No 2727/75⁽⁵⁾, as last amended by Regulation (EEC) No 3577/90⁽⁶⁾, for the fixing of the import levy on the products falling within CN codes 1702 30 91, 1702 30 99, 1702 40 90 and 1702 90 50, and the variable element, per 100 kilograms of dry matter, being equal to 100 times the basic import levy applicable as from the first of each month in the case of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81; whereas the levy must be fixed each month;

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⁽⁷⁾, as last amended by Regulation (EEC) No 2205/90⁽⁸⁾,

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 54, 28. 2. 1991, p. 22.

⁽³⁾ OJ No L 151, 30. 6. 1968, p. 42.

⁽⁴⁾ OJ No L 171, 28. 6. 1978, p. 34.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽⁶⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁸⁾ OJ No L 201, 31. 7. 1990, p. 9.

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

Whereas it follows from the application of these provisions that the import levies on the products concerned should be as indicated in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on the products listed in Article 1 (1) (d), (f) and (g) of Regulation (EEC) No 1785/81 shall be as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 July 1991.

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

Done at Brussels, 28 June 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 28 June 1991 fixing 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	0,4021	—
1702 20 90	0,4021	—
1702 30 10	—	49,88
1702 40 10	—	49,88
1702 60 10	—	49,88
1702 60 90	0,4021	—
1702 90 30	—	49,88
1702 90 60	0,4021	—
1702 90 71	0,4021	—
1702 90 90	0,4021	—
2106 90 30	—	49,88
2106 90 59	0,4021	—

COMMISSION REGULATION (EEC) No 1853/91

of 28 June 1991

fixing the export refunds on syrups and certain other sugar products 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 Article 19 (4) thereof,

Having regard to the opinion of the Monetary Committee,

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

Whereas Article 8 of Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar⁽³⁾, as last amended by Regulation (EEC) No 1489/76⁽⁴⁾, provides that the export refund on 100 kilograms of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 is equal to the basic amount multiplied by the sucrose content, including, where appropriate, other sugars expressed as sucrose; whereas the sucrose content of the product in question is determined in accordance with Article 13 of Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar⁽⁵⁾, as last amended by Regulation (EEC) No 1714/88⁽⁶⁾;

Whereas Article 7 of Regulation (EEC) No 766/68 provides that the basic amount of the refund on sorbose exported in the natural state must be equal to the basic amount of the refund less one-hundredth of the production refund applicable, pursuant to Council Regulation

(EEC) No 1400/78 of 20 June 1978 laying down general rules for the production refund on sugar used in the chemical industry⁽⁷⁾, to the products listed in the Annex to the last mentioned Regulation;

Whereas the basic amount of the refund on the other products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 exported in the natural state must be equal to one-hundredth of an amount which takes account, on the one hand, of the difference between the intervention price for white sugar for the Community areas without deficit for the month for which the basic amount is fixed and quotations or prices for white sugar on the world market and, on the other, of the need to establish a balance between the use of Community basic products in the manufacture of processed goods for export to third countries and the use of third country products brought in under inward processing arrangements;

Whereas the application of the basic amount may be limited to some of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81;

Whereas Article 19 of Regulation (EEC) No 1785/81 makes provision for setting refunds for export in the natural state of products referred to in Article 1 (1) (f) and (g) of that Regulation; whereas the refund must be fixed per 100 kilograms of dry matter, taking account of the export refund for products falling within CN code 1702 30 91 and for products referred to in Article 1 (1) (d) of Regulation (EEC) No 1785/81 and of the economic aspects of the intended exports; whereas the refund is to be granted only for products complying with the conditions in Article 3 of Commission Regulation (EEC) No 1469/77 of 30 June 1977 laying down rules for applying the levy and the refund in respect of isoglucose and amending Regulation (EEC) No 192/75⁽⁸⁾, as amended by Regulation (EEC) No 1714/88;

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

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 54, 28. 2. 1991, p. 22.

⁽³⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁴⁾ OJ No L 167, 26. 6. 1976, p. 13.

⁽⁵⁾ OJ No L 50, 4. 3. 1970, p. 1.

⁽⁶⁾ OJ No L 152, 18. 6. 1988, p. 23.

⁽⁷⁾ OJ No L 170, 27. 6. 1978, p. 9.

⁽⁸⁾ OJ No L 162, 1. 7. 1977, p. 9.

- 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 ⁽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 refunds referred to above must be fixed every month; whereas they may be altered in the intervening period;

Whereas application of these quotas results in fixing refunds for the products in question at the levels given in the Annex to this Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (d), (f) and (g) of Regulation (EEC) No 1785/81, exported in the natural state, shall be set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 July 1991.

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

Done at Brussels, 28 June 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 28 June 1991 fixing the export refunds on syrups and certain other sugar products exported in the natural state

(ECU)

Product code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question ⁽¹⁾	Amount of refund per 100 kg of dry matter ⁽²⁾
1702 40 10 100		36,72
1702 60 10 000		36,72
1702 60 90 000	0,3672	
1702 90 30 000		36,72
1702 90 60 000	0,3672	
1702 90 71 000	0,3672	
1702 90 90 900	0,3672	
2106 90 30 000		36,72
2106 90 59 000	0,3672	

⁽¹⁾ The basic amount is not applicable to syrups which are less than 85 % pure (Regulation (EEC) No 394/70). Sucrose content is determined in accordance with Article 13 of Regulation (EEC) No 394/70.

⁽²⁾ Applicable only to products referred to in Article 3 of Regulation (EEC) No 1469/77.

NB: The product codes and the footnotes are defined in amended Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1).

COMMISSION REGULATION (EEC) No 1854/91

of 28 June 1991

fixing the import levy on molasses

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 (1) of Regulation (EEC) No 1785/81 provides for charging a levy on imports of the products listed in Article 1 (1) (c) of that Regulation ;

Whereas the import levy on molasses must be equal to the threshold price less the cif price ; whereas the threshold price for molasses was fixed by Council Regulation (EEC) No 1718/91 of 13 June 1991 fixing, for the 1991/92 marketing year, the derived intervention prices for white sugar, the intervention price for raw sugar, the minimum prices for A and B beet, the threshold prices, the amount of compensation for storage costs and the prices to be applied in Spain and Portugal⁽³⁾ ;

Whereas the cif price for molasses is calculated by the Commission for a Community frontier crossing point which was fixed at Rotterdam by Regulation (EEC) No 431/68 of the Council of 9 April 1968 determining the standard quality for raw sugar and fixing the Community frontier crossing point for calculating cif prices for sugar⁽⁴⁾ ;

Whereas this price must be based on the most favourable purchasing opportunities on the world market established for each product on the basis of quotations or prices on that market adjusted for any deviation from the standard quality for which the threshold price is fixed ; whereas the standard quality for molasses was defined by Regulation (EEC) No 785/68 of the Commission of 26 June 1968

determining the standard quality and laying down detailed rules for calculating the cif price for molasses⁽⁵⁾ ;

Whereas, when the most favourable purchasing opportunities on the world market are being established, the Commission must take account of all available information on offers on the world market, on quotations on the exchanges which are important for world trade, on prices recorded on important third-country markets and on sales concluded in international trade of which it has knowledge, either directly or through the agency of the Member States ; whereas, under the terms of Article 7 of Regulation (EEC) No 785/68, the Commission may for this purpose take an average of several prices as a basis, provided this average can be regarded as being representative of actual market trends ;

Whereas the Commission must disregard information if the goods concerned are not of sound and fair marketable quality or if the price quoted in an offer relates to a small quantity and is not representative of the market ; whereas offer prices which can be regarded as not representative of actual market trends must also be disregarded ;

Whereas any prices or offer taken into consideration which are not for delivery cif Rotterdam must be adjusted, account being taken in particular of the differences in the cost of transporting the goods between the port of loading and the port of destination and between the port of loading and Rotterdam ;

Whereas, if information on molasses of the standard quality is to be comparable, prices must, depending on the quality of the molasses offered, be increased or reduced in the light of the results obtained by applying Article 6 of Regulation (EEC) No 785/68 ;

Whereas the cif price may, by way of exception, be left unchanged for a limited period if the offer price which served as a basis for the previous calculation of the cif price is not available to the Commission and if the offer prices which are available and which appear not to be sufficiently representative of actual market trends would entail sudden and considerable changes in the cif price ;

Whereas the levy must be fixed each week ; whereas pursuant to Article 5 of Regulation (EEC) No 837/68 of the Commission of 28 June 1968 on detailed rules for the

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 54, 28. 2. 1991, p. 22.

⁽³⁾ OJ No L 162, 26. 6. 1991, p. 23.

⁽⁴⁾ OJ No L 89, 10. 4. 1968, p. 3.

⁽⁵⁾ OJ No L 145, 27. 6. 1968, p. 12.

application of levies on sugar ⁽¹⁾, as last amended by Regulation (EEC) No 1428/78 ⁽²⁾, the levy is altered only if the variation in the elements used to calculate it would entail an increase or a reduction of not less than ECU 0,06 per 100 kilograms in relation to the levy previously fixed;

Whereas in accordance with Article 21 (1) of Regulation (EEC) No 1785/81, the nomenclature provided for in this Regulation is incorporated in the Common Customs Tariff;

Whereas if the levy system is to operate normally, levies should be calculated on currencies 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 correcting factor provided for in the last subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽³⁾, as last amended by Regulation (EEC) No 2205/90 ⁽⁴⁾,
- 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 27 June 1991,

HAS ADOPTED THIS REGULATION:

Article 1

The import levy referred to in Article 16 (1) of Regulation (EEC) No 1785/81 is now ECU 0,21 per 100 kilograms in respect of molasses falling within CN codes 1703 10 00 and 1703 90 00.

Article 2

This Regulation shall enter into force on 1 July 1991.

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

Done at Brussels, 28 June 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 151, 30. 6. 1968, p. 42.

⁽²⁾ OJ No L 171, 28. 6. 1978, p. 34.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 9.

COMMISSION REGULATION (EEC) No 1855/91
of 28 June 1991
fixing the import levies on sugar beet and sugar cane

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

Whereas Article 16 of Regulation (EEC) No 1785/81 provides that an import levy must be fixed by the Commission on the products listed in Article 1 (1) (b) of that Regulation ; whereas that levy must be calculated at a standard rate on the basis of the sucrose content of each of those products and the levy on white sugar ;

Whereas Article 6 of Regulation (EEC) No 837/68 of the Commission of 28 June 1968 on detailed rules for the application of levies on sugar ⁽³⁾, as last amended by Regulation (EEC) No 1428/78 ⁽⁴⁾, provides that the levy applicable to these products is obtained by multiplying by a coefficient the difference, in respect of 100 kilograms of white sugar, between the threshold price valid for the relevant marketing year and the arithmetic average of cif

prices recorded during a reference period ; whereas the coefficients and the reference period were fixed by Article 6 of Regulation (EEC) No 837/68 ;

Whereas the threshold price for white sugar has been fixed by Council Regulation (EEC) No 1718/91 of 13 June 1991 fixing, for the 1991/92 marketing year, the derived intervention prices for white sugar, the intervention price for raw sugar, the minimum prices for A and B beet, the threshold prices, the amount of compensation for storage costs and the prices to be applied in Spain and Portugal ⁽⁵⁾,

HAS ADOPTED THIS REGULATION :

Article 1

The import levies referred to in Article 16 (1) of Regulation (EEC) No 1785/81 on the products listed in Article 1 (1) (b) of that Regulation shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 July 1991.

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

Done at Brussels, 28 June 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 151, 30. 6. 1968, p. 42.

⁽⁴⁾ OJ No L 171, 28. 6. 1978, p. 34.

⁽⁵⁾ OJ No L 162, 26. 6. 1991, p. 23.

ANNEX

to the Commission Regulation of 28 June 1991 fixing the import levies on sugar beet and sugar cane

<i>(ECU/tonne)</i>	
CN code	Import levies
1212 91 10	68,24
1212 91 90	234,58
1212 92 00	46,92

COMMISSION REGULATION (EEC) No 1856/91

of 28 June 1991

fixing the aid for cotton

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 the Act of Accession of Greece, and in particular paragraphs 3 and 10 of Protocol 4 on cotton annexed thereto, as amended by Protocol 14 annexed to the Act of Accession of Spain and of Portugal, and Regulation (EEC) No 4006/87 ⁽¹⁾,

Having regard to Council Regulation (EEC) No 2169/81 of 27 July 1981 laying down the general rules for the system of aid for cotton ⁽²⁾, as last amended by Regulation (EEC) No 791/89 ⁽³⁾, and in particular Article 5 (1) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, pursuant to Article 5 of Regulation (EEC) No 2169/81, aid must be granted for unginned cotton harvested in the Community when the world market price for unginned cotton is below the guide price;

Whereas the aid is equal to the difference between these two prices;

Whereas the guide price for cotton has been fixed by Council Regulation (EEC) No 1730/91 ⁽⁴⁾ for the 1991/92 marketing year;

Whereas the abatement of the subsidy which arises, where appropriate, from the system of maximum guaranteed quantities for the 1991/92 marketing year, has not, to date, been fixed; whereas the aid should therefore be fixed on the basis of a provisional abatement which, in the light of harvest forecasts, has been set at ECU 14,379 per 100 kg;

Whereas the world market price for unginned cotton is determined periodically on the basis of the world market prices recorded for ginned cotton and cotton seed, taking into account the estimated yield of the Community harvest in cotton seed and in ginned cotton and also the net cost of ginning;

Whereas the world market price for ginned cotton and cotton seed is determined in accordance with Article 4 of Regulation (EEC) No 2169/81;

Whereas, if the world market price for unginned cotton cannot be determined as described above, this price shall be established on the basis of the most recent price determined;

Whereas the world market price for unginned cotton is equal to the sum of the values for ginned cotton and cotton seed defined in Article 1 of Commission Regulation (EEC) No 1201/89 of 3 May 1989 laying down rules implementing the system of aid for cotton ⁽⁵⁾, as last amended by Regulation (EEC) No 2432/90 ⁽⁶⁾, minus the cost of ginning;

Whereas the above values are established on the basis of the prices determined in accordance with Articles 2 and 3 of Commission Regulation (EEC) No 1201/89; whereas the world market price is determined on the basis of the most favourable offers and quotations recorded, excluding offers and quotations which cannot be regarded as representative of the real market trend;

Whereas the necessary adjustments must be made in cases where the offers and quotations recorded do not satisfy the requirements indicated above;

Whereas, pursuant to Article 4 (4) of Regulation (EEC) No 2169/81, if there are no suitable offers or quotations for determining the world market price for cotton seed, that price shall be established on the basis of the most favourable offers and quotations for cotton seed recorded on the Community market or, if those offers and quotations cannot be established on the basis of the value of the products obtained from processing the seed in the Community, less the processing cost; whereas this value is determined in accordance with Article 4 of Regulation (EEC) No 1201/89;

Whereas, if the subsidy system is to operate normally, subsidies 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 ⁽⁷⁾, as last amended by Regulation (EEC) No 2205/90 ⁽⁸⁾,

⁽¹⁾ OJ No L 377, 31. 12. 1987, p. 49.

⁽²⁾ OJ No L 211, 31. 7. 1981, p. 2.

⁽³⁾ OJ No L 85, 30. 3. 1989, p. 7.

⁽⁴⁾ OJ No L 163, 26. 6. 1991, p. 1.

⁽⁵⁾ OJ No L 123, 4. 5. 1989, p. 23.

⁽⁶⁾ OJ No L 228, 22. 8. 1990, p. 23.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁸⁾ OJ No L 201, 31. 7. 1990, p. 9.

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

Whereas the aid must be fixed once a month, and in such a way that it can be applied from the first day of the month following the date of fixing; whereas it may be altered between fixings;

Whereas it follows from applying these provisions to the offers and quotations known to the Commission that the aid for cotton should be as set out in this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

1. The aid for unginned cotton provided for in Article 5 of Regulation (EEC) No 2169/81 shall be ECU 48,650 per 100 kilograms.
2. However, the amount of the aid will be confirmed or replaced with effect from 1 July 1991 to take account of the impact of the maximum guaranteed quantity system on 1991/92 marketing year.

Article 2

This Regulation shall enter into force on 1 July 1991.

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

Done at Brussels, 28 June 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 1857/91

of 28 June 1991

fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty

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 1630/91⁽²⁾, and in particular Article 17 (4) thereof,

Whereas Article 17 (1) of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 (a), (b), (c) and (e) of that Regulation and prices within the Community may be covered by an export refund; whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and criteria for fixing the amount of such refunds⁽³⁾, as last amended by Regulation (EEC) No 3381/90⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 3035/80, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

Whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products in question on the Community market and the prices ruling on the world markets;
- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions;
- (c) the need to ensure equality of competition for the industries which use Community products and those which use third-country products under inward-processing arrangements;

Whereas Article 4 (3) of Regulation (EEC) No 3035/80 provides that, when the rate of the refund is being fixed, account should be taken, where necessary, of production refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question to the basic products listed in Annex A to that Regulation or to assimilated products;

Whereas Article 11 (1) of Regulation (EEC) No 804/68 provides for the payment of aid for Community-produced skimmed milk processed into casein if such milk and the casein manufactured from it fulfil certain conditions set out in Article 1 of Council Regulation (EEC) No 987/68 of 15 July 1968 laying down general rules for granting aid for skimmed milk processed into casein or caseinates⁽⁵⁾, as last amended by Regulation (EEC) No 1435/90⁽⁶⁾;

Whereas Commission Regulation (EEC) No 570/88 of 16 February 1988 on the sale of butter at reduced prices and the granting of aid for butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs⁽⁷⁾, as last amended by Regulation (EEC) No 1157/91⁽⁸⁾, lay down that butter at reduced prices should be made available to industries which manufacture certain goods;

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

1. The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EEC) No 3035/80 and listed in Article 1 of Regulation (EEC) No 804/68, exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68, are hereby fixed as shown in the Annex to this Regulation.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 150, 15. 6. 1991, p. 19.

⁽³⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁴⁾ OJ No L 327, 27. 11. 1990, p. 4.

⁽⁵⁾ OJ No L 169, 18. 7. 1968, p. 6.

⁽⁶⁾ OJ No L 138, 31. 5. 1990, p. 8.

⁽⁷⁾ OJ No L 55, 1. 3. 1988, p. 31.

⁽⁸⁾ OJ No L 112, 4. 5. 1991, p. 57.

2. No rates of refund are fixed for any of the products referred to in the preceding paragraph which are not listed in the Annex to this Regulation.

Article 2

Where Article 8 (2) of Regulation (EEC) No 3035/80 is applied to exports of one of the goods referred to in

Article 4 (1), (2) or (3) of Regulation (EEC) No 570/88, the rate of the refund on milk products shall be that applicable to the use of reduced price butter, unless the exporter provides proof that the product does not contain reduced-price butter.

Article 3

This Regulation shall enter into force on 1 July 1991.

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

Done at Brussels, 28 June 1991.

For the Commission

Martin BANGEMANN

Vice-President

ANNEX

to the Commission Regulation of 28 June 1991 fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty

CN code	Description	Rate of refund (ECU/100 kg)
ex 0402 10 19	Powdered milk, obtained by the spray process, with a fat content of less than 1,5 % by weight and with a water content of less than 5 % by weight (PG 2): a) On exportation of goods of CN code 3501 b) On exportation of other goods	— 70,00
ex 0402 21 19	Powdered milk, obtained by the spray process, with a fat content of 26 % by weight and a water content of less than 5 % by weight (PG 3): a) Where goods containing reduced-price butter which have been manufactured in accordance with the conditions provided for in Regulation (EEC) No 570/88 are exported b) On exportation of other goods	54,65 115,00
ex 0405 00 10	Butter, with a fat content by weight of 82 % (PG 6): a) Where goods containing reduced-price butter which have been manufactured in accordance with the conditions provided for in Regulation (EEC) No 570/88 are exported b) On exportation of goods of CN code 2106 90 99 containing 40 % or more by weight of milk fat c) On exportation of other goods	9,00 168,00 162,00

COMMISSION REGULATION (EEC) No 1858/91

of 28 June 1991

fixing the rates of the refunds applicable to certain cereal and rice products
exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 3577/90 ⁽²⁾, and in particular the first sentence of the fourth subparagraph of Article 16 (2) 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 the first sentence of the fourth subparagraph of Article 17 (2) thereof,

Whereas Article 16 (1) of Regulation (EEC) No 2727/75 and Article 17 (1) of Regulation (EEC) No 1418/76 provides that the difference between quotations of prices on the world market for the products listed in Article 1 of each of those Regulations and the prices within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds ⁽⁵⁾, as last amended by Regulation (EEC) No 3381/90 ⁽⁶⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex B to Regulation (EEC) No 2727/75 or in Annex B to Regulation (EEC) No 1418/76 as appropriate;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 3035/80, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

Whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products in question on the Community market and the prices ruling on the world markets;
- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions;
- (c) the need to ensure equality of competition for the industries which use Community products and those which use third-country products under inward processing arrangements;

Whereas in the absence of evidence that no production refund was granted pursuant to Council Regulation (EEC) No 1009/86 of 25 March 1986 establishing general rules applying to production refunds in the cereals and rice sector ⁽⁷⁾, as last amended by Regulation (EEC) No 3655/90 ⁽⁸⁾, the export refund should be reduced by the amount of the production refund applicable on the day of acceptance of the export declaration; whereas this system is the only one which avoids the risk of fraud;

Whereas Council Regulation (EEC) No 565/80 of 4 March 1980 on the advance payment of export refunds in respect of agricultural products ⁽⁹⁾, as amended by Regulation (EEC) No 2026/83 ⁽¹⁰⁾, and Commission Regulation (EEC) No 3665/87 of 27 November 1987 laying down common detailed rules for the application of the system of export refunds on agricultural products ⁽¹¹⁾, as last amended by Regulation (EEC) No 1615/90 ⁽¹²⁾, lay down rules on the advance payment of export refunds that must be adhered to when these are adjusted;

Whereas, now that a settlement has been reached between the European Economic Community and the United States of America on Community exports of pasta products to the United States and has been approved by Council Decision 87/482/EEC ⁽¹³⁾, it is necessary to differentiate the refund on goods falling within CN codes 1902 11 00 and 1902 19 according to their destination;

⁽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 323, 29. 11. 1980, p. 27.

⁽⁶⁾ OJ No L 327, 27. 11. 1990, p. 4.

⁽⁷⁾ OJ No L 94, 9. 4. 1986, p. 6.

⁽⁸⁾ OJ No L 362, 27. 12. 1990, p. 33.

⁽⁹⁾ OJ No L 62, 7. 3. 1980, p. 5.

⁽¹⁰⁾ OJ No L 199, 22. 7. 1983, p. 12.

⁽¹¹⁾ OJ No L 351, 14. 12. 1987, p. 1.

⁽¹²⁾ OJ No L 152, 16. 6. 1990, p. 33.

⁽¹³⁾ OJ No L 275, 29. 9. 1987, p. 36.

Whereas, in order to ensure equitable treatment between maize products exported in the form of pellets, rolled or flaked grains falling within CN code 1904 10 and other maize products, it is necessary to differentiate the refunds on those goods,

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Without prejudice to paragraphs 2 and 3 the rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EEC) No 3035/80 and listed either in Article 1 of Regulation (EEC) No 2727/75 or in Article 1 (1) of Regulation (EEC) No 1418/76, exported in the form of goods listed in Annex B to Regulation (EEC) No 2727/75 or in Annex B to Regulation (EEC) No 1418/76 respectively, are hereby fixed as shown in the Annex to this Regulation.

2. For the products listed in the Annex to Regulation (EEC) No 1009/86, the refunds given in the Annex to this Regulation shall be applied on presentation, at the acceptance of the export declaration and the request for obtaining the export refund, of proof that the basic products used in the manufacture of the products to be exported

have not benefited from the production refund provided for in that Regulation, and that such refund will not be applied for.

The proof referred to in the first subparagraph is provided by the presentation by the exporter of a declaration from the processor of the basic product in question attesting that the latter product has not benefited from a production refund as provided for in Regulation (EEC) No 1009/86, and that no application for such refund will be made.

3. When the proof referred to in paragraph 2 is not provided, the export refund:

(a) applicable on the date of acceptance of the export declaration for the goods, or on the day specified in Article 26 (2) of Regulation (EEC) No 3665/87, where the rate is not fixed in advance;

(b) of which the rate is fixed in advance,

will be reduced by the amount of the production refund applicable pursuant to Regulation (EEC) No 1009/86 to the basic product in question on the day of acceptance of the export declaration for the goods, or on the day specified in Article 26 (2) of Regulation (EEC) No 3665/87, if the goods have been placed under the export refund advance payment arrangements.

Article 2

This Regulation shall enter into force on 1 July 1991.

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

Done at Brussels, 28 June 1991.

For the Commission

Martin BANGEMANN

Vice-President

ANNEX

to the Commission Regulation of 28 June 1991 fixing the rates of the refunds applicable to certain cereal and rice products exported in the form of goods not covered by Annex II to the Treaty

CN code	Description	(ECU/100 kg) Rate of refund
1001 10 90	Durum wheat : — On exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America — In all other cases	6,032 10,054
1001 90 99	Common wheat, and meslin (mixed wheat and rye): — On exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America — In all other cases	5,292 8,820
1002 00 00	Rye	7,901
1003 00 90	Barley	8,033
1004 00 90	Oats	6,284
1005 90 00	Maize, other than hybrid maize for sowing): — Maize in pellets, rolled or flake grains with a fat content exceeding 1,5 % in the form of goods falling within CN code 1904 10 — In all other cases	7,087 12,506
1006 20	Round grain husked rice	23,039
	Medium grain husked rice	18,103
	Long grain husked rice	18,103
ex 1006 30	Round grain wholly milled rice	29,776
	Medium grain wholly milled rice	35,107
	Long grain wholly milled rice	35,107
1006 40 00	Broken rice	11,441
1007 00 90	Sorghum	6,233
1101 00 00	Wheat or meslin flour : — On exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America — In all other cases	6,225 10,374
1102 10 00	Rye flour	18,251
1103 11 10	Durum wheat groats and meal : — On exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America — In all other cases	9,350 15,584
1103 11 90	Common wheat groats and meal : — On exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America — In all other cases	6,225 10,374

COMMISSION REGULATION (EEC) No 1859/91

of 28 June 1991

fixing the rates of the refunds applicable to certain products from the sugar sector exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

which use third-country products under inward processing arrangements ;

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the market in sugar ⁽¹⁾, as last amended by Regulation (EEC) No 464/91 ⁽²⁾, and in particular Article 19 (4) (a) and (7) thereof,

Whereas Article 19 (1) and (2) of Regulation (EEC) No 1785/81 provides that, for the products listed in Article 1 (1)(a), (c), (d), (f) and (g) of that Regulation, an export refund may be granted when these goods are exported in the form of goods listed in Annex I to that same Regulation ; whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds for certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds ⁽³⁾, as last amended by Regulation (EEC) No 3381/90 ⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex I to Regulation (EEC) No 1785/81 ;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 3035/80, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month ; and whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to :

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products on the Community market and the prices ruling on the world market ;
- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions ;
- (c) the need to ensure equality of competition for the industries which use Community products and those

Whereas Article 4 (3) of Regulation (EEC) No 3035/80 provides that, when the rate of the refund is being fixed, account should be taken, where appropriate, of refunds, aids or other measures having equivalent effect, applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question, to the basic products listed in Annex A to that Regulation or to assimilated products ;

Whereas Council Regulation (EEC) No 1010/86 of 26 March 1986 laying down general rules for production refunds on certain products of the chemical industry ⁽⁵⁾, as last amended by Regulation (EEC) 464/91, provides for the granting of production refunds of white sugar, raw sugar, certain sucrose syrups falling within CN codes ex 1702 60 90 and ex 1702 90 90 having a certain purity, and unprocessed isoglucose falling within CN codes 1702 30 10, 1702 40 10, 1702 60 10 and 1702 90 30, which are used in the manufacture of the chemical products listed in the Annex thereto ; whereas this production refunds' scheme has been established in particular to bring the conditions under which Community processors operate progressively into line with those of processors employing sugar at world market prices ; whereas, therefore, in the absence of proof that the basic product has not benefited from the production refund, the amount of the export refund must be reduced by the amount of the production refund applicable to the basic product on the day of acceptance of the export declaration ; whereas this system is the only one which discards the risk of fraud ;

Whereas Council Regulation (EEC) No 565/80 of 4 March 1980 on the advance payment of export refunds in respect of agricultural products ⁽⁶⁾, as amended by Regulation (EEC) No 2026/83 ⁽⁷⁾, and Commission Regulation (EEC) No 3665/87 of 27 November 1987 laying down common detailed rules for the application of the system of export refunds on agricultural products ⁽⁸⁾, as last amended by Regulation (EEC) No 1615/90 ⁽⁹⁾, lay down rules on the advance payment of export refunds that must be adhered to when these are adjusted ;

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 54, 28. 2. 1991, p. 22.

⁽³⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁴⁾ OJ No L 327, 27. 11. 1990, p. 4.

⁽⁵⁾ OJ No L 94, 9. 4. 1986, p. 9.

⁽⁶⁾ OJ No L 62, 7. 3. 1980, p. 5.

⁽⁷⁾ OJ No L 199, 22. 7. 1983, p. 12.

⁽⁸⁾ OJ No L 351, 14. 12. 1987, p. 1.

⁽⁹⁾ OJ No L 152, 16. 6. 1990, p. 33.

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

HAS ADOPTED THIS REGULATION :

Article 1

1. Without prejudice to paragraphs 2 and 3, the rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EEC) No 3035/80 and listed in Article 1 (1) and (2) of Regulation (EEC) No 1785/81, exported in the form of goods listed in Annex I to Regulation (EEC) No 1785/81, are fixed as shown in the Annex hereto.

2. For the chemical products listed in the Annex to Regulation (EEC) No 1010/86, the refunds given in the Annex to this Regulation shall be applied on presentation, at the acceptance of the export declaration and the request for obtaining the export refund, of proof that the basic products used in the manufacture of the chemical products to be exported have not benefited from the production refund provided for in that Regulation, and that such refund will not be applied for.

The proof referred to in the first subparagraph is provided by the presentation by the exporter of a declaration from the processor of the basic product in question attesting that the latter product has not benefited from a production refund as provided for in Regulation (EEC) No 1010/86, and that no application for such refund will be made.

3. When the proof referred to in paragraph 2 is not provided, the export refund :

- (a) applicable on the date of export of the goods, when the rate is not fixed in advance ; or
- (b) of which the rate is fixed in advance,

will be reduced by the amount of the production refund applicable under Regulation (EEC) No 1010/86 to the basic product in question on the day of acceptance of the export declaration for the goods, or on the day specified in Article 3 (2) of Commission Regulation (EEC) No 3665/87, if the goods have been placed under the export refund advance payment arrangements.

Article 2

This Regulation shall enter into force on 1 July 1991.

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

Done at Brussels, 28 June 1991.

For the Commission

Martin BANGEMANN

Vice-President

ANNEX

to the Commission Regulation of 28 June 1991 fixing the rates of the refunds applicable to certain products in the sugar sector exported in the form of goods not covered by Annex II to the Treaty

Rate of refund in ECU/100 kg:

White sugar : 36,72

Raw sugar : 33,38

Syrups of beet sugar or cane sugar, other than the syrups obtained by dissolving white or raw sugar in the solid state, containing, in the dry state, 85 % or more by weight of sucrose (including invert sugar expressed as sucrose):

$$36,72 \times \frac{S^{(1)}}{100} \quad \text{or}$$

For syrups obtained by dissolving white or raw sugar in the solid state, whether or not the dissolving is followed by inversion:

the rate fixed above for 100 kg of white or raw sugar used for the dissolution

Molasses :

—

Isoglucose ⁽²⁾ :

36,72 ⁽³⁾

⁽¹⁾ 'S' represents in 100 kilograms of syrup

- the sucrose content (including invert sugar expressed as sucrose) of the syrup in question, where the latter is not less than 98 % pure,
- the extractable sugar content of the syrup in question, where the latter is not less than 85 %, but less than 98 % pure.

⁽²⁾ Products obtained by isomerization of glucose, which have a content by weight in the dry state of at least 41 % fructose and of which the total content by weight in the dry state of polysaccharides and oligosaccharides, including the di- or trisaccharides content, does not exceed 8,5 %.

⁽³⁾ Amount of refund per 100 kilograms of dry matter.

COMMISSION REGULATION (EEC) No 1860/91

of 28 June 1991

fixing the rates of the refunds applicable to eggs and egg yolks exported in the form of goods not covered by Annex II to the Treaty

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 2771/75 of 29 October 1975 on the common organization of the market in eggs⁽¹⁾, as last amended by Regulation (EEC) No 1235/89⁽²⁾, and in particular the first sentence of the fifth subparagraph of Article 9 (2) thereof,

Whereas Article 9 (1) of Regulation (EEC) No 2771/75 provides that the difference between prices on the world market for the products listed in Article 1 (1) of that Regulation and prices within the Community may be covered by an export refund; whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds⁽³⁾, as last amended by Regulation (EEC) No 3381/90⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in the Annex to Regulation (EEC) No 2771/75;

Whereas, in accordance with the second subparagraph of Article 4 (1) of Regulation (EEC) No 3035/80, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for a period of the same duration as that for which refunds are fixed for the same products exported unprocessed;

Whereas, in accordance with paragraph 2 of that Article, when that rate is being determined particular account should be taken of:

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products in question on the Community market and the prices ruling on the world market;
- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions; and
- (c) the need to ensure equality of competition for the industries which use Community products and those which use third-country products under inward processing arrangements;

Whereas a specific rate of refund should be fixed for eggs in shell, exported in the form of egg albumin, taking into account the difference between the prices of such eggs on the Community market and on the world market;

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

HAS ADOPTED THIS REGULATION:

Article 1

The rates of the refunds applicable to the products appearing in Annex A to Regulation (EEC) No 3035/80 and listed in Article 1 (1) of Regulation (EEC) No 2771/75, exported in the form of goods listed in the Annex to Regulation (EEC) No 2771/75, are hereby fixed as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 July 1991.

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

Done at Brussels, 28 June 1991.

For the Commission

Martin BANGEMANN

Vice-President

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 49.

⁽²⁾ OJ No L 128, 11. 5. 1989, p. 29.

⁽³⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁴⁾ OJ No L 327, 27. 11. 1990, p. 4.

ANNEX

to the Commission Regulation of 28 June 1991 fixing the rates of the refunds applicable to eggs and egg yolks exported in the form of goods not covered by Annex II to the Treaty

(ECU/100 kg)

CN code	Description	Rate of refund
0407 00	Birds' eggs, in shell, fresh, preserved or cooked':	
	– Of poultry :	
0407 00 30	– – Other :	
	a) On exportation of ovalbumin of CN code 3502 10	25,00
	b) On exportation of other goods	18,00
0408	Birds' eggs, not in shell and egg yolks, fresh, dried, cooked by steaming or by boiling in water, moulded, frozen or otherwise preserved, whether or not containing added sugar or other sweetening matter :	
	– Egg yolks :	
0408 11	– – Dried :	
ex 0408 11 10	– – – Suitable for human consumption : not sweetened	96,00
0408 19	– – Other :	
	– – – Suitable for human consumption :	
ex 0408 19 11	– – – – Liquid : not sweetened	47,00
ex 0408 19 19	– – – – Frozen : not sweetened	51,00
	– Other :	
0408 91	– – Dried :	
ex 0408 91 10	– – – Suitable for human consumption : not sweetened	90,00
0408 99	– – Other :	
ex 0408 99 10	– – – Suitable for human consumption : not sweetened	15,00

**COMMISSION REGULATION (EEC) No 1861/91
of 28 June 1991**

**adopting interim protective measures regarding applications submitted during
the period 17 to 21 June 1991 for STM licences for trade with Spain in beef and
veal**

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

Having regard to the Act of Accession of Spain and
Portugal, and in particular Article 85 (1) thereof,

Whereas Commission Regulation (EEC) No 3690/90 of
19 December 1990 laying down detailed rules for the
application of the supplementary trade mechanism to
trade in the beef and veal sector between the Community
as constituted on 31 December 1985 and Spain⁽¹⁾ fixes in
particular the indicative ceilings applicable to beef and
veal and the maximum quantities for which STM licences
may be issued each quarter;

Whereas Article 85 (1) of the Act of Accession makes
provision for the Commission to take interim protective
measures necessary where an examination of the trend in
intra-Community trade shows a significant increase in
imports carried out or foreseeable in the current year or
part thereof;

Whereas an examination of licence applications lodged
from 17 to 21 June 1991 shows that the quantities

applied for are likely to bring about a serious disturbance
of the Spanish market for live animals; whereas, as an
interim protective measure, licences should only be issued
for up to a given percentage of the quantities applied for,

HAS ADOPTED THIS REGULATION:

Article 1

For live animals of the bovine species other than pure-
bred breeding animals and animals for bullfights:

1. applications for STM licences lodged from 17 to 21
June 1991 and notified to the Commission shall be
accepted in respect of 7,318 % of the quantities
applied for therein;
2. further applications may be submitted from 8 July
1991.

Article 2

This Regulation shall enter into force on 1 July 1991.

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

Done at Brussels, 28 June 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 357, 20. 12. 1990, p. 27.

COMMISSION REGULATION (EEC) No 1862/91

of 28 June 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 1694/91⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1694/91 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 1694/91 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 July 1991.

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

Done at Brussels, 28 June 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 151, 15. 6. 1991, p. 60.

ANNEX

to the Commission Regulation of 28 June 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	33,78 ⁽¹⁾	
1701 11 90 910	33,38 ⁽¹⁾	
1701 11 90 950	⁽²⁾	
1701 12 90 100	33,78 ⁽¹⁾	
1701 12 90 910	33,38 ⁽¹⁾	
1701 12 90 950	⁽²⁾	
1701 91 00 000		0,3672
1701 99 10 100	36,72	
1701 99 10 910	36,72	
1701 99 10 950	34,22	
1701 99 90 100		0,3672

⁽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 1863/91

of 28 June 1991

authorizing certain intervention agencies to put up for sale by tender 246 000 tonnes of common wheat for export in the form of flour

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

Whereas the Community cereal year begins on 1 July; whereas, however, in the north of the Community the common wheat harvest is not available until August; whereas, as a result, millers working for export in the north of the Community suffer from supply problems; whereas, therefore, provision should be made for supplies to the latter in July from intervention stocks at terms competitive with the market prices for the new harvest;

Whereas a conversion rate should be set to determine the quantity of flour to be exported on the basis of the common wheat used;

Whereas, to ensure that the operation is carried out smoothly, it should be stipulated that securities may be released only after completion of customs export formalities to avoid any disturbance of the market;

Whereas the Member States are to take all additional measures compatible with the provisions in force to

ensure that the scheme operates smoothly and that the Commission is kept informed;

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 intervention agencies of the Member States listed below are hereby authorized to issue an invitation to tender for the sale on the Community market of 246 000 tonnes of common wheat in accordance with Article 4 of Regulation (EEC) No 1836/82, as follows:

	tonnes
Belgium	10 000
Denmark	2 000
Germany	100 000
France	100 000
Germany (Musselkanaal)	14 000
France (Ghent)	20 000

Article 2

1. The invitation to tender shall be open from 1 to 31 July 1991.

2. A quantity of common wheat flour for human consumption equal to the quantity of common wheat awarded divided by the coefficient referred to in Article 5 must be exported to third countries.

Tenders shall be valid only if they:

- are accompanied by an application for an export licence for common wheat flour having an ash content of 0 to 600 mg per 100 g with an application for advance fixing of the refund set for the relevant quality,
- are accompanied by evidence that the tenderer has lodged a security of ECU 5 per tonne,
- are accompanied by a written undertaking from the tenderer to lodge, at the latest on payment of the goods, a security covering any difference between the price provided for in Article 5 (3) of Regulation (EEC) No 1836/82 and that indicated in the tender.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 139, 24. 5. 1986, p. 36.

⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 5.

⁽⁵⁾ OJ No L 202, 9. 7. 1982, p. 23.

⁽⁶⁾ OJ No L 249, 12. 9. 1990, p. 8.

Article 3

Notwithstanding Article 5 (3) of Regulation (EEC) No 1836/82, the minimum price to be complied with shall be fixed in accordance with the procedure laid down in Article 26 of Regulation (EEC) No 2727/75, at a level ensuring equality of supply conditions throughout the Community with respect to the new harvest.

Article 4

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

2. Export licences issued under the present invitation to tender shall be valid from the date of issue within the meaning of paragraph 1 until the end of the second month thereafter.

3. Export licences issued under this invitation to tender must bear the following entry in section 22:

'Invitation to tender issued by Regulation (EEC) No 1863/91 — Tender from

Article 5

For the determination of the quantity of flour to be exported, the quantity of common wheat awarded shall be delivered by a coefficient of 1,37.

Article 6

1. The securities referred to in the second indent of the second subparagraph of Article 2 (2) shall be released:

- for the quantities for which the tender has not been accepted, or
- in all other cases, in accordance with Title V of Commission Regulation (EEC) No 2220/85 ⁽²⁾.

2. The securities referred to in the third indent of the second subparagraph of Article 2 (2) shall be released for the corresponding quantities of flour for which evidence of export has been furnished.

3. The primary requirement within the meaning of Article 20 of Regulation (EEC) No 2220/85 shall be payment of the selling price and export within the time limit laid down for the common wheat flour under the export licence referred to in Article 4.

Evidence to be furnished shall be that applicable for the security for the export licence issued following award of the contract.

Article 7

The intervention agencies concerned shall take all necessary steps to ensure compliance with the provisions of this Regulation. They shall provide each other with all necessary information and shall inform the Commission weekly, within the Management Committee for Cereals, of progress of the invitation to tender.

Article 8

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, 28 June 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 331, 2. 12. 1988, p. 1.

⁽²⁾ OJ No L 205, 3. 8. 1985, p. 5.

COMMISSION REGULATION (EEC) No 1864/91

of 28 June 1991

fixing the minimum selling price for the purposes of the standing invitation to tender opened by Regulation (EEC) No 1863/91

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⁾,

Having regard to Commission Regulation (EEC) No 1863/91 of 28 June 1991, authorizing certain intervention agencies to put up for sale by tender 246 000 tonnes of common wheat for export in the form of flour⁽³⁾, and in particular Article 3 thereof,

Whereas Article 3 of Council Regulation (EEC) No 1581/86 of 23 May 1986 laying down general rules for the intervention on the market in cereals⁽⁴⁾, as amended by Regulation (EEC) No 2203/90⁽⁵⁾, stipulates that when cereals held by intervention agencies are sold they shall be sold by tender;

Whereas Commission Regulation (EEC) No 1836/82⁽⁶⁾, as last amended by Regulation (EEC) No 2619/90⁽⁷⁾, lays down the procedure and conditions for the disposal of cereals held by intervention agencies;

Whereas Commission Regulation (EEC) No 1863/91 authorizes certain intervention agencies to put up for sale

by tender 246 000 tonnes of common wheat for export in the form of flour; whereas the said Regulation states that, by way of derogation from Article 5 (3) of Commission Regulation (EEC) No 1836/82, a minimum selling price is to be fixed ensuring equality of supply conditions throughout the Community when the new harvest is taken into account;

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

HAS ADOPTED THIS REGULATION:

Article 1

The minimum selling price for the purposes of the standing invitation to tender issued under Regulation (EEC) No 1863/91, shall be ECU 155,44 per tonne.

Article 2

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

It shall apply with effect from 1 July 1991.

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

Done at Brussels, 28 June 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⁾ See page 47 of this Official Journal.

⁽⁴⁾ OJ No L 139, 24. 5. 1986, p. 36.

⁽⁵⁾ OJ No L 201, 31. 7. 1990, p. 5.

⁽⁶⁾ OJ No L 202, 9. 7. 1982, p. 23.

⁽⁷⁾ OJ No L 249, 12. 9. 1990, p. 8.

COMMISSION REGULATION (EEC) No 1865/91

of 28 June 1991

fixing the number of young male bovine animals which may be imported on special terms in the third quarter of 1991, and derogating from Regulation (EEC) No 2377/80 in respect of that quarter as regards the allocation of the quantities available

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 Articles 13 (4), 15 (2) and 25 thereof,

Whereas the Council has drawn up an estimated supply balance of 198 000 head under the new import arrangements applicable to young male bovine animals for fattening for the period 1 January to 31 December 1991; whereas, pursuant to Article 13 (4) (a) of Regulation (EEC) No 805/68, the number which may be imported each quarter and the rate of reduction in the import levy on such animals must be determined;

Whereas detailed rules for the practical application of these special arrangements were laid down in Commission Regulation (EEC) No 612/77 ⁽³⁾, as last amended by Regulation (EEC) No 1121/87 ⁽⁴⁾, and in Commission Regulation (EEC) No 2377/80 ⁽⁵⁾, as last amended by Regulation (EEC) No 815/91 ⁽⁶⁾;

Whereas the supply requirements of certain regions of the Community which have a serious shortfall in bovine animals for fattening must be taken into account; whereas those requirements are apparent in Italy and Greece and may be estimated for the third quarter of 1991 at 56 160 head and 8 580 head respectively in those Member States;

Whereas the supply requirements in young bovine animals for fattening justify, for the third quarter of 1991, a higher rate of reduction in the levy on animals weighing from 220 to 300 kilograms per head, originating in and coming from Yugoslavia, Hungary or Poland;

Whereas the quantities available must be shared between the traditional trade and other potential applicants;

Whereas, in order to simplify the procedure for allocating the quantities available it is necessary to derogate from Regulation (EEC) No 2377/80; whereas in the case of the

traditional trade the quantities available should be allocated directly in proportion to the number of head imported during the last three years; whereas, in the case of other applicants, the quantities available should be allocated directly in proportion to the number of head for which application is made;

Whereas, in the case of other applicants, the maximum quantity which each application for an import licence may cover must be limited, in order to permit a more equitable distribution of the quantities available; whereas for financial reasons a minimum number of head should be set for these applications;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. For the period 1 July to 30 September 1991, the maximum number referred to in Article 13 (4) (a) of Regulation (EEC) No 805/68 shall be 64 740 head of young male bovine animals for fattening, comprising:

- (a) 8 420 weighing not more than 300 kilograms per head and subject to a 65 % reduction in the levy, and
- (b) 56 320 weighing from 220 to 300 kilograms per head, originating in and coming from Yugoslavia, Hungary or Poland and subject to a 75 % reduction in the levy.

2. The reductions referred to in point 1 shall be in respect of the levy applicable on the day of acceptance of the declaration of release for free circulation.

3. The quantities referred to in paragraph 1 shall be distributed as follows:

	<i>Italy</i>	<i>Greece</i>
(a) 8 420 head	7 300	1 120
(b) 56 320 head	48 860	7 460

4. Applications for licences and licences shall, in accordance with Article 9 (1) (c) of Regulation (EEC) No 2377/80, relate to:

- either young bovine animals weighing not more than 300 kilograms per head,
- or young bovine animals weighing from 220 to 300 kilograms per head, originating in and coming from Yugoslavia, Hungary or Poland.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 77, 25. 3. 1977, p. 18.

⁽⁴⁾ OJ No L 109, 24. 4. 1987, p. 12.

⁽⁵⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁶⁾ OJ No L 83, 3. 4. 1991, p. 6.

In the latter case, Sections 7 and 8 of applications for licences and licences shall include one of the following entries :

- Yugoslavia y/o Hungría y/o Polonia,
- Jugoslavien og/eller Ungarn og/eller Polen,
- Jugoslawien und/oder Ungarn und/oder Polen,
- Γιουγκοσλαβία ή/και Ουγγαρία ή/και Πολωνία,
- Yugoslavia and/or Hungary and/or Poland,
- Yougoslavie et/ou Hongrie et/ou Pologne,
- Iugoslavia e/o Ungheria e/o Polonia,
- Joegoslavië en/of Hongarije en/of Polen,
- Jugoslávía e/ou Hungria e/ou Polónia.

Licences shall carry with them an obligation to import from one or more of the countries indicated.

5. In the information referred to in Article 15 (4) (a) of Regulation (EEC) No 2377/80, Member States shall specify the category of live weight and the origin of the products in the case referred to in the second indent of the first subparagraph of paragraph 4.

6. Of the number of head reserved for Italy and Greece for each category notwithstanding Article 15 (6) (a) of Regulation (EEC) No 2377/80 :

- (a) 90 % may be allocated directly to applicants who provide proof of having imported animals qualifying under this scheme during the last three years.

Numbers covered by licences shall be allocated in proportion to the number of head imported in the three years concerned ;

- (b) 10 % may be allocated directly to other applicants.

7. The proof referred to in paragraph 6 shall be provided by the customs document of release for free circulation.

8. Import licences shall only be issued for a number equal to or more than 10 head.

Article 2

1. As regards the quantities referred to in Article 1 (6) (b), applications for import licences shall
 - (a) relate to a number equal to or more than 50 head, and
 - (b) relate to a quantity not exceeding 10 % of the quantities available except where the said 10 % results in a figure less than 50 head.
2. In cases where applications for import licences state quantities in excess of those provided for by this Regulation those applications shall only be considered within the limits of the said quantities.
3. Numbers shall be allocated in proportion to the number of head for which application is made. If, because of the numbers for which application is made, the percentage reduction results in fewer than 10 head per import licence, the Member States shall, by drawing lots, allocate licences covering 10 head.

Article 3

In the case of quantities imported under the terms of Article 8 (4) of Commission Regulation (EEC) No 3719/88 ⁽¹⁾, the levy shall be collected in full in respect of quantities in excess of those stated on the import licence.

Article 4

For the purposes of Article 15 (3) of Regulation (EEC) No 2377/80, all applications from one applicant, which relate to the same category of weight and the same rate of reduction in the levy, shall be treated as one application.

Article 5

Three weeks at the latest after import of the livestock referred to in this Regulation, importers shall inform the competent authorities which issued the import licences, of the number and origin of the animals imported. From Those authorities shall forward that information to the Commission at the beginning of each month.

Article 6

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, 28 June 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 331, 2. 12. 1988, p. 1.

COMMISSION REGULATION (EEC) No 1866/91

of 28 June 1991

fixing, for the 1991/92 marketing year, the flat-rate amount provided for under the system of minimum stocks 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 12 (3) thereof,

Having regard to Council Regulation (EEC) No 1789/81 of 30 June 1981 laying down general rules concerning the system of minimum stocks in the sugar sector⁽³⁾,

Whereas Articles 3 (b) and 6 (a) of Regulation (EEC) No 1789/91 provide for the reimbursement of the pecuniary advantage included in the intervention price on account of the costs involved in maintaining the minimum stock ;

Whereas, in order to determine that pecuniary advantage, Commission Regulation (EEC) No 189/77 of 28 January 1977 laying down detailed rules for the application of the system of minimum stocks in the sugar sector⁽⁴⁾, as amended by Regulation (EEC) No 1920/81⁽⁵⁾, provides for a flat-rate amount to be fixed for each marketing year ;

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

HAS ADOPTED THIS REGULATION :

Article 1

For the 1991/92 marketing year, the flat-rate amount referred to in Article 6 of Regulation (EEC) No 189/77 shall be ECU 0,162 per 100 kilograms of sugar expressed as white sugar.

Article 2

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

It shall apply from 1 July 1991.

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

Done at Brussels, 28 June 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 177, 1. 7. 1981, p. 39.

⁽⁴⁾ OJ No L 25, 29. 1. 1977, p. 27.

⁽⁵⁾ OJ No L 189, 11. 7. 1981, p. 23.

COMMISSION REGULATION (EEC) No 1867/91

of 28 June 1991

fixing for the 1991/92 marketing year the amount of the levy in connection with
the offsetting of storage costs for 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 8 (5) thereof,

Whereas Article 8 (1) of Regulation (EEC) No 1785/81 provides that the storage costs for sugar and syrups shall be reimbursed at a flat rate by the Member States;

Whereas Article 6 of Council Regulation (EEC) No 1358/77⁽³⁾, as last amended by Regulation (EEC) No 3042/78⁽⁴⁾, provides that the amount of the levy for Community sugar shall be calculated by dividing the total estimated reimbursement by the estimated quantity of sugar which will be marketed during the sugar marketing year in question; whereas the total estimated reimbursement is to be increased or decreased, as the case may be, by the amounts carried forward from previous marketing years;Whereas Article 8 (4) of Regulation (EEC) No 1785/81 provides that the monthly reimbursement amount shall be fixed by the Council simultaneously with the derived intervention prices; whereas the amount for 1991/92 as laid down in Council Regulation (EEC) No 1718/91⁽⁵⁾, is ECU 0,52 per 100 kilograms of white sugar;

Whereas, pursuant to Article 4 of Regulation (EEC) No 1358/77, the quantity in store to be taken into account for the reimbursement of any one month's storage costs is equal to the arithmetic mean of the quantities held in store in the beginning and at the end of the month in question; whereas, for the 1991/92 marketing year, the

quantities of Community sugar in store each month may be estimated by reference to estimated stocks at the beginning of the marketing year, estimated monthly production and the quantities likely to be marketed for domestic consumption or exported during the same month; whereas total average monthly stocks during the 1991/92 marketing year can be estimated at approximately 85 million tonnes of sugar expressed as white sugar; whereas the total reimbursement for Community sugar can thus be estimated at approximately ECU 444 million for the 1991/92 marketing year; whereas the balance of previous sugar marketing years can be estimated at a positive amount of ECU 111 million; whereas the detailed rules for the application of the system of offsetting storage costs for sugar provide that the levy is to be fixed per 100 kilograms of white sugar; whereas the quantity of Community sugar which will be marketed during the 1991/92 marketing year for home consumption or for export may be estimated at approximately 13,3 million tonnes of sugar expressed as white sugar; whereas the amount of the levy for Community sugar should therefore be ECU 2,50 per 100 kilograms of white sugar:

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1991/92 marketing year, the amount of the levy referred to under the second subparagraph of Article 8 (2) of Regulation (EEC) No 1785/81 is hereby fixed at ECU 2,50 per 100 kilograms of white sugar.

Article 2

This Regulation shall enter into force on 1 July 1991.

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

Done at Brussels, 28 June 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 156, 25. 6. 1977, p. 4.

⁽⁴⁾ OJ No L 361, 23. 12. 1978, p. 8.

⁽⁵⁾ OJ No L 162, 26. 6. 1991, p. 23.

COMMISSION REGULATION (EEC) No 1868/91

of 28 June 1991

amending Regulation (EEC) No 1106/90 on the communication of information
for the purposes of the common organization of the market in fishery products

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

Having regard to Council Regulation (EEC) No 3796/81
of 29 December 1981 on the common organization of the
market in fishery products ⁽¹⁾, as last amended by Regula-
tion (EEC) No 2886/89 ⁽²⁾, and in particular Articles
11 (2), 15 (3) and 17 (5) thereof,

Whereas Commission Regulation (EEC) No 1106/90 ⁽³⁾
laid down the list of representative wholesale markets and
ports for products listed in Annexes I (A), (D) and (E), II
and III to Regulation (EEC) No 3796/81 and the repre-
sentative production zones for certain products under
Annex IV (A) to that Regulation;

Whereas, from the date of German unification onwards,
Community law is fully applicable in the whole of the
German territory;

Whereas, in order to apply the provisions of the market
organization for fishery products in the regions
concerned, the representative markets and ports there
should be laid down;

Whereas Regulation (EEC) No 1106/90 should therefore
be amended;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1106/90 is hereby amended as
follows:

1. in the third paragraph of Article 8, the following is
added under 'Germany': 'the whole of the Saxony and
Brandenburg zones';
2. in the first section (Herrings) of part I of Annex I,
'Rügen' is added after 'Maasholm'.

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, 28 June 1991.

For the Commission

Manuel MARÍN

Vice-President

⁽¹⁾ OJ No L 379, 31. 12. 1981, p. 1.

⁽²⁾ OJ No L 282, 2. 10. 1989, p. 1.

⁽³⁾ OJ No L 111, 1. 5. 1990, p. 50.

COMMISSION REGULATION (EEC) No 1869/91

of 28 June 1991

amending Regulation (EEC) No 1822/77 laying down detailed rules for the collection of the co-responsibility levy introduced in respect of 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 1079/77 of 17 May 1977 on a co-responsibility levy and on measures for expanding the markets in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 1632/91 ⁽²⁾, and in particular Article 6 thereof,

Whereas, in accordance with Council Regulation (EEC) No 1631/91 of 13 June 1991 fixing the target price for milk and the intervention prices for butter, skimmed-milk powder and Grana Padano and Parmigiano Reggiano cheeses for the 1991/92 milk year ⁽³⁾, the target price for milk has been maintained unchanged for 1991/92 milk year; whereas the amounts in Articles 2 (1) and 5 (2) of Commission Regulation (EEC) No 1822/77 ⁽⁴⁾, as last amended by Regulation (EEC) No 1442/90 ⁽⁵⁾, should be maintained accordingly;

Whereas Regulation (EEC) No 1079/77 fixes the reduced rate of the co-responsibility levy for the 1991/92 milk year at 1 % of the target price for milk as received by producers whose real reference quantity available is less than or equal to 60 000 kilograms; whereas it should be specified that the reduced rate is to apply for the eighth period of the additional levy arrangements;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1822/87 is hereby amended as follows:

⁽¹⁾ OJ No L 131, 26. 5. 1977, p. 6.

⁽²⁾ OJ No L 150, 15. 6. 1991, p. 23.

⁽³⁾ OJ No L 150, 15. 6. 1991, p. 21.

⁽⁴⁾ OJ No L 203, 9. 8. 1977, p. 1.

⁽⁵⁾ OJ No L 138, 31. 5. 1990, p. 23.

1. Article 2 (1) and (2) is replaced by the following:

'1. During the 1991/92 milk year, the levy per 100 kilograms of cow's milk shall be:

(a) as regards the general rate referred to in Article 2 (13) of Regulation (EEC) No 1079/77, ECU 0,4021;

(b) as regards the reduced rate resulting from the application of Article 1 (4) of Regulation (EEC) No 1079/77, ECU 0,2681.

2. For the purpose of applying the first subparagraph of Article 1 (4) of Regulation (EEC) No 1079/77, the reduced rate referred to in paragraph 1 (b) shall be charged on quantities of milk delivered by producers who, on the first day of the eighth period of application of the additional levy or where a specific reference quantity is allocated during the period pursuant to Article 3 (2) of and Article 3 (a) Regulation (EEC) No 857/84, have on the date of such allocation an individual reference quantity less than or equal to 60 000 kilograms.'

2. The first subparagraph of Article 5 (2) is replaced by the following:

'2. During the 1991/92 milk year, the levy per 100 kilograms of skimmed milk or buttermilk in respect of which the aid referred to in paragraph 1 is granted shall be:

(a) as regards the general rate referred to in Article 2 (13) of Regulation (EEC) No 1079/77, ECU 0,4423;

(b) as regards the reduced rate resulting from the application of Article 1 (4) of Regulation (EEC) No 1079/77, ECU 0,2949.'

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, 28 June 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 1870/91

of 28 June 1991

adapting the accession compensatory amounts fixed in the sugar sector by
Regulation (EEC) No 581/86

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 469/86 of 25 February 1986 laying down general rules for the system of accession compensatory amounts in the sugar sector⁽¹⁾, and in particular Article 7 (1) thereof,

Whereas Article 238 of the Act of Accession provides for an alignment of the Portuguese prices on the common prices in stages owing to their level in Portugal; whereas this alignment concerns the intervention price for white sugar applicable in that Member State; whereas this price has been fixed for the marketing year beginning on 1 July 1991 by Council Regulation (EEC) No 1718/91 of 13 June 1991 fixing for the 1991/92 marketing year, the derived intervention prices for white sugar, the intervention price for raw sugar, the minimum prices for A and B beet, the threshold prices, the amount of compensation for storage costs and the prices to be applied in Spain and Portugal⁽²⁾;

Whereas Article 8 of Council Regulation (EEC) No 1716/91 of 13 June 1991 concerning the alignment of the sugar and beet prices applicable in Spain on the common prices⁽³⁾ provides, in respect of the calculation of the accession compensatory amounts referred to under point 1 of Article 72 of the Act of Accession during the first stage of the said alignment, within the meaning of the said Article, that in so far as sugar is concerned 'common price' shall be understood to mean for Spain the intervention price for white sugar fixed for the non-deficit areas of the Community increased by an amount

of ECU 0,28 per 100 kilograms expressed as white sugar for the 1991/92 marketing year and that in so far as beet is concerned 'common price' shall be understood to mean for Spain the basic price for beet fixed for the Community increased by an amount of ECU 0,364 per tonne for the 1991/92 marketing year;

Whereas the alignment on 1 July 1991 of the said prices makes it necessary to adapt the accession compensatory amounts applicable to trade with Portugal; whereas to this end and for reasons of clarity it is appropriate to provide for a new Annex, showing the adapted compensatory amounts, to Commission Regulation (EEC) No 581/86 of 28 February 1986 laying down detailed rules for the application of the system of accession compensatory amounts and fixing accession compensatory amounts and fixing accession compensatory amounts in the sugar⁽⁴⁾, last as amended by Regulation (EEC) No 1762/90⁽⁵⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 581/86 is replaced by the Annex to this Regulation.

Article 2

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

It shall apply from 1 July 1991.

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

Done at Brussels, 28 June 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 53, 1. 3. 1986, p. 32.

⁽²⁾ OJ No L 162, 26. 6. 1991, p. 23.

⁽³⁾ OJ No L 162, 26. 6. 1991, p. 18.

⁽⁴⁾ OJ No L 57, 1. 3. 1986, p. 27.

⁽⁵⁾ OJ No L 162, 28. 6. 1990, p. 27.

ANNEX

CN code	Table (3)	Additional code (2)	Accession compensatory amounts to be charged (–) or to be granted (+) in the following trade :										From Portugal excluding the Azores to the Azores	From the Azores to Spain	From Portugal excluding the Azores to the Azores	From the Azores to Portugal excluding the Azores
			From Spain to third countries or to the Community of Ten	From third countries or from the Community of Ten to Portugal excluding the Azores	From the Azores to third countries or to the Community of Ten	From third countries or from the Community of Ten to the Azores	From Spain to Portugal excluding the Azores	From Portugal excluding the Azores to Spain	From Spain to the Azores	From Portugal excluding the Azores to Spain						
ECU/1 000 kg																
1212 91 10			+ 6,48	+ 1,26	+ 1,26	– 1,26	+ 5,22	– 5,22	+ 5,22	– 5,22	+ 5,22	– 5,22	–	–	–	–
ex 1212 91 90 (1)			+ 23,98	+ 4,66	+ 4,66	– 4,66	+ 19,31	– 19,31	+ 19,31	– 19,31	+ 19,31	– 19,31	–	–	–	–
ECU/100 kg																
1701 91 00	6	7337														+ 0,36
1701 99 10	7	7340	+ 8,00	– 1,23	+ 1,23	– 0,87	+ 0,87	+ 9,23	– 9,23	+ 8,87	– 8,87	– 0,36	– 8,87	– 0,36	– 8,87	+ 0,36
1701 99 90				– 8,00	– 1,23	+ 1,23	– 0,87	+ 0,87	+ 9,23	– 9,23	+ 8,87	– 8,87	– 0,36	– 8,87	– 0,36	– 8,87
1701 11 10	5	{ 7334 7335	+ 7,36	– 1,13	+ 1,13	– 0,80	+ 0,80	+ 8,49	– 8,49	+ 8,16	– 8,16	– 0,33	– 8,16	– 0,33	– 8,16	+ 0,33
1701 11 90																
1701 12 10																
1701 12 90																
Basic compensatory amounts in ECU per 1 % of sucrose content or, as the case may be, of extractable sugar and per 100 kg net of products in question																
1702 60 90	10	{ 7346 7347														
1702 90 90																
1702 90 60	11	{ 7350 7351														
1702 90 71	12	{ 7355 7356	+ 0,080	– 0,0123	+ 0,0123	– 0,0087	+ 0,0087	+ 0,0923	– 0,0923	+ 0,0887	– 0,0887	– 0,0036	– 0,0887	– 0,0036	– 0,0887	+ 0,0036
2106 90 59	6	{ 7424 7425														

(1) Sugar beet, dried or powdered, of a sucrose content, on a basis of dry matter, of at least 50 %.

(2) See appendix to Annex I to Commission Regulation (EEC) No 1852/88 (OJ No L 167, 1. 7. 1988, p. 1).

(1) Sugar beet, dried or powdered, of a sucrose content, on a basis of dry matter, of at least 50 %.

(2) See appendix to Annex I to Commission Regulation (EEC) No 1852/88 (OJ No L 167, 1. 7. 1988, p. 1).

COMMISSION REGULATION (EEC) No 1871/91

of 28 June 1991

laying down definitive measures on the issuing of STM licences for beef and veal
in trade with 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 252 (1) thereof,

Having regard to Council Regulation (EEC) No 569/86 of 25 February 1986 laying down general rules for the application of the supplementary mechanism applicable to trade⁽¹⁾, as last amended by Regulation (EEC) No 3296/88⁽²⁾, and in particular Article 7 (1) thereof,Whereas Commission Regulation (EEC) No 3815/90 of 19 December 1990 laying down detailed rules for the application of the supplementary trade mechanism for certain beef and veal products intended for Portugal⁽³⁾, as last amended by Regulation (EEC) No 840/91⁽⁴⁾, sets the annual indicative ceiling for imports into Portugal of certain beef and veal products;

Whereas STM licences issued in response to applications lodged from 27 May to 2 June 1991 have exhausted that fraction of the indicative ceiling set aside for the second quarter of 1991 for fresh and chilled meat;

Whereas the Commission accordingly adopted, by an emergency procedure, appropriate interim protective measures by Regulation (EEC) No 1560/91⁽⁵⁾; whereas definitive measures must be adopted; whereas, in view of

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

Whereas, as a definitive measure as referred to in Article 252 (1) of the Act of Accession, the issue of STM licences should be definitively discontinued in order to prevent any disturbance on the Portuguese market;

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

HAS ADOPTED THIS REGULATION:

Article 1

For fresh and chilled meat:

1. the issuing of STM Portugal licences is suspended until 30 June 1991;
2. further applications for STM Portugal licences may be lodged from 17 June 1991.

*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, 28 June 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 55, 1. 3. 1986, p. 106.⁽²⁾ OJ No L 293, 27. 10. 1988, p. 7.⁽³⁾ OJ No L 366, 29. 12. 1990, p. 30.⁽⁴⁾ OJ No L 85, 5. 4. 1991, p. 23.⁽⁵⁾ OJ No L 144, 8. 6. 1991, p. 41.

COMMISSION REGULATION (EEC) No 1872/91

of 28 June 1991

amending Regulation (EEC) No 2213/83 laying down quality standards for
onions and witloof chicory as regards the characteristics of class II for witloof
chicory

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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 1623/91 ⁽²⁾, and in particular Article
2 (2) subparagraph 2 thereof,

Whereas Commission Regulation (EEC) No 2213/83 ⁽³⁾
lays down quality standards for witloof chicory involving a
class III; whereas Commission Regulation (EEC) No
1764/90 ⁽⁴⁾ makes class III applicable to witloof chicory
until 30 June 1991; whereas the fact that that measure no
longer applies means that products which do not meet
the characteristics of class II as regards shape are excluded
from the market; whereas it is necessary to modify the
standard in force for witloof chicory;

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

HAS ADOPTED THIS REGULATION:

Article 1

Annex II to Regulation (EEC) No 2213/83 is hereby
amended as follows:

Article 2

This Regulation shall enter into force on 1 July 1991.

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

Done at Brussels, 28 June 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 150, 15. 6. 1991, p. 8.

⁽³⁾ OJ No L 213, 4. 8. 1983, p. 13.

⁽⁴⁾ OJ No L 162, 28. 6. 1990, p. 30.

COMMISSION REGULATION (EEC) No 1873/91

of 28 June 1991

fixing for the 1991/92 marketing year the reference prices for pears

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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 1623/91 ⁽²⁾, and in particular Article 27 (1) thereof,

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

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

Whereas pears harvested during a given crop year are marketed from June of one year to May of the following year; whereas the quantities marketed in June and May of the following year are so small that there is no need to fix reference prices; whereas the reference prices should therefore be fixed for the period 1 July up to and including 30 April of the following year;

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

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

Whereas the resulting figure may nevertheless not exceed the arithmetic mean of producer prices in each Member State plus transport costs for the current year, after this amount has been increased by the rise in production costs

less productivity growth; whereas the reference price may, however, not be lower than in the preceding marketing year;

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1991/92 marketing year, the reference prices for pears (CN codes 0808 20 31, 33, 35 and 39) expressed in ecus per 100 kilograms net of packed products of class 1, of all sizes, shall be as follows;

July :	47,03
August :	39,96
September :	39,66
October :	42,86
November :	45,94
December :	49,29
January to April inclusive :	51,33.

Article 2

This Regulation shall enter into force on 1 July 1991.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 150, 15. 6. 1991, p. 8.

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

Done at Brussels, 28 June 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 1874/91

of 28 June 1991

fixing for the 1991/92 marketing year the components intended to ensure protection of the processing industry in the cereals and rice sector in trade between Spain and the Community of Ten

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 487/86 of 25 February 1986 laying down general rules for the components intended to ensure protection of the processing industry in the cereals and rice sector and fixing those relating to Spain⁽¹⁾, and in particular Article 1 (3) thereof,

Whereas Article 78 (3) of the Act of Accession lays down that the protection components must be gradually eliminated by reducing the basic component by 12,5 % at the beginning of each of the eight marketing years following accession; whereas each reduction must take effect from the beginning of the marketing year of the product in question;

Whereas the fixed components applicable in trade between Spain and the Community of Ten must be fixed in the cereals and rice sector for the 1991/92 marketing year,

HAS ADOPTED THIS REGULATION:

Article 1

For the products covered by Council Regulations (EEC) No 2727/75⁽²⁾ and (EEC) No 1418/76⁽³⁾, the components intended to ensure protection of the processing industry as referred to in Article 78 of the Act of Accession and levied on imports into the Community of Ten from Spain and on imports into Spain from the Community of Ten are fixed in the Annex hereto for the 1991/92 marketing year.

Article 2

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

It shall apply from 1 July 1991 as regards the products covered by Regulation (EEC) No 2727/75 and from 1 September 1991 as regards the products covered by Regulation (EEC) No 1418/76.

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

Done at Brussels, 28 June 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 54, 1. 3. 1986, p. 14.

⁽²⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽³⁾ OJ No L 166, 25. 11. 1976, p. 1.

ANNEX

(ECU/tonne)

CN code	Description	Components fixed	
		Community of Ten	Spain
0714	Manioc, arrowroot, salep, Jerusalem artichokes, sweet potatoes and similar roots and tubers with high starch or inulin content, fresh or dried, whether or not sliced or in the form of pellets; sago pith:		
0714 10	— Manioc (cassava):		
0714 10 10	— — Pellets of flour and meal	0,76	0,76
	— — Other:		
0714 10 91	— — — Of a kind used for human consumption, in immediate packings of a net content not exceeding 28 kg, either fresh and whole or without skin and frozen, whether or not sliced	—	—
0714 10 99	— — — Other	0,76	0,76
0714 90	— Other:		
	— — Arrowroot, salep and similar roots and tubers with high starch content:		
0714 90 11	— — — Of a kind used for human consumption, in immediate packings of a net content not exceeding 28 kg, either fresh and whole or without skin and frozen, whether or not sliced	—	—
0714 90 19	— — — Other	0,76	0,76
1006 30	— Semi-milled or wholly milled rice, whether or not polished or glazed:		
	— — Semi-milled rice:		
	— — — Parboiled:		
1006 30 21	— — — — Round grain	3,26	3,26
1006 30 23	— — — — Medium grain	3,24	3,24
	— — — — Long grain:		
1006 30 25	— — — — — Of a length/width ratio greater than 2 but less than 3	3,24	3,24
1006 30 27	— — — — — Of a length/width ratio equal to or greater than 3	3,24	3,24
	— — — Other:		
1006 30 42	— — — — Round grain	3,26	3,26
1006 30 44	— — — — Medium grain	3,24	3,24
	— — — — Long grain:		
1006 30 46	— — — — — Of a length/width ratio greater than 2 but less than 3	3,24	3,24
1006 30 48	— — — — — Of a length/width ratio equal to or greater than 3	3,24	3,24
	— — Wholly milled rice:		
	— — — Parboiled:		
1006 30 61	— — — — Round grain	3,48	3,48
1006 30 63	— — — — Medium grain	3,48	3,48
	— — — — Long grain:		
1006 30 65	— — — — — Of a length/width ratio greater than 2 but less than 3	3,48	3,48
1006 30 67	— — — — — Of a length/width ratio equal to or greater than 3	3,48	3,48

(ECU/tonne)

CN code	Description	Components fixed	
		Community of Ten	Spain
1006 30 92	— — — Other :		
1006 30 94	— — — — Round grain	3,48	3,48
	— — — — Medium grain	3,48	3,48
	— — — — Long grain :		
1006 30 96	— — — — — Of a length/width ratio greater than 2 but less than 3	3,48	3,48
1006 30 98	— — — — — Of a length/width ratio equal to or greater than 3	3,48	3,48
1101 00 00	Wheat or meslin flour	5,67	5,67
1102	Cereal flours other than of wheat or meslin :		
1102 10 00	— Rye flour	5,67	5,67
1102 20	— Maize (corn) flour :		
1102 20 10	— — Of a fat content not exceeding 1,5 by weight	1,51	1,51
1102 20 90	— — Other	0,76	0,76
1102 30 00	— Rice flour	0,76	0,76
1102 90	— Other :		
1102 90 10	— — Barley flour	1,51	1,51
1102 90 30	— — Oat flour	1,51	1,51
1102 90 90	— — Other	0,76	0,76
1103	Cereal groats, meal and pellets (!) :		
	— Groats and meal :		
1103 11	— — Of wheat :		
1103 11 10	— — — Durum wheat	5,67	5,67
1103 11 90	— — — Common wheat and spelt	5,67	5,67
1103 12 00	— — Of oats	1,51	1,51
1103 13	— — Of maize (corn) :		
	— — — Of a fat content not exceeding 1,5 % by weight :		
1103 13 11	— — — — For the brewing industry	1,51	1,51
1103 13 19	— — — — Other	1,51	1,51
1103 13 90	— — — Other	0,76	0,76
1103 14 00	— — Of rice	0,76	0,76
1103 19	— — Of other cereals :		
1103 19 10	— — — Of rye	1,51	1,51
1103 19 30	— — — Of barley	1,51	1,51
1103 19 90	— — — Other	0,76	0,76
	— Pellets :		
1103 21 00	— — Of wheat	1,51	1,51
1103 29	— — Of other cereals :		
1103 29 10	— — — Of rye	1,51	1,51
1103 29 20	— — — Of barley	1,51	1,51
1103 29 30	— — — Of oats	1,51	1,51
1103 29 40	— — — Of maize	1,51	1,51
1103 29 50	— — — Of rice	0,76	0,76
1103 29 90	— — — Other	0,76	0,76

(ECU/tonne)

CN code	Description	Components fixed	
		Community of Ten	Spain
1104	Cereal grains otherwise worked (for example, hulled, rolled, flaked, pearled, sliced or kibbled), except rice of heading No 1006; germ of cereals, whole, rolled, flaked or ground:		
	– Rolled or flaked grains:		
1104 11	– – Of barley:		
1104 11 10	– – – Rolled	0,76	0,76
1104 11 90	– – – Flaked	1,51	1,51
1104 12	– – Of oats:		
1104 12 10	– – – Rolled	0,76	0,76
1104 12 90	– – – Flaked	1,51	1,51
1104 19	– – Of other cereals:		
1104 19 10	– – – Of wheat	1,51	1,51
1104 19 30	– – – Of rye	1,51	1,51
1104 19 50	– – – Of maize	1,51	1,51
	– – – Other:		
1104 19 91	– – – – Flaked rice	1,51	1,51
1104 19 99	– – – – Other	1,51	1,51
	– Other worked grains (for example, hulled, pearled, sliced or kibbled):		
1104 21	– – Of barley:		
1104 21 10	– – – Hulled (shelled or husked)	0,76	0,76
1104 21 30	– – – Hulled and sliced or kibbled ('Grütze' or 'grutten')	0,76	0,76
1104 21 50	– – – Pearled	1,51	1,51
1104 21 90	– – – Not otherwise worked than kibbled	0,76	0,76
1104 22	– – Of oats:		
1104 22 10	– – – Hulled (shelled or husked)	0,76	0,76
1104 22 30	– – – Hulled and sliced or kibbled ('Grütze' or 'grutten')	0,76	0,76
1104 22 50	– – – Pearled	0,76	0,76
1104 22 90	– – – Not otherwise worked than kibbled	0,76	0,76
1104 23	– – Of maize:		
1104 23 10	– – – Hulled (shelled or husked) whether or not sliced or kibbled	0,76	0,76
1104 23 30	– – – Pearled	0,76	0,76
1104 23 90	– – – Not otherwise worked than kibbled	0,76	0,76
1104 29	– – Of other cereals:		
	– – – Hulled (shelled or husked), whether or not sliced or kibbled		
1104 29 11	– – – – Of wheat	0,76	0,76
1104 29 15	– – – – Of rye	0,76	0,76
1104 29 19	– – – – Other	0,76	0,76
	– – – Pearled:		
1104 29 31	– – – – Of wheat	0,76	0,76
1104 29 35	– – – – Of rye	0,76	0,76
1104 29 39	– – – – Other	0,76	0,76
	– – – Not otherwise worked than kibbled:		
1104 29 91	– – – – Of wheat	0,76	0,76
1104 29 95	– – – – Of rye	0,76	0,76
1104 29 99	– – – – Other	0,76	0,76
1104 30	– Germ of cereals, whole, rolled, flaked or ground:		
1104 30 10	– – Of wheat	1,51	1,51
1104 30 90	– – Of other cereals	1,51	1,51

(ECU/tonne)

CN code	Description	Components fixed	
		Community of Ten	Spain
1106	Flour and meal of the dried leguminous vegetables of heading No 0713, of sago or of roots or tubers of heading No 0714; flour, meal and powder of the products of Chapter 8:		
1106 20	— Flour and meal of sago, roots or tubers of heading No 0714:		
1106 20 10	— — Denatured	0,76	0,76
	— — Other:		
1106 20 91	— — — For the manufacture of starches	5,14	5,14
1106 20 99	— — — Other	5,14	5,14
1107	Malt, whether or not roasted:		
1107 10	— Not roasted:		
	— — Of wheat:		
1107 10 11	— — — In the form of flour	2,72	2,72
1107 10 19	— — — Other	2,72	2,72
	— — Other:		
1107 10 91	— — — In the form of flour	2,72	2,72
1107 10 99	— — — Other	2,72	2,72
1107 20 00	— Roasted	2,72	2,72
1108	Starches; inulin		
	— Starches:		
1108 11 00	— — Wheat starch	5,14	5,14
1108 12 00	— — Maize (corn) starch	5,14	5,14
1108 13 00	— — Potato starch (cassava) starch	5,14	5,14
1108 14 00	— — Manioc	5,14	5,14
1108 19	— — Other starches:		
1108 19 10	— — — Rice starch	7,71	7,71
1108 19 90	— — — Other	5,14	5,14
1109 00 00	Wheat gluten, whether or not dried	45,34	45,34
1702	Other sugars, including chemically pure lactose, maltose, glucose and fructose, in solid form; sugar syrups not containing added flavouring or colouring matter; artificial honey, whether or not mixed with natural honey; caramel:		
1702 30	— Glucose and glucose syrup, not containing in the dry state less than 20 % by weight of fructose:		
	— — Other:		
	— — — Other:		
1702 30 91	— — — — White crystalline powder, whether or not agglomerated	24,18	24,18
1702 30 99	— — — — Other	16,62	16,62
1702 40	— Glucose and glucose syrup, containing in the dry state at least 20 % but less than 50 % by weight of fructose:		
1702 40 90	— — Other	16,62	16,62
1702 90	— Other, including invert sugar:		
1702 90 50	— — Maltodextrine and maltodextrine syrup	16,62	16,62
	— — Sugars and molasses, caramelized:		
	— — — Other:		
1702 90 75	— — — — In the form of powder, whether or not agglomerated	24,18	24,18
1702 90 79	— — — — Other	16,62	16,62

(ECU/tonne)

CN code	Description	Components fixed	
		Community of Ten	Spain
2106	Food preparations not elsewhere specified or included :		
2106 90	– Other		
	– – Syrups of sugar, flavoured or with added colourings :		
	– – – Other :		
2106 90 55	– – – – Glucose syrup and maltodextrine	16,62	16,62
2302	Bran, sharps and other residues, whether or not in the form of pellets, derived from the sifting, milling or other working of cereals or of leguminous plants :		
2302 10	– Of maize (corn) :		
2302 10 10	– – With a starch content not exceeding 35 % by weight	1,50	1,50
2302 10 90	– – Other	1,50	1,50
2302 20	– Of rice :		
2302 20 10	– – With a starch content not exceeding 35 % by weight	1,50	1,50
2302 20 90	– – Other	1,50	1,50
2302 30	– Of wheat :		
2302 30 10	– – Of which the starch content does not exceed 28 % by weight, and of which the proportion that passes through a sieve with an aperture of 0,2 mm does not exceed 10 % by weight or alternatively the proportion that passes through the sieve has an ash content, calculated on the dry product, equal to or more than 1,5 % by weight	1,50	1,50
2302 30 90	– – Other	1,50	1,50
2302 40	– Of other cereals :		
2302 40 10	– – Of which the starch content does not exceed 28 % by weight, and of which the proportion that passes through the sieve with an aperture of 0,2 mm does not exceed 10 % by weight or alternatively the proportion that passes through the sieve has an ash content, calculated on the dry product, equal to or more than 1,5 %	1,50	1,50
2302 40 90	– – Other	1,50	1,50
2303	Residues of starch manufacture and similar residues, beet-pulp, bagasse and other waste of sugar manufacture, brewing or distilling dregs and waste, whether or not in the form of pellets :		
2303 10	– Residues of starch manufacture and similar residues :		
	– – Residues from the manufacture of starch from maize (excluding concentrated steeping liquors), of a protein content, calculated on the dry product :		
2303 10 11	– – – Exceeding 40 % by weight	45,34	45,34
2309	Preparations of a kind used in animal feeding :		
2309 10	– Dog or cat food, put up for retail sale :		
	– – Containing starch, glucose, glucose syrup, maltodextrine or maltodextrine syrup falling within subheadings 1702 30 51 to 1702 30 99, 1702 40 90, 1702 90 50 and 2106 90 55 or milk products :		
	– – – Containing starch, glucose, glucose syrup, maltodextrine or maltodextrine syrup :		
	– – – – Containing no starch or containing 10 % or less by weight of starch :		
2309 10 11	– – – – – Containing no milk products or containing less than 10 % by weight of such products	2,72	2,72

(ECU/tonne)

CN code	Description	Components fixed	
		Community of Ten	Spain
2309 10 13	— — — — — Containing not less than 10 % but less than 50 % by weight of milk products	2,72	2,72
	— — — — — Containing more than 10 % but not more than 30 % by weight of starch :		
2309 10 31	— — — — — Containing no milk products or containing less than 10 % by weight of such products	2,72	2,72
2309 10 33	— — — — — Containing not less than 10 % but less than 50 % by weight of milk products	2,72	2,72
	— — — — — Containing more 30 % by weight of starch :		
2309 10 51	— — — — — Containing no milk products or containing less than 10 % by weight of such products	2,72	2,72
2309 10 53	— — — — — Containing not less than 10 % but less than 50 % by weight of milk products	2,72	2,72
2309 90	— Other :		
	— — Other :		
	— — — Containing starch, glucose, glucose syrup, maltodextrine or maltodextrine syrup falling within subheadings 1702 30 51 to 1702 30 99, 1702 40 90, 1702 90 50 and 2106 90 55 or milk products :		
	— — — — Containing starch, glucose, glucose syrup, maltodextrine or maltodextrine syrup :		
	— — — — — Containing no starch or containing 10 % or less by weight of starch :		
2309 90 31	— — — — — Containing no milk products or containing less than 10 % by weight of such products	2,72	2,72
2309 90 33	— — — — — Containing not less than 10 % but less than 50 % by weight of milk products	2,72	2,72
	— — — — — Containing more than 10 % but not more than 30 % by weight of starch :		
2309 90 41	— — — — — Containing no milk products or containing less than 10 % by weight of such products	2,72	2,72
2309 90 43	— — — — — Containing not less than 10 % but less than 50 % by weight of milk products	2,72	2,72
	— — — — — Containing more than 30 % by weight of starch :		
2309 90 51	— — — — — Containing no milk products or containing less than 10 % by weight of such products	2,72	2,72
2309 90 53	— — — — — Containing not less than 10 % but less than 50 % by weight of milk products	2,72	2,72

(¹) In order to distinguish between products falling within subheading 1101 00 00 and heading Nos 1102, 1103 and 1104 of the combined nomenclature on the one hand, and within subheadings 2302 10 to 2302 40 on the other, those products shall be considered as falling within subheadings 1101 00 00 and heading Nos 1102, 1103 and 1104 which simultaneously have :

- a starch content (determined by the modified Ewers polarimetric method) of more than 45 % (by weight) calculated on the dry product,
- an ash content (by weight) calculated on the dry product (after deduction of any added minerals) or 1,6 % or less for rice, 2,5 % less for wheat or rye, 3 % or less for barley, 4 % or less for buckwheat, 5 % or less for oats and 2 % or less for the other cereals.

Germ of cereals, whole, rolled, flaked or ground, falls in all cases within subheading 1101 00 00 and heading No 1102.

COMMISSION REGULATION (EEC) No 1875/91

of 28 June 1991

fixing for the 1991/92 marketing year the reference prices for apples

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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 1623/91 ⁽²⁾, and in particular Article 27 (1) thereof,

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

Whereas because of the importance of apple-growing in the Community it is necessary to fix a reference price for apples;

Whereas apples harvested during a given crop year are marketed from July of one year to June of the following year; whereas reference prices should therefore be fixed for the period from 1 July up to and including 30 June of the following year;

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

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

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

Whereas the resulting figure may nevertheless not exceed the arithmetic mean of producer prices in each Member State plus transport costs for the current year, after this amount has been increased by the rise in production costs

less productivity growth; whereas the reference price may, however, not be lower than in the preceding marketing year;

Whereas producer prices are the average of the prices recorded during the three years prior to the date of fixing the reference price, for a home-grown product with defined commercial characteristics, on the representative market or markets situated in the production areas where prices are lowest, for the products or varieties which represent a considerable proportion of production marketed throughout the year or for part of it and which satisfy specified requirements as regards market preparation; whereas when the average of prices recorded on each representative market is being calculated, prices which could be considered excessively high or excessively low in relation to normal price fluctuations on that market must be disregarded;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1991/92 marketing year, the reference prices for apples (CN codes 0808 10 91, 0808 10 93 and 0808 10 99), expressed in ecus per 100 kilograms net, shall be as follows for packed class I fruit, all sizes:

July:	46,25
August:	41,11
September:	43,98
October:	43,78
November:	44,61
December:	45,95
January:	48,62
February:	50,44
March:	52,73
April:	54,00
May:	56,31
June:	57,08

Article 2

This Regulation shall enter into force on 1 July 1991.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 150, 15. 6. 1991, p. 8.

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

Done at Brussels, 28 June 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 1876/91

of 28 June 1991

fixing for the 1991/92 marketing year the Community offer prices for apples
applicable with regard to Spain and Portugal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 3709/89⁽¹⁾ and (EEC) No 3648/90⁽²⁾ laying down general rules for implementing the Act of Accession of Spain and Portugal as regards the compensation mechanism on imports of fruit and vegetables originating respectively in Spain and Portugal, and in particular Article 4 (1) thereof,Whereas Commission Regulation (EEC) No 3820/90⁽³⁾ lays down detailed rules for the application of the compensation mechanism to imports of fruit and vegetables from Spain,

Whereas, pursuant to Articles 152 and 318 of the Act of Accession, a compensation mechanism is to be introduced on imports into the Community as constituted at 31 December 1985, hereinafter referred to as the 'Community of Ten', of fruit and vegetables from Spain and Portugal for which a reference price is fixed with regard to third countries; whereas Community offer prices for apples coming from Spain and Portugal should be fixed only during the period where reference prices are fixed with regard to third countries, this means from 1 July up to and including 30 June of the following year;

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

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

Whereas, in accordance with Article 1 of Regulations (EEC) No 3709/89 and (EEC) No 3648/90, the producer prices to be used for the determination of the Community offer price are to be those of a domestic product defined by its commercial characteristics recorded on the representative market or markets located in the production areas where prices are lowest for products or varieties representing a considerable proportion of production marketed throughout the year or during a part of the latter and which meet quality class I requirements and conditions laid down as regards packaging; whereas the average price for each representative market must be established after disregarding prices which may be considered excessively high or excessively low compared with the normal fluctuations recorded on the market; whereas, moreover, if the average price for a Member State shows excessive variations with respect of normal price fluctuations, it shall not be taken into account;

Whereas the application of the abovementioned criteria results in Community offer prices being fixed for apples for the period 1 July 1991 to 30 June 1992;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1991/92 marketing year, the Community offer prices for apples (CN codes 0808 10 91, 0808 10 93 and 0808 10 99) applicable with regard to Spain and Portugal, expressed in ecus per 100 kilograms net of packed products of class I, of all sizes, shall be as follows:

July :	35,70
August :	41,04
September :	42,35
October :	42,58
November :	43,34
December :	45,87
January :	48,27
February :	47,14
March :	49,24
April :	47,37
May :	38,88
June :	38,29.

Article 2

This Regulation shall enter into force on 1 July 1991.

⁽¹⁾ OJ No L 363, 13. 12. 1989, p. 3.

⁽²⁾ OJ No L 362, 27. 12. 1990, p. 16.

⁽³⁾ OJ No L 366, 29. 12. 1990, p. 43.

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

Done at Brussels, 28 June 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 1877/91

of 28 June 1991

fixing for the 1991/92 marketing year the Community offer prices for pears
applicable with regard to Spain and Portugal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulations (EEC) No 3709/89 ⁽¹⁾ and No 3648/90 ⁽²⁾, laying down general rules for implementing the Act of Accession of Spain and Portugal as regards the compensation mechanism on imports of fruit and vegetables originating respectively in Spain and Portugal, and in particular Article 4 (1) thereof,

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

Whereas, pursuant to Article 152 and Article 318 of the Act of Accession, a compensation mechanism is to be introduced on imports into the Community as constituted at 31 December 1985, hereinafter referred to as the 'Community of Ten', of fruit and vegetables from Spain and Portugal for which a reference price is fixed with regard to third countries; whereas, Community offer prices for pears coming from Spain and Portugal should be fixed only during the period where reference prices are fixed with regard to third countries, this means from 1 July up to and including 30 April of the following year;

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

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

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

Whereas, in accordance with Article 1 of Regulations (EEC) No 3709/89 and (EEC) No 3648/90, the producer prices to be used for the determination of the Community offer price are to be those of a domestic product defined by its commercial characteristics recorded on the representative market or markets located in the production areas where prices are lowest for products or varieties representing a considerable proportion of production marketed throughout the year or during a part of the latter and which meet Quality Class I requirements and conditions laid down as regards packaging; whereas the average price for each representative market must be established after disregarding prices which may be considered excessively high or excessively low compared with the normal fluctuations recorded on the market; whereas, moreover, if the average price for a Member State shows excessive variations with respect of normal price fluctuations, it shall not be taken into account;

Whereas the application of the abovementioned criteria results in Community offer prices being fixed for pears for the period 1 July 1991 to 30 April 1992;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1991/92 marketing year, the Community offer prices for pears (CN codes 0808 20 31, 33, 35 and 39) applicable with regard to Spain and Portugal, expressed in ecus per 100 kilograms net of packed products of class I, of all sizes, shall be as follows:

— July:	46,95
— August:	39,89
— September:	39,59
— October:	42,79
— November:	45,86
— December:	49,21
— January to April inclusive:	51,24.

Article 2

This Regulation shall enter into force on 1 July 1991.

⁽¹⁾ OJ No L 363, 13. 12. 1989, p. 3.

⁽²⁾ OJ No L 362, 27. 12. 1990, p. 16.

⁽³⁾ OJ No L 366, 29. 12. 1990, p. 43.

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

Done at Brussels, 28 June 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 1878/91

of 28 June 1991

amending Regulation (EEC) No 1000/90 continuing promotional and publicity measures in respect of 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 1079/77 of 17 May 1977 on a co-responsibility levy and on measures for expanding the markets in milk and milk products⁽¹⁾, as last amended by Regulation (EEC) No 1632/91⁽²⁾, and in particular Article 4 thereof,

Whereas Article 5 (4) of Commission Regulation (EEC) No 1000/90⁽³⁾, as last amended by Regulation (EEC) No 938/91⁽⁴⁾, as corrected in the *Official Journal of the European Communities*⁽⁵⁾, provides that where measures at Community level are being continued, the competent bodies are to conclude contracts with the parties concerned before 1 July 1991; whereas the parties concerned should be reconsulted regarding the content of the contract to be signed; whereas, therefore, the deadline of 1 July 1991 should be postponed until 1 September 1991;

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 5 (4) of Regulation (EEC) No 1000/90, the date '1 July 1991' is hereby replaced by '1 September 1991'.

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, 28 June 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 131, 26. 5. 1977, p. 6.

⁽²⁾ OJ No L 150, 15. 6. 1991, p. 23.

⁽³⁾ OJ No L 101, 21. 4. 1990, p. 22.

⁽⁴⁾ OJ No L 95, 17. 4. 1991, p. 6.

⁽⁵⁾ OJ No L 100, 20. 4. 1991, p. 43.

COMMISSION REGULATION (EEC) No 1879/91

of 28 June 1991

fixing the reference prices for hybrid maize and hybrid sorghum for sowing for the 1991/92 marketing year

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

Having regard to Regulation (EEC) No 2358/71 of the Council of 26 October 1971 on the common organization of the market in seeds⁽¹⁾, as last amended by Regulation (EEC) No 1239/89⁽²⁾, and in particular Article 6 (5) thereof,

Whereas Article 6 (1) of Regulation (EEC) No 2358/71 provides that a reference price for each type of hybrid maize and hybrid sorghum for sowing is to be fixed annually; whereas those reference prices must be fixed on the basis of the free-at-frontier prices recorded during the last three marketing years except for abnormally low prices; whereas, pursuant to Article 2 of Regulation (EEC) No 1578/72 of the Council of 20 July 1972 laying down general rules for fixing reference prices and for determining free-at-frontier offer prices for hybrid maize and hybrid sorghum for sowing⁽³⁾, as last amended by Regulation (EEC) No 1984/86⁽⁴⁾, only prices for imports from third countries which are representative in terms of quantity and quality of the product should be taken into consideration;

Whereas imports of the types of hybrid maize for sowing falling within CN code 1005 10 19 may not be considered

as representative on account of the very small quantity involved; whereas no reference prices may therefore be fixed for those types of maize;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1991/92 marketing year, the reference prices for hybrid maize and hybrid sorghum for sowing falling within CN codes 1005 10 11, 1005 10 13, 1005 10 15 and 1007 00 10 shall be as set out in the Annex hereto.

Article 2

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

It shall apply from 1 July 1991.

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

Done at Brussels, 28 June 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 246, 5. 11. 1971, p. 1.

⁽²⁾ OJ No L 128, 11. 5. 1989, p. 35.

⁽³⁾ OJ No L 168, 26. 7. 1972, p. 1.

⁽⁴⁾ OJ No L 171, 28. 6. 1986, p. 3.

ANNEX

(ECU/100 kg)		
CN code	Description	Reference prices
	Maize :	
	— Seed :	
	— — Hybrid (1) :	
1005 10 11	— — — Double hybrids and top cross hybrids	95
1005 10 13	— — — Three-cross hybrids	105
1005 10 15	— — — Simple hybrids	220
	Grain sorghum :	
1007 00 10	— Hybrids for sowing	135

(1) Entry under this CN code is subject to conditions to be determined by the competent authorities.

COMMISSION REGULATION (EEC) No 1880/91

of 28 June 1991

fixing the import levies on live sheep and goats and on sheepmeat and goatmeat
other than frozen meat

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

Having regard to Council Regulation (EEC) No 3013/89
of 25 September 1989 on the common organization of
the market in sheepmeat and goatmeat ⁽¹⁾, as amended by
Regulation (EEC) No 3577/90 ⁽²⁾, and in particular the
Article 10 thereof,

Whereas the import levies on live sheep and goats and on
sheepmeat and goatmeat other than frozen meat were
fixed by Commission Regulation (EEC) No 773/91 ⁽³⁾, as
last amended by Regulation (EEC) No 1402/91 ⁽⁴⁾;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 773/91 to the quota-

tions and other information 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 on live sheep and goats and on sheep-
meat and goatmeat other than frozen meat shall be as set
out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 July 1991.

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

Done at Brussels, 28 June 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 81, 28. 3. 1991, p. 68.

⁽⁴⁾ OJ No L 134, 29. 5. 1991, p. 30.

ANNEX

to the Commission Regulation of 28 June 1991 fixing the import levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat

(ECU/100 kg)

CN code	Week No 26 from 1 to 7 July 1991	Week No 27 from 8 to 14 July 1991	Week No 28 from 15 to 21 July 1991	Week No 29 from 22 to 28 July 1991	Week No 30 from 29 July to 4 August 1991
0104 10 90 ⁽¹⁾	73,987	69,396	64,959	63,130	62,247
0104 20 90 ⁽¹⁾	73,987	69,396	64,959	63,130	62,247
0204 10 00 ⁽²⁾	157,420	147,650	138,210	134,320	132,440
0204 21 00 ⁽²⁾	157,420	147,650	138,210	134,320	132,440
0204 22 10 ⁽²⁾	110,194	103,355	96,747	94,024	92,708
0204 22 30 ⁽²⁾	173,162	162,415	152,031	147,752	145,684
0204 22 50 ⁽²⁾	204,646	191,945	179,673	174,616	172,172
0204 22 90 ⁽²⁾	204,646	191,945	179,673	174,616	172,172
0204 23 00 ⁽²⁾	286,504	268,723	251,542	244,462	241,041
0204 50 11 ⁽²⁾	157,420	147,650	138,210	134,320	132,440
0204 50 13 ⁽²⁾	110,194	103,355	96,747	94,024	92,708
0204 50 15 ⁽²⁾	173,162	162,415	152,031	147,752	145,684
0204 50 19 ⁽²⁾	204,646	191,945	179,673	174,616	172,172
0204 50 31 ⁽²⁾	204,646	191,945	179,673	174,616	172,172
0204 50 39 ⁽²⁾	286,504	268,723	251,542	244,462	241,041
0210 90 11 ⁽³⁾	204,646	191,945	179,673	174,616	172,172
0210 90 19 ⁽³⁾	286,504	268,723	251,542	244,462	241,041

⁽¹⁾ The levy applicable is limited in the conditions laid down in Council Regulations (EEC) No 3643/85, (EEC) No 715/90 and (EEC) No 1373/90 and Commission Regulations (EEC) No 19/82, (EEC) No 1249/90, (EEC) No 1580/90 and (EEC) No 2085/90.

⁽²⁾ The levy applicable is limited to the amount bound under GATT or in the conditions laid down in Council Regulations (EEC) No 1985/82, (EEC) No 3643/85, (EEC) No 715/90 and (EEC) No 753/90 and Commission Regulations (EEC) No 19/82, (EEC) No 3652/89, (EEC) No 3989/89, (EEC) No 479/90 and (EEC) No 952/90.

⁽³⁾ The levy applicable is limited in the conditions laid down in Council Regulation (EEC) No 715/90 and Commission Regulation (EEC) No 19/82.

COMMISSION REGULATION (EEC) No 1881/91
of 28 June 1991
fixing the import levies on frozen sheepmeat and goatmeat

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

Having regard to Council Regulation (EEC) No 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat ⁽¹⁾, as amended by Regulation (EEC) No 3577/90 ⁽²⁾, and in particular the Article 10 thereof,

Whereas the import levies on frozen sheepmeat and goatmeat were fixed by Commission Regulation (EEC) No 774/91 ⁽³⁾, as last amended by Regulation (EEC) No 1403/91 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 774/91 to the quota-

tions and other information known to the Commission that the levies should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on frozen sheepmeat and goatmeat shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 July 1991.

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

Done at Brussels, 28 June 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 81, 28. 3. 1991, p. 71.

⁽⁴⁾ OJ No L 134, 29. 5. 1991, p. 32.

ANNEX

to the Commission Regulation of 28 June 1991 fixing the import levies on frozen
sheepmeat and goatmeat⁽¹⁾

(ECU/100 kg)

CN code	Week No 26 from 1 to 7 July 1991	Week No 27 from 8 to 14 July 1991	Week No 28 from 15 to 21 July 1991	Week No 29 from 22 to 28 July 1991	Week No 30 from 29 July to 4 August 1991
0204 30 00	159,565	152,238	145,158	142,240	140,830
0204 41 00	159,565	152,238	145,158	142,240	140,830
0204 42 10	111,696	106,567	101,611	99,568	98,581
0204 42 30	175,522	167,462	159,674	156,464	154,913
0204 42 50	207,435	197,909	188,705	184,912	183,079
0204 42 90	207,435	197,909	188,705	184,912	183,079
0204 43 00	290,408	277,073	264,188	258,877	256,311
0204 50 51	159,565	152,238	145,158	142,240	140,830
0204 50 53	111,696	106,567	101,611	99,568	98,581
0204 50 55	175,522	167,462	159,674	156,464	154,913
0204 50 59	207,435	197,909	188,705	184,912	183,079
0204 50 71	207,435	197,909	188,705	184,912	183,079
0204 50 79	290,408	277,073	264,188	258,877	256,311

⁽¹⁾ The levy applicable is limited to the amount bound under GATT or in the conditions laid down in Council Regulations (EEC) No 1985/82, (EEC) No 3643/85, (EEC) No 715/90 and (EEC) No 753/90 and Commission Regulations (EEC) No 19/82, (EEC) No 3652/89, (EEC) No 3989/89, (EEC) No 479/90 and (EEC) No 952/90.

COMMISSION REGULATION (EEC) No 1882/91

of 28 June 1991

abolishing the corrective amount on the import of apricots 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 implementing 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 and Commission Regulation (EEC) No 3815/89 ⁽²⁾ lays down detailed rules for applying the said compensatory mechanism;

Whereas Commission Regulation (EEC) No 1776/91 ⁽³⁾ introduces a corrective amount on imports of apricots into the Community of Ten from Spain (except the Canary Islands);

Whereas Article 3 (4) of Regulation (EEC) No 3709/89 lays down the conditions under which a corrective amount introduced pursuant to Article 3 (1) of the said Regulation is to be abolished; whereas the said conditions require abolition of the corrective amount on imports of apricots into the Community of Ten from Spain (except the Canary Islands),

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1776/91 is hereby repealed.

Article 2

This Regulation shall enter into force on 29 June 1991.

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

Done at Brussels, 28 June 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 371, 20. 12. 1989, p. 28.

⁽³⁾ OJ No L 158, 22. 6. 1991, p. 66.

COMMISSION REGULATION (EEC) No 1883/91

of 28 June 1991

adopting interim protective measures in so far as concerns Spain in regard to applications for STM licences coming from the Community of Ten for milk and milk products lodged between 17 and 21 June 1991

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 85 (1) thereof,

Whereas Commission Regulation (EEC) No 608/86 ⁽¹⁾ laying down detailed rules for applying the supplementary trade mechanism to milk products imported into Spain from the Community of Ten and from Portugal, as last amended by Regulation (EEC) No 334/91 ⁽²⁾, fixes the indicative ceilings for milk sector products for 1991 and splits these up into monthly ceilings;

Whereas applications for STM licences in the Community of Ten for cheese of categories 5 and 6 lodged between 17 and 21 June 1991 relate to quantities higher than the ceiling set for the second quarter;

Whereas Article 85 (1) of the Act of Accession states that the Commission may take interim protective measures necessary by an emergency procedure where the situation indicates that the initiative ceiling will be attained or exceeded; whereas to this it is necessary, as an interim protective measure, in view of the number of requests, for the products concerned and only for the Community of

Ten, to issue licences up to a percentage of the quantities applied for categories 5 and 6 and to suspend all further issuing of licences for the products in question,

HAS ADOPTED THIS REGULATION:

Article 1

1. Applications for STM licences as referred to in Regulation (EEC) No 606/86, lodged between 17 and 21 June 1991 for the Community of Ten and lodged with the Commission, for milk products falling within:

- category 5 of CN code ex 0406 are hereby accepted up to 80,19 %
- category 6 of CN code ex 0406 are hereby accepted up to 12,80 %.

2. The issuing of STM licences in the Community of Ten is hereby provisionally suspended for products falling within categories 5 and 6.

Article 2

This Regulation shall enter into force on 29 June 1991.

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

Done at Brussels, 28 June 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 58, 1. 3. 1986, p. 28.

⁽²⁾ OJ No L 39, 13. 2. 1991, p. 15.

COMMISSION REGULATION (EEC) No 1884/91
of 28 June 1991
fixing production refunds on cereals and rice

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 11a (5) thereof,

Having regard to Council Regulation (EEC) No 1009/86 of 25 March 1986 establishing general rules applying to production refunds in the cereals and rice sectors⁽³⁾, as last amended by Regulation (EEC) No 3655/90⁽⁴⁾ and in particular Article 6 thereof,

Whereas Article 2 of Commission Regulation (EEC) No 2169/86 of 10 July 1986 laying down detailed rules for the control and payment of production refunds in the cereals and rice sectors⁽⁵⁾, as last amended by Regulation (EEC) No 1398/91⁽⁶⁾, provides that the production refund is to be fixed on the first day of each month; Whereas the provisions of that Regulation, in the light of the present situation of the market, result in the production refund being fixed at the level laid down in this Regulation;

Whereas the production refunds to be fixed in this Regulation should be adjusted by the coefficients listed in the Annex to Regulation (EEC) No 2169/86 to establish the exact amount payable;

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

HAS ADOPTED THIS REGULATION:

Article 1

The production refunds payable on cereals and rice in accordance with Regulation (EEC) No 1009/86 and calculated in accordance with Regulation (EEC) No 2169/86 as amended shall be as follows in ECU 120,50 per tonne.

Article 2

This Regulation shall enter into force on 1 July 1991.

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

Done at Brussels, 28 June 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 94, 9. 4. 1986, p. 6.

⁽⁴⁾ OJ No L 362, 27. 12. 1990, p. 33.

⁽⁵⁾ OJ No L 189, 11. 7. 1986, p. 12.

⁽⁶⁾ OJ No L 134, 29. 5. 1991, p. 19.

COMMISSION REGULATION (EEC) No 1885/91

of 28 June 1991

fixing the aid for soya beans

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 1491/85 of 23 May 1985 laying down special measures in respect of soya beans ⁽¹⁾, as last amended by Regulation (EEC) No 1724/91 ⁽²⁾, and in particular Article 2 (7) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, pursuant to Article 2 (1) of Regulation (EEC) No 1491/85, aid is to be granted for soya beans harvested within the Community where the guide price for a marketing year exceeds the world price; whereas the said aid is to be equal to the difference between those two prices;

Whereas the guide price for soya beans for the 1990/91 marketing year was fixed by Council Regulation (EEC) No 1319/90 ⁽³⁾; whereas, pursuant to Articles 95 and 293 of the Act of Accession of Spain and Portugal, aid for soya beans harvested in these two Member States is to be calculated in accordance with the provisions of paragraphs 2 and 3 of the said Articles;

Whereas the guide price for soya beans was fixed for the 1991/92 marketing year by Council Regulation (EEC) No 1726/91 ⁽⁴⁾;

Whereas the prices fixed by the Council for the 1990/91 marketing year are to be reduced in accordance with Commission Regulation (EEC) No 1756/90 of 27 June 1990 establishing the guide price fixed in ecus by the Council in the soya bean sector and reduced as a result of the monetary realignment of 5 January 1990 ⁽⁵⁾;

Whereas, pursuant to Council Regulation (EEC) No 2194/85 of 25 July 1985 adopting general rules concerning special measures for soya beans ⁽⁶⁾, as last amended by Regulation (EEC) No 1231/89 ⁽⁷⁾, the world price for soya beans is to be determined on the basis of the most favourable actual purchasing possibility, with the exception of offers and prices which may not be considered as representative of the actual market trend; whereas account is to be taken of offers made on the world market as well as the prices quoted on exchanges which are important in terms of international trade; whereas, under that Regulation, where the subsidy to be

granted is fixed in advance, the amount of such subsidy must be equal to the amount applicable on the day on which the application for advance fixing was lodged, adjusted by the difference between the target price valid on that day and the target price valid on the identification day; whereas such adjustment should involve increasing or reducing the amount of subsidy applicable on the day on which the application was lodged by the corrective amount and the difference between the target prices mentioned in Article 33 of Commission Regulation (EEC) No 2537/89 of 8 August 1989 laying down detailed rules for the application of the special measure for soya beans ⁽⁸⁾, as last amended by Regulation (EEC) No 2427/90 ⁽⁹⁾;

Whereas, pursuant to Regulation (EEC) No 2537/89, the world market price is to be fixed per 100 kilograms and calculated on the basis of the most favourable offers and quotations for delivery within 30 days following the date when the said offers and quotations were recorded;

Whereas, where the offers and quotations do not comply with the said conditions, the necessary adjustments must be carried out, particularly those referred to in Article 40 of Regulation (EEC) No 2537/89;

Whereas the abatement of the subsidy for soya seed which arises, where appropriate, from the system of maximum guaranteed quantities for the 1990/91 marketing year, has been fixed by Commission Regulation (EEC) No 3217/90 ⁽¹⁰⁾;

Whereas, owing to the lack of the adjustment in the rate of aid for soya seed resulting from the maximum guaranteed quantity arrangements for the 1991/92 marketing year, the rate of the aid for this marketing year has only been able to be calculated provisionally on the basis of the abatement for the 1990/91 marketing year; whereas this amount should therefore only be applied provisionally and should be confirmed or replaced once the consequences of the maximum guaranteed quantity arrangements are known;

Whereas, if the said system is to operate normally, aid 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 ⁽¹¹⁾, as last amended by Regulation (EEC) No 2205/90 ⁽¹²⁾,

⁽¹⁾ OJ No L 151, 10. 6. 1985, p. 15.

⁽²⁾ OJ No L 162, 26. 6. 1991, p. 35.

⁽³⁾ OJ No L 132, 23. 5. 1990, p. 13.

⁽⁴⁾ OJ No L 162, 26. 6. 1991, p. 39.

⁽⁵⁾ OJ No L 162, 28. 6. 1990, p. 19.

⁽⁶⁾ OJ No L 204, 2. 8. 1985, p. 1.

⁽⁷⁾ OJ No L 128, 11. 5. 1989, p. 24.

⁽⁸⁾ OJ No L 245, 22. 8. 1989, p. 8.

⁽⁹⁾ OJ No L 228, 22. 8. 1990, p. 15.

⁽¹⁰⁾ OJ No L 308, 8. 11. 1990, p. 19.

⁽¹¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽¹²⁾ OJ No L 201, 31. 7. 1990, p. 9.

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

Whereas the aid shall be fixed as often as the market situation so requires and so that it can be applied at least twice a month, one of which times shall be from the first day of each month;

Whereas it follows from applying these provisions to the offers and quotations known to the Commission that the subsidy on soya beans should be as set out in this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

1. The amount of the aid provided for in Article 2 of Regulation (EEC) No 1491/85 shall be as set out in the Annex hereto.
2. However, the amount of the aid for the 1991/92 marketing year for soya seed shall be confirmed or replaced with effect from 1 July 1991 to take account of the consequences of the maximum guaranteed quantity arrangements for the 1991/92 marketing year.

Article 2

This Regulation shall enter into force on 1 July 1991.

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

Done at Brussels, 28 June 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 28 June 1991 fixing the aid for soya beans

(ECU/100 kg)

	Current period 7	First period 8	Second period 9	Third period 10 (1)	Fourth period 11 (1)	Fifth period 12 (1)
Seed harvested:						
— Spain	15,498	15,475	16,273	16,461	16,427	16,469
— another Member State	21,042	21,019	20,087	20,275	20,241	20,283

(1) Amount fixed provisionally, pending and subject to the application of the maximum guaranteed quantity arrangements for the 1991/92 marketing year, conforming to the adjustment resulting from the maximum guaranteed quantity arrangements applied for the 1990/91 marketing year.

COMMISSION REGULATION (EEC) No 1886/91

of 28 June 1991

fixing 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 the opinion of the Monetary Committee,

Whereas the rules to be applied in calculating the variable component of the import levy on products processed from cereals and rice are laid down in Article 14 (1) (A) of Regulation (EEC) No 2727/75 and Article 12 (1) (a) of Regulation (EEC) No 1418/76; whereas Article 2 of Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and rice ⁽⁵⁾, as last amended by Regulation (EEC) No 1906/87 ⁽⁶⁾, provides that the incidence on the prime costs of these products of the levies applicable to their basic products should be calculated on the basis of the average of the levies applicable to these basic products for the first 25 days of the month preceding that of importation; whereas this average, adjusted on the basis of the threshold price valid for the basic products in question during the month of importation is calculated on the basis of the quantities of basic products considered to have been used in the manufacture of the processed product or the competing product which serves as a reference for processed products not containing cereals;

Whereas Commission Regulation (EEC) No 1579/74 of 24 June 1974 on the procedure for calculating the import levy on products processed from cereals and from rice and for the advance fixing of this levy for these products and for compound feedingstuffs manufactured from cereals ⁽⁷⁾, as last amended by Regulation (EEC) No 1740/78 ⁽⁸⁾, provides that the levy thus determined, increased by the fixed component, is valid in general for one month but is altered where the levy applicable to the basic product concerned differs by not less than ECU 3,02 per tonne from the average of the levies calculated as described above;

Whereas the fixed component of the levy is specified in Regulation (EEC) No 2744/75; on importation into Portugal of products listed in Annex XXIV to the Act of Accession an additional amount is added to the levy; whereas these amounts were set by Commission Regulation (EEC) No 3808/90 ⁽⁹⁾;

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States and of the overseas countries and territories, the levy relating to them in respect of certain products processed from cereals must be reduced by the amount of the fixed component and, in respect of some of these products, by part of the variable component; whereas this reduction must be made in accordance with Article 14 of Council Regulation (EEC) No 715/90 of 5 March 1990 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the ACP States or in the overseas countries and territories (OCT) ⁽¹⁰⁾, as last amended by Regulation (EEC) No 523/91 ⁽¹¹⁾;

Whereas Council Regulation (EEC) No 3834/90 of 20 December 1990 reducing for 1991 the levies on certain agricultural products originating in developing countries ⁽¹²⁾ reduces by 50 % the levy on importation into the Community of products of CN code 1108 13 00, within the limit of a fixed amount of 5 000 tonnes a year;

⁽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 281, 1. 11. 1975, p. 65.

⁽⁶⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁷⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽⁸⁾ OJ No L 202, 26. 7. 1978, p. 8.

⁽⁹⁾ OJ No L 366, 29. 12. 1990, p. 1.

⁽¹⁰⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽¹¹⁾ OJ No L 58, 5. 3. 1991, p. 1.

⁽¹²⁾ OJ No L 370, 31. 12. 1990.

Whereas Council Regulation (EEC) No 430/87 of 9 February 1987 concerning the import arrangements applicable to products falling within CN codes 0714 10 and 0714 90 originating in certain third countries⁽¹⁾, as last amended by Regulation (EEC) No 3842/90⁽²⁾, lay down the terms on which the import levy is limited to 6 % *ad valorem*;

Whereas Council Regulation (EEC) No 2730/75 of 29 October 1975 on glucose and lactose⁽³⁾, as amended by Regulation (EEC) No 222/88⁽⁴⁾, stipulates that the treatment provided for glucose and glucose syrup falling within CN codes 1702 30 91, 1702 30 99 and 1702 40 90 by Regulation (EEC) No 2727/75 it is to be extended to glucose and glucose syrup falling within CN codes 1702 30 51 and 1702 30 59; whereas consequently the levy fixed for products falling within CN codes 1702 30 91, 1702 30 99 and 1702 40 90 also applies to products falling within CN codes 1702 30 51 and 1702 30 59; 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, 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⁽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, in accordance with Article 18 (1) of Regulation (EEC) No 2727/75, the nomenclature provided for in this Regulation is incorporated in the combined nomenclature,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the products listed in Article 1 (d) of Regulation (EEC) No 2727/75 and in Article 1 (1) (c) of Regulation (EEC) No 1418/76 and subject to Regulation (EEC) No 2744/75 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 July 1991.

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

Done at Brussels, 28 June 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 43, 13. 2. 1987, p. 9.

⁽²⁾ OJ No L 367, 29. 12. 1990, p. 8.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 20.

⁽⁴⁾ OJ No L 28, 1. 2. 1988, p. 1.

⁽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 28 June 1991 fixing 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) ^(*)
0714 10 10 ⁽¹⁾	127,33	133,98
0714 10 91	130,96 ⁽²⁾ ⁽⁷⁾	130,96
0714 10 99	129,15	133,98
0714 90 11	130,96 ⁽²⁾ ⁽⁷⁾	130,96
0714 90 19	129,15 ⁽²⁾	133,98
1102 20 10	229,81	235,85
1102 20 90	130,22	133,24
1102 30 00	148,28	151,30
1102 90 10	235,73	241,77
1102 90 30	211,01	217,05
1102 90 90	141,27	144,29
1103 12 00	211,01	217,05
1103 13 11	229,81	235,85
1103 13 19	229,81	235,85
1103 13 90	130,22	133,24
1103 14 00	148,28	151,30
1103 19 10	244,03	250,07
1103 19 30	235,73	241,77
1103 19 90	141,27	144,29
1103 21 00	254,88	260,92
1103 29 10	244,03	250,07
1103 29 20	235,73	241,77
1103 29 30	211,01	217,05
1103 29 40	229,81	235,85
1103 29 50	148,28	151,30
1103 29 90	141,27	144,29
1104 11 10	133,58	136,60
1104 11 90	261,92	267,96
1104 12 10	119,57	122,59
1104 12 90	234,46	240,50
1104 19 10	254,88	260,92
1104 19 30	244,03	250,07
1104 19 50	229,81	235,85
1104 19 91	251,80	257,84
1104 19 99	249,30	255,34
1104 21 10	209,54	212,56
1104 21 30	209,54	212,56
1104 21 50	327,40	333,44
1104 21 90	133,58	136,60
1104 22 10 10 ^(*)	119,57	122,59
1104 22 10 90 ⁽²⁾	211,01	214,03
1104 22 30	211,01	214,03
1104 22 50	187,57	190,59
1104 22 90	119,57	122,59
1104 23 10	204,27	207,29
1104 23 30	204,27	207,29

CN code	Import levies (ECU/tonne)	
	ACP or OCT	Third countries (other than ACP or OCT) (*)
1104 23 90	130,22	133,24
1104 29 11	188,33	191,35
1104 29 15	180,31	183,33
1104 29 19	221,60	224,62
1104 29 31	226,56	229,58
1104 29 35	216,91	219,93
1104 29 39	221,60	224,62
1104 29 91	144,43	147,45
1104 29 95	138,28	141,30
1104 29 99	141,27	144,29
1104 30 10	106,20	112,24
1104 30 90	95,75	101,79
1106 20 10	127,33 ⁽³⁾	133,98
1106 20 91	201,92 ⁽³⁾	226,10
1106 20 99	201,92 ⁽³⁾	226,10
1107 10 11	252,05	262,93
1107 10 19	188,33	199,21
1107 10 91	233,11	243,99 ⁽³⁾
1107 10 99	174,18	185,06
1107 20 00	202,99	213,87 ⁽³⁾
1108 11 00	311,52	332,07
1108 12 00	205,55	226,10
1108 13 00	205,55	226,10 ⁽⁴⁾
1108 14 00	102,77	226,10
1108 19 10	212,63	243,46
1108 19 90	102,77 ⁽³⁾	226,10
1109 00 00	566,40	747,74
1702 30 51	268,11	364,83
1702 30 59	205,55	272,04
1702 30 91	268,11	364,83
1702 30 99	205,55	272,04
1702 40 90	205,55	272,04
1702 90 50	205,55	272,04
1702 90 75	280,87	377,59
1702 90 79	195,34	261,83
2106 90 55	205,55	272,04
2302 10 10	56,03	62,03
2302 10 90	120,07	126,07
2302 20 10	56,03	62,03
2302 20 90	120,07	126,07
2302 30 10	56,03	62,03
2302 30 90	120,07	126,07
2302 40 10	56,03	62,03
2302 40 90	120,07	126,07
2303 10 11	255,34	436,68

-
- (1) 6 % *ad valorem*, subject to certain conditions.
- (2) In accordance with Council Regulation (EEC) No 1180/77 (OJ No L 142, 9. 6. 1977, p. 10) this levy is reduced by ECU 5,44 per tonne for products originating in Turkey.
- (3) In accordance with Regulation (EEC) No 715/90 the levy shall not be charged on the following products originating in the African, Caribbean and Pacific States and in the overseas countries and territories:
- products falling within CN code ex 0714 10 91,
 - products falling within CN code 0714 90 11 and arrow-root falling within CN code 0714 90 19,
 - flours and meal of arrow-root falling within CN code 1106 20,
 - arrow-root starch falling within CN code 1108 19 90.
- (4) Taric code: clipped oats.
- (5) Taric code: CN code 1104 22 10, other than 'clipped oats'.
- (6) Pursuant to Regulation (EEC) No 3834/90, the levy on importation into the Community of products of CN code 1108 13 00 is reduced by 50 % within the limit of a fixed quantity of 5 000 tonnes.
- (7) 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.
- (8) On importation into Portugal, the levy is increased by the amount specified in Article 2 (2) of Regulation (EEC) No 3808/90.
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COMMISSION REGULATION (EEC) No 1887/91

of 28 June 1991

fixing the export refunds 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 Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 3577/90⁽²⁾, and in particular the fourth subparagraph of Article 16 (2) 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 the fourth subparagraph of Article 17 (2) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 of Regulation (EEC) No 2727/75 and Article 17 of Regulation (EEC) No 1418/76 provide that the difference between quotations or prices on the world market for the products listed in Article 1 of those Regulations and prices for those products within the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 2746/75⁽⁵⁾, and Article 2 of Council Regulation (EEC) No 1431/76⁽⁶⁾ laying down general rules for granting export refunds on cereals and rice respectively and criteria for fixing the amount of such refunds, provide that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals, rice and broken rice on the Community market on the one hand and prices for cereals, rice, broken rice and cereal products on the world market on the other; whereas the same Articles provide that it is also important to ensure equilibrium and the natural development of prices and trade on the markets in cereals and rice and, furthermore, to take into account the

economic aspect of the proposed exports, and the need to avoid disturbances on the Community market;

Whereas Article 6 of Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice⁽⁷⁾, as last amended by Regulation (EEC) No 1906/87⁽⁸⁾, defines the specific criteria to be taken into account when the refund on these products is being calculated;

Whereas, on the basis of the criteria laid down in Regulation (EEC) No 2744/75, particular account should be taken of the prices and quantities of basic products used to calculate the variable component of the levy;

Whereas it follows from applying these detailed rules to the present situation on the market in products processed from cereals and rice that the export refund should be fixed at an amount which will cover the difference between Community prices and world market prices;

Whereas when the refund is being calculated account should be taken of the quantities of raw materials used to determine the variable component of the levy; whereas the quantities of raw materials used for certain processed products may vary according to the end use of the product; whereas, depending on the manufacturing process used, products other than the main product are obtained, the quantity and value of which may vary with the nature and quality of the main products being manufactured; whereas cumulation of the refunds on the various products manufactured by a single process from the same basic product may make it possible, in certain cases, to export to third countries at prices which are lower than world market prices; whereas the refund on certain products should therefore be limited to an amount which, while allowing access to the world market, will ensure that the aims of the common organization of the markets are respected;

Whereas the refund to be granted in respect of certain processed products should be graduated on the basis of the ash, crude fibre, tegument, protein, fat and starch content of the individual product concerned, this content being a particularly good indicator of the quantity of basic product actually incorporated in the processed product;

⁽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 281, 1. 11. 1975, p. 78.
⁽⁶⁾ OJ No L 166, 25. 6. 1976, p. 36.

⁽⁷⁾ OJ No L 281, 1. 11. 1975, p. 65.
⁽⁸⁾ OJ No L 182, 3. 7. 1987, p. 49.

Whereas there is no need at present to fix an export refund for manioc, other tropical roots and tubers or flours obtained therefrom, given the economic aspect of potential exports and in particular the nature and origin of these products; whereas, for certain products processed from cereals, the insignificance of Community participation in world trade makes it unnecessary to fix an export refund at the present time;

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

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last 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 refund must be fixed once a month; whereas it may be altered in the intervening period;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (d) of Regulation (EEC) No 2727/75 and in Article 1 (1) (c) of Regulation (EEC) No 1418/79 and subject to Regulation (EEC) No 2744/75 are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 July 1991.

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

Done at Brussels, 28 June 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 28 June 1991 fixing the export refunds on products
processed from cereals and rice

(ECU/tonne)		(ECU/tonne)	
Product code	Refund	Product code	Refund
1102 20 10 100	175,08	1104 22 30 100	106,83
1102 20 10 300	150,07	1104 22 30 900	—
1102 20 10 900	—	1104 22 50 000	—
1102 20 90 100	150,07	1104 23 10 100	187,59
1102 20 90 900	—	1104 23 10 300	143,82
1102 30 00 000	—	1104 23 10 900	—
1102 90 10 100	111,95	1104 29 11 000	—
1102 90 10 900	76,12	1104 29 15 000	—
1102 90 30 100	113,11	1104 29 19 000	—
1102 90 30 900	—	1104 29 91 000	88,20
1103 12 00 100	113,11	1104 29 95 000	79,01
1103 12 00 900	—	1104 30 10 000	22,05
1103 13 11 100	225,11	1104 30 90 000	31,27
1103 13 11 300	175,08	1107 10 11 000	157,00
1103 13 11 500	150,07	1107 10 91 000	132,84
1103 13 11 900	—	1108 11 00 200	176,40
1103 13 19 100	225,11	1108 11 00 800	176,40
1103 13 19 300	175,08	1108 12 00 200	200,10
1103 13 19 500	150,07	1108 12 00 800	200,10
1103 13 19 900	—	1108 13 00 200	200,10
1103 13 90 100	150,07	1108 13 00 800	200,10
1103 13 90 900	—	1108 14 00 200	—
1103 14 00 000	—	1108 14 00 800	—
1103 19 10 000	79,01	1108 19 10 200	173,90
1103 19 30 100	115,68	1108 19 10 800	173,90
1103 19 30 900	—	1108 19 90 200	—
1103 21 00 000	89,96	1108 19 90 800	—
1103 29 20 000	76,12	1109 00 00 100	0,00
1103 29 30 000	—	1109 00 00 900	—
1103 29 40 000	127,56	1702 30 51 000	261,38
1104 11 90 100	111,95	1702 30 59 000	200,10
1104 11 90 900	—	1702 30 91 000	261,38
1104 12 90 100	125,68	1702 30 99 000	200,10
1104 12 90 300	100,54	1702 40 90 000	200,10
1104 12 90 900	—	1702 90 50 100	261,38
1104 19 10 000	89,96	1702 90 50 900	200,10
1104 19 50 110	200,10	1702 90 75 000	273,88
1104 19 50 130	162,58	1702 90 79 000	190,09
1104 19 50 150	—	2106 90 55 000	200,10
1104 19 50 190	—	2302 10 10 000	23,03
1104 19 50 900	—	2302 10 90 100	23,03
1104 19 91 000	—	2302 10 90 900	—
1104 21 10 100	111,95	2302 20 10 000	23,03
1104 21 10 900	—	2302 20 90 100	23,03
1104 21 30 100	111,95	2302 20 90 900	—
1104 21 30 900	—	2302 30 10 000	23,03
1104 21 50 100	149,26	2302 30 90 000	23,03
1104 21 50 300	119,41	2302 40 10 000	23,03
1104 21 50 900	—	2302 40 90 000	23,03
1104 22 10 100	100,54	2303 10 11 100	100,05
1104 22 10 900	—	2303 10 11 900	—

NB: The product codes and the footnotes are defined in amended Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1).

COMMISSION REGULATION (EEC) No 1888/91

of 28 June 1991

fixing the export refunds on cereal-based compound feedingstuffs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 of Regulation (EEC) No 2727/75 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds⁽³⁾, provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals on the Community market on the one hand and prices for cereals and cereal products on the other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on the cereal markets;

Whereas it follows from applying these detailed rules to the present situation on the market in cereal-based compound feedingstuffs that the export refund should be fixed at an amount which will cover the difference between Community prices and world market prices;

Whereas Article 7 (1) of Council Regulation (EEC) No 2743/75 of 29 October 1975 on the system to be applied to cereal-based compound feedingstuffs⁽⁴⁾, as last amended by Regulation (EEC) No 944/87⁽⁵⁾, provides that, when export refunds on cereal-based compound

feedingstuffs are being fixed, only certain products used in the manufacture of compound feedingstuffs for which a refund may be fixed should be taken into account;

Whereas Commission Regulation (EEC) No 1913/69 of 29 September 1969 on the granting and the advance fixing of the export refund on cereal-based compound feedingstuffs⁽⁶⁾, as last amended by Regulation (EEC) No 1349/87⁽⁷⁾, provides that calculation of the export refund must be based on the averages of the refunds granted and the levies calculated on the most commonly used basic cereals, adjusted on the basis of the threshold price in force during the current month; whereas that calculation must also take account of the cereal products content; whereas, therefore, in the interest of simplification, compound feedingstuffs should be placed in categories and the refund for each category should be fixed on the basis of the quantity of cereal products content for the category concerned; whereas, furthermore, the amount of the refund must also take into account the possibilities and conditions for the sale of those products on the world market, the need to avoid disturbances on the Community market and the economic aspect of the export;

Whereas, however, in fixing the rate of refund it would seem advisable to base it at this time on the difference in the cost of raw inputs widely used in compound feedingstuffs as between the Community and world markets, allowing more accurate account to be taken of the commercial conditions under which such products are exported;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for compound feedingstuffs according to composition and destination; whereas, for purposes of varying the refund, the destination zones laid down in Annex II to Commission Regulation (EEC) No 1124/77 of 27 May 1977 redefining the destination zones for export refunds or levies and for certain export licences for cereals and rice⁽⁸⁾, as last amended by Regulation (EEC) No 3049/89⁽⁹⁾, should be used;

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 60.

⁽⁵⁾ OJ No L 90, 2. 4. 1987, p. 2.

⁽⁶⁾ OJ No L 246, 30. 9. 1969, p. 11.

⁽⁷⁾ OJ No L 127, 16. 5. 1987, p. 14.

⁽⁸⁾ OJ No L 134, 28. 5. 1977, p. 53.

⁽⁹⁾ OJ No L 292, 11. 10. 1989, p. 10.

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last 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 refund must be fixed once a month; whereas it may be altered in the intervening period;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the compound feedingstuffs covered by Regulation (EEC) No 2727/75 and subject to Regulation (EEC) No 2743/75 are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 July 1991.

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

Done at Brussels, 28 June 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 28 June 1991 fixing the export refunds on cereal-based compound feedingstuffs

(ECU/tonne)

Product code	Amount of refund
2309 10 11 110	6,25
2309 10 13 110	6,25
2309 10 31 110	6,25
2309 10 33 110	6,25
2309 10 51 110	6,25
2309 10 53 110	6,25
2309 90 31 110	6,25
2309 90 33 110	6,25
2309 90 41 110	6,25
2309 90 43 110	6,25
2309 90 51 110	6,25
2309 90 53 110	6,25
2309 10 11 190	4,00
2309 10 13 190	4,00
2309 10 31 190	4,00
2309 10 33 190	4,00
2309 10 51 190	4,00
2309 10 53 190	4,00
2309 90 31 190	4,00
2309 90 33 190	4,00
2309 90 41 190	4,00
2309 90 43 190	4,00
2309 90 51 190	4,00
2309 90 53 190	4,00
2309 10 11 210	12,51
2309 10 13 210	12,51
2309 10 31 210	12,51
2309 10 33 210	12,51
2309 10 51 210	12,51
2309 10 53 210	12,51
2309 90 31 210	12,51
2309 90 33 210	12,51
2309 90 41 210	12,51
2309 90 43 210	12,51
2309 90 51 210	12,51
2309 90 53 210	12,51
2309 10 11 290	8,00
2309 10 13 290	8,00
2309 10 31 290	8,00
2309 10 33 290	8,00
2309 10 51 290	8,00
2309 10 53 290	8,00
2309 90 31 290	8,00
2309 90 33 290	8,00
2309 90 41 290	8,00
2309 90 43 290	8,00
2309 90 51 290	8,00
2309 90 53 290	8,00
2309 10 11 310	25,01
2309 10 13 310	25,01
2309 10 31 310	25,01
2309 10 33 310	25,01

Product code	Amount of refund (ECU/tonne)
2309 10 51 310	25,01
2309 10 53 310	25,01
2309 90 31 310	25,01
2309 90 33 310	25,01
2309 90 41 310	25,01
2309 90 43 310	25,01
2309 90 51 310	25,01
2309 90 53 310	25,01
2309 10 11 390	16,01
2309 10 13 390	16,01
2309 10 31 390	16,01
2309 10 33 390	16,01
2309 10 51 390	16,01
2309 10 53 390	16,01
2309 90 31 390	16,01
2309 90 33 390	16,01
2309 90 41 390	16,01
2309 90 43 390	16,01
2309 90 51 390	16,01
2309 90 53 390	16,01
2309 10 31 410	37,52
2309 10 33 410	37,52
2309 10 51 410	37,52
2309 10 53 410	37,52
2309 90 41 410	37,52
2309 90 43 410	37,52
2309 90 51 410	37,52
2309 90 53 410	37,52
2309 10 31 490	24,01
2309 10 33 490	24,01
2309 10 51 490	24,01
2309 10 53 490	24,01
2309 90 41 490	24,01
2309 90 43 490	24,01
2309 90 51 490	24,01
2309 90 53 490	24,01
2309 10 31 510	50,02
2309 10 33 510	50,02
2309 10 51 510	50,02
2309 10 53 510	50,02
2309 90 41 510	50,02
2309 90 43 510	50,02
2309 90 51 510	50,02
2309 90 53 510	50,02
2309 10 31 590	32,01
2309 10 33 590	32,01
2309 10 51 590	32,01
2309 10 53 590	32,01
2309 90 41 590	32,01
2309 90 43 590	32,01
2309 90 51 590	32,01
2309 90 53 590	32,01
2309 10 31 610	62,53
2309 10 33 610	62,53
2309 10 51 610	62,53
2309 10 53 610	62,53
2309 90 41 610	62,53
2309 90 43 610	62,53

(ECU/tonne)

Product code	Amount of refund
2309 90 51 610	62,53
2309 90 53 610	62,53
2309 10 31 690	40,02
2309 10 33 690	40,02
2309 10 51 690	40,02
2309 10 53 690	40,02
2309 90 41 690	40,02
2309 90 43 690	40,02
2309 90 51 690	40,02
2309 90 53 690	40,02
2309 10 51 710	75,04
2309 10 53 710	75,04
2309 90 51 710	75,04
2309 90 53 710	75,04
2309 10 51 790	48,02
2309 10 53 790	48,02
2309 90 51 790	48,02
2309 90 53 790	48,02
2309 10 51 810	87,54
2309 10 53 810	87,54
2309 90 51 810	87,54
2309 90 53 810	87,54
2309 10 51 890	56,02
2309 10 53 890	56,02
2309 90 51 890	56,02
2309 90 53 890	56,02

The refunds in the above table are valid for the following destinations:

Zones A, B, C, D and E as specified in Annex II to Regulation (EEC) No 1124/77 and Greenland.

NB: The product codes and the footnotes are defined in amended Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1).

There are no refunds for products falling within CN codes 2309 10 11, 2309 10 13, 2309 10 31, 2309 10 33, 2309 10 51, 2309 10 53, 2309 90 31, 2309 90 33, 2309 90 41, 2309 90 43, 2309 90 51 and 2309 90 53 not included in the above table.

COMMISSION REGULATION (EEC) No 1889/91

of 28 June 1991

fixing the import levies on compound feedingstuffs

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 the opinion of the Monetary Committee,

Whereas the rules to be applied in calculating the variable component of the import levy on compound feedingstuffs are laid down in Article 14 (1) (A) of Regulation (EEC) No 2727/75; whereas Article 4 of Council Regulation (EEC) No 2743/75 of 29 October 1975 on the system to be applied to cereal-based compound feedingstuffs⁽³⁾, as last amended by Regulation (EEC) No 944/87⁽⁴⁾, provides that the incidence on the prime costs of these feedingstuffs of the levies applicable to their basic products should be calculated on the basis of the average of the levies applicable during the first 25 days of the month preceding that month of importation to the quantities of basic products considered to have been used in the manufacture of such compound feedingstuffs, this average being adjusted on the basis of the threshold price for the basic products in question ruling during the month of importation;

Whereas the levy thus determined, increased by the fixed component, is valid for one month; whereas the amount of the fixed component of the levy is laid down in Article 6 of Regulation (EEC) No 2743/75; whereas on importation into Portugal of products listed in Annex XXIV to the Act of Accession an additional amount is added to the levy; whereas these amounts were set by Commission Regulation (EEC) No 3808/90⁽⁵⁾;

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States and of the overseas countries and territories, the levy relating to them in respect of certain products processed from cereals

must be reduced by the amount of the fixed component and, in respect of some of these products, by part of the variable component; whereas this reduction must be made in accordance with Article 14 of Council Regulation (EEC) No 715/90 of 5 March 1990 on the arrangements applicable to 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⁽⁶⁾, as last amended by Regulation (EEC) No 523/91⁽⁷⁾;

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⁽⁸⁾, as last amended by Regulation (EEC) No 2205/90⁽⁹⁾,
- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

Whereas, in accordance with Article 18 (1) of Regulation (EEC) No 2727/75, the nomenclature provided for in this Regulation is incorporated in the combined nomenclature,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the compound feedingstuffs covered by Regulation (EEC) No 2727/75 and subject to Regulation (EEC) No 2743/75 shall be as set out in the Annex.

Article 2

This Regulation shall enter into force on 1 July 1991.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 60.

⁽⁴⁾ OJ No L 90, 2. 4. 1987, p. 2.

⁽⁵⁾ OJ No L 366, 29. 12. 1990, p. 1.

⁽⁶⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽⁷⁾ OJ No L 58, 5. 3. 1991, p. 1.

⁽⁸⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁹⁾ OJ No L 201, 31. 7. 1990, p. 9.

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

Done at Brussels, 28 June 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 28 June 1991 fixing the import levies on compound feedingstuffs

(ECU/tonne)

CN code	Levies	
	ACP and OCT	Third countries (other than ACP and OCT) (1)
2309 10 11	20,43	31,31
2309 10 13	633,60	644,48
2309 10 31	63,84	74,72
2309 10 33	677,01	687,89
2309 10 51	127,67	138,55
2309 10 53	740,84	751,72
2309 90 31	20,43	31,31
2309 90 33	633,60	644,48
2309 90 41	63,84	74,72
2309 90 43	677,01	687,89
2309 90 51	127,67	138,55
2309 90 53	740,84	751,72

(1) 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 1890/91

of 28 June 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 1886/91⁽⁷⁾;

Whereas Council Regulation (EEC) No 1906/87⁽⁸⁾ amended Council Regulation (EEC) No 2744/75⁽⁹⁾ 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⁾ See page 88 of this Official Journal.

⁽⁸⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁹⁾ 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 27 June 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⁽¹⁰⁾, as last amended by Regulation (EEC) No 1740/78⁽¹¹⁾, 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 Regulation (EEC) No 1886/91 are hereby altered to the amounts set out in the Annex.

Article 2

This Regulation shall enter into force on 1 July 1991.

⁽¹⁰⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽¹¹⁾ 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, 28 June 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 28 June 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) ^(*)
0714 10 10 ⁽¹⁾	130,35	137,00
0714 10 91	133,98 ^{(1) (7)}	133,98
0714 10 99	132,17	137,00
0714 90 11	133,98 ^{(1) (7)}	133,98
0714 90 19	132,17 ⁽²⁾	137,00
1102 30 00	154,69	157,71
1102 90 10	241,16	247,20
1103 14 00	154,69	157,71
1103 19 30	241,16	247,20
1103 29 20	241,16	247,20
1103 29 50	154,69	157,71
1104 11 10	136,66	139,68
1104 11 90	267,96	274,00
1104 19 91	262,67	268,71
1104 21 10	214,37	217,39
1104 21 30	214,37	217,39
1104 21 50	334,95	340,99
1104 21 90	136,66	139,68
1106 20 10	130,35 ⁽³⁾	137,00
1107 10 91	238,48	249,36 ⁽²⁾
1107 10 99	178,19	189,07
1107 20 00	207,67	218,55 ⁽²⁾
1108 19 10	221,81	252,64

⁽¹⁾ 6 % *ad valorem*, subject to certain conditions.

⁽²⁾ In accordance with Council Regulation (EEC) No 1180/77 (OJ No L 142, 9. 6. 1977, p. 10) this levy is reduced by ECU 5,44 per tonne for products originating in Turkey.

⁽³⁾ In accordance with Regulation (EEC) No 715/90 the levy shall not be charged on the following products originating in the African, Caribbean and Pacific States and in the overseas countries and territories:

- products falling within CN code ex 0714 10 91,
- products falling within CN code 0714 90 11 and arrow-root falling within CN code 0714 90 19,
- flours and meal of arrow-root falling within CN code 1106 20,
- arrow-root starch falling within CN code 1108 19 90.

⁽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.

^(*) 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 1891/91

of 28 June 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 1838/91⁽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 27 June 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 29 June 1991.

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

Done at Brussels, 28 June 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 166, 28. 6. 1991, p. 74.

⁽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 28 June 1991 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	34,98 ⁽¹⁾
1701 11 90	34,98 ⁽¹⁾
1701 12 10	34,98 ⁽¹⁾
1701 12 90	34,98 ⁽¹⁾
1701 91 00	40,71
1701 99 10	40,71
1701 99 90	40,71 ⁽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 1892/91**of 28 June 1991****on import licences for milk and milk products originating in the African, Caribbean and Pacific States (ACP States) or in the overseas countries and territories (OCT)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 715/90 of 5 March 1990 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural goods originating in the ACP States or in the overseas countries and territories (OCT) ⁽¹⁾, as last amended by Regulation (EEC) No 523/91 ⁽²⁾, and in particular Article 27 thereof,

Whereas Article 4 (4) of Commission Regulation (EEC) No 1150/90 ⁽³⁾ provides that the Commission is to decide to what extent quantities may be awarded in respect of applications for import licences; whereas, however, imports must not exceed the quotas;

Whereas a single licence application was lodged from 1 to 10 January 1991;

Whereas Article 4 (4) of Regulation (EEC) No 1150/90 provides that if the total quantity for which applications have been submitted is less than that available the Commission is to calculate the quantity remaining, which

is to be added to that available for the following half; whereas under these circumstances the quantity available for the second half of 1991 of the products referred to in Article 7 of Regulation (EEC) No 715/90 should be determined,

HAS ADOPTED THIS REGULATION:

Article 1

1. Licence applications lodged pursuant to Article 4 of Regulation (EEC) No 1150/90 from 1 to 10 January 1991 are hereby accepted.

2. Further licence applications may be lodged during the first 10 days of July 1991 for the following quantities:

- 250 tonnes of products falling within CN code 0402,
- 500 tonnes of products falling within CN code 0406.

Article 2

This Regulation shall enter into force on 1 July 1991.

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

Done at Brussels, 28 June 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽²⁾ OJ No L 58, 5. 3. 1991, p. 1.

⁽³⁾ OJ No L 114, 5. 5. 1990, p. 21.