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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 2329/91

of 25 July 1991

opening for 1991, as an autonomous measure, a special import quota for high-quality, fresh, chilled or frozen meat of bovine animals falling within CN codes 0201 and 0202 as well as products falling within CN codes 0206 10 95 and 0206 29 91

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Whereas, having regard to the imports of high-quality meat of bovine animals which have taken place hitherto and to the need to export such meat produced in the Community, it is appropriate to open, for 1991 and as an autonomous and exceptional measure, a Community tariff import quota of 11 430 tonnes at a 20 % duty of high quality fresh, chilled or frozen meat of bovine animals falling within CN codes 0201 and 0202 as well as of products falling within CN codes 0206 10 95 and 0206 29 91; whereas the market in the meat of bovine animals in the Community must form the subject of a complete overhaul and a new way of thinking;

Whereas equal and continuous access for all operators concerned in the Community to the said quota and the uninterrupted application of the rate laid down for that quota to all imports of the products concerned in all the Member States until the volume provided for is exhausted should in particular be ensured; whereas, to this end, a system for utilizing the Community tariff quota, based on the presentation of a certificate of authenticity guaranteeing the type, provenance and origin of the products is required;

Whereas rules for the application of these provisions should be adopted in accordance with the procedure laid down in Article 27 of Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of

the market in beef and veal ⁽³⁾, as last amended by Regulation (EEC) No 3577/90 ⁽⁴⁾,

HAS ADOPTED THIS REGULATION:

Article 1

1. A special tariff quota for high-quality, fresh, chilled or frozen meat of bovine animals falling within CN codes 0201 and 0202 as well as products falling within CN codes 0206 10 95 and 0206 29 91 is hereby opened for 1991.

The total amount of this contingent shall be 11 430 tonnes expressed in weight of the product.

2. The applicable duty for this contingent shall be fixed at 20 %.

Article 2

In accordance with the procedure laid down in Article 27 of Regulation (EEC) No 805/68, the rules for the application of this Regulation, and in particular:

- (a) provisions guaranteeing the type, provenance and origin of the products;
- (b) provisions relating to the recognition of the document enabling the guarantees provided for in (a) to be ascertained,

shall be determined.

Article 3

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

⁽¹⁾ OJ No C 46, 22. 2. 1991, p. 9.

⁽²⁾ Opinion delivered on 12 July 1991 (not yet published in the Official Journal).

⁽³⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽⁴⁾ OJ No L 353, 17. 12. 1990, p. 23.

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

Done at Brussels, 25 July 1991.

For the Council

The President

P. DANKERT

COUNCIL REGULATION (ECSC, EEC, EURATOM) No 2330/91**of 30 July 1991****fixing the weightings applicable to the remuneration of officials posted in third countries**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing a Single Council and a Single Commission of the European Communities,

Having regard to the Staff Regulations of officials and the conditions of employment of other servants of the European Communities laid down by Regulation (EEC, Euratom, ECSC) No 259/68 ⁽¹⁾, as last amended by Regulation (Euratom, ECSC, EEC) No 3736/90 ⁽²⁾, and in particular Article 13 of Annex X thereto,

Having regard to the proposal from the Commission,

Whereas, to take account of changes in the cost of living in third countries, weightings applicable to the remuneration payable in the currency of the country of employment to the officials posted in third countries should be fixed with effect from 1 January 1991,

Article 1

With effect from 1 January 1991, the weightings applicable to remuneration payable in the currency of the country of employment shall be fixed as shown in the Annex.

The exchange rates for the payment of such remuneration shall be those used for implementation of the general budget of the European Communities during the month preceding the date referred to in the first paragraph.

Article 2

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

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

Done at Brussels, 30 July 1991.

For the Council

The President

W. KOK

⁽¹⁾ OJ No L 56, 4. 3. 1968, p. 1.

⁽²⁾ OJ No L 360, 22. 12. 1990, p. 1.

ANNEX

Country of employment	Weightings applicable with effect from the 1 January 1991	Country of employment	Weightings applicable with effect from the 1 January 1991
Algeria	59,3000000	Mali	98,6400000
Angola	81,1300000	Malta	70,9300000
Antigua and Barbuda	79,0200000	Mauritania	109,5700000
Argentina	94,2700000	Mauritius	52,9600000
Australia	89,1000000	Mexico	44,3100000
Austria	112,3400000	Morocco	59,9900000
Bahamas	86,9700000	Mozambique	10,9900000
Bangladesh	43,2200000	Namibia	67,6700000
Barbados	77,2300000	Netherlands Antilles	94,6800000
Belize	77,6100000	New Caledonia	140,9400000
Benin	88,7500000	Niger	103,9500000
Botswana	51,6300000	Nigeria	51,4300000
Brazil	28,3500000	Norway	140,3100000
Burkina Faso	86,5900000	Pakistan	32,8600000
Burundi	62,4700000	Papua New Guinea	74,9300000
Cameroon	109,4900000	Peru	183,0600000
Canada	76,8400000	Philippines	56,6700000
Central African Republic	148,8100000	Poland	17,7400000
Chad	144,4300000	Republic of Cape Verde	87,5500000
Chile	38,8200000	Rwanda	57,9300000
China	45,1600000	Sao Tome and Principe (*)	0,0000000
Comoros	135,0800000	Saudi Arabia	59,1600000
Congo	129,0700000	Senegal	115,6200000
Costa Rica	54,2800000	Seychelles	147,9700000
Cyprus	68,8800000	Sierra Leone	57,4000000
Djibouti	124,3900000	Solomon Islands	63,5700000
Dominican Republic	31,4700000	Somalia	9,6700000
Egypt	47,4800000	South Korea	84,1700000
Equatorial Guinea	120,6100000	Sudan	187,5500000
Ethiopia	67,7300000	Surinam	117,6700000
Fiji	51,9900000	Swaziland	43,8100000
Gabon	148,2400000	Sweden	123,7100000
Gambia	62,2600000	Switzerland	136,9000000
Ghana	33,8300000	Syria	147,1800000
Grenada	80,5400000	Tanzania	28,4700000
Guinea	33,0900000	Thailand	47,3600000
Guinea Bissau	30,7500000	Togo	100,4600000
Guyana	8,8500000	Tonga	88,7500000
Haiti	70,4000000	Trinidad and Tobago	69,9600000
Hong Kong	153,8800000	Tunisia	47,0900000
Hungary	60,6500000	Turkey	54,1300000
India	27,5200000	Uganda	69,4400000
Indonesia	62,4600000	United States of America (New York)	81,1200000
Israel	75,0300000	United States of America (Washington)	76,7200000
Ivory Coast	128,3500000	Uruguay	38,2000000
Jamaica	49,5100000	USSR	103,4400000
Japan	142,0700000	Vanuatu	72,3400000
Jordan	59,6700000	Venezuela	43,3000000
Kenya	47,2200000	Western Samoa	60,1400000
Lebanon	25,2200000	Yugoslavia	71,5400000
Lesotho	52,6900000	Zaire	31,3200000
Liberia	74,6300000	Zambia	44,6200000
Madagascar	40,3600000	Zimbabwe	38,5700000
Malawi	60,9300000		

(*) Not available.

COMMISSION REGULATION (EEC) No 2331/91

of 1 August 1991

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 3577/90⁽²⁾, and in particular Article 13 (5) thereof,Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽³⁾, as last amended by Regulation (EEC) No 2205/90⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 1844/91⁽⁵⁾, and subsequent amending Regulations;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85,

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

Whereas these exchange rates being those recorded on 31 July 1991;

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

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1844/91 to today's offer prices and quotations known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 2 August 1991.

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

Done at Brussels, 1 August 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.
⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.
⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.
⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 9.
⁽⁵⁾ OJ No L 168, 29. 6. 1991, p. 1.

ANNEX

to the Commission Regulation of 1 August 1991 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Levy
0709 90 60	126,35 ⁽²⁾ ⁽³⁾
0712 90 19	126,35 ⁽²⁾ ⁽³⁾
1001 10 10	168,20 ⁽¹⁾ ⁽²⁾
1001 10 90	168,20 ⁽¹⁾ ⁽²⁾
1001 90 91	156,12
1001 90 99	156,12
1002 00 00	137,91 ⁽⁴⁾
1003 00 10	140,88
1003 00 90	140,88
1004 00 10	114,00
1004 00 90	114,00
1005 10 90	126,35 ⁽²⁾ ⁽³⁾
1005 90 00	126,35 ⁽²⁾ ⁽³⁾
1007 00 90	139,55 ⁽⁴⁾
1008 10 00	49,76
1008 20 00	116,36 ⁽⁴⁾
1008 30 00	30,91 ⁽²⁾
1008 90 10	(7)
1008 90 90	30,91
1101 00 00	231,57 ⁽⁸⁾
1102 10 00	206,08 ⁽⁸⁾
1103 11 10	273,77 ⁽⁸⁾
1103 11 90	249,93 ⁽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 2332/91

of 1 August 1991

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to the opinion of the Monetary Committee,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EEC) No 1845/91⁽⁵⁾ and subsequent amending 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 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 31 July 1991;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 2 August 1991.

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

Done at Brussels, 1 August 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁵⁾ OJ No L 168, 29. 6. 1991, p. 4.

ANNEX

to the Commission Regulation of 1 August 1991 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CN code	Current	1st period	2nd period	3rd period
	8	9	10	11
0709 90 60	0	0,56	0,56	0
0712 90 19	0	0,56	0,56	0
1001 10 10	0	2,04	2,04	0,67
1001 10 90	0	2,04	2,04	0,67
1001 90 91	0	0	0	0
1001 90 99	0	0	0	0
1002 00 00	0	19,34	19,34	19,32
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	0,56	0,56	0
1005 90 00	0	0,56	0,56	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	7,43
1008 90 90	0	0	0	7,43
1101 00 00	0	0	0	0

B. Malt

CN code	Current	1st period	2nd period	3rd period	4th period
	8	9	10	11	12
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 2333/91

of 1 August 1991

fixing the minimum levies on the importation of olive oil and levies on the importation of other olive oil sector products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 1720/91⁽²⁾, and in particular Article 16 (2) thereof,

Having regard to Council Regulation (EEC) No 1514/76 of 24 June 1976 on imports of olive oil originating in Algeria⁽³⁾, as last amended by Regulation (EEC) No 728/91⁽⁴⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1521/76 of 24 June 1976 on imports of olive oil originating in Morocco⁽⁵⁾, as last amended by Regulation (EEC) No 729/91⁽⁶⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1508/76 of 24 June 1976 on imports of olive oil originating in Tunisia⁽⁷⁾, as last amended by Regulation (EEC) No 413/86⁽⁸⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1180/77 of 17 May 1977 on imports into the Community of certain agricultural products originating in Turkey⁽⁹⁾, as last amended by Regulation (EEC) No 730/91⁽¹⁰⁾, and in particular Article 10 (2) thereof,

Having regard to Council Regulation (EEC) No 1620/77 of 18 July 1977 laying down detailed rules for the importation of olive oil from Lebanon⁽¹¹⁾;

Whereas by Regulation (EEC) No 3131/78⁽¹²⁾, as amended by the Act of Accession of Greece, the Commission decided to use the tendering procedure to fix levies on olive oil;

Whereas Article 3 of Council Regulation (EEC) No 2751/78 of 23 November 1978 laying down general rules for fixing the import levy on olive oil by tender⁽¹³⁾ specifies that the minimum levy rate shall be fixed for each of the products concerned on the basis of the situation on the world market and the Community market and of the levy rates indicated by tenderers;

Whereas, in the collection of the levy, account should be taken of the provisions in the Agreements between the Community and certain third countries; whereas in particular the levy applicable for those countries must be fixed, taking as a basis for calculation the levy to be collected on imports from the other third countries;

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 29 and 30 July 1991 leads to the minimum levies being fixed as indicated in Annex I to this Regulation;

Whereas the import levy on olives falling within 29 codes 0709 90 39 and 0711 20 90 and on products falling within CN codes 1522 00 31, 1522 00 39 and 2306 90 19 must be calculated from the minimum levy applicable on the olive oil contained in these products; whereas, however, the levy charged for olive oil may not be less than an amount equal to 8 % of the value of the imported product, such amount to be fixed at a standard rate; whereas application of these provisions leads to the levies being fixed as indicated in Annex II to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The minimum levies on olive oil imports are fixed in Annex I.

Article 2

The levies applicable on imports of other olive oil sector products are fixed in Annex II.

Article 3

This Regulation shall enter into force on 2 August 1991.

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

⁽²⁾ OJ No L 162, 26. 6. 1991, p. 27.

⁽³⁾ OJ No L 169, 28. 6. 1976, p. 24.

⁽⁴⁾ OJ No L 80, 27. 3. 1991, p. 1.

⁽⁵⁾ OJ No L 169, 28. 6. 1976, p. 43.

⁽⁶⁾ OJ No L 80, 27. 3. 1991, p. 2.

⁽⁷⁾ OJ No L 169, 28. 6. 1976, p. 9.

⁽⁸⁾ OJ No L 48, 26. 2. 1986, p. 1.

⁽⁹⁾ OJ No L 142, 9. 6. 1977, p. 10.

⁽¹⁰⁾ OJ No L 80, 27. 3. 1991, p. 3.

⁽¹¹⁾ OJ No L 181, 21. 7. 1977, p. 4.

⁽¹²⁾ OJ No L 370, 30. 12. 1978, p. 60.

⁽¹³⁾ OJ No L 331, 28. 11. 1978, p. 6.

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

Done at Brussels, 1 August 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX I

Minimum import levies on olive oil

(ECU/100 kg)

CN code	Non-member countries
1509 10 10	77,00 ⁽¹⁾
1509 10 90	77,00 ⁽¹⁾
1509 90 00	89,00 ⁽²⁾
1510 00 10	77,00 ⁽¹⁾
1510 00 90	122,00 ⁽³⁾

⁽¹⁾ For imports of oil falling within this CN code and produced entirely in one of the countries listed below and transported directly from any of those countries to the Community, the levy to be collected is reduced by :

- (a) Lebanon : ECU 0,60 per 100 kg ;
- (b) Tunisia : ECU 12,69 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force ;
- (c) Turkey : ECU 22,36 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force ;
- (d) Algeria and Morocco : ECU 24,78 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force.

⁽²⁾ For imports of oil falling within this CN code :

- (a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by ECU 3,86 per 100 kg ;
- (b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by ECU 3,09 per 100 kg.

⁽³⁾ For imports of oil falling within this CN code :

- (a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by ECU 7,25 per 100 kg ;
- (b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by ECU 5,80 per 100 kg.

ANNEX II

Import levies on other olive oil sector products

(ECU/100 kg)

CN code	Non-member countries
0709 90 39	16,94
0711 20 90	16,94
1522 00 31	38,50
1522 00 39	61,60
2306 90 19	6,16

COMMISSION REGULATION (EEC) No 2334/91

of 1 August 1991

amending Regulation (EEC) No 1641/91 fixing the monetary compensatory amounts in the agricultural sector and certain coefficients required for their application

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

Having regard to Council Regulation (EEC) No 1677/85 of 11 June 1985 on monetary compensatory amounts in agriculture ⁽¹⁾, as last amended by Regulation (EEC) No 2205/90 ⁽²⁾, and in particular Article 9 (2) thereof,

Whereas the monetary compensatory amounts introduced by Regulation (EEC) No 1677/85 were fixed by Commission Regulation (EEC) No 1641/91 ⁽³⁾, as last amended by Regulation (EEC) No 2101/91 ⁽⁴⁾;

Whereas Commission Regulation (EEC) No 3153/85 ⁽⁵⁾, as last amended by Regulation (EEC) No 3672/89 ⁽⁶⁾, lays down detailed rules for calculating monetary compensatory amounts; whereas the spot market rates recorded as provided for in Regulation (EEC) No 3153/85 during the period 24 to 30 July 1991 for the Greek drachma lead, pursuant to Article 5 (3) of Regulation (EEC) No 1677/85, to an adjustment of the monetary compensatory amounts

applicable to Greece in the olive oil sector; whereas, pursuant to Article 8 of Regulation (EEC) No 3153/85, the monetary compensatory amounts applicable to Greece in the sectors concerned should be amended,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1641/91 is hereby amended as follows:

1. The column headed 'Greece' in parts 6 and 10 of Annex I is replaced by that in Annex I hereto.
2. Annex II is replaced by Annex II hereto.

Article 2

This Regulation shall enter into force on 5 August 1991.

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

Done at Brussels, 1 August 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 6.
⁽²⁾ OJ No L 201, 31. 7. 1990, p. 9.
⁽³⁾ OJ No L 153, 17. 6. 1991, p. 1.
⁽⁴⁾ OJ No L 195, 18. 7. 1991, p. 25.
⁽⁵⁾ OJ No L 310, 21. 11. 1985, p. 4.
⁽⁶⁾ OJ No L 358, 8. 12. 1989, p. 28.

ANNEX I

PART 6

SECTOR WINE

Monetary compensatory amounts

[illegible]

CN code	Table	Additional code	Notes	Positive				Negative						
				Germany	Netherlands	Spain	Portugal	United Kingdom	Belgium/Luxembourg	Denmark	Italy	France	Greece	Ireland
				DM	Fl	Pta	Esc	£	Bfrs/Lfrs	Dkr	Lit	FF	Dr	£ Irl
2204 29 35	14	7498	(²)										984,4	
	14	7499	(²)										984,4	
	14	7518	(¹)										42,4	
	14	7599	(²)										984,4	
	14	7614	(¹)										42,4	
2204 29 39	15	7524	(²)										689,7	
	15	7526	(¹)										42,4	
	15	7618	(²)										689,7	
	15	7619	(¹)										42,4	

(¹) Per % vol per hectolitre (total alcoholic strength by volume as defined in Annex II b Regulation (EEC) No 822/87).

(²) hl

PART 10

SECTOR OLIVE OIL

Monetary compensatory amounts

CN code	Table	Additional code	Notes	Positive			Negative							
				Germany	Nether-lands	Spain	United Kingdom	Belgium/Luxem-bourg	Denmark	Italy	France	Greece	Ireland	Portugal
				DM	Fl	Pta	£	Bfrs/Lfrs	Dkr	Lit	FF	Dr	£ Irl	Esc
				— 100 kg —										
1509 10 10	01	7298		—	—	—	—	—	—	—	—	537,9	—	—
1509 10 10	01	7299		—	—	—	—	—	—	—	—	537,9	—	—
1509 10 10	01	7314		—	—	—	—	—	—	—	—	375,0	—	—
1509 10 90	02	7709		—	—	—	—	—	—	—	—	601,4	—	—
1509 10 90	02	7713		—	—	—	—	—	—	—	—	438,5	—	—
1509 10 90	02	7714		—	—	—	—	—	—	—	—	438,5	—	—
1509 90 00	03	7717		—	—	—	—	—	—	—	—	591,7	—	—
1509 90 00	03	7718		—	—	—	—	—	—	—	—	428,8	—	—
1509 90 00	03	7719		—	—	—	—	—	—	—	—	428,8	—	—
1510 00 10	04	7724		—	—	—	—	—	—	—	—	227,5	—	—
1510 00 10	04	7729		—	—	—	—	—	—	—	—	227,5	—	—
1510 00 10	04	7733		—	—	—	—	—	—	—	—	64,6	—	—
1510 00 90	05	7734		—	—	—	—	—	—	—	—	277,6	—	—
1510 00 90	05	7737		—	—	—	—	—	—	—	—	114,7	—	—
1510 00 90	05	7738		—	—	—	—	—	—	—	—	114,7	—	—

ANNEX II

Monetary coefficients

Products	Member States										
	Germany	Netherlands	United Kingdom	Belgium/Luxembourg	Denmark	Italy	France	Greece	Ireland	Spain	Portugal
— Beef and veal	—	—	—	—	—	—	—	1,010	—	0,988	0,973
— Milk and milk products	—	—	—	—	—	—	—	1,010	—	0,988	0,973
— Pigmeat	—	—	—	—	—	—	—	—	—	—	—
— Sugar	—	—	—	—	—	—	—	1,010	—	0,988	0,977
— Cereals	—	—	—	—	—	—	—	1,010	—	0,988	0,977
— Eggs and poultry and albumins	—	—	—	—	—	—	—	—	—	—	—
— Wine	—	—	—	—	—	—	—	1,070	—	—	—
— Processed products (Regulation (EEC) No 3033/80):											
— to be applied to charges	—	—	—	—	—	—	—	1,010	—	0,988	0,973
— to be applied to refunds:											
— cereals	—	—	—	—	—	—	—	1,010	—	0,988	0,977
— milk	—	—	—	—	—	—	—	1,010	—	0,988	0,973
— sugar	—	—	—	—	—	—	—	1,010	—	0,988	0,977
— Jams and marmalades (Regulation (EEC) No 426/86)	—	—	—	—	—	—	—	—	—	—	—
— Olive oil sector	—	—	—	—	—	—	—	1,012	—	—	—

COMMISSION REGULATION (EEC) No 2335/91

of 1 August 1991

fixing the representative market rates to be applied for certain amounts in the context of the common agricultural policy and, in particular, for the calculation of the monetary compensatory amounts

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1677/85 of 11 June 1985 on monetary compensatory amounts in agriculture ⁽¹⁾, as last amended by Regulation (EEC) No 2205/90 ⁽²⁾, and in particular Article 9 (2) thereof,

Whereas the monetary compensatory amounts introduced by Regulation (EEC) No 1677/85 were fixed by Commission Regulation (EEC) No 1641/91 ⁽³⁾, as last amended by Regulation (EEC) No 2334/91 ⁽⁴⁾, on the basis of the central rates and, for certain Member States, on the basis of the exchange rates referred to in Article 3 of Commission Regulation (EEC) No 3153/85 of 11 November 1985 laying down detailed rules for the calculation of monetary compensatory amounts ⁽⁵⁾, as last amended by Regulation (EEC) No 3672/89 ⁽⁶⁾;

Whereas, in accordance with Article 3a of Commission Regulation (EEC) No 3152/85 of 11 November 1985 laying down detailed rules for the application of Regulation (EEC) No 1676/85 on the value of the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy ⁽⁷⁾, as last amended by Regulation (EEC) No 3237/90 ⁽⁸⁾, the rates used to fix or, where appropriate, adjust the monetary

compensatory amounts, from this time forth defined as representative market rates, are to be used for the conversion into ecus of the amounts relating to world market data and expressed in the national currency of a Member State; whereas, pursuant to Article 2 (4) of Council Regulation (EEC) No 1676/85 ⁽⁹⁾, as last amended by Regulation (EEC) No 2205/90, those rates are also to be used for the conversion of certain other agricultural amounts; whereas the rates in question should be fixed to make it easier to use them,

HAS ADOPTED THIS REGULATION:

Article 1

The representative market rates referred to in Article 3a of Regulation (EEC) No 3152/85, to be applied for certain amounts in the context of the common agricultural policy and used to fix or, where appropriate, to adjust the monetary compensatory amounts, shall be set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 5 August 1991.

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

Done at Brussels, 1 August 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 6.

⁽²⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽³⁾ OJ No L 153, 17. 6. 1991, p. 1.

⁽⁴⁾ See page 12 of this Official Journal.

⁽⁵⁾ OJ No L 310, 21. 11. 1985, p. 4.

⁽⁶⁾ OJ No L 358, 8. 12. 1989, p. 28.

⁽⁷⁾ OJ No L 310, 21. 11. 1985, p. 1.

⁽⁸⁾ OJ No L 310, 9. 11. 1990, p. 18.

⁽⁹⁾ OJ No L 164, 24. 6. 1985, p. 1.

ANNEX

Representative market rates to be applied for certain amounts in the context of the common agricultural policy and, in particular, for the calculation of the monetary compensatory amounts

	100 Lit	1 £	1 £ Irl	1 ECU
Bfrs/Lfrs	2,75661	60,5140	55,2545	48,5563
Dkr	0,509801	11,1913	10,2186	8,97989
DM	0,133650	2,93393	2,67893	2,35418
FF	0,448246	9,84004	8,98480	7,89563
Fl	0,150590	3,30579	3,01847	2,65256
£ Irl	0,0498894	1,09519	—	0,878776
£	0,0455533	—	0,913086	0,802398
Lit	—	2 195,23	2 004,44	1 761,45
Dr	14,6549	321,709	293,748	258,139
Esc	11,5315	253,144	231,142	203,122
Pta	8,37991	183,959	167,970	147,608

COMMISSION REGULATION (EEC) No 2336/91
of 1 August 1991

adjusting the agricultural conversion rates for the pigmeat sector in Greece

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Commission Regulation (EEC) No 3578/88 of 17 November 1988 laying down detailed rules for the application of the system for the automatic dismantlement of negative monetary compensatory amounts⁽¹⁾, as last amended by Regulation (EEC) No 287/91⁽²⁾, and in particular Article 7 (3) thereof,

Whereas Article 6a of Council Regulation (EEC) No 1677/85 of 11 June 1985 on monetary compensatory amounts in agriculture⁽³⁾, as last amended by Regulation (EEC) No 2205/90⁽⁴⁾, lays down that the agricultural conversion rates of a Member State should be adjusted so

as to avoid the application of monetary compensatory amounts in the pigmeat sector;

Whereas the movement of the market rate for the Greek drachma during the reference period 24 to 30 July 1991 should, given the adjustment of the agricultural conversion rate determined by Council Regulation (EEC) No 1678/85⁽⁵⁾, as last amended by Regulation (EEC) No 2198/91⁽⁶⁾, entail, in accordance with Article 2 of Commission Regulation (EEC) No 3153/85⁽⁷⁾, as last amended by Regulation (EEC) No 3672/89⁽⁸⁾, an increase in the monetary differences applicable in the pigmeat sector in Greece effective from 5 August 1991; whereas in order to prevent the risk of frequent and economically unjustified adjustments in monetary compensatory amounts it is necessary to adjust the agricultural conversion rate so as to avoid the creation of new monetary differences having regard to the criteria in Article 7 of Regulation (EEC) No 3578/88,

HAS ADOPTED THIS REGULATION:

Article 1

In Annex IV to Regulation (EEC) No 1678/85, the line relating to pigmeat is hereby replaced by the following:

Products	Agricultural conversion rates			
	ECU 1 = Dr...	Applicable until	ECU 1 = Dr...	Applicable from
'Pigmeat	257,394	4 August 1991	258,139	5 August 1991'

Article 2

This Regulation shall enter into force on 5 August 1991.

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

Done at Brussels, 1 August 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 312, 18. 11. 1988, p. 16.

⁽²⁾ OJ No L 35, 7. 2. 1991, p. 10.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 6.

⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁶⁾ OJ No L 207, 29. 7. 1991, p. 44.

⁽⁷⁾ OJ No L 310, 21. 11. 1985, p. 4.

⁽⁸⁾ OJ No L 358, 8. 12. 1989, p. 28.

COMMISSION REGULATION (EEC) No 2337/91

of 1 August 1991

re-establishing the levying of customs duties on products falling within CN code 6403, originating in India, Thailand and Indonesia, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3831/90 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3831/90 of 20 December 1990 applying generalized tariff preferences for 1991 in respect of certain industrial products originating in developing countries⁽¹⁾, as amended by Regulation (EEC) No 3835/90⁽²⁾, and in particular Article 9 thereof,

Whereas, pursuant to Articles 1 and 6 of Regulation (EEC) No 3831/90, suspension of customs duties shall be accorded to each of the countries or territories listed in Annex III other than those listed in column 4 of Annex I within the framework of the preferential tariff ceilings fixed in column 6 of Annex I;

Whereas, as provided for in Article 7 of that Regulation, as soon as the individual ceilings in question are reached at Community level, the levying of customs duties on imports of the products in question originating in each of the countries and territories concerned may at any time be re-established;

Whereas, in the case of products falling within CN code 6403, originating in India, Thailand and Indonesia, the individual ceiling was fixed at ECU 4 200 000; whereas, on 12 June 1991, imports of these products into the Community originating in India, Thailand and Indonesia reached the ceiling in question after being charged thereagainst; whereas, it is appropriate to re-establish the levying of customs duties in respect of the products in question against India, Thailand and Indonesia,

HAS ADOPTED THIS REGULATION:

Article 1

As from 5 August 1991, the levying of customs duties, suspended pursuant to Regulation (EEC) No 3831/90, shall be re-established on imports into the Community of the following products originating in India, Thailand and Indonesia:

Order No	CN code	Description
10.0670	6403	Footwear with outer soles of rubber, plastics, leather or composition leather and uppers of leather

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, 1 August 1991.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 370, 31. 12. 1990, p. 1.

⁽²⁾ OJ No L 370, 31. 12. 1990, p. 126.

COMMISSION REGULATION (EEC) No 2338/91

of 1 August 1991

re-establishing the levying of customs duties on products falling within CN code 9105, originating in China, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3831/90 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3831/90 of 20 December 1990 applying generalized tariff preferences for 1991 in respect of certain industrial products originating in developing countries⁽¹⁾, as amended by Regulation (EEC) No 3835/90⁽²⁾, and in particular Article 9 thereof,

Whereas, pursuant to Articles 1 and 6 of Regulation (EEC) No 3831/90, suspension of customs duties shall be accorded to each of the countries or territories listed in Annex III other than those listed in column 4 of Annex I within the framework of the preferential tariff ceilings fixed in column 6 of Annex I;

Whereas, as provided for in Article 7 of that Regulation, as soon as the individual ceilings in question are reached at Community level, the levying of customs duties on imports of the products in question originating in each of

the countries and territories concerned may at any time be re-established;

Whereas, in the case of products falling within CN code 9105, originating in China, the individual ceiling was fixed at ECU 5 182 000; whereas, on 23 April 1991, imports of these products into the Community originating in China reached the ceiling in question after being charged thereagainst; whereas, it is appropriate to re-establish the levying of customs duties in respect of the products in question against China,

HAS ADOPTED THIS REGULATION:

Article 1

As from 5 August 1991, the levying of customs duties, suspended pursuant to Regulation (EEC) No 3831/90, shall be re-established on imports into the Community of the following products originating in China:

Order No	CN code	Description
10.1180	9105	Other clocks

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, 1 August 1991.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 370, 31. 12. 1990, p. 1.

⁽²⁾ OJ No L 370, 31. 12. 1990, p. 126.

COMMISSION REGULATION (EEC) No 2339/91

of 1 August 1991

re-establishing the levying of customs duties on products falling within CN code 7217, originating in Czechoslovakia, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3831/90 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

the countries and territories concerned may at any time be re-established;

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3831/90 of 20 December 1990 applying generalized tariff preferences for 1991 in respect of certain industrial products originating in developing countries⁽¹⁾, as amended by Regulation (EEC) No 3835/90⁽²⁾, and in particular Article 9 thereof,

Whereas, in the case of products falling within CN code 7217, originating in Czechoslovakia, the individual ceiling was fixed at ECU 1 913 000; whereas, on 16 May 1991, imports of these products into the Community originating in Czechoslovakia reached the ceiling in question after being charged thereagainst; whereas, it is appropriate to re-establish the levying of customs duties in respect of the products in question against Czechoslovakia,

Whereas, pursuant to Articles 1 and 6 of Regulation (EEC) No 3831/90, suspension of customs duties shall be accorded to each of the countries or territories listed in Annex III other than those listed in column 4 of Annex I within the framework of the preferential tariff ceilings fixed in column 6 of Annex I;

HAS ADOPTED THIS REGULATION:

Article 1

Whereas, as provided for in Article 7 of that Regulation, as soon as the individual ceilings in question are reached at Community level, the levying of customs duties on imports of the products in question originating in each of

As from 5 August 1991, the levying of customs duties, suspended pursuant to Regulation (EEC) No 3831/90, shall be re-established on imports into the Community of the following products originating in Czechoslovakia:

Order No	CN code	Description
10.0840	7217 11 10	Wire of iron or non-alloy steel:
	7217 11 91	
	7217 11 99	— Containing by weight less than 0,25 % of carbon
	7217 12 10	— Containing by weight 0,25 % or more but less than 0,6 % of carbon
	7217 12 90	
	7217 13 11	
	7217 13 19	
	7217 13 91	
	7217 13 99	
	7217 19 10	
	7217 19 90	
	7217 21 00	
	7217 22 00	
	7217 23 00	
	7217 29 00	

Article 2

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

⁽¹⁾ OJ No L 370, 31. 12. 1990, p. 1.

⁽²⁾ OJ No L 370, 31. 12. 1990, p. 126.

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

Done at Brussels, 1 August 1991.

For the Commission

Christiane SCRIVENER

Member of the Commission

COMMISSION REGULATION (EEC) No 2340/91

of 1 August 1991

re-establishing the levying of customs duties on products falling within CN code 3102 30, originating in Czechoslovakia, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3831/90 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3831/90 of 20 December 1990 applying generalized tariff preferences for 1991 in respect of certain industrial products originating in developing countries⁽¹⁾, as amended by Regulation (EEC) No 3835/90⁽²⁾, and in particular Article 9 thereof,

Whereas, pursuant to Articles 1 and 6 of Regulation (EEC) No 3831/90, suspension of customs duties shall be accorded to each of the countries or territories listed in Annex III other than those listed in column 4 of Annex I within the framework of the preferential tariff ceilings fixed in column 6 of Annex I;

Whereas, as provided for in Article 7 of that Regulation, as soon as the individual ceilings in question are reached at Community level, the levying of customs duties on imports of the products in question originating in each of

the countries and territories concerned may at any time be re-established;

Whereas, in the case of products falling within CN code 3102 30, originating in Czechoslovakia, the individual ceiling was fixed at ECU 1 071 000; whereas, on 31 May 1991, imports of these products into the Community originating in Czechoslovakia reached the ceiling in question after being charged thereagainst; whereas, it is appropriate to re-establish the levying of customs duties in respect of the products in question against Czechoslovakia,

HAS ADOPTED THIS REGULATION:

Article 1

As from 5 August 1991, the levying of customs duties, suspended pursuant to Regulation (EEC) No 3831/90, shall be re-established on imports into the Community of the following products originating in Czechoslovakia:

Order No	CN code	Description
10.0402	3102 30 10 3102 30 90	Ammonium nitrate

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, 1 August 1991.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 370, 31. 12. 1990, p. 1.

⁽²⁾ OJ No L 370, 31. 12. 1990, p. 126.

COMMISSION REGULATION (EEC) No 2341/91

of 1 August 1991

re-establishing the levying of customs duties on products falling within CN code 4106 20 00, originating in India, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3831/90 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3831/90 of 20 December 1990 applying generalized tariff preferences for 1991 in respect of certain industrial products originating in developing countries⁽¹⁾, as amended by Regulation (EEC) No 3835/90⁽²⁾, and in particular Article 9 thereof,

Whereas, pursuant to Articles 1 and 6 of Regulation (EEC) No 3831/90, suspension of customs duties shall be accorded to each of the countries or territories listed in Annex III other than those listed in column 4 of Annex I within the framework of the preferential tariff ceilings fixed in column 6 of Annex I;

Whereas, as provided for in Article 7 of that Regulation, as soon as the individual ceilings in question are reached at Community level, the levying of customs duties on imports of the products in question originating in each of

the countries and territories concerned may at any time be re-established;

Whereas, in the case of products falling within CN code 4106 20 00, originating in India, the individual ceiling was fixed at ECU 2 756 000; whereas, on 21 March 1991, imports of these products into the Community originating in India reached the ceiling in question after being charged thereagainst; whereas, it is appropriate to re-establish the levying of customs duties in respect of the products in question against India,

HAS ADOPTED THIS REGULATION:

Article 1

As from 5 August 1991, the levying of customs duties, suspended pursuant to Regulation (EEC) No 3831/90, shall be re-established on imports into the Community of the following products originating in India:

Order No	CN code	Description
10.0540	4106 20 00	Goat or kid skin leather, without hair on, other than leather of heading No 4108 or 4109: — Parchment-dressed or prepared after tanning

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, 1 August 1991.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 370, 31. 12. 1990, p. 1.

⁽²⁾ OJ No L 370, 31. 12. 1990, p. 126.

COMMISSION REGULATION (EEC) No 2342/91

of 1 August 1991

re-establishing the levying of customs duties on products falling within CN code 7013, originating in China, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3831/90 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3831/90 of 20 December 1990 applying generalized tariff preferences for 1991 in respect of certain industrial products originating in developing countries⁽¹⁾, as amended by Regulation (EEC) No 3835/90⁽²⁾, and in particular Article 9 thereof,

Whereas, pursuant to Articles 1 and 6 of Regulation (EEC) No 3831/90, suspension of customs duties shall be accorded to each of the countries or territories listed in Annex III other than those listed in column 4 of Annex I within the framework of the preferential tariff ceilings fixed in column 6 of Annex I;

Whereas, as provided for in Article 7 of that Regulation, as soon as the individual ceilings in question are reached at Community level, the levying of customs duties on imports of the products in question originating in each of

the countries and territories concerned may at any time be re-established;

Whereas, in the case of products falling within CN code 7013, originating in China, the individual ceiling was fixed at ECU 3 150 000; whereas, on 16 May 1991, imports of these products into the Community originating in China reached the ceiling in question after being charged thereagainst; whereas, it is appropriate to re-establish the levying of customs duties in respect of the products in question against China,

HAS ADOPTED THIS REGULATION:

Article 1

As from 5 August 1991, the levying of customs duties, suspended pursuant to Regulation (EEC) No 3831/90, shall be re-established on imports into the Community of the following products originating in China:

Order No	CN code	Description
10.0770	7013	Glassware of a kind used for table, kitchen, toilet, office, indoor decoration or similar purposes (other than that of heading No 7010 or 7018)

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, 1 August 1991.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 370, 31. 12. 1990, p. 1.

⁽²⁾ OJ No L 370, 31. 12. 1990, p. 126.

COMMISSION REGULATION (EEC) No 2343/91**of 1 August 1991****re-establishing the levying of customs duties on products falling within CN code 3503 00 10, originating in Brazil, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3831/90 apply**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3831/90 of 20 December 1990 applying generalized tariff preferences for 1991 in respect of certain industrial products originating in developing countries⁽¹⁾, as amended by Regulation (EEC) No 3835/90⁽²⁾, and in particular Article 9 thereof,

Whereas, pursuant to Articles 1 and 6 of Regulation (EEC) No 3831/90, suspension of customs duties shall be accorded to each of the countries or territories listed in Annex III other than those listed in column 4 of Annex I within the framework of the preferential tariff ceilings fixed in column 6 of Annex I;

Whereas, as provided for in Article 7 of that Regulation, as soon as the individual ceilings in question are reached at Community level, the levying of customs duties on imports of the products in question originating in each of

the countries and territories concerned may at any time be re-established;

Whereas, in the case of products falling within CN code 3503 00 10, originating in Brazil, the individual ceiling was fixed at ECU 735 000; whereas, on 21 March 1991, imports of these products into the Community originating in Brazil reached the ceiling in question after being charged thereagainst; whereas, it is appropriate to re-establish the levying of customs duties in respect of the products in question against Brazil,

HAS ADOPTED THIS REGULATION:

Article 1

As from 5 August 1991, the levying of customs duties, suspended pursuant to Regulation (EEC) No 3831/90, shall be re-established on imports into the Community of the following products originating in Brazil:

Order No	CN code	Description
10.0430	3503 00 10	Gelatin and derivatives thereof

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, 1 August 1991.

For the Commission

Jean DONDELINGER

Member of the Commission

⁽¹⁾ OJ No L 370, 31. 12. 1990, p. 1.

⁽²⁾ OJ No L 370, 31. 12. 1990, p. 126.

COMMISSION REGULATION (EEC) No 2344/91

of 1 August 1991

re-establishing the levying of customs duties on products falling within CN code 3923 21 00, originating in Malaysia, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3831/90 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3831/90 of 20 December 1990 applying generalized tariff preferences for 1991 in respect of certain industrial products originating in developing countries ⁽¹⁾, as amended by Regulation (EEC) No 3835/90 ⁽²⁾, and in particular Article 9 thereof,

Whereas, pursuant to Articles 1 and 6 of Regulation (EEC) No 3831/90, suspension of customs duties shall be accorded to each of the countries or territories listed in Annex III other than those listed in column 4 of Annex I within the framework of the preferential tariff ceilings fixed in column 6 of Annex I;

Whereas, as provided for in Article 7 of that Regulation, as soon as the individual ceilings in question are reached at Community level, the levying of customs duties on imports of the products in question originating in each of

the countries and territories concerned may at any time be re-established;

Whereas, in the case of products falling within CN code 3923 21 00, originating in Malaysia, the individual ceiling was fixed at ECU 4 599 000; whereas, on 22 May 1991, imports of these products into the Community originating in Malaysia reached the ceiling in question after being charged thereagainst; whereas, it is appropriate to re-establish the levying of customs duties in respect of the products in question against Malaysia,

HAS ADOPTED THIS REGULATION:

Article 1

As from 5 August 1991, the levying of customs duties, suspended pursuant to Regulation (EEC) No 3831/90, shall be re-established on imports into the Community of the following products originating in Malaysia:

Order No	CN code	Description
10.0480	3923 21 00	Sacks and bags (including cones): — Of polymers of ethylene

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, 1 August 1991.

For the Commission

Jean DONDELINGER

Member of the Commission

⁽¹⁾ OJ No L 370, 31. 12. 1990, p. 1.

⁽²⁾ OJ No L 370, 31. 12. 1990, p. 126.

COMMISSION REGULATION (EEC) No 2345/91**of 31 July 1991****amending Regulation (EEC) No 910/91 on the sale by the procedure laid down in Regulation (EEC) No 2539/84 of beef held by certain intervention agencies and intended for export to Brazil**

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 1628/91 ⁽²⁾, and in particular Article 7 (3) thereof,

Whereas Commission Regulation (EEC) No 910/91 of 11 April 1991 ⁽³⁾ provides for the sale of intervention beef held in several Member States;

Whereas, in respect of the quantity put up for sale in Italy, the time limit for taking over from intervention stocks should be extended in order to facilitate the sale;

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

The date '1 March 1991' referred to in the second indent of Article 1 (1) of Regulation (EEC) No 910/91 is replaced by '1 June 1991'.

Article 2

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

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

Done at Brussels, 31 July 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 150, 15. 6. 1991, p. 16.

⁽³⁾ OJ No L 91, 12. 4. 1991, p. 45.

COMMISSION REGULATION (EEC) No 2346/91

of 1 August 1991

opening a standing invitation to tender for the export of 350 000 tonnes of bread-making wheat held at Ghent by the French intervention agency

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas Article 3 of Council Regulation (EEC) No 1581/86 of 23 May 1986 laying down general rules for intervention on the market in cereals⁽³⁾, as amended by Regulation (EEC) No 2203/90⁽⁴⁾, provides that cereals held by the intervention agencies shall be disposed of 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 on 18 July 1991 France notified the Commission that it wished to put up for sale for export to the People's Republic of China 350 000 tonnes of bread-making wheat held at Ghent by its intervention agency; whereas it is possible to accede to that request;

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

HAS ADOPTED THIS REGULATION:

Article 1

The French intervention agency may, on the conditions laid down in Regulation (EEC) No 1836/82, open a standing invitation to tender for the export of 350 000 tonnes of bread-making wheat held at Ghent by it.

Article 2

1. The invitation to tender shall cover a maximum of 350 000 tonnes of bread-making wheat to be exported to the People's Republic of China.

2. The regions in which the 350 000 tonnes of bread-making wheat are stored are stated in Annex I to this Regulation.

Article 3

The export licences shall be valid from their date of issue, within the meaning of Article 9 of Regulation (EEC) No 1836/82, until 31 December 1991.

Tenders submitted in response to this invitation to tender may not be accompanied by applications for export certificates under Article 44 of Commission Regulation (EEC) No 3719/88⁽⁷⁾.

Article 4

1. By way of derogation from Article 7 (1) of Regulation (EEC) No 1836/82, the time limit for submission of tenders under the first partial invitation to tender shall expire on 7 August 1991 at 1 p.m. (Brussels time).

2. The time limit for submission of tenders under the subsequent partial invitations to tender shall expire each Wednesday at 1 p.m. (Brussels time).

3. The last partial invitation to tender shall expire on 30 October 1991.

4. The tenders shall be lodged with the French intervention agency.

Article 5

The French intervention agency shall notify the Commission of the tenders received not later than two hours after expiry of the time limit for the submission thereof. Notification shall be given as specified in the table in Annex II to this Regulation.

Article 6

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

⁽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.

⁽⁷⁾ OJ No L 331, 2. 12. 1988, p. 1.

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

Done at Brussels, 1 August 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX I

<i>(tonnes)</i>	
Place of storage	Quantity
Ghent (Belgium)	350 000

ANNEX II

Standing invitation to tender for the export to the People's Republic of China of 350 000 tonnes of bread-making wheat held at Ghent by the French intervention agency

(Regulation (EEC) No 2346/91)

1	2	3	4	5	6	7
Tender No	Consignment No	Quantity (tonnes)	Offer price (ECU/tonne) ⁽¹⁾	Price increases (+) or reductions (—) (ECU/tonne) p.m.	Commercial costs (ECU/tonne)	Destination
1						
2						
3						
etc.						

⁽¹⁾ This price includes the increases or reductions relating to the lot to which the tender refers.

COMMISSION REGULATION (EEC) No 2347/91**of 29 July 1991****on the collection of samples of wine products for the purposes of cooperation
between Member States and for analysis by nuclear magnetic resonance,
including analysis for the purposes of the Community databank**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EEC) No 1734/91 ⁽²⁾, and in particular Article 79 (3) thereof,

Whereas detailed rules should be laid down on the official collection of samples within the framework of the cooperation between the competent bodies of the Member States provided for in Council Regulation (EEC) No 2048/89 of 19 June 1989 laying down general rules on controls in the wine sector ⁽³⁾; whereas the detailed rules on the utilization of such samples must guarantee representativeness and the possibility of checking the results of official analyses throughout the Community; whereas, to enable Member States to admit duty-free with a minimum of customs formalities samples officially collected in a Member State and sent from that Member State to a laboratory situated in the territory of another Member State, provision should be made for a special label for the transmission of such samples;

Whereas Commission Regulation (EEC) No 2676/90 ⁽⁴⁾ recognizes as a Community method the application of nuclear magnetic resonance for the detection of enrichment of rectified concentrated grape musts and wines; whereas in order to facilitate the interpretation of the results of this analysis carried out in all the Appropriately equipped laboratories in the Community and to ensure that the results of analyses carried out in different laboratories can be compared, uniform rules should be laid down concerning the collection of grape samples and the vinification and keeping of the samples;

Whereas in order to ensure that the collecting of samples of grapes from vines for analysis by nuclear magnetic resonance can proceed in normal conditions, provision should be made for the winegrowers concerned to facilitate such collection and to provide the information required under this Regulation;

Whereas, given the usefulness of the information stored in the databank of the Joint Research Centre at Ispra, hereinafter referred to as the 'JRC', as referred to in Article 16 (2) of Regulation (EEC) No 2048/89, for the purpose of monitoring the correct application of Community rules concerning the alcoholic strength by volume of wine products, particularly as regards the use of sucrose, provision should be made for the Commission to ensure the coordination and execution of the collection and further treatment of samples of grapes to be analysed by nuclear magnetic resonance of deuterium, the results of which analyses are to be entered in the abovementioned databank; whereas Commission Regulation (EEC) No 2348/91 of 29 July 1977 concerning a databank for the results of analyses of wine products by nuclear magnetic resonance of deuterium ⁽⁵⁾ lays down the detailed rules of application for the creation of this databank;

Whereas in order to simplify administratively the question of responsibility for costs of taking and sending samples, making analytical and organoleptic examinations and engaging the services of experts, the principle should be laid down that these costs are to be met by the body which ordered the sample to be taken or the expert to be engaged;

Whereas Commission Regulation (EEC) No 1714/81 of 26 June 1981 on detailed implementing rules for direct cooperation between the bodies designated to verify compliance with provisions in the wine sector ⁽⁶⁾ contains rules concerning the collection of samples to be sent to an official laboratory in another Member State, and certain provisions which have been superseded by subsequent Community provisions; whereas the Regulation in question should therefore be redrafted and rules should be laid down on the collection of samples intended for analysis by nuclear magnetic resonance of deuterium as a special case of collecting samples of a wine product within the framework of the direct cooperation between the bodies responsible for verifying compliance with Community provisions in different Member States;

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

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 163, 26. 6. 1991, p. 6.

⁽³⁾ OJ No L 202, 14. 7. 1989, p. 32.

⁽⁴⁾ OJ No L 272, 3. 10. 1990, p. 1.

⁽⁵⁾ See page 39 of this Official Journal.

⁽⁶⁾ OJ No L 170, 27. 6. 1981, p. 28.

HAS ADOPTED THIS REGULATION:

Article 1

Field of application

This Regulation lays down the rules governing the collection of the samples of wine products referred to in the fourth indent of Article 5 and in Article 12 of Regulation (EEC) No 2048/89, where such samples are:

- (a) to be sent for analytical or organoleptic examination at an official laboratory situated in the territory of a Member State other than the Member State in which the sample was collected, or to a Community body;
- (b) to be analysed by nuclear magnetic resonance of deuterium in an official laboratory of a Member State or at the JRC.

This Regulation also lays down common rules on the collection of samples of fresh grapes to be analysed by nuclear magnetic resonance of deuterium, the results of which analyses are to be entered in the databank set up at the JRC.

Article 2

Collection of samples in the context of cooperation between the competent bodiers

1. When samples of wine, grape must or another liquid wine products as referred to in the first subparagraph of Article 1 are taken, the official of the competent body entrusted with this task shall ensure that:

- in the case of products in containers of not more than 60 litres warehoused in one lot, the samples are representative of the entire lot,
- in the case of products in containers with a nominal capacity of more than 60 litres, the samples are representative of the contents of the container from which the samples are taken.

Samples shall be taken by a representative of the competent authorities authorized for this purpose.

2. Samples shall be taken by pouring the product in question into a least five clean containers each having a nominal capacity of not less than 0,5 litre. In the case of products as referred to in the first indent of paragraph 1, sampling may also take the form of removing at least five containers having a nominal capacity of not less than 75 cl from the lot to be examined.

Where samples of distilled wine are to be analysed by nuclear magnetic resonance of deuterium, the samples shall be placed in containers having a nominal capacity of 25 cl, or even 5 cl where they are to be sent from one official laboratory to another.

The samples shall be taken, closed where appropriate, and sealed in the presence of a representative of the establish-

ment where the sample is taken or of a representative of the carrier if the sample is taken during transport. If no representative is present, the report referred to in paragraph 4 shall mention this fact.

Each sample shall be fitted with an inert and non-reusable closure.

3. Each sample shall bear a label which complies with part A of Annex I, made out in one of the official languages of the Community.

Where the size of the container is too small for the prescribed label to be attached thereto, the container shall be marked with an indelible number and the required information shall be indicated on a separate sheet.

The representative of the establishment where the sample is taken or the representative of the carrier shall be requested to sign the label or, as applicable, the sheet.

4. The official of the competent body authorized to take samples shall draw up a written report in which he shall note any observations he considers important for assessing the samples. In the report he shall note, where necessary, any statements by the carrier's representative or the representative of the establishment where the sample was taken, and shall request such representative to affix his signature. He shall note the amount of the product from which the sample was taken. If the signatures referred to above and in the third subparagraph of paragraph 3 have been refused, the report shall mention this fact.

5. Wherever samples are taken, one of the samples shall remain as a control sample in the establishment where the sample was taken, and another with the competent authority which ordered the sample to be taken. Three of the samples shall be sent for examination to an official laboratory, which will carry out the analytical or organoleptic examination.

There one of the samples shall be analysed. Another shall be kept as a control sample. Control samples shall be kept for a minimum period of three years after sampling.

6. Consignments of samples shall bear on the external packaging a red label complying with the model set out in part B of Annex I. The label shall be approximately 50 mm × 25 mm.

When sending samples, the competent body of the Member State from which the samples are sent shall affix its stamp partially on the outer packaging of the parcel and partially on the red label.

Article 3

Collection of samples of fresh grapes to be analysed by nuclear magnetic resonance

1. The following special provisions shall apply to the collection, treatment and keeping of samples of fresh

grapes to be made into wine for the analysis referred to in the second paragraph of Article 1 by nuclear magnetic resonance of deuterium at the official laboratories or at officially recognized laboratories of the Member States and at the JCR.

The conditions for collecting samples of fresh grapes, and for their subsequent vinification and keeping by the competent body or by a department authorized by the latter are set out in Annex II.

2. Cultivators of vines from which grapes are taken by officials of a competent body:

- may not impede such collection in any way, and
- must provide such officials with all the information required under this Regulation.

3. The Commission shall, if necessary through action by the specific officials referred to in Article 6 of Regulation (EEC) No 2048/89, ensure the coordination and execution, in accordance with this Regulation, of the collection and further treatment of samples of fresh grapes to be analysed by nuclear magnetic resonance of deuterium, the results of which analyses are to be entered in the databank of the JCR.

Article 4

Costs of collection, dispatch and analysis of samples

1. The costs incurred in taking, treating and sending a sample and in carrying out analytical and organoleptic examinations shall be borne by the body of the Member State which asked for the sample to be taken. Such costs shall be calculated according to the rates applicable in the Member State in the territory of which the operations were carried out.

2. The costs incurred in sending the samples referred to in Article 3 of Regulation (EEC) No 2348/91 to the

JCR or to another laboratory designated by the JCR for analysis by nuclear magnetic resonance shall be borne by the Community.

When the JCR requests the taking of other samples, in addition to the samples referred to in Article 3 of Regulation (EEC) No 2348/91,

- half the costs incurred in taking the sample of fresh grapes and its treatment shall be borne by the member State concerned and the other half by the Community and
- the costs incurred in sending the samples to the JCR or to another laboratory designated by the JCR for analysis by nuclear magnetic resonance shall be borne by the Community.

For Member States which do not have a laboratory equipped for wine analysis by nuclear magnetic resonance, the costs incurred in sending to the JCR all the samples to be taken pursuant to Article 2(1) shall be borne by the Community.

Article 5

Subsistence and travelling expenses

The subsistence and travelling expenses incurred as a result of engaging an official appointed by a competent body shall be calculated according to the rates applicable in the Member State where the official normally works. These expenses shall be borne by the competent bodies which asked for the official to be engaged.

Article 6

Regulation (EEC) No 1714/81 is hereby repealed.

Article 7

This Regulation shall enter into force on 1 September 1991.

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

Done at Brussels, 29 July 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

*ANNEX I***A. Label describing the sample, in accordance with Article 2:****1. Information to be given:**

- (a) name and address, including Member State, of the competent body on whose instructions sampling was carried out;
- (b) serial number of the sample;
- (c) date on which the sample was taken;
- (d) name of the official of the competent body authorized to take the sample;
- (e) name and address of the undertaking in which the sample was taken;
- (f) identity of the container from which the sample was taken (e.g. number of the container, number of the lot of bottles, etc.);
- (g) description of the product, including production area, year of harvest, actual or potential alcoholic strength and, if possible, vine variety;
- (h) the words: 'The reserved control sample may be examined only by a laboratory authorized to carry out control analyses. Breaking the seal is a punishable offence.'

2. Observations**3. Minimum size: 100 × 100 mm.****B. Model of the red label referred to in Article 2 (6):****EUROPEAN COMMUNITIES**

Products which must undergo an analytical and organoleptic examination pursuant to Regulation (EEC) No 2048/87

ANNEX II

Instructions for the sampling of fresh grapes and their vinification into wine to be analysed by nuclear magnetic resonance of deuterium as referred to in Article 3

I. SAMPLING OF GRAPES

- A. Each sample must consist of at least 10 kg of ripe, sound grapes of the same variety. Samples should not be collected in the presence of dew or after rain. The grapes must be free of external moisture. They are to be taken in the condition in which they are found. Grapes affected by advanced grey rot may not be sampled.

Sampling must be carried out during the period when the plot in question is harvested. The grapes collected must be representative of the whole plot. The fresh grape samples, where appropriate in the form of grape must, may be preserved by freezing until vinification.

Member States may require that the minimum quantities of samples to be collected in their territory exceed 10 kg where this is justified by the requirements of scientific collaboration between several laboratories.

- B. When the samples are taken, a description sheet is to be drawn up to replace the report referred to in Article 2 (4). This sheet must include a first part concerning the sampling of the grapes and a second part concerning vinification. It must be kept with the sample and must accompany it during all transportation. It must be kept up to date by means of an entry regarding each type of processing undergone by the sample.

The description sheet concerning the sampling is to be drawn up in accordance with Part I of the questionnaire in Annex III.

II. VINIFICATION

- A. Vinification must be carried out by the competent body or by a department authorized to do so by that body, wherever possible under conditions comparable with the normal conditions in the production area of which the sample is representative.

Vinification must result in the total transformation of the sugar into alcohol, that is in less than 2 g/l of residual sugar.

As soon as the wine has clarified and stabilized by means of SO₂, it must be put in 75 cl bottles and labelled.

- B. The description sheet for vinification is to be drawn up in accordance with Part II of the questionnaire in Annex III.
-

ANNEX III

Questionnaire on the collection and vinification of samples of grapes intended for analysis by nuclear magnetic resonance

Part I

1. General information

- 1.1. Number of the sample
- 1.2. Name and function of the official or authorized person who took the sample
- 1.3. Name and address of the competent body responsible for taking the sample
- 1.4. Name and address of the competent body responsible for vinification and dispatch of the sample, if other than the department referred to at 1.3.

2. General description of the sample

- 2.1. Origin (country, region)
- 2.2. Year of harvest
- 2.3. Vine variety
- 2.4. Colour of the grapes

3. Description of the vineyard

- 3.1. Name and address of person farming the plot
- 3.2. Location of the plot :
 — commune
- locality
- cadastral reference
- 3.3. Soil type (e.g. limey, clayey, lime-clay, sandy)
- 3.4. Situation (e.g. slope, plain, exposed to sun)
- 3.5. Number of vines per hectare
- 3.6. Approximate age of vineyard (less than ten years, between 10 and 25 years, more than 25 years)
- 3.7. Altitude
- 3.8. Method of training and pruning
- 3.9. Type of wine into which the grapes are normally made (table wine, quality, psr, other)

4. Crop and must characteristics

- 4.1. Estimated yield per hectare for the plot harvested
- 4.2. State of health of the grapes (e.g. sound, rotten), specifying whether the grapes were dry or wet when the sample was taken
- 4.3. Date on which sample was taken

Stamp of the competent body responsible for taking the sample and signature, with name and status, of the official who collected it.

Part II

1. Vinification

- 1.1. Weight of the sample of grapes, in kg
- 1.2. Method of pressing
- 1.3. Volume of must obtained
- 1.4. Characteristics of the must :
 - measures index of refraction
 - total acidity expressed in grams of tartaric acid per litre
- 1.5. Method of treating the must (e.g. settling, centrifugation)
- 1.6. Yeasting (variety of yeast used) Indicate whether or not there was spontaneous fermentation
- 1.7. Temperature during fermentation (approximate)
- 1.8. Method for determining end of fermentation
- 1.9. Method of treating the wine (e.g. racking)
- 1.10. Addition of sulphur dioxide in mg/l
- 1.11. Analysis of the wine obtained :
 - total and actual alcoholic strength in % vol
 - total dry extract
 - reducing sugars expressed as g/l of invert sugar

2. Chronological table of vinification of the sample

Date :

- on which sample was taken
- of pressing
- of commencement of fermentation
- of end of fermentation
- of separation of wine from less
- of the various additions of SO₂
- of bottling
- of despatch to a specialized laboratory for NMR analysis
- where applicable, of despatch to the JRC

Date on which Part II was completed

*Stamp of the competent body which carried out vinification
and signature of competent official of that body.*

COMMISSION REGULATION (EEC) No 2348/91

of 29 July 1991

establishing a databank for the results of analyses of wine products by nuclear magnetic resonance of deuterium

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EEC) No 1734/91 ⁽²⁾, and in particular Article 79 (3) thereof,

Whereas the experience gained by the competent bodies in the Member States has demonstrated the need for more effective controls on the preparation of products which are offered on the wine market, in particular as regards compliance with national and Community provisions governing the adjustment of the potential and actual alcoholic strength of grape must and wines;

Whereas the second subparagraph of Article 16 (2) of Council Regulation (EEC) No 2048/89 of 19 June 1989 laying down general rules on controls in the wine sector ⁽³⁾, provides that each Member State must forward to the Joint Research Centre, hereinafter called the 'JRC', samples and analysis reports to be determined for the establishment of an analytical databank for wine products;

Whereas adjustment of the potential and actual alcoholic strength of grape must and wines by the addition of sucrose of concentrated grape must or of rectified concentrated grape must is an oenological practice which is sometimes used fraudulently in that the approved limits are exceeded or the alcoholic strength of wine products which cannot legally be enriched is adjusted; whereas the analysis of wine or wine products by nuclear magnetic resonance of the deuterium in the ethyl alcohol contained in these products is a method of analysis recognized by Commission Regulation (EEC) No 2676/90 ⁽⁴⁾; whereas the application of this method of analysis can improve checks on the enrichment of wine products; whereas, in order to facilitate interpretation of the results obtained by

this method of analysis and to make it more trustworthy, an analytical databank should be created to enable comparison of the results obtained by the above method of analysis and those obtained using the same method during previous analyses of products with similar physico-chemical characteristics as a result of their originating in the same or in a neighbouring area and of other conditions of production;

Whereas detection of the enrichment of wines requires particular attention; whereas, therefore at least initially, provisions should be made for the analytical databank to be restricted to data obtained from samples analysed by nuclear magnetic resonance of deuterium;

Whereas the analysis of wine products by nuclear magnetic resonance of deuterium is a relatively new method; whereas to extend scientific exchanges between the official laboratories and promote cooperation in the interpretation of analytical results, the databank at the JRC should be accessible to the official laboratories using this method of analysis and to other official bodies requesting such access, subject to observance of the principles of the protection of private information;

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

HAS ADOPTED THIS REGULATION:

Article 1

An analytical databank for wine products at the JRC is hereby established pursuant to Article 16 (2) of Regulation (EEC) No 2048/89.

This databank shall be limited to data obtained from the analysis of wine products by nuclear magnetic resonance of the deuterium contained in the ethyl alcohol of the product in question in accordance with the method described in Chapter 8 of the Annex to Regulation (EEC) No 2676/90. The databank is to help harmonize interpretation of the results obtained by the official laboratories of the Member States by imposing the above method of analysis.

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 163, 26. 6. 1991, p. 6.

⁽³⁾ OJ No L 202, 14. 7. 1989, p. 32.

⁽⁴⁾ OJ No L 272, 3. 10. 1990, p. 1.

Article 2

1. For the establishment of the analytical databank referred to in Article 1, samples of fresh grapes for analysis shall be taken, treated and processed into wine in accordance with Article 3 of Commission Regulation (EEC) No 2347/91⁽¹⁾.

The samples of fresh grapes shall be taken from vineyards situated in a wine-growing area of clearly defined soil type, situation, vine training system, variety, age and cultural practices.

Samples shall be taken each year, beginning in 1991, and shall be analysed in one of the official laboratories of the Member States. Wine-producing Member States not equipped to carry out analysis by nuclear magnetic resonance shall send their wine samples to the JRC for analysis.

The number of samples to be taken each year for the databank at the JRC shall be at least:

- 400 samples in France
- 400 samples in Italy
- 200 samples in Germany
- 100 samples in Spain
- 50 samples in Portugal
- 50 samples in Greece
- 2 samples in Luxembourg
- 2 samples in the United Kingdom.

The selection of samples must take account of the geographical situation of vineyards in the above Member States. It may be adjusted in the light of the results if the examination as referred to in Article 4.

2. Each year at least 25 % of the samples shall be taken from the same vineyards as in the previous year.

3. The samples referred to in paragraph 1 shall be analysed by the method described in Chapter 8 of the Annex to Regulation (EEC) No 2676/90 by laboratories to be designated by the Member States or by the JRC. An analysis report shall be drawn up in accordance with the specimen given in the Annex.

A description sheet shall be drawn up for each sample in accordance with the instructions given in Annex II to Regulation (EEC) No 2347/91.

4. A copy of the report with the results and interpretation of the analyses performed by the laboratory of a Member State in accordance with this Regulation along

with a copy of the description sheet shall be sent to the JRC.

5. Member States and the JRC shall ensure that:

- the information in the analytical databank is kept for not less than five wine-growing years following the year to which it refers,
- at least one control sample from the samples sent to the JRC for analysis is kept for at least three years from the date the sample is taken,
- the databank is used only for monitoring the application of Community and national wine legislation or for statistical or scientific purposes,
- measures are taken to guarantee protection of the data, in particular against theft and tampering,
- files are made available, without undue delay or cost, to those to whom they relate so that any inaccuracies can be rectified.

Article 3

Member States carrying out their own analysis of wine products by nuclear magnetic resonance shall send at least 10 % of the samples referred to in the fourth subparagraph of Article 2 (1) for control analysis by the JRC or by any other laboratory officially designated by the JRC. The JRC shall select the samples to be put at its disposal.

Article 4

Pursuant to Article 17 (1) of Commission Regulation (EEC) No 2048/89 the Commission shall send the following to the Management Committee for Wine for examination:

- results of analyses to be included in the JRC databank,
- measures to be applied in cases where the results of analyses and their interpretation with regard to the same product diverge,
- an assessment of the statistical parameters of the results of analysis by nuclear magnetic resonance,
- any amendments to the procedure for the establishment of the databank laid down in Article 2 (1), in particular, with regard to the number of samples to be taken in each vineyard,
- the date by which the information stored in the JRC databank shall be considered as representative of all Community vineyards and, if necessary, the conditions permitting the interpretation of the results of analysis by reference to this databank. This date shall be no later than 31 March 1993.

⁽¹⁾ See page 32 of this Official Journal.

Article 5

1. The information contained in the JRC databank shall be made available on request to each official laboratory of the Member States from the date laid down in the fifth indent of Article 4.

2. In duly substantiated cases, the information referred to in paragraph 1, when representative, may be made available to other bodies responsible for the application of Regulation (EEC) No 2048/89 and, on request, to other official bodies.

Article 6

From the date of the entry into force of this Regulation Member States shall ensure that the results of analysis by nuclear magnetic resonance contained in their own data-

banks are obtained by analyzing samples taken and processed in accordance with Community rules.

Until the information stored in the JRC databank becomes available, Member States may use the information contained on 1 September 1991 in the national databanks and obtained by procedures which differ from those set out in the Community provisions.

Article 7

The second and third paragraphs of point 2 of Chapter 8 of the Annex to Regulation (EEC) No 2676/90 shall be deleted with effect from the date laid down in the fifth indent of Article 4.

Article 8

This Regulation shall enter into force on 1 September 1991.

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

Done at Brussels, 29 July 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

ANALYSIS REPORT

Wine and wine product samples analysed by SNIF-NMR, in accordance with the experimental protocol set out in Chapter 8 of the Annex to Regulation (EEC) No 2676/90, to be entered in the JRC isotope databank⁽¹⁾

I. GENERAL INFORMATION

1. Country
2. Sample No
3. Year
4. Vine variety
5. Class of wine
6. Region/district
7. Name and address of NMR laboratory responsible for the results
8. Sample for control analysis by the JRC: yes/no

II. METHODS AND RESULTS

1. **Wine**
 - 1.1. Alcoholic strength by volume % vol
 - 1.2. Total dry extract g/l
 - 1.3. Reducing sugars g/l
 - 1.4. Total acidity expressed as tartaric acid g/l
 - 1.5. Total sulphur dioxide mg/l
2. **Distillation of wine for SNIF-NMR**
 - 2.1. Description of distillation apparatus
 - 2.2. Volume of wine distilled/weight of distillate obtained
3. **Analysis of the distillate**
 - 3.1. Water content % (m/m)
Method: Karl Fischer/Densitometry
 - 3.2. Volatile substance other than ethyl alcohol % (m/m)
Method: Gas chromatograph with a suitable capillary column Attach a trace of the chromatogram on paper
 - 3.3. Ethyl alcohol in wine distillate

$$\frac{D}{M} = 1 - \frac{\text{water content \% (m/m)}}{100}$$

⁽¹⁾ The report must be sent to the JRC with the questionnaire on sampling.

4. Analysis of N. N-tetramethylurea

4.1. Water content % (m/m)

4.2. Priority of TMU % (m/m)

Method : Gas chromatography with a suitable capillary column Attach a trace of the chromatogram on paper

5. Isotopic correlations5.1. $(D/H)_I =$ ppm standard deviation :5.2. $(D/H)_{II} =$ ppm standard deviation :5.3. $(D/H)_{QW} =$ ppm standard deviation :5.4. $(D/H)_{TMU} =$ ppm standard deviation :

5.5. 'R' = standard deviation :

6. NMR parameters

Observed frequency

Memory

Number of scans

Number of tests

Acquisition time

90° pulse : 01 : 02 :

Decoupling power : Decoupling mode :

Temperature : ; Exponential multiplication : Hz ;

Correction of the base line : yes/no

Zero filling : yes/no

²H spectrum on paper in 21 × 29,7 format in accordance with the example given in the experimental protocol set out in point 8 of the Annex to Regulation (EEC) No 2676/90.

COMMISSION REGULATION (EEC) No 2349/91

of 31 July 1991

laying down detailed rules for the application of Regulation (EEC) No 1637/91 fixing compensation with regard to the reduction of the reference quantities referred to in Article 5c of Regulation (EEC) No 804/68 and compensation for the definitive discontinuation of milk production

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Regulation (EEC) No 1637/91 of 13 June 1991 fixing compensation with regard to the reduction of the reference quantities referred to in Article 5c of Regulation (EEC) No 804/68 and compensation for the definitive discontinuation of milk production⁽¹⁾, and in particular Article 5 thereof,

Whereas Regulation (EEC) No 1637/91 provides for compensation for the reduction of the reference quantities for the eighth period of application of the additional levy scheme; whereas this reduction will probably be maintained, at least in part, for later periods; whereas the quantity for which compensation is, or is to be, paid should be specified in each case;

Whereas the above Regulation provides for the possibility of the definitive discontinuation of milk production by producers against payment of compensation; whereas the procedures, obligations and timetable involved both with regard to the competent national authorities and to the producers themselves should be adopted;

Whereas, where the total of the applications eligible for compensation exceeds the amount of Community financing provided, the Member State concerned must be able to draw up rules for acceptance of applications according to objective criteria taking account of milk production structures;

Whereas, where the obligations laid down are not fulfilled, the producer is liable for payment of the additional levy for all deliveries or direct sales after the dates laid down for the definitive discontinuation of milk production; whereas, in addition, Member States should be obliged to take all the measures necessary for the implementation and control of the measure, including penal or administrative sanctions, in particular, to ensure the reimbursement of compensation wrongly paid;

Whereas the list of information to be submitted to the Commission for assessment of the effectiveness of the measures implemented should be drawn up and the submission dates set; whereas any decision taken by a

Member State not to apply the programme for the discontinuation of milk production on its territory must, as an exception to the rule, be examined in the light of the general principles of Community law applicable in the sector; whereas this decision must therefore set out the grounds on which it is based;

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

HAS ADOPTED THIS REGULATION:

TITLE I

Compensation for the reduction of the reference quantities

Article 1

The reduction to be taken into consideration for the calculation of the compensation referred to in Article 1 of Regulation (EEC) No 1637/91 shall be equal to the difference between reference quantity available before 15 June 1991 and the reference quantity available at the end of the eighth twelve month period, less transfers of reference quantities referred to in Article 7 of Council Regulation (EEC) No 857/84⁽²⁾, as last amended by Regulation (EEC) No 1639/91⁽³⁾, or which have comparable legal effects, carried out from the eighth period, or, where the Member State so chooses from the date on which the producer is notified of the reduction of his reference quantity.

The amount of compensation shall be converted into national currency using the agricultural conversion rate in force on 17 June 1991.

Article 2

The reduction to be taken into consideration for the calculation of the compensation referred to in Article 2 (5) of Regulation (EEC) No 1637/91 shall be that referred to in Article 1 less the reference quantities allocated to the producer pursuant to Article 2 (4) (a) or (b) of Regulation (EEC) No 1637/91.

⁽¹⁾ OJ No L 150, 15. 6. 1991, p. 30.

⁽²⁾ OJ No L 90, 1. 4. 1984, p. 13.

⁽³⁾ OJ No L 150, 15. 6. 1991, p. 35.

The amount of compensation shall be converted into national currency using the agricultural conversion rate in force on the first day of each monetary year concerned.

TITLE II

Compensation for the definitive discontinuation of milk production

Article 3

Member States shall lay down the rules for the submission and acceptance of applications in accordance with Article 2 (2) (a) and (d) of Regulation (EEC) No 1637/91 and fix the amount and procedures for the payment of the compensation in accordance with Article 2 (3) of the above Regulation.

Article 4

1. Applications for compensation must be submitted by the producers concerned to the competent authority before a date to be laid down by the Member State the granting of and include, in particular, in addition to the information necessary for the calculation of the compensation referred to in Article 2 (2) (b) and (c) of Regulation (EEC) No 1637/91, a declaration by the producer certifying that he undertakes:

- not to withdraw the application after a time limit laid down by the Member State and, where the application is accepted:
- to discontinue milk production totally and definitively on the holding, within the meaning of Article 12 (d) of Regulation (EEC) No 857/84 before 1 April 1992 provided that the compensation provided for is paid,
- to give up any entitlement to a reference quantity in the context of the arrangements provided for in Article 5c of Regulation (EEC) No 804/68.

2. By milk production shall be understood all production of cows' milk by a producer as defined in the first subparagraph of Article 12 (c) of Regulation (EEC) No 857/84.

Article 5

1. The competent authority shall:

- verify the information referred to in Article 2 (2) (b) and (c) of Regulation (EEC) No 1637/91 and record the details of the undertaking referred to in Article 4,
- inform the producers concerned, no later than 1 March 1992, whether their application has been accepted or not and, where appropriate, inform the purchasers concerned.

2. Where the total of the applications eligible for compensation exceeds the amount laid down in the Annex to Regulation (EEC) No 1637/91 converted into national currency using the agricultural conversion rate in force on 17 June 1991, the Member State concerned shall

determine rules for the acceptance of applications on the basis of one or more of the following criteria:

- the date of receipt of the application,
- the age of the producer,
- the size of the reference quantity,
- the criteria referred to in the fourth subparagraph of Article 2 (3) of Regulation (EEC) No 1637/91.

Article 6

1. For accepted applications, the first payment of the compensation shall only be made where the producer proves, to the satisfaction of the competent authority, that he has totally and definitively discontinued milk production by 31 March 1992 at the latest.

2. The compensation shall be paid on 16 October of each of the five years laid down at the earliest, without prejudice to the right of Member States to pay the compensation earlier and/or as a lump sum, provided that they prefinance the payments.

3. In the event of the death of the recipient of the compensation, his successors may receive the amounts of the compensation which remain due, on condition that the said successors give an undertaking to the competent authority to assume the obligations entered into by the deceased producer.

Article 7

Member States shall take all the measures required to recover any compensation already paid where the undertakings laid down have not been complied with and to ensure that interested parties are informed of the penal or administrative sanctions to which they will be subject if they fail to comply with the provisions of this Regulation.

Member States shall inform the Commission of the measures adopted to ensure compliance with the undertakings given and shall inform it every six months, beginning on 1 April 1993, of the position as regards administrative and legal proceedings relating thereto.

The sums recovered shall be transferred to the payment agencies or services and shall be debited by the latter from the expenditure financed by the Guarantee Section of the European Agricultural Guidance and Guarantee Fund.

TITLE III

Communications

Article 8

Where a Member State applies the second subparagraph of Article 2 (1) of Regulation (EEC) No 1637/91, it shall communicate to the Commission, before 1 November 1991, its reasoned decision and the rate of reduction applied pursuant to Article 2 (3) and Article 6 (3) and (4) of Regulation (EEC) No 857/84.

Article 9

Member States shall notify the Commission of the following :

- before 1 February 1992, the procedures for the submission and acceptance of applications, the amount of compensation and, where appropriate, the amount of the increase and the measures taken pursuant to the second subparagraph of Article 2 (2) (a) of Regulation (EEC) No 1637/91 ;
- where appropriate, before 1 March 1992, measures taken pursuant to Article 5 (2) of this Regulation,
- before 1 April 1992,
 - (a) the number of applications accepted according to the size of the reference quantities concerned, the reference quantities released in each region and

the quantities intended for the producers referred to in Article 2 (4) (a), (b) and (c) and, in the case referred to in Article 2 (5) of Regulation (EEC) No 1637/91, the rate of reduction applied pursuant to Article 2 (3) and 6 (3) and (4) of Regulation (EEC) No 857/84 ;

- (b) a report assessing the results of the measure giving, in particular, the impact on the regional development of milk production and, if possible, the reasons for producers' participation in the measure.

Article 10

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, 31 July 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 2350/91

of 31 July 1991

amending Regulation (EEC) No 1589/87 on the sale by tender of butter to intervention agencies and repealing Regulation (EEC) No 1982/87 issuing the standing invitation to tender provided for in Council Regulation (EEC) No 777/87

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 the first subparagraph of Article 7a (1) and (2) thereof,

Whereas Council Regulation (EEC) No 777/87 of 16 March 1987 modifying the intervention arrangements for butter and skimmed-milk powder⁽³⁾, as last amended by Regulation (EEC) No 1634/91⁽⁴⁾, lays down the criteria on the basis of which buying-in by tender of butter and skimmed-milk powder takes place and is suspended; whereas it is necessary therefore to amend Article 1 of Regulation (EEC) No 1589/87⁽⁵⁾, as last amended by Regulation (EEC) No 891/91⁽⁶⁾; whereas consequently Regulation (EEC) No 1982/87⁽⁷⁾, as amended by Regulation (EEC) No 335/91⁽⁸⁾, may be repealed;

Whereas Article 4 (1) of Regulation (EEC) No 1589/87 provides that tenderers must lodge a security of ECU 30 per tonne in order to guarantee, on the one hand, maintenance of tenders after the expiry of the final date for the submission of tenders and, on the other, delivery of the butter to the depot; whereas the amount of that security has proved to be insufficient to ensure the fulfilment of the abovementioned primary requirements; whereas it should therefore be increased;

Whereas Article 7 (2) sets out a period of 14 days following the expiry of the final date for the submission of tenders within which the butter accepted for intervention is to be delivered; whereas in some cases this period is too short and should therefore be extended;

Whereas Article 11 specifies that the conversion into national currency is to be made using the green rate

corresponding to the words 'agricultural conversion rate'; whereas the words 'representative rate' should accordingly be replaced by 'agricultural conversion rate';

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

HAS ADOPTED THIS REGULATION:

Article 1

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

1. The first paragraph of Article 1 is replaced by the following:

Provided the Commission has not observed that the condition laid down in Article 1 (3) of Regulation (EEC) No 1547/87 is fulfilled, the intervention agencies concerned shall buy in butter in accordance with the provisions of this Regulation. A notice of invitation to tender is published in the Annex to this Regulation;

2. in Article 4, 'ECU 30' is replaced by 'ECU 40';
3. in Article 7 (2), '14 days' is replaced by '21 days';
4. in Article 11, the words 'representative rate' are replaced by 'agricultural conversion rate'.

Article 2

The Annex to this Regulation is hereby added to Regulation (EEC) No 1589/87.

Article 3

Regulation (EEC) No 1982/87 is hereby repealed.

Article 4

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

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 150, 15. 6. 1991, p. 19.

⁽³⁾ OJ No L 78, 20. 3. 1987, p. 10.

⁽⁴⁾ OJ No L 150, 15. 6. 1991, p. 26.

⁽⁵⁾ OJ No L 146, 6. 6. 1987, p. 27.

⁽⁶⁾ OJ No L 90, 11. 4. 1991, p. 23.

⁽⁷⁾ OJ No L 187, 7. 7. 1987, p. 7.

⁽⁸⁾ OJ No L 39, 13. 2. 1991, p. 16.

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

Done at Brussels, 31 July 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

Notice of invitation to tender for the sale of butter to intervention agencies

In accordance with Commission Regulation (EEC) No 1589/87⁽¹⁾, the intervention agencies mentioned below hereby issue, provided the Commission has not observed that the condition laid down in Article 1 (3) of Regulation (EEC) No 1547/87 is fulfilled, an invitation to tender for the buying-in of butter.

The detailed conditions for this procedure have been fixed by the intervention agencies in question. Interested parties within the Community may take note thereof at one of the following addresses:

- Office belge de l'économie et de l'agriculture,
secteur « produits et industries agricoles et alimentaires »,
rue de Trèves 82,
B-1040 Bruxelles
(tél.: (2) 230 17 40, télex: 24076/65567, téléfax: (2) 230 25 33);

Belgische dienst voor bedrijfsleven en landbouw,
sector „landbouw- en voedingsprodukten en industrieën”,
Trierstraat 82,
B-1040 Brussel
(tel.: (32-2) 230 17 40, telex: 24076/65567, telefax: (32-2) 230 25 33);
- EF-direktoratet,
Frederiksborggade 18,
DK-1360 København K
(tel.: (45) 33 92 70 00, telex: 15137 EFDIR DK, telefax: (45) 33 92 69 48);
- Bundesanstalt für landwirtschaftliche Marktordnung (BALM),
Adickesallee 40,
D-6000 Frankfurt am Main 18
(Tel.: 49 691 56 40, Telex: 411727/411156, Telefax: 49 691 56 47 90, Teletex: 699 07 32);
- Υπηρεσία Διαχείρισεως Γεωργικών Προϊόντων,
(ΥΔΑΓΕΠ),
οδός Αχαρνών 241,
GR-Aθήνα
[Τηλ.: (30-1) 862 64 15/865 64 39, Τέλεξ: 221738];
- Servicio nacional de productos agrarios (SENPA),
calle Beneficencia 8,
E-28004 Madrid
[tel.: (34-1) 347 65 00/347 63 10, télex: 41818/23427 SENPA E, telefax: (34-1) 521 98 32/522 43 87];
- Office national interprofessionnel du lait et des produits laitiers (Onilait),
Division commerciale et technique de la société Interlait,
28, boulevard de Grenelle,
F-75737 Paris Cedex 15
[tél.: (33-1) 40 58 70 00, télex: 206652, téléfax: (33-1) 45 79 28 49];
- Department of Agriculture and Food, Intervention Unit,
Agriculture House,
Kildare Street,
IRL-Dublin 2
(tel.: (353-1) 78 90 11, telex: 93607 agri-el, telefax: (353-1) 61 62 63);
- Azienda di Stato per gli interventi nel mercato agricolo (AIMA),
Via Palestro 81,
I-00198 Roma,
[tel.: (39-6) 647 49 91, telex: 613003/620331 AIMA (I), telefax: (39-6) 445 39 40];
- Service d'économie rurale,
section de l'économie laitière,
115, rue de Hollerich,
L-1741 Luxembourg
[tél.: (352) 47 84 17, télex: 2537 AGRIM LU, téléfax: (352) 49 16 19];

⁽¹⁾ OJ No L 146, 6. 6. 1987, p. 27.

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- Voedselvoorzienings In- en Verkoopbureau,
Burgemeester Kessenplein 3,
NL-6431 KM Hoensbroek
(tel.: (31-45) 23 83 83, telex: 56396, telefax: (31-45) 22 27 35);

 - Instituto Nacional de Intervenção e Garantia Agrícola (INGA)
Rua Camilo Castelo Branco, 45-2º
P-1000 Lisboa
[telefone: (351-1) 53 71 72, telex: 66209 INGA P, telefax: (351-1) 53 32 51];

 - Intervention Board, Lifestöck Products Division,
Branch A,
PO Box 69,
Fountain House,
2 Queens Walk,
UK-Reading Berks, RG1 7QW
(tel.: (44-734) 58 36 26, telex: 848302 (IBAPRG G), telefax: (44-734) 56 67 50, ext. 2370).
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COMMISSION REGULATION (EEC) No 2351/91

of 30 July 1991

laying down detailed rules applicable on the purchase of rice held by an intervention agency for the supply of food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Regulation (EEC) No 1418/76 of the Council 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 5 (5) thereof,

Having regard to Council Regulation (EEC) No 1424/76 of 21 June 1976 laying down general rules for intervention on the market in rice⁽³⁾, as last amended by Regulation (EEC) No 794/91⁽⁴⁾ and in particular the second paragraph of Article 4 thereof,

Whereas where rice is purchased from intervention agencies for the purposes of fulfilling obligations arising from the award of food-aid supply contracts in connection with international conventions on food aid or other supplementary programmes, the conditions applicable with regard to prices and the detailed rules of application are to be determined in advance;

Whereas, in order to enable interested parties to take part under optimum conditions in the procedure for the award of food-aid supply contracts, they should be given the possibility of examining at their expense the quality and the characteristics of the product before the expiry of the closing date for the submission of tenders;

Whereas, in order to facilitate transactions, purchase applications must contain all information required to identify the product;

Whereas, in order to avoid disruption of the Community market and any distortion of competition between Community operators, the purchase price for the goods from public storage must be determined according to clear-cut criteria and be known to all tenderers in advance; whereas, in view of these requirements, provision should be made for goods purchased by the person awarded a food-aid supply contract to be paid for at the buying-in price determined pursuant to Article 5 (2) of Regulation (EEC) No 1418/76;

Whereas, in order that the conditions of competition existing when tenders are submitted for the award of the food-aid supply contract are not altered subsequent to the

award of the contract, a derogation from the application of certain procedures for adjusting the prices on the basis of the date of conclusion of the purchase contract or the date of removal of the goods should be introduced;

Whereas Article 4 of Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid⁽⁵⁾ makes provision for the successful tenderer to deliver, with a view to a food-aid supply contract, rather than goods from public stocks or, where appropriate, manufactured therefrom, goods mobilized on the market or manufactured therefrom provided that he purchases the goods mentioned in the notice of invitation to tender; whereas compliance with this latter obligation is essential on the one hand to meet the objective of contributing towards reducing public stocks and on the other hand to ensure the equality of operators in the award of the supply contract; whereas provision should therefore be made for the lodging by the successful tenderer of a specific security to ensure compliance with the obligation to pay the purchase price to the intervention agency concerned within a short time; whereas, consequently, with a view to that objective, provision should be made for failure to lodge a purchase application with the intervention agency under the conditions laid down to result in the loss of the security relating to the supply of the food aid, lodged pursuant to Article 12 of Regulation (EEC) No 2200/87; whereas Commission Regulation (EEC) No 2220/85 of 22 July 1985 laying down common detailed rules for the application of the system of securities for agricultural products⁽⁶⁾, as amended by Regulation (EEC) No 3745/89⁽⁷⁾, should be applied for the lodging and the release of that specific security;

Whereas the execution of Community food-aid supply contracts is the subject of specific surveillance arrangements; whereas the provisions of Commission Regulation (EEC) No 569/88 of 16 February 1988 laying down common detailed rules for the application of the system of securities for agricultural products⁽⁸⁾, as last amended by Regulation (EEC) No 2322/91⁽⁹⁾, should accordingly not apply;

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

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 24.

⁽⁴⁾ OJ No L 82, 28. 3. 1991, p. 5.

⁽⁵⁾ OJ No L 204, 25. 7. 1987, p. 1.

⁽⁶⁾ OJ No L 205, 3. 8. 1985, p. 1.

⁽⁷⁾ OJ No L 364, 14. 12. 1989, p. 54.

⁽⁸⁾ OJ No L 55, 1. 3. 1988, p. 1.

⁽⁹⁾ OJ No L 213, 1. 8. 1991, p. 64.

HAS ADOPTED THIS REGULATION:

Article 1

With a view to a given food-aid supply contract within the meaning of Article 4 (2) of Regulation (EEC) No 1424/76, rice held by an intervention agency shall be purchased in accordance with this Regulation.

The provisions of Articles 2 to 7, adopted for the purpose of the supply of Community food aid pursuant to Article 5 and 6 of Council Regulation (EEC) No 3972/86⁽¹⁾ shall apply *mutatis mutandis* for the supply of the national food aid referred to in the first subparagraph subject to specific national measures on the organization and allocation of the latter.

Article 2

With a view to the supply contract referred to in Article 1, the intervention agency shall make available goods meeting the characteristics laid down in the notice of open or restricted invitation to tender.

The intervention agency shall take the necessary steps so that all operators interested in submitting a tender for the supply contract may, on publication of the notice of invitation to tender or on receipt of the latter, examine at his own expense samples collected from the product to be mobilized. Applications to examine the goods may be submitted and samples may be collected only before the expiry of the closing date laid down for the submission of tenders.

Article 3

1. Within six working days following the award of the food-aid supply contract, the operator concerned shall lodge with the intervention agency a purchase application by any means of written communication, relating to the quantity of the lot or lots for the supply of which he has been awarded the contract. Applications shall indicate:

- (a) the name and address of the applicant;
- (b) the reference to the food-aid operation, with the number of the specific lot or lots for the supply of which the operator has been awarded the contract.

2. Applications shall be accompanied by proof that the party concerned has been awarded the supply contract in question. Such proof shall be provided by a copy of the notification of award of the contract forwarded to him.

3. The application for purchase shall be valid only if it conforms to the provisions of paragraphs 1 and 2 and is accompanied by proof:

- that the applicant has lodged, in accordance with the provisions of Title III of Regulation (EEC) No 2220/85, a security equal to the purchase price of the lot(s) of rice in question, determined in accordance with Article 5;
- that an export licence has been applied for in respect of the product and the quantity to be supplied as food aid, in accordance with paragraph 2 of Article 6 of Commission Regulation (EEC) No 891/89⁽²⁾.

4. Except in cases of *force majeure*, failure to submit a purchase application within the time limit mentioned in paragraph 1 shall result in the loss of the security lodged pursuant to Article 12 of Regulation (EEC) No 2200/87 under the conditions laid down in the notice of open or restricted invitation to tender.

Article 4

Within three working days following the day of submission of the purchase application, the intervention agency shall inform the applicant by written telecommunication that his application has been accepted where it meets the conditions laid down in Article 3.

Article 5

1. The purchase price to be paid for the rice in question shall be the intervention rice referred to in Article 5 (2) of Regulation (EEC) No 1418/76 valid on the final day for the submission of tenders for the award of contracts for the supply of food aid, without any adjustment based on the quality of the product. Equally, the price shall not be adjusted on the basis of the actual date of collection from the intervention agency. The price shall be for the bulk product loaded onto a means of transport, ex-store.

2. The conversion rate to be applied to the purchase price shall be the agricultural conversion rate valid on the final date for the submission of tenders.

Article 6

1. The purchaser shall pay the intervention agency the purchase price for the rice, before the goods are removed, within 30 days from the notification of acceptance of the application referred to in Article 4.

Within the period referred to in the first subparagraph, the goods may be split up for removal with the agreement of the intervention agency; in that case, payment shall be made in instalments to take account of the actual timetable for the removal of the goods.

Payment of the purchase price shall constitute a primary requirement within the meaning of Article 20 of Regulation (EEC) No 2220/85.

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 94, 7. 4. 1989, p. 13.

2. Risks and storage costs for rice not removed within the time limit referred to in paragraph 1 shall be borne by the purchaser.

Article 7

The security referred to in Article 3 (3) shall be released in accordance with Title V of Regulation (EEC) No 2220/85.

Article 8

The Commission shall forward to the intervention agency concerned, within three working days from the award of the supply contract, all information necessary for the purchase operation, and in particular the name of the person or persons awarded the lots to be mobilized for the execution of a Community food-aid supply contract.

Article 9

For the supply of national food aid from stocks held by the intervention agency, the competent national authority shall communicate immediately to the Commission, at least eight working days before any action is taken, the essential details of the planned mobilization, in particular the characteristics of the product, the quantity, the planned period of mobilization and the destination of the supplies.

Article 10

The provisions of Regulation (EEC) No 569/88 shall not apply to purchases from an intervention agency pursuant to this Regulation.

Article 11

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, 30 July 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 2352/91

of 31 July 1991

laying down detailed rules for the application of the import arrangements provided for by Council Regulation (EEC) No 2329/91 in the beef and veal sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2329/91 of 25 July 1991 opening for 1991, as an autonomous measure, a special import tariff quota for high-quality fresh, chilled or frozen beef and veal falling within CN codes 0201 and 0202 and for products falling within CN codes 0206 10 95 and 0206 29 91⁽¹⁾, and in particular Article 2 thereof,

Whereas Regulation (EEC) No 2329/91 opened a tariff quota for high-quality beef and veal; whereas the rules for the application of these arrangements must be established;

Whereas the exporting non-member countries have undertaken to issue certificates of authenticity guaranteeing the origin of these products; whereas the form and layout of these certificates and the procedures for using them must be specified;

Whereas the certificate of authenticity must be issued by an appropriate authority in a non-member country, the standing of which is such as to ensure that the special arrangements are properly applied;

Whereas provision must be made for the Member States to transmit relevant information in connection with these special imports;

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

The special tariff quota for fresh, chilled or frozen beef and veal provided for in Article 1 (1) of Regulation (EEC) No 2329/91 shall be allocated as follows:

- (a) 4 625 tonnes of chilled boned meat, falling within CN codes 0201 30 and 0206 19 05 and answering the following definition:

'Special or good-quality beef cuts obtained from exclusively pasture-grazed animals, aged between 22 and 24 months, having two permanent incisors and presenting a slaughter liveweight not exceeding 460 kilograms, referred to as "special boxed beef", cuts of which may bear the letters "sc" (special cuts)';

- (b) 1 032 tonnes product weight of meat, falling within CN codes 0201 20 90, 0201 30, 0202 20 90, 0202 30, 0206 10 95 and 0206 29 91 and answering the following definition:

'Selected cuts of fresh, chilled or frozen beef derived from bovine animals which do not have more than four permanent incisor teeth, the carcasses of which have a dressed weight of not more than 327 kilograms (720 pounds), a compact appearance with a good eye of meat of light and uniform colour, and adequate but not excessive fat cover. The meat shall be certified "high-quality EEC beef"';

- (c) 1 900 tonnes of boned meat, falling within CN codes 0201 30, 0202 30 90, 0206 19 95 and 0206 29 91 and answering the following definition:

'Special or good-quality beef cuts obtained from exclusively pasture-grazed animals presenting a slaughter liveweight not exceeding 460 kilograms, referred to as "special boxed beef". These cuts may bear the letters "sc" (special cuts)';

- (d) 3 622 tonnes product weight of boned meat falling within CN codes 0201 30, 0202 30 90, 0206 10 95 and 0206 29 91 and answering the following definition:

'Beef cuts obtained from steers (novilhos) or heifers (novilhas) aged between 20 and 24 months, which have been exclusively pasture grazed, have lost their central temporary incisors but do not have more than four permanent incisor teeth, which are of good maturity and which meet the following beef-carcase classification requirements:

meat from B or R class carcasses with rounded to straight conformation and a fat-cover class of 2 or 3; the cuts, bearing the letters "sc" (special cuts) or an "sc" (special cuts) label as a sign of their high quality, will be boxed in cartons bearing the words "high-quality beef";

⁽¹⁾ See page 1 of this Official Journal.

- (e) 251 tonnes product weight of meat, falling within CN codes 0201 20 90, 0201 30, 0202 20 90, 0202 30, 0206 10 95 and 0206 29 91 and answering the following definition :

'Selected chilled or frozen premium beef cuts derived from exclusively pasture-grazed bovine animals which do not have more than four permanent incisor teeth in wear, the carcasses of which have a dressed weight of not more than 325 kilograms, a compact appearance with a good eye of meat of light and uniform colour and adequate but not excessive fat cover. All cuts will be vacuum packaged and referred to as high-quality beef.'

Article 2

1. The total suspension of the import levy for the meat referred to in Article 1 shall be subject to the presentation, at the time it is put into free circulation, of a certificate of authenticity.

2. The certificate of authenticity shall be made out in one original and not less than one copy on a form corresponding to the model in Annex I.

The form shall measure approximately 210 × 297 mm. The paper shall weigh not less than 40 g/m² and shall be white.

3. The forms shall be printed and completed in one of the official languages of the Community and also, if desired, in the official language or one of the official languages of the exporting country.

The appropriate definition under Article 1 (1) relative to the meat originating from the exporting country shall be shown on the back of the form.

4. The particulars on the original and the copies shall be either typewritten or handwritten. In the latter case they must be printed in block capitals.

5. Each certificate of authenticity shall bear an individual serial number assigned by the issuing authority referred to in Article 4. The copies shall bear the same serial number as the original.

Article 3

1. The certificate of authenticity shall be valid for three months from the date it was issued.

The original certificate of authenticity shall be valid for three months from the date it was issued.

However, the certificate may not be presented after 31 December of its year of issue.

2. The copy of the certificate of authenticity referred to in paragraph 1 shall be sent by the customs authorities of

the Member State in which the product is placed in free circulation to the designated authorities of that Member State responsible for the communication under Article 6 (1).

Article 4

1. A certificate of authenticity shall be valid only if it is duly completed and endorsed, in accordance with the instruction in Annexes I and II, by one of the issuing authorities listed in Annex II.

2. The certificate of authenticity shall be deemed to have been duly endorsed if it specifies the date and place of issue and if it bears the stamp of the issuing authority and the signature of the person or persons empowered to sign it.

The stamp may be replaced on the original certificate of authenticity and its copies by a printed seal.

Article 5

1. The issuing authorities listed in Annex II shall :

- (a) be recognized as competent by the exporting country ;
- (b) undertake to check the particulars set out in the certificates of authenticity ;
- (c) undertake to communicate to the Commission and to the Member States, on request, any useful information enabling the particulars set out in the certificates of authenticity to be evaluated.

2. The list shall be amended if the requirement in paragraph 1 (a) is no longer met or if an issuing authority fails to fulfil one of the obligations incumbent on it.

Article 6

1. The Member States shall communicate to the Commission, in respect of each period of 10 days, not later than 15 days after that period, the quantities of products referred to in Article 1 that have been put into free circulation, broken down by their country of origin and tariff subheading.

2. Under this Regulation the period of 10 days means :

- from the first to the 10th of the month inclusive,
- from the 11th to the 20th of the month inclusive,
- from the 21st to the last day of the month inclusive.

Article 7

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, 31 July 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

1 Exporter	2 Certificate No	ORIGINAL	
4 Consignee	3 Issuing authority		
6 Means of transport	5 CERTIFICATE OF AUTHENTICITY BEEF AND VEAL SPECIAL AUTONOMOUS/QUOTA TARIFF 1991 Commission Regulation (EEC) No 2352/91		
7 Marks, numbers, number and kind of packages ; description of goods		8 Gross weight (kg)	9 Net weight (kg)
10 Net weight (in words)			
11 CERTIFICATION BY THE ISSUING AUTHORITY I hereby certify that the beef described in this certificate complies with the specification shown overleaf Place : Date : Signature and stamp (or printed seal)			

DEFINITION

**High-quality beef originating in
(appropriate definition)**

*ANNEX II***LIST OF AUTHORITIES IN EXPORTING COUNTRIES EMPOWERED TO ISSUE
CERTIFICATES OF AUTHENTICITY**

- JUNTA NACIONAL DE CARNES
for meat originating in Argentina, answering the definition in Article 1 (a).
 - AUSTRALIAN MEAT AND LIVESTOCK CORPORATION
for meat originating in Australia, answering the definition in Article 1 (b).
 - INSTITUTO NACIONAL DE CARNES (INAC)
for meat originating in Uruguay, answering the definition in Article 1 (c).
 - SECRETARIA DE INSPECÇÃO DO PRODUTO ANIMAL (SIPA)
for meat originating in Brazil, answering the definition in Article 1 (d).
 - NEW ZEALAND MEAT PRODUCERS BOARD
for meat originating in New Zealand, answering the definition in Article 1 (e).
-

COMMISSION REGULATION (EEC) No 2353/91

of 1 August 1991

fixing the export refunds 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 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 in 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 world market 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 cereal markets 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 3 of Regulation (EEC) No 2746/75 defines the specific criteria to be taken into account when the refund on cereals is being calculated;

Whereas these specific criteria are defined, as far as wheat and rye flour, groats and meal are concerned, in Article 4 of Regulation (EEC) No 2746/75; whereas furthermore, when the refund on these products is being calculated, account must be taken of the quantities of cereals required for their manufacture; whereas these quantities were fixed in Commission Regulation No 162/67/EEC⁽⁴⁾, as amended by Regulation (EEC) No 1607/71⁽⁵⁾;

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 the refund must be fixed once a month; whereas it may be altered in the intervening period;

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⁽⁶⁾, as last amended by Regulation (EEC) No 2205/90⁽⁷⁾;
- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 2727/75, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 2 August 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. 78.

⁽⁴⁾ OJ No 128, 27. 6. 1967, p. 2574/67.

⁽⁵⁾ OJ No L 168, 27. 7. 1971, p. 16.

⁽⁶⁾ OJ No L 94, 7. 4. 1989, p. 13.

⁽⁷⁾ OJ No L 355, 18. 12. 1990, p. 10.

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

Done at Brussels, 1 August 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 1 August 1991 fixing the export refunds on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

Product code	Destination (1)	Amount of refund
0709 90 60 000	—	—
0712 90 19 000	—	—
1001 10 10 000	06 02	120,00 0
1001 10 90 000	04 05 02	120,00 30,00 20,00
1001 90 91 000	06 02	76,00 0
1001 90 99 000	04 06 07 02	80,00 30,00 32,00 20,00
1002 00 00 000	03 02	25,00 20,00
1003 00 10 000	08 02	65,00 0
1003 00 90 000	04 02	25,00 20,00
1004 00 10 000	06 02	65,00 0
1004 00 90 000	—	—
1005 10 90 000	—	—
1005 90 00 000	03 02	65,00 0
1007 00 90 000	—	—
1008 20 00 000	—	—
1101 00 00 100	01	123,00
1101 00 00 130	01	115,00
1101 00 00 150	01	106,00
1101 00 00 170	01	98,00
1101 00 00 180	01	92,00
1101 00 00 190	—	—
1101 00 00 900	—	—
1102 10 00 600	01	123,00
1102 10 00 900	—	—
1103 11 10 100	01	202,50
1103 11 10 200	01	202,50
1103 11 10 500	01	0
1103 11 10 900	01	0
1103 11 90 100	01	123,00
1103 11 90 900	—	—

(¹) The destinations are identified as follows :

- 01 All third countries,
- 02 Other third countries,
- 03 Switzerland, Austria and Liechtenstein,
- 04 Switzerland, Austria, Liechtenstein, Ceuta and Melilla,
- 05 The Soviet Union,
- 06 Algeria,
- 07 The People's Republic of China,
- 08 Czechoslovakia.

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

COMMISSION REGULATION (EEC) No 2354/91

of 1 August 1991

fixing the corrective amount applicable to the refund on cereals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 (4) of Regulation (EEC) No 2727/75 provides that the export refund applicable to cereals on the day on which application for an export licence is made, adjusted for the threshold price in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the export licence; whereas, in this case, a corrective amount must be applied to the refund;

Whereas Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice ⁽⁴⁾, as last amended by Regulation (EEC) No 1906/87 ⁽⁵⁾, made possible the fixing of a corrective amount for certain products listed in Article 1 (c) of Regulation (EEC) No 2727/75;

Whereas Commission Regulation (EEC) No 1281/75 ⁽⁶⁾ laid down detailed rules for the advance fixing of export refunds for cereals and certain products processed from cereals;

Whereas, pursuant to that Regulation, when the corrective amount is being fixed, account must be taken of the exist-

ing situation and the future trend with regard to prices and availabilities of cereals on the Community market on the one hand and possibilities and conditions for the sale of cereals and cereal products on the world market on the other; whereas the same Regulation provides that it is also important to ensure equilibrium and the natural development of prices and trade on cereal markets and, furthermore, to take into account the economic aspect of exports and the need to avoid disturbances on the Community market;

Whereas for the products listed in Article 1 (c) of Regulation (EEC) No 2727/75 account should be taken of the specific criteria laid down in Article 2 (2) of Regulation (EEC) No 1281/75;

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

Whereas the corrective amount must be fixed at the same time as the refund and according to the same procedure; whereas it may be altered in the period between fixings;

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

Whereas it follows from applying the provisions set out above that the corrective amount must be as set out in the Annex hereto;

⁽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. 65.
⁽⁵⁾ OJ No L 182, 3. 7. 1987, p. 49.
⁽⁶⁾ OJ No L 131, 22. 5. 1975, p. 15.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.
⁽⁸⁾ OJ No L 201, 31. 7. 1990, p. 9.

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

export refunds fixed in advance in respect of cereals shall be as set out in the Annex hereto.

HAS ADOPTED THIS REGULATION :

Article 1

The corrective amount referred to in Article 16 (4) of Regulation (EEC) No 2727/75 which is applicable to

Article 2

This Regulation shall enter into force on 2 August 1991.

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

Done at Brussels, 1 August 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 1 August 1991 fixing the corrective amount applicable to the refund on cereals

(ECU/tonne)

Product code	Destination (*)	Current 8	1st period 9	2nd period 10	3rd period 11	4th period 12	5th period 1	6th period 2
0709 90 60 000	—	—	—	—	—	—	—	—
0712 90 19 000	—	—	—	—	—	—	—	—
1001 10 10 000	01	0	0	0	0	0	—	—
1001 10 90 000	01	0	0	0	0	0	—	—
1001 90 91 000	01	0	0	0	0	0	—	—
1001 90 99 000	01	0	0	0	0	0	—	—
1002 00 00 000	01	0	0	0	0	0	—	—
1003 00 10 000	01	0	0	0	0	0	—	—
1003 00 90 000	01	0	0	0	0	0	—	—
1004 00 10 000	01	0	0	0	0	0	—	—
1004 00 90 000	—	—	—	—	—	—	—	—
1005 10 90 000	—	—	—	—	—	—	—	—
1005 90 00 000	01	0	0	0	0	0	—	—
1007 00 90 000	—	—	—	—	—	—	—	—
1008 20 00 000	—	—	—	—	—	—	—	—
1101 00 00 100	01	0	0	0	0	0	—	—
1101 00 00 130	01	0	0	0	0	0	—	—
1101 00 00 150	01	0	0	0	0	0	—	—
1101 00 00 170	01	0	0	0	0	0	—	—
1101 00 00 180	01	0	0	0	0	0	—	—
1101 00 00 190	—	—	—	—	—	—	—	—
1101 00 00 900	—	—	—	—	—	—	—	—
1102 10 00 600	01	0	0	0	0	0	—	—
1102 10 00 900	—	—	—	—	—	—	—	—
1103 11 10 100	01	0	0	0	0	0	0	0
1103 11 10 200	01	0	0	0	0	0	0	0
1103 11 10 500	01	0	0	0	0	0	0	0
1103 11 10 900	01	0	0	0	0	0	0	0
1103 11 90 100	01	0	0	0	0	0	—	—
1103 11 90 900	—	—	—	—	—	—	—	—

(*) For the following destinations:

01 All third countries.

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

COMMISSION REGULATION (EEC) No 2355/91

of 1 August 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 1849/91 ⁽³⁾, as last amended by Regulation (EEC) No 2325/91 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Commission Regulation (EEC) No 1849/91 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 31 July 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 2 August 1991.

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

Done at Brussels, 1 August 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 177, 5. 7. 1991, p. 14.

⁽²⁾ OJ No L 54, 28. 2. 1991, p. 22.

⁽³⁾ OJ No L 168, 29. 6. 1991, p. 16.

⁽⁴⁾ OJ No L 213, 1. 8. 1991, p. 72.

⁽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 1 August 1991 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	33,23 ⁽¹⁾
1701 11 90	33,23 ⁽¹⁾
1701 12 10	33,23 ⁽¹⁾
1701 12 90	33,23 ⁽¹⁾
1701 91 00	38,81
1701 99 10	38,81
1701 99 90	38,81 ⁽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.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 22 July 1991

amending Decision 87/569/EEC concerning an action programme for the vocational training of young people and their preparation for adult and working life (Petra)

(91/387/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 128 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas the fundamental objectives of a common vocational-training policy set down in the second principle in Council Decision 63/266/EEC of 2 April 1963 laying down general principles for implementing a common vocational-training policy ⁽⁴⁾ refer, in particular, to the need to guarantee adequate vocational training for all and to avoid any harmful interruption between the completion of general education and the commencement of vocational training;

Whereas the tenth principle in Decision 63/266/EEC states that special measures may be taken in respect of special problems concerning specific sectors of activity or specific categories of persons;

Whereas the Council, by Decision 87/569/EEC ⁽⁵⁾, adopted an action programme for the vocational training

of young people and their preparation for adult and working life (called Petra) for a period of five years beginning on 1 January 1988; whereas the Commission has presented an interim report on the implementation of that Decision;

Whereas the Council, by Decision 84/636/EEC ⁽⁶⁾, adopted a third joint programme to encourage the exchange of young workers within the Community; whereas the Commission has submitted on evaluation report on that programme;

Whereas the Council, by Decision 90/268/EEC ⁽⁷⁾, extended that programme up to 31 December 1991 with a view to taking a decision later on a Commission proposal establishing a new joint programme to encourage the exchange of young workers within the Community;

Whereas, under Article 50 of the Treaty, Member States are to encourage, within the framework of a joint programme, the exchange of young workers;

Whereas the Community Charter of the fundamental social rights of workers, adopted at the European Council in Strasbourg on 9 December 1989 by the Heads of State and of Government of 11 Member States, states *inter alia* in point 23:

'Following the end of compulsory education, young people must be entitled to receive initial vocational training of a sufficient duration to enable them to

⁽¹⁾ OJ No C 322, 21. 12. 1990, p. 21.

⁽²⁾ OJ No C 158, 17. 6. 1991.

⁽³⁾ OJ No C 102, 18. 4. 1991, p. 2.

⁽⁴⁾ OJ No 63, 20. 4. 1963, p. 1338/63.

⁽⁵⁾ OJ No L 346, 10. 12. 1987, p. 31.

⁽⁶⁾ OJ No L 331, 19. 12. 1984, p. 36.

⁽⁷⁾ OJ No L 156, 21. 6. 1990, p. 8.

adapt to the requirements of their future working life ; for young workers, such training should take place during working hours' ;

Whereas the conclusions of the Council and Ministers of Education meeting within the Council of 14 December 1989 ⁽¹⁾ stressed the importance of the issues at stake in technical and vocational education and initial training at the national and European levels and asked the Commission to determine the ways in which cooperation could be achieved in this area ;

Whereas the European Parliament, in its resolution of 15 March 1989 on the social dimension of the internal market ⁽²⁾, emphasized the need to encourage transnational vocational-training initiatives ;

Whereas the European Parliament, in its resolution of 16 February 1990 on Community education and training programmes ⁽³⁾, expressed concern about the fact that young people do not have equal opportunities in this area since existing Community programmes are geared mainly to university students and unduly neglect young people at school or following vocational training courses, who are, be it said, in the majority ;

Whereas, by their joint opinion of 26 January 1990 the social partners, in the framework of the Social Dialogue, emphasized the importance of high-quality education and initial vocational training leading to recognized qualifications as an essential and irreplaceable condition for the successful integration of young people into working and economic life ;

Whereas a Community dimension should be added to vocational qualifications to help to make them comparable between Member States, to bring about the internal market and to remove barriers to the free movement of persons within the Community ;

Whereas it is important to respond to the new challenges facing vocational education and initial training ; whereas it is necessary in particular to raise the status of such education and training ; adapt its content, increase its coherence and flexibility, in accordance with the principle of equality between women and men, stimulate cooperation between the bodies concerned, improve information and vocational guidance and support transnational training projects ; whereas industry should be encouraged to take part in and contribute financially to the programme ;

Whereas this programme may also contribute to developing vocational training for young people, notably in the least-developed regions of the Community ;

Whereas the Commission must be able to take the additional measures required for the implementation of this programme, by way of concerted action with the Member States ;

Whereas it is essential that there should be consistency and complementarity between the projects to be carried out under this programme and the other relevant Community programmes and initiatives ;

Whereas it is necessary, in the implementation of this programme, to ensure a balanced development of the measures ;

Whereas provision should be made for a three-year programme ;

Whereas an amount of ECU 177,4 million is estimated as necessary in order to implement the said multi-annual programme ; whereas, for the period 1991 to 1992, as financial prospects stand at present, the amount estimated as necessary is ECU 29 million ;

Whereas the amounts to be committed for financing the programme for the period following the 1992 budget year should be entered in the Community financial framework in force ;

Whereas 30 % of the appropriations available should be used by way of priority for the benefit of the young people referred to in Article 1 (4) (b) and (c) of Decision 87/569/EEC, as amended by this Decision,

HAS DECIDED AS FOLLOWS :

Article 1

Decision 87/569/EEC is hereby amended as follows :

1. Article 1 shall be replaced by the following :

'Article 1

Objectives

1. A programme is hereby adopted for a three-year period from 1 January 1992 to support and supplement, through measures at Community level, the policies and activities of the Member States, which are doing their utmost to ensure that all young people in the Community who so wish receive one or, if possible, two or more years' initial vocational training in addition to their full-time compulsory education, leading to a vocational qualification recognized by the competent authorities of the Member State in which it is obtained.

2. The programme is also intended to :

(a) complement and support, pursuant to Article 2, Member States' policies to raise the standards and quality of initial vocational training, diversify vocational training provision so as to offer choice for young people with different levels of ability, and

⁽¹⁾ OJ No C 27, 6. 2. 1990, p. 4.

⁽²⁾ OJ No C 96, 17. 4. 1989, p. 61.

⁽³⁾ OJ No C 68, 19. 3. 1990, p. 175.

enhance the capacity of systems of vocational training to adapt to rapid economic, technological and social change ;

- (b) add a Community dimension to vocational qualifications, in order to contribute in particular to the comparability of these qualifications between the Member States of the Community ;
- (c) stimulate and support practical cooperation and the development of training partnerships transnationally between training providers, industry and other promoters of local and regional development ;
- (d) develop opportunities for the young people referred to in paragraph 4 to benefit from periods of training or work experience in other Member States ;
- (e) foster Community cooperation in the sphere of vocational information and guidance.

3. For the purposes of this Decision and taking account of the different training systems in Member States, 'initial vocational training' is used to denote any form of initial vocational training of non-university level, including technical vocational training and apprenticeship, which enables young people to gain a vocational qualification recognized by the competent authorities of the Member State in which it is obtained.

4. This programme is intended for young people aged up to 28 who are in one of the following situations :

- (a) young people receiving initial vocational training ;
- (b) young workers who are in employment or are available on the labour market according to national laws and/or practices and have received initial vocational training or practical work experience ;
- (c) young people who are no longer receiving initial vocational training and are taking part in an advanced programme in order to complete their training.

2. Articles 3 and 4 are hereby replaced by the following :

Article 3

Community measures

In order to achieve the objectives stated in Article 1 and to support and complement the activities of the Member States referred to in Article 2, the Commission shall make a contribution by means of the following measures :

- 1. Support for transnational cooperation between initiatives of the kind set out in Article 2, including specific assistance to those involving young people in their planning, organization and implementation.

Such cooperation shall in particular promote within the Community :

- (a) vocational training or work experience placements in another Member State ; certificates referring to the placements must be issued ;
- (b) joint implementation of vocational training modules for young people, complying with national systems of training ;
- (c) joint training of trainers in initial or continuing vocational training for young people, complying with national systems of training.

2. Support for measures aimed at fostering Community cooperation in the sphere of vocational information and guidance by :

- (a) supporting national systems for the exchange of vocational guidance data and information about good practice and effective methods in vocational guidance ;
- (b) providing support for additional training for guidance counsellors/specialists on European aspects of guidance.

3. Technical assistance, as necessary, in the implementation of this programme, comparative studies on vocational teaching and training issues, including surveys on the effectiveness of youth training programmes and review of the evolution of vocational qualifications.

Article 4

Implementation

1. The Commission shall implement this programme in accordance with the provisions set out in the Annex, in consultation with the Member States.

2. Member States shall take the necessary steps to coordinate and implement this programme at national level, in particular by providing for the appropriate structures and mechanisms at national level.

Article 5

Consistency and complementarity

1. The Commission shall ensure that there is consistency and complementarity between the Community actions to be implemented under this programme and the other relevant Community programmes and initiatives, including initiatives launched in the framework of the Structural Funds.

2. The Commission shall draw upon the assistance of the European Centre for the Development of Vocational Training in the implementation of this programme, subject to the conditions laid down in

Council Regulation (EEC) No 337/75 of 10 February 1975 establishing a European Centre for the Development of Vocational Training (*).

(*) OJ No L 39, 13. 2. 1975, p. 1.

Article 6

Financing

1. The programme shall be for a period of three years.
2. The amount deemed necessary for the Community's financial means to implement the said programme shall be 'ECU 177,4 million, ECU 29 million of which shall be for the period 1991 to 1992, in the context of the 1988 to 1992 financial outlook.

For the period during which the programme is subsequently applied, the amount will be entered in the financial framework of the Community in force at the time.

3. The budget authority shall determine the appropriations available for each financial year, taking into account the principles of good management referred to in Article 2 of the financial regulation applicable to the general budget of the European Communities.

4. Thirty per cent of the appropriations available is intended first for the young people referred to in Article 1 (4) (b) and (c).

Article 7

Committee

1. The Commission shall be assisted by an Advisory Committee composed of two representatives from each Member State and chaired by a representative of the Commission.

The members of the Committee may be assisted by experts or advisers.

Twelve representatives of both sides of industry, appointed by the Commission on the basis of proposals from the organizations representing employers and workers at Community level, shall participate in the work of the Committee as observers.

2. The representative of the Commission shall submit to the Committee a draft of the measures concerning:

- (a) the general guidelines governing the programme;
- (b) the general guidelines on the financial assistance provided by the Commission (amounts, duration and recipients of assistance);
- (c) questions relating to the overall balance of the programme, including the breakdown between the various actions;
- (d) the assessment of the programme with a view to the presentation of the reports specified in Article 8.

3. The Committee shall deliver its opinion on the draft, within a time limit which the Chairman may lay

down according to the urgency of the matter, if necessary by taking a vote.

The opinion shall be recorded in the minutes; in addition, each Member State shall have the right to ask to have its position recorded in the minutes.

The Commission shall take the utmost account of the opinion delivered by the Committee. It shall inform the Committee of the manner in which its opinion has been taken into account.

4. To ensure the consistency of the measures referred to in paragraph 2 with other Community measures, the Commission shall keep the Committee regularly informed of its activities in the field of vocational training and exchanges of young workers, including initiatives launched in the framework of the European Social Fund.

Article 8

Assessment and reports

1. The results of the measures taken pursuant to Article 3 and the Annex shall be subject to objective external assessment:

- (a) for the first time, in the course of 1994;
- (b) for the second time, in the course of 1995.

2. By 30 June 1993 at the latest and by 30 June 1995 at the latest, Member States shall send to the Commission a report on the steps taken to implement the objectives indicated in Article 1 and to give tangible expression to the common framework of guidelines laid down in Article 2, including information on current arrangements to promote and finance initial vocational training.

3. The Commission shall present an interim report by 31 December 1993 at the latest and a final report by 31 December 1995 at the latest, including an overall evaluation of the implementation of this programme, to the European Parliament, the Council, the Economic and Social Committee, the Advisory Committee on Vocational Training and the Education Committee set up under the resolution of 9 February 1976 of the Council and of the Ministers for Education, meeting within the Council (*).

(*) OJ No C 38, 19. 2. 1976, p. 1.'

Article 2

This Decision shall take effect on 1 January 1992.

Done at Brussels, 22 July 1991.

For the Council

The President

P. DANKERT

ANNEX

IMPLEMENTATION OF THIS PROGRAMME

(Articles 3 and 4)

ACTION A : SUPPORT FOR TRANSNATIONAL VOCATIONAL TRAINING PROJECTS

(Article 3 (1))

I. Vocational training or work experience placements in another Member State

(Article 3 (1) (a))

The Community will provide financial and technical assistance for vocational training or work experience placements in another Member State for the young people referred to in Article 1 (4).

1.1. *Placements for the young people referred to in Article 1 (4) (a)*

1.1. In order to be eligible for Community aid, placements must :

- (a) form an integral and recognized part of the initial vocational training process ;
- (b) embody clear training objectives which have been mutually agreed between the trainees and the sending and hosting organizations.

1.2. Placements must be targeted on specific vocational sectors related to the participants' vocational training needs.

Each placement must involve a significant added value, e.g. experience of different training methods or equipment, new content, new forms of training partnerships, etc.

Particular attention must be given to exchanges between undertakings, including between small and medium-sized undertakings, and to exchanges between organizations representing several undertakings, which must have a greater opportunity to implement mutual exchange programmes.

1.3. The duration of placements shall normally be three weeks.

Placements may be of a shorter duration or be extended to up to 12 weeks if the nature of the work experience or the training objectives so justify.

1.4. For the implementation of placements, the Community will provide overall financial aid to the individual Member States, as a Community contribution towards covering :

- subsistence costs during the placement in another Member State,
- travel costs, up to 75 %,
- the costs of preparatory language training obviating obstacles for potential participants,
- the cost incurred for the organization, including costs entailed by preparatory visits and on-the-spot monitoring,
- the cost incurred for the coordination and publicizing of placement programmes in each Member State.

The Community contribution shall be considered as averaging ECU 700 per three-week placement and may in no instance exceed ECU 3 700 per placement.

1.2. *Placements for the young people referred to in Article 1 (4) (b) and (c)*

2.1. To be eligible for Community aid, placements must provide new vocational or training experience for the participants which will :

- (a) develop their vocational knowledge and enrich their practical experience ;
- (b) promote their awareness of the problems of the working world in the Community ;
- (c) bring them into contact with the working environment of the host country ;
- (d) improve their knowledge of living conditions and social relations in the host country ; and
- (e) promote adequate information on the Community's objectives and how it functions, particularly in its human, civic and social dimension.

- 2.2. Placements shall be organized on the basis of written agreements between the participants — and/or, as necessary, their employers — and the host bodies.

These agreements must include a detailed description of the objectives, content and arrangements for each placement.

The placement must be targeted on specific vocational sectors relating either to the vocational training of the participants or to their vocational activities, or to new vocational activities.

- 2.3. The duration of placements shall normally be three months.

Placements may be of a shorter duration or be extended to up to one year if the nature of the work experience or the training objectives so justify.

- 2.4. For the implementation of the placements, the Community will provide overall financial aid to the individual Member States, as a Community contribution towards covering:

- subsistence costs during the placement in another Member State,
- travel costs, up to 75 %,
- the costs of preparatory language training obviating obstacles for potential participants,
- the cost incurred for the organization, including costs entailed by preparatory visits and on-the-spot monitoring,
- the cost incurred for the coordination and publicizing of placement programmes in each Member State.

The Community contribution shall be considered as averaging ECU 2 700 per three-month placement and may in no instance exceed ECU 4 800 per placement.

1.3. Award of the Community financial contribution

In calculating the overall aid awarded to each Member State, taking into consideration the need to ensure a balanced flow of exchanges in the Community, quantitative objectives will be assigned in relation to the number of young people under 28 years of age in the population.

The method of calculation will also take account of:

- the gross domestic product of each Member State, and
- the geographical distance between Member States as well as transport costs.

1.4. Implementing and organizational arrangements

Member States shall make the necessary arrangements to:

- administer the Community financial aid,
- assist placement organizers in the identification of potential partners and placements,
- help match supply and demand,
- ensure adequate preparation, organization and on-the-spot support.

Applications for grants shall be received and processed, in accordance with the specific guidelines adopted at Community level, by the structures designated by the Member States pursuant to Article 4 (2).

II. Joint development of vocational training modules — Joint training of trainers for vocational training

(Article 3 (1) (b) and (c))

The Community will extend its financial and technical support for transnational cooperation between initiatives participating in the Petra programme's European Network of Training Partnerships whose aims are:

- the joint development of vocational training modules, and the corresponding transfer of credits, in compliance with national systems of training, and/or
- the joint training of trainers for vocational training.

II.1. Joint development of vocational training modules

Community assistance shall be granted for training institutions or projects wishing to engage, on a bilateral or multilateral basis, in medium or long-term cooperation on the development and implementation of joint training, especially the development of new qualifications and new vocational profiles, involving:

- (a) training units and methods of assessment which can be adapted for use by, or integrated into, recognized training provision in the different Member States;

- (b) training units to form distinct components of integrated transnational programmes, i.e. programmes in which certain complementary elements of a total training course are provided by one or more training institutions in one or more Member States.

II.2. *Joint training of trainers in vocational training*

Community assistance shall be granted to support bilateral or multilateral transnational partnerships aimed at the initial or continuing training of trainers for vocational training on aspects of common concern.

The partnerships may involve, for example, joint training seminars, exchanges or joint development of vocational training material.

II.3. *Community financial contribution*

The Community will provide a financial contribution considered as averaging ECU 30 000 per project, normally for a period of two years, to projects proposed by the Member States.

The contribution shall be annual and towards the costs involved in the development of a transnational partnership, including preparatory costs.

II.4. *Implementing and organizational arrangements*

- 4.1. Projects shall be proposed by the Member States in order to participate in the Petra programme's European network of training partnerships.

Technical support and follow-up for the projects, both at Community level and in the Member States, will be provided by the network's operational arrangements.

Applications for grants will be received and processed by the Commission in consultation with the Member States.

- 4.2. Projects covered by the network may also be eligible for the Community aid provided for under I.1.1. and I.1.2.

In this case the activities specified in the projects must be in keeping with I.1.4.

ACTION B: SUPPORT FOR MEASURES AIMED AT FOSTERING VOCATIONAL INFORMATION AND GUIDANCE

(Article 3 (2))

The Community will support national systems for the exchange of vocational guidance data and information about good practice and effective methods in vocational guidance whose purpose is to ensure:

- that all young people receive suitable information, practical advice and individual counselling and help, to make them aware of the vocational training options available to them, enable them to assess their strengths and make informed choices, motivate them to strive for vocational qualifications and facilitate their access to training,
- that, as part of this process, all young people and their parents:
 - are given the means to obtain up-to-date information on training opportunities and guidance services available in other Member States, and
 - are encouraged and helped to use this information.

I. Networking the exchange of guidance data

- I.1. The Community will provide financial and technical support for the establishment of a Community network of national contact points or centres which will develop and update data for use by guidance services in all Member States.

- I.2. Member States shall propose projects for cooperation to the Commission.

The Commission shall accept these projects on the basis of an assessment of the activities proposed, conducted in conjunction with the Member States.

- I.3. Applications for grants shall be received and processed by the Commission in consultation with the Member States.

The Community contribution shall be considered as averaging ECU 100 000 per project per year.

II. Training of guidance counsellors and specialists

- II.1. The Community will provide financial support for measures to train guidance counsellors and specialists on Community aspects of guidance.

Training may take the form of bilateral or multilateral training seminars initially involving trainers of guidance personnel from the different Member States.

- II.2. Member States shall propose training projects to the Commission.

The Commission shall accept these projects on the basis of an assessment of the activities proposed, conducted in conjunction with the Member States.

- II.3. Applications for grants shall be received and processed by the Commission in consultation with the Member States.

The Community contribution shall be considered as averaging ECU 200 000 per year per multilateral training action, including the costs incurred for the preparation and development of training materials.

ACTION C : COMPLEMENTARY MEASURES

The Commission will take the necessary complementary measures. This will include the dissemination of results, by means of publications, seminars, etc., as well as the continuation of support for transnational cooperation in studies on specific issues in initial vocational training.

In addition, the Commission will provide the technical support required for the implementation of the programme and the coordination and evaluation of the actions supported under it.

As necessary, the Commission will call upon technical support and specialized institutions and organizations.

COUNCIL DECISION

of 25 July 1991

on an action programme for European Year of Safety, Hygiene and Health at Work (1992)

(91/388/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 235 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Having regard to the opinion of the Advisory Committee for Safety, Hygiene and Health Protection at Work,

Whereas in its resolution of 21 December 1987 on safety, hygiene and health at Work ⁽⁴⁾ the Council suggested that a European Year should be organized in 1992 in the field of safety, hygiene and health at work;

Whereas in the said Resolution the Council also welcomed the Commission communication on its programme concerning safety, hygiene and health at work ⁽⁵⁾;

Whereas 1992 sees the completion of this action programme and whereas stock should be taken of the programme, its coherence demonstrated and emphasis placed on the commitment of employers and workers to safety, hygiene and health protection at work;

Whereas the Council acknowledged the predominant role of the heightening of public awareness for the success of the measures recommended in the Commission's communication on its programme on safety, hygiene and health at work;

Whereas it is necessary to improve knowledge of the content and implications of legislation on safety, hygiene and health at work amongst the various economic operators, employers' and workers' organizations and bodies responsible for education and training and for information on safety and health in the Member States;

Whereas the Council emphasized that the information, increased awareness and the training of employers and

workers will play a fundamental role in the success of the measures recommended in the Commission's aforementioned communication;

Whereas the European Year will set out to conduct a number of activities designed to promote and enhance the value of the substantial body of Community measures in the field of safety, hygiene and health at work;

Whereas the European Year should start on 1 March 1992 and end on 28 February 1993;

Whereas an amount of ECU 12 million is estimated as necessary to implement this Decision;

Whereas it is for the budgetary authority to determine the appropriations available for each financial year, taking into account the principles of sound management referred to in Article 2 of the Financial Regulation applicable to the general budget of the European Communities;

Whereas at least 50 % of the appropriations available should be used to cofinance the actions referred to in Section II, point B of the Annex;

Whereas it is desirable to concentrate available resources on activities satisfying certain criteria;

Whereas, the Treaty does not provide for the adoption of this Decision, powers other than those set out in Article 235,

HAS DECIDED AS FOLLOWS:

*Article 1***Declaration of European Year — Duration**

1. 1992 shall be declared 'European Year for Safety, Hygiene and Health at Work'.
2. European Year shall start on 1 March 1992 and end on 28 February 1993.

*Article 2***Coordinated actions**

1. For the European Year, the coordinated actions referred to in the Annex shall be carried out by the Community, the Member States and the social partners.

These actions may also be organized by public and/or private organizations.

⁽¹⁾ OJ No C 293, 23. 11. 1990, p. 3.

⁽²⁾ OJ No C 158, 17. 6. 1991.

⁽³⁾ OJ No C 60, 8. 3. 1991, p. 25.

⁽⁴⁾ OJ No C 28, 3. 2. 1988, p. 1.

⁽⁵⁾ OJ No C 28, 3. 2. 1988, p. 3.

2. National coordinating committees, composed on a tripartite basis, shall act in liaison with the Advisory Committee on Safety, Hygiene and Health Protection at Work.

Article 3

Financing

1. The Community financial resources estimated as necessary for the implementation of this Decision amount to ECU 12 million.
2. The budget authority shall determine the appropriations available for each financial year, taking into account the principles of sound management referred to in Article 2 of the Financial Regulation applicable to the general budget of the European Communities.
3. At least 50 % of the appropriations available should be used to cofinance the actions referred to in Section II, point B of the Annex.

Article 4

Organizational arrangements

1. Applications for financing concerning the actions referred to in points A and B of section II of the Annex shall be submitted to the Commission via the Member States, except in the case of the actions referred to in point A of section II of the Annex, to be proposed by the Commission.
2. The projects that are selected shall be designated 'Community projects — European Year for Safety, Hygiene and Health at Work (1992)'.

Article 5

Member States' participation

1. In implementing this Decision and, in particular, in selecting the actions referred to in points A and B of

section II of the Annex, the Commission shall be assisted by a Steering Committee of an advisory nature, composed of a representative from each Member State and chaired by the representative of the Commission.

2. The representative of the Commission shall submit to the Committee a draft of the measures to be taken. The Committee shall deliver its opinion on the draft, within a time limit which the Chairman may lay down according to the urgency of the matter, if necessary by taking a vote.

The opinion shall be recorded in the minutes; in addition, each Member State shall have the right to ask to have its position recorded in the minutes.

The Commission shall take the utmost account of the opinion delivered by the Committee. It shall inform the Committee of the manner in which its opinion has been taken into account.

Article 6

Informing the European Parliament, the Council, the Economic and Social Committee and the Advisory Committee

The Commission shall inform the European Parliament, the Council, the Economic and Social Committee and the Advisory Committee for Safety, Hygiene and Health Protection at Work of the progress of work and shall send them a report and assessment of the actions carried out in the course of European Year.

Done at Brussels, 25 July 1991.

For the Council

The President

P. DANKERT

ANNEX

ACTIONS ENVISAGED FOR EUROPEAN YEAR

I. General provisions

1. *Aim and justification of the actions*

The European Year will set out to conduct a number of activities designed to promote and enhance the value of the substantial body of Community measures in the field of safety, hygiene and health at work.

Article 118a of the EEC Treaty :

- enables action at Community level as regards the improvement of the working environment to be intensified and expanded in order to protect the safety and health of workers,
- provides in particular for the improvement of safety and health conditions at work, which constitutes an essential feature of the social dimension of the internal market.

In this framework :

- in the context of the internal market, the interdependence of the social and economic aspects of problems relating to safety, hygiene and health at work should be underscored,
- young people before they embark on working life, workers and employers should be made more aware of safety, hygiene and health risks at the workplace and of what can be done about them.

Indeed, despite the lack of sufficiently reliable statistical series at European level, the data available at Member State level give a good idea of the high cost in human and social terms of the consequences of accidents at work and occupational illnesses.

For 1984, the amount of compensation paid for such accidents and illnesses is put at some ECU 16 000 million for the whole Community, i.e. 7 % of total expenditure on sickness insurance.

The Advisory Committee on Safety, Hygiene and Health Protection at Work has also recommended that European Year take particular account of the following four topics :

- cleanliness of air at work,
- safety at work,
- well-being at work,
- measures to combat noise and vibration.

2. *Criteria*

In the selection of projects in connection with the actions referred to in Section II, the following will take precedence :

- (a) projects producing results that can be turned to practical use ;
- (b) projects involving the organization of working meetings with a limited number of participants so that each individual can take an active part (workshops) ;
- (c) projects to benefit small and medium-sized enterprises ;
- (d) projects to benefit high-risk workers ;
- (e) projects which foster transnational exchanges ;
- (f) projects which can be continued after 1992.

II. Content of the actions

A. *Actions to be financed entirely from the Community budget :*

1. (a) organization of a European colloquium to launch the European Year ;
(b) organization of a European colloquium to close the European Year ;
(c) organization of conferences, colloquia and/or seminars in all Member States.
2. (a) audiovisual festival ;
(b) promotion of television programmes and videos, dealing particularly with the most dangerous branches of work.
3. (a) Production of booklets and stickers on the Community's policy on safety, hygiene and health at work ;
(b) logo design and poster campaigns.

B. Actions cofinanced from the Community budget

The actions listed below may be financed from the Community budget up to a percentage of the total cost, which will depend on the particular case but will not exceed 70 % of the total cost of the project.

Actions by public and/or private organizations aimed at :

1. improving and promoting the dissemination of information on occupational risks and their prevention, and in particular the influence of work organization on safety, hygiene and health at work ;
2. giving greater importance to the training of workers and employers in the field of safety, hygiene and health at work ;
3. integrating instruction in safety, hygiene and health at work into teaching and training programmes aimed at employers and workers ;
4. improving the understanding of problems of safety, hygiene and health at work in small and medium-sized enterprises and promoting specific solutions ;
5. improving the exchange of information on good enforcement practice in Member States regarding Community legislation on safety, hygiene and health at work.

C. Actions without financial implications for the Community budget

Actions to be undertaken by the Member States or by public and/or private organizations in the field of safety, hygiene and health at work :

1. promoting the idea of work systems and work places which take account of safety and health requirements ;
 2. promoting the use of the common logo and the slogan of European Year in regular publicity campaigns ;
 3. encouraging the spread of information on the European Year through the mass media ;
 4. other actions to be determined.
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