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## Legislation

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## I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2498/91  
of 20 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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 464/91 <sup>(2)</sup>, 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 <sup>(3)</sup>, as last amended by Regulation (EEC) No 2493/91 <sup>(4)</sup>;

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 <sup>(5)</sup>, as last amended by Regulation (EEC) No 2205/90 <sup>(6)</sup>,

- 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 19 August 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 21 August 1991.

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

Done at Brussels, 20 August 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 177, 5. 7. 1991, p. 14.

<sup>(2)</sup> OJ No L 54, 28. 2. 1991, p. 22.

<sup>(3)</sup> OJ No L 168, 29. 6. 1991, p. 16.

<sup>(4)</sup> OJ No L 231, 20. 8. 1991, p. 6.

<sup>(5)</sup> OJ No L 164, 24. 6. 1985, p. 1.

<sup>(6)</sup> OJ No L 201, 31. 7. 1990, p. 9.

## ANNEX

to the Commission Regulation of 20 August 1991 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

| CN code    | Levy                 |
|------------|----------------------|
| 1701 11 10 | 36,94 <sup>(1)</sup> |
| 1701 11 90 | 36,94 <sup>(1)</sup> |
| 1701 12 10 | 36,94 <sup>(1)</sup> |
| 1701 12 90 | 36,94 <sup>(1)</sup> |
| 1701 91 00 | 40,28                |
| 1701 99 10 | 40,28                |
| 1701 99 90 | 40,28 <sup>(2)</sup> |

<sup>(1)</sup> 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).

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

## COMMISSION REGULATION (EEC) No 2499/91

of 20 August 1991

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector<sup>(1)</sup>, as last amended by Regulation (EEC) No 464/91<sup>(2)</sup>, and in particular Article 16 (8) thereof,Whereas the import levies on syrups and certain other sugar products were fixed by Commission Regulation (EEC) No 2305/91<sup>(3)</sup>, as last amended by Regulation (EEC) No 2494/91<sup>(4)</sup>;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2305/91 to the information known to the Commission that the basic amount of the levy on syrups and certain other sugar products at present in force should be altered;

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

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

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The basic amounts of the import levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81, as fixed in the Annex to amended Regulation (EEC) No 2305/91 are hereby altered to the amounts shown in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 21 August 1991.

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

Done at Brussels, 20 August 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ No L 54, 28. 2. 1991, p. 22.

<sup>(3)</sup> OJ No L 213, 1. 8. 1991, p. 15.

<sup>(4)</sup> OJ No L 231, 20. 8. 1991, p. 8.

<sup>(5)</sup> OJ No L 164, 24. 6. 1985, p. 1.

<sup>(6)</sup> OJ No L 201, 31. 7. 1990, p. 9.

## ANNEX

to the Commission Regulation of 20 August 1991 altering the basic amount of the import  
levies on syrups and certain other products in the sugar sector

(ECU)

| CN code    | Basic amount per percentage point<br>of sucrose content and per 100 kg net<br>of the product in question | Amount of levy per 100 kg of dry matter |
|------------|----------------------------------------------------------------------------------------------------------|-----------------------------------------|
| 1702 20 10 | 0,4028                                                                                                   | —                                       |
| 1702 20 90 | 0,4028                                                                                                   | —                                       |
| 1702 30 10 | —                                                                                                        | 48,62                                   |
| 1702 40 10 | —                                                                                                        | 48,62                                   |
| 1702 60 10 | —                                                                                                        | 48,62                                   |
| 1702 60 90 | 0,4028                                                                                                   | —                                       |
| 1702 90 30 | —                                                                                                        | 48,62                                   |
| 1702 90 60 | 0,4028                                                                                                   | —                                       |
| 1702 90 71 | 0,4028                                                                                                   | —                                       |
| 1702 90 90 | 0,4028                                                                                                   | —                                       |
| 2106 90 30 | —                                                                                                        | 48,62                                   |
| 2106 90 59 | 0,4028                                                                                                   | —                                       |

## COMMISSION REGULATION (EEC) No 2500/91

of 20 August 1991

fixing for Great Britain the level of the variable slaughter premium for sheep  
and the amounts to be charged on products leaving region 1

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European  
Economic Community,

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

Having regard to Council Regulation (EEC) No 3013/89  
of 25 September 1989 on the common organization of  
the market in sheepmeat and goatmeat<sup>(1)</sup>, as last  
amended by Regulation (EEC) No 1741/91<sup>(2)</sup>,

Having regard to Commission Regulation (EEC) No  
1633/84 of 8 June 1984 laying down detailed rules for  
applying the variable slaughter premium for sheep and  
repealing Regulation (EEC) No 2661/80<sup>(3)</sup>, as last  
amended by Regulation (EEC) No 1075/89<sup>(4)</sup>, and in  
particular Articles 3 (1) and 4 (1) thereof,

Whereas the United Kingdom is the only country which  
grants the variable slaughter premium, in region 5, within  
the meaning of Article 22 (2) of Regulation (EEC) No  
3013/89 whereas it is necessary therefore for the Commis-  
sion to fix, for the week beginning the 29 July 1991, the  
level of the premium and the amount to be charged on  
products leaving that region;

Whereas Article 3 (1) of Regulation (EEC) No 1633/84  
stipulates that the level of the variable slaughter premium  
is to be fixed each week by the Commission;

Whereas Article 4 (1) of Regulation (EEC) No 1633/84  
lays down that the amount to be charged on products  
leaving region 1 shall be fixed weekly by the Commis-  
sion;

Whereas in the Annex to Commission Regulation (EEC)  
No 3618/89 of 1 December 1989 on the application of  
the guarantee limitation arrangements for sheepmeat and  
goatmeat<sup>(5)</sup> the weekly amounts of the guide level are set  
out pursuant to Article 25 of Regulation (EEC) No  
3013/89;

Whereas, pursuant to the provisions of Article 24 (2) and  
(3) of Regulation (EEC) No 3013/89, for the week begin-  
ning the 29 July 1991, the variable slaughter premium for  
sheep certified as eligible in the United Kingdom is to be  
in accordance with the amounts fixed in the Annexes  
hereto; whereas, for that week, in the light of the Judg-  
ment of the Court of Justice of 2 February 1988 in Case  
61/86, the provisions of Article 9 (5) of Regulation (EEC)  
No 3013/89 and of Article 4 of Regulation (EEC) No  
1633/84 lead to the amounts to be charged on products,  
leaving region 1, being fixed in accordance with those  
Annexes;

Whereas, as regards the controls necessary for the appli-  
cation of the provisions relating to the said amounts, the  
system of controls provided for by Regulation (EEC) No  
1633/84 should be maintained without prejudice to the  
preparation of any more specific provisions;

HAS ADOPTED THIS REGULATION:

*Article 1*

For sheep or sheepmeat certified as eligible in the United  
Kingdom in region 1, within the meaning of Article 22  
(2) of Regulation (EEC) No 3013/89, for the variable  
slaughter premium during the week beginning the 29  
July 1991, the level of the premium is fixed at ECU  
78,504 per 100 kilograms of estimated or actual dressed  
carcase weight within the limits laid down by Article 1 (1)  
(b) of Regulation (EEC) No 1633/84.

*Article 2*

For products referred to in Article 1 (a) and (c) of Regula-  
tion (EEC) No 3013/89 which left the territory of region 1  
during the week beginning the 29 July 1991, the amounts  
to be charged shall be equivalent to those fixed in the  
Annexes hereto.

*Article 3*

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

It shall apply with effect from 29 July 1991.

<sup>(1)</sup> OJ No L 289, 7. 10. 1989, p. 1.

<sup>(2)</sup> OJ No L 163, 26. 6. 1991, p. 41.

<sup>(3)</sup> OJ No L 154, 9. 6. 1984, p. 27.

<sup>(4)</sup> OJ No L 114, 27. 4. 1989, p. 13.

<sup>(5)</sup> OJ No L 351, 2. 12. 1989, p. 18.

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

Done at Brussels, 20 August 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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## ANNEX

to the Commission Regulation of 20 August 1991 fixing for Great Britain the level of the variable slaughter premium for sheep and the amounts to be charged on products leaving region 1

(ECU/100 kg)

| CN code             | Amounts                                                                                       |                                                                                      |
|---------------------|-----------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|
|                     | A. Products qualifying for the premium specified in Article 24 of Regulation (EEC) No 3013/89 | B. Products specified in Article 4 (4) of Regulation (EEC) No 1633/84 <sup>(1)</sup> |
|                     | Live weight                                                                                   | Live weight                                                                          |
| 0104 10 90          | 36,897                                                                                        | 0                                                                                    |
| 0104 20 90          |                                                                                               | 0                                                                                    |
|                     | Net weight                                                                                    | Net weight                                                                           |
| 0204 10 00          | 78,504                                                                                        | 0                                                                                    |
| 0204 21 00          | 78,504                                                                                        | 0                                                                                    |
| 0204 50 11          |                                                                                               | 0                                                                                    |
| 0204 22 10          | 54,953                                                                                        |                                                                                      |
| 0204 22 30          | 86,354                                                                                        |                                                                                      |
| 0204 22 50          | 102,055                                                                                       |                                                                                      |
| 0204 22 90          | 102,055                                                                                       |                                                                                      |
| 0204 23 00          | 142,877                                                                                       |                                                                                      |
| 0204 30 00          | 58,878                                                                                        |                                                                                      |
| 0204 41 00          | 58,878                                                                                        |                                                                                      |
| 0204 42 10          | 41,215                                                                                        |                                                                                      |
| 0204 42 30          | 64,766                                                                                        |                                                                                      |
| 0204 42 50          | 76,541                                                                                        |                                                                                      |
| 0204 42 90          | 76,541                                                                                        |                                                                                      |
| 0204 43 00          | 107,158                                                                                       |                                                                                      |
| 0204 50 13          |                                                                                               | 0                                                                                    |
| 0204 50 15          |                                                                                               | 0                                                                                    |
| 0204 50 19          |                                                                                               | 0                                                                                    |
| 0204 50 31          |                                                                                               | 0                                                                                    |
| 0204 50 39          |                                                                                               | 0                                                                                    |
| 0204 50 51          |                                                                                               | 0                                                                                    |
| 0204 50 53          |                                                                                               | 0                                                                                    |
| 0204 50 55          |                                                                                               | 0                                                                                    |
| 0204 50 59          |                                                                                               | 0                                                                                    |
| 0204 50 71          |                                                                                               | 0                                                                                    |
| 0204 50 79          |                                                                                               | 0                                                                                    |
| 0210 90 11          | 102,055                                                                                       |                                                                                      |
| 0210 90 19          | 142,877                                                                                       |                                                                                      |
| 1602 90 71 :        |                                                                                               |                                                                                      |
| — unboned (bone-in) | 102,055                                                                                       |                                                                                      |
| — boned or boneless | 142,877                                                                                       |                                                                                      |

<sup>(1)</sup> Eligibility for these reduced amounts is subject to compliance with the conditions laid down in the second subparagraph of Article 5 (3) of Regulation (EEC) No 1633/84.

## II

*(Acts whose publication is not obligatory)*

## COMMISSION

## COMMISSION DECISION

of 28 March 1990

approving aid from France to the coal industry

(Only the French text is authentic)

(91/419/ECSC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community,

Having regard to Commission Decision No 2064/86/ECSC of 30 June 1986 establishing Community rules for State aid to the coal industry (<sup>1</sup>),

Whereas :

## I

In its letter of 15 December 1989 the French Government informed the Commission, pursuant to Article 9 (2) of Decision No 2064/86/ECSC, of a financial measure it intends to take to give direct support to current production in the coal industry in 1990.

The following aid is submitted for the approval of the Commission pursuant to the abovementioned Decision :

— FF 1 149 000 000 to cover operating losses pursuant to Article 3 of the Decision.

According to the notification from the French Government, the purpose of the aid is to contribute towards solving social and regional problems and thereby facilitate the restructuring of the coal industry in France.

The measure which the French Government intends to take to support the coal industry complies with Article 1

(1) of the abovementioned Decision. Consequently, pursuant to Article 10 of the Decision, the Commission must determine whether the measures are compatible with the objectives and criteria laid down in the Decision and with the proper functioning of the common market.

## II

The rationalizing and restructuring plan implemented in the French coal industry, necessitated by the long-term unprofitability of a number of pits, has brought about a 32 % reduction in coal production since 1986 and a marked improvement in productivity and production costs. This plan will lead to concentrate production in Lorraine in the mines which are most likely to be profitable and gradually to close down pits in Nord/Pas-de-Calais by end 1991 and subsequently the underground mines in Centre-Midi.

Over the last few years the amount of aid granted to the French coal industry has been reduced appreciably. The aid covered by this Decision is almost 70 % down on 1986.

## III

Aid to cover operating losses allows the coal industry restructuring programme to continue and helps to improve the industry's competitiveness in the long term.

The proposed aid will cover only 41 % of the cost of each tonne produced, the difference between foreseeable average costs and foreseeable average returns, and thereby meets the criteria set out in Article 3 (1) of the Decision.

(<sup>1</sup>) OJ No L 177, 1. 7. 1986, p. 1.

Since the measure is on a declining scale and contributes to the restructuring of the industry, it satisfies the objectives and conditions laid down in Article 2 of the Decision.

In the light of the foregoing, the aid which the French Government plans to grant to the French coal industry, pursuant to Article 3 of Decision No 2064/86/ECSC, for current production in 1990 is compatible with the proper functioning of the common market.

This Decision applies without prejudice to the compatibility with the Treaties of arrangements or agreements governing sales of coal mined in France to electricity producers.

#### IV

Pursuant to Article 11 (2) of the Decision, the Commission must ensure that the direct aid to current production which it approves is used exclusively for the purposes set out in Articles 3 to 6 thereof. The Commission must therefore be informed of the amounts of the payments,

HAS ADOPTED THIS DECISION:

##### *Article 1*

The French Government is hereby authorized to grant to the coal industry for 1990 aid totalling FF 1 149 000 000 to cover operating losses.

##### *Article 2*

The French Government shall inform the Commission by 30 June 1991 of the amounts actually paid in the 1990 financial year.

##### *Article 3*

This Decision is addressed to the French Republic.

Done at Brussels, 28 March 1990.

*For the Commission*

António CARDOSO E CUNHA

*Member of the Commission*

## COMMISSION DECISION

of 16 July 1991

approving the programme for the eradication of bovine brucellosis presented by Ireland and fixing the level of the Community's financial contribution

(Only the English text is authentic)

(91/420/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field<sup>(1)</sup>, as amended by Council Decision 91/333/EEC<sup>(2)</sup>, and in particular Article 24 thereof,

Whereas by letter dated 21 November 1990, Ireland has submitted a three-year programme for the eradication of bovine brucellosis;

Whereas, after consultation of the programme, it was found to comply with all Community criteria relating to the eradication of the disease in conformity with Council Decision 90/638/EEC on laying down Community criteria for the eradication and monitoring of certain animal diseases<sup>(3)</sup>;

Whereas a Community financial contribution will be given provided the above mentioned conditions are fulfilled, and the authorities will provide all necessary information in conformity with Article 24 (8) of Decision 90/424/EEC, and whereas it is appropriate to fix the Community financial participation at the rate of 50 % of the costs incurred by way of compensation to owners for the slaughter of cattle because of bovine brucellosis;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

*Article 1*

The programme for the eradication of bovine brucellosis presented by Ireland is hereby approved for a period of three years.

*Article 2*

Ireland shall bring into force by 1 July 1991 the laws, regulations and administrative provisions for implementing the programme referred in Article 1.

*Article 3*

Financial participation by the Community shall be at the rate of 50 % of the costs incurred in Ireland by way of compensation for owners for the slaughter of cattle because of bovine brucellosis.

*Article 4*

The Community financial contribution shall be granted after the supporting documents have been supplied.

*Article 5*

This Decision is addressed to Ireland.

Done at Brussels, 16 July 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 224, 18. 8. 1990, p. 19.

<sup>(2)</sup> OJ No L 66, 13. 3. 1991, p. 18.

<sup>(3)</sup> OJ No L 347, 12. 12. 1990, p. 27.

## COMMISSION DECISION

of 19 July 1991

approving the plan for the eradication of brucellosis in sheep and goats  
presented by Italy

(Only the Italian text is authentic)

(91/421/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European  
Economic Community,Having regard to Council Decision 90/242/EEC of 21  
May 1990 introducing a Community financial measure  
for the eradication of brucellosis in sheep and goats<sup>(1)</sup>  
and in particular Article 6 thereof,Whereas, in accordance with Article 1 of Decision  
90/242/EEC Member States, as appropriate, are to prepare  
plans for the eradication of brucellosis in sheep and goats  
in accordance with Articles 3, 4 and 5 of the same Deci-  
sion ;Whereas by letters dated 24 April 1991, 21 June 1991 and  
2 July 1991 Italy notified the Commission of a three year  
plan for the eradication of brucellosis in sheep and goats ;Whereas, after examination, the plan was found to  
comply with Decision 90/242/EEC ;Whereas the conditions for financial participation by the  
Community are therefore met, whereas it is advisable in  
relation to this question to apply the disposition of Article  
9 (2), first indent ;Whereas the measures provided for in this Decision are in  
accordance with the opinion of the Standing Veterinary  
Committee,

HAS ADOPTED THIS DECISION :

*Article 1*The plan for the eradication of brucellosis in sheep and  
goats presented by Italy is hereby approved.*Article 2*Italy shall bring into force by 1 August 1991 the laws,  
regulations and administrative provisions for implement-  
ing the plan referred to in Article 1.*Article 3*

This Decision is addressed to the Italian Republic.

Done at Brussels, 19 July 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*<sup>(1)</sup> OJ No L 140, 1. 6. 1990, p. 123.