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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2569/91

of 29 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 28 August 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 30 August 1991.

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

Done at Brussels, 29 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 29 August 1991 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CN code	Levy
0709 90 60	126,85 ⁽²⁾ ⁽³⁾
0712 90 19	126,85 ⁽²⁾ ⁽³⁾
1001 10 10	171,89 ⁽¹⁾ ⁽³⁾
1001 10 90	171,89 ⁽¹⁾ ⁽³⁾
1001 90 91	156,31
1001 90 99	156,31
1002 00 00	157,34 ⁽⁶⁾
1003 00 10	140,70
1003 00 90	140,70
1004 00 10	113,44
1004 00 90	113,44
1005 10 90	126,85 ⁽²⁾ ⁽³⁾
1005 90 00	126,85 ⁽²⁾ ⁽³⁾
1007 00 90	139,32 ⁽⁴⁾
1008 10 00	41,91
1008 20 00	116,56 ⁽⁴⁾
1008 30 00	30,44 ⁽⁵⁾
1008 90 10	⁽⁷⁾
1008 90 90	30,44
1101 00 00	230,98 ⁽⁸⁾
1102 10 00	233,28 ⁽⁸⁾
1103 11 10	279,49 ⁽⁸⁾
1103 11 90	249,56 ⁽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 2570/91
of 29 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 28 August 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 30 August 1991.

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

Done at Brussels, 29 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 29 August 1991 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(ECU/tonne)

CN code	Current 8	1st period 9	2nd period 10	3rd period 11
0709 90 60	0	0	0	0,30
0712 90 19	0	0	0	0,30
1001 10 10	0	0	0	0
1001 10 90	0	0	0	0
1001 90 91	0	0	0	0
1001 90 99	0	0	0	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 10	0	0	0	0
1004 00 90	0	0	0	0
1005 10 90	0	0	0	0,30
1005 90 00	0	0	0	0,30
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	11,20
1008 90 90	0	0	0	11,20
1101 00 00	0	0	0	0

B. Malt

(ECU/tonne)

CN code	Current 8	1st period 9	2nd period 10	3rd period 11	4th period 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 2571/91

of 29 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 26 and 27 August 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 30 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, 29 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 2572/91
of 29 August 1991
fixing the import levies on milk and milk products

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

Having regard to Council Regulation (EEC) No 804/68 of
27 June 1968 on the common organization of the market
in milk and milk products ⁽¹⁾, as last amended by Regula-
tion (EEC) No 1630/91 ⁽²⁾, and in particular Article 14 (8)
thereof,

Whereas the import levies on milk and milk products
were fixed by Commission Regulation (EEC) No
1653/91 ⁽³⁾, as last amended by Regulation (EEC) No
2460/91 ⁽⁴⁾;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 September
1991.

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

Done at Brussels, 29 August 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 150, 15. 6. 1991, p. 19.

⁽³⁾ OJ No L 151, 15. 6. 1991, p. 22.

⁽⁴⁾ OJ No L 226, 14. 8. 1991, p. 12.

ANNEX

to the Commission Regulation of 29 August 1991 fixing the import levies on milk and milk products

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

CN code	Note	Import levy
0401 10 10		18,05
0401 10 90		16,84
0401 20 11		24,75
0401 20 19		23,54
0401 20 91		30,07
0401 20 99		28,86
0401 30 11		76,70
0401 30 19		75,49
0401 30 31		147,10
0401 30 39		145,89
0401 30 91		246,31
0401 30 99		245,10
0402 10 11	(*)	128,76
0402 10 19	(*)	121,51
0402 10 91	(1) (*)	1,2151 / kg + 26,99
0402 10 99	(1) (*)	1,2151 / kg + 19,74
0402 21 11	(*)	180,71
0402 21 17	(*)	173,46
0402 21 19	(*)	173,46
0402 21 91	(*)	220,90
0402 21 99	(*)	213,65
0402 29 11	(1) (*) (*)	1,7346 / kg + 26,99
0402 29 15	(1) (*)	1,7346 / kg + 26,99
0402 29 19	(1) (*)	1,7346 / kg + 19,74
0402 29 91	(1) (*)	2,1365 / kg + 26,99
0402 29 99	(1) (*)	2,1365 / kg + 19,74
0402 91 11	(*)	30,28
0402 91 19	(*)	30,28
0402 91 31	(*)	37,85
0402 91 39	(*)	37,85
0402 91 51	(*)	147,10
0402 91 59	(*)	145,89
0402 91 91	(*)	246,31
0402 91 99	(*)	245,10
0402 99 11	(*)	49,85
0402 99 19	(*)	49,85
0402 99 31	(1) (*)	1,4347 / kg + 23,37
0402 99 39	(1) (*)	1,4347 / kg + 22,16
0402 99 91	(1) (*)	2,4268 / kg + 23,37
0402 99 99	(1) (*)	2,4268 / kg + 22,16
0403 10 02		128,76
0403 10 04		180,71

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

CN code	Note	Import levy
0403 10 06		220,90
0403 10 12	(¹)	1,2151/kg + 26,99
0403 10 14	(¹)	1,7346/kg + 26,99
0403 10 16	(¹)	2,1365/kg + 26,99
0403 10 22		27,16
0403 10 24		32,48
0403 10 26		79,11
0403 10 32	(¹)	0,2112/kg + 25,78
0403 10 34	(¹)	0,2644/kg + 25,78
0403 10 36	(¹)	0,7307/kg + 25,78
0403 90 11		128,76
0403 90 13		180,71
0403 90 19		220,90
0403 90 31	(¹)	1,2151/kg + 26,99
0403 90 33	(¹)	1,7346/kg + 26,99
0403 90 39	(¹)	2,1365/kg + 26,99
0403 90 51		27,16
0403 90 53		32,48
0403 90 59		79,11
0403 90 61	(¹)	0,2112/kg + 25,78
0403 90 63	(¹)	0,2644/kg + 25,78
0403 90 69	(¹)	0,7307/kg + 25,78
0404 10 11		27,74
0404 10 19	(¹)	0,2774/kg + 19,74
0404 10 91	(²)	0,2774/kg
0404 10 99	(²)	0,2774/kg + 19,74
0404 90 11		128,76
0404 90 13		180,71
0404 90 19		220,90
0404 90 31		128,76
0404 90 33		180,71
0404 90 39		220,90
0404 90 51	(¹)	1,2151/kg + 26,99
0404 90 53	(¹) (²)	1,7346/kg + 26,99
0404 90 59	(¹)	2,1365/kg + 26,99
0404 90 91	(¹)	1,2151/kg + 26,99
0404 90 93	(¹) (²)	1,7346/kg + 26,99
0404 90 99	(¹)	2,1365/kg + 26,99
0405 00 10		254,01
0405 00 90		309,89
0406 10 10	(³)	234,03
0406 10 90	(³)	285,03
0406 20 10	(³) (⁴)	380,71
0406 20 90	(³)	380,71
0406 30 10	(³) (⁴)	186,04
0406 30 31	(³) (⁴)	175,44
0406 30 39	(³) (⁴)	186,04
0406 30 90	(³) (⁴)	282,76

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

CN code	Note	Import levy
0406 40 00	(³) (*)	148,14
0406 90 11	(³) (*)	221,35
0406 90 13	(³) (*)	182,72
0406 90 15	(³) (*)	182,72
0406 90 17	(³) (*)	182,72
0406 90 19	(³) (*)	380,71
0406 90 21	(³) (*)	221,35
0406 90 23	(³) (*)	188,31
0406 90 25	(³) (*)	188,31
0406 90 27	(³) (*)	188,31
0406 90 29	(³) (*)	188,31
0406 90 31	(³) (*)	188,31
0406 90 33	(*)	188,31
0406 90 35	(³) (*)	188,31
0406 90 37	(³) (*)	188,31
0406 90 39	(³) (*)	188,31
0406 90 50	(³) (*)	188,31
0406 90 61	(*)	380,71
0406 90 63	(*)	380,71
0406 90 69	(*)	380,71
0406 90 71	(*)	234,03
0406 90 73	(*)	188,31
0406 90 75	(*)	188,31
0406 90 77	(*)	188,31
0406 90 79	(*)	188,31
0406 90 81	(*)	188,31
0406 90 83	(*)	188,31
0406 90 85	(*)	188,31
0406 90 89	(³) (*)	188,31
0406 90 91	(*)	234,03
0406 90 93	(*)	234,03
0406 90 97	(*)	285,03
0406 90 99	(*)	285,03
1702 10 10		36,29
1702 10 90		36,29
2106 90 51		36,29
2309 10 15		93,55
2309 10 19		121,50
2309 10 39		113,82
2309 10 59		93,84
2309 10 70		121,50
2309 90 35		93,55
2309 90 39		121,50
2309 90 49		113,82
2309 90 59		93,84
2309 90 70		121,50

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

COMMISSION REGULATION (EEC) No 2573/91
of 28 August 1991
on the supply of various lots of butteroil as food aid

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

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management ⁽¹⁾, as last amended by Regulation (EEC) No 1930/90 ⁽²⁾, and in particular Article 6 (1) (c) thereof,

Whereas Council Regulation (EEC) No 1420/87 of 21 May 1987 laying down implementing rules for Regulation (EEC) No 3972/86 on food-aid policy and food-aid management ⁽³⁾ lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas following the taking of a number of decisions on the allocation of food aid the Commission has allocated to certain countries and beneficiary organizations 2 705 tonnes of butteroil;

Whereas it is necessary to provide for the carrying-out of this measure in accordance with the rules laid down by 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 ⁽⁴⁾, as amended by Regulation (EEC) No 790/91 ⁽⁵⁾; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant cost;

Whereas, notably for logistical reasons, certain supplies are not awarded within the first and second deadlines for submission of tenders; whereas, in order to avoid republication of the notice of invitation to tender, a third deadline for submission of tenders should be opened,

HAS ADOPTED THIS REGULATION:

Article 1

Milk products shall be mobilized in the Community, as Community food aid, for supply to the recipients listed in the Annex in accordance with Regulation (EEC) No 2200/87 and under the conditions set out in the Annex. Supplies shall be awarded by the tendering procedure.

The successful tenderer is deemed to have noted and accepted all the general and specific conditions applicable. Any other condition or reservation included in this tender is deemed unwritten.

Article 2

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

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

Done at Brussels, 28 August 1991.

For the Commission
Ray MAC SHARRY
Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 174, 7. 7. 1990, p. 6.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

⁽⁵⁾ OJ No L 81, 28. 3. 1991, p. 108.

ANNEX

LOT A

1. **Operations Nos** ⁽¹⁾: 610/91 — 611/91 ⁽¹⁾
2. **Programme**: 1991
3. **Recipient**: World Food Programme, Via Cristoforo Colombo 426, I-00145 Rome, (telex: 626675 I WFP)
4. **Representative of the recipient** ⁽²⁾: see OJ No C 103, 16. 4. 1987
5. **Place or country of destination**: A1: Pakistan — A2: Lebanon
6. **Product to be mobilized**: Butteroil
7. **Characteristics and quality of the goods**: A1: ⁽³⁾ ⁽³⁾, A2: ⁽³⁾
(See OJ No C 114, 29. 4. 1991, p. 6 (E 1) and OJ No C 182, 13. 7. 1991, p. 24)
8. **Total quantity**: 2 705 tonnes (A1: 2 500 tonnes; A2: 205 tonnes)
9. **Number of lots**: 1
10. **Packaging and marking**: 5 kg in containers OJ No C 114, 29. 4. 1991, p. 7-8 (E2 — E3)
Markings in English (in letters at least 2,5 cm high)
Supplementary markings on the packaging:
A1: 'ACTION No 610/91 / PAKISTAN 0425601 / SUPPLIED BY THE WORLD FOOD PROGRAMME / KARACHI'
A2: 'ACTION No 611/91 / LEBANON 0052402 / SUPPLIED BY THE WORLD FOOD PROGRAMME / BEIRUT'
11. **Method of mobilization**: Community market
12. **Stage of supply**: free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 10 — 20. 12. 1991.
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **In the case of an invitation to tender, date of expiry of the period allowed for submission of tenders** ⁽⁴⁾: 12 noon on 16 September 1991
21. **A. In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon on 22. 7. 1991
 - (b) period for making the goods available at the port of shipment: 24. 12. 91 — 3. 1. 1992
 - (c) deadline for the supply: —**B. In the case of a third invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon, 14. 10. 1991;
 - (b) period for making the goods available at the port of shipment: 6. 1. — 17. 9. 1992
 - (c) deadline for the supply: —
22. **Amount of the tendering security**: ECU 20 per tonne
23. **Amount of the delivery security**: 10 % of the tender in ecus
24. **Address for submission of tenders**: Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, Bâtiment Loi 120, bureau 7/46, rue de la Loi, 200, B-1049 Brussels (telex: AGREC 22037 B or 25670 AGREC B)
25. **Refund payable on application by the successful tenderer** ⁽⁵⁾: Refund applicable 17. 8. 1991, fixed by Regulation (EEC) No 2483/91 (OJ No L 228, 17. 8. 1991, p. 9).

Notes :

- (¹) The operation number is to be quoted in all correspondence.
- (²) The successful tenderer shall give the beneficiaries' representative, at the time of delivery, a certificate in English stating that the butteroil does not contain any pork fat (lard).
- (³) The successful tenderer shall deliver to the recipient a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.

The radioactivity certificate must indicate the caesium-134 and -137 levels.

The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following documents :

- health certificate,
- certificate of origin.

- (⁴) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of this Annex, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably :

- by porter at the office referred to in point 24 of this Annex, or
- by telecopier on one of the following numbers in Brussels :
 - 235 01 32,
 - 236 10 97,
 - 235 01 30,
 - 236 20 05,
 - 236 33 04.

- (⁵) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56), is applicable as regards the export refund and, where appropriate, the monetary and accession compensatory amounts, the representative rate and the monetary coefficient. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 2.5 of this Annex.

COMMISSION REGULATION (EEC) No 2574/91

of 29 August 1991

suspending advance fixing of the export refunds for certain products processed
from 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⁾, and in particular the first subparagraph of
Article 16 (7) thereof,

Whereas Article 16 (7) of Regulation (EEC) No 2727/75
provides that the provisions concerning advance fixing of
the refund may be suspended if the market situation
shows that the application of these provisions is causing
or is likely to cause difficulties;

Whereas there is a danger that, if arrangements are
adhered to, refunds could be fixed in advance in the short
term for quantities considerably in excess of the quanti-
ties which might be expected under more normal condi-
tions;

Whereas the above situation requires that application of
the provisions concerning advance fixing of refunds for
the product concerned be temporarily suspended;

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

Advance fixing of the export refund for products listed in
the Annex is suspended from 1 to 30 September 1991
inclusive.

Article 2

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 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.

ANNEX

to the Regulation of 29 August 1991 suspending advance fixing of the export refunds for certain products processed from cereals

CN code	Description
	Products derived from maize, consisting of the following subheadings:
1102 20	Maize flour
1103 13	Maize groats
1103 29 40	Maize pellets
1104 19 50	Rolled or flaked maize
1104 23	Hulled maize
1108 12 00	Maize starch
1108 13 00	Potato starch
1702 30	} Glucose and glucose syrup
1702 40	
1702 90	Other invert sugar
2106 90	Food preparations not elsewhere specified
2302 10	Maize brans
2303 10	Residues of starch manufacture

COMMISSION REGULATION (EEC) No 2575/91**of 29 August 1991****adopting interim protective measures on applications for STM licences in the beef and veal sector submitted for trade with Spain during the period 19 to 23 August 1991**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas Article 85 (1) of the Act of Accession makes provision for the Commission to take the interim protective measures necessary if the indicative ceiling for the year in course or part of it is reached or exceeded;

Whereas the licence applications lodged between 19 and 23 August 1991 are for a quantity in excess of that set for the third quarter for fresh and dulled beef and veal; whereas as an interim protective measure only a percen-

tage of the amounts applied for in that period should be granted and no further certificates issued for the time being,

HAS ADOPTED THIS REGULATION:

Article 1

For fresh and dulled beef and veal:

1. applications for STM licences for the following products submitted between 19 and 23 August 1991 and notified to the Commission shall be accepted for 36,031 %;
2. the issuing of STM licences in response to applications submitted from 26 August 1991 onwards is suspended for the time being.

Article 2

This Regulation shall enter into force on 2 September 1991.

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

Done at Brussels, 29 August 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 357, 20. 12. 1990, p. 27.

COMMISSION REGULATION (EEC) No 2576/91
of 29 August 1991
fixing production refunds on cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 3577/90⁽²⁾, and in particular Article 11a (5) thereof,

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

Whereas Article 2 of Commission Regulation (EEC) No 2169/86 of 10 July 1986 laying down detailed rules for the control and payment of production refunds in the cereals and rice sectors⁽⁵⁾, as last amended by Regulation (EEC) No 1398/91⁽⁶⁾, provides that the production refund is to be fixed one per month; whereas the same Article provides for the possibility of altering the calculated refund in the event of significant movements in the prices of maize and wheat;

Whereas the production refunds to be fixed in this Regulation should be adjusted by the coefficients listed in the

Annex to Regulation (EEC) No 2169/86 to establish the exact amount payable;

Whereas it is necessary to adapt the level of the production refunds following a significant increase on the Community market maize price;

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

HAS ADOPTED THIS REGULATION:

Article 1

The production refunds payable on cereals and rice in accordance with Regulation (EEC) No 1009/86 and calculated in accordance with Regulation (EEC) No 2169/86 as amended shall be as follows in ECU 103,63 per tonne.

Article 2

This Regulation shall enter into force on 30 August 1991.

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

Done at Brussels, 29 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 94, 9. 4. 1986, p. 6.

⁽⁴⁾ OJ No L 362, 27. 12. 1990, p. 33.

⁽⁵⁾ OJ No L 189, 11. 7. 1986, p. 12.

⁽⁶⁾ OJ No L 134, 29. 5. 1991, p. 19.

COMMISSION REGULATION (EEC) No 2577/91**of 29 August 1991****adopting interim protective measures regarding applications for STM licences
for trade with Portugal in beef and veal**

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

Having regard to the Act of Accession of Spain and
Portugal, and in particular Article 252 (1) thereof,

Whereas Commission Regulation (EEC) No 3815/90 of
19 December 1990 laying down detailed rules for the
application of the supplementary trade mechanism for
certain products in the beef and veal sector intended for
Portugal ⁽¹⁾, as last amended by Regulation (EEC) No
840/91 ⁽²⁾ set the indicative ceilings applicable in the beef
and veal sector and the maximum quantities for which
STM licences may be issued each quarter;

Whereas Article 252 (1) of the Act of Accession makes
provision for the Commission to take interim protective
measures necessary where an examination of the trend in
intra-Community trade shows a significant increase in
imports carried out or foreseeable in the current year or
part thereof;

Whereas an examination of licence applications shows
that the quantities applied for are likely to bring about a

serious disturbance of the Portuguese market; whereas
therefore further certificates could be issued for the time
being,

HAS ADOPTED THIS REGULATION:

Article 1

For fresh and refrigerated beef and veal:

1. the issuing of STM licences in response to applications
submitted from 26 August 1991 is suspended for the
time being;
2. further applications may be submitted from 9
September 1991.

Article 2

This Regulation shall enter into force on 2 September
1991.

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

Done at Brussels, 29 August 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 366, 29. 12. 1990, p. 30.

⁽²⁾ OJ No L 85, 5. 4. 1991, p. 23.

COMMISSION REGULATION (EEC) No 2578/91

of 29 August 1991

fixing the export refunds on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 1806/89 ⁽²⁾, and in particular the first sentence of the fourth subparagraph of Article 17 (2) thereof,

Having regard to the opinion of the Monetary Committee,

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

Whereas Article 2 of Council Regulation (EEC) No 1431/76 of 21 June 1976 laying down general rules for granting export refunds on rice 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 rice and broken rice on the Community market on the one hand and prices for rice and broken rice 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 the rice market and, furthermore, to take into account the economic aspect of the proposed exports and the need to avoid disturbances of the Community market;

Whereas Commission Regulation (EEC) No 1361/76 ⁽⁴⁾ lays down the maximum percentage of broken rice allowed in rice for which an export refund is fixed and specifies the percentage by which that refund is to be reduced where the proportion of broken rice in the rice exported exceeds that maximum;

Whereas Article 3 of Regulation (EEC) No 1431/76 defines the specific criteria to be taken into account when the export refund on rice and broken rice is being calculated;

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 a separate refund should be fixed for packaged long grain rice to accommodate current demand for the product on certain markets;

Whereas the refund must be fixed at least 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 ⁽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 it follows from applying these rules and criteria to the present situation on the market in rice and in particular to quotations or prices for rice and broken rice within the Community and on the world market, that the refund should be fixed 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 of Regulation (EEC) No 1418/76 with the exception of those listed in paragraph 1 (c) of that Article, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 September 1991.

⁽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. 36.

⁽⁴⁾ OJ No L 154, 15. 6. 1976, p. 11.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 9.

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

Done at Brussels, 29 August 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 29 August 1991 fixing the export refunds on rice and broken rice

Product code	Destination (1)	(ECU/tonne) Amount of refunds
1006 20 11 000	—	—
1006 20 13 000	01	152,20
1006 20 15 000	01	152,20
1006 20 17 000	—	—
1006 20 92 000	—	—
1006 20 94 000	01	152,20
1006 20 96 000	01	152,20
1006 20 98 000	—	—
1006 30 21 000	—	—
1006 30 23 000	01	152,20
1006 30 25 000	01	152,20
1006 30 27 000	—	—
1006 30 42 000	—	—
1006 30 44 000	01	152,20
1006 30 46 000	01	152,20
1006 30 48 000	—	—
1006 30 61 100	01	190,25
	05	196,25
	06	201,25
	09	196,25
	12	201,25
	13	190,25
1006 30 61 900	—	—
1006 30 63 100	01	190,25
	05	196,25
	06	201,25
	09	196,25
	12	201,25
	13	190,25
1006 30 63 900	01	190,25
	13	190,25
1006 30 65 100	01	190,25
	05	196,25
	06	201,25
	09	196,25
	12	201,25
	13	190,25
1006 30 65 900	01	190,25
	13	190,25
1006 30 67 100	—	—
1006 30 67 900	—	—

(ECU/tonne)

Product code	Destination (¹)	Amount of refunds
1006 30 92 100	01	190,25
	05	196,25
	06	201,25
	09	196,25
	12	201,25
	13	190,25
1006 30 92 900	01	190,25
	13	190,25
	15	176,00
1006 30 94 100	01	190,25
	05	196,25
	06	201,25
	09	196,25
	12	201,25
	13	190,25
1006 30 94 900	01	190,25
	13	190,25
	15	168,00
1006 30 96 100	01	190,25
	05	196,25
	06	201,25
	09	196,25
	12	201,25
	13	190,25
1006 30 96 900	01	190,25
	13	190,25
	15	168,00
1006 30 98 100	—	—
1006 30 98 900	—	—
1006 40 00 000	—	—

(¹) The destinations are identified as follows:

- 01 Austria, Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italia,
- 02 Third countries other than Austria, Liechtenstein, Switzerland and the communes of Livigno and Campione d'Italie,
- 03 Zone I,
- 04 Third countries other than Austria, Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italie and countries of zone I,
- 05 Zones I, II, III and VI,
- 06 Zones IV a), IV b), V a), VII a) and VIII excluding Surinam, de Guyana and Madagascar,
- 08 Zone VI,
- 09 Canary Islands, Ceuta and Melilla,
- 10 Zone V a),
- 11 Zone VII c),
- 12 Canada,
- 13 Destinations mentioned in Article 34 of Commission Regulation (EEC) No 3665/87 (OJ No L 351, 14. 12. 1987, p. 1),
- 14 Zone VIII, except Surinam, Guyana and Madagascar,
- 15 Zones I, II, III, IV, V, VI and VIII, except Surinam, Guyana and Madagascar.

NB: The zones are those defined in the Annex to Commission Regulation (EEC) No 1124/77 (OJ No L 134, 28. 5. 1977, p. 35), as last amended by Regulation (EEC) No 3049/89 (JO No L 292, 11. 10. 1989, p. 10).

COMMISSION REGULATION (EEC) No 2579/91

of 29 August 1991

fixing the corrective amount applicable to the refund on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 1806/89 ⁽²⁾, and in particular the second subparagraph of Article 17 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the first subparagraph of Article 17 (4) of Regulation (EEC) No 1418/76 provides that the export refund applicable to rice and broken rice on the day on which application for an export licence is made, adjusted for the threshold price which will be in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the licence ;

Whereas Commission Regulation No 474/67/EEC ⁽³⁾, as amended by Regulation (EEC) No 1397/68 ⁽⁴⁾, lays down detailed rules for the advance fixing of the export refund on rice and broken rice ;

Whereas that Regulation provides that the refund applicable on the day on which application for an export licence is made must, when it is fixed in advance, be reduced by an amount no greater than the difference between the cif forward delivery price and the cif price, where the former exceeds the latter by more than ECU 0,30 per tonne ; whereas on the other hand, the refund must be increased by an amount no greater than the difference between the cif price and the cif forward delivery price, where the former exceeds the latter by more than ECU 0,30 per tonne ;

Whereas the cif price is that determined in accordance with Article 16 of Regulation (EEC) No 1418/76 ; whereas the cif forward delivery price is that determined in accordance with Article 3 (2) of Council Regulation (EEC) No 1428/76 ⁽⁵⁾, based in respect of each month for which the

export licence is valid, on the cif price calculated on the basis of offers for shipment during the month of exportation ;

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 provisions set out above that the corrective amount must 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 corrective amount referred to in Article 17 (4) of Regulation (EEC) No 1418/76 which is applicable to the export refunds fixed in advance in respect of rice and broken rice shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 September 1991.

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽³⁾ OJ No 204, 24. 8. 1967, p. 20.

⁽⁴⁾ OJ No L 222, 10. 9. 1968, p. 6.

⁽⁵⁾ OJ No L 166, 25. 6. 1976, p. 30.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 201, 31. 7. 1990, p. 9.

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

Done at Brussels, 29 August 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 29 August 1991 fixing the corrective amount applicable to the refund on rice and broken rice

(ECU/tonne)

Product code	Destination (°)	Current 9	1st period 10	2nd period 11	3rd period 12
1006 20 11 000	—	—	—	—	—
1006 20 13 000	01	0	0	0	0
1006 20 15 000	01	0	0	0	0
1006 20 17 000	—	—	—	—	—
1006 20 92 000	—	—	—	—	—
1006 20 94 000	01	0	0	0	0
1006 20 96 000	01	0	0	0	0
1006 20 98 000	—	—	—	—	—
1006 30 21 000	—	—	—	—	—
1006 30 23 000	01	0	0	0	0
1006 30 25 000	01	0	0	0	0
1006 30 27 000	—	—	—	—	—
1006 30 42 000	—	—	—	—	—
1006 30 44 000	01	0	0	0	0
1006 30 46 000	01	0	0	0	0
1006 30 48 000	—	—	—	—	—
1006 30 61 100	01	0	0	0	0
	05	0	0	0	0
	06	0	0	0	0
	09	0	0	0	0
	12	0	0	0	0
	13	0	0	0	0
1006 30 61 900	—	—	—	—	—
1006 30 63 100	01	0	0	0	0
	05	0	0	0	0
	06	0	0	0	0
	09	0	0	0	0
	12	0	0	0	0
	13	0	0	0	0
1006 30 63 900	01	0	0	0	0
	13	0	0	0	0
1006 30 65 100	01	0	0	0	0
	05	0	0	0	0
	06	0	0	0	0
	09	0	0	0	0
	12	0	0	0	0
	13	0	0	0	0
1006 30 65 900	01	0	0	0	0
	13	0	0	0	0
1006 30 67 100	—	—	—	—	—
1006 30 67 900	—	—	—	—	—

(ECU/tonne)

Product code	Destination (1)	Current 9	1st period 10	2nd period 11	3rd period 12
1006 30 92 100	01	0	0	0	0
	05	0	0	0	0
	06	0	0	0	0
	09	0	0	0	0
	12	0	0	0	0
	13	0	0	0	0
1006 30 92 900	01	0	0	0	0
	13	0	0	0	0
	15	0	0	0	0
1006 30 94 100	01	0	0	0	0
	05	0	0	0	0
	06	0	0	0	0
	09	0	0	0	0
	12	0	0	0	0
	13	0	0	0	0
1006 30 94 900	01	0	0	0	0
	13	0	0	0	0
	15	0	0	0	0
1006 30 96 100	01	0	0	0	0
	05	0	0	0	0
	06	0	0	0	0
	09	0	0	0	0
	12	0	0	0	0
	13	0	0	0	0
1006 30 96 900	01	0	0	0	0
	13	0	0	0	0
	15	0	0	0	0
1006 30 98 100	—	—	—	—	—
1006 30 98 900	—	—	—	—	—
1006 40 00 000	—	—	—	—	—

(1) The destinations are identified as follows:

- 01 Austria, Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italia,
- 02 Third countries other than Austria, Liechtenstein, Switzerland and the communes of Livigno and Campione d'Italie,
- 03 Zone I,
- 04 Third countries other than Austria, Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italie and countries of zone I,
- 05 Zones I, II, III and VI,
- 06 Zones IV a), IV b), V a), VII c) and VIII a), except Suriname, Guyana and Madagascar,
- 08 Zone VI,
- 09 Canary Islands, Ceuta and Melilla,
- 10 Zone V a),
- 11 Zone VII c),
- 12 Canada,
- 13 Destinations mentioned in Article 34 of Commission Regulation (EEC) No 3665/87 (OJ No L 351, 14. 12. 1987, p. 1),
- 14 Zone VIII, except Suriname, Guyana and Madagascar,
- 15 Zones I, II, III, IV, V, VI and VIII, except Suriname, Guyana and Madagascar.

NB: The zones are those defined in the Annex to Commission Regulation (EEC) No 1124/77 (OJ No L 134, 28. 5. 1977, p. 35), as last amended by Regulation (EEC) No 3049/89 (JO No L 292, 11. 10. 1989, p. 10).

COMMISSION REGULATION (EEC) No 2580/91

of 29 August 1991

fixing the export refunds on olive oil

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1650/86 of 26 May 1986 on export refunds and levies on olive oil⁽³⁾, and in particular the first sentence of Article 3 (1) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 20 of Regulation No 136/66/EEC provides that, where prices within the Community are higher than world market prices, the difference between these prices may be covered by a refund when olive oil is exported to third countries;

Whereas the detailed rules for fixing and granting export refunds on olive oil are contained in Regulation (EEC) No 1650/86 and Commission Regulation (EEC) No 616/72⁽⁴⁾, as last amended by Regulation (EEC) No 2962/77⁽⁵⁾;

Whereas the first indent of Article 2 of Regulation (EEC) No 1650/86 provides that the refund must be the same for the whole Community;

Whereas, in accordance with Article 4 of Regulation (EEC) No 1650/86, the refund for olive oil must be fixed in the light of the existing situation and outlook in relation to olive oil prices and availability on the Community market and olive oil prices on the world market;

Whereas, however, where the world market situation is such that the most favourable olive oil prices cannot be determined, account may be taken of the price of the main competing vegetable oils on the world market and the difference recorded between that price and the price of olive oil during a representative period;

Whereas the amount of the refund may not exceed the difference between the price of olive oil in the Community and that on the world market, adjusted, where appropriate, to take account of export costs for the products on the world market;

Whereas, in accordance with Article 5 of Regulation (EEC) No 1650/86, it may be decided that the refund shall be fixed by tender;

Whereas the tendering procedure should cover the amount of the refund and may be limited to certain countries of destination, quantities, qualities and presentations;

Whereas the second indent of Article 2 of Regulation (EEC) No 1650/86 provides that the refund on olive oil may be varied according to destination where the world market situation or the specific requirements of certain markets make this necessary;

Whereas Article 3 (1) of Regulation (EEC) No 1650/86 provides that the refund must be fixed at least once every month; whereas it may, if necessary, be altered in the intervening period;

Whereas it follows from applying these detailed rules to the present situation on the market in olive oil and in particular to olive oil prices within the Community and on the markets of third countries that the refund should be as set out in the Annex hereto;

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 the Management Committee for Oils and Fats has not delivered an opinion within the time limit set by its Chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (2) (c) of Regulation No 136/66/EEC shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 September 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 145, 30. 5. 1986, p. 8.

⁽⁴⁾ OJ No L 78, 31. 3. 1972, p. 1.

⁽⁵⁾ OJ No L 348, 30. 12. 1977, p. 53.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 201, 31. 7. 1990, p. 9.

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

Done at Brussels, 29 August 1991.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX

to the Commission Regulation of 29 August 1991 fixing the export refunds on olive oil

<i>(ECU/100 kg)</i>	
Product code	Amount of refund ⁽¹⁾
1509 10 90 100	11,00
1509 10 90 900	0,00
1509 90 00 100	24,00
1509 90 00 900	0,00
1510 00 90 100	1,50
1510 00 90 900	0,00

⁽¹⁾ For destinations mentioned in Article 34 of amended Commission Regulation (EEC) No 3665/87 (OJ No L 351, 14. 12. 1987, p. 1), as well as for exports to third countries.

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

COMMISSION REGULATION (EEC) No 2581/91**of 29 August 1991****fixing the maximum export refunds on olive oil for the 18th partial invitation to tender under the standing invitation to tender issued by Regulation (EEC) No 3192/90**

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

Having regard to Council Regulation (EEC) 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⁾,

Having regard to Council Regulation (EEC) No 1650/86 of 26 May 1986 on the refunds and levies applicable to exports of olive oil ⁽³⁾, and in particular Article 7 thereof,

Whereas Commission Regulation (EEC) No 3192/90 ⁽⁴⁾, as amended by Regulation (EEC) No 1665/91 ⁽⁵⁾, issued a standing invitation to tender with a view to determining the export refunds on olive oil;

Whereas Article 6 of Regulation (EEC) No 3192/90 provides that maximum amounts are to be fixed for the export refunds in the light in particular of the current situation and foreseeable developments on the Community and world olive-oil markets and on the basis of the tenders received; whereas contracts are awarded to any tenderer who submits a tender at the level of the maximum refund or at a lower level;

Whereas, for the purposes of applying the above-mentioned provisions, the maximum export refunds should be set at the levels specified in the Annex;

Whereas the Management Committee for Oils and Fats has not delivered an opinion within the time limit set by its Chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refunds for olive oil for the 18th partial invitation to tender under the standing invitation to tender issued by Regulation (EEC) No 3192/90 are hereby fixed in the Annex, on the basis of the tenders submitted by 23 August 1991.

Article 2

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 August 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

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

⁽²⁾ OJ No L 162, 26. 6. 1991, p. 27.

⁽³⁾ OJ No L 145, 30. 5. 1986, p. 8.

⁽⁴⁾ OJ No L 304, 1. 11. 1990, p. 96.

⁽⁵⁾ OJ No L 151, 15. 6. 1991, p. 62.

ANNEX

to the Commission Regulation of 29 August 1991 fixing the maximum export refunds on olive oil for the 18th partial invitation to tender under the standing invitation to tender issued by Regulation (EEC) No 3192/90

(ECU/100 kg)	
Product code	Amount of refund
1509 10 90 100	15,00
1509 10 90 900	—
1509 90 00 100	30,00
1509 90 00 900	—
1510 00 90 100	3,00
1510 00 90 900	—

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

COMMISSION REGULATION (EEC) No 2582/91**of 29 August 1991****fixing the production refund for olive oil used in the manufacture of certain preserved fish and vegetables**

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⁾,

Having regard to Council Regulation (EEC) No 591/79 of 26 March 1979 laying down general rules relating to the production refund for olive oil used in the manufacture of certain preserved foods⁽³⁾, as last amended by Regulation (EEC) No 2903/89⁽⁴⁾, and in particular Articles 3 and 5 thereof,

Whereas Article 2 of Council Regulation (EEC) No 591/79 provides for the granting of a production refund for olive oil used in the manufacture of certain preserved fish and vegetables;

Whereas under Article 3 of the abovementioned Regulation, without prejudice to the second subparagraph of Article 7 of the said Regulation, the Commission shall fix this refund every two months;

Whereas, by virtue of Article 5 of the Regulation cited above, where the tender system is employed for fixing the levy, the production refund shall be fixed on the basis of the minimum levies determined under the said system for oils falling within subheading 1509 90 00 of the combined nomenclature; whereas, however, if the oil employed for manufacture of the preserves was produced within the Community, the amount referred to above

shall be increased by a sum equal to the consumption aid in force on the day the said refund is applied;

Whereas Council Regulation (EEC) No 3416/90⁽⁵⁾ set the rates of consumption aid applicable in Spain and Portugal;

Whereas application of the above criteria results in the refund being fixed as shown below,

HAS ADOPTED THIS REGULATION:

Article 1

For the months of September and October 1991, the amount of the production refund referred to in Article 2 of Regulation (EEC) No 591/79 shall be:

- ECU 96,46 per 100 kilograms for olive oil produced in the Community and utilized in Member States other than Spain and Portugal,
- ECU 38,00 per 100 kilograms for olive oil other than that referred to in the preceding indent, utilized in the Member States other than Spain and Portugal,
- ECU 54,08 per 100 kilograms for olive oil produced in the Community and utilized in Spain,
- ECU 12,87 per 100 kilograms for olive oil, other than that referred to in the preceding indent, utilized in Spain,
- ECU 87,84 per 100 kilograms for olive oil produced in the Community and utilized in Portugal,
- ECU 41,84 per 100 kilograms for olive oil, other than that referred to in the preceding indent, utilized in Portugal.

Article 2

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 August 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

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

⁽²⁾ OJ No L 162, 26. 6. 1991, p. 27.

⁽³⁾ OJ No L 78, 30. 3. 1979, p. 2.

⁽⁴⁾ OJ No L 280, 29. 9. 1989, p. 3.

⁽⁵⁾ OJ No L 330, 29. 11. 1990, p. 6.

COMMISSION REGULATION (EEC) No 2583/91

of 29 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 2560/91⁽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 28 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 30 August 1991.

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

Done at Brussels, 29 August 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 54, 28. 2. 1991, p. 22.

⁽³⁾ OJ No L 168, 29. 6. 1991, p. 16.

⁽⁴⁾ OJ No L 240, 29. 8. 1991, p. 17.

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

(ECU/100 kg)

CN code	Levy
1701 11 10	36,94 ⁽¹⁾
1701 11 90	36,94 ⁽¹⁾
1701 12 10	36,94 ⁽¹⁾
1701 12 90	36,94 ⁽¹⁾
1701 91 00	41,75
1701 99 10	41,75
1701 99 90	41,75 ⁽²⁾

⁽¹⁾ The levy applicable is calculated in accordance with the provisions of Article 2 or 3 of Commission Regulation (EEC) No 837/68 (OJ No L 151, 30. 6. 1968, p. 42).

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

COMMISSION REGULATION (EEC) No 2584/91

of 29 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 30 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 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 201, 31. 7. 1990, p. 9.

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

Done at Brussels, 29 August 1991.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX

to the Commission Regulation of 29 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	110,00
	02	0
1001 10 90 000	04	120,00
	02	0
1001 90 91 000	—	—
1001 90 99 000	04	77,00
	06	31,00
	07	32,00
	02	20,00
1002 00 00 000	03	31,00
	08	85,00
	02	30,00
1003 00 10 000	09	80,00
	02	0
1003 00 90 000	04	31,00
	05	32,00
	02	30,00
1004 00 10 000	—	—
1004 00 90 000	—	—
1005 10 90 000	—	—
1005 90 00 000	03	60,00
	02	0
1007 00 90 000	—	—
1008 20 00 000	—	—
1101 00 00 100	01	119,00
1101 00 00 130	01	111,00
1101 00 00 150	01	102,00
1101 00 00 170	01	95,00
1101 00 00 180	01	89,00
1101 00 00 190	—	—
1101 00 00 900	—	—
1102 10 00 600	01	119,00
1102 10 00 900	—	—
1103 11 10 100	01	208,50
1103 11 10 200	01	208,50
1103 11 10 500	01	0
1103 11 10 900	01	0
1103 11 90 100	01	119,00
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 Zone II b),
- 09 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 2585/91

of 29 August 1991

fixing the export refunds on 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 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 those Regulations and prices for those products within the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 2746/75 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 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⁾, defines the specific criteria to be taken into account when the refund on these products is being calculated;

Whereas it follows from applying these detailed rules to the present situation on the market in products processed

from cereals and rice that the export refund should be fixed at an amount which will cover the difference between Community prices and world market prices;

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

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽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 the refund must be fixed once a month; whereas it may be altered in the intervening period;

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 malt listed in Article 1 (d) of Regulation (EEC) No 2727/75 subject to Regulation (EEC) No 2744/75 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 September 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 L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 201, 31. 7. 1990, p. 9.

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

Done at Brussels, 29 August 1991.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX

to the Commission Regulation of 29 August 1991 fixing the export refunds on malt

<i>(ECU/tonne)</i>	
Product code	Refund
1107 10 19 000	0
1107 10 99 000	0
1107 20 00 000	0

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

COMMISSION REGULATION (EEC) No 2586/91

of 29 August 1991

fixing the corrective amount applicable to the refund on 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 Council 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 (d) 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 in respect of malt, account must be taken of the existing situation and the future trend with regard to the possibilities and conditions for the sale of the cereals concerned and of malt on the world market; whereas the same Regulation also provides that account must be taken of the quantity of cereals needed for making malt, the economic aspect of exports and the need to avoid disturbances on the Community market;

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;

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 corrective amount referred to in Article 16 (4) of Regulation (EEC) No 2727/75 which is applicable to export refunds fixed in advance in respect of malt shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 September 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 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.

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

Done at Brussels, 29 August 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 29 August 1991 fixing the corrective amount applicable to the refund on malt

Product code	(ECU/tonne)					
	Current 9	1st period 10	2nd period 11	3rd period 12	4th period 1	5th period 2
1107 10 11 000	0	0	0	0	0	0
1107 10 19 000	0	0	0	0	0	0
1107 10 91 000	0	0	0	0	0	0
1107 10 99 000	0	0	0	0	0	0
1107 20 00 000	0	0	0	0	0	0

Product code	(ECU/tonne)					
	6th period 3	7th period 4	8th period 5	9th period 6	10th period 7	11th period 8
1107 10 11 000	0	0	0	0	0	0
1107 10 19 000	0	0	0	0	0	0
1107 10 91 000	0	0	0	0	0	0
1107 10 99 000	0	0	0	0	0	0
1107 20 00 000	0	0	0	0	0	0

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 30 July 1991

setting up an Advisory Committee on Customs and Indirect Taxation

(91/453/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Whereas an Advisory Committee on Customs Matters was set up by Commission Decision 73/351/EEC⁽¹⁾, as amended by Decision 86/565/EEC⁽²⁾, in order to obtain the opinions of professional and consumer circles on problems arising from the operation of the customs union;

Whereas no forum exists to represent professional interests on matters of indirect taxation; whereas provision should be made for the consultation of interested parties on such matters;

Whereas it has become clear in the light of experience that changes are needed in the structure and operation of the existing Advisory Committee to enable it to concentrate more effectively on those aspects of the Community's customs and taxation policy which the Commission and the Committee itself wish to develop in detail;

Whereas an Advisory Committee on Customs and Indirect Taxation should be set up, with a remit reflecting these new concerns;

Whereas the Committee's rules of procedure should reflect past experience,

HAS DECIDED AS FOLLOWS:

Article 1

There shall be attached to the Commission an Advisory Committee on Customs and indirect Taxation, hereinafter referred to as the 'Committee'.

It shall be composed of representatives from the following categories: industry, agriculture and fisheries, commerce, transport, insurance and banking, customs agents (including forwarding agents), tourism, labour, consumers and small and medium-sized firms.

Article 2

The Committee shall deliver opinions to the Commission on all matters relating to customs policy, VAT and excise, either at the Commission's request or on its own initiative.

Article 3

1. The Committee shall have 19 members.
2. The seats shall be allocated as follows:
 - three to representatives of industry,
 - two to representatives of agriculture and fisheries,
 - two to representatives of trade organizations,

⁽¹⁾ OJ No L 321, 22. 11. 1973, p. 37.

⁽²⁾ OJ No L 331, 25. 11. 1986, p. 18.

- two to representatives of chambers of commerce and industry,
- two to representatives of transport,
- one to a representative of banking and insurance,
- two to representatives of customs agents (including forwarding agents),
- one to a representative of tourist bodies,
- one to a representative of labour,
- two to representatives of consumers,
- one to a representative of small and medium-sized firms.

Article 4

The members of the Committee shall be appointed by the Commission.

The Community-level or international professional or consumer bodies most representative of the activities affected by customs and tax matters shall propose two candidates to the Commission, of different Member State nationalities, for each seat allocated to them.

Article 5

A deputy shall be appointed for each member of the Committee, by the method described in Article 4.

Without prejudice to Article 9, deputies shall be present at meetings of Committee and shall take part in its proceedings only when the members for whom they deputise are unable to do so.

Article 6

The term of office for members of the Committee shall be three years. This term shall be renewable.

After expiry of the three years, members shall remain in office until they are replaced or their appointment is renewed.

A member's term of office shall terminate before expiry of the three years in the event of his resignation, his ceasing to belong to the organization he represents, or his death. It may also be terminated where the organization which proposed him requests that he be replaced.

A person shall be appointed in accordance with the procedure laid down in Article 4 to replace such member for the remainder of the term of office.

Members shall not be remunerated for their services.

Article 7

A list of members and deputies shall be published by the Commission, for information purposes, in the *Official Journal of the European Communities*.

Article 8

The Committee shall elect a chairman and two vice-chairman for three years. Election shall require a two-thirds majority of the members present. The members elected shall be the Committee's officers.

The Committee may elect further officers from among its members, again by a two-thirds majority.

The officers shall prepare and organize the work of the Committee.

Article 9

The Committee or the Commission departments concerned may invite any person with specialist qualifications to take part in its proceedings as an expert on a given topic on the agenda.

Experts shall take part only in discussions of those matters in relation to which they were invited.

Article 10

The Committee may set up working parties.

Article 11

1. The Committee shall be convened by the Commission and shall meet at Commission headquarters. Meetings of the officers shall be convened by the chairman by arrangement with the Commission.

2. Representatives of the Commission departments concerned shall take part in meetings of the Committee, of its officers and of working parties.

3. Secretarial services for the Committee, its officers and working parties shall be provided by the Commission.

Article 12

No vote shall be taken on the matters discussed by the Committee.

The Commission may, when seeking the opinion of the Committee, set a time limit within which such opinion shall be given.

The views expressed by the categories represented shall be recorded in minutes, which shall be sent to the Commission.

Where there is unanimous agreement in the Committee on the opinion to be given, the Committee shall draft joint conclusions, which shall be attached to the minutes.

Article 13

Where the Commission informs members of the Committee that an opinion requested or an issue raised concerns matters of a confidential nature, members shall be under an obligation not to disclose information which they have acquired through the work of the Committee or its working parties.

In such cases, only Committee members and representatives of the Commission departments concerned shall be present at meetings.

Article 14

Decision 73/351/EEC is hereby repealed.

Article 15

This Decision shall take effect on 30 July 1991.

Done at Brussels, 30 July 1991.

For the Commission

Christiane SCRIVENER

Member of the Commission

COMMISSION DECISION

of 1 August 1991

amending Decision 88/149/EEC of the 11 December 1987 on the multiannual guidance programme for the fishing fleet (1987-91) forwarded by Spain pursuant to Regulation (EEC) No 4028/86

(Only the Spanish text is authentic)

(91/454/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 4028/86 of 18 December 1986 on Community measures to improve and adapt structures in the fisheries and aquaculture sector⁽¹⁾, as last amended by Regulation (EEC) No 3944/90⁽²⁾, and in particular Articles 4 and 5 (2) thereof,

Whereas the outcome of the meetings held with the Spanish authorities on the progress of the multiannual guidance programme as defined by Commission Decision 88/149/EEC⁽³⁾, as amended by Decision 90/108/EEC⁽⁴⁾ has been taken into account;

Whereas Spain has revised the statistical assessment basis used to determine the objectives laid down in the Annex to Decision 88/149/EEC;

Whereas that revision has enabled mistakes and anomalies noted in the situation of the Spanish fleet to be corrected;

Whereas that revision provides a clearer view of the situation of the Spanish fleet;

Whereas the corrections made to the data in the Annex to Decision 88/149/EEC involve an adjustment to the objectives which maintains the rate of reduction of the Spanish fleet provided for in that Decision;

Whereas the Commission intends providing support for the restructuring efforts undertaken by Spain provided that the measures of an administrative or regulatory nature which they entail achieve results which confirm a

structural trend in line with the guidelines and which allow the objectives laid down by Decision 88/149/EEC actually to be achieved by the 31 December deadline set;

Whereas, to deal with derogations from the principle that State aids in the fisheries sector are incompatible with the common market, the Commission has adopted guidelines for the examination of national aids in the fisheries sector⁽⁵⁾;

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

HAS ADOPTED THIS DECISION:

Article 1

The Annex to Decision 88/149/EEC is hereby replaced by the Annex hereto.

Article 2

This Decision is addressed to the Kingdom of Spain.

Done at Brussels, 1 August 1991.

For the Commission

Manuel MARÍN

Vice-President

⁽¹⁾ OJ No L 376, 31. 12. 1986, p. 7.

⁽²⁾ OJ No L 380, 31. 12. 1990, p. 1.

⁽³⁾ OJ No L 70, 16. 3. 1988, p. 27.

⁽⁴⁾ OJ No L 66, 14. 3. 1990, p. 27.

⁽⁵⁾ OJ No C 313, 8. 12. 1988, p. 21.

ANNEX

Multiannual guidance programme for the Spanish fishing fleet (1987-91)

I. GENERAL REMARKS

This programme relates to the whole of the Spanish fishing fleet and covers the entire territory of Spain, including the Canaries, Ceuta and Melilla, in accordance with Article 50 of Regulation (EEC) No 4028/88.

II. OBJECTIVES

1. This aims of the programme are :

- (a) to reduce the overall level of the operational fishing fleet to 604 757 GRT and 1 756 001 kW, in accordance with II.2 below ;
- (b) to restructure all categories of vessel in the fishing fleet by the renewal of some 15 % of vessels measuring between six and nine or 12 metres in length between perpendiculars and by the renewal of approximately one fifth of the vessels measuring over nine or 12 metres in length between perpendiculars ;
- (c) to stabilize the tuna freezer fleet at 67 918 GRT and 138 133 kW, on the understanding that, if the fished capacity of the tuna purse seiners is expanded beyond the objectives and limits laid down in the programme for this category, this shall not affect the achievement of the overall objectives of the programme and provided that such expansion does not call for any Community financial assistance towards the utilization of the fishing capacities concerned. Such expansion may not affect the reference data to be taken into consideration by the Community for the purposes of establishing and conducting relations with third countries ;
- (d) to modernize existing vessels without increasing overall fishing capacity (expressed in tonnage and engine power) in the category to which the vessels concerned belong, with the exception of the vessel's specified in IV.2 below.

2. During the period covered by the programme, the operational fishing fleet, with the exception of :

- fishing vessels appearing on the basic list, the numbers of which must meet the requirements specified in IV.3 below,
- working vessels used solely for aquaculture,
- vessels used solely for hivalve fishing,

must remain within the following limits :

Type	Objectives of 1986 programme (at 31. 12. 1986)	Situation at 1. 1. 1987 (1)	Objectives at (Tonnage GRT)		
			31. 12. 1989	31. 12. 1990	31. 12. 1991
Specialized vessels of less than six metres (between perpendiculars)		10 954			7 732
Vessels from six to nine or 12 metres (between perpendiculars)		21 429			25 793
Vessels over nine or 12 metres (between perpendiculars) of which :					
— national waters		132 527			137 667
— non-Spanish Community waters		52 825			99 518
— third-country waters		323 981			266 129
— tuna freezers		58 113			67 918
Non-operational registered (2)		32 009			
Total A	613 530	631 838	629 130	612 881	604 757
Basic list (3)	65 874	64 114			
Vessels used for aquaculture and for bivalve fishing	5 628	8 337			
Total B	685 032	704 289			

(1) Including fishing vessels built prior to 1 January 1987, which 29 789 GRT and 68 608 kW and which have not yet been commissioned.

(2) Fishing vessels registered and deleted from the register as no longer being operational after 1 January 1987.

(3) Within the meaning of Article 158 of the Act of Accession.

Type	Objectives of 1986 programme (at 31.12.1986)	Situation at 1.1.1987 ⁽¹⁾	(Engine power kW)		
			Objectives at		
			31.12.1989	31.12.1990	31.12.1991
Specialized vessels of less than six metres (between perpendiculars)		28 346			88 910
Vessels from six to nine or 12 metres (between perpendiculars)		141 265			383 101
Vessels over nine or 12 metres (between perpendiculars) of which :					
— national waters		549 292			480 752
— non-Spanish Community waters		168 518			193 550
— third-country waters		723 956			471 555
— tuna freezers		123 890			138 133
Non-operational registered ⁽²⁾		96 287			
Total A	1 776 610	1 831 554	1 823 999	1 778 667	1 756 001
Basic list ⁽³⁾	162 827	160 597			
Vessels used for aquaculture and for bivalve fishing	27 220	50 264			
Total B	1 966 657	2 042 415			

⁽¹⁾ Including fishing vessels built prior to 1 January 1987, which 29 789 GRT and 68 608 kW and which have not yet been commissioned.

⁽²⁾ Fishing vessels registered and deleted from the register as no longer being operational after 1 January 1987.

⁽³⁾ Within the meaning of Article 158 of the Act of Accession.

III. PLANNED MEASURES

1.1. Whereas the objectives specified in II.2 (Total A) require fishing capacity to be reduced by the difference between category at 1 January 1987 and the target to be achieved by 31 December 1991, account must also be taken of changes in fishing capacity resulting from :

- projects for new construction which qualified for Community and national aid in respect of 1987,
- applications for Community financing of projects for new construction currently under consideration by the Commission,
- vessels joining or leaving the fleet between 1 January 1987 and 30 June 1988, if not covered by the first two indents,
- fishing vessels whose construction was authorized before accession, except for 29 789 GRT and 68 608 kW which were launched before 1 January 1967 and which are included in the situation at 1 January 1987,

which, when added, give the overall fishing capacity to be reduced.

1.2. The reductions referred to in III.1.1. above must be achieved by the following measures, the implementation of which is conditional on the fishing capacities in service remaining within the limits laid down in the programme, although the reduction achieved by each measure may vary provided that the overall reduction in fishing capacity defined in III.1.1 is attained :

- a reduction in the total fleet by renewal of operational vessels which have been damaged or lost at sea, in particular by the withdrawal of operational units directly linked with new vessels, in line with the guidelines and objectives laid down in II.2,
- the adoption and implementation of measures to adjust fishing capacity, such as the granting of final cessation premiums by way of compensation for any necessary reductions which cannot be achieved by the means referred to in the first indent,

- the adoption of administrative measures to forestall any potential increases in fishing capacity which would be contrary to the objectives of the programme,
 - other measures which enable the same results to be achieved.
2. Adoption and implementation of legislative and/or administrative measures designed to ensure effective control of fishing capacity and fishing activities with a view to achieving the programme's objectives.
 3. Improvement of the register of fishing vessels, with a view to effective control of fishing capacity.

IV. COMMENTS

1. The overall objective referred to in II.1 (a) may be revised only on the basis of precise scientific assessments showing the existence of stocks which are not fully exploited at present.
 2. With regard to fishing vessels operating in coastal waters and measuring less than 12 metres between perpendiculars, consideration may be given to a limited increase in tonnage (up to 10 %) and engine power (up to 6 %) in order to improve safety, working conditions and on-board preserving facilities, provided that such an increase is justified and that the objectives laid down in II.2 for the category to which the vessels belong are attained. Such an increase, when it occurs, must be compatible with the resources which may be fished by the vessels concerned.
 3. The numbers of fishing vessels operating in Community waters and appearing on the basic list as defined in Article 158 of the Act of Accession must remain within the limits set by the said Act, and in particular Article 159 thereof.
 4. At least 10 % of the programme's objectives must be achieved by the end of 1989 and at least 60 % by the end of 1990.
 5. The Commission points out that all aids granted by Spain in the fisheries sector, including those for the construction of fishing vessels, must henceforth come within the scope of this programme.
-

COMMISSION DECISION

of 1 August 1991

amending Decision 88/141/EEC of 11 December 1987 on the Multiannual Guidance Programme for the fishing fleet (1987-1991) forwarded by the United Kingdom pursuant to Regulation (EEC) No 4028/86

(Only the English text is authentic)

(91/455/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 4028/86 of 18 December 1986 on Community measures to improve and adapt structures in the fisheries and aquaculture sector⁽¹⁾, as last amended by Regulation (EEC) No 3944/90⁽²⁾, and in particular Articles 4 and 5 (2) thereof,

Whereas taking into account the results of meetings with the national authorities of the United Kingdom about the progress of the Multiannual Guidance Programme established in the Decision of the Commission 88/141/EEC⁽³⁾;

Whereas on the entry into service of new fishing vessels it became apparent that a net increase in fishing capacity expressed in tonnage (GRT) and power (kW) had taken place in 1987 and in the first six months of 1988;

Whereas the process of fleet adjustment which has been started and the implementation of measures by the United Kingdom for the effective control of fishing fleet capacity necessitates a certain delay;

Whereas the Commission intends to support efforts at improvement made by the United Kingdom as soon as the administrative or regulatory measures undertaken appear to show results which confirm that the structural evolution of the fleet is oriented towards and will lead to achievement of the objectives set for not later than 31 December 1991 and established by Decision 88/141/EEC of the Commission;

Whereas in order to administer the derogations to the principle of incompatibility of state aids with the common market that, for state aids in the fisheries sector

the Commission has adopted guidelines for the examination of national aids in the fisheries sector⁽⁴⁾;

Whereas the measures provided for in the present decision are in accordance with the opinion of the Standing Committee for the Fishing Industry,

HAS ADOPTED THIS DECISION:

Article 1

1. Article 3 (2) of Decision 88/141/EEC is replaced by:

'The Commission shall on the basis of its assessment of the information provided on a regular basis as specified in Article 2 or where this information is repeatedly not supplied, inform the Member State, if necessary, at the end of one six months period that it has been found that the conditions to which approval of the programme was made subject have not been fulfilled.'

2. The Annex is replaced by the present Annex.

Article 2

This Decision is addressed to the United Kingdom.

Done at Brussels, 1 August 1991.

For the Commission

Manuel MARÍN

Vice-President

⁽¹⁾ OJ No L 376, 31. 12. 1986, p. 7.

⁽²⁾ OJ No L 380, 31. 12. 1990, p. 1.

⁽³⁾ OJ No L 67, 12. 3. 1988, p. 22.

⁽⁴⁾ OJ No C 313, 8. 12. 1988, p. 21.

ANNEX

Multiannual guidance programme for the United Kingdom fleet (1987-91)

I. GENERAL REMARKS

The programme concerns the whole of the United Kingdom fleet and covers the entire territory of this Member State.

II. OBJECTIVES

1. The objectives of the programme should be :

- (a) to reduce the fishing fleet to 193 027 GRT and 1 095 206 kW according to the provisions set out in II.2,
- (b) to modernize existing vessels where there is no increase in global capacity of the category expressed in GRT and engine power and with the exception of vessels envisaged in IV.2.

2. The evolution of the registered fishing fleet with the exception of :

- aquaculture working vessels,
- vessels engaged exclusively in bivalve fishing;

during the period covered by the programme should be made within the following limits :

Type	Objective of programme 2908/83	Situation at (1) 1. 1. 1987	(Tonnage GRT) Objective at		
			31. 12. 1989	31. 12. 1990	31. 12. 1991
Equal to or more than 80 feet (+ 24,4 m)					
Less than 80 feet (+ 24,4 m)					
Total A	198 997	206 934	205 543	198 590	193 027
Vessels for aquaculture and bivalve fishing					
Total B					

Type	Objective of programme 2908/83	Situation at (1) 1. 1. 1987	(Engine power KW) Objective at		
			31. 12. 1989	31. 12. 1990	31. 12. 1991
Equal to or more than 80 feet (+ 24,4 m)					
Less than 80 feet (+ 24,4 m)					
Total A	1 117 557	1 155 212	1 149 211	1 119 208	1 095 206
Vessels for aquaculture and bivalve fishing					
Total B					

(1) including the vessels under construction at 1. 1. 1987.

III. PLANNED MEASURES

- 1.1. While the objectives in II.2. 'Total A' fix a reduction in the fishing fleet capacity equal to the difference between the situation at 1 January 1987 and the objective to be achieved by 31 December 1991, it is also necessary to take into account the balance of capacity resulting from :
 - those projects for new construction having benefited from Community and National aids at the 1987 tranche ;
 - those projects for new vessel construction presently under examination by the Commission⁽¹⁾ ;
 - the balance of exits and entries from the fleet carried out from 1 January 1987 to 30 June 1988 ;which additions give the total reduction in fishing fleet capacity required.
- 1.2. The reductions envisaged in III.1.1, should be achieved by implementing the following actions in so far as the entry into service of surplus fishing capacity having been incorporated in the capacity limits of this programme and being intended that the reductions envisaged for each of the actions can be varied on condition that the total volume of reduction of fishing capacity set out in III.1.1 is respected.
 - A reduction in the total fleet, by renewal of those active vessels lost by accident at sea, sinking or otherwise by linking direct withdrawals to new construction in line with the achievement of the objectives for fleet capacity envisaged in II.2 ;
 - The adoption and implementation of direct measures intended to adapt fishing capacity.
 - Any other measures that will achieve the same results ;
2. Adoption and implementation of comprehensive legislation and/or administrative measures in order to control effectively the active fishing capacity and fishing operations and consequently to achieve the objectives of the programme set out in II.2 ;
3. Improvement of the register of fishing vessels in order to effectively control fishing capacity.

IV. COMMENTS

1. The objectives of the fleet established in II.1 (a) can be revised only on the basis of scientific evaluations leading to the establishment of the existence of resources which are not fully exploited at present.
2. In the case of fishing vessels operating in the coastal zone and smaller than 12 m a limited increase of 10 % in tonnage (maximum 10 %) and in power (maximum 6 %) can be taken into consideration in order to improve safety, working conditions and preservation of catch on board on condition that these increases are fully justified and that the objectives for the vessel category to which these vessels belong and which are fixed in II.2 of the present decision are respected. Any such increase, if the case arises, can only take place in equilibrium with the resources which may be exploited by these vessels.
3. The objectives of the programme should be realized up to the 10 % level at least by the end of 1989 and to the 60 % level at least by the end of 1990.
4. The Commission recalls that all aids sanctioned by the United Kingdom on the fisheries sector and including shipyards for the construction of fishing vessels should be included within the framework of the present programme.

⁽¹⁾ The withdrawal of requests for financing of projects currently being examined by the Commission will allow for adjustment of the total reduction required.