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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2661/91

of 6 September 1991

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 3577/90⁽²⁾, and in particular Article 13 (5) thereof,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽³⁾, as last amended by Regulation (EEC) No 2205/90⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

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

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

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

account the factors indicated in Commission Regulation No 156/67/EEC⁽⁹⁾, as last amended by Regulation (EEC) No 31/76⁽¹⁰⁾, and in particular the most favourable purchasing opportunities on the world market among those which are most representative of the real trend of the market, account being taken in particular of the need to prevent sudden variations likely to cause abnormal disturbances on the Community market; whereas the quality of the goods offered must also be taken into account, whether this quality corresponds to the standard quality fixed in Council Regulations (EEC) No 2731/75⁽¹¹⁾, as last amended by Regulation (EEC) No 2094/87⁽¹²⁾, and (EEC) No 2734/75, or whether adjustments need to be made by applying the coefficients of equivalence provided for in Commission Regulations No 158/67/EEC⁽¹³⁾, as last amended by Regulation (EEC) No 2644/91⁽¹⁴⁾, and No 159/67/EEC⁽¹⁵⁾;

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

Whereas Council Regulation (EEC) No 715/90⁽¹⁶⁾, as last amended by Regulation (EEC) No 523/91⁽¹⁷⁾, lays down the arrangements applicable on agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories;

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

(¹) OJ No L 281, 1. 11. 1975, p. 1.
 (²) OJ No L 353, 17. 12. 1990, p. 23.
 (³) OJ No L 164, 24. 6. 1985, p. 1.
 (⁴) OJ No L 201, 31. 7. 1990, p. 9.
 (⁵) OJ No L 281, 1. 11. 1975, p. 34.
 (⁶) OJ No L 162, 26. 6. 1991, p. 4.
 (⁷) OJ No L 162, 26. 6. 1991, p. 7.
 (⁸) OJ No L 166, 28. 6. 1991, p. 41.

(⁹) OJ No 128, 27. 6. 1967, p. 2533/67.
 (¹⁰) OJ No L 5, 10. 1. 1976, p. 18.
 (¹¹) OJ No L 281, 1. 11. 1975, p. 22.
 (¹²) OJ No L 196, 17. 7. 1987, p. 1.
 (¹³) OJ No 128, 27. 6. 1967, p. 2536/67.
 (¹⁴) OJ No L 247, 5. 9. 1991, p. 23.
 (¹⁵) OJ No 128, 27. 6. 1967, p. 2542/67.
 (¹⁶) OJ No L 84, 30. 3. 1990, p. 85.
 (¹⁷) OJ No L 58, 5. 3. 1991, p. 1.

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

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

Whereas these exchange rates being those recorded on 5 September 1991;

Whereas on importation into Portugal of products listed in Annex XXIV to the Act of Accession an additional amount is added to the levy; whereas these amounts were set by Commission Regulation (EEC) No 3808/90⁽¹⁾;

Whereas it follows from applying all the provisions of the abovementioned Regulations that the levies should be as

set out in the Annex thereto; whereas these levies are altered only where variations in the components used to calculate them have the effect of increasing or reducing them by ECU 0,73 or more,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 7 September 1991.

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

Done at Brussels, 6 September 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 367, 29. 12. 1990, p. 1.

ANNEX

to the Commission Regulation of 6 September 1991 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Levy
0709 90 60	127,85 ⁽²⁾ ⁽³⁾
0712 90 19	127,85 ⁽²⁾ ⁽³⁾
1001 10 10	175,08 ⁽¹⁾ ⁽²⁾
1001 10 90	175,08 ⁽¹⁾ ⁽²⁾
1001 90 91	158,22
1001 90 99	158,22
1002 00 00	159,08 ⁽⁴⁾
1003 00 10	140,53
1003 00 90	140,53
1004 00 10	116,48
1004 00 90	116,48
1005 10 90	127,85 ⁽²⁾ ⁽³⁾
1005 90 00	127,85 ⁽²⁾ ⁽³⁾
1007 00 90	140,26 ⁽⁴⁾
1008 10 00	44,90
1008 20 00	118,50 ⁽⁴⁾
1008 30 00	33,64 ⁽⁷⁾
1008 90 10	(7)
1008 90 90	33,64
1101 00 00	234,51 ⁽⁸⁾
1102 10 00	235,72 ⁽⁸⁾
1103 11 10	284,50 ⁽⁸⁾
1103 11 90	252,93 ⁽⁸⁾

⁽¹⁾ Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.

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

⁽³⁾ Where maize originating in the ACP or OCT is imported into the Community the levy is reduced by ECU 1,81/tonne.

⁽⁴⁾ Where millet and sorghum originating in the ACP or OCT is imported into the Community the levy is applied in accordance with Regulation (EEC) No 715/90.

⁽⁵⁾ Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.

⁽⁶⁾ The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 (OJ No L 142, 9. 6. 1977, p. 10) and Commission Regulation (EEC) No 2622/71 (OJ No L 271, 10. 12. 1971, p. 22).

⁽⁷⁾ The levy applicable to rye shall be charged on imports of the product falling within CN code 1008 90 10 (triticale).

⁽⁸⁾ On importation into Portugal the levy is increased by the amount specified in Article 2 (2) of Regulation (EEC) No 3808/90.

COMMISSION REGULATION (EEC) No 2662/91

of 6 September 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 5 September 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 7 September 1991.

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

Done at Brussels, 6 September 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 6 September 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 9	1st period 10	2nd period 11	3rd period 12
0709 90 60	0	0	0	0,44
0712 90 19	0	0	0	0,44
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	0,74	0,74	0,74
1004 00 90	0	0,74	0,74	0,74
1005 10 90	0	0	0	0,44
1005 90 00	0	0	0	0,44
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	11,07	11,20	11,07
1008 90 90	0	11,07	11,20	11,07
1101 00 00	0	0	0	0

B. Malt

(ECU/tonne)

CN code	Current 9	1st period 10	2nd period 11	3rd period 12	4th period 1
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 2663/91
of 6 September 1991
fixing the import levies on rice and broken rice

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

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

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

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

Whereas the import levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2590/91 ⁽⁵⁾,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 9 September 1991.

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

Done at Brussels, 6 September 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽³⁾ OJ No L 80, 24. 3. 1987, p. 20.

⁽⁴⁾ OJ No L 75, 21. 3. 1991, p. 29.

⁽⁵⁾ OJ No L 243, 31. 8. 1991, p. 5.

ANNEX

to the Commission Regulation of 6 September 1991 fixing the import levies on rice and broken rice

(ECU/tonne)

CN code	Arrangement in Regulation (EEC) No 3877/86	ACP or OCT (⁽¹⁾) (⁽²⁾) (⁽³⁾) Bangladesh	Third countries (except ACP or OCT) (⁽⁴⁾)
1006 10 21	—	143,43	294,07
1006 10 23	197,39	127,99	263,18
1006 10 25	197,39	127,99	263,18
1006 10 27	197,39	127,99	263,18
1006 10 92	—	143,43	294,07
1006 10 94	197,39	127,99	263,18
1006 10 96	197,39	127,99	263,18
1006 10 98	197,39	127,99	263,18
1006 20 11	—	180,19	367,59
1006 20 13	246,73	160,88	328,97
1006 20 15	246,73	160,88	328,97
1006 20 17	246,73	160,88	328,97
1006 20 92	—	180,19	367,59
1006 20 94	246,73	160,88	328,97
1006 20 96	246,73	160,88	328,97
1006 20 98	246,73	160,88	328,97
1006 30 21	—	223,11	470,07 (⁽⁵⁾)
1006 30 23	404,48 (⁽⁵⁾)	257,76	539,30 (⁽⁵⁾)
1006 30 25	404,48 (⁽⁵⁾)	257,76	539,30 (⁽⁵⁾)
1006 30 27	404,48 (⁽⁵⁾)	257,76	539,30 (⁽⁵⁾)
1006 30 42	—	223,11	470,07 (⁽⁵⁾)
1006 30 44	404,48 (⁽⁵⁾)	257,76	539,30 (⁽⁵⁾)
1006 30 46	404,48 (⁽⁵⁾)	257,76	539,30 (⁽⁵⁾)
1006 30 48	404,48 (⁽⁵⁾)	257,76	539,30 (⁽⁵⁾)
1006 30 61	—	237,96	500,63 (⁽⁵⁾)
1006 30 63	433,60 (⁽⁵⁾)	276,71	578,13 (⁽⁵⁾)
1006 30 65	433,60 (⁽⁵⁾)	276,71	578,13 (⁽⁵⁾)
1006 30 67	433,60 (⁽⁵⁾)	276,71	578,13 (⁽⁵⁾)
1006 30 92	—	237,96	500,63 (⁽⁵⁾)
1006 30 94	433,60 (⁽⁵⁾)	276,71	578,13 (⁽⁵⁾)
1006 30 96	433,60 (⁽⁵⁾)	276,71	578,13 (⁽⁵⁾)
1006 30 98	433,60 (⁽⁵⁾)	276,71	578,13 (⁽⁵⁾)
1006 40 00	—	71,59	149,18

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

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

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

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

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

COMMISSION REGULATION (EEC) No 2664/91**of 6 September 1991****fixing the premiums to be added to the import levies on rice and broken rice**

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

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

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

Whereas the premiums to be added to the levies on rice
and broken rice were fixed by Commission Regulation
(EEC) No 2591/91 ⁽³⁾;

Whereas, on the basis of today's cif prices and cif forward
delivery prices, the premiums at present in force, which

are to be added to the levies, should be altered to the
amounts shown in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 9 September
1991.

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

Done at Brussels, 6 September 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽³⁾ OJ No L 243, 31. 8. 1991, p. 8.

ANNEX

to the Commission Regulation of 6 September 1991 fixing the premiums to be added to the import levies on rice and broken rice

CN code	(ECU/tonne)			
	Current 9	1st period 10	2nd period 11	3rd period 12
1006 10 21	0	0	0	—
1006 10 23	0	0	0	—
1006 10 25	0	0	0	—
1006 10 27	0	0	0	—
1006 10 92	0	0	0	—
1006 10 94	0	0	0	—
1006 10 96	0	0	0	—
1006 10 98	0	0	0	—
1006 20 11	0	0	0	—
1006 20 13	0	0	0	—
1006 20 15	0	0	0	—
1006 20 17	0	0	0	—
1006 20 92	0	0	0	—
1006 20 94	0	0	0	—
1006 20 96	0	0	0	—
1006 20 98	0	0	0	—
1006 30 21	0	0	0	—
1006 30 23	0	0	0	—
1006 30 25	0	0	0	—
1006 30 27	0	0	0	—
1006 30 42	0	0	0	—
1006 30 44	0	0	0	—
1006 30 46	0	0	0	—
1006 30 48	0	0	0	—
1006 30 61	0	0	0	—
1006 30 63	0	0	0	—
1006 30 65	0	0	0	—
1006 30 67	0	0	0	—
1006 30 92	0	0	0	—
1006 30 94	0	0	0	—
1006 30 96	0	0	0	—
1006 30 98	0	0	0	—
1006 40 00	0	0	0	0

COMMISSION REGULATION (EEC) No 2665/91

of 6 September 1991

on the issuing of a standing invitation to tender for the resale on the internal market of 25 000 tonnes of barley held by the Greek intervention agency

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

Whereas, in the present market situation, a standing invitation to tender for the resale on the internal market of 25 000 tonnes of barley held by the Greek intervention agency should be issued;

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 Greek intervention agency shall issue a standing invitation to tender for the resale on the internal market of 25 000 tonnes of barley held by it in accordance with Regulation (EEC) No 1836/82.

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

Done at Brussels, 6 September 1991.

Article 2

1. The final date for the submission of tenders for the first partial invitation to tender shall be 13 September 1991.

2. The final date for the submission of tenders for the last partial invitation to tender shall expire on 25 October 1991.

3. Tenders must be lodged with the Greek intervention agency:

YDAGEP, Ministry of Agriculture,
Domestic Market Directorate,
241 Acharnon Street,
GR-10 446 Athens
(telex: 221735 YDAG GR).

Article 3

Not later than Tuesday of the week following the final date for the submission of tenders, the Greek intervention agency shall notify the Commission of the quantities and average prices of the various lots sold.

Article 4

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

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 139, 24. 5. 1986, p. 36.

⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 5.

⁽⁵⁾ OJ No L 202, 9. 7. 1982, p. 23.

⁽⁶⁾ OJ No L 249, 12. 9. 1990, p. 8.

COMMISSION REGULATION (EEC) No 2666/91**of 6 September 1991****amending Regulation (EEC) No 1187/91 on the sale by the procedure laid down
in Regulation (EEC) No 2539/84 of beef held by certain intervention agencies and
intended for export to the Soviet Union**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 1628/91 ⁽²⁾, and in particular Article 7 (3) thereof,Whereas Commission Regulation (EEC) No 1187/91 ⁽³⁾ provides for the sale of intervention beef held in Italy;

Whereas the time limit for taking over from intervention stocks should be extended in order to facilitate the sale;

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

Article 1

The date '1 April 1991' referred to in the second indent of Article 1 (1) of Regulation (EEC) No 1187/91 is replaced by '1 June 1991'.

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

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

Done at Brussels, 6 September 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.⁽²⁾ OJ No L 150, 15. 6. 1991, p. 16.⁽³⁾ OJ No L 115, 8. 5. 1991, p. 21.

COMMISSION REGULATION (EEC) No 2667/91

of 6 September 1991

on the sale by the procedure laid down in Regulation (EEC) No 2539/84 of beef held by certain intervention agencies and intended for processing within the Community and repealing Regulation (EEC) No 1788/91

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 1628/91 ⁽²⁾, and in particular Article 7 (3) thereof,

Whereas Commission Regulation (EEC) No 2539/84 of 5 September 1984 laying down detailed rules for certain sales of frozen beef held by the intervention agencies ⁽³⁾, as amended by Regulation (EEC) No 1809/87 ⁽⁴⁾, has provided for the possibility of applying a two-stage procedure when selling beef from intervention stocks;

Whereas certain intervention agencies hold stocks of intervention meat; whereas an extension of the period of storage should be avoided on account of the ensuing high costs; whereas, in the present market situation, there are outlets for such meat for processing in the Community;

Whereas such sales should be made in accordance with Commission Regulations (EEC) No 2539/84, (EEC) No 569/88 ⁽⁵⁾, as last amended by Regulation (EEC) No 2654/91 ⁽⁶⁾, and (EEC) No 2182/77 ⁽⁷⁾, as last amended by Regulation (EEC) No 3988/87 ⁽⁸⁾, subject to certain special exceptions on account of the particular use to which the products in question are to be put;

Whereas Commission Regulation (EEC) No 1788/91 ⁽⁹⁾ should be repealed;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The following approximate quantities of beef shall be put up for sale for processing within the Community:

- approximately 500 tonnes of bone-in beef held by the Italian intervention agency and bought in before 1 July 1991,

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 150, 15. 6. 1991, p. 16.

⁽³⁾ OJ No L 238, 6. 9. 1984, p. 13.

⁽⁴⁾ OJ No L 170, 30. 6. 1987, p. 23.

⁽⁵⁾ OJ No L 55, 1. 3. 1988, p. 1.

⁽⁶⁾ OJ No L 249, 6. 9. 1991, p. 9.

⁽⁷⁾ OJ No L 251, 1. 10. 1977, p. 60.

⁽⁸⁾ OJ No L 376, 31. 12. 1987, p. 31.

⁽⁹⁾ OJ No L 160, 25. 6. 1991, p. 24.

- approximately 500 tonnes of bone-in beef held by the United Kingdom intervention agency and bought in before 1 January 1991,

- approximately 500 tonnes of bone-in beef held by the Spanish intervention agency and bought in before 1 June 1990,

- approximately 4 000 tonnes of boned beef held by the United Kingdom intervention agency and bought in before 1 August 1990,

- approximately 1 500 tonnes of boned beef held by the Irish intervention agency and bought in before 1 January 1991,

- approximately 1 000 tonnes of boned beef held by the Danish intervention agency and bought in before 1 June 1991,

- approximately 500 tonnes of boned beef held by the Italian intervention agency and bought in before 1 July 1991.

2. The intervention agencies referred to in paragraph 1 shall sell first the meat which has been stored the longest.

3. The sales shall be conducted in accordance with the provisions of Regulations (EEC) No 2539/84, (EEC) No 569/88, (EEC) No 2182/77 and this Regulation.

4. The qualities and the minimum prices referred to in Article 3 (1) of Regulation (EEC) No 2539/84 are given in Annex I hereto.

5. Only those tenders shall be taken into consideration which reach the intervention agencies concerned no later than 12 noon on 18 September 1991.

6. Particulars relating to the quantities and the places where the products are stored may be obtained by interested parties at the addresses given in Annex II.

Article 2

1. Notwithstanding Article 3 (1) and (2) of Regulation (EEC) No 2182/77, the tender or application to purchase:

- (a) shall be valid only if presented by a natural or legal person who, for at least 12 months, has been engaged in the processing of products containing beef and who is entered in a public register of a Member State;

- (b) must be accompanied by:

- a written undertaking by the applicant to process the meat purchased into products specified in

Article 1 (1) of Regulation (EEC) No 2182/77 within the period referred to in Article 5 (1) of the abovementioned Regulation,

- a precise indication of the establishment or establishments where the meat which has been purchased will be processed.

2. The applicants referred to in paragraph 1 may instruct an agent to take delivery, on their behalf, of the products which they purchase. In this case the agent shall submit the tenders or applications to purchase of the purchasers whom he represents.

3. The purchasers and agents referred to in the foregoing paragraphs shall maintain and keep up to date an accounting system which permits the destination and use of the products to be ascertained with a view particularly to checking to ensure that the quantities of products purchased and manufactured tally.

Article 3

1. The security provided for in Article 5 (1) of Regulation (EEC) No 2539/84 shall be ECU 10 per 100 kilograms.

2. The security provided for in Article 5 (3) (a) of Regulation (EEC) No 2539/84 shall be:

- ECU 100 per 100 kilograms for unboned forequarters,
- ECU 140 per 100 kilograms for boned meat.

Article 4

Regulation (EEC) No 1788/91 is hereby repealed.

Article 5

This Regulation shall enter into force on 18 September 1991.

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

Done at Brussels, 6 September 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANEXO I — BILAG I — ANHANG I — ΠΑΡΑΡΤΗΜΑ I — ANNEX I — ANNEXE I — ALLEGATO I — BIJLAGE I — ANEXO I

Estado miembro Medlemsstat Mitgliedstaat Κράτος μέλος Member State État membre Stato membro Lid-Staat Estado-membro	Productos Produkter Erzeugnisse Προϊόντα Products Produits Prodotti Produkten Produtos	Cantidades (toneladas) Mængde (tons) Mengen (Tonnen) Ποσότητες (τόνοι) Quantities (tonnes) Quantités (tonnes) Quantità (tonnellate) Hoeveelheid (ton) Quantidade (toneladas)	Precio mínimo expresado en ecus por tonelada (1) Mindstepriser i ECU/ton (1) Mindestpreise, ausgedrückt in ECU/Tonne (1) Ελάχιστες τιμές πώλησεως εκφραζόμενες σε Ecu ανά τόνο (1) Minimum prices expressed in ecus per tonne (1) Prix minimaux exprimés en écus par tonne (1) Prezzi minimi espressi in ecu per tonnellata (1) Minimumprijzen uitgedrukt in ecu per ton (1) Preço mínimo expresso em ecus por tonelada (1)
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a) Carne sin deshuesar — Ikke udbenet kød — Fleisch mit Knochen — Κρέας μη αποστεωμένο — Unboned beef — Viande avec os — Carni con osso — Vlees met been — Carne com osso

España	— Cuartos delanteros provenientes de : Categoría A, clases U, R, O	500	1 200
United Kingdom	— Forequarters, from : Category C, class U, R, O	500	1 200
Italia	— Quarti anteriori provenienti dai : Categoría A, classi U, R e O	500	1 200

b) Carne deshuesada — Udbenet kød — Fleisch ohne Knochen — Αποστεωμένο κρέας — Boned beef — Viande désossée — Carni senza osso — Vlees zonder been — Carne desossada

Italia	— Categoría A : Collo/Sottospalla Spalla/Geretto Pancia Petto	100 200 100 100	1 900 1 600 1 100 1 400
Ireland	— Category C : Briskets Plates and flanks Forequarters Insides Outsides Knuckles Rumps	100 500 500 100 100 100 100	1 600 1 200 1 900 3 100 3 100 2 700 2 700
United Kingdom	— Category C : Rumps Thick flanks Topsides Silversides Briskets Pony parts Pony Foreribs Forequarter flanks Thin flanks	450 700 300 350 250 100 600 100 250 900	2 700 2 700 3 100 3 100 1 600 1 600 2 200 2 200 1 200 1 200
Danmark	Bryst og slag Øvrigt kød af forfjerding	500 500	1 400 1 800

(1) Estos precios se entenderán netos con arreglo a lo dispuesto en el apartado 1 del artículo 17 del Reglamento (CEE) n° 2173/79.

(1) Disse priser gælder netto i overensstemmelse med bestemmelserne i artikel 17, stk. 1, i forordning (EØF) nr. 2173/79.

(1) Diese Preise gelten netto gemäß den Vorschriften von Artikel 17 Absatz 1 der Verordnung (EWG) Nr. 2173/79.

(1) Οι τιμές αυτές εφαρμόζονται επί του καθαρού βάρους σύμφωνα με τις διατάξεις του άρθρου 17 παράγραφος 1 του κανονισμού (ΕΟΚ) αριθ. 2173/79.

(1) These prices shall apply to net weight in accordance with the provisions of Article 17 (1) of Regulation (EEC) No 2173/79.

(1) Ces prix s'entendent poids net conformément aux dispositions de l'article 17 paragraphe 1 du règlement (CEE) n° 2173/79.

(1) Il prezzo si intende peso netto in conformità del disposto dell'articolo 17, paragrafo 1 del regolamento (CEE) n. 2173/79.

(1) Deze prijzen gelden netto, overeenkomstig de bepalingen van artikel 17, lid 1, van Verordening (EEG) nr. 2173/79.

(1) Estes preços aplicam-se a peso líquido conforme o disposto no n° 1 do artigo 17º do Regulamento (CEE) n° 2173/79.

*ANEXO II — BILAG II — ANHANG II — ΠΑΡΑΡΤΗΜΑ II — ANNEX II — ANNEXE II —
ALLEGATO II — BIJLAGE II — ANEXO II*

**Direcciones de los organismos de intervención — Interventionsorganernes adresser —
Anschriften der Interventionsstellen — Διευθύνσεις των οργανισμών παρεμβάσεως — Addresses
of the intervention agencies — Adresses des organismes d'intervention — Indirizzi degli
organismi d'intervento — Adressen van de interventiebureaus — Endereços dos organismos de
intervenção**

ESPAÑA: Servicio nacional de productos agrarios (SENPA)
c/ Beneficencia 8
28003 Madrid
Tel. 222 29 61
Télex 23427 SENPA E

IRELAND: Department of Agriculture and Food
Agriculture House
Kildare Street
Dublin 2
Tel. (01) 78 90 11, ext. 22 78
Telex 4280 and 5118

DANMARK: EF-direktoratet
Frederiksborggade 18
DK-1360 København K
tlf. 33 92 70 00, telex 15137 EFDIR DK, telefax 33 92 69 48

ITALIA: Azienda di Stato per gli interventi nel mercato agricolo (AIMA)
Via Palestro 81
I-00185 Roma
Tel. 47 49 91
Telex 61 30 03

UNITED KINGDOM: Intervention Board for Agricultural Produce
Fountain House
2 Queens Walk
Reading RG1 7QW
Berkshire
Tel. (0734) 58 36 26
Telex 848 302

COMMISSION REGULATION (EEC) No 2668/91

of 6 September 1991

on the supply of various lots of skimmed-milk powder 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 job stage;

Whereas following the taking of a number of decisions on the allocation of food aid the Commission has allocated to certain beneficiary organizations 2 890 tonnes of skimmed-milk powder;

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 his 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, 6 September 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 I

Lots A, B, C, D, E and F

1. **Operation Nos** ⁽¹⁾: 613/91 to 632/91
2. **Programme**: 1991
3. **Recipient**: Euronaid, PO Box 77, NL-2340 AB-Oegstgeest
4. **Representative of the recipient**: See OJ No C 103, 16. 4. 1987
5. **Place or country of destination**: See Annex 11
6. **Product to be mobilized**: Vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods** ⁽²⁾:
Lots A, B, C, D, E: ⁽³⁾ ⁽⁴⁾ ⁽⁷⁾
Lot F and: ⁽³⁾ ⁽⁵⁾ ⁽⁶⁾ ⁽⁷⁾
see OJ No C 114, 29. 4. 1991, p. 3, under B.1
8. **Total quantity**: 2 890 tonnes;
Lot A: 745 tonnes; Lot B: 510 tonnes; Lot C: 425 tonnes
Lot D: 600 tonnes; Lot E: 405 tonnes; Lot F: 205 tonnes
9. **Number of lots**: six
10. **Packaging and marking**: 25 kg
Lots A, B, C, D and E: ⁽⁸⁾ ⁽⁹⁾ ⁽¹⁰⁾
Lot F: ⁽⁹⁾
and OJ No C 114, 29. 4. 1991, p. 4 (under B.2.3 and B.3)
Markings in English, French, Portuguese, Spanish (in letters at least 2,5 cm high)
Supplementary markings on the packaging: see Annex II
11. **Method of mobilization**: Community market
The skimmed milk powder must be manufactured, and the vitamins incorporated, after the award of the tender
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**: 1 — 20. 11. 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** ⁽¹⁾: 12 noon on 23. 9. 1991
21. **A. In the case of a second invitation to tender**:
(a) deadline for the submission of tenders: 12 noon on 7. 10. 1991;
(b) period for making the goods available at the port of shipment: 10 — 4. 12. 1991
(c) deadline for the supply: —
B. In the case of a third invitation to tender:
(a) deadline for the submission of tenders: 12 noon on 21. 10. 1991;
(b) period for making the goods available at the port of shipment: 20 — 18. 12. 1991
(c) deadline for the supply: —
22. **Amount of tendering security**: ECU per 20 tonne
23. **Amount of 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,
200, rue de la Loi
B-1049 Bruxelles;
telex: 22037 AGREC B or 25670 AGREC B
25. **Refund payable on application by the successful tenderer** ⁽¹⁾: Refund applicable 17. 8. 1991, fixed by Commission 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 deliver to the beneficiary for each action number/shipping number 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.

Radioactivity analysis must indicate the caesium-134 and -137 levels.

- (³) Radiation certificate for Sudan should contain following information:
- (a) the amount of radiation of caesium-134 and -137;
 - (b) iodine-131.

Radiation certificate must be issued by official authorities and be legalized for: Sudan.

- (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 25 of this Annex.

- (⁶) The successful tenderer shall give the beneficiaries' representative, at the time of delivery, a certificate of origin for each action number/shipping number.

- (⁷) The successful tenderer shall give the beneficiaries' representative, at the time of delivery, a health certificate for each action number/shipping number.

- (⁸) Shipment to take place in 20-foot containers, condition FCL/LCL. The supplier shall be responsible for the cost of making the containers available in the stack position at the container terminal at the port of shipment. The recipient shall be responsible for all subsequent loading costs including the cost of moving the containers from the container terminal.

The provisions of Article 13 (2), second paragraph, of Regulation (EEC) No 2200/87 shall not apply.

- (⁹) The supplier should send a duplicate of the original invoice to:

MM De Keyzer & Schütz BV,
Postbus 1438,
Blaak 16,
NL-3000 BK Rotterdam.

- (¹⁰) The successful tenderer has to submit to the recipient's agent a complete packaging list of each container, specifying the number of bags belonging to each shipping number as specified in the invitation to tender.

The successful tenderer has to seal each container with a numbered locktainer, the number of which is to be provided to the beneficiary's forwarder.

*ANEXO II — BILAG II — ANHANG II — ΠΑΡΑΡΤΗΜΑ II — ANNEX II — ANNEXE II — ALLEGATO II —
BIJLAGE II — ANEXO II*

Designación del lote Parti Bezeichnung der Partie Χαρακτηρισμός της παρτίδας Lot Désignation du lot Designazione della partita Aanduiding van de partij Designação do lote	Cantidad total del lote (en toneladas) Totalmængde (tons) Gesamtmenge der Partie (in Tonnen) Συνολική ποσότητα της παρτίδας (σε τόνους) Total quantity (in tonnes) Quantité totale du lot (en tonnes) Quantità totale della partita (in tonnellate) Totale hoeveelheid van de partij (in ton) Quantidade total (em toneladas)	Cantidades parciales (en toneladas) Delmængde (tons) Teilmengen (in Tonnen) Μερικές ποσότητες (σε τόνους) Partial quantities (in tonnes) Quantités partielles (en tonnes) Quantitativi parziali (in tonnellate) Deelhoeveelheden (in ton) Quantidades parciais (em toneladas)	Beneficiario Modtager Empfänger Δικαιούχος Beneficiary Bénéficiaire Beneficiario Begunstigde Beneficiário	País destinatario Modtagerland Bestimmungsland Χώρα προορισμού Recipient country Pays destinataire Paese destinatario Bestemmingsland País destinatário	Inscripción en el embalaje Emballagens påtegning Aufschrift auf der Verpackung Ένδειξη επί της συσκευασίας Markings on the packaging Inscription sur l'emballage Iscrizione sull'imballaggio Aanduiding op de verpakking Inscrição na embalagem
A	745	15	Prosalus	Bolivia	Acción nº 613/91 / Bolivia / Prosalus / 915504 / Sucre vía Arica / Destinado a la distribución gratuita
		400	Caritas N	Haïti	Action nº 614/91 / Haïti / Caritas N / 910329 / Port-au-Prince / Pour distribution gratuite
		330	Protos	Haïti	Action nº 615/91 / Haïti / Protos / 911503 / Port-au-Prince / Pour distribution gratuite
B	510	150	Caritas N	Republica Dominicana	Acción nº 616/91 / República Dominicana / Caritas N / 910321 / Santo Domingo / Destinado a la distribución gratuita
		60	Cinterad	Burkina Faso	Action nº 617/91 / Burkina Faso / Cinterad / 913402 / Ouagadougou via Cotonou / Pour distribution gratuite
		300	Caritas Italy	Ghana	Action No 618/91 / Ghana / Caritas I / 910600 / Accra via Tema / For free distribution
C	425	180	Caritas France	Mali	Action nº 619/91 / Mali / Caritas France / 910521 / Bamako via Dakar / Pour distribution gratuite
		35	Cinterad	Mali	Action nº 620/91 / Mali / Cinterad / 913401 / Bamako via Cotonou / Pour distribution gratuite
		60	Caritas Germany	Niger	Action nº 621/91 / Niger / Caritas Allemagne / 910425 / Niamey via Lomé / Pour distribution gratuite
		45	Caritas N	Angola	Acção nº 622/91 / Angola / Caritas N / 910312 / Luanda / Destinado a distribuição gratuita
		15	Caritas N	Angola	Acção nº 623/91 / Angola / Caritas N / 910316 / Lobito / Destinado a distribuição gratuita
		15	Caritas N	Angola	Acção nº 624/91 / Angola / Caritas N / 910317 / Namibe / Destinado a distribuição gratuita

Designación del lote	Cantidad total del lote (en toneladas)	Cantidades parciales (en toneladas)	Beneficiario	País destinatario	Inscripción en el embalaje
Parti	Totalmængde (tons)	Delmængde (tons)	Modtager	Modtagerland	Emballagens påtegning
Bezeichnung der Partie	Gesamtmenge der Partie (in Tonnen)	Teilmengen (in Tonnen)	Empfänger	Bestimmungsland	Aufschrift auf der Verpackung
Χαρακτηρισμός της παρτίδας	Συνολική ποσότητα της παρτίδας (σε τόνους)	Μερικές ποσότητες (σε τόνους)	Δικαιούχος	Χώρα προορισμού	Ένδειξη επί της συσκευασίας
Lot	Total quantity (in tonnes)	Partial quantities (in tonnes)	Beneficiary	Recipient country	Markings on the packaging
Désignation du lot	Quantité totale du lot (en tonnes)	Quantités partielles (en tonnes)	Bénéficiaire	Pays destinataire	Inscription sur l'emballage
Designazione della partita	Quantità totale della partita (in tonnellate)	Quantitativi parziali (in tonnellate)	Beneficiario	Paese destinatario	Iscrizione sull'imballaggio
Aanduiding van de partij	Totale hoeveelheid van de partij (in ton)	Deelhoeveelheden (in ton)	Begunstigde	Bestemmingsland	Aanduiding op de verpakking
Designação do lote	Quantidade total (em toneladas)	Quantidades parciais (em toneladas)	Beneficiário	País destinatário	Inscrição na embalagem
		15	Cinterad	Zaire	Action n° 625/91 / Zaire / Cinterad / 913445 / Kinshasa via Matadi / Pour distribution gratuite
		60	MSF	Madagascar	Action n° 626/91 / Madagascar / MSF / 916400 / Ambovombe via Toamasina / Pour distribution gratuite
D	600	600	Caritas Belgica	Burundi	Action n° 627/91 / Burundi / Caritas B / 910205 / Bujumbura via Mombasa / Pour distribution gratuite
E	405	225	CAM	India	Action No 628/91 / India / CAM / 912032 / Bombay / For free distribution
		180	CRS	Pakistan	Action No 629/91 / Pakistan / 910113 / Karachi / For free distribution
F	205	110	Caritas Germany	Ethiopia	Action No 630/91 / Ethiopia / Caritas Germany / 910412 / Addis Ababa via Assab / For free distribution
		55	Caritas Germany	Ethiopia	Action No 631/91 / Ethiopia / Caritas Germany / 910413 / Asmara via Massawa / Option Assab / For free distribution
		40	Cafod	Sudan	Action No 632/91 / Sudan / Cafod / 917604 / Khartoum via Port Sudan / For free distribution

COMMISSION REGULATION (EEC) No 2669/91

of 6 September 1991

re-establishing the levying of customs duties on products falling within CN code 8712 00, originating in China, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3831/90 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

Whereas, in the case of products falling within CN code 8712 00, originating in China, the individual ceiling was fixed at ECU 9 004 000; whereas, on 14 June 1991, imports of these products into the Community origina-

ting in China reached the ceiling in question after being charged thereagainst; whereas it is appropriate to re-establish the levying of customs duties in respect of the products in question against China,

HAS ADOPTED THIS REGULATION:

Article 1

As from 10 September 1991, the levying of customs duties, suspended pursuant to Regulation (EEC) No 3831/90, shall be re-established on imports into the Community of the following products originating in China:

CN code	Description
8712 00	Bicycles and other cycles (including delivery tricycles), not motorized

Article 2

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

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

Done at Brussels, 6 September 1991.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 370, 31. 12. 1990, p. 1.

COMMISSION REGULATION (EEC) No 2670/91

of 6 September 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 2660/91 ⁽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 5 September 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 7 September 1991.

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

Done at Brussels, 6 September 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 249, 6. 9. 1991, p. 21.

⁽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 6 September 1991 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	37,09 ⁽¹⁾
1701 11 90	37,09 ⁽¹⁾
1701 12 10	37,09 ⁽¹⁾
1701 12 90	37,09 ⁽¹⁾
1701 91 00	42,16
1701 99 10	42,16
1701 99 90	42,16 ⁽²⁾

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

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

II

(Acts whose publication is not obligatory)

COMMISSION

DECISION No 2/91 OF THE EEC-ANDORRA JOINT COMMITTEE

of 12 July 1991

on the laws, regulations and administrative provisions applicable to customs matters in the Community to be adopted by the Principality of Andorra

(91/467/EEC)

THE JOINT COMMITTEE,

Having regard to the Agreement in the form of an exchange of letters between the European Economic Community and the Principality of Andorra, and in particular Article 7 (2) thereof,

Whereas, in accordance with the terms of that Article, the Principality of Andorra adopts, with effect from 1 July 1991, the laws, regulations and administrative provisions relating to goods covered by the customs union, applicable to customs matters in the Community and necessary for the proper functioning of that customs union; whereas it is necessary, in this context, to specify which provisions are actually necessary and also, where appropriate, the rules of application for the Principality of Andorra; whereas these provisions are those in the version currently in force in the Community; whereas these provisions are applied by the Principality of Andorra to imports into that country from third countries of goods covered by the customs union,

HAS DECIDED AS FOLLOWS:

Article 1

The provisions contained in the acts appearing in the list annexed to this Decision shall be adopted *mutatis*

mutandis by the Principality of Andorra in accordance with the conditions and the rules of application provided for in that list.

The Joint Committee may amend the list annexed to this Decision.

Article 2

Where the acts appearing in the list annexed to this Decision provide that, in order to settle certain questions, a decision must be taken by the Commission of the European Communities, the decision shall be taken by the authorities of the Principality of Andorra after the Joint Committee has given its prior agreement. The decisions of these authorities shall be guided by the case law of the Court of Justice and the practice followed by the Commission.

Article 3

This Decision shall enter into force on 1 July 1991.

Done at Andorra-la-Vella, 12 July 1991.

For the Joint Committee

The Chairman

Oscar RIBAS REIG

ANNEX

**LIST OF CUSTOMS PROVISIONS PURSUANT TO THE SECOND INDENT OF ARTICLE 7 (1)
OF THE EEC-ANDORRA AGREEMENT****I. Goods entering or leaving**

1. Council Directive 68/312/EEC of 30 July 1968 on harmonization of the provisions laid down by law, regulation or administrative action relating to customs treatment of goods entering the customs territory of the Community and temporary storage of such goods (OJ No L 194, 6. 8. 1968, p. 13), as last amended by the Act of Accession of Spain and Portugal (OJ No L 302, 15. 11. 1985, p. 153).
2. Council Regulation (EEC) No 4151/88 of 21 December 1988 laying down the provisions applicable to goods brought into the customs territory of the Community (OJ No L 367, 31. 12. 1988, p. 1)(¹).
3. Council Regulation No 3632/85 of 12 December 1985 defining the conditions under which a person may be permitted to make a customs declaration (OJ No L 350, 27. 12. 1985, p. 1).

II. Release for free circulation

1. Council Directive 79/695/EEC of 24 July 1979 on the harmonization of procedures for the release of goods for free circulation (OJ No L 205, 13. 8. 1979, p. 19), as last amended by Directive No 90/504/EEC (OJ No L 281, 12. 10. 1990, p. 28).
2. Commission Directive 82/57/EEC of 17 December 1981 laying down certain provisions for implementing Council Directive 79/695/EEC on the harmonization of procedures for the release of goods for free circulation (OJ No L 28, 5. 2. 1982, p. 38), as last amended by Directive No 83/371/EEC (OJ No L 204, 28. 7. 1983, p. 63).

III. Customs obligation

1. Council Regulation (EEC) No 2144/87 of 13 July 1987 on customs debt (OJ No L 201, 22. 7. 1987, p. 15), as last amended by Regulation (EEC) No 4108/88 (OJ No L 361, 29. 12. 1988, p. 2).
2. Commission Regulation (EEC) No 597/89 of 8 March 1989 laying down certain provisions for implementing Council Regulation (EEC) No 2144/87 on customs debt (OJ No L 65, 9. 3. 1989, p. 11).
3. Council Regulation (EEC) No 1031/88 of 18 April 1988 determining the persons liable for payment of a customs debt (OJ No L 102, 21. 4. 1988, p. 5), as last amended by Regulation (EEC) No 1716/90 (OJ No L 160, 26. 6. 1990, p. 6).
4. Council Regulation (EEC) No 1430/79 of 2 July 1979 on the repayment or remission of import or export duties (OJ No L 175, 12. 7. 1979, p. 1), as last amended by Regulation (EEC) No 3069/86 (OJ No L 286, 9. 10. 1986, p. 1).
5. Commission Regulation (EEC) No 1574/80 of 20 June 1980 laying down provisions for the implementation of Articles 16 and 17 of Council Regulation (EEC) No 1430/79 on the repayment or remission of import or export duties (OJ No L 161, 26. 6. 1980, p. 3).
6. Commission Regulation (EEC) No 3040/83 of 28 October 1983 laying down provisions for the implementation of Articles 2 and 14 of Council Regulation (EEC) No 1430/79 on the repayment or remission of import or export duties (OJ No L 297, 29. 10. 1983, p. 13).
7. Commission Regulation (EEC) No 3799/86 of 12 December 1986 laying down provisions for the implementation of Articles 4a, 6a, 11a and 13 of Council Regulation (EEC) No 1430/79 on the repayment or remission of import or export duties (OJ No L 352, 13. 12. 1986, p. 19).

The exchange of information provided for in Article 6 to 10 shall take place between the Principality of Andorra and the Commission via the Joint Committee set up by the Agreement.

(¹) This Regulation repealing Directive No 68/312/EEC shall enter into force on 1 January 1992.

8. Council Regulation (EEC) No 1697/79 of 27 July 1979 on the post-clearance recovery of import duties or export duties which have not been required of the persons liable for payment on goods entered for a customs procedure involving the obligation to pay such duties (OJ No L 179, 3. 8. 1979, p. 1), as last amended by Regulation (EEC) No 918/83 (OJ No L 105, 23. 4. 1983, p. 1).
9. Commission Regulation (EEC) No 2380/89 of 2 August 1989 laying down provisions for the implementation of Article 5 (2) of Council Regulation (EEC) No 1697/79 on the post-clearance recovery of import duties or export duties which have not been required of a person liable for payment on goods entered for a customs procedure involving the obligation to pay such duties (OJ No L 225, 3. 8. 1989, p. 30).

The exchange of information provided for in Articles 3 to 8 shall take place between the Principality of Andorra and the Commission via the Joint Committee set up by the Agreement.

10. Council Regulation (EEC) No 4046/89 of 21 December 1989 on the security to be given to ensure payment of a customs debt (OJ No L 388, 30. 12. 1989, p. 24).
11. Commission Regulation (EEC) No 3716/90 laying down provisions for the implementation of Council Regulation (EEC) No 4046/89 on the security to be given to ensure payment of a customs debt (OJ No L 358, 21. 12. 1990, p. 48).
12. Council Regulation (EEC) No 1854/89 of 14 June 1989 on the entry in the accounts and terms of payment of the amounts of the import duties or export duties resulting from a customs debt (OJ No L 186, 30. 6. 1989, p. 1).
13. Council Regulation (EEC) No 3842/86 of 1 December 1986 laying down measures to prohibit the release for free circulation of counterfeit goods (OJ No L 357, 18. 12. 1986, p. 1).
14. Commission Regulation (EEC) No 3077/87 of 14 October 1987 laying down provisions for the implementation of Council Regulation (EEC) No 3842/86 laying down measures to prohibit the release for free circulation of counterfeit goods (OJ No L 291, 15. 10. 1987, p. 19).

IV. Valuation of goods for customs purposes

1. Council Regulation (EEC) No 1224/80 of 28 May 1980 on the valuation of goods for customs purposes (OJ No L 134, 31. 5. 1980, p. 1), as last amended by Regulation (EEC) No 4046/89 of 21 December 1989 (OJ No L 388, 30. 12. 1989, p. 24).
2. Commission Regulation (EEC) No 1494/80 of 11 June 1980 on interpretive and generally accepted accounting principles for the purposes of customs value (OJ No L 154, 21. 6. 1980, p. 3).
3. Commission Regulation (EEC) No 1495/80 of 11 June 1980 implementing certain provisions of Council Regulation (EEC) No 1224/80 on the evaluation of goods for customs purposes (OJ No L 154, 21. 6. 1980, p. 14), as last amended by Regulation (EEC) No 558/91 (OJ No L 62, 8. 3. 1991, p. 24).
4. Commission Regulation (EEC) No 3158/83 of 9 November 1983 on the incidence of royalties and licence fees in customs value (OJ No L 309, 10. 11. 1983, p. 19).
5. Commission Regulation (EEC) No 3177/80 of 5 December 1980 on the place of introduction to be taken into consideration in applying Article 14 (2) of Council Regulation (EEC) No 1224/80 on the valuation of goods for customs purposes (OJ No L 335, 12. 12. 1980, p. 1), as last amended by Regulation (EEC) No 2779/90 (OJ No L 267, 29. 9. 1990, p. 36).
6. Commission Regulation (EEC) No 3579/85 of 16 December 1985 on air transport costs to be included in customs value (OJ No L 347, 23. 12. 1985, p. 2), as last amended by Regulation (EEC) No 2839/90 of 27 September 1990 (OJ No L 273, 3. 10. 1990, p. 1).
7. Commission Regulation (EEC) No 3179/80 of 5 December 1980 on postal charges to be taken into consideration when determining the customs value of goods sent by post (OJ No L 335, 12. 12. 1980, p. 62), as last amended by Regulation (EEC) No 1264/90 (OJ No L 124, 15. 5. 1990, p. 32).
8. Commission Regulation (EEC) No 1496/80 of 11 June 1980 on the declaration of particulars relating to customs value and on documents to be furnished (OJ No L 154, 21. 6. 1980, p. 16), as last amended by Regulation (EEC) No 3272/88 (OJ No L 291, 25. 10. 1988, p. 49).
9. Commission Regulation (EEC) No 1766/85 of 27 June 1985 on the rates of exchange to be used in the determination of customs value (OJ No L 168, 28. 6. 1985, p. 21), as last amended by Regulation (EEC) No 593/91 (OJ No L 66, 13. 3. 1991, p. 14).

V. Customs procedures with economic impact

Temporary importation arrangements

1. Council Regulation (EEC) No 3599/82 of 21 December 1982 on temporary importation arrangements (OJ No L 376, 31. 12. 1982, p. 1).
2. Commission Regulation (EEC) No 1751/84 of 13 June 1984 laying down certain provisions for the application of Council Regulation (EEC) No 3599/82 on temporary importation arrangements (OJ No L 171, 29. 6. 1984, p. 1), as last amended by Regulation (EEC) No 1516/89 (OJ No L 148, 1. 6. 1989, p. 50).
3. Council Regulation (EEC) No 3312/89 of 30 October 1989 on the temporary import of containers (OJ No L 321, 4. 11. 1989, p. 5).
4. Commission Regulation (EEC) No 4027/88 of 21 December 1988 laying down provisions for the temporary importation of containers (OJ No L 355, 23. 12. 1988, p. 22), as last amended by Regulation (EEC) No 3348/89 (OJ No L 323, 8. 11. 1989, p. 17).
5. Council Regulation (EEC) No 1855/89 of 14 June 1989 on the temporary importation of means of transport (OJ No L 186, 30. 6. 1989, p. 8).

Rules of application

1. For the purposes of the temporary importation arrangements, the Member States of the Community and the Principality of Andorra are considered to be a single customs territory, comprising the customs territory of the Community and defined in Council Regulation (EEC) No 2151/81⁽¹⁾ and the territory of the Principality of Andorra as last amended by the Act of Accession of Spain and Portugal to the European Communities of 12 June 1985⁽²⁾.
2. During the period laid down in Article 8 (1) (a) of the Agreement, the Community customs offices listed in Annex I to the Agreement will be responsible for granting permission to use temporary importation arrangements for customs operations carried out in the Principality of Andorra, placing goods under these arrangements, and monitoring and clearing the goods.

VI. Origin rules

1. Definition of the concept of origin

1. Council Regulation (EEC) No 802/68 of 27 June 1968 on the common definition of the concept of the origin of goods (OJ No L 148, 28. 6. 1968, p. 1), as last amended by Regulation (EEC) No 1769/89 (OJ No L 174, 22. 6. 1989, p. 11).
2. Commission Regulation (EEC) No 37/70 of 9 January 1970 on determining the origin of essential spare parts for use with any piece of equipment, machine, apparatus or vehicle dispatched beforehand (OJ No L 7, 10. 1. 1970, p. 6).
3. Commission Regulation (EEC) No 2632/70 of 23 December 1970 on determining the origin of radio and television receivers (OJ No L 279, 24. 12. 1970, p. 35).
4. Commission Regulation (EEC) No 861/71 of 27 April 1971 on determining the origin of tape recorders (OJ No L 95, 28. 4. 1971, p. 11).
5. Commission Regulation (EEC) No 1039/71 of 24 May 1971 on determining the origin of certain woven textile products (OJ No L 113, 25. 5. 1971, p. 13).
6. Commission Regulation (EEC) No 2025/73 of 25 July 1973 on the determination of the origin of ceramic products falling within heading Nos 69.1, 69.2 and 69.3 of the Common Customs Tariff (OJ No L 206, 27. 7. 1973, p. 32).
7. Commission Regulation (EEC) No 1480/77 of 24 June 1977 on the determination of the origin of certain knitted and crocheted articles, certain articles of apparel, and footwear, falling within Chapter 60 and heading Nos ex 42.03, 61.01, 61.02, 61.03, 61.04, ex 61.09, 64.01, 64.02, 64.03 and 64.04 of the Common Customs Tariff (OJ No L 164, 2. 7. 77, p. 16).
8. Commission Regulation (EEC) No 749/78 of 10 April 1978 on the determination of the origin of textile products falling within Chapters 51 and 53 to 62 of the Common Customs Tariff (OJ No L 101, 14. 4. 1978, p. 7) as last amended by Regulation (EEC) No 2747/79 (OJ No L 311, 7. 12. 1979, p. 18).
9. Commission Regulation (EEC) No 3672/90 of 18 December 1990 on determining the origin of ball, roller or needle roller bearings (OJ No L 356, 19. 12. 1990, p. 30).
10. Commission Regulation (EEC) No 288/89 of 3 February 1989 on determining the origin of integrated circuits (OJ No L 33, 4. 2. 1989, p. 23).
11. Commission Regulation (EEC) No 2071/89 of 11 July 1989 on determining the origin of photocopying apparatus, incorporating an optical system or of the contact type (OJ No L 196, 12. 7. 1989, p. 24).
12. Commission Regulation (EEC) No 2884/90 of 5 October 1990 on determining the origin of certain goods produced from eggs (OJ No L 276, 6. 10. 1990, p. 14). This Regulation applies only to those goods listed in the Annex thereto under CN code ex 35.02.

⁽¹⁾ OJ No L 197, 27. 7. 1984, p. 1.

⁽²⁾ OJ No L 302, 15. 11. 1985, p. 153.

2. *Special rules concerning textile products*

1. Council Regulation (EEC) No 4136/86 of 22 December 1986 on common rules for imports of certain textile products originating in third countries (OJ No L 387, 31. 12. 1986, p. 42), as last amended by Regulation (EEC) No 768/88 (OJ No L 84, 20. 3. 1988, p. 1).
2. Council Regulation (EEC) No 616/78 of 20 March 1978 on proof of origin for certain textile products falling within Chapter 51 or Chapters 53 to 62 of the Common Customs Tariff and imported into the Community, and on the conditions for the acceptance of such proof (OJ No L 84, 31. 3. 1978, p. 1), as last amended by Regulation (EEC) No 3626/83 (OJ No L 360, 23. 12. 1983, p. 5).

3. *Origin rules for the application of preferential arrangements*

The Principality of Andorra shall apply in the same way as the Community the Community Provisions on origin rules for imports into the Community of products originating in countries to which preferences have been granted. When the Andorran authorities wish to carry out a post-clearance check on an origin certificate (EUR 1 or from A) or an exporter's declaration in an invoice, a request to do so must be submitted to the EEC-Andorra Joint Committee, which must then make a decision on the request.

VII. Exportation

1. Council Directive 81/177/EEC of 24 February 1981 on the harmonization of procedures for the export of Community goods (OJ No L 83, 30. 3. 1981, p. 40).
 2. Commission Directive 82/347/ECC of 24 April 1982 laying down provisions for implementing Council Directive 81/177/EEC on the harmonization of procedures for the export of Community goods (OJ No L 156, 7. 6. 1982, p. 1).
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DECISION No 3/91 OF THE EEC-ANDORRA JOINT COMMITTEE

of 12 July 1991

amending Annex I and the Appendix to the Agreement

(91/468/EEC)

THE JOINT COMMITTEE,

Having regard to the Agreement in the form of an exchange of letters between the European Economic Community and the Principality of Andorra, and in particular Articles 8 (3) (a) and 17 (8) thereof,

Whereas, pursuant to Article 8 (3) (a), the Joint Committee shall be responsible for any changes in the list of Community customs offices authorized to release for free circulation goods from third countries to be imported into Andorra; whereas these customs offices are listed in Annex I to the Agreement; whereas by exchange of letters of 30 May 1990, it was agreed that at the first meeting of the Joint Committee changes would be made to the abovementioned list;

Whereas, in accordance with Article 11 of the Agreement, the Appendix sets out the rules of origin and the methods of administrative cooperation applicable to the importation into the Community of products covered by Chapters 1 to 24 of the harmonized system which originate in the Principality of Andorra; whereas these products shall be exempt from import duties; whereas mineral products extracted from the ground are not mentioned in Article 1 of the Appendix; whereas, as a result, certain mineral products originating in the Principality of Andorra, and in particular mineral waters, would not enjoy the treatment provided for in Article 11 (1) of the Agreement; whereas the Appendix to the Agreement must therefore be amended; whereas pursuant to Article 17 (8) of the Agreement, the Joint Committee may amend the provisions in the Appendix, referred to in Article 11 of the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The list of customs offices set out in Annex I to the Agreement is hereby amended as follows:

1. the Algeciras and Tuy customs offices shall be deleted from the list;
2. The Toulouse-Blagnac customs office shall be added to the list.

Article 2

The text in Article 1 of the Appendix is hereby replaced by the following:

'For the purposes of implementing the provisions of Article 11 (1) of the Agreement, the following shall be regarded as products originating in the Principality of Andorra:

- (a) mineral products extracted from the ground in the Principality of Andorra;
- (b) vegetable products which are harvested in the Principality of Andorra;
- (c) live animals born and raised in the Principality of Andorra;
- (d) products obtained from live animals born and raised in the Principality of Andorra;
- (e) products from hunting or fishing in the Principality of Andorra;
- (f) products obtained in the Principality of Andorra by working or processing products referred to in points (a) to (e), even if other products have been used in their manufacture, provided that the products which were not obtained in the Principality of Andorra play only a subsidiary part in manufacture.'

Article 3

This Decision shall enter into force on 1 July 1991.

Done at Andorra-la-Vella, 12 July 1991.

For the Joint Committee

The Chairman

Oscar RIBAS REIG

DECISION No 4/91 OF THE EEC-ANDORRA JOINT COMMITTEE

of 12 July 1991

concerning certain methods of administrative cooperation for implementation of the Agreement and the procedure for forwarding goods to the Principality of Andorra

(91/469/EEC)

THE JOINT COMMITTEE,

Having regard to the Agreement in the form of an exchange of letters between the European Economic Community and the Principality of Andorra, and in particular Articles 8 (3) (a) and 17 (8) thereof;

Whereas, in accordance with the terms of the Agreement, it is necessary to determine, firstly, the procedure for forwarding goods to Andorra, referred to in Article 8 (3) of the Agreement and, secondly, the methods of administrative cooperation necessary for the proper functioning of the Agreement;

Whereas, in the light of experience gained in the Community with regard to methods of administrative cooperation and the forwarding of goods within Community territory, it is appropriate, in the present case, to take as a guide the methods employed in the Community to ensure the free movement of goods within the Community;

Whereas the provisions adopted by this Decision may, moreover, be reviewed by the Joint Committee in the light of the situation obtaining on 1 January 1993, and also by the Contracting Parties pursuant to Article 20 of the Agreement,

HAS DECIDED AS FOLLOWS:

TITLE I

GENERAL

Article 1

For the purposes of implementing the Agreement concluded between the EEC and the Principality of Andorra:

- the competent authorities of the Member States shall, in respect of goods falling within Chapters 25 to 97 of the harmonized system, apply the rules of the Community transit procedure, without prejudice to the special provisions laid down below,
- the Andorran customs authorities shall, in respect of those same goods, apply the measures of administrative cooperation laid down below.

TITLE II

MOVEMENT OF GOODS

- from the Community to Andorra Community Offices authorized by the Agreement with the Principality of Andorra

Article 2

1. Where goods specified in Article 1 and bound for the Principality of Andorra are released for free circulation at one of the customs offices listed in Annex 1 to the Agreement, a T2 AN or T2L AN document shall be issued, as appropriate.
2. Where a T2 AN document is issued, the Community transit operation shall end at the customs office at the point of exit from the Community. The person concerned shall present to the Andorran customs authorities two copies of control copy No 5 of the T2 AN, duly stamped by the customs authorities at the customs office at the point of exit.
3. T2L AN documents shall be issued in triplicate, *inter alia* for the purposes of furnishing evidence of the arrival in Andorra of the goods concerned.
4. Pursuant to paragraph 3 above, the original and a copy of the T2L AN document shall be delivered to the person concerned and the second copy shall be retained at the office of departure.

The customs office which issues a T2L AN document in triplicate shall endorse each copy with one of the following phrases:

- Expedido por triplicado,
- Délivré en trois exemplaires.

The person concerned shall present to the Andorran customs authorities the original and the copy delivered to him, duly stamped by the customs authorities at the customs office at the point of exit.

5. The Andorran customs authorities shall stamp and return to the office of departure, as appropriate:
 - a copy of control copy No 5 of the T2 AN document,
 - a copy of the T2L AN document.

— From the Community to the Principality of Andorra

Article 3

1. In order to prove that goods dispatched to the principality of Andorra are in free circulation within the Community:

— a copy of control copy No 4 of document T2 duly stamped by the customs authorities at the customs office of departure,

or

— the original T2L, T2L ES or T2L PT,

or

— a document having equivalent effect,

must be submitted to the Andorran customs authorities.

Article 4

1. Goods referred to in Article 6 (3) (c) of the Agreement, forwarded to the Principality of Andorra with the benefit of an export refund, shall move to the customs office at the point of exit from the Community under cover of an external Community transit document.

2. Where a control copy T5 is used for the purposes of the preceding paragraph, such document shall be returned to the customs office at the point of exit from the Community in order to furnish evidence of such exit.

3. A copy of control copy No 4 of the external Community transit document, duly stamped by the customs authorities at the customs office of departure shall be submitted to the Andorran customs authorities.

TITLE III

Movement of goods from the Principality of Andorra to the Community

Article 5

1. Where goods are presented to the Andorran customs authorities with a view to their being forwarded to the Community, those authorities shall issue a T2L document which will be submitted to the Community office of import in order to furnish evidence that they are in free circulation in the Principality of Andorra.

2. Where goods which were previously brought into the Principality of Andorra under the cover of a T2 ES or T2 PT, T2L ES or T2L PT document or a document having equivalent effect are presented to the Andorran

authorities with a view to their being forwarded to the Community, those authorities shall draw up a T2L ES or T2L PT document or a document having equivalent effect, making reference to the document which accompanied the goods at the time of their arrival in the Principality of Andorra. This document (T2L ES or T2L PT) must be submitted to the first Community office of import.

3. In the case of goods referred to in Article 6 (3) (c) of the Agreement, the said authorities shall issue a copy No 4 of the SAD endorsed with the symbol T1 and one of the following phrases, underlining in red:

— Percibir sólo el elemento móvil — Acuerdo CEE-Andorra

— Kun det variable element opkræves — EØF-Andorra-aftalen,

— Nur den beweglichen Teilbetrag erheben — Abkommen EWG-Andorra,

— Κατακρατείται μόνο το αποσπώμενο μέρος — Συμφωνία ΕΟΚ-Ανδόρας,

— Charge variable component only — EEC-Andorra agreement,

— Ne percevoir que l'élément mobile — Accord CEE-Andorre,

— Riscuotere solo l'elemento mobile — Accordo CEE-Andorra,

— Alleen het variabele element innen — Overeenkomst EEG-Andorra,

— Cobrar unicamente o elemento móvel — Acordo CEE-Andorra.

4. Where the copy No 4 of the SAD referred to in paragraph 3 above is replaced by another document, the latter shall be a document of the same type and shall be endorsed with one of the phrases in paragraph 3 above.

TITLE IV

FINAL PROVISION

Article 6

This Decision shall enter into force on 1 July 1991.

Done at Andorra-la-Vella, 12 July 1991.

For the Joint Committee

The Chairman

Oscar RIBAS REIG

DECISION No 5/91 OF THE EEC-ANDORRA JOINT COMMITTEE

of 12 July 1991

adopting the procedures for making available to the Andorran Treasury import duties collected by the Community on behalf of the Principality of Andorra

(91/470/EEC)

THE JOINT COMMITTEE,

Having regard to the Agreement in the form of an exchange of letters between the European Economic Community and the Principality of Andorra, and in particular Article 8 (3) (b) thereof,

Whereas procedures must be adopted for making available to the Andorran Treasury import duties collected on goods by the Community on behalf of the Principality of Andorra and also the percentage to be deducted by the Community to cover administration costs in accordance with the relevant regulations in force in the Community ;

Whereas the implementation if it is necessary, of provisions identical to those laid down in Council Regulation (EEC, Euratom) No 1552/89⁽¹⁾, would simplify these procedures ;

Whereas the Joint Committee may, moreover, review the provisions adopted in this Decision to take account of the situation obtaining on 1 January 1993,

HAS DECIDED AS FOLLOWS:

Article 1

With regard to the recording, checking, and making available of import duties collected on goods bound for Andorra, Article 3 and Articles 6 (1), 6 (2) (a) and (b), 6 (3), first subparagraph, 10 (1) and 17 (2) of Regulation (EEC) No 1552/89 shall apply *mutatis mutandis* and, in particular, provide as follows:

- (a) for import duties collected on goods bound for Andorra, the Member States shall keep accounts identical to the Community own resources accounts, provided for in Article 6 (1), (2) (a) and (2) (b) of Regulation (EEC, Euratom) No 1552/89 ;
- (b) only those duties recorded by the customs offices referred to in Annex I to the Agreement shall be entered in the abovementioned accounts. These duties

shall only be entered into the accounts if the copy of control copy No 5 of the T2 AN document or the copy of the T2L AN document proving that the goods in question have arrived in the Principality of Andorra, has been stamped by the Andorran customs authorities and duly presented to the customs office which issued it ;

- (c) in accordance with the first subparagraph of Article 6 (3) of Regulation (EEC, Euratom) No 1552/89, the Member States in question shall send to the Commission statements of their accounts, attached to their own resources statements. The statements, drawn up in the same way as the own resources statements, shall also indicate the totals collected in duties by each customs office ;
- (d) the supporting documents shall be kept in accordance with the first and second paragraphs of Article 3. These documents and the documents relating to own resources shall be filed separately ;
- (e) where the records of duties or the accounts are corrected after 31 December of the third year following the year in which the entries were initially recorded, these corrections shall not be entered in the accounts, unless notice has been given before this date by the Commission, a Member State or Andorra ;
- (f) the provisions of Article 18 of Regulation (EEC, Euratom) No 1552/89 shall apply. The inspections in question shall also apply to documents proving that the goods in question have arrived in Andorra, referred to in point (b). Agents authorized by Andorra may participate in these inspections ;
- (g) the Member States in question shall credit the duties entered in the accounts provided for in Article 6 (2) (a) and (b) of Regulation (EEC, Euratom) No 1552/89 to the Commission's account provided for in Article 9 of Regulation (EEC, Euratom) No 1552/89, within the time limits provided for in Article 10 (1) and after deduction of collection costs.

The percentage which the Community may deduct, as collection costs, from the import duties collected by the Community on behalf of Andorra, is set at 10 %. This figure may be reviewed by the Joint Committee ;

⁽¹⁾ OJ No L 155, 7. 6. 1989, p. 1.

(h) Member States shall be free from the obligation to place at the disposal of the Commission the amounts corresponding to the duties recorded for Andorra only if the conditions set down in Article 17 (2) of Regulation (EEC, Euratom) No 1552/89 have been fulfilled.

Article 2

The amounts credited shall be converted by the Commission and entered in its accounts in ecus in accordance with the rules of implementation of the Financial Regulation of 21 December 1977⁽¹⁾ applicable to the general budget of the European Communities.

Article 3

In the 30 days following notification by the Member States that an amount has been credited, the Commission shall pay, in ecus, the amounts entered in the accounts

into an ecu account opened by Andorra. Andorra shall inform the Commission of the details of the account to be credited. Andorra shall bear any charges on this account.

Article 4

This Decision shall enter into force on 1 July 1991.

Done at Andorra-la-Vella, 12 July 1991.

For the Joint Committee

The Chairman

Oscar RIBAS REIG

⁽¹⁾ OJ No L 356, 31. 12. 1977, p. 1.

DECISION No 6/91 OF THE EEC-ANDORRA JOINT COMMITTEE**of 12 July 1991****on the arrangements for the application of the mutual assistance provided for in
Article 15 of the Agreement between the Community and Andorra**

(91/471/EEC)

THE JOINT COMMITTEE,

Having regard to the Agreement in the form of an exchange of letters between the European Economic Community and the Principality of Andorra, and in particular Article 15 (2) thereof,

Whereas the proper functioning of the Agreement requires close collaboration between the authorities of the Contracting Parties responsible for implementing the provisions of that Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

This Decision determines the procedure according to which the administrative authorities of the Community and of Andorra which have responsibility for the implementation of the provisions of the Agreement shall work together to ensure compliance with those provisions.

Article 2

Within the meaning of this Decision:

- 'provisions' shall be all the provisions of the Agreement except for the provisions of Article 11 thereof,
- 'requesting authority' shall be the relevant authority, of either of the Parties to the Agreement, submitting a request for assistance,
- 'receiving authority' shall be the relevant authority, of either of the Parties to the Agreement, receiving a request for assistance.

Article 3

The obligation to provide assistance to which this Decision relates shall not include the communication of information or documents obtained by the administrative authorities referred to in Article 1 under the powers they exercise at the request of the judicial authorities.

However, since the assistance in question is provided in response to a request, communication of such material shall take place in all cases in which the judicial authorities have been consulted and give their assent.

TITLE I**ASSISTANCE IN RESPONSE TO A REQUEST***Article 4*

1. The receiving authority shall provide the requesting authority, at its request, with all information likely to help

it to comply with the provisions of Article 1 of this Decision.

2. In order to obtain the information requested, the receiving authority or administrative authority to which the matter is referred by the receiving authority shall act within its powers as if on its own behalf or in response to a request from another authority in its own territory.

Article 5

The receiving authority shall supply to the requesting authority, at the request of the latter, any official statement, document or certified true copy of that document to which it has access or which it obtains in the manner referred to in Article 4 (2) which relates to operations covered by the provisions.

Article 6

1. At the request of the requesting authority, the receiving authority shall notify the addressee or arrange for the addressee to be notified, in conformity with the rules applying to the territory in which it is based, of all acts or decisions of the administrative authorities which relate to the implementation of the provisions.

2. Requests for notification, stating the subject of the act or decision for notification, shall be accompanied by a translation into the official language or one of the official languages of the territory in which the receiving authority is based. This shall not affect the right of the receiving authority to decline to provide such a translation.

Article 7

At the request of the requesting authority, the receiving authority shall perform or have performed special surveillance of:

- (a) persons reasonably suspected of infringements of the provisions, with special attention being devoted to the movements of such persons;
- (b) locations at which goods are deposited in circumstances giving rise to the reasonable belief that they are enabling operations violating the provisions to take place;
- (c) movements of goods pointed out as having a possible involvement in operations which violate the provisions;

- (d) means of transport reasonably suspected of being involved in operations which violate the provisions.

Article 8

At the request of the requesting authority, the receiving authority shall supply all information to which it has access or which it obtains in the manner referred to in Article 4 (2) relating to operations planned or under way which the requesting authority knows or believes to be violating the provisions. Such information shall notably take the form of reports and other documents or certified true copies or extracts thereof.

Article 9

1. At the request of the requesting authority, the receiving authority shall perform or have performed appropriate investigations relating to the operations which the requesting authority knows or believes to be violating the provisions.

In performing such investigations, the receiving authority or administrative authority to which the matter is referred by the receiving authority shall act within its powers as if on its own behalf or in response to a request from another authority in its own territory.

The receiving authority shall communicate the results of the investigations to the requesting authority.

2. By agreement between the requesting and receiving authorities, officials appointed by the requesting authority may be present during the investigations referred to in paragraph 1.

Article 10

By agreement between the requesting authority and receiving authority, and according to a procedure established by the latter, officials duly authorized by the requesting authority may collect information at the offices of the administrative authorities referred to in Article 1 which are located in the territory in which the receiving authority is based. That information shall relate to the implementation of the provisions and shall be that needed by the requesting authority. It shall be obtained from the documents to which the staff of the offices concerned have access. The officials may take copies of such documents.

TITLE II

ASSISTANCE VOLUNTEERED

Article 11

The relevant authorities of each of the Contracting Parties shall assist the relevant authorities of the other Con-

tracting Party without having first received a request for assistance according to the procedure laid down in Articles 12 and 13.

Article 12

In cases in which they judge such action useful in ensuring that the provisions are observed, the relevant authorities of a Contracting Party:

- (a) shall perform or have performed special surveillance of the type laid down in Article 7 to the degree that this is possible;
- (b) shall communicate to the relevant authorities of the other Contracting Party any information in its possession which relates to operations which it believes to be violating the provisions. This information shall notably take the form of reports and other documents or certified true copies or extracts thereof.

Article 13

The relevant authorities of each of the Contracting Parties shall without delay supply the authorities of the other Contracting Party with any useful information relating to operations which they know or believe to be violating the provisions, particularly information relating to goods involving in such operations and to new resources or methods used in such operations.

TITLE III

FINAL PROVISIONS

Article 14

1. The implementation of this Decision, including the handling of requests and exchange of information, shall be the responsibility of the central customs authorities of the Principality of Andorra and the appropriate Commission departments. They shall determine all arrangements and measures necessary for the purpose.

2. The Contracting Parties shall provide each other with the list of relevant authorities selected for the purposes referred to in Article 1. Such information shall be supplemented by lists of the departments responsible for preventing and detecting irregularities connected with the provisions of the Agreement. These lists shall be expanded whenever necessary.

In order to make the Decision as effective as possible, the Contracting Parties shall furthermore take appropriate steps to enable the departments concerned to establish personal contacts likely to facilitate the exchange of information and the handling of requests.

3. The Contracting Parties shall inform each other of the steps taken to implement the Decision.

Article 15

1. This Decision does not oblige the Contracting Parties to provide assistance to each other in cases in which such assistance is likely to be detrimental to public order, security or other vital interests of a Contracting Party.

2. Grounds must be given for any refusal to provide assistance.

Article 16

The documents to be supplied pursuant to this Decision may be replaced by information in any form and for the same ends generated by information technology.

Article 17

1. The information communicated pursuant to this Decision in any form whatsoever shall be confidential. It shall be covered by professional confidentiality and enjoy the protection provided by the national laws in force in the territory of the Contracting Party receiving the information for information of a similar nature and the protection of corresponding rules applying to Community bodies.

In particular, the information referred to in the first subparagraph may not be forwarded to persons other than those in the territories of the Contracting Parties or in the Community institutions whose duties are such that they should have access to that information. The information in question may similarly not be used for purposes other than those stipulated in this Decision unless the authority providing the information expressly agrees otherwise and providing that the rules applying in the territory in which the authority receiving the information is based do not forbid its forwarding or use.

2. Paragraph 1 shall not preclude the use of information obtained pursuant to this Decision in legal action or proceedings resulting from failure to comply with the provisions.

The relevant authority of the Contracting Party supplying the information concerned shall be informed without delay if the information is used in such a context.

Article 18

The Contracting Parties shall not submit any claim for refunds of costs incurred as a result of the implementation of this Decision except, where appropriate, for fees paid to experts.

Article 19

This Decision shall not affect the application between the Contracting Parties of rules relating to mutual legal assistance in criminal cases.

Article 20

The Joint Committee shall be responsible for the administration of this Decision.

Article 21

This Decision shall enter into force on 1 July 1991.

This Decision shall be binding in its entirety and directly applicable in the Contracting Parties.

Done at Andorra-la-Vella, 12 July 1991.

For the Joint Committee

The Chairman

Oscar RIBAS REIG