

Official Journal

of the European Communities

ISSN 0378-6978

L 261

Volume 34

18 September 1991

English edition

Legislation

Contents

I *Acts whose publication is obligatory*

- Commission Regulation (EEC) No 2729/91 of 17 September 1991 fixing the import levies on cereals and on wheat or rye flour, groats and meal 1
- Commission Regulation (EEC) No 2730/91 of 17 September 1991 fixing the premiums to be added to the import levies on cereals, flour and malt 3
- ★ Commission Regulation (EEC) No 2731/91 of 13 September 1991 amending the list annexed to Regulation (EEC) No 3664/90 establishing, for 1991, the list of vessels exceeding eight metres length overall permitted to fish for sole within certain areas of the Community using beam trawls whose aggregate length exceeds nine metres 5
- ★ Commission Regulation (EEC) No 2732/91 of 13 September 1991 amending the list annexed to Regulation (EEC) No 55/87 establishing the list of vessels exceeding eight metres length overall permitted to use beam trawls within certain areas of the Community 7
- ★ Commission Regulation (EEC) No 2733/91 of 17 September 1991 determining the overrun in the Community maximum guaranteed area under cotton and the reduced aid for small cotton producers for the 1990/91 marketing year 9
- Commission Regulation (EEC) No 2734/91 of 17 September 1991 fixing the import levies on white sugar and raw sugar 10

II *Acts whose publication is not obligatory*

Commission

91/488/EEC:

- ★ Commission Decision of 4 September 1991 amending Decision 88/324/EEC establishing the amendments to be made in respect of potatoes, to the measures taken by Denmark to protect itself against the introduction of *Corynebacterium sepedonicum* 12

- ★ Commission Decision of 4 September 1991 amending Decision 90/52/EEC authorizing Member States temporarily to take additional measures as regards Denmark against the dissemination of *Corynebacterium sepedonicum* 14

- ★ Commission Decision of 4 September 1991 amending Decision 90/53/EEC authorizing Member States temporarily to take additional measures against the dissemination of *Corynebacterium sepedonicum* as regards the Federal Republic of Germany 16

Corrigenda

- ★ Corrigendum to Council Regulation (EEC) No 1910/91 of 28 June 1991 opening and providing for the administration of Community tariff quotas for certain agricultural products originating in Cyprus, Morocco, Israel, Tunisia and Egypt (1991/92) (OJ No L 170 of 29.6.1991) 18
- ★ Corrigendum to Commission Regulation (EEC) No 2050/91 of 12 July 1991 on a special intervention measure for durum wheat in Greece (OJ No L 187 of 13.7.1991) 18

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2729/91

of 17 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 import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 2661/91⁽⁵⁾ and subsequent amending Regulations;

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

— in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in

the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85,

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

Whereas these exchange rates being those recorded on 16 September 1991;

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

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2661/91 to today's offer prices and quotations known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 18 September 1991.

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

Done at Brussels, 17 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 250, 7. 9. 1991, p. 1.

ANNEX

to the Commission Regulation of 17 September 1991 fixing the import levies on cereals
and on wheat or rye flour, groats and meal

CN code	Levy
0709 90 60	131,31 ⁽²⁾ ⁽³⁾
0712 90 19	131,31 ⁽²⁾ ⁽³⁾
1001 10 10	176,64 ⁽¹⁾ ⁽³⁾
1001 10 90	176,64 ⁽¹⁾ ⁽³⁾
1001 90 91	160,49
1001 90 99	160,49
1002 00 00	159,92 ⁽⁴⁾
1003 00 10	138,70
1003 00 90	138,70
1004 00 10	119,58
1004 00 90	119,58
1005 10 90	131,31 ⁽²⁾ ⁽³⁾
1005 90 00	131,31 ⁽²⁾ ⁽³⁾
1007 00 90	142,35 ⁽⁴⁾
1008 10 00	48,53
1008 20 00	120,76 ⁽⁴⁾
1008 30 00	37,79 ⁽⁵⁾
1008 90 10	⁽⁷⁾
1008 90 90	37,79
1101 00 00	237,39 ⁽⁶⁾
1102 10 00	236,89 ⁽⁶⁾
1103 11 10	286,92 ⁽⁶⁾
1103 11 90	256,04 ⁽⁶⁾

⁽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 2730/91

of 17 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 16 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 18 September 1991.

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

Done at Brussels, 17 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 17 September 1991 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CN code	Current	1st period	2nd period	3rd period
	9	10	11	12
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
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	2,16	2,16	2,16
1004 00 90	0	2,16	2,16	2,16
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	10,89	10,89	10,89
1008 90 90	0	10,89	10,89	10,89
1101 00 00	0	0	0	0

B. Malt

CN code	Current	1st period	2nd period	3rd period	4th period
	9	10	11	12	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 2731/91**of 13 September 1991****amending the list annexed to Regulation (EEC) No 3664/90 establishing, for 1991, the list of vessels exceeding eight metres length overall permitted to fish for sole within certain areas of the Community using beam trawls whose aggregate length exceeds nine metres**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3094/86 of 7 October 1986 laying down certain technical measures for the conservation of fishery resources⁽¹⁾, as last amended by Regulation (EEC) No 4056/89⁽²⁾,

Having regard to Commission Regulation (EEC) No 3554/90 of 10 December 1990 adopting provisions for the establishment of the list of vessels exceeding eight metres length overall which are permitted to fish for sole within certain areas of the Community using beam trawls of an aggregate length exceeding nine metres⁽³⁾, and in particular Article 2 thereof,

Whereas Commission Regulation (EEC) No 3664/90⁽⁴⁾, as last amended by Regulation (EEC) No 1612/91⁽⁵⁾, establishes for 1991 the list of vessels exceeding eight metres length overall permitted to fish for sole within certain areas of the Community using beam trawls of aggregate length exceeding nine metres;

Whereas the German authorities have requested withdrawal from the list annexed to Regulation (EEC) No

3664/90 of five vessels that no longer meet the requirements laid down in Article 1 (2) of Regulation (EEC) No 3554/90; whereas the national authorities have provided all the information in support of the request required under Article 2 of Regulation (EEC) No 3554/90; whereas scrutiny of this information shows that the requirements of the Regulation are met; whereas the vessels in question should be withdrawn from the list,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 3664/90 is amended as indicated in the Annex to this Regulation.

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, 13 September 1991.

For the Commission

Manuel MARÍN

Vice-President

⁽¹⁾ OJ No L 288, 11. 10. 1986, p. 1.

⁽²⁾ OJ No L 389, 30. 12. 1989, p. 75.

⁽³⁾ OJ No L 346, 11. 12. 1990, p. 11.

⁽⁴⁾ OJ No L 356, 19. 12. 1990, p. 6.

⁽⁵⁾ OJ No L 149, 14. 6. 1991, p. 25.

ANNEX

Following vessels are deleted from the list of Regulation (EEC) No 3664/90 :

External identification Letters + numbers	Name of vessel	Radio call sign	Port of registry	Engine power (kW)
GERMANY				
NOR 201	Roswietha	DCDM	Norddeich	213
NOR 210	Hildegard	DCMF	Norddeich	147
SPI 1	Sonny-Boy	DFBI	Spieka	138
SPI 10	Jan Janshen Bruhns	DCSR	Spieka	147
BÜS 2	Blume		Büsum	66

COMMISSION REGULATION (EEC) No 2732/91

of 13 September 1991

amending the list annexed to Regulation (EEC) No 55/87 establishing the list of vessels exceeding eight metres length overall permitted to use beam trawls within certain areas of the Community

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3094/86 of 7 October 1986 laying down certain technical measures for the conservation of fishery resources⁽¹⁾, as last amended by Regulation (EEC) No 4056/89⁽²⁾,

Having regard to Commission Regulation (EEC) No 55/87 of 30 December 1986 establishing the list of vessels exceeding eight metres length overall permitted to use beam trawls within certain areas of the Community⁽³⁾, as last amended by Regulation (EEC) No 2053/91⁽⁴⁾, and in particular Article 3 thereof,

Whereas the German authorities have requested that two vessels meeting the requirements laid down in Article 1 (2) of Regulation (EEC) No 55/87 be added to the list annexed to that Regulation; whereas the national authorities have provided all the information in support of the request required under Article 3 of Regulation (EEC) No

55/87; whereas the vessels added to the list annexed to Regulation (EEC) No 55/87 replace vessels which were deleted from the same list by Commission Regulation (EEC) No 359/91⁽⁵⁾; whereas scrutiny of this information shows that the requirements of the Regulation are met; whereas the vessels in question should be added to the list,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 55/87 is amended as indicated in the Annex to this Regulation.

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, 13 September 1991.

For the Commission

Manuel MARÍN

Vice-President

⁽¹⁾ OJ No L 288, 11. 10. 1986, p. 1.

⁽²⁾ OJ No L 389, 30. 12. 1989, p. 75.

⁽³⁾ OJ No L 8, 10. 1. 1987, p. 1.

⁽⁴⁾ OJ No L 187, 13. 7. 1991, p. 21.

⁽⁵⁾ OJ No L 42, 15. 2. 1991, p. 9.

/ ANNEX

Following vessels are added to the list of Regulation (EEC) No 55/87:

External identification Letters + numbers	Name of vessel	Radio call sign	Port of registry	Engine power (kW)
GERMANY				
FED 12	Rubin	DDIT	Fedderwardsiel	183
SC 42	Westerens	DIQN	Büsum	221

COMMISSION REGULATION (EEC) No 2733/91**of 17 September 1991****determining the overrun in the Community maximum guaranteed area under cotton and the reduced aid for small cotton producers for the 1990/91 marketing year**

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

Having regard to Council Regulation (EEC) No 1152/90 of 27 April 1990 instituting a system of aid in favour of small cotton producers⁽¹⁾, and in particular Article 7 (2) thereof,

Whereas, pursuant to Article 7 (2) of the abovementioned Regulation, the Commission is to record any overrun in the Community maximum guaranteed area and is to determine the resulting reduction in the aid; whereas, on the basis of information received from the producer Member States, the Commission has recorded an overrun for the 1990/91 marketing year in the maximum guaranteed area determined by Commission Regulation (EEC) No 2048/90 of 18 July 1990 laying down detailed rules for the application of the system of aid in favour of small cotton producers⁽²⁾, as amended by Regulation (EEC) No 3218/90⁽³⁾; whereas that overrun should therefore be determined and, using the formula laid down in Article 9 (2) of Regulation (EEC) No 2048/90, the reduced aid for that marketing year should be determined as indicated below;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1990/91 marketing year, the overrun in the Community maximum guaranteed area under cotton referred to in Article 7 (2) of Regulation (EEC) No 1152/90 shall be 27 826 hectares.

Article 2

For the 1990/91 marketing year, the aid reduced pursuant to Article 7 (2) of Regulation (EEC) No 1152/90 shall be ECU 181,07 per hectare.

Article 3

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, 17 September 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 116, 8. 5. 1990, p. 1.

⁽²⁾ OJ No L 187, 19. 7. 1990, p. 29.

⁽³⁾ OJ No L 308, 8. 11. 1990, p. 20.

COMMISSION REGULATION (EEC) No 2734/91

of 17 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 2711/91 ⁽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 16 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 18 September 1991.

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

Done at Brussels, 17 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 257, 14. 9. 1991, p. 5.

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

(ECU/100 kg)

CN code	Levy
1701 11 10	38,10 ⁽¹⁾
1701 11 90	38,10 ⁽¹⁾
1701 12 10	38,10 ⁽¹⁾
1701 12 90	38,10 ⁽¹⁾
1701 91 00	43,18
1701 99 10	43,18
1701 99 90	43,18 ⁽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

COMMISSION DECISION

of 4 September 1991

amending Decision 88/324/EEC establishing the amendments to be made in respect of potatoes, to the measures taken by Denmark to protect itself against the introduction of *Corynebacterium sepedonicum*

(Only the Danish text is authentic)

(91/488/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 80/665/EEC of 24 June 1980 on the control of potato ring rot⁽¹⁾, and in particular Article 9 (2) thereof,

Having regard to the communication made by Denmark on 15 November 1985,

Whereas Denmark has implemented a programme to eradicate *Corynebacterium sepedonicum*, the agent causing bacterial ring rot in potatoes and known to occur in Denmark;

Whereas Denmark adopted, within the framework of this programme, on 28 September 1984, the 'Landbrugsministeriets bekendtgørelse nr. 499 om læggekartofler' (Ministry of Agriculture Order No 499 concerning seed potatoes) as replaced on 11 December 1987 by the 'Landbrugsministeriets bekendtgørelse nr. 795 om læggekartofler' (Ministry of Agriculture Order No 795 concerning seed potatoes), on 29 August 1985, the 'Landbrugsministeriets bekendtgørelse nr. 395 om konsumkartofler' (Ministry of Agriculture Order No 395 concerning potatoes for consumption), and, on 11 December 1987, the 'Landbrugsministeriets bekendtgørelse nr. 820 om indførsel og udførsel af planter m.m.' (Ministry of Agriculture Order No 820 on imports and exports of plants etc.) which supplemented the relevant provisions of the previous Orders;

Whereas these provisions mainly lay down that potatoes imported into Denmark, other than those imported for consumption between 15 April and 30 June of the year of production, are required:

- to be derived in direct line from propagating material which has its origin in disease-free potato meristems,
- and
- not to have been in contact during production, harvesting, storage, grading or transport with tubers of other origins;

Whereas pursuant to these Orders, potatoes from other Member States may no longer be imported into Denmark, unless they meet the aforementioned requirements;

Whereas Denmark has justified these measures by the need to ensure that the effectiveness of its eradication programme is not jeopardized by possible reinfections of its own potato production through contacts with potatoes of uncertain origin as regards their health standard;

Whereas by Commission Decision 88/324/EEC⁽²⁾ Denmark was required to amend the Orders of 29 August 1985 and 11 December 1987;

Whereas, in this Decision, it was established that it was prudent to allow Denmark, to require for a limited period, certain additional safeguards, since technical examination which is necessary for the assessment of the justification given by Denmark was not completed at that time;

⁽¹⁾ OJ No L 180, 14. 7. 1980, p. 30.

⁽²⁾ OJ No L 147, 14. 6. 1988, p. 84.

Whereas, in particular, there was insufficient information to assess whether seed potatoes originating in parts of the Community where *Corynebacterium sepedonicum* is not known to occur, and which have been officially certified under Council Directive 66/403/EEC⁽¹⁾, as last amended by Commission Directive 91/127/EEC⁽²⁾, may present a potential risk for the effectiveness of the Danish eradication programme;

Whereas, by Decision 90/112/EEC⁽³⁾, the period mentioned in Decision 88/324/EEC by which Denmark was allowed to require additional safeguards in respect of both seed potatoes and potatoes for consumption was extended until 30 June 1991;

Whereas it is still not possible to assess fully that risk as well as that presented by potatoes for consumption;

Whereas the period during which Denmark should be allowed to require certain safeguards, in respect of both seed potatoes and potatoes for consumption should be extended;

Whereas the safeguards shall be reconsidered at the expiry of the aforementioned limited period, with a view to establishing uniform standards and rules against the introduction or spread of *Corynebacterium sepedonicum*, applicable to all Member States;

Whereas this Decision is without prejudice to any further action which might be decided as a result of the continuing technical examination of the Danish measures;

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

HAS ADOPTED THIS DECISION:

Article 1

In Article 1 (2) of Decision 88/324/EEC, '30 June 1991' is replaced by '31 December 1992'.

Article 2

This Decision is addressed to the Kingdom of Denmark.

Done at Brussels, 4 September 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No 125, 11. 7. 1966, p. 2320/66.

⁽²⁾ OJ No L 60, 7. 3. 1991, p. 18.

⁽³⁾ OJ No L 67, 15. 3. 1990, p. 49.

COMMISSION DECISION

of 4 September 1991

amending Decision 90/52/EEC authorizing Member States temporarily to take additional measures as regards Denmark against the dissemination of *Corynebacterium sepedonicum*

(91/489/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Member States of organisms harmful to plants or plant products ⁽¹⁾, as last amended by Commission Directive 91/27/EEC ⁽²⁾, and in particular Article 15 (2) thereof,

Having regard to Council Directive 80/665/EEC of 24 June 1980 on the control of potato ring rot ⁽³⁾, and in particular Article 9 (2) thereof,

Having regard to Commission Decision 90/52/EEC of 17 January 1990 authorizing Member States temporarily to take additional measures as regards Denmark against the dissemination of *Corynebacterium sepedonicum* and repealing Decision 88/36/EEC ⁽⁴⁾, and in particular Article 3 thereof,

Whereas, where a Member State considers that there is an imminent danger of the introduction into its territory of potato ring rot from another Member State, it may temporarily take any additional measures necessary to protect itself from that danger;

Whereas a Member State may also take such measures where another Member State informs it of confirmed contamination by potato ring rot;

Whereas it was well known that potato ring rot had occurred in Denmark for more than 25 years;

Whereas Denmark implemented an eradication programme;

Whereas, in particular, since 1984 the entire potato stock material was renewed by cleaned and healthy material; whereas since 1986 both seed potatoes and ware potatoes may be produced in Denmark only where they derive from such cleaned and healthy stock material;

Whereas, moreover, Denmark set up appropriate production, processing and distribution structures, aimed at preventing reinfections of potatoes produced under the above conditions;

Whereas the results of intensive official surveys, including testing carried out in accordance with the established Community method for the detection and diagnosis of *Corynebacterium sepedonicum*, carried out in Denmark on potatoes harvested there since 1986, justified the conclusion that potatoes produced in Denmark at least since 1986 could be deemed to be free from potato ring rot;

Whereas Denmark informed the other Member States and the Commission that samples of the 1988 ware potato production showed a confirmed contamination by potato ring rot, including those of a consignment introduced into another Member State;

Whereas taking into account that situation the Commission, by Decision 90/52/EEC, authorized the Member States to take additional measures described therein;

Whereas that Decision also stipulated that Member States shall adjust the measures which they adopted with a view to protecting themselves against the introduction or spread of *Corynebacterium sepedonicum*;

Whereas that Decision stipulated that the authorization shall expire on 30 June 1991;

Whereas the Commission and the other Member States were informed that a sample of the 1990 seed potato production of Denmark, taken from a consignment introduced into another Member State, showed a confirmed contamination by *Corynebacterium sepedonicum*;

Whereas the results of intensive official surveys, carried out in Denmark on potatoes harvested in 1990 also showed a confirmed contamination by potato ring rot;

Whereas it has not yet been possible to identify the precise source of contamination;

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

⁽¹⁾ OJ No L 26, 31. 1. 1977, p. 20.

⁽²⁾ OJ No L 16, 22. 1. 1991, p. 29.

⁽³⁾ OJ No L 180, 14. 7. 1980, p. 30.

⁽⁴⁾ OJ No L 36, 8. 2. 1990, p. 23.

HAS ADOPTED THIS DECISION :

3. Article 2 is deleted.

Article 1

Article 2

This Decision is addressed to the Member States.

Decision 90/52/EEC is hereby amended as follows :

Done at Brussels, 4 September 1991.

1. in Article 1 (1), '30 June 1991' is replaced by '31 December 1991';

For the Commission

2. in Article 1 (2) (b), '90/52/EEC' is replaced by '91/489/EEC';

Ray MAC SHARRY

Member of the Commission

COMMISSION DECISION

of 4 September 1991

amending Decision 90/53/EEC authorizing Member States temporarily to take additional measures against the dissemination of *Corynebacterium sepedonicum* as regards the Federal Republic of Germany

(91/490/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Member States of organisms harmful to plants or plant products⁽¹⁾, as last amended by Commission Directive 91/27/EEC⁽²⁾, and in particular Article 15 (2) thereof,

Having regard to Council Directive 80/665/EEC of 24 June 1980 on the control of potato ring rot⁽³⁾, and in particular Article 9 (2) thereof,

Whereas where a Member State considers that there is an imminent danger of the introduction into its territory of potato ring rot from another Member State it may temporarily take any additional measures necessary to protect itself from that danger;

Whereas a Member State may also take such measures where another Member State informs it of confirmed contamination by potato ring rot;

Whereas the Federal Republic of Germany informed the other Member States and the Commission on 13 September 1985 that samples of potatoes originating in Niedersachsen were suspected to be contaminated by potato ring rot; whereas complementary reports supplied by Germany indicated that five samples of the 1986 potato production of that *Land* showed a confirmed contamination by potato ring rot;

Whereas the Federal Republic of Germany informed the other Member States and the Commission that samples of

the 1988 potato production of Niedersachsen and Schleswig-Holstein showed a confirmed contamination by potato ring rot, including those of a consignment introduced into another Member State;

Whereas taking into account the aforementioned situation, the Commission by Decision 90/53/EEC⁽⁴⁾ authorized the Member States to take additional measures described therein;

Whereas that Decision stipulated that Member States shall adjust the measures which they adopted with a view to protecting themselves against the introduction or spread of *Corynebacterium sepedonicum*;

Whereas that Decision stipulated that the authorization shall expire on 30 June 1991;

Whereas there have been no findings of ring rot on potatoes originating in Germany either on samples drawn from potatoes introduced into other Member States pursuant to this Decision, or in surveys carried out in *Länder* other than Niedersachsen and Schleswig-Holstein pursuant to Directive 80/665/EEC;

Whereas, however, has not yet been possible to identify the source of contamination nor to determine the extent thereof in the *Länder* Niedersachsen und Schleswig-Holstein;

Whereas it is therefore justified for the Member States to be authorized to take additional measures against the dissemination of *Corynebacterium sepedonicum*;

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

⁽¹⁾ OJ No L 26, 31. 1. 1977, p. 20.

⁽²⁾ OJ No L 16, 22. 1. 1991, p. 29.

⁽³⁾ OJ No L 180, 14. 7. 1980, p. 30.

⁽⁴⁾ OJ No L 36, 8. 2. 1990, p. 26.

HAS ADOPTED THIS DECISION :

Article 2

This Decision is addressed to the Member States.

Article 1

Decision 90/53/EEC is hereby amended as follows :

Done at Brussels, 4 September 1991.

1. in Article 1 (1), '30 June 1991' is replaced by '31 December 1991';
2. in Article 1 (2) (b), '90/53/EEC' is replaced by '91/490/EEC'.

For the Commission

Ray MAC SHARRY

Member of the Commission

CORRIGENDA

Corrigendum to Council Regulation (EEC) No 1910/91 of 28 June 1991 opening and providing for the administration of Community tariff quotas for certain agricultural products originating in Cyprus, Morocco, Israel, Tunisia and Egypt (1991/92)

(Official Journal of the European Communities No L 170 of 29 June 1991)

Page 9, Article 1, Table :

In the third column 'Description', opposite Order Nos 09.1109, 09.1311 and 09.1425, the entry should read :

'Chinese cabbage from 1 November to 31 December 1991'.

Corrigendum to Commission Regulation (EEC) No 2050/91 of 12 July 1991 on a special intervention measure for durum wheat in Greece

(Official Journal of the European Communities No L 187 of 13 July 1991)

Page 12, Annex, third column :

for: 'Amount of export refund in drachmas per tonne',

read: 'Amount of export refund in ecus per tonne'.
