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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2781/91

of 24 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 23 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 25 September 1991.

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

Done at Brussels, 24 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 24 September 1991 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CN code	Levy (ECU/tonne)
0709 90 60	133,94 ⁽²⁾ ⁽³⁾
0712 90 19	133,94 ⁽²⁾ ⁽³⁾
1001 10 10	176,93 ⁽¹⁾ ⁽³⁾
1001 10 90	176,93 ⁽¹⁾ ⁽³⁾
1001 90 91	154,06
1001 90 99	154,06
1002 00 00	160,11 ⁽⁴⁾
1003 00 10	138,01
1003 00 90	138,01
1004 00 10	119,80
1004 00 90	119,80
1005 10 90	133,94 ⁽²⁾ ⁽³⁾
1005 90 00	133,94 ⁽²⁾ ⁽³⁾
1007 00 90	142,98 ⁽⁴⁾
1008 10 00	50,12
1008 20 00	120,92 ⁽⁴⁾
1008 30 00	50,30 ⁽²⁾
1008 90 10	⁽⁷⁾
1008 90 90	50,30
1101 00 00	228,69 ⁽⁴⁾
1102 10 00	238,17 ⁽⁴⁾
1103 11 10	287,37 ⁽⁴⁾
1103 11 90	246,65 ⁽⁴⁾

⁽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 2782/91

of 24 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 23 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 25 September 1991.

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

Done at Brussels, 24 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 24 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	0,18	0,18	0
1001 10 90	0	0,18	0,18	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	3,59
1004 00 90	0	2,16	2,16	3,59
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	0	0	0
1008 90 90	0	0	0	0
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 2783/91**of 24 September 1991****amending Regulation (EEC) No 1201/91 increasing to 65 500 tonnes the quantity of barley held by the Belgian intervention agency for which a standing invitation to tender for export has been opened**

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 3653/90 ⁽²⁾, and in particular Article 7 (6) thereof,

Having regard to Commission Regulation (EEC) No 1836/82 of 7 July 1982 laying down the procedure and conditions for the disposal of cereals held by the intervention agencies ⁽³⁾, as last amended by Regulation (EEC) No 2619/90 ⁽⁴⁾,

Whereas Commission Regulation (EEC) No 1201/91 ⁽⁵⁾, as last amended by Regulation (EEC) No 2367/91 ⁽⁶⁾, opened a standing invitation to tender for the export of 50 000 tonnes of barley held by the Belgian intervention agency; whereas, in a communication of 19 September 1991, Belgium informed the Commission of the intention of its intervention agency to increase by 15 500 tonnes the quantity for which a standing invitation to tender for export has been opened; whereas the total quantity of barley held by the Belgian intervention agency for which a standing invitation to tender for export has been opened should be increased to 65 500 tonnes;

Whereas this increase in the quantity put out to tender makes it necessary to alter the list of regions and quantities in store; whereas Annex I to Regulation (EEC) No 1201/91 must therefore be amended;

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

Article 2 of Regulation (EEC) No 1201/91 is replaced by the following:

'Article 2

1. The invitation to tender shall cover a maximum of 65 500 tonnes of barley to be exported to all third countries.

2. The regions in which the 65 500 tonnes of barley are stored are stated in Annex I to this Regulation.'

Article 2

Annex I to Regulation (EEC) No 1201/91 is replaced by the Annex hereto.

Article 3

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, 24 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 362, 27. 12. 1990, p. 28.
⁽³⁾ OJ No L 202, 9. 7. 1982, p. 23.
⁽⁴⁾ OJ No L 249, 12. 9. 1990, p. 8.
⁽⁵⁾ OJ No L 116, 9. 5. 1991, p. 16.
⁽⁶⁾ OJ No L 216, 3. 8. 1991, p. 33.

*ANNEX**ANNEX I*

<i>(tonnes)</i>	
Place of storage	Quantity
West-Vlaanderen	10 880
Namur	13 500
Hainaut	19 120
Liège	22 000'

COMMISSION REGULATION (EEC) No 2784/91

of 24 September 1991

amending Regulations (EEC) No 1147/91, (EEC) No 1148/91, (EEC) No 1149/91, (EEC) No 1150/91, (EEC) No 1151/91, (EEC) No 1154/91, (EEC) No 1201/91, (EEC) No 1202/91, (EEC) No 1203/91, (EEC) No 1204/91, (EEC) No 1205/91 and (EEC) No 2318/91 opening standing invitations to tender for the export of cereals held by the intervention agencies

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 3653/90⁽²⁾, and in particular Article 7 (6) thereof,

Having regard to Commission Regulation (EEC) No 1836/82 of 7 July 1982 laying down the procedure and conditions for the disposal of cereals held by the intervention agencies⁽³⁾, as last amended by Regulation (EEC) No 2619/90⁽⁴⁾,

Whereas the last partial invitation to tender under Commission Regulations (EEC) No 1147/91⁽⁵⁾, (EEC) No 1148/91⁽⁶⁾, (EEC) No 1149/91⁽⁷⁾, (EEC) No 1150/91⁽⁸⁾, (EEC) No 1151/91⁽⁹⁾, (EEC) No 1154/91⁽¹⁰⁾, (EEC) No 1201/91⁽¹¹⁾, (EEC) No 1202/91⁽¹²⁾, (EEC) No 1203/91⁽¹³⁾, (EEC) No 1204/91⁽¹⁴⁾, (EEC) No 1205/91⁽¹⁵⁾ and (EEC) No 2318/91⁽¹⁶⁾, should be postponed;

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

Article 4 (3) of Regulations (EEC) No 1147/91, (EEC) No 1151/91, (EEC) No 1149/91, (EEC) No 1150/91, (EEC) No 1151/91, (EEC) No 1154/91, (EEC) No 1201/91, (EEC) No 1202/91, (EEC) No 1203/91, (EEC) No 1204/91, (EEC) No 1205/91 and (EEC) No 2318/91 is hereby replaced by the following:

'3. The last partial invitation to tender shall expire on 27 November 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, 24 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 362, 27. 12. 1990, p. 28.
⁽³⁾ OJ No L 202, 9. 7. 1982, p. 23.
⁽⁴⁾ OJ No L 249, 12. 9. 1990, p. 8.
⁽⁵⁾ OJ No L 112, 4. 5. 1991, p. 30.
⁽⁶⁾ OJ No L 112, 4. 5. 1991, p. 33.
⁽⁷⁾ OJ No L 112, 4. 5. 1991, p. 36.
⁽⁸⁾ OJ No L 112, 4. 5. 1991, p. 39.
⁽⁹⁾ OJ No L 112, 4. 5. 1991, p. 42.
⁽¹⁰⁾ OJ No L 112, 4. 5. 1991, p. 51.
⁽¹¹⁾ OJ No L 116, 9. 5. 1991, p. 16.
⁽¹²⁾ OJ No L 116, 9. 5. 1991, p. 19.
⁽¹³⁾ OJ No L 116, 9. 5. 1991, p. 22.
⁽¹⁴⁾ OJ No L 116, 9. 5. 1991, p. 25.
⁽¹⁵⁾ OJ No L 116, 9. 5. 1991, p. 28.
⁽¹⁶⁾ OJ No L 213, 1. 8. 1991, p. 50.

COMMISSION REGULATION (EEC) No 2785/91
of 23 September 1991

re-establishing the levying of customs duties on products falling within CN codes 3903, 3915 20 00, 3920 30 00 and 3920 99 50, originating in Mexico, 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 codes 3903, 3915 20 00, 3920 30 00 and 3920 99 50, originating in Mexico, the individual ceiling was fixed at ECU; 4 520 000; whereas, on 12 June 1991, imports of these products into the Community originating in Mexico 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 Mexico,

HAS ADOPTED THIS REGULATION:

Article 1

As from 28 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 Mexico:

Order No	CN code	Description
10.0457	3903	Polymers of styrene, in primary forms
	3915 20 00	Waste, paring and scrap, of polymers of styrene
	3920 30 00	Other plates, sheets, film, foil and strip, of plastics, non-cellular and not reinforced, laminated, supported or similarly combined with other materials:
	3920 99 50	— Of polymers of styrene — Of addition polymerization products

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, 23 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 2786/91

of 23 September 1991

re-establishing the levying of customs duties on products falling within CN code 8516 50 00, originating in Thailand, 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 8516 50 00, originating in Thailand, the individual ceiling was fixed at ECU 2 819 000; whereas, on 11 July 1991, imports of these products into the Community originating in Thailand 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 Thailand,

HAS ADOPTED THIS REGULATION:

Article 1

As from 28 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 Thailand:

Order No	CN code	Description
10.1045	8516 50 00	Microwave ovens

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, 23 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 2787/91

of 23 September 1991

re-establishing the levying of customs duties on products falling within CN codes ex 9101 and ex 9102, 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 the 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 codes ex 9101 and ex 9102, originating in China, the individual ceiling was fixed at ECU 11 025 000; whereas, on 7 May 1991, imports of these products into the Community originating in China reached the ceiling in question after being charged thereagainst; whereas, it is appropriate to re-establish the levying of customs duties in respect of the products in question against China,

HAS ADOPTED THIS REGULATION:

Article 1

As from 28 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:

Order No	CN code	Description
10.1160	ex 9101 11 00	Wrist-watches, pocket-watches and other watches, including stop-watches, with case of precious metal or of metal clad with precious metal:
	ex 9101 12 00	
	ex 9101 19 00	— Wrist-watches, battery or accumulator powered, whether or not incorporating a stop-watch facility:
	ex 9101 91 00	
		— — Quartz watches
		— Other:
		— — Battery or accumulator powered:
		— — — Quartz watches
	ex 9102 11 00	Wrist-watches, pocket-watches and other watches, including stop-watches, other than those of heading No 9101:
	ex 9102 12 00	
	ex 9102 19 00	— Wrist-watches, battery or accumulator powered, whether or not incorporating a stop-watch facility:
	ex 9102 91 00	
		— — Quartz watches
		— Other:
		— — Battery or accumulator powered:
		— — — Quartz watches

Article 2

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

⁽¹⁾ OJ No L 370, 31. 12. 1990, p. 1.

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

Done at Brussels, 23 September 1991.

For the Commission

Christiane SCRIVENER

Member of the Commission

COMMISSION REGULATION (EEC) No 2788/91**of 23 September 1991****re-establishing the levying of customs duties on products falling within CN code 9403 80 00, originating in the Philippines, 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 9403 80 00, originating in the Philippines, the individual ceiling was fixed at ECU 2 315 000; whereas, on 16 May 1991, imports of these products into the Community originating in the Philippines 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 the Philippines,

HAS ADOPTED THIS REGULATION:

Article 1

As from 28 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 the Philippines:

Order No	CN code	Description
10.1263	9403 80 00	Furniture of other materials, including cane, osier, bamboo or similar materials

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, 23 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 2789/91

of 24 September 1991

fixing the number of young male bovine animals which may be imported on special terms in the fourth quarter of 1991, and derogating from Regulation (EEC) No 2377/80 in respect of that quarter as regards the allocation of the quantities available

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 Articles 13 (4), 15 (2) and 25 thereof,

Whereas the Council has drawn up an estimated supply balance of 198 000 head under the new import arrangements applicable to young male bovine animals for fattening for the period 1 January to 31 December 1991; whereas, pursuant to Article 13 (4) (a) of Regulation (EEC) No 805/68, the number which may be imported each quarter and the rate of reduction in the import levy on such animals must be determined;

Whereas detailed rules for the practical application of these special arrangements were laid down in Commission Regulation (EEC) No 612/77 ⁽³⁾, as last amended by Regulation (EEC) No 1121/87 ⁽⁴⁾, and in Commission Regulation (EEC) No 2377/80 ⁽⁵⁾, as last amended by Regulation (EEC) No 815/91 ⁽⁶⁾;

Whereas the supply requirements of certain regions of the Community which have a serious shortfall in bovine animals for fattening must be taken into account; whereas those requirements are apparent in Italy and Greece and may be estimated for the fourth quarter of 1991 at 56 160 head and 8 580 head respectively in those Member States;

Whereas the supply requirements in young bovine animals for fattening justify, for the fourth quarter of 1991, a higher rate of reduction in the levy on animals weighing from 220 to 300 kilograms per head, originating in and coming from Yugoslavia, Hungary or Poland;

Whereas the quantities available must be shared between the traditional trade and other potential applicants;

Whereas, in order to simplify the procedure for allocating the quantities available it is necessary to derogate from Regulation (EEC) No 2377/80; whereas in the case of the

traditional trade the quantities available should be allocated directly in proportion to the number of head imported during the last three years; whereas, in the case of other applicants, the quantities available should be allocated directly in proportion to the number of head for which application is made;

Whereas, in the case of other applicants, the maximum quantity which each application for an import licence may cover must be limited, in order to permit a more equitable distribution of the quantities available; whereas for financial reasons a minimum number of head should be set for these applications;

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. For the period 1 October to 31 December 1991, the maximum number referred to in Article 13 (4) (a) of Regulation (EEC) No 805/68 shall be 64 740 head of young male bovine animals for fattening, comprising:

- (a) 8 420 weighing not more than 300 kilograms per head and subject to a 65 % reduction in the levy; and
- (b) 56 320 weighing from 220 to 300 kilograms per head, originating in and coming from Yugoslavia, Hungary or Poland and subject to a 75 % reduction in the levy.

2. The reductions referred to in point 1 shall be in respect of the levy applicable on the day of acceptance of the declaration of release for free circulation.

3. The quantities referred to in paragraph 1 shall be distributed as follows:

	<i>Italy</i>	<i>Greece</i>
(a) 8 420 head	7 300	1 120
(b) 56 320 head	48 860	7 460

4. Applications for licences and licences shall, in accordance with Article 9 (1) (c) of Regulation (EEC) No 2377/80, relate to:

- either young bovine animals weighing not more than 300 kilograms per head,
- or young bovine animals weighing from 220 to 300 kilograms per head, originating in and coming from Yugoslavia, Hungary or Poland.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 150, 15. 6. 1991, p. 16.

⁽³⁾ OJ No L 77, 25. 3. 1977, p. 18.

⁽⁴⁾ OJ No L 109, 24. 4. 1987, p. 12.

⁽⁵⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁶⁾ OJ No L 83, 3. 4. 1991, p. 6.

In the latter case, Sections 7 and 8 of applications for licences and licences shall include one of the following entries :

- Yugoslavia y/o Hungria y/o Polonia,
- Jugoslaviën og/eller Ungarn og/eller Polen,
- Jugoslawien und/oder Ungarn und/oder Polen,
- Γιουγκοσλαβία ή/και Ουγγαρία ή/και Πολωνία,
- Yugoslavia and/or Hungary and/or Poland,
- Yougoslavie et/ou Hongrie et/ou Pologne,
- Iugoslavia e/o Ungheria e/o Polonia,
- Joegoslavië en/of Hongarije en/of Polen,
- Jugoslávía e/ou Hungria e/ou Polónia.

Licences shall carry with them an obligation to import from one or more of the countries indicated.

5. In the information referred to in Article 15 (4) (a) of Regulation (EEC) No 2377/80, Member States shall specify the category of live weight and the origin of the products in the case referred to in the second indent of the first subparagraph of paragraph 4.

6. Of the number of head reserved for Italy and Greece for each category notwithstanding Article 15 (6) (a) of Regulation (EEC) No 2377/80 :

- (a) 90 % may be allocated directly to applicants who provide proof of having imported animals qualifying under this scheme during the last three years.

Numbers covered by licences shall be allocated in proportion to the number of head imported in the three years concerned ;

- (b) 10 % may be allocated directly to other applicants.

7. The proof referred to in paragraph 6 shall be provided by the customs document of release for free circulation.

8. Import licences shall only be issued for a number equal to or more than 10 head.

Article 2

- 1. As regards the quantities referred to in Article 1 (6)
- (b), applications for import licences shall :

- (a) relate to a number equal to or more than 50 head ; and

- (b) relate to a quantity not exceeding 10 % of the quantities available except where the said 10 % results in a figure less than 50 head.

2. In cases where applications for import licences state quantities in excess of those provided for by this Regulation those applications shall only be considered within the limits of the said quantities.

3. Numbers shall be allocated in proportion to the number of head for which application is made. If, because of the numbers for which application is made, the percentage reduction results in fewer than 10 head per import licence, the Member States shall, by drawing lots, allocate licences covering 10 head.

Article 3

In the case of quantities imported under the terms of Article 8 (4) of Commission Regulation (EEC) No 3719/88 ⁽¹⁾, the levy shall be collected in full in respect of quantities in excess of those stated on the import licence.

Article 4

For the purposes of Article 15 (3) of Regulation (EEC) No 2377/80, all applications from one applicant, which relate to the same category of weight and the same rate of reduction in the levy, shall be treated as one application.

Article 5

Three weeks at the latest after import of the livestock referred to in this Regulation, importers shall inform the competent authorities which issued the import licences, of the number and origin of the animals imported. From those authorities shall forward that information to the Commission at the beginning of each month.

Article 6

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, 24 September 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 331, 2. 12. 1988, p. 1.

COMMISSION REGULATION (EEC) No 2790/91
of 24 September 1991
amending Regulation (EEC) No 2047/84 determining the rice intervention
centres other than Vercelli

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 1806/89 ⁽²⁾, and in particular Article 4 (5) thereof,

Whereas the intervention centres are laid down in Commission Regulation (EEC) No 2047/84 ⁽³⁾, as last amended by Regulation (EEC) No 560/91 ⁽⁴⁾; whereas, under the terms of the consultations provided for under Article 4 (5) of Regulation (EEC) No 1418/76, the list of centres should be amended;

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 section headed '5 Portugal' in the Annex to Regulation (EEC) No 2047/84 is hereby replaced by:

'Region	Intervention centre
Beira Litoral	— Granja do Vimeiro — Soure — Leiria — Lourinhã
Ribatejo	— Coruche — Mora — Avis — Ponte de Sor — Azumbaja
Alentejo	— Grandola — Pegões — Ferreira do Alentejo.

Article 2

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

It shall apply with effect from 1 September 1991.

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

Done at Brussels, 24 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 190, 18. 7. 1984, p. 5.

⁽⁴⁾ OJ No L 62, 8. 3. 1991, p. 26.

COMMISSION REGULATION (EEC) No 2791/91**of 24 September 1991****adopting definitive measures on the issuing of STM licences for milk and milk products in regard to Spain**

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

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 85 (3) thereof,

Having regard to Council Regulation (EEC) No 569/86 of 25 February 1986 laying down general rules for the application of the supplementary mechanism applicable to trade⁽¹⁾, as last amended by Regulation (EEC) No 3296/88⁽²⁾, and in particular Article 7 (1) thereof,

Whereas Commission Regulation (EEC) No 606/86 of 28 February 1986 laying down detailed rules for applying the supplementary trade mechanism to milk products imported into Spain from the Community of Ten and Portugal⁽³⁾, as last amended by Regulation (EEC) No 334/91⁽⁴⁾, fixes the indicative ceiling for imports into Spain of certain products in the milk and milk products sector for 1991;

Whereas applications for STM licences lodged solely in the Community of Ten and Portugal, from 12 to 16 August 1991 for milk, buttermilk and whey in containers of a net content not exceeding two litres, relate to quantities in excess of that fraction of the indicative ceiling set aside for the third quarter of 1991;

Whereas the Commission adopted, by an emergency procedure, suitable interim protective measures by Regulation (EEC) No 2518/91⁽⁵⁾; whereas definitive measures must be adopted; whereas, in view of the market situation

in Spain, an increase in indicative ceilings cannot be contemplated at present;

Whereas, as part of the definitive measures referred to in Article 85 (3) of the Act, the suspension of the issuing of STM licences provided for in Article 1 (2) of Regulation (EEC) No 2518/91 until the end of the third quarter of 1991 should be confirmed;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The issuing of STM licences applied for in the Community of Ten and Portugal for products in the milk and milk products sector as referred to in Regulation (EEC) No 2518/91 is hereby definitively suspended for the third quarter of 1991.

2. Further applications for STM licences may be lodged from 23 September 1991 for all products in respect of that fraction of the indicative ceiling set aside for the fourth quarter of 1991.

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, 24 September 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 55, 1. 3. 1986, p. 106.

⁽²⁾ OJ No L 293, 27. 10. 1988, p. 7.

⁽³⁾ OJ No L 58, 1. 3. 1986, p. 28.

⁽⁴⁾ OJ No L 39, 13. 2. 1991, p. 15.

⁽⁵⁾ OJ No L 234, 23. 8. 1991, p. 9.

COMMISSION REGULATION (EEC) No 2792/91**of 24 September 1991****fixing the difference in white sugar prices to be used in calculating the levy for
processed fruit and vegetable products and for wine**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables ⁽¹⁾, as last amended by Regulation (EEC) No 1943/91 ⁽²⁾, and in particular Article 10 (4) thereof,Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987, on the common organization of the market in wine ⁽³⁾ as last amended by Regulation (EEC) No 1734/91 ⁽⁴⁾, and in particular Article 55 (3) thereof,

Whereas, in order that the Member States may determine the amount of the levy applicable in respect of the various added sugars to imports of the products listed in Annex III to Regulation (EEC) No 426/86 and of the products falling within CN codes 2009 60 11, 2009 60 71, 2009 60 79 and 2204 30 99 which are listed in Article 1 (2) (a) of Regulation (EEC) No 822/87, it is necessary in accordance with Article 10 (3) of Regulation (EEC) No 426/86 and Article 55 (2) of Regulation (EEC) No 822/87 to determine the difference between, firstly, the average of the threshold prices for one kilogram of white sugar for

each month of the quarter for which the difference is being determined and, secondly, the average of the cif prices for one kilogram of white sugar used in fixing the levies on white sugar, as calculated for a period comprising the first 15 days of the month preceding the quarter for which the difference is being determined and the two months immediately preceding that month; whereas, pursuant to the abovementioned Regulations, this difference must be determined by the Commission for each quarter of the calendar year,

HAS ADOPTED THIS REGULATION:

Article 1

For the period 1 October to 31 December 1991, the difference referred to in Article 10 (3) of Regulation (EEC) No 426/86 and in Article 55 (2) of Regulation (EEC) No 822/87 is fixed at ECU 0,4013.

Article 2

This Regulation shall enter into force on 1 October 1991.

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

Done at Brussels, 24 September 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.
⁽²⁾ OJ No L 175, 4. 7. 1991, p. 1.
⁽³⁾ OJ No L 84, 27. 3. 1987, p. 1.
⁽⁴⁾ OJ No L 163, 26. 6. 1991, p. 6.

COMMISSION REGULATION (EEC) No 2793/91

of 24 September 1991

introducing a countervailing charge on tomatoes originating in Poland

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 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1623/91⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Article 25 (1) of Regulation (EEC) No 1035/72 provides that, if the entry price of a product imported from a third country remains at least ECU 0,6 below the reference price for two consecutive market days, a countervailing charge must be introduced in respect of the exporting country concerned, save in exceptional circumstances; whereas this charge is equal to the difference between the reference price and the arithmetic mean of the last two entry prices available for that exporting country;

Whereas Commission Regulation (EEC) No 802/91 of 27 March 1991 fixing for the 1991 marketing year the reference prices for tomatoes⁽³⁾ fixed the reference price for products of class I for the month of September 1991 at ECU 44,99 per 100 kilograms net;

Whereas the entry price for a given exporting country is equal to the lowest representative prices recorded for at least 30 % of the quantities from the exporting country concerned which are marketed on all representative markets for which prices are available less the duties and the charges indicated in Article 24 (3) of Regulation (EEC) No 1035/72; whereas the meaning of representative price is defined in Article 24 (2) of Regulation (EEC) No 1035/72;

Whereas, in accordance with Article 3 (1) of Commission Regulation (EEC) No 2118/74⁽⁴⁾, as last amended by Regulation (EEC) No 3811/85⁽⁵⁾, the prices to be taken

into consideration must be recorded on the representative markets or, in certain circumstances, on other markets; whereas it is necessary to multiply the prices with the coefficient fixed in the first indent of Article 1 (2) of Regulation (EEC) No 802/91;

Whereas, for tomatoes originating in Poland the entry price calculated in this way has remained at least 0,6 ECU below the reference price for two consecutive market days; whereas a countervailing charge should therefore be introduced for these tomatoes;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁶⁾, as last amended by Regulation (EEC) No 2205/90⁽⁷⁾,
- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent,

HAS ADOPTED THIS REGULATION:

Article 1

When tomatoes falling within CN code 0702 00 and originating in Poland are imported, a countervailing charge shall be levied, the amount of which shall be fixed at ECU 10,58 per 100 kilograms net weight.

Article 2

This Regulation shall enter into force on 26 September 1991.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 150, 15. 6. 1991, p. 8.

⁽³⁾ OJ No L 82, 28. 3. 1991, p. 33.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 201, 31. 7. 1990, p. 9.

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

Done at Brussels, 24 September 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 2794/91

of 24 September 1991

introducing a countervailing charge on fresh lemons originating in Uruguay

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 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1623/91⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Article 25 (1) of Regulation (EEC) No 1035/72 provides that, if the entry price of a product imported from a third country remains at least ECU 0,6 below the reference price for two consecutive market days, a countervailing charge must be introduced in respect of the exporting country concerned, save in exceptional circumstances; whereas this charge is equal to the difference between the reference price and the arithmetic mean of the last two entry prices available for that exporting country;

Whereas Commission Regulation (EEC) No 1438/91 of 30 May 1991 fixing for the 1991/92 marketing year the reference prices for fresh lemons⁽³⁾ fixed the reference price for products of class I for the month of September 1991 at ECU 56,33 per 100 kilograms net;

Whereas the entry price for a given exporting country is equal to the lowest representative prices recorded for at least 30 % of the quantities from the exporting country concerned which are marketed on all representative markets for which prices are available less the duties and the charges indicated in Article 24 (3) of Regulation (EEC) No 1035/72; whereas the meaning of representative price is defined in Article 24 (2) of Regulation (EEC) No 1035/72;

Whereas, in accordance with Article 3 (1) of Commission Regulation (EEC) No 2118/74⁽⁴⁾, as last amended by

Regulation (EEC) No 3811/85⁽⁵⁾, the prices to be taken into consideration must be recorded on the representative markets or, in certain circumstances, on other markets;

Whereas, for fresh lemons originating in Uruguay, the entry price calculated in this way has remained at least ECU 0,6 below the reference price for two consecutive market days; whereas a countervailing charge should therefore be introduced for these fresh lemons;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁶⁾, as last amended by Regulation (EEC) No 2205/90⁽⁷⁾,
- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent,

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of ECU 2,17 per 100 kilograms net is applied to fresh lemons (CN code ex 0805 30 10) originating in Uruguay.

Article 2

This Regulation shall enter into force on 26 September 1991.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 150, 15. 6. 1991, p. 8.

⁽³⁾ OJ No L 137, 31. 5. 1991, p. 25.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 201, 31. 7. 1990, p. 9.

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

Done at Brussels, 24 September 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 2795/91

of 24 September 1991

fixing the aid for soya beans

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 1491/85 of 23 May 1985 laying down special measures in respect of soya beans⁽¹⁾, as last amended by Regulation (EEC) No 1724/91⁽²⁾, and in particular Article 2 (7) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, pursuant to Article 2 (1) of Regulation (EEC) No 1491/85, aid is to be granted for soya beans harvested within the Community where the guide price for a marketing year exceeds the world price; whereas the said aid is to be equal to the difference between those two prices;

Whereas the guide price for soya beans was fixed for the 1991/92 marketing year by Council Regulation (EEC) No 1726/91⁽³⁾;

Whereas, pursuant to Council Regulation (EEC) No 2194/85 of 25 July 1985 adopting general rules concerning special measures for soya beans⁽⁴⁾ as last amended by Regulation (EEC) No 1725/91⁽⁵⁾, the world price for soya beans is to be determined on the basis of the most favourable actual purchasing possibility, with the exception of offers and prices which may not be considered as representative of the actual market trend; whereas account is to be taken of offers made on the world market as well as the prices quoted on exchanges which are important in terms of international trade; whereas, under that Regulation, where the subsidy to be granted is fixed in advance, the amount of such subsidy must be equal to the amount applicable on the day on which the application for advance fixing was lodged, adjusted by the difference between the target price valid on that day and the target price valid on the identification day; whereas such adjustment should involve increasing or reducing the amount of subsidy applicable on the day

on which the application was lodged by the corrective amount and the difference between the target prices mentioned in Article 33 of Commission Regulation (EEC) No 2537/89 of 8 August 1989 laying down detailed rules for the application of the special measure for soya beans⁽⁶⁾, as last amended by Regulation (EEC) No 2692/91⁽⁷⁾;

Whereas, pursuant to Regulation (EEC) No 2537/89, the world market price is to be fixed per 100 kilograms and calculated on the basis of the most favourable offers and quotations for delivery within 30 days following the date when the said offers and quotations were recorded;

Whereas, where the offers and quotations do not comply with the said conditions, the necessary adjustments must be carried out, particularly those referred to in Article 40 of Regulation (EEC) No 2537/89;

Whereas, owing to the lack of the adjustment in the rate of aid for soya seed resulting from the maximum guaranteed quantity arrangements for the 1991/92 marketing year, the rate of the aid for this marketing year has only been able to be calculated provisionally on the basis of the abatement for the 1990/91 marketing year; whereas this amount should therefore only be applied provisionally and should be confirmed or replaced once the consequences of the maximum guaranteed quantity arrangements are known;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁸⁾ as last amended by Regulation (EEC) No 2205/90⁽⁹⁾
- for the other currencies, an exchange rate based on an average of the ecus rates published in the 'C' series of the *Official Journal of the European Communities* over a period to be determined, multiplied by the factor referred to in the preceding indent;

⁽¹⁾ OJ No L 151, 10. 6. 1985, p. 15.

⁽²⁾ OJ No L 162, 26. 6. 1991, p. 35.

⁽³⁾ OJ No L 162, 26. 6. 1991, p. 39.

⁽⁴⁾ OJ No L 204, 2. 8. 1985, p. 1.

⁽⁵⁾ OJ No L 162, 26. 6. 1991, p. 37.

⁽⁶⁾ OJ No L 245, 22. 8. 1989, p. 8.

⁽⁷⁾ OJ No L 255, 12. 9. 1991, p. 12.

⁽⁸⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁹⁾ OJ No L 201, 31. 7. 1990, p. 9.

Whereas the aid shall be fixed as often as the market situation so requires and so that it can be applied at least twice a month, one of which times shall be from the first day of each month;

Whereas it follows from applying these provisions to the offers and quotations known to the Commission that the subsidy on soya beans should be as set out in this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

1. The amount of the aid provided for in Article 2 of Regulation (EEC) No 1491/85 shall be as set out in the Annex hereto.

2. However, the amount of the aid for the 1991/92 marketing year for soya seed shall be confirmed or replaced with effect from 25 September 1991 to take account of the consequences of the maximum guaranteed quantity arrangements for the 1991/92 marketing year.

This Regulation shall enter into force on 25 September 1991.

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

Done at Brussels, 24 September 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 24 September 1991 fixing the aid for soya beans

(ECU/100 kg)

	Current period 9 ⁽¹⁾	First period 10 ⁽¹⁾	Second period 11 ⁽¹⁾	Third period 12 ⁽¹⁾	Fourth period 1 ⁽¹⁾	Fifth period 2 ⁽¹⁾
Seed harvested: — another Member State	20,214	20,322	20,196	20,197	19,808	19,780

⁽¹⁾ Amount fixed provisionally, pending and subject to the application of the maximum guaranteed quantity arrangements for the 1991/92 marketing year, conforming to the adjustment resulting from the maximum guaranteed quantity arrangements applied for the 1990/91 marketing year for Member States other than Spain.

COMMISSION REGULATION (EEC) No 2796/91

of 24 September 1991

altering the import levies on products processed from cereals and 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 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 14 (4) thereof,Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EEC) No 1806/89⁽⁴⁾, and in particular Article 12 (4) 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⁽⁵⁾, as last amended by Regulation (EEC) No 2205/90⁽⁶⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on products processed from cereals and rice were fixed by Commission Regulation (EEC) No 2561/91⁽⁷⁾, as last amended by Regulation (EEC) No 2777/91⁽⁸⁾;Whereas Council Regulation (EEC) No 1906/87⁽⁹⁾ amended Council Regulation (EEC) No 2744/75⁽¹⁰⁾ as regards products falling within CN codes 2302 10, 2302 20, 2302 30 and 2302 40;

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

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.
⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.
⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.
⁽⁴⁾ OJ No L 177, 24. 6. 1989, p. 1.
⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.
⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 9.
⁽⁷⁾ OJ No L 240, 29. 8. 1991, p. 19.
⁽⁸⁾ OJ No L 267, 24. 9. 1991, p. 19.
⁽⁹⁾ OJ No L 182, 3. 7. 1987, p. 49.
⁽¹⁰⁾ OJ No L 281, 1. 11. 1975, p. 65.

— 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 23 September 1991;

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

Whereas the levy on the basic product as last fixed differs from the average levy by more than ECU 3,02 per tonne of basic product; whereas, pursuant to Article 1 of Commission Regulation (EEC) No 1579/74⁽¹¹⁾, as last amended by Regulation (EEC) No 1740/78⁽¹²⁾, the levies at present in force must therefore 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 processed from cereals and rice covered by Regulation (EEC) No 2744/75 as fixed in the Annex to amended Regulation (EEC) No 2561/91 are hereby altered to the amounts set out in the Annex.

Article 2

This Regulation shall enter into force on 25 September 1991.

⁽¹¹⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽¹²⁾ OJ No L 202, 26. 7. 1978, p. 8.

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

Done at Brussels, 24 September 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 24 September 1991 altering the import levies on products processed from cereals and rice

CN code	Import levies	
	ACP or OCT	Third countries (other than ACP or OCT) ^(*)
1102 20 10	239,99	246,03
1102 20 90	136,00	139,02
1103 13 11	239,99	246,03
1103 13 19	239,99	246,03
1103 13 90	136,00	139,02
1103 29 40	239,99	246,03
1104 19 50	239,99	246,03
1104 23 10	213,33	216,35
1104 23 30	213,33	216,35
1104 23 90	136,00	139,02
1104 30 90	100,00	106,04
1106 20 91	211,03 ^(*)	235,21
1106 20 99	211,03 ^(*)	235,21
1108 12 00	214,66	235,21
1108 13 00	214,66	235,21 ^(*)
1108 14 00	107,33	235,21
1108 19 90	107,33 ^(*)	235,21
1702 30 51	279,99	376,71
1702 30 59	214,66	281,15
1702 30 91	279,99	376,71
1702 30 99	214,66	281,15
1702 40 90	214,66	281,15
1702 90 50	214,66	281,15
1702 90 75	293,33	390,05
1702 90 79	203,99	270,48
2106 90 55	214,66	281,15
2303 10 11	266,66	448,00

^(*) In accordance with Regulation (EEC) No 715/90 the levy shall not be charged on the following products originating in the African, Caribbean and Pacific States and in the overseas countries and territories:

- products falling within CN code ex 0714 10 91,
- products falling within CN code 0714 90 11 and arrow-root falling within CN code 0714 90 19,
- flours and meal of arrow-root falling within CN code 1106 20,
- arrow-root starch falling within CN code 1108 19 90.

^(*) Pursuant to Regulation (EEC) No 3899/89, the levy on importation into the Community of products of CN code 1108 13 00 is reduced by 50 % within the limit of a fixed amount of 5 000 tons.

^(*) 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 2797/91

of 24 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 2778/91 ⁽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 23 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 25 September 1991.

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

Done at Brussels, 24 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 267, 24. 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 24 September 1991 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	37,91 ⁽¹⁾
1701 11 90	37,91 ⁽¹⁾
1701 12 10	37,91 ⁽¹⁾
1701 12 90	37,91 ⁽¹⁾
1701 91 00	43,20
1701 99 10	43,20
1701 99 90	43,20 ⁽²⁾

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

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

COMMISSION REGULATION (EEC) No 2798/91

of 24 September 1991

on the issuing of import licences for certain processed products obtained from
sour cherries originating in Yugoslavia

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 426/86 of
24 February 1986 on the common organization of the
market in products processed from fruit and vegetables ⁽¹⁾,
as last amended by Regulation (EEC) No 1943/91 ⁽²⁾, and
in particular Articles 14 (3) and 15 (4) thereof,

Having regard to Council Regulation (EEC) No 1201/88
of 28 April 1988 establishing import mechanisms for
certain processed products obtained from sour cherries
and originating in Yugoslavia ⁽³⁾, as last amended by
Regulation (EEC) No 2781/90 ⁽⁴⁾, and in particular Article
5 thereof,

Whereas the second paragraph of Article 4 of Regulation
(EEC) No 1201/88 provides for the issue of import
licences for a quantity in addition to the 19 900 tonnes
laid down in the Protocol with Yugoslavia, taking account
of the situation on the Community market and of the
quantities actually imported; whereas, however, the pre-
ferential rate does not apply to imports of this additional
quantity;

Whereas Commission Regulation (EEC) No 1973/91 ⁽⁵⁾
suspended from 3 July 1991 the issuing of import
licences under the aforementioned scheme because the
quantities provided for in the Protocol were exceeded for
1991;

Whereas on the basis of an examination of the situation
on the Community market and of the quantities actually
imported, the second paragraph of Article 4 of Regulation
(EEC) No 1201/88 should be implemented to meet the
needs of the processing industry for sour cherries;
whereas, in order to ensure that real needs are met, the
major part of the additional quantities should be reserved
for the traditional importers, whilst allowing new
importers access to these quantities;

Whereas the rules necessary for the management of the
additional quantities should be laid down; whereas these
rules either supplement or derogate from Commission
Regulation (EEC) No 4061/88 of 21 December 1988
laying down further detailed rules of application as

regards import licences for certain processed products
obtained from sour cherries originating in Yugoslavia ⁽⁶⁾,
as last amended by Regulation (EEC) No 1578/91 ⁽⁷⁾;

Whereas the measures provided for in this Regulation are
in accordance with the opinion of the Management
Committee for Products Processed from Fruit and
Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

1. Up to 31 December 1991, import licences for sour
cherries falling within CN codes ex 0811 90 10, ex
0811 90 30, ex 0811 90 90 and 0812 10 00 originating in
Yugoslavia shall be issued for an additional quantity of
11 000 tonnes.

2. The quantity laid down in paragraph 1 shall be
allocated as follows:

- (a) 9 500 tonnes to those importers having submitted
import licence applications for this product origin-
ating in Yugoslavia pursuant to Article 1a (1) (a) of
Regulation (EEC) No 4061/88 during 1991;
- (b) 1 500 tonnes to those importers who do not satisfy the
condition laid down under (a).

However, should the quantity referred to under (a) or (b)
not be applied for, or only applied for in part, the quan-
tity available shall be allocated to the applications
submitted by the other group of importers.

3. (a) No licence application made by an importer
referred to in paragraph 2 (a) may be for a quantity
greater than that of the products in question origin-
ating in Yugoslavia which have been the subject
of import licences issued to the same importer in
1991.

(b) No application for a licence submitted by an
importer mentioned in paragraph 2 (b) may be for
more than 20 % of the quantity available under
this heading.

4. The licences shall be issued in accordance with
Regulation (EEC) No 4061/88, with exception to Article
3, save as otherwise provided in this Regulation.

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ OJ No L 175, 4. 7. 1991, p. 1.

⁽³⁾ OJ No L 115, 3. 5. 1988, p. 9.

⁽⁴⁾ OJ No L 265, 28. 9. 1990, p. 3.

⁽⁵⁾ OJ No L 177, 5. 7. 1991, p. 18.

⁽⁶⁾ OJ No L 356, 24. 12. 1988, p. 45.

⁽⁷⁾ OJ No L 147, 12. 6. 1991, p. 7.

Article 2

Import licences issued in accordance with this Regulation shall bear one of the following entries on box 24, with the relevant customs duty according to the CN code of the product concerned:

- Aranceles de aduana que deberán pagarse : 26 % + AD S/Z (or 26 % or 18 % or 11 %).
- Toldsats, der skal betales : 26 % + AD S/Z (or 26 % or 18 % or 11 %).
- Zu entrichtender Zoll : 26 % + AD S/Z (or 26 % or 18 % or 11 %).
- Δασμοί προς πληρωμή : 26 % + AD S/Z (or 26 % or 18 % or 11 %).
- Customs duty to be paid : 26 % + AD S/Z (or 26 % or 18 % or 11 %).
- Droits de douane à payer : 26 % + AD S/Z (or 26 % or 18 % or 11 %).
- Dazi doganali da pagare : 26 % + AD S/Z (or 26 % or 18 % or 11 %).
- Te betalen douanerechten : 26 % + AD S/Z (or 26 % or 18 % or 11 %).
- Direitos de alfândega a ser pagos : 26 % + AD S/Z (or 26 % or 18 % or 11 %).

Article 3

Import licence applications shall be submitted to the competent authorities of the Member States on 26 and 27 September 1991. These authorities shall forward the applications to the Commission by 12 noon on 30 September 1991 at the latest, indicating separately the quantities applied for under points (a) and (b) of Article 1 (3).

Article 4

The Commission shall determine and communicate to the Member States by telex by 1 October 1991 the quantities for which licences have been issued under points (a) and (b) of Article 1 (2).

Article 5

Licences for which applications have been forwarded in accordance with Article 3 shall be issued from 2 October 1991.

Article 6

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, 24 September 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 9 September 1991

adopting a specific programme of research and technological development in the field of industrial and materials technologies (1990 to 1994)

(91/506/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 130q (2) thereof,

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

In cooperation with the European Parliament ⁽²⁾,

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

Whereas, by Decision 90/221/Euratom, EEC ⁽⁴⁾, the Council adopted a third framework programme for Community activities in the field of research and technological development (1990 to 1994), specifying, *inter alia*, the activities to be pursued for developing the scientific knowledge and technical know-how needed by the Community, in particular to carry out its role in the field of industrial and materials technologies; whereas this Decision should be taken in the light of the grounds set out in the preamble to that Decision;

Whereas Article 130k of the Treaty stipulates that the framework programme shall be implemented through scientific programmes developed within each activity;

Whereas the Joint Research Centre (JRC) for its part contributes, by means of its own programme, to the realization of these activities;

Whereas it is necessary for the Community and Europe as a whole to react appropriately to the challenges confronting them at international level in the field of innovative industrial and materials technologies;

Whereas, pursuant to Article 4 and Annex I to Decision 90/221/Euratom, EEC the amount deemed necessary for the whole framework programme includes an amount of ECU 57 million for the centralized dissemination and exploitation of results, of be divided up in proportion to the amount envisaged for each specific programme;

Whereas Decision 90/221/Euratom, EEC provides that a particular aim of Community research must be to strengthen the scientific and technological basis of European industry, particularly in strategic sectors of advanced technology, and to encourage it to become more competitive at the international level; whereas it also provides that Community action is justified where research contributes, *inter alia*, to the strengthening of the economic and social cohesion of the Community and to the promotion of its overall harmonious development, while being consistent with the pursuit of scientific and technical excellence; whereas the programme of research in the field of industrial and materials technologies should contribute to the achievement of these objectives;

⁽¹⁾ OJ No C 174, 16. 7. 1990, p. 28 and OJ No C 14, 22. 1. 1991, p. 12.

⁽²⁾ OJ No C 19, 28. 1. 1991, p. 165 and OJ No C 240, 16. 9. 1991.

⁽³⁾ OJ No C 41, 18. 2. 1991, p. 46.

⁽⁴⁾ OJ No L 117, 8. 5. 1990, p. 28.

Whereas it is a matter of urgency that a specifically European industrial potential be created or consolidated in the technologies in question ; whereas the beneficiaries must be research establishments, undertakings, including small and medium-sized enterprises (SMEs), and other bodies established within the Community which are most likely to achieve these objectives ;

Whereas SMEs should be involved to the maximum extent possible in this programme ; whereas account should be taken of their special requirements without prejudice to the scientific and technical quality of the programme ;

Whereas in addition to the specific programme concerning human resources and mobility, it is necessary to encourage the training of research workers and engineers in the context of this programme ;

Whereas the social, human and environmental impact 90/221/Euratom, EEC, any technological hazards should be assessed in the context of this programme ;

Whereas basic research must be encouraged as far as necessary throughout the Community ;

Whereas it is necessary, as provided in Annex II to Decision 90/221/Euratom, EEC, to promote basic technical research, the integration of new technologies by user industries and the acquisition of the scientific and technical knowledge necessary for establishing standards and codes of good practice facilitating the transfer of these technologies ;

Whereas the Scientific and Technical Research Committee (Crest) has been consulted,

HAS ADOPTED THIS DECISION :

Article 1

A specific research and technological development programme for the Community in the field of industrial and materials technologies, hereinafter referred to as the 'programme', as defined in Annex I, is hereby adopted for a period running from 9 September 1991 to 31 December 1994.

Article 2

1. The funds estimated as necessary for the execution of the programme amount to ECU 663,3 million, including expenditure on staff and administration amounting to ECU 35 million.
2. An indicative allocation of funds is set out in Annex II.
3. Should the Council take a decision in implementation of Article 1 (4) of Decision 90/221/Euratom, EEC, this Decision shall be adapted accordingly.

Article 3

Detailed rules for the implementation of the programme and the amount of the Community's financial contribution are set out in Annex III.

Article 4

1. In the second year of implementation of the programme, the Commission shall review it and submit a report on the results of its review to the European Parliament and the Council ; the report shall be accompanied, where necessary, by proposals for amendment of the programme.
2. At the end of the programme, an evaluation of the results achieved shall be conducted for the Commission by a group of independent experts. This group's report, together with any comments by the Commission, shall be submitted to the European Parliament and the Council.
3. The reports referred to in paragraphs 1 and 2 shall be established having regard to the objectives set out in Annex I to this Decision and in accordance with Article 2 (4) of Decision 90/221/Euratom, EEC.

Article 5

1. Contracts concluded by the Commission shall govern the rights and obligations of each party, in particular the arrangements for the dissemination, protection and exploitation of research results, in accordance with the provisions adopted pursuant to Article 130k (2) of the Treaty.
2. A work programme shall be drawn up in accordance with the aims set out in Annex I and updated where necessary. It shall set out the detailed objectives and types of projects to be undertaken, and the financial arrangements to be made for them. The Commission shall draw up calls for proposals for projects on the basis of the work programme.

Article 6

1. The Commission shall be responsible for the implementation of the programme. It shall be assisted by a Committee composed of representatives of the Member States and chaired by the representative of the Commission.
2. The representative of the Commission shall submit to the Committee a draft of the measures to be taken. The Committee shall deliver its opinion within a time limit which the Chairman may lay down according to the urgency of the matter. The opinion shall be delivered by the majority provided for in Article 148 (2) of the Treaty as regards adoption of decisions which the Council is required to adopt on a proposal from the Commission. The votes of the representatives of the Member States within the Committee shall be weighted in the manner set out in that Article. The Chairman shall not vote.

3. The Commission shall adopt the measures envisaged when they are in accordance with the opinion of the Committee.

4. If the measures envisaged are not in accordance with the opinion of the Committee or if no opinion is delivered, the Commission shall, without delay, submit to the Council a proposal relating to the measures to be taken. The Council shall act by a qualified majority.

5. If, on the expiry of a period of three months from referral of the matter to the Council, the Council has not acted, the proposed measures shall be adopted by the Commission.

Article 7

1. The procedure laid down in Article 6 shall apply to:

- the preparation and updating of the work programme referred to in Article 5 (2),
- the contents of the calls for proposals,
- the assessment of the projects provided for in Annex III and the estimated amount of the Community's contribution to them where this amount exceeds ECU 0,75 million,
- departures from the general rules set out in Annex III,
- the participation in any project by non-Community organizations and enterprises referred to in Article 8 (1) and (2),
- any adaptation of the indicative allocation of the amount set out in Annex II,
- the measures to be undertaken to evaluate the programme,
- arrangements for the dissemination, protection and exploitation of the results of research carried out under the programme.

2. Where, pursuant to the third indent of paragraph 1, the amount of the Community contribution is less than or equal to ECU 0,75 million, the Commission shall inform the Committee of the projects and of the outcome of their assessment.

The Commission shall also inform the Committee of the implementation of the accompanying measures, including the feasibility premiums, the cooperative research projects and the concerted actions referred to in Annex III.

Article 8

1. The Commission is authorized to negotiate, in accordance with Article 130n of the Treaty, international agreements with third country members of COST, in particular member countries of the European Free Trade Association (EFTA) and Central and Eastern European countries with a view to associating them with the whole or part of the programme.

2. Where framework agreements for scientific and technical cooperation have been concluded between the Community and European non-Member States, bodies and enterprises established in those countries may, in accordance with the procedures laid down in Article 6 and on the basis of the criterion of mutual benefit, be allowed to become partners in a project undertaken within the programme.

No contracting body based outside the Community and participating as a partner in a project undertaken under the programme may benefit from Community financing for this programme. Such bodies shall contribute to the general administrative costs.

Article 9

This Decision is addressed to the Member States.

Done at Brussels, 9 September 1991.

For the Council

The President

W. KOK

ANNEX I

SCIENTIFIC AND TECHNICAL OBJECTIVES AND CONTENT

This specific programme fully reflects the approach embodied in the third framework programme in terms of scientific and technical objectives and reasons.

Paragraph 1 (2) of Annex II to the framework programme, with the exception of the provisions relating to measurement and testing (for which another specific programme exists), form an integral part of the present specific programme.

The principal objective is to contribute to the revitalization of European manufacturing industry by reinforcing its scientific and technological basis by means of research and development work. It is important to promote in all Member States basic technical research, the integration of new technologies by user industries and the acquisition of the scientific and technical knowledge necessary for establishing standards and codes of good practice facilitating the transfer of these technologies.

The advanced technologies necessary cover the whole life cycle of materials, and are intended to reduce the lead time between the idea and the product and improve manufacturing processes. Research work will be undertaken in the field of raw materials, recycling, new and improved materials, design and manufacture. Research will be closely linked and will therefore not be carried out in an isolated manner but in accordance with a systematic approach. The proposed research work will help to consolidate and take further technological developments made within the Community, and use resources more efficiently. A special effort will be made to help small and medium-sized enterprises to become more involved in transnational research, develop links with other undertakings and universities and manage their technical resources better. Co-operative research will be introduced to resolve technical problems common to groups of small and medium-sized enterprises which do not have their own research facilities.

The environment aspects of products and processes and the working environment will be included as strategic elements in all parts of the programme. This will require links with other programmes covering the environment, health and measurements and testing to take account of advances in risk assessment and toxicology.

The aeronautical technologies research that began with the Brite/Euram programme will be continued taking account of harmonization, standardization, safety and environmental aspects. Specific aeronautical research and applications will be dealt with under Area 3. Research of a generic nature will be dealt with under Areas 1 and 2 of the programme.

The supporting measures cover the transfer of technologies and the training activities carried on in each area. They comprise specific measures intended to increase the potential for participation of organizations established in all regions in Community research and development (R&D) activities in the field of industrial and materials technologies and also their ability to make use of the results. They include training activities, closely linked to activities under the programme, to increase the levels of the qualifications of researchers and engineers on subjects linked to the programme; they also include measures intended to ensure that opportunities are taken and the results used, including those leading to standardization. They also cover information exchange systems for those taking part in the programme and those taking part in Eureka projects. Specific information on projects will be supplied in close cooperation with the Community Research and Development Information Service (Cordis). These measures will supplement existing activities at Community, national and international level and will take account of the requirements of subsidiarity and economic and social cohesion.

The activities will be coordinated with, *inter alia*, the computer-integrated production and micro-electronic materials areas in the specific programme on information technology, the recycling area in the specific programme on the environment and the programmes on non-nuclear energies and measurement and testing.

The following is an indicative description of the content of the programme based on and taking account of the above elements.

In the areas listed, the research effort will be in relation to its strategic and economic interest and foreseeable developments.

Area 1: Materials — raw materials

The objective is to contribute to improving the performance of materials at a cost which permits competitive industrial exploitation over a broad range of applications not restricted to a few high-performance items.

As regards raw materials, research will seek to improve the technologies necessary to ensure the supply of resources, including technologies to locate and extract deposits, processing and treatment by economic means that are safe and environmentally acceptable.

Recycling technologies will be the subject of research covering the whole materials cycle, with emphasis being placed on the savings to be made and positive integration into the environment.

Research aimed at the use of advanced materials at a more favourable cost over a whole range of applications will be encouraged with a view to broad diffusion of these materials outside their initial application fields as well.

The accent will be on the innovative use of industrial minerals and natural stone for the construction industry, metals and industrial materials, including prospecting, exploitation, recovery, transformation, production and recycling.

Raw materials

Here the goal is the improvement of existing processes and mastering of new and pre-competitive technologies.

Research will address the development of methods for process application and testing of technologies so improving yield and enabling new mines to open and others to become more economic.

Special attention will be given to integrated techniques and modelling for prospecting mineral deposits and for the exploitation and processing of minerals and rocks, and in particular of those resources of a complex nature containing basic and strategically important metals.

Research will be pursued to provide a better understanding of integrated systems to underpin advanced prospecting methods for hidden deposits. As regards mining and quarrying techniques, work will be undertaken in the field of new and improved drilling technologies for cost-effective prospecting and exploitation as well as in the field of automation, extracting processes and metallurgical/mineralogical treatment (pyrometallurgical and hydrometallurgical processing). Research will also be needed to produce basic and strategic metals, high purity metals, fired clay, industrial minerals and natural stone for the construction industry. Research will also be carried out in the area of chemical, physical and biological separation technologies. Special attention will be directed to pre-normative research concerned with occupational safety conditions and the environmental impact of the exploitation technologies to be developed.

Recycling

The goal of this activity is to reinforce the scope and effectiveness of recycling technologies with the economic and strategic consequences of the loss of wastage of many metals and materials, including those in short supply, being minimized. The environmental damage arising from harmful effluents will be reduced.

Research will involve a comprehensive analysis of cycles from raw materials to recycling, via the finished product, and the analysis will take account not only of economic and energy factors but also of environmental problems. It will also cover industrial waste.

A particular goal is the development of new process technologies for meeting the challenge of exploiting the residues, particularly waste and scrap containing conventional as well as precious and strategic metals, arising from the major branches of the manufacturing and processing industry. Attention will also be directed to the complex challenge of recycling composite and advanced materials.

Research on technologies for physical and/or chemical treatment of residues which contain metals will be encouraged in order to increase the scale and efficiency of recycling and increase the applicability of recycled materials. Research will also cover pyrometallurgical and hydrometallurgical technologies and refining applied to processing of complex residues, composites and other new materials, alloys and multi-element scraps.

New and improved materials and their processing

The goal of this activity concerns developments in materials and their processing, including conventional mass commodity materials with enhanced properties and performance at a reasonable cost, advanced structural materials for high performance systems, advanced functional materials, surface engineering and joining technology.

In the field of conventional mass commodity materials, including construction materials, attention will be given to production and quality control technologies and to new and improved materials and their applications. Attention will also be given to long-term behaviour prediction, including reliability. Methods will be developed to enable the designer to take into account, from the outset, environmental and consumer acceptability.

Encouragement will be given to research on materials performance through better properties of application and use and more precise specification and more appropriate use, by means in particular of reliable data bases, and research on combinations of advanced materials for use in major industrial applications.

Research will be directed to new developments or radical innovations in advanced materials for key applications which may also have important spin-off effects in other industrial areas. It will also consider the use of advanced materials in a broad range of applications.

Particular emphasis will be placed on developing materials with specified properties, exploiting advances in understanding of the effects of structure. Techniques for tailoring materials towards precise requirements will be addressed and should result in an improvement of R&D effectiveness in this field.

For metallic materials, efforts will be directed to seeking new applications for high-value materials (e.g. speciality ferrous and non-ferrous alloys, superalloys, intermetallic compounds, refractory metals) customized for complex design specifications and particularly demanding service conditions.

With regard to technical ceramics, attention will be directed to the improved control of microstructure and processing technologies and to the fundamental problems associated with reliability and brittleness.

For polymer materials, research will aim at a better understanding of the relationships between structure, morphology and properties. The development of new and improved processing technologies for producing reliable components will also be addressed in order to extend the application of this class of materials. In particular, research will aim at developing technical thermoplastics which retain their mechanical properties at higher temperature and which can be produced through low-cost thermal-processing.

In composite engineering, the technologies needed to address the problems associated with series production will be tackled.

In the case of superconductors, the challenge is to increase the maximum critical current density and capacity together with advances in application technologies, including cable production, formation and reliability.

Research will also be directed to studying and developing new bio-compatible materials for special applications.

Pre-normative work needed to accelerate the applicability of new materials will include research relating to their classification together with their characterization to establish performance and minimize their impact on health and the environment.

Area 2: Design and manufacturing

The objective is to improve the capability of industry to design and manufacture products which are, at the same time, of high quality, easy to maintain, highly competitive and environmentally and socially acceptable.

Since all industrial production forms part of a system for any given application, the system must be optimized so that the quality and reliability required for a product is achieved at minimum cost.

Research will be directed to the application of advance enabling disciplines such as physics and chemistry, mechanics, optics, acoustics, fluid dynamics, mathematical modelling and process engineering, and their integration into new technological developments such as optomechanics (optics, materials and electronics), mechatronics (mechanical engineering, computing and electronics), microtechnology and micro- and nanostructural engineering, including molecular engineering.

Special consideration will be given to the modernization of traditional industry to active involvement of SMEs, with their particular know-how and as experimental shop floors.

Design

Research on design will address the impact on product performance, reduction of design time, manufacturing and life cycle costs. This approach will link the information requirements inherent in the engineering design process (material product form, fabrication and function) with the organizational procedures and the human factors that underline the process.

Research will address failure modes and defect analysis, by modelling techniques based on fracture mechanics, tribology, fluid dynamics, corrosion analysis, etc. Implementation of these design approaches may require the adaptation of software tools for specific applications.

Design research will, in particular, be directed towards:

- improved performances of manufacturing operations;
- improved product quality control, reliability and maintenance;
- the reduction of whole-life costs by means of recycling and re-use;
- improved modelling/simulation and rapid-prototyping techniques with a broad application field supporting the engineering design process, addressing product validation and optimizing and predicting service behaviour;
- improved control over energy consumption in industrial applications.

In offering the advantage of spreading the best practice, projects will, wherever possible, contribute to the generation and development of standards and good design practice.

Manufacturing

Research on the quality of manufacturing will address the use of efficient and cost-effective manufacturing processes and integrate other aspects, including the design interface, quality control maintenance of facilities and the working environment.

Research will be directed at developing flexible small-batch production technologies and also at mass production technology in order to meet an emerging need for identical technical products in large quantities. In particular, appropriate materials application and related technologies, such as those for precision engineering or incorporation of speciality materials into a mass-production environment, will be addressed as well as technologies for shaping, machining and assembly of miniaturized and/or complex components.

Other research objectives will include the adaptation of established CIM systems to meet the special needs of industry and particularly those of SMEs. Research will aim to improve NET or near NET shaping and forming processes in order to reduce costly and environmentally damaging wastes.

Research in chemical engineering will develop system approaches. Subjects of study could include process modelling, separation technology, molecular engineering, catalysis and surface science and technology and chemical sensors. Fundamental research into mixing and stirring, and particle and powder technology will be supported in order to develop a better understanding than is provided by current empirical approaches. Research will also be directed to providing the understanding of particular processes as a basis for software tailored to particular needs.

Area 3: Aeronautics research

The objectives of this specific activity are to contribute to strengthening the technology base of the European aeronautical industry; to contribute to the knowledge base which supports actions to minimize environmental impact and enhance the safety and efficiency of aircraft operations; and to promote further cooperation between large high-technology companies and smaller companies, SMEs and research institutions/universities throughout the Community.

Research activities will be pursued in the following fields:

- (a) environment related technologies, in which attention will be focused upon reduction of exterior and interior noise and upon reduction of exhaust emissions from aircraft;
- (b) technologies of aircraft operation, in which attention will be focused upon maintenance technologies, health and usage monitoring, crashworthiness, fire risk control and cockpit interfaces to the air traffic control system;
- (c) aerodynamics and aerothermodynamics, in which attention will be focused upon computational fluid dynamics (CFD), techniques of drag reduction by laminar flow for subsonic and supersonic transport, propulsion integration and the internal aerothermodynamics of turbo-machinery;
- (d) aeronautical structures and manufacturing technologies, in which attention will be focused upon structural and materials application techniques relevant to primary aircraft structures and highly loaded high-temperature components and upon manufacturing processes particular to aeronautical applications;
- (e) avionic system technologies, in which attention will be focused upon techniques for design, integration and evaluation of high integrity avionic systems, particular techniques for sensing, monitoring and control of air vehicle systems, problems of man-machine interaction and flight-deck performance optimization;
- (f) mechanical, utility and actuation technologies, in which attention will be focused upon particular techniques for optimization and the exploitation of new technology in aircraft mechanical systems, aircraft utility systems and in aircraft actuation sub-systems.

In implementing this work, particular emphasis will be placed upon cross-fertilization and transfer of technology, especially for Member States not already having large aeronautical industries.

ANNEX II

INDICATIVE ALLOCATION OF FUNDS DEEMED NECESSARY

<i>(in millions of ecus)</i>	
	Allocation
<i>Area 1: Materials — raw materials</i>	
1. Raw materials and recycling	80
2. Materials	228,8
<i>Area 2: Design and manufacture</i>	301,5
<i>Area 3: Aeronautics research</i>	53 ⁽¹⁾
Total	663,3 ⁽²⁾

⁽¹⁾ The amount intended for aeronautics research is provided for a period of three years.

⁽²⁾ Including expenditure on staff amounting to ECU 20 million and administrative expenditure totalling ECU 15 million.

An amount deemed necessary of ECU 6,7 million, not included in the ECU 663,3 million, will be earmarked as the contribution from the specific programme on industrial and materials technologies to the centralized scheme for the dissemination and exploitation of results.

An additional amount of ECU 78 million will be allocated to JRC research in the field of materials and raw materials, including an amount of ECU 0,78 million representing the JRC contribution to the centralized scheme for dissemination under this specific programme.

10 % of the total will be allocated to basic research and 2 % to training.

The allocation between Areas 1 and 2 does not exclude the possibility that projects may come under both areas.

ANNEX III

RULES FOR IMPLEMENTING THE PROGRAMME

1. The Commission will implement the programme on the basis of the scientific and technical content described in Annex I.
2. The rules for implementing the programme, referred to in Article 3, comprise research and technological development projects, cooperative research projects, concerted actions and accompanying measures (including feasibility premiums). Selection of projects must take account of the criteria listed in Annex III to Decision 90/221/Euratom, EEC and of the objectives set out in Annex I to this programme.

— Research projects

The projects will be the subject of shared-cost research and technological development contracts and Community financial participation which will not normally be more than 50 %. Universities and other research centres participating in shared-cost projects will have the option of requesting, for each project, either 50 % funding of total expenditure or 100 % funding of the additional marginal costs.

Shared-cost research projects must, as a general rule, be carried out by participants established within the Community. Projects in which, for example, universities, research organizations and industrial firms, including small and medium-sized enterprises, may take part must provide, as a general rule, for the participation of at least two partners, independent of each other and established in different Member States. These two partners will normally be industrial firms except in the case of projects in the field of basic research. Where basic research is undertaken by a group consisting solely of research centres and universities, industrial support will be sought.

Contracts relating to shared-cost research projects must as a general rule be concluded following a selection procedure based on calls for proposals published in the *Official Journal of the European Communities*.

— Cooperative research projects

Cooperative research is intended for a group of undertakings, in particular SMEs, which do not have their own research facilities, in order to resolve common technical problems. One or more outside organizations (research associations, universities or undertakings) will be appointed to carry out the research.

50 % of the research costs of these projects will be covered for a period normally not exceeding two years. These projects must be submitted by undertakings which are to take part in planning and piloting the research and implementing the results.

— Concerted actions

Concerted actions consist of action by the Community to coordinate the individual research activities carried out in the Member States. They may benefit from funding of up to 100 % of coordinating expenditure.

— Accompanying measures, including feasibility premiums

- (i) The accompanying measures referred to in Article 7 and described in Annex I will in particular be implemented through :
 - the organization of seminars, workshops and scientific conferences,
 - internal coordination through the creation of integrating groups,
 - specialized training programmes, with the emphasis being placed on multi-disciplinarity,
 - an information exchange system,
 - promotion of the exploitation of results,
 - independent scientific and strategic evaluation of the operation of the projects and the programme.

- (ii) Feasibility premiums are subsidies of up to ECU 30 000, covering up to 75 % of the costs of research lasting a maximum of nine months and intended to determine the feasibility of an innovative device, concept or process. Such premiums are reserved for independent, technologically based SMEs established within the Community. Their purpose is to help SMEs to demonstrate their capacities to potential partners in future proposals for collaboration. The results of such research should become the basis for an SME's participation in an association seeking finance for an applied industrial research proposal under the industrial and materials technologies programme.
 - 3. The knowledge acquired in the course of the projects will be disseminated both within the specific programme and by means of a centralized activity, pursuant to the Decision referred to in Article 4 (3) of Decision 90/221/Euratom, EEC.
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