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I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EEC) No 2923/91
of 4 October 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 3 October 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 5 October 1991.

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

Done at Brussels, 4 October 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 4 October 1991 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Levy
0709 90 60	124,00 ⁽¹⁾ ⁽²⁾
0712 90 19	124,00 ⁽²⁾ ⁽³⁾
1001 10 10	179,50 ⁽¹⁾ ⁽²⁾
1001 10 90	179,50 ⁽¹⁾ ⁽²⁾
1001 90 91	153,37
1001 90 99	153,37
1002 00 00	164,02 ⁽⁴⁾
1003 00 10	139,91
1003 00 90	139,91
1004 00 10	125,93
1004 00 90	125,93
1005 10 90	124,00 ⁽²⁾ ⁽³⁾
1005 90 00	124,00 ⁽²⁾ ⁽³⁾
1007 00 90	134,74 ⁽¹⁾
1008 10 00	52,45
1008 20 00	123,60 ⁽⁴⁾
1008 30 00	52,69 ⁽²⁾
1008 90 10	⁽⁷⁾
1008 90 90	52,69
1101 00 00	227,72 ⁽⁴⁾
1102 10 00	242,63 ⁽⁴⁾
1103 11 10	291,41 ⁽⁴⁾
1103 11 90	245,43 ⁽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 2924/91

of 4 October 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 3 October 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 5 October 1991.

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

Done at Brussels, 4 October 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 4 October 1991 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(ECU/tonne)

CN code	Current 10	1st period 11	2nd period 12	3rd period 1
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 10	0	0	0	0
1001 10 90	0	0	0	0
1001 90 91	0	0	0	0
1001 90 99	0	0	0	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 10	0	0	0	0
1004 00 90	0	0	0	0
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

(ECU/tonne)

CN code	Current 10	1st period 11	2nd period 12	3rd period 1	4th period 2
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 2925/91
of 4 October 1991
fixing the import levies on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

Whereas the import levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2590/91 ⁽⁵⁾, as last amended by Regulation (EEC) No 2838/91 ⁽⁶⁾,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 7 October 1991.

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

Done at Brussels, 4 October 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽³⁾ OJ No L 80, 24. 3. 1987, p. 20.

⁽⁴⁾ OJ No L 75, 21. 3. 1991, p. 29.

⁽⁵⁾ OJ No L 243, 31. 8. 1991, p. 5.

⁽⁶⁾ OJ No L 272, 28. 9. 1991, p. 18.

ANNEX

to the Commission Regulation of 4 October 1991 fixing the import levies on rice and broken rice

(ECU/tonne)

CN code	Arrangement in Regulation (EEC) No 3877/86	ACP or OCT (⁽¹⁾) (⁽²⁾) (⁽³⁾) Bangladesh	Third countries (except ACP or OCT) (⁽⁴⁾)
1006 10 21	—	146,83	300,86
1006 10 23	204,32	132,61	272,42
1006 10 25	204,32	132,61	272,42
1006 10 27	204,32	132,61	272,42
1006 10 92	—	146,83	300,86
1006 10 94	204,32	132,61	272,42
1006 10 96	204,32	132,61	272,42
1006 10 98	204,32	132,61	272,42
1006 20 11	—	184,44	376,08
1006 20 13	255,39	166,66	340,52
1006 20 15	255,39	166,66	340,52
1006 20 17	255,39	166,66	340,52
1006 20 92	—	184,44	376,08
1006 20 94	255,39	166,66	340,52
1006 20 96	255,39	166,66	340,52
1006 20 98	255,39	166,66	340,52
1006 30 21	—	228,46	480,78 (⁽⁵⁾)
1006 30 23	415,92 (⁽⁵⁾)	265,39	554,56 (⁽⁵⁾)
1006 30 25	415,92 (⁽⁵⁾)	265,39	554,56 (⁽⁵⁾)
1006 30 27	415,92 (⁽⁵⁾)	265,39	554,56 (⁽⁵⁾)
1006 30 42	—	228,46	480,78 (⁽⁵⁾)
1006 30 44	415,92 (⁽⁵⁾)	265,39	554,56 (⁽⁵⁾)
1006 30 46	415,92 (⁽⁵⁾)	265,39	554,56 (⁽⁵⁾)
1006 30 48	415,92 (⁽⁵⁾)	265,39	554,56 (⁽⁵⁾)
1006 30 61	—	243,66	512,03 (⁽⁵⁾)
1006 30 63	445,87 (⁽⁵⁾)	284,89	594,49 (⁽⁵⁾)
1006 30 65	445,87 (⁽⁵⁾)	284,89	594,49 (⁽⁵⁾)
1006 30 67	445,87 (⁽⁵⁾)	284,89	594,49 (⁽⁵⁾)
1006 30 92	—	243,66	512,03 (⁽⁵⁾)
1006 30 94	445,87 (⁽⁵⁾)	284,89	594,49 (⁽⁵⁾)
1006 30 96	445,87 (⁽⁵⁾)	284,89	594,49 (⁽⁵⁾)
1006 30 98	445,87 (⁽⁵⁾)	284,89	594,49 (⁽⁵⁾)
1006 40 00	—	74,11	154,23

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

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

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

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

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

COMMISSION REGULATION (EEC) No 2926/91

of 4 October 1991

fixing the premiums to be added to the import levies on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 1806/89 ⁽²⁾, and in particular Article 13 (6) thereof,Whereas the premiums to be added to the levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2591/91 ⁽³⁾, as last amended by Regulation (EEC) No 2839/91 ⁽⁴⁾;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 7 October 1991.

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

Done at Brussels, 4 October 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.⁽²⁾ OJ No L 177, 24. 6. 1989, p. 1.⁽³⁾ OJ No L 243, 31. 8. 1991, p. 8.⁽⁴⁾ OJ No L 272, 28. 9. 1991, p. 20.

ANNEX

to the Commission Regulation of 4 October 1991 fixing the premiums to be added to the import levies on rice and broken rice

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

COMMISSION REGULATION (EEC) No 2927/91
of 4 October 1991

amending Regulation (EEC) No 2665/91 and increasing to 58 000 tonnes the amount of barley held by the Greek intervention agency for which a standing invitation to tender for resale on the internal market 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 3577/90 ⁽²⁾, and in particular Article 7 (6) thereof,

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

Whereas Commission Regulation (EEC) No 2665/91 ⁽⁵⁾ opened a standing invitation to tender for the resale on the internal market of 25 000 tonnes of barley wheat held by the Greek intervention agency;

Whereas in the present situation on the market the quantity of barley held by the Greek intervention agency put

up for sale on the internal market of the Community should be increased to 58 000 tonnes;

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

In Article 1 of Regulation (EEC) No 2665/91 'of 25 000 tonnes' is replaced by 'of 58 000 tonnes'.

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, 4 October 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 202, 9. 7. 1982, p. 23.

⁽⁴⁾ OJ No L 249, 12. 9. 1990, p. 8.

⁽⁵⁾ OJ No L 250, 7. 9. 1991, p. 10.

COMMISSION REGULATION (EEC) No 2928/91**of 4 October 1991****extending Regulation (EEC) No 2985/89 introducing retrospective Community surveillance of imports of certain textile products originating in Tunisia or Morocco**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 288/82 of 5 February 1982 on common rules for imports ⁽¹⁾, as last amended by Regulation (EEC) No 3365/89 ⁽²⁾, and in particular Articles 10 and 14 thereof,

Having consulted the advisory committee set up under Article 5 of Regulation (EEC) No 288/82,

Whereas, by virtue of Regulation (EEC) No 2985/89 ⁽³⁾, the Commission has established a system subjecting

imports of certain textile products originating in Tunisia or Morocco to retrospective Community surveillance;

Whereas this Regulation expires on 4 October 1991;

Whereas the situation which to the introduction of the said surveillance system still exists; whereas that system should therefore remain in force,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2985/89 is hereby extended until 31 December 1992.

Article 2

This Regulation shall enter into force on 5 October 1991.

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

Done at Brussels, 4 October 1991.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 35, 9. 2. 1982, p. 1.

⁽²⁾ OJ No L 325, 10. 11. 1989, p. 1.

⁽³⁾ OJ No L 286, 4. 10. 1989, p. 5.

COMMISSION REGULATION (EEC) No 2929/91

of 4 October 1991

fixing for the 1991/92 marketing year the reference prices for broad-leaved
(Batavian) endives

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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 Article 27 (1) thereof,

Whereas, pursuant to Article 23 (1) of Regulation (EEC) No 1035/72, reference prices valid for the whole Community are to be fixed at the beginning of the marketing year;

Whereas broad-leaved (Batavian) endives (*Cichorium endivia* L. var. *latifolia*) are produced in such quantities in the Community that reference prices should be fixed for them;

Whereas endives harvested during a given crop year are marketed from July to June of the following year; whereas the quantities imported from 1 July to 14 November and from 1 April to 30 June of the following year are so small that there is no need to fix reference prices for these periods; whereas reference prices should be fixed only for the period 15 November up to and including 31 March of the following year;

Whereas Article 23 (2) (b) of Regulation (EEC) No 1035/72 stipulates that reference prices are to be fixed at the same level as for the preceding marketing year, adjusted, after deducting the standard cost of transporting Community products between production areas and Community consumption centres in the preceding year, by:

- the increase in production costs for fruit and vegetables, less productivity growth, and
- the standard rate of transport costs in the current marketing year;

Whereas the resulting figure may nevertheless not exceed the arithmetic mean of producer prices in each Member

State plus transport costs for the current year, after this amount has been increased by the rise in production costs less productivity growth; whereas the reference price may, however, not be lower than in the preceding marketing year;

Whereas, to take seasonal price variations into account, the marketing year should be divided into several periods and a reference price fixed for each of these periods;

Whereas producer prices are to correspond to the average of the prices recorded on the representative market or markets situated in the production areas where prices are lowest, during the three years prior to the date on which the reference price is fixed, for a home-grown product with defined commercial characteristics, being a product or variety representing a substantial proportion of the production marketed over the year or over part thereof and satisfying specified requirements as regards market preparation; whereas, when the average of prices recorded on each representative market is being calculated, prices which could be considered excessively high or excessively low in relation to normal price fluctuations on that market are to be disregarded;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1991/92 marketing year, the reference prices for broad-leaved (Batavian) endives (CN code 0705 29 00), expressed in ecus per 100 kilograms net of packed products of class I, of all sizes, shall be as follows:

- | | |
|--|--------|
| — from 15 November 1991 to
31 January 1992: | 58,79, |
| — from 1 February 1992 to
31 March 1992: | 63,44. |

Article 2

This Regulation shall enter into force on 15 November 1991.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 150, 15. 6. 1991, p. 8.

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

Done at Brussels, 4 October 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 2930/91

of 4 October 1991

fixing for the 1991/92 marketing year the Community offer price for sweet oranges applicable with regard to Spain and Portugal

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 Regulations (EEC) No 3709/89 ⁽¹⁾ and No 3648/90 ⁽²⁾ laying down general rules for implementing the Act of Accession of Spain and Portugal as regards the compensation mechanism on imports of fruit and vegetables originating respectively in Spain and Portugal, and in particular Article 4 (1) thereof,Whereas, Commission Regulation (EEC) No 3820/90 of 19 December 1990 ⁽³⁾, lays down detailed rules for the application of the compensation mechanism to imports of fruit and vegetables from Spain,

Whereas, pursuant to Article 152 and Article 318 of the Act of Accession, a compensation mechanism is to be introduced on imports into the Community as constituted at 31 December 1985, hereinafter referred to as the 'Community of Ten', of fruit and vegetables from Spain and Portugal for which a reference price is fixed with regard to third countries; whereas, the Community offer price for sweet oranges coming from Spain and Portugal should be fixed only during the period where a reference price is fixed with regard to third countries, this means from 1 December up to and including 31 May of the following year;

Whereas, in accordance with Articles 152 (2) (a) and 318 (1) (a) of the Act of Accession, a Community offer price is to be calculated annually on the basis of the arithmetic mean of the producer prices in each Member State of the Community of Ten, plus transport and packaging costs incurred by the products from the production regions to the representative consumption centres of the Community and bearing in mind developments in the cost of production in the fruit and vegetable sector; whereas the abovementioned producer prices correspond to the average prices recorded during the three years preceding

the date of fixing of the Community offer price; whereas, however, the annual Community offer price cannot exceed the reference price applied for third countries;

Whereas, in accordance with Article 1 of Regulations (EEC) Nos 3709/89 and 3648/90, the producer prices to be used for the determination of the Community offer price are to be those of a domestic product defined by its commercial characteristics recorded on the representative market or markets located in the production areas where prices are lowest for products or varieties representing a considerable proportion of production marketed throughout the year or during a part of the latter and which meet Quality Class I requirements and conditions laid down as regards packaging; whereas the average price for each representative market must be established after disregarding prices which may be considered excessively high or excessively low compared with the normal fluctuations recorded on the market; whereas, moreover, if the average price for a Member State shows excessive variations with respect of normal price fluctuations, it shall not be taken into account;

Whereas the application of the abovementioned criteria results in a Community offer price being fixed for sweet oranges for the period 1 December 1991 to 31 May 1992;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1991/92 marketing year, the Community offer price for sweet oranges (CN codes 0805 10 11, 15, 19, 21, 25, 29, 31, 35, 39, 41, 45 and 49) applicable with regard to Spain and Portugal, expressed in ecus per 100 kilograms net of packed products of class I, of all sizes, shall be as follows:

— From 1 December 1991 to 31 May 1992: 22,66

Article 2

This Regulation shall enter into force on 1 December 1991.

⁽¹⁾ OJ No L 363, 13. 12. 1989, p. 3.⁽²⁾ OJ No L 362, 27. 12. 1990, p. 16.⁽³⁾ OJ No L 366, 29. 12. 1990, p. 43.

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

Done at Brussels, 4 October 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 2931/91
of 4 October 1991
fixing the amount of the subsidy on oil seeds

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

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

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 1720/91⁽²⁾, and in particular Article 27 (4) thereof,

Having regard to Council Regulation (EEC) No 1678/85 of 11 June 1985 fixing the conversion rates to be applied in agriculture⁽³⁾, as last amended by Regulation (EEC) No 2566/91⁽⁴⁾,

Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza, rape and sunflower seed⁽⁵⁾, as last amended by Regulation (EEC) No 2206/90⁽⁶⁾, and in particular Article 2 (3) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the amount of the subsidy referred to in Article 27 of Regulation No 136/66/EEC was fixed by Commission Regulation (EEC) No 1897/91⁽⁷⁾, as last amended by Regulation (EEC) No 2878/91⁽⁸⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1897/91 to the information known to the Commission that the amount of the subsidy at present in force should be altered to the amount set out in the Annexes hereto,

HAS ADOPTED THIS REGULATION:

Article 1

1. The amounts of the subsidy and the exchange rates referred to in Article 33 (2) and (3) of Commission Regulation (EEC) No 2681/83⁽⁹⁾ shall be as set out in the Annexes hereto.

2. However, the amount of the aid for 1991/92 marketing year for colza, rape and sunflower seed shall be confirmed or replaced with effect from 5 October 1991 to take account of the consequences of the maximum guaranteed quantity arrangements for the 1991/92 marketing year.

Article 2

This Regulation shall enter into force on 5 October 1991.

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

Done at Brussels, 4 October 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

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

⁽²⁾ OJ No L 162, 26. 6. 1991, p. 27.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁴⁾ OJ No L 244, 31. 8. 1991, p. 48.

⁽⁵⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 11.

⁽⁷⁾ OJ No L 169, 29. 6. 1991, p. 16.

⁽⁸⁾ OJ No L 274, 1. 10. 1991, p. 38.

⁽⁹⁾ OJ No L 266, 28. 9. 1983, p. 1.

ANNEX I

Aids to colza and rape seed other than 'double zero'

(amounts per 100 kg)

	Current 10 (°)	1st period 11 (°)	2nd period 12 (°)	3rd period 1 (°)	4th period 2 (°)	5th period 3 (°)
1. Gross aids (ECU):						
— Spain	17,625	17,753	17,981	17,969	16,367	16,645
— Portugal	24,595	24,723	24,951	24,939	23,337	23,615
— Other Member States	17,625	17,753	17,981	17,969	16,367	16,645
2. Final aids:						
Seed harvested and processed in:						
— Federal Republic of Germany (DM)	41,49	41,79	42,33	42,30	38,53	39,19
— Netherlands (Fl)	46,75	47,09	47,70	47,66	43,41	44,15
— BLEU (Bfrs/Lfrs)	855,80	862,02	873,09	872,51	794,72	808,22
— France (FF)	139,16	140,17	141,97	141,88	129,23	131,42
— Denmark (Dkr)	158,27	159,42	161,47	161,36	146,97	149,47
— Ireland (£ Irl)	15,488	15,601	15,801	15,791	14,383	14,627
— United Kingdom (£)	13,916	14,017	14,198	14,187	12,900	13,121
— Italy (Lit)	31 046	31 271	31 673	31 651	28 830	29 238
— Greece (Dr)	4 332,79	4 348,09	4 367,11	4 319,77	3 890,33	3 829,83
— Spain (Pta)	2 694,74	2 714,33	2 748,75	2 746,36	2 509,11	2 540,52
— Portugal (Esc)	5 209,70	5 237,04	5 281,68	5 271,01	4 945,32	4 964,26

(°) 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.

ANNEX II

Aids to colza and rape seed 'double zero'

(amounts per 100 kg)

	Current 10 (°)	1st period 11 (°)	2nd period 12 (°)	3rd period 1 (°)	4th period 2 (°)	5th period 3 (°)
1. Gross aids (ECU):						
— Spain	18,875	19,003	19,231	19,219	17,617	17,895
— Portugal	25,845	25,973	26,201	26,189	24,587	24,865
— Other Member States	18,875	19,003	19,231	19,219	17,617	17,895
2. Final aids:						
Seed harvested and processed in:						
— Federal Republic of Germany (DM)	44,44	44,74	45,27	45,24	41,47	42,13
— Netherlands (Fl)	50,07	50,41	51,01	50,98	46,73	47,47
— BLEU (Bfrs/Lfrs)	916,50	922,72	933,79	933,20	855,42	868,91
— France (FF)	149,03	150,04	151,84	151,75	139,10	141,29
— Denmark (Dkr)	169,50	170,64	172,69	172,58	158,20	160,70
— Ireland (£ Irl)	16,587	16,699	16,900	16,889	15,481	15,726
— United Kingdom (£)	14,910	15,011	15,192	15,181	13,894	14,115
— Italy (Lit)	33 247	33 473	33 874	33 853	31 031	31 440
— Greece (Dr)	4 647,94	4 663,24	4 682,27	4 634,92	4 205,49	4 144,98
— Spain (Pta)	2 883,28	2 902,86	2 937,28	2 934,89	2 697,65	2 729,06
— Portugal (Esc)	5 470,54	5 497,89	5 542,52	5 531,85	5 206,17	5 225,11

(°) 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.

ANNEX III

Aids to sunflower seed

(amounts per 100 kg)

	Current 10 (1)	1st period 11 (1)	2nd period 12 (1)	3rd period 1 (1)	4th period 2 (1)
1. Gross aids (ECU):					
— Spain	25,691	26,022	26,353	26,506	26,157
— Portugal	32,877	33,208	33,539	33,695	33,359
— Other Member States	20,637	20,968	21,299	21,455	21,119
2. Final aids:					
(a) Seed harvested and processed in (2):					
— Federal Republic of Germany (DM)	48,58	49,36	50,14	50,51	49,72
— Netherlands (Fl)	54,74	55,62	56,50	56,91	56,02
— BLEU (Bfrs/Lfrs)	1 002,06	1 018,13	1 034,20	1 041,78	1 025,46
— France (FF)	162,94	165,56	168,17	169,40	166,75
— Denmark (Dkr)	185,32	188,29	191,26	192,66	189,65
— Ireland (£ Irl)	18,135	18,426	18,717	18,854	18,559
— United Kingdom (£)	16,285	16,549	16,812	16,936	16,664
— Italy (Lit)	36 351	36 934	37 517	37 792	37 200
— Greece (Dr)	5 063,71	5 127,42	5 163,68	5 150,56	5 057,21
— Portugal (Esc)	6 955,30	7 024,13	7 089,32	7 111,20	7 044,00
(b) Seed harvested in Spain and processed:					
— in Spain (Pta)	3 920,02	3 969,84	4 019,65	4 041,56	3 990,53
— in another Member State (Pta)	3 987,69	4 037,51	4 087,33	4 109,76	4 060,56

(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.

(2) For seed harvested in Member States other than Spain and processed in Spain, the amounts shown in 2 (a) to be multiplied by 1,0186140.

ANNEX IV

Exchange rate of the ecu to be used for converting final aids into the currency of the processing country when the latter is a country other than the country of production

(value of ECU 1)

	Current 10	1st period 11	2nd period 12	3rd period 1	4th period 2	5th period 3
DM	2,047720	2,046370	2,045480	2,044710	2,044710	2,042360
Fl	2,306380	2,305110	2,304020	2,302930	2,302930	2,300370
Bfrs/Lfrs	42,197800	42,173300	42,152100	42,130900	42,130900	42,070999
FF	6,977310	6,974330	6,971500	6,969170	6,969170	6,960530
Dkr	7,896070	7,894620	7,893940	7,893130	7,893130	7,885860
£Irl	0,765496	0,765158	0,764964	0,764896	0,764896	0,763743
£	0,702530	0,702862	0,702992	0,702878	0,702878	0,702677
Lit	1 531,69	1 533,62	1 535,23	1 537,13	1 537,13	1 543,49
Dr	228,01700	230,13300	232,45200	234,92000	234,92000	241,88800
Esc	176,78600	177,30500	177,85200	178,41600	178,41600	180,46200
Pta	129,59300	129,90200	130,12000	130,30900	130,30900	130,83600

COMMISSION REGULATION (EEC) No 2932/91
of 4 October 1991

**adopting interim protective measures regarding applications submitted during
the period 23 to 27 September 1991 for STM licences for trade with Spain in beef
and veal**

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

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

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

Whereas Article 85 (1) of the Act of Accession makes
provision for the Commission to take interim protective
measures necessary where an examination of the trend in
intra-Community trade shows a significant increase in
imports carried out or foreseeable in the current year or
part thereof;

Whereas an examination of licence applications lodged
from 23 to 27 September 1991 shows that the quantities

applied for are likely to bring about a serious disturbance
of the Spanish market for live animals; whereas, as an
interim protective measure, licences should only be issued
for up to a given percentage of the quantities applied for,

HAS ADOPTED THIS REGULATION:

Article 1

For live animals of the bovine species other than pure-
bred breeding animals and animals for bullfights:

1. applications for STM licences lodged from 23 to 27
September 1991 and notified to the Commission shall
be accepted in respect of 6,461 % of the quantities
applied for therein;
2. further applications may be submitted from 7 October
1991.

Article 2

This Regulation shall enter into force on 7 October 1991.

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

Done at Brussels, 4 October 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 357, 20. 12. 1990, p. 27.

COMMISSION REGULATION (EEC) No 2933/91

of 4 October 1991

adopting interim protective measures on applications for STM licences in the beef and veal sector submitted for trade with Portugal during the period 23 to 27 September 1991

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

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

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

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

Whereas the licence applications lodged between 23 and 27 September 1991 are for quantities likely to bring about

a serious disturbance of the Portuguese market for fresh and chilled beef and veal;

whereas, as an interim protective measure only, a percentage of the amounts applied for in that period should be granted,

HAS ADOPTED THIS REGULATION:

Article 1

For fresh and chilled beef and veal:

1. applications for STM licences submitted by Portugal between 23 and 27 September 1991 and notified to the Commission shall be accepted for 62,395 %;
2. further applications may be submitted from 14 October 1991.

Article 2

This Regulation shall enter into force on 7 October 1991.

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

Done at Brussels, 4 October 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 366, 29. 12. 1990, p. 30.

⁽²⁾ OJ No L 85, 5. 4. 1991, p. 23.

COMMISSION REGULATION (EEC) No 2934/91
of 4 October 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 2896/91 ⁽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 3 October 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 5 October 1991.

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

Done at Brussels, 4 October 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 275, 2. 10. 1991, p. 14.

⁽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 4 October 1991 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	38,19 ⁽¹⁾
1701 11 90	38,19 ⁽¹⁾
1701 12 10	38,19 ⁽¹⁾
1701 12 90	38,19 ⁽¹⁾
1701 91 00	43,36
1701 99 10	43,36
1701 99 90	43,36 ⁽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 2935/91

of 4 October 1991

introducing a countervailing charge on apples originating in Hungary

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 1875/91 of 28 June 1991 fixing for the 1991/92 marketing year the reference prices for apples⁽³⁾ fixed the reference price for products of Quality class I at ECU 43,78 per 100 kilograms net for the month of October 1991;

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 apples originating in Hungary 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 apples;

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 1,35 per 100 kilograms net is applied to apples (CN codes 0808 10 91, 0808 10 93 and 0808 10 99) originating in Hungary.

Article 2

This Regulation shall enter into force on 8 October 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 168, 29. 6. 1991, p. 70.

⁽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, 4 October 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 2936/91
of 4 October 1991
abolishing the 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 Commission Regulation (EEC) No 2793/91⁽³⁾ introduced a countervailing charge on tomatoes originating in Poland;

Whereas for these products originating in Poland there were no prices for six consecutive working days; whereas

the conditions specified in Article 26 (1) of Regulation (EEC) No 1035/72 are therefore fulfilled and the countervailing charge on imports of tomatoes originating in Poland can be abolished,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2793/91 is hereby repealed.

Article 2

This Regulation shall enter into force on 5 October 1991.

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

Done at Brussels, 4 October 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 150, 15. 6. 1991, p. 8.

⁽³⁾ OJ No L 269, 25. 9. 1991, p. 18.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 17 July 1991

on financial aid from the Federal Republic of Germany to the coal industry in 1991

(Only the German text is authentic)

(91/513/ECSC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

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

Whereas :

I

By letters dated 4 December 1990 and 22 May 1991, the Government of the Federal Republic of Germany informed the Commission, pursuant to Article 9 (2) of Decision No 2064/86/ECSC, of the financial measures it intends to take in order to support the coal industry in 1991.

Under that Decision, the Commission must give a ruling on the following financial measures submitted to it for approval :

- aid totalling DM 3 398,13 million to sales of coal and coke to the Community iron and steel industry,
- aid totalling DM 137 million under a scheme for maintaining the underground labour force in deep mines ('Bergmannsprämie'),
- aid totalling DM 270,4 million to finance social benefit schemes in the coal industry.

The measures which the German Government intends to take to support the coal industry comply with the provi-

sions of Article 1 (1) of Decision No 2064/86/ECSC. The Commission must therefore give a ruling under Article 10 of the Decision as to whether they comply with the objectives and criteria set out in that Decision and whether they are compatible with the proper functioning of the common market.

II

In accordance with Articles 4 and 12 of the Decision, coal undertakings are authorized, where necessary, to grant rebates on their list prices or production costs for deliveries of coking coal, blast furnace coke and coal for injection into blast furnaces to the Community iron and steel industry under long-term contract. These rebates must not cause the delivered prices of Community coal and coke to work out lower than those which would be charged for coal from non-member countries and coke made from non-member country coking coal.

Since 1 January 1989, the German Government's policy on aid to sales of coal and coke to the Community steel industry has been based on the principle of placing a ceiling on the amount of such aid for a three-year period from 1 January 1989 to 31 December 1991. The overall amount of aid planned for that period is DM 10 960 million, while the total quantities of coal eligible for this aid are expected to be 69,8 million tonnes.

Under the terms of Commission Decisions No 90/199/ECSC⁽²⁾ and No 91/406/ECSC⁽³⁾ the German Government was authorized to grant aid of DM 3 847 million for

⁽¹⁾ OJ No L 177, 1. 7. 1986, p. 1.

⁽²⁾ OJ No L 105, 25. 4. 1990, p. 21.

⁽³⁾ OJ No L 226, 14. 8. 1991, p. 28.

1989 and DM 3 550 million for 1990 under the new system to sales of coal and coke to the Community iron and steel industry.

Under this system, the German Government proposes to pay coal producers, as available budgetary resources allow, a sum of DM 3 398,13 million for 1991, in respect of production of 21,5 million tonnes of coal and coke.

In view of the information provided by the German Government, the Commission feels that the progressive reduction in aid which is one of the objectives of the new scheme is taking effect.

The Commission welcomes both the principle of setting a ceiling on aid and its progressive reduction, as this should further encourage the restructuring of the coal industry and thus improve its competitiveness in accordance with the first indent of Article 2 (1) of Decision No 2064/86/ECSC.

Moreover, the aid is compatible with the provisions of Articles 4 and 12 of the Decision, as it does not lead to delivered prices lower than those which would be charged for coal from non-member countries.

It will also be necessary, pursuant to Article 11 (1) of Decision No 2064/86/ECSC, to ensure that the aid does not lead to discrimination within the meaning of the ECSC Treaty, as between buyers or users of coal or coke in the Community.

After the end of 1991, the German Government will communicate any changes with regard to sales in each of the three years of application of the aid scheme together with data on production costs and the guide price, so that the Commission can verify that all the abovementioned provisions have been complied with.

III

The aid of DM 137 million to finance mineworkers' bonuses ('Bergmannsprämie' of DM 10 per shift worked underground) enables the undertakings to maintain a skilled underground workforce. This aid, which contributes to improved productivity, is specifically provided for in Article 6 of Decision No 2064/86/ECSC and helps to improve the competitiveness of the industry in accordance with the first indent of Article 2 (1) of the Decision.

The information provided by the German Government regarding aid to finance social benefit schemes in the coal industry shows that the aid which the German Government intends to grant for these purposes makes the ratio between the burden per mineworker in employment and the benefits per person in receipt of benefit lower than the corresponding ratio in other industries. The difference between actual and standard charges in 1991 is expected to amount to DM 270,4 million. Since this exceeds the

limits set in Article 7 of Decision No 2064/86/ECSC, this measure must be considered as indirect aid to current production and must be examined on the basis of Article 10 (2) of the Decision. The reduction of about 1 % in production costs which it entails will not give the German coal industry a significant competitive advantage over other Community coal producers. Since this measure reduces the industry's operating costs, it helps solve the social and regional problems relating to developments in the coal industry by permitting a better phasing of restructuring, rationalization and modernization measures. It thus helps to achieve the objective referred to in the third indent of Article 2 (1) of the Decision.

IV

Consequently, the aid measures referred to in this Decision are compatible with the proper functioning of the common market,

HAS ADOPTED THIS DECISION:

Article 1

The Federal Republic of Germany is hereby authorized to grant aid totalling DM 3 805 530 000 to the German coal industry for the 1991 calendar year. The total amount shall be made up of the following aid:

1. aid totalling DM 3 398,13 million to sales of coal and coke to the Community iron and steel industry;
2. aid totalling DM 137 million under a scheme for maintaining the underground labour force in deep mines ('Bergmannsprämie');
3. aid totalling DM 270,4 million to finance social benefit schemes in the coal industry, covering the difference between actual and standard social charges.

Article 2

The Federal Republic of Germany shall notify the Commission by 30 June 1992 of the total amounts of aid paid in 1991.

Article 3

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 17 July 1991.

For the Commission

António CARDOSO E CUNHA

Member of the Commission

COMMISSION DECISION

of 6 September 1991

amending the Seventh Council Decision 85/355/EEC on the equivalence of field inspections carried out in third countries on seed-producing crops and the Seventh Council Decision 85/356/EEC on the equivalence of seed produced in third countries

(91/514/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 66/401/EEC of 14 June 1966 on the marketing of fodder plant seed⁽¹⁾, as last amended by Directive 90/654/EEC⁽²⁾, and in particular Article 16 (1) (b) thereof,

Having regard to Council Directive 66/402/EEC of 14 June 1966 on the marketing of cereal seed⁽³⁾, as last amended by Directive 90/654/EEC, and in particular Article 16 (1) (b) thereof,

Having regard to Council Directive 69/208/EEC of 30 June 1969 on the marketing of seed of oil and fibre plants⁽⁴⁾, as last amended by Directive 90/654/EEC, and in particular Article 15 (1) (b) thereof,

Having regard to the Seventh Council Decision 85/355/EEC of 27 June 1985 on the equivalence of field inspections carried out in third countries on seed-producing crops⁽⁵⁾, as last amended by Directive 90/654/EEC, and in particular Article 2 thereof,

Having regard to the Seventh Council Decision 85/356/EEC of 27 June 1985 on the equivalence of seed produced in third countries⁽⁶⁾, as last amended by Directive 90/654/EEC, and in particular Article 4 thereof,

Whereas, in its Decision 85/355/EEC, the Council determined that field inspections carried out in certain third countries on seed-producing crops of certain species satisfied the conditions laid down in Directives 66/401/EEC, 66/402/EEC and 69/208/EEC;

Whereas, in its Decision 85/356/EEC, the council determined that seed of certain species produced in certain third countries was equivalent to corresponding seed produced in the Community;

Whereas for certain species those determinations include Czechoslovakia, Hungary, Poland, Romania, Chile, the United States of America, Uruguay and Yugoslavia;

Whereas the name 'Czechoslovakia' has now been changed to the 'Czech and Slovak Federal Republic' and the appropriate amendments should accordingly be made to the Annexes to Decisions 85/355/EEC and 85/356/EEC;

Whereas the names of the services which carry out field inspections and officially control seed in Czechoslovakia, Hungary, the United States of America and Yugoslavia have changed and appropriate administrative amendments should accordingly be made to the Annexes to Decisions 85/355/EEC and 85/356/EEC;

Whereas an examination of the rules of Hungary, Poland, Romania, Chile and Uruguay and the manner in which they are applied has shown that:

- in Hungary, in respect of red top, creeping bent grass and canary grass,
- in Poland, in respect of velvet bent, Alsike clover, Persian clover, California bluebell and hemp,
- in Romania, in respect of wheat,
- in Chile, in respect of Persian clover, white lupin, durum wheat, wheat, oats, barley and colza,
- in Uruguay, in respect of flax/linseed,

the prescribed field inspections satisfy the conditions laid down in Annex I to Directive 66/401/EEC, 66/402/EEC or 69/208/EEC, as the case may be, and the conditions governing seed harvested and controlled there afford the same assurances, as regards the seed's characteristics, identity, examination, marking and control, as do the conditions applicable to such seed harvested and controlled within the Community;

Whereas the existing equivalence for those five countries should therefore be extended accordingly;

(1) OJ No 125, 11. 7. 1966, p. 2298/66.

(2) OJ No L 353, 17. 12. 1990, p. 48.

(3) OJ No 125, 11. 7. 1966, p. 2309/66.

(4) OJ No L 169, 10. 7. 1969, p. 3.

(5) OJ No L 195, 26. 7. 1985, p. 1.

(6) OJ No L 195, 26. 7. 1985, p. 20.

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

Article 1

The word 'Czechoslovakia' in point 1.1 of heading 1 ('Legend') of Part 1 of the Annexes to Decisions 85/355/EEC and 85/356/EEC is hereby replaced by 'the Czech and Slovak Federal Republic'.

Article 2

The table in heading 2 ('Table') of Part 1 of the Annex to Decision 85/355/EEC is hereby amended in accordance with Annex I.

Article 3

The table in heading 2 ('Table') of Part 1 of the Annex to Decision 85/356/EEC is hereby amended in accordance with Annex II.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 6 September 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX I

1. In the section relating to Czechoslovakia in column 2, 'Central Controlling and Testing Institute for Agriculture, Matuskova 21, 8000 Bratislava' is added after 'Ustrřední Kontrolní a Zkušební Ústav Zemědělský /Central Institute for Control and Testing in Agriculture, Praha'.
2. In the section relating to Hungary in column 2, the address 'Nővénytermesztési és Minősítő Intézet, Budapest' is replaced by the address 'Mezőgazdasági Minőség Intézet, Budapest'.
3. In the section relating to Hungary in column 3, '*Agrostis gigantea*' and '*Agrostis stolonifera*' are inserted before '*Alopecurus pratensis*' and '*Phalaris canariensis*' is inserted after '*Hordeum vulgare*'.
4. In the section relating to Poland in column 3, '*Agrostis canina*' is inserted before '*Agrostis gigantea*', '*Trifolium hybridum*' is inserted before '*Trifolium incarnatum*', '*Trifolium resupinatum*' is inserted before '*Vicia faba (partim)*', '*Phacelia tanacetifolia*' is inserted before '*Secale cereale*', and '*Cannabis sativa*' is inserted before '*Carum carvi*'.
5. In the section relating to Romania in column 3, '*Triticum aestivum*' is inserted after '*Hordeum vulgare*'.
6. In the section relating to Chile in column 3, the entry is replaced by the following entry:
 - 66/400
Beta vulgaris
 - 66/401
Lupinus albus
Medicago sativa
Trifolium pratense
Trifolium resupinatum
 - 66/402
Avena sativa
Hordeum vulgare
Triticum aestivum
Triticum durum
Zea mays
 - 69/208
Brassica napus ssp. *oleifera*
Helianthus annuus'.
7. In the section relating to the United States in column 2, 'Arkansas State Plant Board, PO Box 1069, Little Rock, Arkansas 72203' is inserted after 'Arizona Crop Improvement Association Inc., Auburn University' and 'Mississippi Seed Improvement Association, PO Drawer MS, Mississippi State, MS 39762' is inserted after 'Minnesota Crop Improvement Association, University of Minnesota'.
8. In the section relating to Uruguay in column 3, '*Linum usitatissimum*' is inserted after '*Helianthus annuus*'.
9. In the section relating to Yugoslavia in column 2, 'Institute of Field and Vegetable Crops, 30, M. Gorki, 21000 Novi Sad' and 'Institut Za Oplemenjivanje I Proi Proizvodnja Bilja Poljoprivrednog Sveucilista, Marulicev TRG 5/1, 41000 Zagreb' replace all existing entries.

ANNEX II

1. In the section relating to Czechoslovakia in column 2, 'Central Controlling and Testing Institute for Agriculture, Matuskova 21, 8000 Bratislava' is added after 'Ustrřední Kontrolní a Zkušební Ústav Zemědělský/Central Institute for Control and Testing in Agriculture, Praha'.
2. In the section relating to Hungary in column 2, the address 'Nővénytermesztési és Minősítő Intézet, Budapest' is replaced by the address 'Mezőgazdasági Minőség Intézet, Budapest'.
3. In the section relating to Hungary in column 3, '*Agrostis gigantea*' and '*Agrostis stolonifera*' are inserted before '*Alopecurus pratensis*' and '*Phalaris canariensis*' is inserted after '*Hordeum vulgare*'.
4. In the section relating to Poland, columns 3, 4 and 5 are replaced by the following columns :

3	4	5
— 66/400	— Basic seed/Semences de base	B
<i>Beta vulgaris</i>	— Certified seed/Semences certifiées	CZ/1
— 66/401	— Basic seed/Semences de base	B
<i>Agrostis canina</i>	— Certified seed, 1st generation/ Semences certifiées première génération	CZ/1
<i>Agrostis gigantea</i>		
<i>Agrostis stolonifera</i>		
<i>Agrostis tenuis</i>		
<i>Alopecurus pratensis</i>		
<i>Arrhenatherum elatius</i>		
<i>Dactylis glomerata</i>		
<i>Festuca arundinacea</i>		
<i>Festuca ovina</i>		
<i>Festuca pratensis</i>		
<i>Festuca rubra</i>		
<i>Lolium multiflorum</i>		
<i>Lolium perenne</i>		
<i>Lolium x hybridum</i>		
<i>Phleum pratense</i>		
<i>Poa palustris</i>		
<i>Poa pratensis</i>		
<i>Medicago x varia</i>		
<i>Onobrychis viciifolia</i>		
<i>Pisum sativum (partim)</i>		
<i>Trifolium hybridum</i>		
<i>Trifolium incarnatum</i>		
<i>Trifolium pratense</i>		
<i>Trifolium repens</i>		
<i>Trifolium resupinatum</i>		
<i>Brassica napus var. napobrassica</i>		
<i>Brassica oleracea convar. acephala</i>		
<i>Raphanus sativus ssp. oleifera</i>		
— 66/401	— Basic seed/Semences de base	B
<i>Lupinus albus</i>	— Certified seed, 1st generation/ Semences certifiées première génération	CZ/1
<i>Lupinus angustifolius</i>		
<i>Lupinus luteus</i>		
<i>Vicia faba (partim)</i>	— Certified seed 2nd generation/ Semences certifiées deuxième génération	CZ/2
<i>Vicia sativa</i>		
<i>Vicia villosa</i>		

3	4	5
— 66/401 <i>Lotus corniculatus</i> <i>Medicago lupulina</i>	— Basic seed/Semences de base — Certified seed, 1st generation/ Semences certifiées première génération — Commercial seed/Semences commerciales	B CZ/1 COM
— 66/402 <i>Avena sativa</i> <i>Hordeum vulgare</i> <i>Phacelia tanacetifolia</i> <i>Secale cereale</i> <i>Triticum aestivum</i>	— Basic seed/Semences de base — Certified seed, 1st generation/ Semences certifiées première génération	B CZ/1
— 69/208 <i>Brassica rapa (partim)(¹)</i> <i>Brassica napus ssp. oleifera(¹)</i> <i>Cannabis sativa</i> <i>Carum carvi</i> <i>Papaver somniferum</i> <i>Sinapis alba(¹)</i>	— Basic seed/Semences de base — Certified seed, 1st generation/ Semences certifiées première génération	B CZ/1'

5. In the section relating to Romania in column 3, '*Triticum aestivum*' is inserted after '*Hordeum vulgare*'.

6. In the section relating to Chile, columns 3, 4 and 5 are replaced by the following columns :

3	4	5
— 66/400 <i>Beta vulgaris</i>	— Basic seed/Semences de base — Certified seed/Semences certifiées	B CZ/1
— 66/401 <i>Lupinus albus</i> <i>Medicago sativa</i> <i>Trifolium pratense</i> <i>Trifolium resupinatum</i>	— Basic seed/Semences de base — Certified seed, 1st generation/ Semences certifiées première génération	B CZ/1
— 66/402 <i>Avena sativa</i> <i>Hordeum vulgare</i> <i>Triticum aestivum</i> <i>Triticum durum</i> <i>Zea mays</i>	— Basic seed/Semences de base — Certified seed, 1st generation/ Semences certifiées première génération	B CZ/1
— 69/208 <i>Brassica napus ssp. oleifera</i> <i>Helianthus annuus</i>	— Basic seed/Semences de base — Certified seed, 1st generation/ Semences certifiées première génération	B CZ/1'

7. In the section relating to the United States in column 2, 'Arkansas State Plant Board, PO Box 1069, Little Rock, Arkansas 72203' is inserted after 'Arizona Crop Improvement Association Inc., Auburn University' and 'Mississippi Seed Improvement Association, PO Drawer MS, Mississippi State, MS 39762' is inserted after 'Minnesota Crop Improvement Association, University of Minnesota'.
 8. In the section relating to Uruguay in column 3, '*Linum usitatissimum*' is inserted after '*Helianthus annuus*'.
 9. In the section relating to Yugoslavia in column 2, 'Institute of Field and Vegetable Crops, 30, M. Gorki, 21000 Novi Sad' and 'Institut Za Oplemenjivanje I Proi Proizvodnja Bilja Poljoprivednog Sveucilistra, Marulicev TRG 5/1, 41000 Zagreb' replace all existing entries.
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