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Legislation

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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 3034/91
of 14 October 1991
opening and providing for the administration of a Community tariff quota for
beer made from malt originating in Malta (1992)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas the Supplementary Protocol to the Agreement establishing an Association between the European Economic Community and Malta⁽¹⁾ provides, in an Exchange of Letters annexed to the said Protocol, that beer made from malt falling within CN code 2203 00, originating in Malta, may be imported into the Community free of duty within the limits of an annual Community tariff quota of 5 000 hectolitres; whereas the tariff quota in question should therefore be opened for the period from 1 January to 31 December 1992; whereas in the context of the said quota, the Kingdom of Spain and the Portuguese Republic will apply customs duties calculated in accordance with the said Protocol to the Agreement establishing an Association between the European Economic Community and Malta consequent on the accession of the Kingdom of Spain and the Portuguese Republic to the Community⁽²⁾;

Whereas equal and continuous access to the quota should be ensured for all Community importers and the rates

laid down for the quota should be applied consistently to all imports of the product in question into all the Member States until the quota is exhausted; whereas it is appropriate to take the necessary measures to ensure efficient Community administration of this tariff quota while offering the Member States the opportunity to draw from the quota volume the necessary quantities corresponding to actual imports; whereas this method of administration requires close cooperation between the Member States and the Commission;

Whereas since the Kingdom of Belgium, the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any operation concerning the administration of the quota may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

From 1 January to 31 December 1992, the customs duty applicable to imports into the Community of beer made from malt originating in Malta shall be suspended at the levels indicated below and within the limits of Community tariff quotas as shown below:

Order No	CN code	Description	Amount of quota (hl)	Quota duty (%)
09.1451	2203 00	Beer made from malt	5 000	Exemption

Within the limits of this tariff quota, the Kingdom of Spain and the Portuguese Republic shall apply customs duties calculated in accordance with the relevant provisions of the Protocol to the Association Agreement between the European Economic Community and Malta consequent on the accession of Spain and Portugal.

Article 2

The tariff quota referred to in Article 1 shall be administered by the Commission, which may take any appropriate measure with a view to ensuring the efficient administration thereof.

Article 3

If an importer presents, in a Member State, a declaration of entry into free circulation including a request for preferential benefit for a product covered by this Regulation, and if this declaration is accepted by the customs authorities, the Member State concerned shall draw, from the tariff quota, by means of notification to the Commission, a quantity corresponding to these needs.

The requests for drawing, with the indication of the date of acceptance of the said declaration, must be communicated to the Commission without delay.

⁽¹⁾ OJ No L 81, 23. 3. 1989, p. 2.

⁽²⁾ OJ No L 81, 23. 3. 1989, p. 11.

The drawings are granted by the Commission on the basis of the date of acceptance of the declaration of entry into free circulation by the customs authorities of the Member State concerned, to the extent that the available balance so permits.

If a Member State does not use the quantities drawn, it shall return them as soon as possible to the tariff quota.

If the quantities requested are greater than the available balance of the tariff quota, allocation shall be made on a pro rata basis with respect to the requests. Member States shall be informed by the Commission of the drawings made.

Article 4

Each Member State shall ensure that importers of the product concerned have equal and continuous access to the quota for such time as the residual balance of the quota volume so permits.

Article 5

The Member States and the Commission shall cooperate closely to ensure that this Regulation is complied with.

Article 6

This Regulation shall enter into force on 1 January 1992.

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

Done at Luxembourg, 14 October 1991.

For the Council

The President

B. de VRIES

COUNCIL REGULATION (EEC) No 3035/91

of 14 October 1991

establishing ceilings and Community surveillance for imports of certain products originating in Malta (1992)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas the Agreement establishing an Association between the European Economic Community and Malta⁽¹⁾, as supplemented by the Additional Protocol⁽²⁾, by the Supplementary Protocol to the Agreement⁽³⁾ and the Protocol extending the first stage of this Agreement⁽⁴⁾ provided, in Article 2 of Annex I, for the total abolition of customs duties in respect of the products to which the Agreement applies; whereas, however, exemption from duties in respect of a number of products is subject to ceilings above which the customs duties applicable to third countries may be re-established; whereas, in the context of the said ceilings, the Kingdom of Spain and the Portuguese Republic will apply customs duties calculated in accordance with the said Protocol to the Agreement establishing an Association between the European Economic Community and Malta consequent on the accession of the Kingdom of Spain and the Portuguese Republic to the Community⁽⁵⁾;

Whereas the ceilings to be applied in 1992 should therefore be determined; whereas those ceilings can be applied only if the Community is regularly informed of imports of the said products originating in Malta; whereas imports of those products should therefore be subject to a system of surveillance;

Whereas this objective may be achieved by means of an administrative procedure based on charging imports of the products in question against the ceilings at Community level as and when the products are entered with customs authorities for free circulation; whereas this administrative procedure must provide for the possibility of the applicable customs duties being re-established as soon as the ceilings are reached at Community level;

Whereas this administrative procedure requires close and particularly rapid cooperation between the Member States and the Commission and the latter must in particular be able to follow the progress of quantities charged against the ceilings and keep the Member States informed;

whereas this cooperation has to be particularly close since the Commission must be able to take appropriate measures to re-establish customs tariffs if one of the ceilings is reached.

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1992 imports into the Community of the products listed in the Annex and originating in Malta shall be subject to annual ceilings and Community surveillance.

The description of the products referred to in the first subparagraph, the corresponding CN codes and the ceilings are set out in the Annex.

In the framework of these tariff ceilings, the Kingdom of Spain and the Portuguese Republic shall apply customs duties calculated in accordance with the relevant provisions of the Protocol to the Association Agreement between the European Economic Community and Malta consequent on the accession of Spain and Portugal.

2. Quantities shall be charged against the ceilings as and when the products are entered with customs authorities for free circulation accompanied by a movement certificate in accordance with the rules contained in the Protocol concerning the definition of the concept of 'originating products' and methods of administrative cooperation annexed to the Protocol laying down certain provisions relating to the Agreement establishing an association between the European Economic Community and Malta⁽⁶⁾.

Goods may be charged against the ceilings only if the movement certificate is submitted before the date on which customs duties are re-established.

The extent to which a ceiling is used up shall be determined at Community level on the basis of the imports charged against it in the manner defined in the preceding subparagraphs.

Member States shall inform the Commission of imports charged in accordance with the above procedure at the intervals and within the time limits specified in paragraph 4.

⁽¹⁾ OJ No L 61, 14. 3. 1971, p. 2.

⁽²⁾ OJ No L 304, 29. 11. 1977, p. 2.

⁽³⁾ OJ No L 81, 23. 3. 1989, p. 2.

⁽⁴⁾ OJ No L 116, 9. 5. 1991, p. 67.

⁽⁵⁾ OJ No L 81, 23. 3. 1989, p. 11.

⁽⁶⁾ OJ No L 111, 28. 4. 1976, p. 3.

3. As soon as the ceilings are reached, the Commission may adopt a Regulation re-establishing, until the end of the calendar year, the customs duties applicable to third countries.

4. Member States shall send the Commission not later than the 15th day of each month statement of the quantities charged during the preceding month.

Article 2

The Commission, in close cooperation with the Member States, shall take all appropriate measures for the purposes of applying this Regulation.

Article 3

This Regulation shall enter into force on 1 January 1992.

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

Done at Luxembourg, 14 October 1991.

For the Council

The President

B. de VRIES

ANNEX

List of products subject to import ceilings in 1992

Order No	CN code (1)	Description	Level of ceiling (tonnes)
11.0010	5204	Cotton sewing thread, whether or not put up for retail sale :	application of ceiling suspended
		– Not put up for retail sale :	
	5204 11 00	– – Containing 85 % or more by weight of cotton	
	5204 19 00	– – Other	
	5205	Cotton yarn (other than sewing thread), containing 85 % or more by weight of cotton, not put up for retail sale	
	5206	Cotton yarn (other than sewing thread), containing less than 85 % by weight of cotton, not put up for retail sale	
	5604	Rubber thread and cord, textile covered ; textile yarn, and strip and the like falling within code 5404 or 5405, impregnated, coated, covered or sheathed with rubber or plastics :	
	ex 5604 90 00	– Other : – – Of cotton	
11.0020	5208	Woven fabrics of cotton, containing 85 % or more by weight of cotton, weighing not more than 200 g/m ²	application of ceiling suspended
	5209	Woven fabrics of cotton, containing 85 % or more by weight of cotton, weighing more than 200 g/m ²	
	5210	Woven fabrics of cotton, containing less than 85 % by weight of cotton, mixed mainly or solely with man-made fibres, weighing not more than 200 g/m ²	
	5211	Woven fabrics of cotton, containing less than 85 % by weight of cotton, mixed mainly or solely with man-made fibres, weighing more than 200 g/m ²	
	5212	Other woven fabrics of cotton	
	5801	Woven pile fabrics and chenille fabrics, other than fabrics falling within code 5806 :	
		– of cotton :	
	5801 21 00	– – Uncut weft pile fabrics	
	ex 5811 00 00	Quilted textile products of cotton in the piece, composed of one or more layers of textile materials assembled with padding by stitching or otherwise, other than embroidery falling within code 5810	
	ex 6308 00 00	Sets consisting of woven fabric and yarn, of cotton, whether or not with accessories, for making up into rugs, tapestries, embroidered table cloths or serviettes, or similar textile articles, put up in packings for retail sale	
11.0030	5506	Synthetic staple fibres, carded, combed or otherwise processed for spinning	application of ceiling suspended
	5507 00 00	Artificial staple fibres, carded, combed or otherwise processed for spinning	

(1) The Taric codes are to be found on the last page of this Annex.

Order No	CN code	Description	Level of ceiling (tonnes)
11.0040	5608	Knotted netting of twine, cordage or rope; made-up fishing nets and other made-up nets, of textile materials:	application of ceiling suspended (cont'd)
		– Of man-made textile materials:	
	5608 19	– – Other:	
		– – – Made-up nets:	
		– – – – Of nylon or other polyamides:	
	5608 19 19	– – – – – Other	
		– – – – – Other:	
	5608 19 39	– – – – – Other	
	5608 90 00	– Other	
	6101	Men's or boys' overcoats, car-coats, capes, cloaks, anoraks (including ski-jackets), wind-cheaters, wind-jackets and similar articles, knitted or crocheted, other than those falling within code 6103	
	6102	Women's or girls' overcoats, car-coats, capes, cloaks, anoraks (including ski-jackets), wind-cheaters, wind-jackets and similar articles, knitted or crocheted, other than those falling within code 6104	
	6103	Men's or boys' suits, ensembles, jackets, blazers, trousers, bib and brace overalls, breeches and shorts (other than swimwear), knitted or crocheted	
	6104	Women's or girls' suits, ensembles, jackets, blazers, dresses, skirts, divided skirts, trousers, bib and brace overalls, breeches and shorts (other than swimwear), knitted or crocheted	
	6106	Women's or girls' blouses, shirts and shirt-blouses, knitted or crocheted	
	6107	Men's or boys' underpants, briefs, nightshirts, pyjamas, bathrobes, dressing gowns and similar articles, knitted or crocheted:	
		– Other:	
	6107 91 00	– – Of cotton	
	6107 92 00	– – Of man-made fibres	
	6107 99 00	– – Of other textile materials	
	6108	Women's or girls' slips, petticoats, briefs, panties, nightdresses, pyjamas, negligés, bathrobes, dressing gowns and similar articles, knitted or crocheted:	
		– Other:	
	6108 91 00	– – Of cotton	
	6108 92 00	– – Of man-made fibres	
	6108 99	– – Of other textile materials	
	6108 99 10	– – – Of wool or fine animal hair	
	6108 99 90	– – – Other	
	6110	Jerseys, pullovers, cardigans, waistcoats and similar articles, knitted or crocheted:	
	6110 10	– Of wool or fine animal hair:	
		– – Other:	
		– – – Men's or boys':	
	6110 10 31	– – – – Of wool	
	6110 10 39	– – – – Of fine animal hair	
		– – – Women's or girls':	
	6110 10 91	– – – – Of wool	
	6110 10 99	– – – – Of fine animal hair	

Order No	CN code	Description	Level of ceiling (tonnes)
11.0040 (cont'd)	6110 20	— Of cotton :	application of ceiling suspended
		— — Other :	
	6110 20 91	— — — Men's or boys'	
	6110 20 99	— — — Women's or girls'	
	6110 30	— Of man-made fibres :	
		— — Other :	
	6110 30 91	— — — Men's or boys'	
	6110 30 99	— — — Women's or girls'	
	6110 90	— Of other textile materials :	
	6110 90 10	— — Of flax or ramie	
	6110 90 90	— — Other	
	6111	Babies' garments and clothing accessories, knitted or crocheted :	
	6111 10	— Of wool or fine animal hair :	
	6111 10 90	— — Other	
	6111 20	— Of cotton :	
	6111 20 90	— — Other	
	6111 30	— Of synthetic fibres :	
	6111 30 90	— — Other	
	6111 90 00	— Of other textile materials	
	6112	Track suits, ski suits and swimwear, knitted or crocheted :	
		— Track suits :	
	6112 11 00	— — Of cotton	
	6112 12 00	— — Of synthetic fibres	
	6112 19 00	— — Of other textile materials	
	6112 20 00	— Ski suits	
		— Men's or boy's swimwear :	
	6112 31	— — Of synthetic fibres :	
	6112 31 90	— — — Other	
	6112 39	— — Of other textile materials :	
	6112 39 90	— — — Other	
		— Women's or girls' swimwear :	
	6112 41	— — Of synthetic fibres :	
	6112 41 90	— — — Other	
	6112 49	— — Of other textile materials :	
	6112 49 90	— — — Other	
	6113 00	Garments, made up of knitted or crocheted fabrics falling within code 5903, 5906 or 5907 :	
	6113 00 90	— Other	
	6114	Other garments, knitted or crocheted	
	6117	Other made up clothing accessories, knitted or crocheted ; knitted or crocheted parts of garments or of clothing accessories	
	6301	Blankets and travelling rugs :	
	6301 20	— Blankets (other than electric blankets) and travelling rugs, of wool or of fine animal hair :	
	6301 20 10	— — Knitted or crocheted	
	6301 30	— Blankets (other than electric blankets) and travelling rugs, of cotton :	
	6301 30 10	— — Knitted or crocheted	
	6301 40	— Blankets (other than electric blankets) and travelling rugs, of synthetic fibres :	
	6301 40 10	— — Knitted or crocheted	
	6301 90	— Other blankets and travelling rugs :	
	6301 90 10	— — Knitted or crocheted	

Order No	CN code	Description	Level of ceiling (tonnes)
11.0040 (cont'd)	6302	Bed linen, table linen, toilet linen and kitchen linen :	application of ceiling suspended (cont'd)
	6302 10	– Bed linen, knitted or crocheted :	
	6302 10 10	– – Of cotton	
	6302 10 90	– – Of other textile materials	
	6302 40 00	– Table linen, knitted or crocheted	
	6303	Curtains (including drapes) and interior blinds ; curtain or bed valances :	
		– Knitted or crocheted :	
	6303 11 00	– – Of cotton	
	6303 12 00	– – Of synthetic fibres	
	6303 19 00	– – Of other textile materials	
	6304	Other furnishing articles, excluding those falling within code 9404 :	
		– Bedspreads :	
	6304 11 00	– – Knitted or crocheted	
		– Other :	
	6304 91 00	– – Knitted or crocheted	
	6305	Sacks and bags, of a kind used for the packing of goods :	
	6305 20 00	– Of cotton	
		– Of man-made textile materials :	
	6305 31	– – Of polyethylene or polypropylene strip or the like	
	ex 6305 39 00	– – Other :	
		– – – Knitted or crocheted	
	ex 6305 90 00	– Of other textile materials :	
		– – Knitted or crocheted	
	6307	Other made up articles, including dress patterns :	
	6307 10	– Floom-cloths, dish-cloths, dusters and similar cleaning cloths :	
	6307 10 10	– – Knitted or crocheted	
	6307 90	– Other :	
	6307 90 10	– – Knitted or crocheted	
11.0050	6201	Men's or boys' overcoats, car-coats, capes, cloaks, anoraks (including ski-jackets), wind-cheaters, wind-jackets and similar articles, other than those falling within code 6203	1 690
	6203	Men's or boys' suits, ensembles, jackets, blazers, trousers, bib and brace overalls, breeches and shorts (other than swimwear)	
	6207	Men's or boys' singlets and other vests, underpants, briefs, nightshirts, pyjamas, bathrobes, dressing gowns and similar articles :	
		– Other :	
	6207 91 00	– – Of cotton	
	6207 92 00	– – Of man-made fibres	
	6207 99 00	– – Of other textile materials	
	6210	Garments, made up of fabrics falling within code 5602, 5603, 5903, 5906 or 5907 :	
	6210 10	– Of fabrics falling within code 5602 or 5603 :	
		– – Of fabrics falling within code 5603 :	
	6210 10 91	– – – In sterile packs	
	6210 10 99	– – – Other	
	6210 20 00	– Other garments, of the type described in codes 6201 11 to 6201 19	
	6210 40 00	– Other men's or boys' garments	
	6211	Track suits, ski suits and swimwear ; other garments :	
		– Swimwear :	
	6211 11 00	– – Men's or boys'	
	6211 20 00	– Ski suits	
		– Other garments, men's or boys' :	
	6211 31 00	– – Of wool or fine animal hair	

Order No	CN code	Description	Level of ceiling (tonnes)
11.0050 (cont'd)	6211 32	-- Of cotton :	1 690 (cont'd)
	6211 32 10	-- -- Industrial and occupational clothing	
		-- -- Tracksuits with lining :	
	6211 32 31	-- -- -- with an outer shell of a single identical fabric	
		-- -- -- Other :	
	6211 32 41	-- -- -- -- Upper parts	
	6211 32 42	-- -- -- -- Lower parts	
	6211 32 90	-- -- -- Other	
	6211 33	-- Of man-made fibres :	
	6211 33 10	-- -- Industrial and occupational clothing	
		-- -- Tracksuits with lining :	
	6211 33 31	-- -- -- with an outer shell of a single identical fabric	
		-- -- -- Other :	
	6211 33 41	-- -- -- -- Upper parts	
	6211 33 42	-- -- -- -- Lower parts	
	6211 33 90	-- -- -- Other	
	6211 39 00	-- Of other textile materials :	
		-- -- Tracksuits with lining :	
	6211 42 31	-- -- -- with an outer shell of a single identical fabric	
		-- -- -- Other :	
	6211 42 41	-- -- -- -- Upper parts	
	6211 42 42	-- -- -- -- Lower parts	
		-- -- Tracksuits with lining :	
	6211 43 31	-- -- -- with an outer shell of a single identical fabric	
		-- -- -- Other :	
	6211 43 41	-- -- -- -- Upper parts	
	6211 43 42	-- -- -- -- Lower parts	
	6217	Other made up clothing accessories ; parts of garments or of clothing accessories, other than those falling within code 6212 :	
	6217 90 00	-- Parts	

Taric codes

Order No	CN code	Taric code
11.0010	ex 5604 90 00	5604 90 00 * 50
11.0020	ex 5811 00 00	5811 00 00 * 14 5811 00 00 * 91 5811 00 00 * 92
	ex 6308 00 00	6308 00 00 * 11 6308 00 00 * 19
11.0040	ex 6305 39 00	6305 39 00 * 91
	ex 6305 90 00	6305 90 00 * 10 6305 90 00 * 19

COMMISSION REGULATION (EEC) No 3036/91

of 17 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 16 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 18 October 1991.

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

Done at Brussels, 17 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 17 October 1991 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CN code	Levy
0709 90 60	122,91 ⁽²⁾ ⁽³⁾
0712 90 19	122,91 ⁽²⁾ ⁽³⁾
1001 10 10	172,43 ⁽¹⁾ ⁽³⁾
1001 10 90	172,43 ⁽¹⁾ ⁽³⁾
1001 90 91	149,89
1001 90 99	149,89
1002 00 00	161,41 ⁽⁴⁾
1003 00 10	137,17
1003 00 90	137,17
1004 00 10	123,76
1004 00 90	123,76
1005 10 90	122,91 ⁽²⁾ ⁽³⁾
1005 90 00	122,91 ⁽²⁾ ⁽³⁾
1007 00 90	132,58 ⁽⁴⁾
1008 10 00	48,31
1008 20 00	121,60 ⁽⁴⁾
1008 30 00	48,26 ⁽⁵⁾
1008 90 10	⁽⁷⁾
1008 90 90	48,26
1101 00 00	222,85 ⁽⁶⁾
1102 10 00	238,98 ⁽⁶⁾
1103 11 10	280,46 ⁽⁶⁾
1103 11 90	240,17 ⁽⁶⁾

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

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

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

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

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

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

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

⁽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 3037/91

of 17 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 16 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 18 October 1991.

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

Done at Brussels, 17 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 17 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 3038/91

of 17 October 1991

fixing the minimum levies on the importation of olive oil and levies on the importation of other olive oil sector products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 1720/91⁽²⁾, and in particular Article 16 (2) thereof,Having regard to Council Regulation (EEC) No 1514/76 of 24 June 1976 on imports of olive oil originating in Algeria⁽³⁾, as last amended by Regulation (EEC) No 728/91⁽⁴⁾, and in particular Article 5 thereof,Having regard to Council Regulation (EEC) No 1521/76 of 24 June 1976 on imports of olive oil originating in Morocco⁽⁵⁾, as last amended by Regulation (EEC) No 729/91⁽⁶⁾, and in particular Article 5 thereof,Having regard to Council Regulation (EEC) No 1508/76 of 24 June 1976 on imports of olive oil originating in Tunisia⁽⁷⁾, as last amended by Regulation (EEC) No 413/86⁽⁸⁾, and in particular Article 5 thereof,Having regard to Council Regulation (EEC) No 1180/77 of 17 May 1977 on imports into the Community of certain agricultural products originating in Turkey⁽⁹⁾, as last amended by Regulation (EEC) No 730/91⁽¹⁰⁾, and in particular Article 10 (2) thereof,Having regard to Council Regulation (EEC) No 1620/77 of 18 July 1977 laying down detailed rules for the importation of olive oil from Lebanon⁽¹¹⁾,Whereas by Regulation (EEC) No 3131/78⁽¹²⁾, as amended by the Act of Accession of Greece, the Commission decided to use the tendering procedure to fix levies on olive oil;

Whereas Article 3 of Council Regulation (EEC) No 2751/78 of 23 November 1978 laying down general rules for fixing the import levy on olive oil by tender⁽¹³⁾ specifies that the minimum levy rate shall be fixed for each of the products concerned on the basis of the situation on the world market and the Community market and of the levy rates indicated by tenderers;

Whereas, in the collection of the levy, account should be taken of the provisions in the Agreements between the Community and certain third countries; whereas in particular the levy applicable for those countries must be fixed, taking as a basis for calculation the levy to be collected on imports from the other third countries;

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 14 and 15 October 1991 leads to the minimum levies being fixed as indicated in Annex I to this Regulation;

Whereas the import levy on olives falling within 29 codes 0709 90 39 and 0711 20 90 and on products falling within CN codes 1522 00 31, 1522 00 39 and 2306 90 19 must be calculated from the minimum levy applicable on the olive oil contained in these products; whereas, however, the levy charged for olive oil may not be less than an amount equal to 8 % of the value of the imported product, such amount to be fixed at a standard rate; whereas application of these provisions leads to the levies being fixed as indicated in Annex II to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The minimum levies on olive oil imports are fixed in Annex I.

Article 2

The levies applicable on imports of other olive oil sector products are fixed in Annex II.

Article 3

This Regulation shall enter into force on 18 October 1991.

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

⁽²⁾ OJ No L 162, 26. 6. 1991, p. 27.

⁽³⁾ OJ No L 169, 28. 6. 1976, p. 24.

⁽⁴⁾ OJ No L 80, 27. 3. 1991, p. 1.

⁽⁵⁾ OJ No L 169, 28. 6. 1976, p. 43.

⁽⁶⁾ OJ No L 80, 27. 3. 1991, p. 2.

⁽⁷⁾ OJ No L 169, 28. 6. 1976, p. 9.

⁽⁸⁾ OJ No L 48, 26. 2. 1986, p. 1.

⁽⁹⁾ OJ No L 142, 9. 6. 1977, p. 10.

⁽¹⁰⁾ OJ No L 80, 27. 3. 1991, p. 3.

⁽¹¹⁾ OJ No L 181, 21. 7. 1977, p. 4.

⁽¹²⁾ OJ No L 370, 30. 12. 1978, p. 60.

⁽¹³⁾ OJ No L 331, 28. 11. 1978, p. 6.

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

Done at Brussels, 17 October 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX I

Minimum import levies on olive oil

(ECU/100 kg)

CN code	Non-member countries
1509 10 10	62,00 ⁽¹⁾
1509 10 90	62,00 ⁽¹⁾
1509 90 00	73,00 ⁽²⁾
1510 00 10	77,00 ⁽¹⁾
1510 00 90	122,00 ⁽³⁾

⁽¹⁾ For imports of oil falling within this CN code and produced entirely in one of the countries listed below and transported directly from any of those countries to the Community, the levy to be collected is reduced by:

- (a) Lebanon: ECU 0,60 per 100 kg;
- (b) Tunisia: ECU 12,69 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country; however, the repayment may not exceed the amount of the tax in force;
- (c) Turkey: ECU 22,36 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country; however, the repayment may not exceed the amount of the tax in force;
- (d) Algeria and Morocco: ECU 24,78 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country; however, the repayment may not exceed the amount of the tax in force.

⁽²⁾ For imports of oil falling within this CN code:

- (a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by ECU 3,86 per 100 kg;
- (b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by ECU 3,09 per 100 kg.

⁽³⁾ For imports of oil falling within this CN code:

- (a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by ECU 7,25 per 100 kg;
- (b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by ECU 5,80 per 100 kg.

ANNEX II

Import levies on other olive oil sector products

(ECU/100 kg)

CN code	Non-member countries
0709 90 39	13,64
0711 20 90	13,64
1522 00 31	31,00
1522 00 39	49,60
2306 90 19	6,16

COMMISSION REGULATION (EEC) No 3039/91

of 15 October 1991

re-establishing the levying of customs duties on the products following CN codes 7407 and 7408, originating in Poland, to which the preferential tariff arrangements of 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 Article 1 of Regulation (EEC) No 3831/90, customs duties on certain products originating in each of the countries or territories listed in Annex III are totally suspended, and the products as such are, as a general rule, subject to statistical surveillance every three months on the reference base referred to in Article 8;

Whereas, as provided for in Article 8 of that Regulation, where the increase of preferential imports of these products, originating in one or more beneficiary countries, threatens to cause economic difficulties in a region of the Community, the levying of customs duties may be re-established, once the Commission has had an appropriate exchange of information with the Member States; whereas for this purpose the reference base to be considered is equal, as a general rule, to 6,3 % of the total importations into the Community, originating from third countries in 1988;

Whereas, in the case of the products falling within CN codes 7407 and 7408, originating in Poland, the reference base is fixed at ECU 11 707 000; whereas that reference base was reached on 10 July 1991 by charges of imports into the Community of the products in question originating in Poland; whereas the exchange of information organized by the Commission has demonstrated that

continuance of the preference threatens to cause economic difficulties in a region of the Community; whereas, therefore, customs duties for the products in question must be reintroduced with regard to Poland,

HAS ADOPTED THIS REGULATION:

Article 1

As from 21 October 1991, the levying of customs duties, suspended pursuant to Council Regulation (EEC) No 3831/90, shall be reintroduced on imports into the Community of the following products, originating in Poland:

CN code	Description
7407 10 00 7407 21 10 ex 7407 21 90 ex 7407 22 10 ex 7407 22 90 ex 7407 29 00	Bars, rods and profiles (other than hollow), of copper and of copper alloys
7408	Copper wire

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, 15 October 1991.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 370, 31. 12. 1990, p. 1.

COMMISSION REGULATION (EEC) No 3040/91**of 15 October 1991****amending Regulation (EEC) No 2436/91 opening an invitation to tender for the sale of baled tobacco held by the German, Greek and Italian 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 727/70 of 21 April 1970 on the common organization of the market in raw tobacco ⁽¹⁾, as last amended by Regulation (EEC) No 1737/91 ⁽²⁾, and in particular Article 7 (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 conversion 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 5 (3) thereof,

Whereas Article 5 (1) of Commission Regulation (EEC) No 3389/73 ⁽⁵⁾, as last amended by Regulation (EEC) No 395/90 ⁽⁶⁾, fixes the security applicable in the framework of the invitation to tender pursuant to Commission Regulation (EEC) No 2436/91 ⁽⁷⁾ at ECU 0,339 per kilogram of baled tobacco; whereas account should be taken of the trend on the market and in export refunds since then;

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

HAS ADOPTED THIS REGULATION:

Article 1

The following paragraph is hereby added to Article 6 of Regulation (EEC) No 2436/91:

'Notwithstanding the first sentence of Article 5 (1) of Regulation (EEC) No 3389/73, the security shall be ECU 0,7 per kilogram of baled tobacco.'

Article 2

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

It shall apply as from the second sale.

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

Done at Brussels, 15 October 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 1.

⁽²⁾ OJ No L 163, 26. 6. 1991, p. 11.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁵⁾ OJ No L 345, 15. 12. 1973, p. 47.

⁽⁶⁾ OJ No L 42, 16. 2. 1990, p. 46.

⁽⁷⁾ OJ No L 222, 10. 8. 1991, p. 23.

COMMISSION REGULATION (EEC) No 3041/91**of 17 October 1991****concerning applications for STM licences for cereals submitted on 14 October 1991 for imports of common wheat into 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 (1) thereof,

Whereas Commission Regulation (EEC) No 598/86 of 28 February 1986 on the application of the supplementary trade mechanism to imports into Spain of common wheat of bread-making quality from the Community as constituted at 31 December 1985 ⁽¹⁾, as last amended by Regulation (EEC) No 2956/91 ⁽²⁾, sets a target ceiling for the 1991/92 marketing year of 650 000 tonnes;

Whereas, pursuant to Article 6 (2) of Commission Regulation (EEC) No 574/86 of 28 February 1986 laying down detailed rules for the application of the supplementary trade mechanism (STM) ⁽³⁾, as last amended by Regulation (EEC) No 3296/88 ⁽⁴⁾, the Commission has been notified of applications received on 14 October 1991 for STM

licences for imports of common wheat of bread-making quality into Spain which are equivalent to the ceiling set; whereas measures should be taken to deal with this situation,

HAS ADOPTED THIS REGULATION:

Article 1

The issue of STM licences for common wheat of bread-making quality falling within CN code 1001 90 99 for applications received from 15 October 1991 onwards is hereby suspended.

Article 2

This Regulation shall enter into force on 18 October 1991.

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

Done at Brussels, 17 October 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 58, 1. 3. 1986, p. 16.

⁽²⁾ OJ No L 281, 9. 10. 1991, p. 13.

⁽³⁾ OJ No L 57, 1. 3. 1986, p. 1.

⁽⁴⁾ OJ No L 293, 27. 10. 1988, p. 7.

COMMISSION REGULATION (EEC) No 3042/91

of 17 October 1991

modifying Regulation (EEC) No 3905/90 fixing, for the 1991 fishing year, the annual import quotas for the products subjects to the rules for the application by Spain of quantitative restrictions on fishery products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 360/86 of 17 February 1986 laying down rules for the application by Spain and Portugal of quantitative restrictions on fishery products⁽¹⁾, as amended by Regulation (EEC) No 4064/86⁽²⁾, and in particular Article 2 thereof,

Whereas Article 2 (3) of Regulation (EEC) No 360/86 provides for the possibility of revising during the course of the year the quantity of the quotas, as well as their quarterly instalments, as laid down in Commission Regulation (EEC) No 3905/90⁽³⁾;

Whereas Spain as made a request for an increase of 8 000 tonnes in the quota level for frozen hake of the genus *Merluccius* spp., and of 6 000 tonnes in the quota level for frozen fillets of hake of the genus *Merluccius* spp., for the 1991 fishing year; whereas it is therefore necessary to modify the quotas level in question as well as their quarterly instalments;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fishery products,

HAS ADOPTED THIS REGULATION:

Article 1

In the table of the Annex to Regulation (EEC) No 3905/90 the figures for frozen hake of the genus *Merluccius* spp., falling within CN codes 0303 78 10 and 0304 90 47, and for frozen fillets of hake of the genus *Merluccius* spp., falling within CN code 0304 20 57, are hereby replaced by the following:

Annual quota of import	Quarterly instalments			
	1	2	3	4
46 000	9 500	9 500	9 500	17 500
18 000	3 000	3 000	3 000	9 000

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, 17 October 1991.

For the Commission

Manuel MARÍN

Vice-President

⁽¹⁾ OJ No L 43, 20. 2. 1986, p. 8.

⁽²⁾ OJ No L 371, 31. 12. 1986, p. 9.

⁽³⁾ OJ No L 371, 31. 12. 1990, p. 31.

COMMISSION REGULATION (EEC) No 3043/91

of 17 October 1991

amending Regulation (EEC) No 1836/82 laying down the procedure and conditions for the disposal of cereals held by 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 3577/90⁽²⁾, and in particular Article 7 (6) thereof,

Whereas Commission Regulation (EEC) No 1836/82⁽³⁾, as last amended by Regulation (EEC) No 2619/90⁽⁴⁾, lays down the procedure and conditions for the disposal of cereals held by intervention agencies; whereas, where cereals are placed on sale on the Community market, the security of ECU 5 per tonne provided for in Article 13 (4) of that Regulation has proved insufficient in certain Member States as a result of fluctuations in market prices; whereas the Member States concerned should thus be permitted to fix a security at a level appropriate for their particular case within a margin of between ECU 5 and ECU 10 per tonne; whereas experience has shown that the defraying by the successful tenderer of the costs of removal where he removes the cereals after the deadline for payment has expired in accordance with the third paragraph of Article 16 of that Regulation poses problems for export management; whereas that provision should accordingly be deleted;

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

Regulation (EEC) No 1836/82 is hereby amended as follows:

1. The second sentence of Article 13 (4) is replaced by the following:

'Tenders shall be valid only if they are accompanied by proof that the tenderer has provided a security of:

- ECU 5 per tonne where the cereals are sold for export, or
- ECU 5 to ECU 10 per tonne, to be fixed by the Member State concerned, where the cereals are sold on the Community market.'

2. The third paragraph of Article 16 of Regulation (EEC) No 1836/82 is hereby deleted.

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, 17 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.

COMMISSION REGULATION (EEC) No 3044/91

of 17 October 1991

introducing a countervailing charge on apples originating in Argentina

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 class I for the month of October 1991 at ECU 43,78 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 apples originating in Argentina, 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 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 previous indent,

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of ECU 1,44 per 100 kilograms net is applied to apples (CN codes 0808 10 91, 0808 10 93 and 0808 10 99) originating in Argentina.

Article 2

This Regulation shall enter into force on 19 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, 17 October 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 3045/91**of 17 October 1991****adopting interim protective measures regarding applications submitted during the period 7 to 11 October 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 7 to 11 October 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 7 to 11 October 1991 and notified to the Commission shall be accepted in respect of 6,798 % of the quantities applied for therein;
2. further applications may be submitted from 28 October 1991.

Article 2

This Regulation shall enter into force on 21 October 1991.

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

Done at Brussels, 17 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 3046/91**of 17 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 7 to 11 October 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 the interim protective measures necessary if the indicative ceiling for the year in course or part of it is reached or exceeded;

Whereas the licence applications lodged between 7 to 11 October 1991 are for a quantity in excess of that set for the fourth quarter for frozen beef and veal; whereas, as an

interim protective measure only, a percentage of the amounts applied for in that period should be granted and no further certificates issued for the time being,

HAS ADOPTED THIS REGULATION:

Article 1

For frozen beef and veal:

1. applications for STM licences submitted by Portugal between 7 to 11 October 1991 and notified to the Commission shall be accepted for 62,621 %;
2. the issuing of STM licences in response to applications submitted by Portugal from 14 October 1991 onwards is suspended for the time being.

Article 2

This Regulation shall enter into force on 21 October 1991.

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

Done at Brussels, 17 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 3047/91

of 17 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 3029/91⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Commission Regulation (EEC) No 1849/91 to the information known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto;

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

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

the last subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁵⁾, as last amended by Regulation (EEC) No 2205/90⁽⁶⁾,

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

Whereas these exchange rates being those recorded on 16 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 18 October 1991.

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

Done at Brussels, 17 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 287, 17. 10. 1991, p. 31.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 9.

ANNEX

to the Commission Regulation of 17 October 1991 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	37,48 ⁽¹⁾
1701 11 90	37,48 ⁽¹⁾
1701 12 10	37,48 ⁽¹⁾
1701 12 90	37,48 ⁽¹⁾
1701 91 00	42,77
1701 99 10	42,77
1701 99 90	42,77 ⁽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 3048/91

of 17 October 1991

fixing the export refunds on cereals and on wheat or rye flour, groats and meal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 3577/90⁽²⁾, and in particular the fourth subparagraph of Article 16 (2) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 of Regulation (EEC) No 2727/75 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products in the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds⁽³⁾ provides that when refunds are being fixed, account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals on the Community market on the one hand, and prices for cereals and cereal products on the world market on the other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on cereal markets and, furthermore, to take into account the economic aspect of the proposed exports and the need to avoid disturbances on the Community market;

Whereas Article 3 of Regulation (EEC) No 2746/75 defines the specific criteria to be taken into account when the refund on cereals is being calculated;

Whereas these specific criteria are defined, as far as wheat and rye flour, groats and meal are concerned, in Article 4 of Regulation (EEC) No 2746/75; whereas furthermore, when the refund on these products is being calculated, account must be taken of the quantities of cereals required for their manufacture; whereas these quantities were fixed in Commission Regulation No 162/67/EEC⁽⁴⁾, as last amended by Regulation (EEC) No 2849/91⁽⁵⁾;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to

vary the refund for certain products according to destination;

Whereas the refund must be fixed once a month; whereas it may be altered in the intervening period;

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

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

Whereas it follows from applying the detailed rules set out above to the present situation on the market in cereals, and in particular to quotations or prices for these products within the Community and on the world market, that the refunds should be as set out in the Annex hereto;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 2727/75, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 18 October 1991.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No 128, 27. 6. 1967, p. 2574/67.

⁽⁵⁾ OJ No L 272, 28. 9. 1991, p. 62.

⁽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, 17 October 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 17 October 1991 fixing the export refunds on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)		
Product code	Destination (°)	Amount of refund
0709 90 60 000	—	—
0712 90 19 000	—	—
1001 10 10 000	06 02	110,00 0
1001 10 90 000	04 02	120,00 0
1001 90 91 000	—	—
1001 90 99 000	04 06 02	77,00 31,00 20,00
1002 00 00 000	03 07 02	31,00 85,00 30,00
1003 00 10 000	—	—
1003 00 90 000	04 05 02	31,00 32,00 30,00
1004 00 10 000	—	—
1004 00 90 000	—	—
1005 10 90 000	—	—
1005 90 00 000	03 02	60,00 0
1007 00 90 000	—	—
1008 20 00 000	—	—
1101 00 00 100	01	121,00
1101 00 00 130	01	113,00
1101 00 00 150	01	104,00
1101 00 00 170	01	96,00
1101 00 00 180	01	90,00
1101 00 00 190	—	—
1101 00 00 900	—	—
1102 10 00 600	01	121,00
1102 10 00 900	—	—
1103 11 10 100	01	202,50
1103 11 10 200	01	202,50
1103 11 10 500	01	0
1103 11 10 900	01	0
1103 11 90 100	01	121,00
1103 11 90 900	—	—

(¹) The destinations are identified as follows:

- 01 All third countries,
- 02 Other third countries,
- 03 Switzerland, Austria and Liechtenstein,
- 04 Switzerland, Austria, Liechtenstein, Ceuta and Melilla,
- 05 The Soviet Union,
- 06 Algeria,
- 07 Zone II b).

NB: The zones are those defined in Commission Regulation (EEC) No 1124/77 (OJ No L 134, 28. 5. 1977, p. 53), as last amended by Regulation (EEC) No 3049/89 (OJ No L 292, 11. 10. 1989, p. 10).

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DIRECTIVE

of 14 October 1991

on an employer's obligation to inform employees of the conditions applicable to the contract or employment relationship

(91/533/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 100 thereof,

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

Having regard to the opinion of the European Parliament ⁽²⁾,

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

Whereas the development, in the Member States, of new forms of work has led to an increase in the number of types of employment relationship;

Whereas, faced with this development, certain Member States have considered it necessary to subject employment relationships to formal requirements; whereas these provisions are designed to provide employees with improved protection against possible infringements of their rights and to create greater transparency on the labour market;

Whereas the relevant legislation of the Member States differs considerably on such fundamental points as the requirement to inform employees in writing of the main terms of the contract or employment relationship;

Whereas differences in the legislation of Member States may have a direct effect on the operation of the common market;

Whereas Article 117 of the Treaty provides for the Member States to agree upon the need to promote improved working conditions and an improved standard of living for workers, so as to make possible their harmonization while the improvement is being maintained;

Whereas point 9 of the Community Charter of Fundamental Social Rights for Workers, adopted at the Strasbourg European Council on 9 December 1989 by the Heads of State and Government of 11 Member States, states:

'The conditions of employment of every worker of the European Community shall be stipulated in laws, a collective agreement or a contract of employment, according to arrangements applying in each country';

Whereas it is necessary to establish at Community level the general requirement that every employee must be provided with a document containing information on the essential elements of his contract or employment relationship;

Whereas, in view of the need to maintain a certain degree of flexibility in employment relationships, Member States should be able to exclude certain limited cases of employment relationship from this Directive's scope of application;

Whereas the obligation to provide information may be met by means of a written contract, a letter of appointment or one or more other documents or, if they are lacking, a written statement signed by the employer;

Whereas, in the case of expatriation of the employee, the latter must, in addition to the main terms of his contract or employment relationship, be supplied with relevant information connected with his secondment;

⁽¹⁾ OJ No C 24, 31. 1. 1991, p. 3.

⁽²⁾ OJ No C 240, 16. 9. 1991, p. 21.

⁽³⁾ OJ No C 159, 17. 6. 1991, p. 32.

Whereas, in order to protect the interests of employees with regard to obtaining a document, any change in the main terms of the contract or employment relationship must be communicated to them in writing;

Whereas it is necessary for Member States to guarantee that employees can claim the rights conferred on them by this Directive;

Whereas Member States are to adopt the laws, regulations and legislative provisions necessary to comply with this Directive or are to ensure that both sides of industry set up the necessary provisions by agreement, with Member States being obliged to take the necessary steps enabling them at all times to guarantee the results imposed by this Directive,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Scope

1. This Directive shall apply to every paid employee having a contract or employment relationship defined by the law in force in a Member State and/or governed by the law in force in a Member State.

2. Member States may provide that this Directive shall not apply to employees having a contract or employment relationship:

- (a) — with a total duration not exceeding one month, and/or
— with a working week not exceeding eight hours; or
- (b) of a casual and/or specific nature provided, in these cases, that its non-application is justified by objective considerations.

Article 2

Obligation to provide information

1. An employer shall be obliged to notify an employee to whom this Directive applies, hereinafter referred to as 'the employee', of the essential aspects of the contract or employment relationship.

2. The information referred to in paragraph 1 shall cover at least the following:

- (a) the identities of the parties;
- (b) the place of work; where there is no fixed or main place of work, the principle that the employee is employed at various places and the registered place of

business or, where appropriate, the domicile of the employer;

- (c) (i) the title, grade, nature or category of the work for which the employee is employed; or
(ii) a brief specification or description of the work;
 - (d) the date of commencement of the contract or employment relationship;
 - (e) in the case of a temporary contract or employment relationship, the expected duration thereof;
 - (f) the amount of paid leave to which the employee is entitled or, where this cannot be indicated when the information is given, the procedures for allocating and determining such leave;
 - (g) the length of the periods of notice to be observed by the employer and the employee should their contract or employment relationship be terminated or, where this cannot be indicated when the information is given, the method for determining such periods of notice;
 - (h) the initial basic amount, the other component elements and the frequency of payment of the remuneration to which the employee is entitled;
 - (i) the length of the employee's normal working day or week;
 - (j) where appropriate;
 - (i) the collective agreements governing the employee's conditions of work;
or
 - (ii) in the case of collective agreements concluded outside the business by special joint bodies or institutions, the name of the competent body or joint institution within which the agreements were concluded.
3. The information referred to in paragraph 2 (f), (g), (h) and (i) may, where appropriate, be given in the form of a reference to the laws, regulations and administrative or statutory provisions or collective agreements governing those particular points.

Article 3

Means of information

1. The information referred to in Article 2 (2) may be given to the employee, not later than two months after the commencement of employment, in the form of:

- (a) a written contract of employment; and/or
- (b) a letter of engagement; and/or
- (c) one or more other written documents, where one of these documents contains at least all the information referred to in Article 2 (2) (a), (b), (c), (d), (h) and (i).

2. Where none of the documents referred to in paragraph 1 is handed over to the employee within the prescribed period, the employer shall be obliged to give the employee, not later than two months after the commencement of employment, a written declaration signed by the employer and containing at least the information referred to in Article 2 (2).

Where the document(s) referred to in paragraph 1 contain only part of the information required, the written declaration provided for in the first subparagraph of this paragraph shall cover the remaining information.

3. Where the contract or employment relationship comes to an end before expiry of a period of two months as from the date of the start of work, the information provided for in Article 2 and in this Article must be made available to the employee by the end of this period at the latest.

Article 4

Expatriate employees

1. Where an employee is required to work in a country or countries other than the Member State whose law and/or practice governs the contract or employment relationship, the document(s) referred to in Article 3 must be in his/her possession before his/her departure and must include at least the following additional information :

- (a) the duration of the employment abroad ;
- (b) the currency to be used for the payment of remuneration ;
- (c) where appropriate, the benefits in cash or kind attendant on the employment abroad ;
- (d) where appropriate, the conditions governing the employee's repatriation.

2. The information referred to in paragraph 1 (b) and (c) may, where appropriate, be given in the form of a reference to the laws, regulations and administrative or statutory provisions or collective agreements governing those particular points.

3. Paragraphs 1 and 2 shall not apply if the duration of the employment outside the country whose law and/or practice governs the contract or employment relationship is one month or less.

Article 5

Modification of aspects of the contract or employment relationship

1. Any change in the details referred to in Articles 2 (2) and 4 (1) must be the subject of a written document to be given by the employer to the employee at the earliest opportunity and not later than one month after the date of entry into effect of the change in question.

2. The written document referred to in paragraph 1 shall not be compulsory in the event of a change in the laws, regulations and administrative or statutory provisions or collective agreements cited in the documents referred to in Article 3, supplemented, where appropriate, pursuant to Article 4 (1).

Article 6

Form and proof of the existence of a contract or employment relationship and procedural rules

This Directive shall be without prejudice to national law and practice concerning :

- the form of the contract or employment relationship,
- proof as regards the existence and content of a contract or employment relationship,
- the relevant procedural rules.

Article 7

More favourable provisions

This Directive shall not affect Member States' prerogative to apply or to introduce laws, regulations or administrative provisions which are more favourable to employees or to encourage or permit the application of agreements which are more favourable to employees.

Article 8

Defence of rights

1. Member States shall introduce into their national legal systems such measures as are necessary to enable all employees who consider themselves wronged by failure to comply with the obligations arising from this Directive to pursue their claims by judicial process after possible recourse to other competent authorities.

2. Member States may provide that access to the means of redress referred to in paragraph 1 are subject to the notification of the employer by the employee and the failure by the employer to reply within 15 days of notification.

However, the formality of prior notification may in no case be required in the cases referred to in Article 4, neither for workers with a temporary contract or employment relationship, nor for employees not covered by a collective agreement or by collective agreements relating to the employment relationship.

Article 9

Final provisions

1. Member States shall adopt the laws, regulations and administrative provisions necessary to comply with this Directive no later than 30 June 1993 or shall ensure by that date that the employers' and workers' representatives

introduce the required provisions by way of agreement, the Member States being obliged to take the necessary steps enabling them at all times to guarantee the results imposed by this Directive.

They shall forthwith inform the Commission thereof.

2. Member States shall take the necessary measures to ensure that, in the case of employment relationships in existence upon entry into force of the provisions that they adopt, the employer gives the employee, on request, within two months of receiving that request; any of the documents referred to in Article 3, supplemented, where appropriate, pursuant to Article 4 (1).

3. When Member States adopt the measures referred to in paragraph 1, such measures shall contain a reference to this Directive or shall be accompanied by such reference

on the occasion of their official publication. The methods of making such a reference shall be laid down by the Member States.

4. Member States shall forthwith inform the Commission of the measures they take to implement this Directive.

Article 10

This Directive is addressed to the Member States.

Done at Luxembourg, 14 October 1991.

For the Council

The President

B. de VRIES

COUNCIL DIRECTIVE

of 14 October 1991

amending Directive 82/606/EEC relating to the organization by the Member States of surveys on the earnings of permanent and seasonal workers employed in agriculture

(91/534/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 213 thereof,

Having regard to the proposal from the Commission,

Whereas Directive 82/606/EEC⁽¹⁾, as last amended by Directive 88/562/EEC⁽²⁾, lays down that the Member States shall carry out during 1990 a survey on the earnings of permanent and seasonal workers employed in agriculture;

Whereas the experience gained from the 1984, 1986 and 1988 surveys shows that the periodicity of the said surveys laid down in the said Directive is not the most appropriate,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Article 1 (1) of Directive 82/606/EEC shall be replaced by the following text:

'1. The Member States shall carry out in 1984, and every two years thereafter, a survey on the actual earnings of male and female permanent full-time and/or seasonal workers employed in agriculture.

From 1988 onwards, the surveys shall be conducted every three years. However, Ireland may carry out the 1991 survey in 1992.

The categories of workers to be covered by this survey in each Member State are set out in Annex I.'

Article 2

This Directive is addressed to the Member States.

Done at Luxembourg, 14 October 1991.

*For the Council**The President*

B. de VRIES

⁽¹⁾ OJ No L 247, 23. 8. 1982, p. 22.

⁽²⁾ OJ No L 309, 15. 11. 1988, p. 33.