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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 3112/91

of 25 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 24 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 26 October 1991.

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

Done at Brussels, 25 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 25 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	119,40 ⁽¹⁾ ⁽²⁾
0712 90 19	119,40 ⁽¹⁾ ⁽²⁾
1001 10 10	172,55 ⁽¹⁾ ⁽²⁾
1001 10 90	172,55 ⁽¹⁾ ⁽²⁾
1001 90 91	149,62
1001 90 99	149,62
1002 00 00	161,41 ⁽⁶⁾
1003 00 10	136,52
1003 00 90	136,52
1004 00 10	123,85
1004 00 90	123,85
1005 10 90	119,40 ⁽¹⁾ ⁽²⁾
1005 90 00	119,40 ⁽¹⁾ ⁽²⁾
1007 00 90	132,67 ⁽⁴⁾
1008 10 00	49,43
1008 20 00	121,60 ⁽⁴⁾
1008 30 00	60,31 ⁽⁷⁾
1008 90 10	(7)
1008 90 90	60,31
1101 00 00	223,31 ⁽⁶⁾
1102 10 00	238,98 ⁽⁶⁾
1103 11 10	281,63 ⁽⁶⁾
1103 11 90	240,67 ⁽⁶⁾

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

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

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

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

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

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

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

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

COMMISSION REGULATION (EEC) No 3113/91
of 25 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 24 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 26 October 1991.

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

Done at Brussels, 25 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 25 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 3114/91
of 25 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 3052/91 ⁽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 28 October 1991.

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

Done at Brussels, 25 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 289, 19. 10. 1991, p. 5.

ANNEX

to the Commission Regulation of 25 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⁾) (⁽⁴⁾) Bangladesh	Third countries (except ACP or OCT) (⁽³⁾)
1006 10 21	—	146,83	300,86
1006 10 23	208,59	135,46	278,12
1006 10 25	208,59	135,46	278,12
1006 10 27	208,59	135,46	278,12
1006 10 92	—	146,83	300,86
1006 10 94	208,59	135,46	278,12
1006 10 96	208,59	135,46	278,12
1006 10 98	208,59	135,46	278,12
1006 20 11	—	184,44	376,08
1006 20 13	260,74	170,22	347,65
1006 20 15	260,74	170,22	347,65
1006 20 17	260,74	170,22	347,65
1006 20 92	—	184,44	376,08
1006 20 94	260,74	170,22	347,65
1006 20 96	260,74	170,22	347,65
1006 20 98	260,74	170,22	347,65
1006 30 21	—	228,46	480,78 (⁽⁵⁾)
1006 30 23	422,51 (⁽⁵⁾)	269,79	563,35 (⁽⁵⁾)
1006 30 25	422,51 (⁽⁵⁾)	269,79	563,35 (⁽⁵⁾)
1006 30 27	422,51 (⁽⁵⁾)	269,79	563,35 (⁽⁵⁾)
1006 30 42	—	228,46	480,78 (⁽⁵⁾)
1006 30 44	422,51 (⁽⁵⁾)	269,79	563,35 (⁽⁵⁾)
1006 30 46	422,51 (⁽⁵⁾)	269,79	563,35 (⁽⁵⁾)
1006 30 48	422,51 (⁽⁵⁾)	269,79	563,35 (⁽⁵⁾)
1006 30 61	—	243,66	512,03 (⁽⁵⁾)
1006 30 63	452,93 (⁽⁵⁾)	289,60	603,91 (⁽⁵⁾)
1006 30 65	452,93 (⁽⁵⁾)	289,60	603,91 (⁽⁵⁾)
1006 30 67	452,93 (⁽⁵⁾)	289,60	603,91 (⁽⁵⁾)
1006 30 92	—	243,66	512,03 (⁽⁵⁾)
1006 30 94	452,93 (⁽⁵⁾)	289,60	603,91 (⁽⁵⁾)
1006 30 96	452,93 (⁽⁵⁾)	289,60	603,91 (⁽⁵⁾)
1006 30 98	452,93 (⁽⁵⁾)	289,60	603,91 (⁽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 3115/91**of 25 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 3053/91 ⁽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 28 October 1991.

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

Done at Brussels, 25 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 289, 19. 10. 1991, p. 7.

ANNEX

to the Commission Regulation of 25 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 3116/91**of 25 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 14 to 18 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 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 14 and 18 October 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 14 and 18 October 1991 and notified to the Commission shall be accepted for 46,450 %;
2. further applications may be submitted from 4 November 1991.

Article 2

This Regulation shall enter into force on 28 October 1991.

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

Done at Brussels, 25 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 3117/91

of 25 October 1991

on the issue of import licences on 30 October 1991 for sheepmeat and goatmeat products originating in certain non-member countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat⁽¹⁾, as last amended by Regulation (CEE) No 1741/91⁽²⁾,

Having regard to Council Regulation (EEC) No 3643/85 of 19 December 1985 concerning the import system applicable to certain non-member countries in the sheepmeat and goatmeat sector, as from 1986⁽³⁾, as last amended by Regulation (EEC) No 3939/87⁽⁴⁾, and in particular Article 3 thereof,

Whereas Commission Regulation (EEC) No 3653/85⁽⁵⁾, as last amended by Regulation (EEC) No 1645/89⁽⁶⁾, laid down detailed rules for implementing the import system provided for in Regulation (EEC) No 3643/85; whereas provision should be made, pursuant to Article 2 (5) of Regulation (EEC) No 3653/85, for determining the extent to which import licences may be issued in connection with applications lodged in respect of the fourth quarter of 1991;

Whereas, in cases where the quantities in respect of which licence applications have been lodged exceed the quantities which may be imported pursuant to Article 1 of Regulation (EEC) No 3653/85, such quantities should be reduced by a single percentage figure in accordance with Article 2 (5) (b) of that Regulation;

Whereas all the licence applications may be granted in cases where the quantities in respect of which licence

applications have been lodged do not exceed the quantities provided for in Regulation (EEC) No 3653/85,

HAS ADOPTED THIS REGULATION:

Article 1

Member States shall, on 30 October 1991, issue the import licences provided for in Regulation (EEC) No 3653/85 and applied for from 1 to 10 October 1991 subject to the following conditions:

- (a) for products falling within CN codes 0204 10 00, 0204 21 00, 0204 22 10, 0204 22 30, 0204 22 50, 0204 22 90, 0204 23 00, 0204 50 11, 0204 50 13, 0204 50 15, 0204 50 19, 0204 50 31 and 0204 50 39, the quantities applied for, originating in other non-member countries, shall be granted in full;
- (b) for products falling within CN codes 0204 30 00, 0204 41 00, 0204 42 10, 0204 42 30, 0204 42 50, 0204 42 90, 0204 43 00, 0204 50 51, 0204 50 53, 0204 50 55, 0204 50 59, 0204 50 71 and 0204 50 79, the quantities applied for originating:
 - in Chile, shall be granted in full,
 - in other non-member countries, shall be granted in full;
- (c) for products falling within CN codes 0104 10 90 and 0104 20 90, the quantities applied for, originating in other non-member countries, shall be reduced by 98,207 %.

Article 2

This Regulation shall enter into force on 30 October 1991.

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

Done at Brussels, 25 October 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 163, 26. 6. 1991, p. 41.

⁽³⁾ OJ No L 348, 24. 12. 1985, p. 2.

⁽⁴⁾ OJ No L 373, 31. 12. 1987, p. 1.

⁽⁵⁾ OJ No L 348, 24. 12. 1985, p. 21.

⁽⁶⁾ OJ No L 162, 13. 6. 1989, p. 21.

COMMISSION REGULATION (EEC) No 3118/91

of 25 October 1991

fixing the corrective amount applicable to the refund on 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 Council Regulation (EEC) No 3577/90⁽²⁾,

Having regard to 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⁾,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 (4) of Regulation (EEC) No 2727/75 provides that the export refund applicable to cereals on the day on which application for an export licence is made, adjusted for the threshold price in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the export licence; whereas, in this case, a corrective amount must be applied to the refund;

Whereas Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice⁽⁴⁾, as last amended by Regulation (EEC) No 1906/87⁽⁵⁾, made possible the fixing of a corrective amount for certain products listed in Article 1 (d) of Regulation (EEC) No 2727/75;

Whereas Commission Regulation (EEC) No 1281/75⁽⁶⁾ laid down detailed rules for the advance fixing of export refunds for cereals and certain products processed from cereals;

Whereas, pursuant to that Regulation, when the corrective amount is being fixed in respect of malt, account must be taken of the existing situation and the future trend with regard to the possibilities and conditions for the sale of the cereals concerned and of malt on the world market; whereas the same Regulation also provides that account must be taken of the quantity of cereals needed for making malt, the economic aspect of exports and the need to avoid disturbances on the Community market;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the corrective amount according to destination;

Whereas the corrective amount must be fixed at the same time as the refund and according to the same procedure; whereas it may be altered in the period between fixings;

Whereas, if the system of corrective amounts is to operate normally, corrective amounts 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⁽⁷⁾, as last amended by Regulation (EEC) No 2205/90⁽⁸⁾,
- 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 provisions set out above that the corrective amount must 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 corrective amount referred to in Article 16 (4) of Regulation (EEC) No 2727/75 which is applicable to export refunds fixed in advance in respect of malt shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 November 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 L 281, 1. 11. 1975, p. 65.
(⁵) OJ No L 182, 3. 7. 1987, p. 49.
(⁶) OJ No L 131, 22. 5. 1975, p. 15.

(⁷) OJ No L 164, 24. 6. 1985, p. 1.
(⁸) 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, 25 October 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 25 October 1991 fixing the corrective amount applicable to the refund on malt

Product code	(ECU/tonne)					
	Current 11	1st period 12	2nd period 1	3rd period 2	4th period 3	5th period 4
1107 10 11 000	0	0	0	0	0	0
1107 10 19 000	0	0	0	0	0	0
1107 10 91 000	0	0	0	0	0	0
1107 10 99 000	0	0	0	0	0	0
1107 20 00 000	0	0	0	0	0	0

Product code	(ECU/tonne)					
	6th period 5	7th period 6	8th period 7	9th period 8	10th period 9	11th period 10
1107 10 11 000	0	0	0	0	0	0
1107 10 19 000	0	0	0	0	0	0
1107 10 91 000	0	0	0	0	0	0
1107 10 99 000	0	0	0	0	0	0
1107 20 00 000	0	0	0	0	0	0

COMMISSION REGULATION (EEC) No 3119/91

of 25 October 1991

fixing the corrective amount applicable to the refund on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 1806/89 ⁽²⁾, and in particular the second subparagraph of Article 17 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the first subparagraph of Article 17 (4) of Regulation (EEC) No 1418/76 provides that the export refund applicable to rice and broken rice on the day on which application for an export licence is made, adjusted for the threshold price which will be in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the licence ;

Whereas Commission Regulation No 474/67/EEC ⁽³⁾, as amended by Regulation (EEC) No 1397/68 ⁽⁴⁾, lays down detailed rules for the advance fixing of the export refund on rice and broken rice ;

Whereas that Regulation provides that the refund applicable on the day on which application for an export licence is made must, when it is fixed in advance, be reduced by an amount no greater than the difference between the cif forward delivery price and the cif price, where the former exceeds the latter by more than ECU 0,30 per tonne ; whereas on the other hand, the refund must be increased by an amount no greater than the difference between the cif price and the cif forward delivery price, where the former exceeds the latter by more than ECU 0,30 per tonne ;

Whereas the cif price is that determined in accordance with Article 16 of Regulation (EEC) No 1418/76 ; whereas the cif forward delivery price is that determined in accordance with Article 3 (2) of Council Regulation (EEC) No 1428/76 ⁽⁵⁾, based in respect of each month for which the

export licence is valid, on the cif price calculated on the basis of offers for shipment during the month of exportation ;

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 provisions set out above that the corrective amount must 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 corrective amount referred to in Article 17 (4) of Regulation (EEC) No 1418/76 which is applicable to the export refunds fixed in advance in respect of rice and broken rice shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 November 1991.

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽³⁾ OJ No 204, 24. 8. 1967, p. 20.

⁽⁴⁾ OJ No L 222, 10. 9. 1968, p. 6.

⁽⁵⁾ OJ No L 166, 25. 6. 1976, p. 30.

⁽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, 25 October 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 25 October 1991 fixing the corrective amount applicable to the refund on rice and broken rice

(ECU/tonne)

Product code	Destination (°)	Current 11	1st period 12	2nd period 1	3rd period 2
1006 20 11 000	—	—	—	—	—
1006 20 13 000	01	0	0	0	0
1006 20 15 000	01	0	0	0	0
1006 20 17 000	—	—	—	—	—
1006 20 92 000	—	—	—	—	—
1006 20 94 000	01	0	0	0	0
1006 20 96 000	01	0	0	0	0
1006 20 98 000	—	—	—	—	—
1006 30 21 000	—	—	—	—	—
1006 30 23 000	01	0	0	0	0
1006 30 25 000	01	0	0	0	0
1006 30 27 000	—	—	—	—	—
1006 30 42 000	—	—	—	—	—
1006 30 44 000	01	0	0	0	0
1006 30 46 000	01	0	0	0	0
1006 30 48 000	—	—	—	—	—
1006 30 61 100	01	0	0	0	0
	02	0	0	0	0
	03	0	0	0	0
	04	0	0	0	0
1006 30 61 900	01	0	0	0	0
	04	0	0	0	0
1006 30 63 100	01	0	0	0	0
	02	0	0	0	0
	03	0	0	0	0
	04	0	0	0	0
1006 30 63 900	01	0	0	0	0
	04	0	0	0	0
1006 30 65 100	01	0	0	0	0
	02	0	0	0	0
	03	0	0	0	0
	04	0	0	0	0
1006 30 65 900	01	0	0	0	0
	04	0	0	0	0
1006 30 67 100	—	—	—	—	—
1006 30 67 900	—	—	—	—	—
1006 30 92 100	01	0	0	0	0
	02	0	0	0	0
	03	0	0	0	0
	04	0	0	0	0

(ECU/tonne)

Product code	Destination (1)	Current 11	1st period 12	2nd period 1	3rd period 2
1006 30 92 900	01	0	0	0	0
	04	0	0	0	0
1006 30 94 100	01	0	0	0	0
	02	0	0	0	0
	03	0	0	0	0
	04	0	0	0	0
1006 30 94 900	01	0	0	0	0
	04	0	0	0	0
1006 30 96 100	01	0	0	0	0
	02	0	0	0	0
	03	0	0	0	0
	04	0	0	0	0
1006 30 96 900	01	0	0	0	0
	04	0	0	0	0
1006 30 98 100	—	—	—	—	—
1006 30 98 900	—	—	—	—	—
1006 40 00 000	—	—	—	—	—

(1) The destinations are identified as follows:

01 Austria, Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italia,

02 Zones I, II, III, VI, Canary Islands, Ceuta and Melilla,

03 Zones IV, V a), VII c), Canada and zone VIII, except Suriname, Guyana and Madagascar,

04 Destinations mentioned in Article 34 of Commission Regulation (EEC) No 3665/87 (OJ No L 351, 14. 12. 1987, p. 1).

NB: The zones are those defined in the Annex to Commission Regulation (EEC) No 1124/77 (OJ No L 134, 28. 5. 1977, p. 35), as last amended by Regulation (EEC) No 3049/89 (JO No L 292, 11. 10. 1989, p. 10).

COMMISSION REGULATION (EEC) No 3120/91**of 25 October 1991****fixing the import levies on live sheep and goats and on sheepmeat and goatmeat
other than frozen meat**

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

Having regard to Council Regulation (EEC) No 3013/89
of 25 September 1989 on the common organization of
the market in sheepmeat and goatmeat⁽¹⁾, as last
amended by Regulation (EEC) No 1741/91⁽²⁾, and in
particular the Article 10 thereof,

Whereas the import levies on live sheep and goats and on
sheepmeat and goatmeat other than frozen meat were
fixed by Commission Regulation (EEC) No 773/91⁽³⁾, as
last amended by Regulation (EEC) No 2855/91⁽⁴⁾;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 773/91 to the quota-
tions and other information 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 on live sheep and goats and on sheep-
meat and goatmeat other than frozen meat shall be as set
out in the Annex hereto.

Article 2

This Regulation shall enter into force on 4 November
1991.

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

Done at Brussels, 25 October 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 163, 26. 6. 1991, p. 41.

⁽³⁾ OJ No L 81, 28. 3. 1991, p. 68.

⁽⁴⁾ OJ No L 272, 28. 9. 1991, p. 72.

ANNEX

to the Commission Regulation of 25 October 1991 fixing the import levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat

(ECU/100 kg)

CN code	Week No 44 from 4 to 10 November 1991	Week No 45 from 11 to 17 November 1991	Week No 46 from 18 to 24 November 1991	Week No 47 from 25 November to 1 December 1991
0104 10 90 ⁽¹⁾	64,855	66,270	68,916	71,562
0104 20 90 ⁽¹⁾	64,855	66,270	68,916	71,562
0204 10 00 ⁽²⁾	137,990	141,000	146,630	152,260
0204 21 00 ⁽²⁾	137,990	141,000	146,630	152,260
0204 22 10 ⁽²⁾	96,593	98,700	102,641	106,582
0204 22 30 ⁽²⁾	151,789	155,100	161,293	167,486
0204 22 50 ⁽²⁾	179,387	183,300	190,619	197,938
0204 22 90 ⁽²⁾	179,387	183,300	190,619	197,938
0204 23 00 ⁽²⁾	251,142	256,620	266,867	277,113
0204 50 11 ⁽²⁾	137,990	141,000	146,630	152,260
0204 50 13 ⁽²⁾	96,593	98,700	102,641	106,582
0204 50 15 ⁽²⁾	151,789	155,100	161,293	167,486
0204 50 19 ⁽²⁾	179,387	183,300	190,619	197,938
0204 50 31 ⁽²⁾	179,387	183,300	190,619	197,938
0204 50 39 ⁽²⁾	251,142	256,620	266,867	277,113
0210 90 11 ⁽²⁾	179,387	183,300	190,619	197,938
0210 90 19 ⁽²⁾	251,142	256,620	266,867	277,113

⁽¹⁾ The levy applicable is limited in the conditions laid down by Council Regulations (EEC) No 3643/85, (EEC) No 715/90 and (EEC) No 1373/90 and Commission Regulations (EEC) No 19/82, (EEC) No 1249/90, (EEC) No 1580/90 and (EEC) No 2085/90.

⁽²⁾ The levy applicable is limited to the amount bound under GATT or in the conditions laid down in Council Regulations (EEC) No 1985/82, (EEC) No 3643/85, (EEC) No 715/90 and (EEC) No 753/90 and Commission Regulations (EEC) No 19/82, (EEC) No 3652/89, (EEC) No 3989/89, (EEC) No 479/90 and (EEC) No 952/90.

⁽³⁾ The levy applicable is limited in the conditions laid down in Council Regulation (EEC) No 715/90 and Commission Regulation (EEC) No 19/82.

COMMISSION REGULATION (EEC) No 3121/91
of 25 October 1991
fixing the import levies on frozen sheepmeat and goatmeat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat⁽¹⁾, as last amended by Regulation (EEC) No 1741/91⁽²⁾, and in particular the Article 10 thereof,

Whereas the import levies on frozen sheepmeat and goatmeat were fixed by Commission Regulation (EEC) No 774/91⁽³⁾, as last amended by Regulation (EEC) No 2856/91⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 774/91 to the quota-

tions and other information known to the Commission that the levies should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on frozen sheepmeat and goatmeat shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 4 November 1991.

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

Done at Brussels, 25 October 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 163, 26. 6. 1991, p. 41.

⁽³⁾ OJ No L 81, 28. 3. 1991, p. 71.

⁽⁴⁾ OJ No L 272, 28. 9. 1991, p. 74.

ANNEX

to the Commission Regulation of 25 October 1991 fixing the import levies on frozen
sheepmeat and goatmeat⁽¹⁾

(ECU/100 kg)

CN code	Week No 44 from 4 to 10 November 1991	Week No 45 from 11 to 17 November 1991	Week No 46 from 18 to 24 November 1991	Week No 47 from 25 November to 1 December 1991
0204 30 00	150,993	153,250	157,473	161,695
0204 41 00	150,993	153,250	157,473	161,695
0204 42 10	105,695	107,275	110,231	113,187
0204 42 30	166,092	168,575	173,220	177,865
0204 42 50	196,291	199,225	204,715	210,204
0204 42 90	196,291	199,225	204,715	210,204
0204 43 00	274,807	278,915	286,601	294,285
0204 50 51	150,993	153,250	157,473	161,695
0204 50 53	105,695	107,275	110,231	113,187
0204 50 55	166,092	168,575	173,220	177,865
0204 50 59	196,291	199,225	204,715	210,204
0204 50 71	196,291	199,225	204,715	210,204
0204 50 79	274,807	278,915	286,601	294,285

⁽¹⁾ The levy applicable is limited to the amount bound under GATT or in the conditions laid down in Council Regulations (EEC) No 1985/82, (EEC) No 3643/85, (EEC) No 715/90 and (EEC) No 753/90 and Commission Regulations (EEC) No 19/82, (EEC) No 3652/89, (EEC) No 3989/89, (EEC) No 479/90 and (EEC) No 952/90.

COMMISSION REGULATION (EEC) No 3122/91

of 25 October 1991

fixing the import levies on live cattle and on beef and veal other than frozen

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 1628/91 ⁽²⁾, and in particular Article 12 (8) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas under Article 9 of Regulation (EEC) No 805/68 a levy is applicable to the products specified in Article 1 (1) (a) of that Regulation; whereas Article 12 fixes the amount of the levy applicable by reference to a percentage of the basic levy;

Whereas in respect of bovine animals the basic levy is determined on the basis of the difference between the guide price and the Community free-at-frontier offer price plus the amount of the customs duty; whereas the Community free-at-frontier offer price is determined in the light of the most representative purchasing possibilities, as regards quality and quantity, recorded over a certain period for bovine animals and for the fresh or chilled meat specified in section (a) of the Annex to the said Regulation under CN codes 0201 10 10, 0201 10 90, 0201 20 11 and 0201 20 19, account being taken in particular of the position with respect to supply and demand, of world market prices for frozen meat of a category which is competitive with fresh or chilled meat and of past experience;

Whereas if it is found that the price of adult bovine animals on representative Community markets is higher than the guide price, the levy applicable equals the following percentage of the basic levy:

- (a) 75 % where the market price is less than or equal to 102 % of the guide price;
- (b) 50 % where the market price is more than 102 % and less than or equal to 104 % of the guide price;
- (c) 25 % where the market price is more than 104 % and less than or equal to 106 % of the guide price;

- (d) 0 % where the market price is more than 106 % of the guide price;

Whereas if it is found that the price of adult bovine animals on representative Community markets is equal to or less than the guide price, the levy applicable equals the following percentage of the basic levy:

- (a) 100 % where the market price is more than or equal to 98 % of the guide price;
- (b) 105 % where the market price is less than 98 % and more than or equal to 96 % of the guide price;
- (c) 110 % where the market price is less than 96 % and more than or equal to 90 % of the guide price;
- (d) 114 % where the market price is less than 90 % of the guide price;

Whereas pursuant to Article 10 (4) of Regulation (EEC) No 805/68 the basic levy on the meat specified in sections (a), (c) and (d) of the Annex hereto is equal to the basic levy determined for bovine animals, multiplied by a standard coefficient fixed for each of the products in question; whereas these coefficients are fixed by Commission Regulation (EEC) No 586/77 of 18 March 1977 laying down rules for the application of levies on beef and veal and amending Regulation (EEC) No 950/68 on the Common Customs Tariff ⁽³⁾, as last amended by Regulation (EEC) No 3988/87 ⁽⁴⁾;

Whereas the guide prices for adult bovine animals for the 1991/92 marketing year were fixed by Council Regulation (EEC) No 1629/91 ⁽⁵⁾;

Whereas Regulation (EEC) No 586/77 stipulates that the basic levy is to be calculated according to the method set out in its Article 3 and on the basis of all the representative free-at-frontier offer prices of the Community determined for the products of each of the categories and cuts specified in Article 2 and established principally by reference to the prices specified in the customs documents accompanying products imported from third countries or from other information concerning export prices obtaining in those third countries;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 150, 15. 6. 1991, p. 16.

⁽³⁾ OJ No L 75, 23. 3. 1977, p. 10.

⁽⁴⁾ OJ No L 376, 31. 12. 1987, p. 31.

⁽⁵⁾ OJ No L 150, 15. 6. 1991, p. 18.

Whereas, however, offer prices that do not correspond to real purchasing possibilities or that relate to unrepresentative quantities should not be taken into account; whereas offer prices should also be excluded when the movement of prices in general or the information available suggests that they are unrepresentative of the true trend of prices in the country of origin;

Whereas in cases where for one or more categories of bovine animals or cuts of meat a free-at-frontier offer price cannot be established, the most recent available price should be used for the calculation;

Whereas if the free-at-frontier offer price differs by less than ECU 0,60 per 100 kilograms of live weight from that previously used for the calculation of the levy, the latter price should be retained;

Whereas pursuant to Article 10 (3) of Regulation (EEC) No 805/68 a special basic levy is determined for certain third countries on the basis of the difference between the guide price and the average price recorded over a certain period plus the amount of the customs duty;

Whereas Commission Regulation (EEC) No 611/77 ⁽¹⁾, as amended by Regulation (EEC) No 925/77 ⁽²⁾, provides that the special levy on products originating in and coming from Austria, Sweden and Switzerland should be determined on the basis of the weighted average of the prices of adult bovine animals recorded on the representative markets of those third countries; whereas the weighting coefficients and representative markets are specified in the Annexes to Regulation (EEC) No 611/77;

Whereas the average price is not to be used for calculating the special levy unless it is at least ECU 1,21 per 100 kilograms of live weight more than the free-at-frontier offer price determined in accordance with Article 10 (2) of Regulation (EEC) No 805/68;

Whereas if the average price differs by less than ECU 0,60 per 100 kilograms of live weight from that previously used to calculate the levy, the latter may be retained;

Whereas in cases where one or more of the abovementioned third countries adopt, for reasons of health for

example, measures affecting the prices recorded on their markets, the Commission may use the latest prices recorded before the entry into force of such measures;

Whereas pursuant to Article 12 (6) of Regulation (EEC) No 805/68 the price of adult bovine animals on representative Community markets is the price established on the basis of prices recorded over a period to be determined on the representative market or markets of each Member State in respect of the various categories of adult bovine animals or of meat from such animals, after taking into account the size of each of these categories and the relative size of the bovine herd of each Member State;

Whereas the representative markets, categories and qualities of products and weighting coefficients are fixed in Annex II to Commission Regulation (EEC) No 610/77 of 18 March 1977 on the determination of prices of adult bovine animals on representative Community markets and the survey of prices of certain other cattle in the Community ⁽³⁾, as last amended by Regulation (EEC) No 3071/91 ⁽⁴⁾;

Whereas, for Member States with several representative markets, the price of each category and quality is equal to the arithmetic mean of the prices recorded on each of those markets; whereas, for representative markets held several times in one period of seven days, the price of each category and quality is equal to the arithmetic mean of the prices recorded on each market day; whereas in respect of Italy the price of each category and quantity is equal to the average, weighted by the special weighting coefficients fixed in Annex II to Regulation (EEC) No 610/77, of the prices recorded in the surplus and deficit zones; whereas the price recorded in the surplus zone is equal to the arithmetic mean of the prices recorded on each of the markets within that zone; whereas in respect of the United Kingdom the weighted average prices of adult bovine animals recorded on the representative markets of Great Britain on the one hand and Northern Ireland on the other are adjusted by the coefficient fixed in the abovementioned Annex II;

Whereas prices for the different categories and qualities not obtained from prices which are 'live weight excluding tax' are multiplied by the live weight conversion coefficients fixed in Annex II to the said Regulation and, in the case of Italy, are first increased or reduced by the corrective amounts fixed in the said Annex;

⁽¹⁾ OJ No L 77, 25. 3. 1977, p. 14.

⁽²⁾ OJ No L 109, 30. 4. 1977, p. 1.

⁽³⁾ OJ No L 77, 25. 3. 1977, p. 1.

⁽⁴⁾ OJ No L 290, 22. 10. 1991, p. 19.

Whereas if one or more Member States, for veterinary or health reasons for example, adopt measures affecting the normal trend of prices recorded on their markets the Commission may disregard the prices recorded on the market or markets in question, or use the latest prices recorded on the market or markets in question before the entry into force of such measures ;

Whereas, in the absence of information, prices recorded on representative Community markets are determined mainly by reference to the most recently recorded prices ;

Whereas for such period as the price of adult bovine animals recorded on representative Community markets differs by less than 0,24 ECU per 100 kilograms of live weight from the price previously used, the latter is retained ;

Whereas levies must be fixed having regard to the obligations arising from international agreements concluded by the Community ; whereas account should also be taken of Council Regulation (EEC) No 314/83 of 24 January 1983 on the conclusion of the Cooperation Agreement between the European Economic Community and the Socialist Federal Republic of Yugoslavia ⁽¹⁾, and of Council Decision 87/605/EEC of 21 December 1987 on the conclusion of the additional Protocol to the Cooperation Agreement between the European Economic Community and the Socialist Federal Republic of Yugoslavia ⁽²⁾, anticipating a reduction in the levy applicable on imports into the Community of certain products in the beef and veal sector originating in and coming from Yugoslavia ;

Whereas Council Regulation (EEC) No 715/90 ⁽³⁾, as last amended by Regulation (EEC) No 523/91 ⁽⁴⁾, lays down the arrangements applicable on agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories ;

Whereas the various cuts of beef and veal are defined in Regulation (EEC) No 586/77 ;

Whereas, pursuant to Article 33 (2) of Regulation (EEC) No 805/68, the nomenclature provided for in this Regulation is incorporated in the combined nomenclature ;

Whereas the levies and special levies are fixed before the 27th day of each month and are applicable from the first Monday of the following month ; whereas these levies may be altered in the period between two fixings where the basic levy or special basic levy is altered, or in the case of changes in the prices recorded on Community representative markets ;

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 coefficient provided for in the last paragraph 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 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, having regard to the provisions of the aforementioned Regulation, and in particular to the information and quotations known to the Commission, the levies on live cattle and beef and veal other than frozen meat should be as set out in the Annex hereto,

HAS ADOPTED THIS REGULATION :

Article 1

The import levies on live cattle and beef and veal other than frozen meat shall be as set out in the Annex to the present Regulation.

Article 2

This Regulation shall enter into force on 4 November 1991.

⁽¹⁾ OJ No L 41, 14. 2. 1983, p. 1.

⁽²⁾ OJ No L 389, 31. 12. 1987, p. 72.

⁽³⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽⁴⁾ OJ No L 149, 14. 6. 1991, p. 29.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ 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, 25 October 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 25 October 1991 fixing the import levies on live cattle and on beef and veal other than frozen

(ECU/100 kg)

CN code	Yugoslavia ⁽²⁾	Austria/Sweden/ Switzerland	Other third countries
— Live weight —			
0102 90 10	—	16,541	(⁽¹⁾) 131,663
0102 90 31	23,099	16,541	(⁽¹⁾) 131,663
0102 90 33*	—	16,541	(⁽¹⁾) 131,663
0102 90 35	23,099	16,541	(⁽¹⁾) 131,663
0102 90 37	23,099	16,541	(⁽¹⁾) 131,663
— Net weight —			
0201 10 10	—	31,429	(⁽¹⁾) 250,160
0201 10 90	43,888	31,429	(⁽¹⁾) 250,160
0201 20 21	—	31,429	(⁽¹⁾) 250,160
0201 20 29	43,888	31,429	(⁽¹⁾) 250,160
0201 20 31	—	25,143	(⁽¹⁾) 200,128
0201 20 39	35,110	25,143	(⁽¹⁾) 200,128
0201 20 51	52,665	37,715	(⁽¹⁾) 300,192
0201 20 59	52,665	37,715	(⁽¹⁾) 300,192
0201 20 90	—	47,144	(⁽¹⁾) 375,240
0201 30 00	—	53,925	(⁽¹⁾) 429,221
0206 10 95	—	53,925	(⁽¹⁾) 429,221
0210 20 10	—	47,144	375,240
0210 20 90	—	53,925	429,221
0210 90 41	—	53,925	429,221
0210 90 90	—	53,925	429,221
1602 50 10	—	53,925	429,221
1602 90 61	—	53,925	429,221

(⁽¹⁾) In accordance with amended Regulation (EEC) No 715/90, 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.

(⁽²⁾) This levy is applicable only to products complying with the provisions of the Commission Regulation (EEC) No 1368/88 (OJ No L 126, 20. 5. 1988, p. 26).

COMMISSION REGULATION (EEC) No 3123/91

of 25 October 1991

fixing the import levies on frozen beef and veal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EEC) No 1628/91⁽²⁾, and in particular Article 12 (8) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas under Article 9 of Regulation (EEC) No 805/68 a levy is applicable to the products specified in Article 1 (1) (a) of that Regulation; whereas Article 12 fixes the amount of the levy applicable by reference to a percentage of the basic levy;

Whereas, in respect of the types of frozen meat listed in section (b) of the Annex to the said Regulation under CN codes 0202 10 00 and 0202 20 10, the basic levy is determined on the basis of the difference between:

- the guide price multiplied by a coefficient representing the ratio existing in the Community between the price of fresh meat of a category competitive with the frozen meat in question, presented in the same form, and the average price of adult bovine animals, and
- the Community free-at-frontier offer price for frozen meat, plus the amount of the customs duty and a standard amount representing the specific costs of the import operations;

Whereas, by Commission Regulation (EEC) No 586/77 of 18 March 1977 laying down rules for the application of the levies on beef and veal and amending Regulation (EEC) No 950/68 on the Common Customs Tariff⁽³⁾, as last amended by Regulation (EEC) No 3988/87⁽⁴⁾, the abovementioned coefficient, calculated in accordance with the rules laid down in Article 11 (2) (a) of Regulation (EEC) No 805/68, has been fixed at 1,69 units of account and the standard amount referred to in Article 11 (2) (b) of the said Regulation has been fixed at ECU 6,65;

Whereas, if it is found that the price of adult bovine animals on representative Community markets is higher than the guide price, the levy applicable equals the following percentage of the basic levy:

- (a) 75 % where the market price is less than or equal to 102 % of the guide price;
- (b) 50 % where the market price is more than 102 % and less than or equal to 104 % of the guide price;
- (c) 25 % where the market price is more than 104 % and less than or equal to 106 % of the guide price;
- (d) 0 % where the market price is more than 106 % of the guide price;

Whereas, if it is found that the price of adult bovine animals on representative Community markets is equal to or less than the guide price, the levy applicable equals the following percentage of the basic levy:

- (a) 100 % where the market price is more than or equal to 98 % of the guide price;
- (b) 105 % where the market price is less than 98 % and more than or equal to 96 % of the guide price;
- (c) 110 % where the market price is less than 96 % and more than or equal to 90 % of the guide price;
- (d) 114 % where the market price is less than 90 % of the guide price;

Whereas the guide prices for adult bovine animals for the 1991/92 marketing year have been fixed by Council Regulation (EEC) No 1629/91⁽⁵⁾;

Whereas the Community free-at-frontier offer price for frozen meat is determined by reference to the world market price based on the most representative purchasing possibilities, as regards quality and quantity, recorded over a certain period preceding the fixing of the basic levy, taking into account in particular:

- foreseeable developments on the market in frozen meat,
- the most representative prices on third country markets for fresh and chilled meat of a category which is competitive with frozen meat,
- past experience;

Whereas the basic levy on the types of frozen meat listed in section (b) of the Annex to Regulation (EEC) No 805/68 under CN codes 0202 20 50, 0202 20 90, 0202 30 10, 0202 30 50 and 0202 30 90 is equal to the basic levy fixed for the products falling within CN codes 0202 10 00 and 0202 20 10, multiplied by a standard

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 150, 15. 6. 1991, p. 16.

⁽³⁾ OJ No L 75, 23. 3. 1977, p. 10.

⁽⁴⁾ OJ No L 376, 31. 12. 1987, p. 31.

⁽⁵⁾ OJ No L 150, 15. 6. 1991, p. 18.

coefficient fixed for each of the products in question; whereas these coefficients were fixed in Annex II to Regulation (EEC) No 586/77;

Whereas, for the purpose of fixing the free-at-frontier offer prices, offer prices that do not correspond to real purchasing possibilities or that relate to unrepresentative quantities should not be taken into account; whereas offer prices should also be excluded when the movement of prices in general or the information available gives reason to believe that they are unrepresentative of the true trend of prices in the country of origin;

Whereas, where the free-at-frontier offer price for frozen meat differs by less than one unit of account per 100 kilograms from that previously used for the calculation of the levy, the latter price should be retained;

Whereas pursuant to Article 12 (6) of Regulation (EEC) No 805/68 the price of adult bovine animals on representative Community markets is the price established on the basis of prices recorded over a period to be determined on the representative market or markets of each Member State for the various categories of adult bovine animals or of meat from such animals, taking into account the size of each of these categories and the relative size of the bovine herd of each Member State;

Whereas the representative markets, categories and qualities of products and weighting coefficients are fixed in Annex II to Commission Regulation (EEC) No 610/77 of 18 March 1977 on the determination of prices of adult bovine animals on representative Community markets and the survey of prices of certain other cattle in the Community⁽¹⁾, as last amended by Regulation (EEC) No 3071/91⁽²⁾;

Whereas, for Member States with several representative markets, the price of each category and quality is equal to the arithmetic mean of the prices recorded on each of those markets; for representative markets held several times in one period of seven days, the price of each category and quality is equal to the arithmetic mean of the prices recorded on each market day; whereas in respect of Italy the price of each category and quality is equal to the average, weighted by the special weighting coefficients fixed in Annex II to Regulation (EEC) No 610/77, of the

prices recorded in the surplus and deficit zones; whereas the price recorded in the surplus zone is equal to the arithmetic mean of the prices recorded on each of the markets within that zone; whereas in respect of the United Kingdom the weighted average prices of adult bovine animals recorded on the representative markets of Great Britain on the one hand and Northern Ireland on the other are adjusted by the coefficient fixed in the abovementioned Annex II;

Whereas prices for the different categories and qualities not obtained from prices which are 'live weight excluding tax', are multiplied by the live weight conversion coefficients fixed in Annex II to the said Regulation and, in the case of Italy, are first increased or reduced by the corrective amounts fixed in the said Annex;

Whereas if one or more Member States, for veterinary or health reasons for example, adopt measures affecting the normal trend of prices recorded on their markets, the Commission may disregard the prices recorded on the market or markets in question, or use the latest prices recorded on the market or markets in question before the entry into force of such measures;

Whereas, in the absence of information, prices recorded on representative Community markets are determined mainly by reference to the most recently recorded prices;

Whereas, for such period as the price of adult bovine animals recorded on representative Community markets differs by less than ECU 0,24 per 100 kilograms of live weight from the price previously used, the latter is retained;

Whereas the levies must be so fixed that obligations arising from international agreements concluded by the Community continue to be fulfilled;

Whereas Council Regulation (EEC) No 715/90⁽³⁾, as last amended by Regulation (EEC) No 523/91⁽⁴⁾, lays down the arrangements applicable on agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories;

Whereas the various cuts of frozen meat are defined in Regulation (EEC) No 586/77;

⁽¹⁾ OJ No L 77, 25. 3. 1977, p. 1.

⁽²⁾ OJ No L 290, 22. 10. 1991, p. 19.

⁽³⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽⁴⁾ OJ No L 58, 5. 3. 1991, p. 1.

Whereas, pursuant to Article 33 (2) of Regulation (EEC) No 805/68, the nomenclature provided for in this Regulation is incorporated in the combined nomenclature;

Whereas the levies are fixed before the 27th day of each month and are applicable from the first Monday of the following month; whereas these levies may be altered in the period between two fixings where the basic levy is altered, or in these case of changes in the prices recorded on Community representative markets;

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 Council Regulation (EEC) No 1676/85 ⁽¹⁾, as last amended by Regulation (EEC) No 2205/90 ⁽²⁾,
- 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, having regard to the provisions of the aforementioned Regulations, and in particular to the information and quotations known to the Commission, the levies on frozen beef and veal should be as set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on frozen beef and veal shall be as set out in the Annex.

Article 2

This Regulation shall enter into force on 4 November 1991.

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

Done at Brussels, 25 October 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽²⁾ OJ No L 201, 31. 7. 1990, p. 9.

ANNEX

to the Commission Regulation of 25 October 1991 fixing the import levies on frozen beef and veal ⁽¹⁾

(ECU/100 kg)	
CN code	Levy
	— Net weight —
0202 10 00	(¹) 173,907
0202 20 10	(¹) 173,907
0202 20 30	(¹) 139,126
0202 20 50	(¹) 217,384
0202 20 90	(¹) 260,861
0202 30 10	(¹) 217,384
0202 30 50	(¹) 217,384
0202 30 90	(¹) 299,120
0206 29 91	(¹) 299,120

(¹) In accordance with amended Regulation (EEC) No 715/90, 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.

COMMISSION REGULATION (EEC) No 3124/91

of 25 October 1991

fixing the maximum buying-in price and the quantities of beef bought in for the
56th partial invitation to tender under Regulation (EEC) No 1627/89

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 90 thereof,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 1628/91 ⁽²⁾, and in particular Article 6 (8) thereof,

Whereas, pursuant to Commission Regulation (EEC) No 859/89 of 29 March 1989 laying down detailed rules for the application of intervention measures in the beef and veal sector ⁽³⁾, as last amended by Regulation (EEC) No 2457/91 ⁽⁴⁾, an invitation to tender was opened by Commission Regulation (EEC) No 1627/89 of 9 June 1989 on the buying in of beef by invitation to tender ⁽⁵⁾, as last amended by Regulation (EEC) No 2765/91 ⁽⁶⁾;

Whereas, in accordance with Article 11 (1) of Regulation (EEC) No 859/89, a maximum buying-in price is to be fixed for quality R3, where appropriate, for each partial invitation to tender in the light of the tenders received; whereas, in accordance with Article 12 of that Regulation, only tenders lower than or equal to the maximum price are to be accepted, without, however, exceeding the average national or regional market price plus the amount mentioned in paragraph 1; whereas, however, pursuant to Article 5 of that Regulation, where the intervention agencies in Member States are offered meat in quantities greater than they are able to take over forthwith, such intervention agencies may limit buying in to the quantities they can take over;

Whereas, after the tenders submitted for the 56th partial invitation to tender have been examined and taking account, pursuant to Article 6 (1) of Regulation (EEC) No 805/68, of the requirements for reasonable support of the market and the seasonal trend in slaughterings, the maximum buying-in price and the quantities which may be accepted into intervention should be fixed;

Whereas the quantities offered at present exceed the quantities which may be bought in; whereas a reducing

coefficient or, where appropriate depending on the differences in prices and the quantities tendered for, several reducing coefficients should accordingly be applied to the quantities which may be bought in in accordance with Article 11 (3) of Regulation (EEC) No 859/89;

Whereas the scale of the quantities awarded warrants the application of the possibility provided for in Article 13 (2) of Regulation (EEC) No 859/89 of extending the period during which the intervention products are to be delivered by one week;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 56th partial invitation to tender opened by Regulation (EEC) No 1627/89:

(a) for category A:

in the Member States or regions of Member States which meet the conditions laid down in Article 6 (2) of Regulation (EEC) No 805/68:

the maximum buying-in price is hereby fixed at ECU 267 per 100 kilograms of carcasses or half-carcasses of quality R3,

tenders exceeding ECU 259,15 in the Netherlands and ECU 260,89 in Germany shall not be taken into consideration,

the maximum quantity of carcasses or half-carcasses accepted is hereby fixed at 29 091 tonnes; the quantities offered are hereby reduced by 70 % pursuant to Article 11 (3) of Regulation (EEC) No 859/89;

(b) for category C:

(i) in the Member States or regions of Member States which meet the conditions laid down in Article 6 (2) of Regulation (EEC) No 805/68:

— the maximum buying-in price is hereby fixed at ECU 265 per 100 kilograms of carcasses or half-carcasses of quality R3,

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 150, 15. 6. 1991, p. 16.

⁽³⁾ OJ No L 91, 4. 4. 1989, p. 5.

⁽⁴⁾ OJ No L 226, 14. 8. 1991, p. 6.

⁽⁵⁾ OJ No L 159, 10. 6. 1989, p. 36.

⁽⁶⁾ OJ No L 265, 21. 9. 1991, p. 17.

— the maximum quantity accepted of carcasses or half-carcasses is hereby fixed at 4 759 tonnes; the quantities offered are hereby reduced by 70 % pursuant to Article 11 (3) of Regulation (EEC) No 859/89;

(ii) in the Member States or regions of Member States which meet the conditions laid down in Article 6 (4) of Regulation (EEC) No 805/68:

— the maximum buying-in price per 100 kilograms of carcasses or half-carcasses of quality R3 is hereby fixed at:

- ECU 244,272 in Germany,
- ECU 255,873 in Ireland,
- ECU 259,767 in Northern Ireland,
- ECU 262,779 in Great Britain

— the maximum quantity accepted of carcasses or half-carcasses is hereby fixed at 46 084 tonnes.

Article 2

By way of derogation from the first sentence of Article 13 (2) of Regulation (EEC) No 859/89, the delivery period for the intervention products is hereby extended by one week.

Article 3

This Regulation shall enter into force on 28 October 1991.

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

Done at Brussels, 25 October 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 3125/91**of 25 October 1991****amending the indicative ceilings fixed by Regulation (EEC) No 4026/89 in the framework of the supplementary trade mechanism for the trade with Spain in the beef and veal sector**

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 Articles 83 and 85 (3) thereof,

Whereas Commission Regulation (EEC) No 4026/89 ⁽¹⁾, as last amended by Regulation (EEC) No 840/91 ⁽²⁾, fixes the indicative ceilings for imports into Spain of live animals of the bovine species and of fresh or chilled beef or veal from the Community as constituted on 31 December 1985 for the fourth quarter of 1991 at 30 000 head and 6 000 tonnes respectively;

Whereas Commission Regulation (EEC) No 2932/91 ⁽³⁾ provisionally suspends the issuing of STM licences for live animals of the bovine species as an interim protective measure; whereas in view of the foreseeable trend on the Spanish market and as a definitive measure under Article 85 (3) of the Act of Accession the indicative ceiling fixed for the fourth quarter of 1991 should be raised;

Whereas the indicative ceiling fixed for 1991 for fresh or chilled beef and veal should also be raised to ensure supplies to the Spanish market;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 4026/89 is hereby replaced by the Annex hereto.

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, 25 October 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 382, 30. 12. 1989, p. 62.

⁽²⁾ OJ No L 85, 5. 4. 1991, p. 23.

⁽³⁾ OJ No L 278, 5. 10. 1991, p. 18.

ANNEX

Group	CN code	Description	Indicative ceiling 1991
1	0102 90	Live animals of the bovine species other than pure-bred breeding animals and animals for bullfights (head)	145 000 head of which 1st quarter: 42 000 2nd quarter: 24 000 3rd quarter: 24 000 4th quarter: 55 000
2	0201 10 0201 20	— Meat of animals of the bovine species, fresh or chilled, bone in	27 000 tonnes of which 1st quarter: 6 000 2nd quarter: 6 000
3	0201 30	— Meat of animals of the bovine species, fresh or chilled, boneless (tonnes equivalent carcase weight)	3rd quarter: 6 000 4th quarter: 9 000

COMMISSION REGULATION (EEC) No 3126/91**of 25 October 1991****amending Regulation (EEC) No 223/90 relating to the set-aside of arable land for non-food purposes referred to in Regulation (EEC) No 2328/91**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2328/91 of 15 July 1991 on improving the efficiency of agricultural structures ⁽¹⁾, and in particular Article 31 (2) thereof,Whereas Commission Regulation (EEC) No 223/90 of 26 January 1990 fixing the rates of Community part-financing for the measures referred to in Council Regulations (EEC) No 797/85, (EEC) No 1096/88, (EEC) No 1360/78, (EEC) No 389/82 and (EEC) No 1696/71 ⁽²⁾ should be amended to include therein the Community part-financing rates applicable to measures for the set-

aside of arable land for non-food purposes referred to in Article 2 (4) of Regulation (EEC) No 2328/91;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Committee on Agricultural Structures and Rural Development,

HAS ADOPTED THIS REGULATION:

Article 1

Annex III to Regulation (EEC) No 223/90 is replaced by the Annex to this Regulation.

*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, 25 October 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 218, 6. 8. 1991, p. 1.⁽²⁾ OJ No L 22, 27. 1. 1990, p. 62.

ANNEX

ANNEX III

Community part-financing rates applicable to set-aside measures referred to in Title I of Regulation (EEC) No 2328/91

The part-financing rate varies according to the type of measure and the level of aid. In the table below the letter M represents the first maximum amount of aid provided for in Article 2 (5a), apart from exceptional cases.

Type of measure and level of aid	Part-financing rate
1. Set-aside measures for the withdrawal of land from production referred to in the first subparagraph of Article 2 (3):	
(a) for that part of the aid which does not exceed 0,5 M	60 %
(b) for that part of the aid which exceeds 0,5 M, but does not exceed M	25 %
2. Measures to set aside arable land for use as grazing for extensive livestock farming or for the growing of lentils, chick peas and vetches referred to in the third subparagraph of Article 2 (3):	
(a) for that part of the aid which does not exceed 0,25 M	60 %
(b) for that part of the aid which exceeds 0,25 M, but does not exceed 0,5 M	25 %
3. Set-aside of arable land for non-food purposes referred to in Article 2 (4):	
(a) for that part of the aid which does not exceed 0,35 M	60 %
(b) for that part of the aid which exceeds 0,35 M but does not exceed 0,7 M	25 %

COMMISSION REGULATION (EEC) No 3127/91**of 25 October 1991****abolishing the 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 Commission Regulation (EEC) No 3044/91⁽³⁾ introduced a countervailing charge on apples originating in Argentina;

Whereas the present trend of prices for products originating in Argentina on the representative markets referred to in Commission Regulation (EEC) No 2118/74⁽⁴⁾, as last amended by Regulation (EEC) No 3811/85⁽⁵⁾, recorded or calculated in accordance with the provisions

of Article 5 of that Regulation, indicated that entry prices have been at least equal to the reference price for two consecutive market days; whereas the conditions specified in the second indent of Article 26 (1) of Regulation (EEC) No 1035/72 are therefore fulfilled and the countervailing charge on imports of these products originating in Argentina can be abolished,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3044/91 is hereby repealed.

Article 2

This Regulation shall enter into force on 26 October 1991.

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

Done at Brussels, 25 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 288, 18. 10. 1991, p. 22.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

COMMISSION REGULATION (EEC) No 3128/91

of 25 October 1991

adjusting the corrective amount on the import of cucumbers into the
Community of Ten from 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,

Having regard to Council Regulation (EEC) No 3709/89
of 4 December 1989 laying down general rules for imple-
menting the Act of Accession of Spain and Portugal as
regards the compensatory mechanism for imports of fruit
and vegetables from Spain ⁽¹⁾, and in particular Article 4
(2) thereof,

Whereas Article 152 of the Act of Accession introduces
from 1 January 1990 a compensatory mechanism for
imports into the Community as constituted on 31
December 1985, hereinafter called 'the Community of
Ten', of fruit and vegetables from Spain for which a
reference price is fixed with regard to third countries;

Whereas Regulation (EEC) No 3709/89 lays down general
rules for applying the said compensatory mechanism and
Commission Regulation (EEC) No 3815/89 ⁽²⁾ lays down
detailed rules for applying the said compensatory
mechanism;

Whereas Commission Regulation (EEC) No 3077/91 ⁽³⁾,
introduces a corrective amount on imports of cucumbers
into the Community of Ten from Spain;

Whereas Article 3 (4) of Regulation (EEC) No 3709/89
lays down the conditions under which a corrective
amount introduced pursuant to Article 3 (1) of the said
Regulation, is to be adjusted; whereas the said conditions
require that the corrective amount on imports of cucum-
bers from Spain into the Community of Ten be adjusted,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 3077/91 'ECU 13,83'
is replaced by 'ECU 11,66'.

Article 2

This Regulation shall enter into force on 26 October
1991.

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

Done at Brussels, 25 October 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 363, 13. 12. 1989, p. 3.
⁽²⁾ OJ No L 371, 20. 12. 1989, p. 28.

⁽³⁾ OJ No L 290, 22. 10. 1991, p. 31.

COMMISSION REGULATION (EEC) No 3129/91
of 25 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 2922/91⁽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 3065/91⁽⁷⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 3065/91 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⁽⁸⁾ 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 26 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 26 October 1991.

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

Done at Brussels, 25 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 279, 7. 10. 1991, p. 43.

⁽⁵⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 11.

⁽⁷⁾ OJ No L 289, 19. 10. 1991, p. 30.

⁽⁸⁾ 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	17,234	17,532	17,790	18,018	16,626	16,904
— Portugal	24,204	24,502	24,760	24,988	23,596	23,874
— Other Member States	17,234	17,532	17,790	18,018	16,626	16,904
2. Final aids:						
Seed harvested and processed in:						
— Federal Republic of Germany (DM)	40,57	41,27	41,88	42,42	39,14	39,80
— Netherlands (Fl)	45,71	46,50	47,19	47,79	44,10	44,84
— BLEU (Bfrs/Lfrs)	836,82	851,29	863,82	874,89	807,30	820,80
— France (FF)	136,07	138,43	140,46	142,26	131,27	133,47
— Denmark (Dkr)	154,76	157,44	159,75	161,80	149,30	151,80
— Ireland (£ Irl)	15,145	15,407	15,633	15,834	14,611	14,855
— United Kingdom (£)	13,602	13,840	14,045	14,226	13,108	13,329
— Italy (Lit)	30 357	30 882	31 336	31 738	29 286	29 724
— Greece (Dr)	4 231,29	4 293,85	4 320,80	4 339,31	3 966,43	3 910,02
— Spain (Pta)	2 636,73	2 681,54	2 720,41	2 751,93	2 545,67	2 574,86
— Portugal (Esc)	5 130,28	5 192,15	5 245,90	5 288,35	5 006,35	5 039,11

(°) 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 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	18,484	18,782	19,040	19,268	17,876	18,154
— Portugal	25,454	25,752	26,010	26,238	24,846	25,124
— Other Member States	18,484	18,782	19,040	19,268	17,876	18,154
2. Final aids:						
Seed harvested and processed in:						
— Federal Republic of Germany (DM)	43,51	44,22	44,82	45,36	42,08	42,74
— Netherlands (Fl)	49,03	49,82	50,50	51,11	47,42	48,15
— BLEU (Bfrs/Lfrs)	897,51	911,98	924,51	935,58	867,99	881,49
— France (FF)	145,94	148,30	150,33	152,13	141,14	143,34
— Denmark (Dkr)	165,98	168,66	170,98	173,02	160,52	163,02
— Ireland (£ Irl)	16,243	16,505	16,732	16,932	15,709	15,953
— United Kingdom (£)	14,596	14,834	15,039	15,220	14,102	14,323
— Italy (Lit)	32 559	33 084	33 538	33 940	31 488	31 925
— Greece (Dr)	4 546,44	4 609,00	4 635,95	4 654,46	4 281,58	4 225,17
— Spain (Pta)	2 825,26	2 870,07	2 908,95	2 940,46	2 734,21	2 763,40
— Portugal (Esc)	5 391,12	5 453,00	5 506,74	5 549,19	5 267,19	5 299,96

(°) 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	25,453	25,784	26,115	26,565	26,131
— Portugal	32,643	32,974	33,305	33,753	33,333
— Other Member States	20,403	20,734	21,065	21,513	21,093
2. Final aids:					
(a) Seed harvested and processed in (2):					
— Federal Republic of Germany (DM)	48,03	48,81	49,59	50,65	49,66
— Netherlands (Fl)	54,12	55,00	55,88	57,06	55,95
— BLEU (Bfrs/Lfrs)	990,69	1 006,77	1 022,84	1 044,59	1 024,20
— France (FF)	161,09	163,71	166,32	169,86	166,54
— Denmark (Dkr)	183,22	186,19	189,16	193,18	189,41
— Ireland (£ Irl)	17,930	18,221	18,511	18,905	18,536
— United Kingdom (£)	16,097	16,361	16,625	16,982	16,643
— Italy (Lit)	35 939	36 522	37 105	37 894	37 154
— Greece (Dr)	5 002,96	5 070,60	5 106,99	5 173,98	5 058,59
— Portugal (Esc)	6 907,77	6 976,60	7 045,44	7 131,81	7 047,84
(b) Seed harvested in Spain and processed:					
— in Spain (Pta)	3 884,65	3 934,47	3 984,29	4 048,27	3 984,44
— in another Member State (Pta)	3 952,97	4 002,79	4 052,61	4 116,35	4 054,60

(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	2,047200	2,046260	2,045400	2,044560	2,044560	2,042360
Fl	2,308280	2,307160	2,306010	2,305080	2,305080	2,303100
Bfrs/Lfrs	42,167900	42,143200	42,122000	42,102100	42,102100	42,037299
FF	6,979510	6,975230	6,971720	6,968060	6,968060	6,957270
Dkr	7,905280	7,902750	7,900310	7,897100	7,897100	7,893610
£Irl	0,765619	0,765273	0,764902	0,764899	0,764899	0,763482
£	0,703826	0,704190	0,704439	0,704489	0,704489	0,704654
Lit	1 531,69	1 533,37	1 534,84	1 536,72	1 536,72	1 542,04
Dr	227,99100	229,90600	232,18900	234,50500	234,50500	241,35800
Esc	176,44000	176,65900	177,03700	177,63100	177,63100	178,96800
Pta	128,98800	129,30000	129,56700	129,79700	129,79700	130,44300

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 23 December 1988

amending Decision 88/142/EEC of 11 December 1987 on the Multiannual Guidance Programme for the fishing fleet (1987-91) forwarded by Ireland pursuant to Regulation (EEC) No 4028/86

(Only the English text is authentic)

(91/543/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 4028/86 of 18 December 1986 on Community measures to improve and adapt structures in the fisheries and aquaculture sector⁽¹⁾, and in particular Articles 4 and 5, paragraph 2,

Whereas taking into account the results of meetings with the national authorities of Ireland about the follow-up reports of the Multiannual Guidance Programme established in Commission Decision 88/142/EEC⁽²⁾;

Whereas on the entry into service of new fishing vessels it became apparent that a net increase in fishing capacity expressed in tonnage (GRT) and power (kW) had taken place in 1987 and in the first six months of 1988;

Whereas the process of fleet adjustment which has been started and the implementation of measures by Ireland for the effective control of fishing fleet capacity necessitates a certain delay;

Whereas the Commission intends to support efforts at improvement made by Ireland as soon as the administrative or regulatory measures undertaken appear to show results which confirm that the structural evolution of the fleet is oriented towards and will lead to achievement of the objectives set for not later than 31 December 1991 and established by Decision 88/142/EEC;

Whereas in order to administer the derogations to the principle of incompatibility of State aids with the

common market for State aids in the fisheries sector the Commission has adopted guidelines for the examination of national aids in the fisheries sector⁽³⁾;

Whereas the measures provided for in the present decision are in accordance with the opinion of the Standing Committee for the Fishing Industry,

HAS ADOPTED THIS DECISION:

Article 1

Decision 88/142/EEC is modified as follows:

1. Article 3 (2) is replaced by:

'The Commission shall, on the basis of its assessment of the information provided on a regular basis as specified in Article 2 or where this information is repeatedly not supplied, inform the Member State, if necessary, at the end of one six-month period that it has been found that the conditions to which approval of the programme was made subject have not been fulfilled'.

2. The Annex is replaced by the present Annex.

Article 2

This Decision is addressed to Ireland.

Done at Brussels, 23 December 1988.

For the Commission

António CARDOSO E CUNHA

Member of the Commission

⁽¹⁾ OJ No L 376, 31. 12. 1986, p. 7.

⁽²⁾ OJ No L 67, 12. 3. 1988, p. 25.

⁽³⁾ OJ No C 313, 8. 12. 1988, p. 21.

ANNEX

Multiannual Guidance Programme for the Irish fishing fleet (1987-91)

I. GENERAL REMARKS

The programme concerns the whole of the Irish fleet, and covers the entire territory of that Member State.

II. OBJECTIVES

1. The objectives of the programme should be :
 - (a) to reduce the fishing fleet to 43 941 GRT and 177 576 kW ; according to the provisions set out in point II, 2 ;
 - (b) to modernize existing vessels where there is no increase in global capacity of the category expressed in GRT and engine power and with the exception of vessels envisaged in point IV, 2, below and for which the conditions are stated.
2. The evolution of the fishing fleet with the exception of :
 - aquaculture working vessels,
 - vessels engaged exclusively in bivalve fishing,
 during the period covered by the programme should be made within the following limits :

[Tonnage (GRT)]

Type	Objective of Programme — Regulation (EEC) No 2908/83 ⁽¹⁾	Situation at 1. 1. 1987 ⁽²⁾	Objective at		
			31. 12. 1989	31. 12. 1990	31. 12. 1991
Vessels less than 12 m	7 000				
Vessels 12 m and more	38 300				
Total A	45 300	58 845	57 355	49 903	43 941
Vessels for aquaculture and ⁽³⁾ bivalve fishing					
Total B					

(1) If after completion of a fishing fleet register but before 30 September 1989 it is clearly demonstrated in agreement with the Commission that the statistics for the objective of programme 2908/83 were inaccurate then they should be modified. Similarly the subsequent statistics may be modified but the objectives for 31 December 1991 must be modified in the ratio 45 300 to 43 941 for GRT and 181 200 to 177 576 for KW.

(2) Includes vessels under construction at 1 January 1987 (5 780 GRT) (22 632 kW). These estimates must be confirmed or modified by Ireland in agreement with the Commission before 30 September 1989.

(3) Before 30 September 1989 the capacity and tonnage for vessels for aquaculture and bivalve fishing must be agreed with the Commission. These will be subtracted from the total fleet in the first two columns of each table so that figures in lines 'total A' are modified accordingly.

[Engine power (kW)]

Type	Objective of Programme — Regulation (EEC) No 2908/83 ⁽¹⁾	Situation at 1. 1. 1987 ⁽²⁾	Objective at		
			31. 12. 1989	31. 12. 1990	31. 12. 1991
Vessels less than 12 m	28 000				
Vessels 12 m and more	153 200				
Total A	181 200	234 892	229 160	200 502	177 576
Vessels for aquaculture and ⁽³⁾ bivalve fishing					
Total B					

(1) If after completion of a fishing fleet register but before 30 September 1989 it is clearly demonstrated in agreement with the Commission that the statistics for the objective of programme 2908/83 were inaccurate then they should be modified. Similarly the subsequent statistics may be modified but the objectives for 31 December 1991 must be modified in the ratio 45 300 to 43 941 for GRT and 181 200 to 177 576 for KW.

(2) Includes vessels under construction at 1 January 1987 (5 780 GRT) (22 632 kW). These estimates must be confirmed or modified by Ireland in agreement with the Commission before 30 September 1989.

(3) Before 30 September 1989 the capacity and tonnage for vessels for aquaculture and bivalve fishing must be agreed with the Commission. These will be subtracted from the total fleet in the first two columns of each table so that figures in lines 'total A' are modified accordingly.

III. PLANNED MEASURES

- 1.1. While the objectives at point II, 2, 'Total A' fix a reduction in the fishing capacity equal to the difference between the situation at 1. January 1987 and the objective to be achieved by 31 December 1991 it is also necessary to take into account the balance of capacity resulting from :
 - those projects for new construction having benefited from Community and National aids at the 1987 tranche,
 - those projects for new vessel construction presently under examination by the Commission ⁽¹⁾,
 - the balance of exits from and entries to the fleet carried out between 1 January and 30 June 1988 and not taken into account in the preceding lines ;which additions give the total reduction in the fishing fleet capacity required.
- 1.2. The reductions envisaged at point III, 1.1, should be achieved by implementing the following actions in so far as the entry into service of surplus fishing capacity having been incorporated in the capacity limits of this programme and it being intended that the reductions envisaged for each of the actions can be varied on condition that the total volume of reduction of fishing capacity is respected.
 - A reduction in the total fleet, by renewal of those active vessels lost by accident at sea, sinking or otherwise by linking direct withdrawals to new construction in line with the achievement of the objectives for fleet capacity envisaged in point II, 2 ;
 - The adoption and implementation of direct measures intended to adapt the fishing capacity ;
 - Any other measures that will achieve the same results.
2. Adoption and implementation of comprehensive legislation and or administrative measures in order to control effectively the active fishing capacity and fishing operations and consequently to achieve the objectives of the programme set out in point II, 2 ;
3. Introduction without delay of a fishing register in order to control fleet capacity. This register will be completed by 30 September 1989.

IV. COMMENTS

1. The objectives of the fleet given in point II, 1 (a) can be revised only on the basis of scientific evaluations leading to the establishment of the existence of resources which are not fully exploited at present.
2. In the case of fishing vessels operating in the coastal zone and smaller than 12 m a limited increase of 10 % in tonnage (maximum 10 %) and of 6 % in power (maximum 6 %) can be taken into consideration in order to improve safety, working conditions and preservation of catch on board on condition that these increases are fully justified and that the objectives for the vessel category to which these vessels belong and which are fixed in point II, 2 of the present decision are respected. Any such increase, if the case arises, can only take place in equilibrium with the resources which may be exploited by these vessels.
3. The objectives of the programme should be realized up to the 10 % level at least by the end of 1989 and to the 60 % level at least by the end of 1990.
4. The Commission recalls that all aids sanctioned by Ireland on the fisheries sector and including shipyards for the construction of fishing vessels should be included within the framework of the present programme.

Explanatory note concerning Commission Decision 91/543/EEC

This Commission Decision provides in point II of its Annex (footnotes (1), (2) and (3)) for modifying certain statistics ; as no modified figures have been submitted by the Irish authorities, the Decision is published in its original form as adopted by the Commission on 23 December 1988 and as notified to the Member State on 25 January 1989.

⁽¹⁾ The withdrawal of requests for financing of projects currently being examined by the Commission will allow adjustment of the total reduction required.

COMMISSION DECISION
of 17 October 1991
on the Liaison Group on the Elderly

(91/544/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Whereas the constant improvement of living and working conditions and the harmonious development of economies are aims of the European Economic Community;

Whereas the European Parliament adopted its resolution of 18 February 1982 on the situation and problems of the aged in the European Community⁽¹⁾, its resolution of 10 March 1986 on services for the elderly⁽²⁾ and its resolution of 14 May 1986 on Community measures to improve the situation of old people⁽³⁾;

Whereas the Council adopted its Decision of 26 November 1990 on Community actions for the elderly⁽⁴⁾;

Whereas current demographic movements tend towards an increase in the elderly population with a particular emphasis on the very old; whereas this trend will have considerable economic and social implications, *inter alia*, for the employment market, social security and social expenditure;

Whereas exchanges of information and experience as well as cooperation and consultation on measures affecting the elderly between the Commission, the Member States and the representatives of the elderly are important for the development of solidarity in the Community;

Whereas the measures to be carried out at Community level are intended to make known and to complement the different types of measures carried out in Member States at various levels;

Whereas the Commission, in its communication on the elderly, proposes to set up a Liaison Group comprising representatives of organizations with a European orientation which work with and/or for the elderly;

Whereas it is necessary to give this Group a statute based on the experience gained,

HAS DECIDED AS FOLLOWS:

Article 1

A Liaison Group on the Elderly, hereinafter called the 'Group', is hereby set up at the Commission.

Article 2

It shall be possible for the Commission to consult the Group on all areas relating to the protection of the interests of the elderly.

Article 3

1. The Group shall consist of representatives of organizations, established in the Member States, with a European orientation which work with and for the elderly.

2. The Group shall comprise 20 members whose names shall be put forward at the request of the Commission by the organizations working in support of the elderly.

3. These organizations must put forward twice as many names as the number of members to be appointed by the Commission. Each organization may put forward 10 names.

4. The organizations which will be requested to put forward names are listed in the Annex to this Decision.

Article 4

1. The members of the Group shall be appointed by the Commission.

2. Alternate members shall be appointed under the same conditions as the full members and in equal numbers. The alternate member shall automatically replace the full member if the latter is absent or indisposed.

3. The seats are to be allocated as follows:

- | | |
|--|---------|
| — Retired Workers' Coordinating Committee of the European Trade Union Confederation: | 5 seats |
| — Eurag — European Federation for the Welfare of the Elderly: | 5 seats |
| — Eurolink Age: | 5 seats |
| — Fiapa — International Federation of Associations for the Elderly: | 5 seats |

Article 5

1. The term of office of the members of the Group shall be 18 months and may be renewed twice.

⁽¹⁾ OJ No C 66, 15. 3. 1982, p. 71.

⁽²⁾ OJ No C 88, 14. 4. 1986, p. 17.

⁽³⁾ OJ No C 148, 16. 6. 1986, p. 61.

⁽⁴⁾ OJ No L 28, 2. 2. 1991, p. 29.

2. When the term of office of members of the Group expires, they shall remain in office until provision is made for their replacement or for the renewal of their term of office.

3. The term of office of a member of the Group shall be terminated prior to its expiry if the member resigns, terminates his membership of the organization or body which he represents, or if he dies.

4. The term of office of a member may also be terminated if the organization or institution which he represents requests that he be replaced.

If a member of the Group is replaced before his term of office expires, he shall be replaced for the remainder of his term of office, in accordance with the procedure provided for in Article 3.

5. Members of the Group shall not receive any remuneration.

Article 6

The list of the full and alternate members shall be published by the Commission in the *Official Journal of the European Communities* for purposes of information.

Article 7

1. The Group shall elect a Chairman for a period of 18 months by a two-thirds majority of the members present. If, within six weeks after the date of the inaugural meeting, no two-thirds majority is found, the Commission shall assume the Chairmanship for the duration of the Group's term of office.

2. The Group may set up subgroups.

Article 8

1. The Group shall meet at the premises of the Commission when convened by the latter. Meetings shall be held at least twice per year and, in addition, at the request of two-thirds of the Group's members.

2. Representatives of the Commission's departments concerned by the work of the Group shall participate in its meetings and those of its working parties.

3. In an emergency, the Group may, on its own initiative or at the request of the Commission, adopt opinions by a written procedure in accordance with the arrangements laid down in the Group's rules.

Article 9

The Commission shall provide secretarial services for the work of the Group and its subgroups.

Article 10

1. The Group may invite any person who has particular competence in an area included in the agenda to participate in its work as an expert.

Experts shall participate in the work for which they have been invited.

2. The Group may invite representatives of professional organizations particularly concerned by a subject included in the agenda to participate in its work as observers. Observers shall participate in the work for which they have been invited.

3. The Commission may invite persons who have particular competence in matters relating to the elderly to participate in the work of the Group under the conditions set out in paragraph 1.

Article 11

1. The deliberations of the Group shall relate to the requests for opinions that it has received from the Commission. They shall not be followed by a vote.

2. When the Commission asks the Group for an opinion, it may set a deadline by which the opinion shall be issued.

3. The views expressed by the organizations represented shall be recorded in the minutes.

4. If the requested opinion is based on unanimous agreement within the Group, it shall draw up joint conclusions and attach them to the minutes.

Article 12

However, the Group may decide on its own initiative, having consulted the Commission, to draft an opinion if such a move is approved by a two-thirds majority of the members present.

Article 13

Without prejudice to the provisions of Article 214 of the Treaty, the members of the Group shall be obliged not to disclose information they have received through the work of the Group, its bureau or working parties, whenever the Commission informs them that the opinion requested or the question asked relates to a confidential matter.

In this case, only the members of the Group and the representatives of the Commission's departments may take part in the meetings.

Article 14

This Decision shall take effect on 17 October 1991.

Done at Brussels, 17 October 1991.

For the Commission

Vasso PAPANDREOU

Member of the Commission

ANNEX

The following bodies are invited to put forward names of candidates for membership of the Liaison Group :

- Retired Workers' Coordinating Committee of the European Trade Union Confederation
 - Eurag — European Federation for the Welfare of the Elderly
 - Eurolink Age
 - Fiapa — International Federation of Associations for the Elderly
-