

Official Journal

of the European Communities

ISSN 0378-6978

L 312

Volume 34

13 November 1991

English edition

Legislation

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I Acts whose publication is obligatory

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Notice (see page 3 of the cover)

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 3289/91

of 12 November 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 11 November 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 13 November 1991.

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

Done at Brussels, 12 November 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 12 November 1991 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CN code	Levy
0709 90 60	126,60 ⁽²⁾ ⁽³⁾
0712 90 19	126,60 ⁽²⁾ ⁽³⁾
1001 10 10	177,54 ⁽¹⁾ ⁽³⁾
1001 10 90	177,54 ⁽¹⁾ ⁽³⁾
1001 90 91	153,86
1001 90 99	153,86
1002 00 00	160,90 ⁽⁴⁾
1003 00 10	140,00
1003 00 90	140,00
1004 00 10	128,47
1004 00 90	128,47
1005 10 90	126,60 ⁽²⁾ ⁽³⁾
1005 90 00	126,60 ⁽²⁾ ⁽³⁾
1007 00 90	137,27 ⁽¹⁾
1008 10 00	61,97
1008 20 00	126,29 ⁽⁴⁾
1008 30 00	79,89 ⁽²⁾
1008 90 10	⁽⁷⁾
1008 90 90	79,89
1101 00 00	228,41 ⁽⁸⁾
1102 10 00	238,26 ⁽⁸⁾
1103 11 10	287,94 ⁽⁸⁾
1103 11 90	246,01 ⁽⁸⁾

⁽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 3290/91

of 12 November 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 11 November 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 13 November 1991.

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

Done at Brussels, 12 November 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 12 November 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 11	1st period 12	2nd period 1	3rd period 2
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	3,59
1004 00 90	0	0	0	3,59
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	0

B. Malt

(ECU/tonne)

CN code	Current 11	1st period 12	2nd period 1	3rd period 2	4th period 3
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 3291/91

of 12 November 1991

opening a standing invitation to tender for the export of 10 000 tonnes of rye
held by the French intervention agency

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 3653/90⁽²⁾, and in particular Article 7 (6) thereof,Whereas Article 3 of Council Regulation (EEC) No 1581/86 of 23 May 1986 laying down general rules for intervention on the market in cereals⁽³⁾, as last amended by Regulation (EEC) No 2203/90⁽⁴⁾, provides that cereals held by the intervention agencies shall be disposed of by invitation to tender;Whereas Commission Regulation (EEC) No 1836/82⁽⁵⁾, as last amended by Regulation (EEC) No 3043/91⁽⁶⁾, lays down the procedure and conditions for the disposal of cereals held by intervention agencies;

Whereas on 31 October 1991 France notified the Commission that it wished to put up for sale for export 10 000 tonnes of rye held by its intervention agency; whereas it is possible to accede to that request;

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 French intervention agency may, on the conditions laid down in Regulation (EEC) No 1836/82, open a standing invitation to tender for the export of 10 000 tonnes of rye held by it.

Article 2

1. The invitation to tender shall cover a maximum of 10 000 tonnes of rye to be exported to all third countries.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.
⁽²⁾ OJ No L 362, 27. 12. 1990, p. 28.
⁽³⁾ OJ No L 139, 24. 5. 1986, p. 36.
⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 5.
⁽⁵⁾ OJ No L 202, 9. 7. 1982, p. 23.
⁽⁶⁾ OJ No L 288, 18. 10. 1991, p. 21.

2. The regions in which the 10 000 tonnes of rye are stored are stated in Annex I to this Regulation.

Article 3

The export licences shall be valid from their date of issue, within the meaning of Article 9 of Regulation (EEC) No 1836/82, until the end of the third month following.

Tenders submitted in response to this invitation to tender may not be accompanied by applications for export certificates pursuant to Article 44 of Commission Regulation (EEC) No 3719/88⁽⁷⁾.*Article 4*

1. Notwithstanding Article 7 (1) of Regulation (EEC) No 1836/82 the time limit for submission of tenders under the first partial invitation to tender shall expire on 20 November 1991 at 1 p.m. (Brussels time).

2. The time limit for submission of tenders under the subsequent partial invitations to tender shall expire each Wednesday at 1 p.m. (Brussels time).

3. The last partial invitation to tender shall expire on 26 February 1992.

4. The tenders shall be lodged with the French intervention agency.

Article 5

The French intervention agency shall notify the Commission of the tenders received not later than two hours after expiry of the time limit for the submission thereof. Notification shall be made as specified in the table in Annex II to this Regulation, to the telephone, telex or telefax numbers in Annex III.

*Article 6*This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Communities*.

⁽⁷⁾ OJ No L 331, 2. 12. 1988, p. 1.

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

Done at Brussels, 12 November 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX I

<i>(tonnes)</i>	
Place of storage	Quantity
Paris	10 000

ANNEX II

Standing invitation to tender for the export of 10 000 tonnes of rye wheat held by the French intervention agency

(Regulation (EEC) No 3291/91)

1	2	3	4	5	6	7
Tender No	Consignment No	Quantity (tonnes)	Offer price (ECU/tonne) ⁽¹⁾	Price increases (+) or reductions (-) (ECU/tonne) p.m.	Commercial costs (ECU/tonne)	Destination
1						
2						
3						
etc.						

⁽¹⁾ This price includes the increases or reductions relating to the lot to which the tender refers.

ANNEX III

The only numbers to use to call Brussels are [DG VI-C-1 (Attention : Messrs Thibault and Brus)]:

- telex : 22037 AGREC B
22070 AGREC B (Greek characters)
- telefax : — 235 01 32
— 236 10 97
— 236 20 05.

COMMISSION REGULATION (EEC) No 3292/91**of 12 November 1991****opening a standing invitation to tender for the supply to Albania of 25 000 tonnes of bread-making common wheat held at Ghent by the French intervention agency**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2938/91 of 10 October 1991 on an emergency measure for the free supply of certain agricultural products to Albania ⁽¹⁾,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽²⁾, as last amended by Regulation (EEC) No 3653/90 ⁽³⁾, and in particular Article 7 (6) thereof,

Whereas Commission Regulation (EEC) No 2943/91 ⁽⁴⁾, provides that contracts for the supply of cereals under Regulation (EEC) No 2247/89 are to be allocated by invitation to tender;

Whereas Commission Regulation (EEC) No 1570/77 ⁽⁵⁾, as last amended by Regulation (EEC) No 2258/87 ⁽⁶⁾, lays down in particular quality criteria for bread-making common wheat accepted for intervention;

Whereas a standing invitation to tender should be opened for the supply of an instalment of bread-making common wheat held by the French intervention agency;

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

On the terms laid down in Regulation (EEC) No 2943/91, the French intervention agency shall open a standing invitation to tender for the supply to Albania of bread-making common wheat held at Ghent by the said agency.

Article 2

1. The invitation to tender shall cover 25 000 tonnes of bread-making common wheat in bulk to be supplied from the port of Ghent, cif (ex-ship), to the Albanian port of Durres.

⁽¹⁾ OJ No L 280, 8. 10. 1991, p. 4.

⁽²⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽³⁾ OJ No L 362, 27. 12. 1990, p. 28.

⁽⁴⁾ OJ No L 280, 8. 10. 1991, p. 16.

⁽⁵⁾ OJ No L 174, 14. 7. 1977, p. 18.

⁽⁶⁾ OJ No L 208, 30. 7. 1987, p. 10.

Article 3

1. Tenders may relate only to the entire lot of 25 000 tonnes specified in the notice of invitation to tender provided for in Article 13 of Regulation (EEC) No 2943/91, in accordance with the delivery specifications in Annex III hereto.

Article 4

1. The time limit for the submission of tenders in response to the first partial invitation to tender shall be 1 p. m., Brussels time, on 20 November 1991.

2. The time limit for the submission of tenders in response to the last partial invitation to tender shall be 1 p. m., Brussels time, on 18 December 1991.

Article 5

Tenders must be submitted to the French intervention agency.

The French intervention agency shall forward tenders to the Commission in accordance with the model in Annex I hereto.

Article 6

The taking-over certificate referred to in Article 9 (3) of Regulation (EEC) No 2943/91 shall take the form shown in Annex II.

Certificates shall be issued after unloading of the goods.

Article 7

The successful tenderer shall undertake to provide the Albanian authorities with the documents required for supply purposes as specified in the notice of invitation to tender drawn up by the French intervention agency.

Article 8

For the purposes of entering EAGGF expenditure in the accounts, the book value of the product referred to in Article 1 is hereby fixed at ECU 52 per tonne.

Article 9

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

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

Done at Brussels, 12 November 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX I

Standing invitation to tender for the supply to Albania of 25 000 tonnes of bread-making common wheat held at Ghent by the French intervention agency

(Regulation (EEC) No 3292/91)

Tenderer number	Number of lot	Quantity (tonnes)	Supply cost applied for (ECU/tonne)
1	2	3	4
1			
2			
3			
4			
etc.			

ANNEX II**SUPPLY BY SEA****TAKING-OVER CERTIFICATE**

I, the undersigned :
(name, first name, business name)

acting on behalf of the Albanian Government, hereby certify that the goods mentioned below have been taken over :

— Name of vessel :

— Place and date of taking-over :

— Product :

— Tonnage taken over :

Remarks or reservations :

.....
.....

ANNEX III**Delivery specifications**

One lot of 25 000 tonnes in three shipments :

- 8 000 tonnes : departure date 28 November 1991. Arrival date between 4 and 6 December 1991.
- 8 000 tonnes : departure date 5 December 1991. Arrival date between 11 and 13 December 1991.
- 9 000 tonnes : departure date 12 December 1991. Arrival date between 18 and 20 December 1991.

The deliveries may take place before the dates laid down on the initiative of the successful tenderer and under his responsibility if the necessary conditions are met for unloading and removal in the port of Durres.

COMMISSION REGULATION (EEC) No 3293/91

of 11 November 1991

re-establishing the levying of customs duties on products of category 22 (order No 40.0220), originating in the Philippines, to which the preferential tariff arrangements set out in Regulation (EEC) No 3832/90 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3832/90 of 20 December 1990 applying generalized tariff preferences for 1991 in respect of textile products originating in developing countries⁽¹⁾, and in particular Article 12 thereof,

Whereas Article 10 of Regulation (EEC) No 3832/90 provides that preferential tariff treatment shall be accorded, for each category of products subjected in Annexes I and II thereto to individual ceilings, within the limits of the quantities specified in column 8 of Annex I and column 7 of Annex II, in respect of certain or each of the countries or territories of origin referred to in column 5 of the same Annexes;

Whereas Article 11 of the abovementioned Regulation provides that the levying of customs duties may be re-established at any time in respect of imports of the products in question once the relevant individual ceilings have been reached at Community level;

Whereas, in respect of products of category 22 (order No 40.0220), originating in the Philippines, the relevant ceiling amounts to 649 tonnes;

Whereas on 26 August 1991 imports of the products in question into the Community, originating in the Philippines, a country covered by preferential tariff arrangements, reached and were charged against that ceiling;

Whereas it is appropriate to re-establish the levying of customs duties for the products in question with regard to the Philippines,

HAS ADOPTED THIS REGULATION:

Article 1

As from 15 November 1991 the levying of customs duties, suspended pursuant to Regulation (EEC) No 3832/90, shall be re-established in respect of the following products, imported into the Community and originating in the Philippines:

Order No	Category (unit)	CN code	Description
40.0220	22 (tonnes)	5508 10 11	Yarn of staple or waste synthetic, fibres not put up for retail sale
		5508 10 19	
		5509 11 00	
		5509 12 00	
		5509 21 10	
		5509 21 90	
		5509 22 10	
		5509 22 90	
		5509 31 10	
		5509 31 90	
		5509 32 10	
		5509 32 90	
		5509 41 10	
		5509 41 90	
		5509 42 10	
		5509 42 90	
		5509 51 00	
		5509 52 10	
		5509 52 90	
		5509 53 00	
		5509 59 00	
		5509 61 10	
		5509 61 90	
		5509 62 00	
		5509 69 00	
		5509 91 10	
		5509 91 90	
		5509 92 00	
		5509 99 00	

⁽¹⁾ OJ No L 370, 31. 12. 1990, p. 39.

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, 11 November 1991.

For the Commission

Christiane SCRIVENER

Member of the Commission

COMMISSION REGULATION (EEC) No 3294/91
of 12 November 1991

**fixing for the period 1991/92 certain coefficients applicable to cereals exported in
the form of certain spirituous beverages**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 3653/90⁽²⁾, and in particular Article 16 (6) thereof,

Having regard to Council Regulation (EEC) No 1188/81 of 28 April 1981 laying down general rules for granting refunds adjusted in the case of cereals exported in the form of certain spirituous beverages and the criteria for fixing the amount of such refunds and amending Regulation (EEC) No 3035/80 concerning certain products not covered by Annex II to the Treaty⁽³⁾, as amended by Regulation (EEC) No 3708/89⁽⁴⁾, and in particular Article 12 thereof,

Whereas Article 3 (1) of Regulation (EEC) No 1188/81 states that the quantity of cereals on which the refund shall be granted shall be that placed under control, weighted by a coefficient fixed annually for each Member State concerned, expressing the ratio between the total quantity exported and the total quantity marketed of the spirituous beverage in question; whereas, the relevant information having been received from the United Kingdom for the period 1 January to 31 December 1990, the coefficients for the period 1 July 1991 to 30 June 1992 should now be fixed;

Whereas the second indent of Article 3 (2) of Regulation (EEC) No 1188/81 provides for adjustment of the coefficient where foreseeable export trends in one of the

Member States concerned show a tendency to change significantly; whereas this assessment may be made by taking account of a sufficiently long reference period to eliminate short, insignificant fluctuations; whereas a period of six years prior to the year in question complies with this criterion; whereas, moreover, an annual difference of less than 1 % between the respective trends in exports and total quantities sold cannot show a tendency towards significant change;

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

For the period 1 July 1991 to 30 June 1992, the coefficient referred to in Article 3 of Regulation (EEC) No 1188/81 and applicable to cereals used in the United Kingdom for the manufacture of Scotch whisky shall be as shown in the Annex.

Article 2

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

It shall apply with effect from 1 July 1991.

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

Done at Brussels, 12 November 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 362, 27. 12. 1990, p. 28.

⁽³⁾ OJ No L 121, 5. 5. 1981, p. 3.

⁽⁴⁾ OJ No L 363, 13. 12. 1989, p. 2.

*ANNEX***Coefficients applicable in the United Kingdom**

Period of application	Coefficient applicable	
	to barley processed into malt used in the manufacture of malt whisky	to cereals used in the manufacture of grain whisky
1 July 1991 to 30 June 1992	0,513	0,475

COMMISSION REGULATION (EEC) No 3295/91

of 12 November 1991

fixing for the period 1991/92 certain coefficients applicable to cereals exported in the form of certain spirituous beverages

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 3653⁽²⁾, and in particular Article 16 (6) thereof,

Having regard to Council Regulation (EEC) No 1188/81 of 28 April 1981 laying down general rules for granting refunds adjusted in the case of cereals exported in the form of certain spirituous beverages and the criteria for fixing the amount of such refunds and amending Regulation (EEC) No 3035/80 concerning certain products not covered by Annex II to the Treaty⁽³⁾, as amended by Regulation (EEC) No 3708/89⁽⁴⁾, and in particular Article 12 thereof,

Whereas Article 3 (1) of Regulation (EEC) No 1188/81 states that the quantity of cereals on which the refund shall be granted shall be that placed under control weighted by a coefficient, fixed annually for each Member State concerned, expressing the ratio for the spirituous beverage in question between the total quantity exported and the total quantity marketed; whereas, further to information provided by Ireland concerning the period 1 January to 31 December 1990, the coefficients for the period 1 July 1991 to 30 June 1992 should now be fixed;

Whereas the second indent of Article 3 (2) of Regulation (EEC) No 1188/81 provides for adjustment of the coefficient where foreseeable trends for exports of spirituous beverages show a tendency to change significantly in one of the Member States concerned; whereas such an assessment may be made by taking account of a reference

period of sufficient length to eliminate insignificant short-term fluctuations; whereas a period of six years prior to the year in question seems to comply with this criterion; whereas, moreover, an annual difference of less than 1 % between the respective trends in exports and total quantities sold cannot show a tendency towards significant change;

Whereas the coefficients should be adapted accordingly, to take account of a tendency for Irish exports to increase;

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

For the period 1 July 1991 to 30 June 1992, the coefficients referred to in Article 3 of Regulation (EEC) No 1188/81 and applicable to cereals used in Ireland for the manufacture of Irish whiskey shall be as shown in the Annex.

Article 2

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

It shall apply with effect from 1 July 1991.

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

Done at Brussels, 12 November 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 362, 27. 12. 1990, p. 28.

⁽³⁾ OJ No L 121, 5. 5. 1981, p. 3.

⁽⁴⁾ OJ No L 363, 13. 12. 1989, p. 2.

*ANNEX***Coefficients applicable in Ireland**

Period of application	Coefficient applicable	
	to barley used for the manufacture of Irish whiskey, category B ⁽¹⁾	to cereals used for the manufacture of Irish whiskey, category A
1 July 1991 to 30 June 1992	0,428	0,308

⁽¹⁾ Including barley processed into malt.

COMMISSION REGULATION (EEC) No 3296/91

of 12 November 1991

limiting the period of application of the arrangements on the supplementary trade mechanism to imports of barley into Portugal during the 1991/92 marketing year

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 251 thereof,

Having regard to Council Regulation (EEC) No 3659/90 of 11 December 1990 on products subject to the supplementary trade mechanism during the second stage of Portuguese accession ⁽¹⁾, as last amended by Regulation (EEC) No 1715/91 ⁽²⁾, and in particular Article 1 thereof,

Whereas Regulation (EEC) No 3659/90 provides that the supplementary trade mechanism is to apply during the second stage in accordance with the conditions laid down in Article 250, 251 and 252 of the Act of Accession; whereas, in the case of the products covered by CN codes 1001 90 99, 1003 00 90 and 1005 90 00, that mechanism is to apply during periods which are sensitive as regards the marketing of Portuguese production; whereas those periods must be determined for each of the cereals in question taking account of the period of harvest;

Whereas Commission Regulation (EEC) No 1367/91 of 24 May 1991 laying down detailed rules for applying the supplementary trade mechanism to imports of cereals into Portugal ⁽³⁾ provides for that mechanism to apply to imports of barley into Portugal during the period 1 June to 30 November;

Whereas of Portuguese barley production from the 1991/92 marketing year may be considered disposed of; whereas, under these circumstances, imports of barley into Portugal should not continue to be subject to the supplementary trade mechanism from 1 November 1991;

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

Notwithstanding Article 1 of Regulation (EEC) No 1367/91, the supplementary trade mechanism shall not apply to imports of barley into Portugal during the period 1 November to 30 November 1991.

Article 2

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

It shall apply from 1 November 1991.

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

Done at Brussels, 12 November 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 362, 27. 12. 1990, p. 38.

⁽²⁾ OJ No L 162, 26. 6. 1991, p. 17.

⁽³⁾ OJ No L 130, 25. 5. 1991, p. 31.

COMMISSION REGULATION (EEC) No 3297/91

of 12 November 1991

fixing a coefficient applicable to cereals exported in the form of Spanish whisky
for the period 1991/92

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

Having regard to Council Regulation (EEC) No 2727/75
of 29 October 1975 on the common organization of the
market in cereals ⁽¹⁾, as last amended by Regulation (EEC)
No 3653/90 ⁽²⁾, and in particular Article 16 (6) thereof,

Having regard to Council Regulation (EEC) No 1188/81
of 28 April 1981 laying down general rules for granting
refunds adjusted in the case of cereals exported in the
form of certain spirituous beverages and the criteria for
fixing the amount of such refunds and amending Regula-
tion (EEC) No 3035/80 concerning certain products not
covered by Annex II to the Treaty ⁽³⁾, as last amended by
Regulation (EEC) No 3381/90 ⁽⁴⁾, and in particular Article
12 thereof,

Whereas Article 2 of Regulation (EEC) No 1188/81
provides that refunds may be granted for cereals fulfilling
the conditions laid down in Article 9 (2) of the Treaty and
used in the production of the spirituous beverages covered
by CN codes 2208 30 91 and 2208 30 99 and complying
with Council Regulation (EEC) No 1576/89 of 29 May
1989 laying down general rules on the definition, descrip-
tion and presentation of spirit drinks ⁽⁵⁾;

Whereas, in the light of the data provided by Spain
concerning the period 1 January to 31 December 1990

the coefficient should be fixed for the period 1 July 1991
to 30 June 1992;

Whereas the data provided by Spain are not sufficiently
comprehensive to allow a totally clear trend to be identi-
fied; whereas, consequently, no account will be taken of
the pattern of exports or of the quantity of the goods
marketed in determining the coefficient;

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

For the period 1 July 1991 to 30 June 1992 the coeffi-
cient referred to in Article 3 of Regulation (EEC) No
1188/81, applicable to cereals used in Spain for the
manufacture of Spanish whisky, shall be as shown in in
the Annex hereto.

Article 2

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

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

Done at Brussels, 12 November 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 362, 27. 12. 1990, p. 28.

⁽³⁾ OJ No L 121, 5. 5. 1981, p. 3.

⁽⁴⁾ OJ No L 327, 27. 11. 1990, p. 4.

⁽⁵⁾ OJ No L 160, 12. 6. 1989, p. 1.

*ANNEX***Coefficient applicable in Spain**

Period of application	Coefficient applicable to cereals used for the manufacture of Spanish whisky
1 July 1991 — 30 June 1992	0,0115

COMMISSION REGULATION (EEC) No 3298/91**of 12 November 1991****amending Regulation (EEC) No 3201/90 laying down the detailed rules for the description and presentation of wines and grape musts**

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

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EEC) No 1734/91 ⁽²⁾, and in particular Article 72 (5) thereof,

Whereas Council Regulation (EEC) No 2392/89 ⁽³⁾, as last amended by Regulation (EEC) No 2356/91 ⁽⁴⁾, lays down general rules for the description and presentation of wines and grape musts;

Whereas Commission Regulation (EEC) No 3201/90 of 16 October 1991 ⁽⁵⁾, as amended by Regulation (EEC) No 2384/91 ⁽⁶⁾, lays down detailed rules for the description and presentation of wines and grape musts;

Whereas the time limit laid down for supplementing Annex V to Regulation (EEC) No 3201/90 should be brought forward by two months to permit products for which bottles of the 'Bocksbeutel' or 'Cantil' type may be used in Portugal to be defined;

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

HAS ADOPTED THIS REGULATION:

Article 1

In the second subparagraph of Article 20 (2) (b) (i) of Regulation (EEC) No 3201/90, '31 October 1991' is replaced by '31 December 1991'.

Article 2

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

It shall apply with effect from 1 November 1991.

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

Done at Brussels, 12 November 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 163, 26. 6. 1991, p. 6.

⁽³⁾ OJ No L 232, 9. 8. 1989, p. 13.

⁽⁴⁾ OJ No L 216, 3. 8. 1991, p. 1.

⁽⁵⁾ OJ No L 309, 8. 11. 1990, p. 1.

⁽⁶⁾ OJ No L 219, 7. 8. 1991, p. 9.

COMMISSION REGULATION (EEC) No 3299/91

of 12 November 1991

fixing for Great Britain the level of the variable slaughter premium for sheep
and the amounts to be charged on products leaving region 1

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 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⁾,

Having regard to Commission Regulation (EEC) No 1633/84 of 8 June 1984 laying down detailed rules for applying the variable slaughter premium for sheep and repealing Regulation (EEC) No 2661/80⁽³⁾, as last amended by Regulation (EEC) No 1075/89⁽⁴⁾, and in particular Articles 3 (1) and 4 (1) thereof,

Whereas the United Kingdom is the only country which grants the variable slaughter premium, in region 5, within the meaning of Article 22 (2) of Regulation (EEC) No 3013/89 whereas it is necessary therefore for the Commission to fix, for the week beginning the 21 October 1991, the level of the premium and the amount to be charged on products leaving that region;

Whereas Article 3 (1) of Regulation (EEC) No 1633/84 stipulates that the level of the variable slaughter premium is to be fixed each week by the Commission;

Whereas Article 4 (1) of Regulation (EEC) No 1633/84 lays down that the amount to be charged on products leaving region 1 shall be fixed weekly by the Commission;

Whereas in the Annex to Commission Regulation (EEC) No 3618/89 of 1 December 1989 on the application of the guarantee limitation arrangements for sheepmeat and goatmeat⁽⁵⁾ the weekly amounts of the guide level are set out pursuant to Article 25 of Regulation (EEC) No 3013/89;

Whereas, pursuant to the provisions of Article 24 (2) and (3) of Regulation (EEC) No 3013/89, for the week beginning the 21 October 1991, the variable slaughter premium for sheep certified as eligible in the United Kingdom is to be in accordance with the amounts fixed in the Annexes hereto; whereas, for that week, in the light of the Judgment of the Court of Justice of 2 February 1988 in Case 61/86, the provisions of Article 9 (5) of Regulation (EEC) No 3013/89 and of Article 4 of Regulation (EEC) No 1633/84 lead to the amounts to be charged on products, leaving region 1, being fixed in accordance with those Annexes;

Whereas, as regards the controls necessary for the application of the provisions relating to the said amounts, the system of controls provided for by Regulation (EEC) No 1633/84 should be maintained without prejudice to the preparation of any more specific provisions;

HAS ADOPTED THIS REGULATION:

Article 1

For sheep or sheepmeat certified as eligible in the United Kingdom in region 1, within the meaning of Article 22 (2) of Regulation (EEC) No 3013/89, for the variable slaughter premium during the week beginning the 21 October 1991, the level of the premium is fixed at ECU 86,474 per 100 kilograms of estimated or actual dressed carcase weight within the limits laid down by Article 1 (1) (b) of Regulation (EEC) No 1633/84.

Article 2

For products referred to in Article 1 (a) and (c) of Regulation (EEC) No 3013/89 which left the territory of region 1 during the week beginning the 21 October 1991, the amounts to be charged shall be equivalent to those fixed in the Annexes hereto.

Article 3

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

It shall apply with effect from 21 October 1991.

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 163, 26. 6. 1991, p. 41.

⁽³⁾ OJ No L 154, 9. 6. 1984, p. 27.

⁽⁴⁾ OJ No L 114, 27. 4. 1989, p. 13.

⁽⁵⁾ OJ No L 351, 2. 12. 1989, p. 18.

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

Done at Brussels, 12 November 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 12 November 1991 fixing for Great Britain the level of the variable slaughter premium for sheep and the amounts to be charged on products leaving region 1

(ECU/100 kg)

CN code	Amounts	
	A. Products qualifying for the premium specified in Article 24 of Regulation (EEC) No 3013/89	B. Products specified in Article 4 (4) of Regulation (EEC) No 1633/84 ⁽¹⁾
	Live weight	Live weight
0104 10 90	40,643	0
0104 20 90		0
	Net weight	Net weight
0204 10 00	86,474	0
0204 21 00	86,474	0
0204 50 11		0
0204 22 10	60,532	
0204 22 30	95,121	
0204 22 50	112,416	
0204 22 90	112,416	
0204 23 00	157,383	
0204 30 00	64,856	
0204 41 00	64,856	
0204 42 10	45,399	
0204 42 30	71,342	
0204 42 50	84,313	
0204 42 90	84,313	
0204 43 00	118,038	
0204 50 13		0
0204 50 15		0
0204 50 19		0
0204 50 31		0
0204 50 39		0
0204 50 51		0
0204 50 53		0
0204 50 55		0
0204 50 59		0
0204 50 71		0
0204 50 79		0
0210 90 11	112,416	
0210 90 19	157,383	
1602 90 71 :		
— unboned (bone-in)	112,416	
— boned or boneless	157,383	

⁽¹⁾ Eligibility for these reduced amounts is subject to compliance with the conditions laid down in the second subparagraph of Article 5 (3) of Regulation (EEC) No 1633/84.