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Legislation

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 3688/91

of 18 December 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 17 December 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 19 December 1991.

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

Done at Brussels, 18 December 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 18 December 1991 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)	
CN code	Levy
0709 90 60	130,21 ⁽²⁾ ⁽³⁾
0712 90 19	130,21 ⁽²⁾ ⁽³⁾
1001 10 10	181,34 ⁽¹⁾ ⁽³⁾
1001 10 90	181,34 ⁽¹⁾ ⁽³⁾
1001 90 91	159,89
1001 90 99	159,89
1002 00 00	164,20 ⁽⁶⁾
1003 00 10	142,50
1003 00 90	142,50
1004 00 10	132,61
1004 00 90	132,61
1005 10 90	130,21 ⁽²⁾ ⁽³⁾
1005 90 00	130,21 ⁽²⁾ ⁽³⁾
1007 00 90	141,39 ⁽⁴⁾
1008 10 00	66,29
1008 20 00	133,07 ⁽⁴⁾
1008 30 00	83,90 ⁽⁵⁾
1008 90 10	(7)
1008 90 90	83,90
1101 00 00	236,85 ⁽⁸⁾
1102 10 00	243,39 ⁽⁸⁾
1103 11 10	294,39 ⁽⁸⁾
1103 11 90	254,96 ⁽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 3689/91

of 18 December 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 17 December 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 19 December 1991.

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

Done at Brussels, 18 December 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 18 December 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 12	1st period 1	2nd period 2	3rd period 3
0709 90 60	0	0,61	0,61	0
0712 90 19	0	0,61	0,61	0
1001 10 10	0	0	0	0
1001 10 90	0	0	0	0
1001 90 91	0	1,02	1,02	0,67
1001 90 99	0	1,02	1,02	0,67
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	0,61	0,61	0
1005 90 00	0	0,61	0,61	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	1,23	1,23	0,94

B. Malt

(ECU/tonne)

CN code	Current 12	1st period 1	2nd period 2	3rd period 3	4th period 4
1107 10 11	0	1,82	1,82	1,19	1,19
1107 10 19	0	1,36	1,36	0,89	0,89
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 3690/91
of 17 December 1991
establishing unit values for the determination of the customs value of certain
perishable goods

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Commission Regulation (EEC) No 1577/81 of 12 June 1981 establishing a system of simplified procedures for the determination of the customs value of certain perishable goods ⁽¹⁾, as last amended by Regulation (EEC) No 3334/90 ⁽²⁾, and in particular Article 1 thereof,

Whereas Article 1 of Regulation (EEC) No 1577/81 provides that the Commission shall periodically establish unit values for the products referred to in the classification in the Annex;

Whereas the result of applying the rules and criteria laid down in that same Regulation to the elements communicated to the Commission in accordance with Article 1 (2)

of that Regulation is that the unit values set out in the Annex to this Regulation should be established in regard to the products in question,

HAS ADOPTED THIS REGULATION:

Article 1

The unit values provided for in Article 1 (1) of Regulation (EEC) No 1577/81 are hereby established as set out in the table in the Annex hereto.

Article 2

This Regulation shall enter into force on 20 December 1991.

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

Done at Brussels, 17 December 1991.

For the Commission

Karel VAN MIERT

Member of the Commission

⁽¹⁾ OJ No L 154, 13. 6. 1981, p. 26.

⁽²⁾ OJ No L 321, 21. 11. 1990, p. 6.

ANNEX

Code	CN code	Description	Amount of unit values per 100 kg net									
			ECU	Bfrs/Lfrs	Dkr	DM	FF	Dr	£ Irl	Lit	Fl	£
1.10	0701 90 51 0701 90 59	New potatoes	56,54	2391	448,47	116,16	393,69	12706	43,41	86438	130,84	39,51
1.20	0702 00 10 0702 00 90	Tomatoes	80,99	3403	642,47	165,27	564,61	18939	61,98	124742	186,22	57,26
1.30	0703 10 19	Onions (other than seed)	16,61	698	131,80	33,90	115,83	3885	12,71	25591	38,20	11,74
1.40	0703 20 00	Garlic	225,47	9475	1788,44	460,07	1571,69	52721	172,53	347241	518,38	159,40
1.50	ex 0703 90 00	Leeks	31,69	1342	249,61	65,25	221,05	7103	24,39	48368	73,54	22,07
1.60	ex 0704 10 10 ex 0704 10 90	Cauliflowers	67,92	2854	538,74	138,59	473,44	15881	51,97	104601	156,15	48,01
1.70	0704 20 00	Brussels sprouts	53,72	2267	423,88	110,06	374,08	11735	41,29	82719	124,09	37,72
1.80	0704 90 10	White cabbages and red cabbages	23,05	975	182,88	47,36	160,54	5181	17,70	35248	53,35	16,11
1.90	ex 0704 90 90	Sprouting broccoli or calabrese (<i>Brassica oleracea</i> var. <i>italica</i>)	87,61	3681	694,92	178,76	610,70	20485	67,04	134925	201,42	61,93
1.100	ex 0704 90 90	Chinese cabbage	29,69	1248	235,56	60,59	207,01	6944	22,72	45737	68,28	20,99
1.110	0705 11 10 0705 11 90	Cabbage lettuce (head lettuce)	98,96	4159	785,02	201,94	689,88	23141	75,73	152419	227,54	69,96
1.120	ex 0705 29 00	Endives	45,32	1923	357,88	93,59	315,84	10133	34,99	69174	105,45	31,22
1.130	ex 0706 10 00	Carrots	32,74	1384	259,75	67,27	228,02	7359	25,14	50064	75,78	22,88
1.140	ex 0706 90 90	Radishes	77,80	3269	617,16	158,76	542,36	18193	59,53	119826	178,88	55,00
1.150	0707 00 11 0707 00 19	Cucumbers	79,08	3323	627,32	161,37	551,29	18492	60,51	121799	181,83	55,91
1.160	0708 10 10 0708 10 90	Peas (<i>Pisum sativum</i>)	256,43	10776	2034,03	523,25	1787,51	59961	196,22	394924	589,57	181,28
1.170		Beans :										
1.170.1	0708 20 10 0708 20 90	Beans (<i>Vigna</i> spp., <i>Phaseolus</i> spp.)	112,97	4747	896,11	230,52	787,50	26416	86,44	173987	259,74	79,86
1.170.2	0708 20 10 0708 20 90	Beans (<i>Phaseolus</i> ssp., <i>vulgaris</i> var. <i>Compressus Savi</i>)	134,66	5659	1068,18	274,79	938,72	31489	103,05	207397	309,61	95,20
1.180	ex 0708 90 00	Broad beans	40,17	1701	317,44	82,67	280,28	9055	30,90	61351	93,13	27,99
1.190	0709 10 00	Globe artichokes	125,73	5283	997,30	256,55	876,43	29399	96,21	193633	289,07	88,88
1.200		Asparagus :										
1.200.1	ex 0709 20 00	— green	447,37	18800	3548,59	912,87	3118,51	104608	342,33	688988	1028,57	316,27
1.200.2	ex 0709 20 00	— other	532,18	22360	4220,06	1085,85	3707,39	123459	407,29	817679	1223,75	377,80
1.210	0709 30 00	Aubergines (egg-plants)	85,63	3598	679,25	174,73	596,93	20023	65,52	131882	196,88	60,54
1.220	ex 0709 40 00	Ribbed celery (<i>Apium graveolens</i> var. <i>dulce</i>)	66,30	2786	525,96	135,30	462,21	15504	50,74	102119	152,45	46,87
1.230	0709 51 30	Chantarelles	713,23	30060	5626,73	1460,68	4977,83	162425	546,18	1092598	1645,94	501,92
1.240	0709 60 10	Sweet peppers	90,72	3812	719,63	185,12	632,41	21214	69,42	139723	208,58	64,13
1.250	0709 90 50	Fennel	151,15	6399	1194,24	311,01	1054,46	34069	116,26	230809	350,38	105,31
1.260	0709 90 70	Courgettes	38,41	1614	304,72	78,38	267,79	8982	29,39	59164	88,32	27,15
1.270	ex 0714 20 10	Sweet potatoes, whole, fresh (intended for human consumption)	98,95	4174	781,50	202,59	690,51	22594	75,77	151536	228,30	69,55
2.10	ex 0802 40 00	Chestnuts (<i>Castanea</i> spp.), fresh	121,42	5102	963,16	247,77	846,43	28393	92,91	187006	279,17	85,84
2.20	ex 0803 00 10	Bananas (other than plantains), fresh	37,09	1558	294,22	75,68	258,56	8673	28,38	57125	85,28	26,22
2.30	ex 0804 30 00	Pineapples, fresh	44,88	1886	356,03	91,58	312,88	10495	34,34	69127	103,19	31,73
2.40	ex 0804 40 10 ex 0804 40 90	Avocados, fresh	86,29	3626	684,50	176,08	601,54	20178	66,03	132902	198,40	61,00

Code	CN code	Description	Amount of unit values per 100 kg net									
			ECU	Bfrs/Lfrs	Dkr	DM	FF	Dr	£ Irl	Lit	Fl	£
2.50	ex 0804 50 00	Guavas and mangoes, fresh	155,62	6 540	1 234,45	317,56	1 084,83	36 390	119,08	239 678	357,81	110,02
2.60		Sweet oranges, fresh :										
2.60.1	0805 10 11 0805 10 21 0805 10 31 0805 10 41	— Sanguines and semi-sanguines	34,48	1 454	272,35	70,60	240,64	7 874	26,40	52 809	79,56	24,23
2.60.2	0805 10 15 0805 10 25 0805 10 35 0805 10 45	— Navelines, Navelines, Navelines, Salustianas, Vernas, Valencia lates, Maltese, Shamoutis, Ovalis, Trovita and Hamlins	38,31	1 610	303,88	78,17	267,05	8 958	29,31	59 002	88,08	27,08
2.60.3	0805 10 19 0805 10 29 0805 10 39 0805 10 49	— Others	21,89	920	173,67	44,67	152,62	5 119	16,75	33 719	50,33	15,47
2.70		Mandarins (including tangerines and satsumas), fresh ; clementines, wilkings and similar citrus hybrids, fresh :										
2.70.1	ex 0805 20 10	— Clementines	72,47	3 045	574,84	147,87	505,17	16 945	55,45	111 610	166,62	51,23
2.70.2	ex 0805 20 30	— Monreales and Satsumas	46,21	1 942	366,55	94,29	322,12	10 805	35,36	71 169	106,24	32,67
2.70.3	ex 0805 20 50	— Mandarins and wilkings	65,95	2 782	520,88	135,03	460,23	15 059	50,50	101 001	152,17	46,36
2.70.4	ex 0805 20 70 ex 0805 20 90	— Tangerines and others	143,49	6 028	1 137,84	292,77	999,61	33 288	109,81	220 469	329,95	101,86
2.80	ex 0805 30 10	Lemons (<i>Citrus limon</i> , <i>Citrus limonum</i>), fresh	41,85	1 758	331,99	85,40	291,76	9 786	32,02	64 459	96,23	29,59
2.85	ex 0805 30 90	Limes (<i>Citrus aurantifolia</i>), fresh	98,45	4 137	780,96	200,90	686,31	23 022	75,34	151 630	226,36	69,60
2.90		Grapefruit, fresh :										
2.90.1	ex 0805 40 00	— white	35,98	1 512	285,42	73,42	250,83	8 413	27,53	55 417	82,73	25,43
2.90.2	ex 0805 40 00	— pink	52,54	2 208	416,75	107,20	366,24	12 285	40,20	80 915	120,79	37,14
2.100	0806 10 11 0806 10 15 0806 10 19	Table grapes	100,14	4 208	794,35	204,34	698,08	23 416	76,63	154 230	230,24	70,79
2.110	0807 10 10	Water-melons	25,62	1 076	203,27	52,29	178,63	5 992	19,61	39 467	58,92	18,11
2.120		Melons (other than water-melons) :										
2.120.1	ex 0807 10 90	— Amarillo, Cuper, Honey dew (including Cantalene), Onteniente, Piel de Sapo (including Verde Liso), Rochet, Tendral, Futuro	37,12	1 560	294,46	75,75	258,78	8 680	28,40	57 173	85,35	26,24
2.120.2	ex 0807 10 90	— other	100,22	4 211	794,97	204,50	698,62	23 434	76,69	154 350	230,42	70,85
2.130	0808 10 91 0808 10 93 0808 10 99	Apples	71,21	2 992	564,89	145,31	496,42	16 652	54,49	109 678	163,73	50,34
2.140		Pears										
2.140.1	0808 20 31 0808 20 33 0808 20 35 0808 20 39	Pears — Nashi (<i>Pyrus pyrifolia</i>)	223,19	9 379	1 770,42	455,44	1 555,85	52 190	170,79	343 742	513,16	157,79
2.140.2	0808 20 31 0808 20 33 0808 20 35 0808 20 39	Other	80,50	3 383	638,58	164,27	561,18	18 824	61,60	123 985	185,09	56,91
2.150	0809 10 00	Apricots	298,36	12 538	2 366,61	608,80	2 079,78	69 765	228,31	459 497	685,97	210,93
2.160	0809 20 10 0809 20 90	Cherries	90,53	3 825	718,45	185,77	632,16	20 401	69,52	138 679	209,44	63,20
2.170	ex 0809 30 00	Peaches	176,30	7 409	1 398,49	359,76	1 229,00	41 226	134,91	271 529	405,36	124,64

Code	CN code	Description	Amount of unit values per 100 kg net									
			ECU	Bfrs/Lfrs	Dkr	DM	FF	Dr	£ Irl	Lit	Fl	£
2.180	ex 0809 30 00	Nectarines	222,90	9 367	1 768,09	454,84	1 553,80	52 121	170,57	343 290	512,49	157,58
2.190	0809 40 11 0809 40 19	Plums	151,49	6 366	1 201,63	309,12	1 056,00	35 423	115,92	233 307	348,30	107,10
2.200	0810 10 10 0810 10 90	Strawberries	421,43	17 710	3 342,81	859,93	2 937,67	98 542	322,48	649 034	968,93	297,93
2.205	0810 20 10	Raspberries	1 166,8	49 035	9 255,20	2 380,89	8 133,49	272 833	892,86	1 796 972	2 682,66	824,90
2.210	0810 40 30	Fruit of the species <i>Vaccinium myrtillus</i>	136,31	5 755	1 079,64	279,74	950,71	30 917	104,59	209 154	315,16	95,45
2.220	0810 90 10	Kiwi fruit (<i>Actinidia chinensis</i> Planch.)	106,06	4 457	841,33	216,43	739,36	24 801	81,16	163 351	243,86	74,98
2.230	ex 0810 90 80	Pomegranates	75,44	3 170	598,43	153,94	525,90	17 641	57,73	116 191	173,46	53,33
2.240	ex 0810 90 80	Khakis (including Sharon fruit)	90,08	3 785	714,53	183,81	627,93	21 063	68,93	138 731	207,10	63,68
2.250	ex 0810 90 30	Lychees	342,60	14 398	2 717,58	699,09	2 388,22	80 111	262,17	527 641	787,70	242,21

COMMISSION REGULATION (EEC) No 3691/91

of 18 December 1991

fixing the export refunds on white sugar and raw sugar exported in its unaltered state

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 464/91 ⁽²⁾, and in particular point (a) of the first subparagraph of Article 19 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 19 of Regulation (EEC) No 1785/81 provides that the difference between quotations or prices on the world market for the products listed in Article 1 (1) (a) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar ⁽³⁾, as last amended by Regulation (EEC) No 1489/76 ⁽⁴⁾, provides that when refunds on white and raw sugar, undenatured and exported in its unaltered state are being fixed account must be taken of the situation on the Community and world markets in sugar and in particular of the price and cost factors set out in Article 3 of that Regulation; whereas the same Article provides that the economic aspect of the proposed exports should also be taken into account;

Whereas the refund on raw sugar must be fixed in respect of the standard quality; whereas the latter is defined in Article 1 of Council Regulation (EEC) No 431/68 of 9 April 1968 determining the standard quality for raw sugar and fixing the Community frontier crossing point for calculating cif prices for sugar ⁽⁵⁾; whereas, furthermore, this refund should be fixed in accordance with Article 5 (2) of Regulation (EEC) No 766/68; whereas candy sugar is defined in Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar ⁽⁶⁾, as last amended by Regulation (EEC) No 1714/88 ⁽⁷⁾; whereas the refund thus calculated for sugar containing added flavouring or colouring matter must apply to their sucrose content and, accordingly, be fixed per 1 % of the said content;

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

Whereas, in special cases, the amount of the refund may be fixed by other legal instruments;

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 subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽⁸⁾, as last amended by Regulation (EEC) No 2205/90 ⁽⁹⁾,
- for the other currencies, an exchange rate based on an average of the 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 the refund must be fixed every two weeks; whereas it may be altered in the intervening period;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, are hereby fixed to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 19 December 1991.

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 54, 28. 2. 1991, p. 22.

⁽³⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁴⁾ OJ No L 167, 26. 6. 1976, p. 13.

⁽⁵⁾ OJ No L 89, 10. 4. 1968, p. 3.

⁽⁶⁾ OJ No L 50, 4. 3. 1970, p. 1.

⁽⁷⁾ OJ No L 152, 18. 6. 1988, p. 23.

⁽⁸⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁹⁾ 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, 18 December 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 18 December 1991 fixing the export refunds on white sugar and raw sugar exported in its unaltered state

(ECU)

Product code	Amount of refund	
	per 100 kg	per percentage point of sucrose content and per 100 kg net of the product in question
1701 11 90 100	34,95 ⁽¹⁾	
1701 11 90 910	35,41 ⁽¹⁾	
1701 11 90 950	⁽²⁾	
1701 12 90 100	34,95 ⁽¹⁾	
1701 12 90 910	35,41 ⁽¹⁾	
1701 12 90 950	⁽²⁾	
1701 91 00 000		0,3799
1701 99 10 100	37,99	
1701 99 10 910	38,62	
1701 99 10 950	38,62	
1701 99 90 100		0,3799

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the refund applicable is calculated in accordance with the provisions of Article 5 (3) of Regulation (EEC) No 766/68.

⁽²⁾ Fixing suspended by Commission Regulation (EEC) No 2689/85 (OJ No L 255, 26. 9. 1985, p. 12), as amended by Regulation (EEC) No 3251/85 (OJ No L 309, 21. 11. 1985, p. 14).

COMMISSION DECISION No 3692/91/ECSC

of 12 December 1991

repealing Decision No 2132/88/ECSC imposing definitive anti-dumping duties on imports of certain iron or steel coils, originating in Algeria, Mexico and Yugoslavia

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

Having regard to Commission Decision No 2424/88/ECSC of 29 July 1988 on protection against dumped or subsidized imports from countries not members of the European Coal and Steel Community⁽¹⁾, as corrected⁽²⁾, and in particular Articles 9 and 14 thereof,

After consultation within the Advisory Committee as provided for by the above Decision,

Whereas :

A. PREVIOUS PROCEDURE

- (1) In May 1987, the Commission initiated an anti-dumping proceeding concerning imports of certain iron or steel coils, originating in Algeria, Mexico and Yugoslavia⁽³⁾.
- (2) By Commission Decision No 163/88/ECSC⁽⁴⁾, as amended by Decision No 979/88/ECSC⁽⁵⁾, provisional anti-dumping duties were imposed on the products subject to the proceeding, originating in Algeria, Mexico and Yugoslavia. The validity of the provisional duties were extended for a period of two months by Commission Decision No 1322/88/ECSC⁽⁶⁾.
- (3) The Commission subsequently imposed definitive anti-dumping duties by Decision No 2132/88/ECSC⁽⁷⁾.

B. REVIEW

- (4) In January 1990 the Commission received a request for review with regard to the anti-dumping measures applicable to imports of the products in question originating in Mexico, lodged by Sidermex SA de CV, a Mexican exporter involved in the

proceeding, pursuant to Article 14 of Decision No 2424/88/ECSC.

- (5) The request alleged that following the imposition of the definitive anti-dumping duties the circumstances with regard to the situation of the exports to the Community market of hot-rolled iron or steel coils have changed to the extent that warrants a review of the anti-dumping measures in force.
- (6) The Commission considered that the evidence submitted concerning the changed circumstances was sufficient to justify the need for a review and as these circumstances applied equally for imports of the products in question from Algeria and Yugoslavia for which definitive anti-dumping duties have also been imposed, it was considered appropriate to extend the review to these countries.

The Commission accordingly announced, by a notice published in the *Official Journal of the European Communities*⁽⁸⁾, the reopening of the investigation concerning imports of certain iron or steel coils originating in Algeria, Mexico and Yugoslavia.

- (7) The Commission officially so advised the producers/exporters and importers known to the Commission to be concerned, the representatives of the exporting countries and the complainants and gave the parties concerned the opportunity to make known their views in writing and to request a hearing.
- (8) During the investigation period, most of the exporters concerned by the proceeding and some Community producers asked for an extension for replying to the Commission's questionnaires. Where the requests were considered justified, the Commission extended the set time limits.
- (9) Most of the Community producers, all exporters concerned and one importer made known their views in writing. Some of them requested and were granted hearings.
- (10) No submissions were made by or on behalf of Community purchasers or processors of the hot-rolled iron or steel coils in question.

⁽¹⁾ OJ No L 209, 2. 8. 1988, p. 18.

⁽²⁾ OJ No L 273, 5. 10. 1988, p. 19.

⁽³⁾ OJ No C 126, 12. 5. 1987, p. 2.

⁽⁴⁾ OJ No L 18, 22. 1. 1988, p. 31.

⁽⁵⁾ OJ No L 98, 15. 4. 1988, p. 32.

⁽⁶⁾ OJ No L 123, 17. 5. 1988, p. 21.

⁽⁷⁾ OJ No L 188, 19. 7. 1988, p. 18.

⁽⁸⁾ OJ No C 118, 12. 5. 1990, p. 5.

- (11) The Commission sought and verified all the information it deemed necessary for the purpose of its determination and carried out investigations at the premises of the following companies:

Community producers:

- Thyssen Stahl AG, Duisburg, Germany,
- Stahlwerke Peine-Salzgitter AG, Salzgitter, Germany,
- ILVA SpA, Genoa, Italy,
- Cockerill Sambre SA, Seraing, Belgium,
- Sidmar NV, Gent, Belgium,
- British Steel plc, London, United Kingdom.

Non-Community producers/exporters:

- Sidermex SA de CV, Mexico DF, Mexico (holding company),
- Altos Hornos de Mexico SA, Monclova, Mexico (producer/exporter),
- Sidermex International Inc., San Antonio, Texas, USA (exporter),
- Hylsa SA de CV, Monterrey, Mexico.

- (12) The investigation of dumping covered the period 1 January to 31 December 1989.
- (13) Due to the complexity of the proceeding, in particular the difficulties met by the Commission in obtaining from some of the interested parties the relevant data, the investigation exceeded the normal period of one year laid down in Article 7 (9) of Decision No 2424/88/ECSC.

C. PRODUCT

- (14) The products concerned are certain flat-rolled products of iron or non-alloy steel, of a width exceeding 500 mm, of a thickness of 1,5 mm or more, in coils, not further worked than hot-rolled, containing by weight less than 0,6 % of carbon, falling within CN codes:

ex 7208 11 00,	ex 7208 12 91,	ex 7208 12 99,
ex 7208 13 91,	ex 7208 13 99,	ex 7208 14 90,
ex 7208 21 10,	ex 7208 21 90,	ex 7208 22 91,
ex 7208 22 99,	ex 7208 23 91,	ex 7208 23 99,
ex 7208 24 90,	ex 7211 12 10,	ex 7211 19 10,
ex 7211 22 10 and ex 7211 29 10.		

D. RESULTS OF THE REOPENED INVESTIGATION

(a) Algeria

- (15) The Commission, given the relationship between the Algerian producer and its customers, estab-

lished that the domestic sales, during the reference period, had not been effected in the normal course of trade. The Commission further examined whether it was possible to construct normal value for the Algerian producer. As no sufficient evidence on its inputs and their prices was provided by the sole Algerian producer, the Commission was not in a position to establish production costs for the products concerned. In the absence of a reliable basis for price comparison, the Commission could also not assess whether exports to other third countries had been dumped. As apparently no other method to determine normal value could produce a different result, the Commission decided to determine normal value in accordance with Article 2 (6) (b) of Decision No 2424/88/ECSC on the import basic price published by the Commission for the product in question⁽¹⁾. The producer concerned did not object to this determination.

- (16) Export prices were determined on the basis of the prices actually paid or payable for hot-rolled coils sold for export to the Community. Export prices have been adjusted, where appropriate and to the extent of the evidence available, for transport, insurance, handling and ancillary costs.
- (17) The comparison of normal value with the export prices made at the level of cif Community frontier, duty unpaid, revealed a dumping margin of 0,67 % which is considered *de minimis*.

(b) Yugoslavia

- (18) Since the information submitted by the Yugoslav producers/exporters with regard to domestic sales of the products in question was incomplete and not sufficiently documented, the Commission established normal value, as for Algeria, on the basis of the published basic prices as they applied during the investigation period and referred to in the exchange of letters which appears in the final act of the Agreement between the Member States of the European Coal and Steel Community and the Socialist Federal Republic of Yugoslavia in Decision 83/42/ECSC⁽²⁾.

- (19) Export prices were determined on the basis of prices actually paid or payable for prime hot-rolled coils sold for export to the Community for which evidence concerning relevant invoices was supplied. Export prices have been adjusted, where appropriate evidence was available, for transport, insurance, handling and ancillary cost.

⁽¹⁾ OJ No C 17, 22. 1. 1988, p. 2.

⁽²⁾ OJ No L 41, 14. 2. 1983, p. 113.

- (20) The comparison of normal value with the export prices made at the level of cif Community frontier, duty unpaid, showed a dumping margin of 0,13 % which is considered *de minimis*.

(c) Mexico

- (21) Normal value was based on domestic prices actually paid or payable in the ordinary course of trade for the products in question on the Mexican market.
- (22) Since the imposition of the definitive anti-dumping duties in July 1988, export to the Community of the products in question originating in Mexico had completely ceased. Consequently, export prices could not be established and compared with normal value.

(d) Conclusion on dumping

- (23) In view of the fact that dumping with regard to Algeria and Yugoslavia had decreased to a *de minimis* level, the Commission is of the opinion that the anti-dumping measures currently imposed on imports originating in these countries should be repealed.
- (24) In these circumstances, the Commission considers that the proceeding concerning imports of the products in question originating in Algeria and Yugoslavia should be terminated.
- (25) As regards Mexico, the suspension of Mexican exports to the Community did not permit an investigation into the existence of dumping during the investigation period. In this regard, the Commission is of the opinion that the absence of exports as such is not sufficient to determine whether the anti-dumping duties imposed may be lifted. Account was therefore taken of other considerations, in particular of the development of the Mexican steel market, in determining whether repealing the measures in force would lead to a situation causing or threatening to cause material injury to the Community industry.

E. DEVELOPMENT OF THE MEXICAN STEEL MARKET

- (26) The total annual capacity of hot-rolled coils of the two Mexican producers/exporters in question amounts currently to 2,5 million tonnes. Apart

from slight capacity increases to be realized only by certain technical improvements, no major extension plans exist for the near future. The output had reached capacity limits since 1988 following a strong recovery of domestic demand.

- (27) Since more than 75 % of the production of the hot-rolled coils produced are used internally for further processing into higher value products, the Mexican production is presently not sufficient to satisfy the requirements of the domestic market for the direct use of the products concerned. As a result, a certain part of the demand not covered by domestic production must be imported and there are no appreciable quantities available for exports which fell sharply in the last few years.
- (28) The outlook for the current year and beyond is for a further strengthening of domestic demand for hot-rolled coils in Mexico. Following the lifting of price controls by the Mexican Government in 1990, price increases on the domestic market are expected to bring better in line cost of production and return which probably will result in higher domestic sales and reduced export possibilities.
- (29) The expected conclusion of a free-trade agreement between Mexico and the USA is supposed to facilitate further the access of Mexican steel products to the US market which traditionally is of primary importance for Mexican exporters due to the geographical proximity and the resulting lower transport cost.
- (30) In conclusion, the strong and increasing demand for hot-rolled coils on the Mexican market, the limited production capacities and the expected flow of exports to non-Community markets, lead the Commission to the conclusion that there is no clearly foreseeable threat that imports of the products concerned from Mexico into the Community would resume to a sizeable market share after the repeal of the measures in force and that under these circumstances the recurrence of injurious dumping is not imminent.

F. TERMINATION AND REPEAL OF DUTIES

- (31) In the light of the above findings, taking particularly into account the determination of *de minimis* dumping with regard to Algeria and Yugoslavia and the absence of imminent injurious dumping or threat thereof with regard to Mexico, the Commis-

sion considers that the review proceeding concerning imports of hot-rolled coils from Algeria, Mexico and Yugoslavia should be concluded by the repeal of the anti-dumping measures in question in accordance with Article 14 (3) of Decision No 2424/88/ECSC.

- (32) The complainant was informed of the facts and principal considerations on the basis of which the Commission intends to terminate the review proceeding,

HAS DECIDED AS FOLLOWS:

Article 1

Decision No 2132/88/ECSC is hereby repealed.

Article 2

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

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

Done at Brussels, 12 December 1991.

For the Commission

Karel VAN MIERT

Member of the Commission

COMMISSION REGULATION (EEC) No 3693/91

of 17 December 1991

amending Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

sions concerning the classification of cheese for processing;

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, as last amended by Regulation (EEC) No 3537/91⁽²⁾, and in particular Article 9 thereof,

Whereas Regulation (EEC) No 2658/87 established the nomenclature of goods hereinafter referred to as the combined nomenclature, which serves the purposes both of the Community's common customs tariff and of its external trade statistics;

Whereas in order to ensure uniform application of the combined nomenclature, it is necessary to adopt provisions concerning the classification of cheese for processing;

Whereas CN code 0406 90 11 covers cheese for processing; whereas pursuant to Annex I (i) to Regulation (EEC) No 1767/82 of 1 July 1982 laying down detailed rules for applying specific import levies on certain milk products⁽³⁾, as last amended by Regulation (EEC) No 1502/90⁽⁴⁾, a reduced levy applies on an autonomous basis to imports of some cheeses falling within this code; whereas where the reduced levy is applied, the cheeses are subject to the formalities provided for by Commission Regulation (EEC) No 4142/87 of 9 December 1987 determining the conditions under which certain goods are eligible on import for a favourable tariff arrangement by reason of their end-use⁽⁵⁾, as last amended by Regulation (EEC) No 1419/91⁽⁶⁾; whereas footnotes should be added to CN code 0406 90 11 referring to the reduced levy and the end-use; whereas Regulation (EEC) No 2658/87 should be amended accordingly;

Whereas the provisions of this Regulation are in accordance with the opinion of the Nomenclature Committee,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EEC) No 2658/87 is amended as follows:

1. CN code 0406 90 11 reads:

'CN code	Description	Rate of duty		Supplementary unit
		autonomous % or levy (AGR)	conventional %	
1	2	3	4	5
0406 90 11	— — For processing ⁽⁷⁾	23 (AGR) ⁽²⁾	⁽³⁾	—'

2. the following is added as footnote 5:

'⁽⁷⁾ Admission under this subheading is subject to the conditions laid down by the relevant Community provisions.'

⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.
⁽²⁾ OJ No L 335, 6. 12. 1991, p. 9.

⁽³⁾ OJ No L 196, 5. 7. 1982, p. 1.
⁽⁴⁾ OJ No L 141, 2. 6. 1990, p. 5.
⁽⁵⁾ OJ No L 387, 31. 12. 1987, p. 1.
⁽⁶⁾ OJ No L 135, 30. 5. 1991, p. 30.

Article 2

This Regulation shall enter into force on the 21st day following its publication in the *Official Journal of the European Communities*.

It shall apply from 1 January 1992.

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

Done at Brussels, 17 December 1991.

For the Commission

Christiane SCRIVENER

Member of the Commission

COMMISSION REGULATION (EEC) No 3694/91

of 17 December 1991

amending Regulation (EEC) No 645/89 of 14 March 1989 and repealing
Commission Regulation (EEC) No 2404/89 of 31 July 1989 concerning the
classification of certain goods in the combined nomenclature

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC)
No 2658/87⁽¹⁾ on the tariff and statistical nomenclature
and on the Common Customs Tariff, as last amended by
Regulation (EEC) No 3537/91⁽²⁾, and in particular
Article 9 thereof,

Whereas Commission Regulation (EEC) No 645/89⁽³⁾, as
well as Regulation (EEC) No 2404/89⁽⁴⁾, lays down
measures concerning the classification in the combined
nomenclature of, *inter alia*, sets of two garments put up
for retail sale;

Whereas CN code 6211 has been subdivided in order to
individualize certain categories of goods which are the
subject of significant trade;

Whereas, as a result, the products covered by the afore-
mentioned Regulations are thereby affected; whereas
there is therefore a need to delete point 2 of the Annex to
Regulation (EEC) No 645/89 and to specify the classifica-
tion and the reasons for the classification of the goods in
question and to repeal Regulation (EEC) No 2404/89;

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

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column 1 of the annexed table are
now classified within the combined nomenclature under
the appropriate CN codes indicated in column 2 of the
said table.

Article 2

Point 2 of the Annex to Regulation (EEC) No 645/89 is
deleted and Regulation (EEC) No 2404/89 is repealed.

Article 3

This Regulation shall enter into force on the day follo-
wing its publication in the *Official Journal of the Euro-
pean Communities*.

It shall apply with effect from 1 January 1992.

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

Done at Brussels, 17 December 1991.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

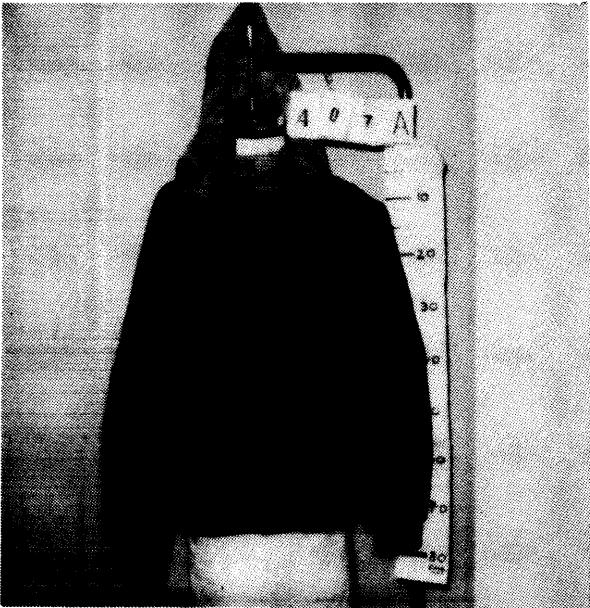
⁽²⁾ OJ No L 335, 6. 12. 1991, p. 9.

⁽³⁾ OJ No L 71, 15. 3. 1989, p. 17.

⁽⁴⁾ OJ No L 227, 31. 7. 1989, p. 32.

ANNEX

Description of goods	Classification CN code	Reasons
(1)	(2)	(3)
Set of two garments put up for retail sale consisting of : (a) a (loose-fitting woven windjacket (100 % synthetic fibres) lightweight, lined in the upper part of the garment, consisting of two different coloured fabrics. It has a collar and is fully opening at the front with a zip-fastening. This opening has a protective flap with press studs fastening left over right. It has loose-fitting long sleeves which are elasticated at the sleeve-ends. There is also elastication at the base of the garment. There is a hood which can be tucked into a pouch in the collar. The hood has a drawstring and the pouch has a zip fastening. There are two internal pockets with protective flaps at the waist. (See photograph No 407 A)(¹)	6201 93 00	Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the combined nomenclature, by Note 13 to Section XI, by Note 8 to Chapter 62 in the case of the trousers, as well as by the texts of CN codes 6201, 6201 93 00 and 6204 and 6204 63 19
(b) A lightweight woven pair of trousers (100 % synthetic fibres) of one colour reaching from the waist to the ankles, tightening at the waist by means of elastication and a drawstring. The bottoms of the trouser legs have zip-fastenings and can be tightened by velcro strips. The garment has two internal pockets. (See photograph No 407 B)(¹)	6204 63 19	Classification as a tracksuit is excluded because, owing to the general appearance and the nature of the fabrics (protection against wind and rain), these garments are not clearly meant to be worn exclusively or mainly in the pursuit of sporting activities



(¹) The photographs are purely for information.

COMMISSION REGULATION (EEC) No 3695/91**of 18 December 1991****adopting measures for the supply of raw sugar from beet harvested in the Community to Portuguese refineries during the 1992/93 marketing year**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EEC) No 464/91⁽²⁾, and in particular Article 9 (6) and the second paragraph of Article 39 thereof,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the conversion rates to be applied for the purpose of the common agricultural policy⁽³⁾, as last amended by Regulation (EEC) No 2205/90⁽⁴⁾, and in particular Article 12 thereof,

Whereas the second subparagraph of Article 9 (4) of Regulation (EEC) No 1785/81 stipulates that, to the extent necessary for the supply of refineries, provision may be made for the same measures as those taken in regard to raw sugar produced in the French overseas departments to be applied to raw sugar produced from beet harvested in the Community;

Whereas these measures take the form in particular of flat-rate marketing aids; whereas in so far as raw sugar from beet harvested in the Community is concerned it is appropriate to provide also for a marketing aid but one which is adapted to the specific conditions of this traffic for the fobbing element; whereas Community production of raw sugar from beet in 1991/92 indicates quantities of such sugar available for Portuguese refineries for the 1992/93 marketing year;

Whereas the availability of such quantities must be turned to account already for refining in Portugal in 1992/93 because the producers of this raw sugar will otherwise process it into white sugar for export; whereas, in order to enable purchase contracts in particular to be concluded rapidly and pending the drawing-up of a forward estimate for 1992/93 the measures provided for in the second subparagraph of Article 9 (4) of Regulation (EEC) No 1785/81 should be adopted; whereas, consequently, similar aid measures should be adopted for these quantities of raw beet sugar as those prescribed by Council Regulation (EEC) No 2225/86 of 15 July 1986 laying

down measures for the marketing of sugar produced in the French overseas departments and for the equalization of the price conditions with preferential raw sugar⁽⁵⁾;

Whereas certain detailed rules relating to the determination of weights and sugar yields should be laid down, particularly in the case of transport in bulk in the same vessel but on behalf of several sellers;

Whereas in general a considerable period of time elapses between the date on which the sugar in question is loaded and that on which the formalities required for payment of the aid by the competent agency are concluded on arrival; whereas provision should therefore be made for an advance payment system; whereas, in view of the special conditions of delivery and prolonged storage in Portuguese refineries, a fairly lengthy period will elapse before the sugar is processed and thus before the refining aid is paid; whereas the system of advance payment should accordingly be extended to the refining aid in respect of the sugar brought into Portugal between the date of entry into force of this Regulation and 30 June 1992;

Whereas suitable control provisions with regard to the refined sugar, including a definition of the term 'refining', should be laid down;

Whereas, for conversion of the aid into escudos, the conversion rate applicable to the transport aid, to the advance on that aid and to the advance on the refining aid should be the agricultural conversion rate in force on the day when the bill of lading is drawn up for the sugar transported, all of which will be transported by sea, and, in so far as the refining aid is concerned, the conversion rate should be the agricultural conversion rate in force on the day when the sugar in question is refined;

Whereas Commission Regulation (EEC) No 737/91⁽⁶⁾ determines the quantities of raw sugar obtained from beet harvested in the Community intended, for the 1991/92 marketing year, for the Portuguese refineries and entitled thereby to qualify for the same aids as those granted for raw sugar produced in the French overseas departments; whereas all of those quantities may not perhaps be able to be refined in good time but, being considered as working stock, those quantities are eligible for the refining aid applied for the 1992/93 marketing year; whereas it is appropriate to provide that the refining aid applied in

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 54, 28. 2. 1991, p. 22.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁵⁾ OJ No L 194, 17. 7. 1986, p. 7.

⁽⁶⁾ OJ No L 80, 27. 3. 1991, p. 14.

1992/93 should be applied to those quantities by setting them against the quantity fixed in Article 1 of Regulation (EEC) No 737/91 for the 1991/92 marketing year;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1992/93 marketing year, flat-rate Community aid shall be granted, as an intervention measure, in accordance with the conditions set out in this Regulation, for the transport to and refining in Portugal of raw sugar obtained from beet harvested in the Community, up to a limit equivalent to 65 000 tonnes of white sugar to be delivered until 30 June 1992 and refined from 1 July 1992.

Article 2

1. There shall be granted for the sugar referred to in Article 1 delivered to Portuguese refineries and within the prescribed limit:

- (a) a flat-rate aid for transport equal to the total aid granted, in application of Article 2 of Regulation (EEC) No 2225/86 for the transport of raw sugar produced in the French overseas departments during the 1991/92 marketing year for the raw sugar in respect of which the bill of lading is drawn up before 1 July 1992 and increased by a flat-rate amount of (ECU 1,68 per 100 kilograms of sugar expressed as white sugar);

and

- (b) an aid for refining in Portuguese refineries made up of:

- (i) an amount per 100 kilograms of raw sugar of standard quality equal to the difference between the storage levy as referred to in the second subparagraph of Article 8 (2) of Regulation (EEC) No 1785/81 that was actually collected for the sugar in question and three times the amount of the monthly reimbursement of storage costs as referred to in the first subparagraph of Article 8 (2) of that Regulation which is applicable during the refining of the sugar;

and

- (ii) for each tenth of a percentage point of yield in excess of 92 %, an amount equal to 0,0387 % of the intervention price for raw sugar for the 1992/93 marketing year.

2. The aid specified in paragraph 1 shall be granted on application by the Portuguese undertakings refining the sugar in question to the competent Portuguese authorities.

Article 3

1. The transport aid referred to in Article 2 (1) (a):

- (a) shall be applicable to the accepted arrival weight expressed as white sugar using the yield formula referred to in Article 1 (3) of Council Regulation (EEC) No 431/68⁽¹⁾.

In the case of transport in bulk which does not allow the identification of individual lots, the average yield of the whole quantity delivered shall be applied to all the sugar in question;

(b) shall be paid on presentation by the refiner:

- of the customs document of entry for consumption in Portugal or of a copy or photocopy of that document certified to be a true copy either by the body which approved the original document or by the official Portuguese services.

and

- the bill of lading, the results of the analyses and the final invoice.

2. The analyses shall be carried out on delivery, in respect of the entire shipment, by 250-tonne lots, by a laboratory approved by Portugal.

Article 4

1. An advance may be paid:

- (a) in respect of the sugar referred to in Article 1, on the transport aid referred to in Article 2 (1) (a), representing 90 % of the amount determined on the basis of the weight shown on the provisional invoice converted into white sugar using a standard yield of 94,5 %.

Where the raw sugar is brought into Portugal between the date of entry into force of this Regulation and 30 June 1991, the advance shall be determined by reference to the total flat-rate transport aid referred to in Article 2 (1) (a) applicable at the time the bill of lading is drawn up for the transported sugar in question during this period;

- (b) in respect of the sugar referred to in Article 1 that is brought into Portugal between the date of entry into force of this Regulation and 30 June 1992, on the aid for refining referred to in Article 2 (1) (b) (i) and (ii), representing 90 % of the amount determined on the basis of the weight shown on the provisional invoice converted into white sugar using a standard yield of 94,5 %.

Notwithstanding Article 2 (1) (b), where the raw sugar is in storage at the relevant Portuguese refiner's premises before 1 July 1992, the advance on the refining aid shall be calculated by reference to the monthly reimbursement applicable at the time the

⁽¹⁾ OJ No L 89, 10. 4. 1968, p. 3.

bill of lading is drawn up for the transported sugar in question and by reference to the raw sugar intervention price for the 1991/92 marketing year.

2. Applications for advance payments as referred to in paragraph 1 (a) and (b) shall be made by the refiner concerned and accompanied by customs documents and entry into Portugal, the bill of lading and the provisional invoice.

3. Applications for advance payments of the refining aid referred to in paragraph 1 (b) shall be accompanied by the lodging of a security corresponding to the advance granted. Such securities shall be released for quantities in respect of which the final payment of the total refining aid referred to in Article 2 (1) (b) is made.

Securities shall be lodged, at the applicant's discretion, in cash or in the form of a guarantee from an establishment meeting the criteria laid down by Portugal.

Securities or parts of securities which are not released shall be forfeit in respect to the quantity of sugar of which the relevant obligations have not been fulfilled.

Article 5

1. For the granting of the aid referred to in Article 2 (1) (b) and of the advance on the payment of that aid, the raw sugar concerned shall be placed, at the refiner's request, under customs control or under another form of administrative control providing the same safeguards.

2. For the purposes of this Regulation, 'refining' means the conversion of raw sugar as defined in Article 1 (2) (b) of Regulation (EEC) No 1785/81 into white sugar as defined in Article 1 (2) (a) of that Regulation.

Article 6

1. The aid referred to in Article 2 (1) and the advances on the payment of that aid shall be granted only if the applications presented by the refiner are accompanied by evidence recognized by Portugal that the raw sugar in question has been obtained from beet harvested in the Community and if the bill of lading for the transported sugar in question has been drawn up within the period between the date of entry into force of this Regulation and 30 June 1992 in so far as the advance of the payment

of the refining aid and the payment of this aid are concerned for the sugar referred to in Article 1 brought into Portugal before 1 July 1992.

2. To permit the granting of the transport aid referred to in Article 2 (1) (a), the Commission shall notify the competent Portuguese authorities of the unit transport aid amounts applicable during the 1991/92 marketing year.

3. Within two months following each month concerned, Portugal shall notify the Commission of the quantities, expressed as white sugar, for which the aid referred to in Article 2 (1) has been granted and the sums corresponding to those quantities.

Article 7

For the quantities of sugar falling within the quantity fixed in Article 1 of Regulation (EEC) No 737/91 the refining of which takes place as from 1 July 1992, the refining aid in force during the 1992/93 marketing year pursuant to Article 2 (b) of this Regulation shall be applicable. The quantities so refined shall be set against the quantity fixed in Article 1 of Regulation (EEC) No 737/91 for the 1991/92 marketing year.

Article 8

The conversion into escudos:

- (a) of the aid referred to in Article 2 (1) (a) and of the advance payments referred to in Article 4 (1) (a) shall be at the agricultural conversion rate applicable on the day when the bill of lading for the transported sugar is drawn up;
- (b) of the aid referred to in Article 2 (1) (b) shall be at the agricultural conversion rate applicable on the day when the quantity of sugar concerned is refined;
- (c) of the advance payment referred to in Article 4 (1) (b) shall be at the agricultural conversion rate applicable on the date when the bill of lading for the transported sugar is drawn up.

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, 18 December 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 3696/91**of 18 December 1991****adapting the conversion rates to be applied in agriculture fixed by Council
Regulation (EEC) No 1678/85**

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

Having regard to Council Regulation (EEC) No 1677/85
of 11 June 1985 on monetary compensatory amounts in
agriculture ⁽¹⁾, as last amended by Regulation (EEC) No
2205/90 ⁽²⁾, and in particular Articles 6 (2) and 6a (2)
thereof,

Whereas the agricultural conversion rates currently appli-
cable were fixed by Council Regulation (EEC) No
1678/85 ⁽³⁾, as last amended by Commission Regulation
(EEC) No 2922/91 ⁽⁴⁾;

Whereas, where the currency exchange rates are realigned
within the European Monetary System, Article 6 of Regu-
lation (EEC) No 1677/85 stipulates that, under the proce-
dure laid down in Article 12 of that Regulation, the
Member States' agricultural conversion rates must be
adapted in such a way as to eliminate, in stages, newly-
created monetary gaps; whereas pursuant to Article 6a of
that Regulation, the agricultural conversion rate of a
Member State for the pigmeat product sector is to be
adapted so as to avoid, within certain limits, the applica-
tion of monetary compensatory amounts;

Whereas, as a result of the currency realignment of 6
October 1990 and having due regard to the provisions of

Commission Regulation (EEC) No 3578/88 of 17
November 1988 laying down detailed rules for the appli-
cation of the arrangements for the automatic dismantling
of negative monetary compensatory amounts ⁽⁵⁾, as last
amended by Regulation (EEC) No 3137/91 ⁽⁶⁾, new agri-
cultural conversion rates for the Greek drachma must be
fixed for the 1992/93 marketing year for tomatoes,
cucumbers, courgettes and aubergines without prejudice
to any changes resulting from Council Decisions or deve-
lopments relating to currency exchange rates;

Whereas the measures provided for in this Regulation are
in accordance with the opinion of the relevant manage-
ment committees,

HAS ADOPTED THIS REGULATION:

Article 1

Annex IV to Regulation (EEC) No 1678/85 is hereby
replaced by 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, 18 December 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 6.

⁽²⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁴⁾ OJ No L 279, 7. 10. 1991, p. 43.

⁽⁵⁾ OJ No L 312, 18. 11. 1988, p. 16.

⁽⁶⁾ OJ No L 297, 29. 10. 1991, p. 17.

ANNEX

ANNEX IV

GREECE

Sectors or products	Agricultural conversion rates			
	ECU 1 = Dr ...	Applicable until	ECU 1 = Dr ...	Applicable from
Milk and milk products	204,710	16. 6. 1991	252,121	17. 6. 1991
Beef and veal	204,710	16. 6. 1991	252,121	17. 6. 1991
Sheepmeat and goatmeat	231,754	5. 1. 1992	252,121	6. 1. 1992
Pigmeat (*)	262,098	24. 11. 1991	264,899	25. 11. 1991
Eggs and poultrymeat and ovalbumin and lactalbumin	212,503	30. 6. 1991	252,121	1. 7. 1991
Fishery products	206,395	31. 12. 1991	252,121	1. 1. 1992
Cereals	230,472	30. 6. 1991	252,121	1. 7. 1991
Rice	222,905	31. 8. 1991	252,121	1. 9. 1991
Sugar and isoglucose	230,472	30. 6. 1991	252,121	1. 7. 1991
Wine	230,472	31. 8. 1991	252,121	1. 9. 1991
Olive oil	232,153	31. 10. 1991	252,121	1. 11. 1991
Colza and rape seed	222,905	30. 6. 1991	252,121	1. 7. 1991
Sunflower and linseed	222,905	31. 7. 1991	252,121	1. 8. 1991
Soya beans	222,905	31. 8. 1991	252,121	1. 9. 1991
Dried fodder	231,968	16. 6. 1991	252,121	17. 6. 1991
Field beans and peas and sweet lupins	222,905	30. 6. 1991	252,121	1. 7. 1991
Grain legumes	204,710	30. 6. 1991	252,121	1. 7. 1991
Flax and hemp	222,905	31. 7. 1991	252,121	1. 8. 1991
Silkworms	231,968	16. 6. 1991	252,121	17. 6. 1991
Cotton	222,905	31. 8. 1991	252,121	1. 9. 1991
Tobacco	230,472	16. 6. 1991	252,121	17. 6. 1991
Seeds	222,905	30. 6. 1991	252,121	1. 7. 1991
Fruits and vegetables				
— tomatoes, cucumbers, courgettes, aubergines	252,121	31. 12. 1991	257,188	1. 1. 1992
— cherries	231,968	16. 6. 1991	252,121	17. 6. 1991
— apricots, peaches, nectarines, table grapes, cauliflowers	231,968	16. 6. 1991	252,121	17. 6. 1991
— cherries preserved in syrup	231,968	16. 6. 1991	252,121	17. 6. 1991
— pears, plums, lemons, tinned pineapples	231,968	16. 6. 1991	252,121	17. 6. 1991
— broad-leaved (Batavian) endives, processed tomatoes, cabbage lettuce, apples, peaches preserved in syrup, dried figs	222,905	30. 6. 1991	252,121	1. 7. 1991
— Williams pears preserved in syrup	222,905	14. 7. 1991	252,121	15. 7. 1991
— nuts, locust beans, prunes, dried grapes	222,905	31. 8. 1991	252,121	1. 9. 1991
— Clementines, mandarines, satsumas, sweet oranges, artichokes	222,905	30. 9. 1991	252,121	1. 10. 1991
— other fruit and vegetables	222,905	16. 6. 1991	252,121	17. 6. 1991
Amounts unrelated to price fixing	230,337	16. 6. 1991	252,121	17. 6. 1991
All other products	204,710	16. 6. 1991	252,121	17. 6. 1991

(*) Subject to Article 6a of Regulation (EEC) No 1677/85.

COMMISSION REGULATION (EEC) No 3697/91

of 18 December 1991

amending Regulation (EEC) No 641/86 laying down detailed rules for the application of the supplementary trade mechanism to importation into Portugal of the products processed from fruit and vegetables listed in Annex XXII to the Act of Accession

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 (1) thereof,

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

Having regard to Council Regulation (EEC) No 3792/85 of 20 December 1985 laying down the arrangements applying to trade in agricultural products between Spain and Portugal ⁽³⁾, as last amended by Regulation (EEC) No 3296/88, and in particular Article 5 (1) thereof,

Whereas Commission Regulation (EEC) No 574/86 ⁽⁴⁾, as last amended by Regulation (EEC) No 3296/88, lays down the detailed rules for the application of the supplementary trade mechanism ;

Whereas Commission Regulation (EEC) No 641/86 of 28 February 1986 laying down detailed rules for the application of the supplementary trade mechanism to importation into Portugal of the products processed from fruit and vegetables listed in Annex XXII to the Act of Accession ⁽⁵⁾, as last amended by Regulation (EEC) No 1544/91 ⁽⁶⁾, fixed, *inter alia*, in respect of certain products processed from fruit and vegetables, the indicative ceilings provided for in Article 251 (1) of the Act of Accession for the period 1 January to 31 December 1991 ;

Whereas the forward estimates relating to the products in question have been drawn up in accordance with the

procedure provided for in Article 22 of Council Regulation (EEC) No 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables ⁽⁷⁾, as last amended by Regulation (EEC) No 1943/91 ⁽⁸⁾ ;

Whereas these estimates enable the indicative ceilings for the products in question to be fixed for 1992 ; whereas such ceilings must, pursuant to Article 251 (2) of the Act of Accession, reflect a certain progress in relation to traditional trade flows, so as to ensure a harmonious and gradual opening up of the market ; whereas, to this end, the indicative ceilings should be raised by 70 % for 1992 ;

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

HAS ADOPTED THIS REGULATION :

Article 1

Regulation (EEC) No 641/86 is amended as follows :

1. Article 1 (1) is replaced by the following :

'1. The indicative ceilings provided for in Article 251 (1) of the Act of Accession are set out in the Annex for the period 1 January to 31 December 1992.'

2. The Annex is replaced by the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 January 1992.

⁽¹⁾ OJ No L 55, 1. 3. 1986, p. 106.

⁽²⁾ OJ No L 293, 27. 10. 1988, p. 7.

⁽³⁾ OJ No L 367, 31. 12. 1985, p. 7.

⁽⁴⁾ OJ No L 57, 1. 3. 1986, p. 1.

⁽⁵⁾ OJ No L 60, 1. 3. 1986, p. 34.

⁽⁶⁾ OJ No L 143, 7. 6. 1991, p. 32.

⁽⁷⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽⁸⁾ OJ No L 175, 4. 7. 1991, p. 1.

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

Done at Brussels, 18 December 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

(in tonnes)		
CN code	Description	Indicative ceiling
(1)	(2)	(3)
0812	Fruit and nuts, provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in another preservative solutions), but unsuitable in that state for immediate consumption :	1 161
0812 10 00	— Cherries	
0812 20 00	— Strawberries	
0812 90 50	— — Blackcurrants	
0812 90 60	— — Raspberries	
0812 90 90	— — Other	
0812 90 10	— — Abricots	107
2007	Jams, fruit jellies, marmalades, fruit or nut purée and fruit or nut pastes, being cooked preparations, whether or not containing added sugar or other sweetening matter	1 239
2008	Fruit, nut and other edible parts of plants, otherwise prepared or preserved, whether or not containing added sugar or other sweetening matter or spirit, not elsewhere specified or included :	
2008 20 91	— — — — Of 4,5 kg or more	
2008 20 99	— — — — Of less than 4,5 kg	
2008 30 51	— — — — Grapefruit segments	
2008 30 55	— — — — Mandarins (including tangerines and satumas); clementines, wilkings and other similar citrus hybrids	
2008 30 59	— — — — Other	
2008 30 71	— — — — Grapefruit segments	
2008 30 75	— — — — Mandarins (including tangerines and satumas); clementines, wilkings and other similar citrus hybrids	
2008 30 79	— — — — Other	
2008 30 91	— — — — Of 4,5 kg or more	
2008 30 99	— — — — Of less than 4,5 kg	
2008 40 59	— — — — Other	
2008 40 91	— — — — Of 4,5 kg ore more	
2008 40 99	— — — — Of less than 4,5 kg	
2008 50 61	— — — — With a sugar content exceeding 13 % by weight	
2008 50 69	— — — — Other	
2008 50 71	— — — — With a sugar content exceeding 15 % by weight	
2008 50 79	— — — — Other	
2008 50 91	— — — — Of 4,5 kg or more	
2008 50 99	— — — — Of less than 4,5 kg	
2008 60 71	— — — — Sour cherries (<i>Prunus cerasus</i>)	
2008 60 79	— — — — Other	
2008 60 91	— — — — Sour cherries (<i>Prunus cerasus</i>)	
2008 60 99	— — — — Other	
2008 70 69	— — — — Other	
2008 70 91	— — — — Of 4,5 kg or more	
2008 70 99	— — — — Of less than 4,5 kg	
2008 80 50	— — — Containing added sugar, in immediate packings of a net content exceeding 1 kg	

(in tonnes)		
CN code	Description	Indicative ceiling
(1)	(2)	(3)
2008 80 70	— — — Containing added sugar, in immediate packings of a net content not exceeding 1 kg	4 321
2008 80 91	— — — — Of 4,5 kg or more	
2008 80 99	— — — — Of less than 4,5 kg	
2008 92 50	— — — — — In immediate packings of a net content exceeding 1 kg	
2008 92 71	— — — — — Mixtures of fruit in which no single fruit exceeds 50 % of the total weight of the fruits	
2008 92 79	— — — — — Other	
2008 92 91	— — — — — Of 4,5 kg or more	
2008 92 99	— — — — — Of less than 4,5 kg	
2008 99 41	— — — — — Ginger	
2008 99 43	— — — — — Grapes	
2008 99 45	— — — — — Plums	
2008 99 48	— — — — — Other	
2008 99 51	— — — — — Ginger	
2008 99 53	— — — — — Grapes	
2008 99 55	— — — — — Plums	
2008 99 61	— — — — — Other	
2008 99 71	— — — — — Of 4,5 kg or more	
2008 99 79	— — — — — Of less than 4,5 kg	
2008 99 99	— — — — — Other	
2009	Fruit juices (including grape must) and vegetable juices, unfermented and not containing added spirit, whether or not containing added sugar or other sweetening matter :	
2009 20 11	— — — Of a value not exceeding ECU 30 per 100 kg net weight	
2009 20 19	— — — Other	
2009 20 91	— — — Of a value not exceeding ECU 30 per 100 kg net weight and with an added sugar content exceeding 30 % by weight	
2009 20 99	— — — Other	
2009 30 11	— — — Of a value not exceeding ECU 30 per 100 kg net weight	
2009 30 19	— — — Other	
2009 30 31	— — — — Containing added sugar	
2009 30 39	— — — — Other	
2009 30 91	— — — — — With an added sugar content exceeding 30 % by weight	
2009 30 95	— — — — — With an added sugar content not exceeding 30 % by weight	
2009 30 99	— — — — — Not containing added sugar	
2009 40 11	— — — Of a value not exceeding ECU 30 per 100 kg net weight	
2009 40 19	— — — Other	
2009 40 30	— — — Of a value exceeding ECU 30 per 100 kg net weight, containing added sugar	
2009 40 91	— — — — With an added sugar content exceeding 30 % by weight	
2009 40 93	— — — — With an added sugar content not exceeding 30 % by weight	
2009 40 99	— — — — Not containing added sugar	
2009 70 11	— — — Of a value not exceeding ECU 22 per 100 kg net weight	
2009 70 19	— — — Other	

(in tonnes)		
CN code	Description	Indicative ceiling
(1)	(2)	(3)
2009 70 30	— — — Of a value exceeding ECU 18 per 100 kg net weight, containing added sugar	3 788
2009 70 91	— — — — With an added sugar content exceeding 30 % weight	
2009 70 93	— — — — With an added sugar content not exceeding 30 % weight	
2009 70 99	— — — — Not containing added sugar	
2009 80 11	— — — — Of a value not exceeding ECU 22 per 100 kg net weight	
2009 80 19	— — — — Other	
2009 80 32	— — — — Of a value not exceeding ECU 30 per 100 kg net weight	
2009 80 39	— — — — Other	
2009 80 50	— — — — Of a value exceeding ECU 18 per 100 kg net weight, containing added sugar	
2009 80 61	— — — — — With an added sugar content exceeding 30 % by weight	
2009 80 63	— — — — — With an added sugar content not exceeding 30 % by weight	
2009 80 69	— — — — — Not containing added sugar	
2009 80 80	— — — — Of a value exceeding ECU 30 per 100 kg net weight, containing added sugar	
2009 80 83	— — — — — With an added sugar content exceeding 30 % by weight	
2009 80 93	— — — — — With an added sugar content not exceeding 30 % by weight	
2009 80 95	— — — — — Juice of fruit of the species <i>vaccinium macrocarpon</i>	
2009 80 99	— — — — — Other	
2009 90 11	— — — — Of a value not exceeding ECU 22 per 100 kg net weight	
2009 90 19	— — — — Other	
2009 90 21	— — — — Of a value not exceeding ECU 30 per 100 kg net weight	
2009 90 29	— — — — Other	
2009 90 31	— — — — Of a value not exceeding ECU 18 per 100 kg net weight and with an added sugar content exceeding 30 % by weight	
2009 90 39	— — — — Other	
2009 90 41	— — — — — Containing added sugar	
2009 90 49	— — — — — Other	
2009 90 51	— — — — — Containing added sugar	
2009 90 59	— — — — — Other	
2009 90 71	— — — — — With an added sugar content exceeding 30 % by weight	
2009 90 73	— — — — — With an added sugar content not exceeding 30 % by weight	
2009 90 79	— — — — — Not containing added sugar	
2009 90 91	— — — — — Wit an added sugar content exceeding 30 % by weight	
2009 90 93	— — — — — With an added sugar content not exceeding 30 % by weight	
2009 90 99	— — — — — Not containing added sugar	

COMMISSION REGULATION (EEC) No 3698/91

of 18 December 1991

on the sale at a price fixed in advance of unprocessed dried grapes to distillation industries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables ⁽¹⁾, as last amended by Regulation (EEC) No 1943/91 ⁽²⁾, and in particular Article 8 (7) thereof,

Having regard to Council Regulation (EEC) No 1206/90 of 7 May 1990 laying down general rules for the system of production aid for processed fruit and vegetables ⁽³⁾, as amended by Regulation (EEC) No 2202/90 ⁽⁴⁾, and in particular Article 6 (2) thereof,

Whereas Article 6 (2) of Commission Regulation (EEC) No 626/85 of 12 March 1985 on the purchasing, selling and storage of unprocessed dried grapes and figs by storage agencies ⁽⁵⁾, as last amended by Regulation (EEC) No 3601/90 ⁽⁶⁾, provides that products intended for specific uses shall be sold at prices fixed in advance or determined by an invitation to tender;

Whereas Commission Regulation (EEC) No 913/89 of 10 April 1989 on the sale of unprocessed dried grapes by storage agencies for the manufacture of alcohol ⁽⁷⁾ provides that unprocessed dried grapes may be sold at a price fixed in advance to distillation industries;

Whereas the Greek storage agencies are holding roughly 19 000 tonnes of unprocessed dried grapes from the 1989 harvest; whereas these products cannot find outlets for direct human consumption; whereas the products should be offered to the distillation industries;

Whereas the selling price should be fixed in such a way that disturbance of the Community market in alcohol and spirituous beverages is avoided;

Whereas the amount of the processing security provided for in Article 2 (2) of Regulation (EEC) No 913/89 should be fixed, taking into consideration the difference between

the normal market price for dried grapes and the selling price fixed by this Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The Greek storage agencies listed in the Annex shall proceed to the sale of a maximum of 15 000 tonnes of sultanas from the 1989 harvest, in accordance with Regulations (EEC) No 626/85 and (EEC) No 913/89 at a price of ECU 8,3 per 100 kilograms net.
2. The processing security referred to in Article 2 (2) of Regulation (EEC) No 913/89 shall be ECU 15,715 per 100 kilograms net.

Article 2

1. Purchase applications must be lodged in writing with each Greek storage agency at the headquarters of the YDAGEP, 241 Acharnon Street, Athens, hereinafter referred to as the 'competent authority'.
2. Details of quantities and storage locations may be obtained by interested parties at the addresses given in the Annex.

Article 3

1. The competent authority shall ensure that the quantity referred to in Article 1 (1) is not exceeded.
2. The storage agencies shall notify the competent authority on a daily basis of the applications and quantities deemed acceptable under Article 8 (1) of Regulation (EEC) No 626/85. For this purpose, the said authority shall approve the purchase applications before acceptance.

Article 4

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

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ OJ No L 175, 4. 7. 1991, p. 1.

⁽³⁾ OJ No L 119, 11. 5. 1990, p. 74.

⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 4.

⁽⁵⁾ OJ No L 72, 13. 3. 1985, p. 7.

⁽⁶⁾ OJ No L 350, 14. 12. 1990, p. 54.

⁽⁷⁾ OJ No L 97, 11. 4. 1989, p. 5.

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

Done at Brussels, 18 December 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

List of storage agencies referred to in Article 1 of this Regulation

1. KSOS, 24 Kanari Street, Athens, Greece.
 2. Enosis Georgicon Sineterismon Iracliou Crete, Iraclio Crete, Greece.
 3. Enosis Georgicon Sineterismon Messaras, Mires Iracliou Crete, Greece.
 4. Enosis Georgicon Sineterismon Monofatsiou, Assimi Iracliou Crete, Greece.
 5. Agrotikos Sineterismos Croussonos, Crousson Crète, Greece.
-

COMMISSION REGULATION (EEC) No 3699/91**of 18 December 1991****amending Regulation (EEC) No 2824/88 laying down certain detailed rules for the application of the system of maximum guaranteed quantities in the tobacco sector**

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

Having regard to Council Regulation (EEC) No 727/70 of 21 April 1970 on the common organization of the market in raw tobacco ⁽¹⁾, as last amended by Regulation (EEC) No 1737/91 ⁽²⁾, and in particular Article 3 (3) and Article 4 (5) thereof,

Whereas Regulation (EEC) No 1737/91 provides that the system of maximum guaranteed quantities shall be maintained for the 1991 harvest; whereas it is accordingly necessary to maintain also the detailed rules for the application of this system for the 1991 harvest as provided for by Commission Regulation (EEC) No 2824/88 ⁽³⁾;

Whereas account should be taken of the Court of Justice judgment of 11 July 1991 in Case C-368/89;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2824/88 is amended as follows:

1. the second subparagraph of Article 2 (1) is replaced by the following:

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

Done at Brussels, 18 December 1991.

'However, the reductions may not exceed 15 % for the 1989 to 1991 harvests.'

2. Article 3 (1) is replaced by the following:

'1. Until actual production has been determined as provided for in Article 1, not more than 85 % of the amounts fixed for the intervention prices and premiums for the 1989 to 1991 harvests may be paid. However, at the discretion of the Member State, 100 % of those prices and premiums may be paid if a security equal to 15 % is lodged for the 1989 to 1991 harvests.'

3. in Article 4, the first two indents are replaced by the following:

— in the case referred to in Article 7 (2) (a), the security shall be increased by 15 % or the advance shall be reduced by 15 % for the 1989 to 1991 harvests,

— in the case referred to in Article 7 (2) (b), a security of 15 % of the premium for the 1989 to 1991 harvests shall be lodged, or the advance shall be reduced by the abovementioned percentage for those harvests.'

Article 2

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

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 1.

⁽²⁾ OJ No L 163, 26. 6. 1991, p. 11.

⁽³⁾ OJ No L 254, 14. 9. 1988, p. 9.

COMMISSION REGULATION (EEC) No 3700/91**of 18 December 1991****laying down detailed rules of application to potato starch falling within CN code 1108 13 00 of Council Regulation (EEC) No 3588/91 reducing, for 1992, the levies on certain agricultural products originating in the developing countries**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3588/91 of 3 December 1991 extending to 1992 the application of Regulation (EEC) No 3834/90 reducing for 1991 the levies on certain agricultural products originating in developing countries⁽¹⁾, and in particular Article 3 thereof,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽²⁾, No 3653/90⁽³⁾, and in particular Article 12 (2) thereof,

Whereas Regulation (EEC) No 3588/91 made provision for a reduction in the import levy on potato starch falling within CN code 1108 13 00 up to a fixed amount of 5 000 tonnes per year;

Whereas detailed rules of application of that Regulation should be set; whereas it should be provided that licences for importation as part of the said fixed amount should be issued following a review period and subject, if necessary, to a uniformly reduced percentage of the quantities applied for;

Whereas the originating status of imports must be guaranteed by requiring submission of a document issued by the originating country before the licence can be issued;

Whereas the information to be shown on applications and licences should be specified, notwithstanding Articles 8 and 21 of Commission (EEC) No 3719/88 of 16 November 1988 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products⁽⁴⁾, as last amended by Regulation (EEC) No 1599/90⁽⁵⁾; whereas, however, given the period of application of Regulation (EEC) No 3588/91, licences should not be valid after 31 December of the year of issue;

Whereas sound management of the arrangement demands that, notwithstanding Article 12 of Commission Regula-

tion (EEC) No 891/89 of 5 April 1989 on special detailed rules for the application of the system of import and export licences for cereals and rice⁽⁶⁾, as last amended by Regulation (EEC) No 3562/91⁽⁷⁾, the security for import licences issued under the arrangement be set at ECU 25 per tonne;

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 arrangements set out in Article 1 of Regulation (EEC) No 3588/91 shall apply to potato starch falling within CN code 1108 13 00 originating in developing countries. The provisions of this Regulation shall apply.

Article 2

To be admissible the licence application must accompany the original of the GSP certificate of origin Form A issued by the competent authorities of the country in question.

Article 3

1. Applications for import licences relating to the fixed quantity laid down by Regulation (EEC) No 3588/91 may be lodged with the competent authorities of any Member State on the first working day of the week before 1 p.m. Belgian time.

They must be for a quantity of not less than 50 tonnes product weight and not more than 1 000 tonnes.

2. Member States shall transmit import licence applications to the Commission by telec by 6 p.m. Belgian time on the day on which they are lodged.

This notification shall be made separately from that of other applications for cereal import licences.

⁽¹⁾ OJ No L 341, 12. 12. 1991, p. 6.

⁽²⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽³⁾ OJ No L 362, 27. 12. 1990, p. 28.

⁽⁴⁾ OJ No L 331, 2. 12. 1988, p. 1.

⁽⁵⁾ OJ No L 151, 15. 6. 1990, p. 29.

⁽⁶⁾ OJ No L 94, 7. 4. 1989, p. 13.

⁽⁷⁾ OJ No L 336, 7. 12. 1991, p. 30.

3. By the following Friday at the latest the Commission shall decide to what extent licence applications are to be accepted and shall notify the Member States by telex.

4. Licences shall, without prejudice to paragraph 3, be issued on the fifth working day following that on which their application was lodged. Article 21 (1) of Regulation (EEC) No 3719/88 notwithstanding, the starting time of the period of validity of the licence shall be the day of its issue.

The period of validity may not, however, extend beyond 31 December of the year of issue.

5. Article 8 (4) of Regulation (EEC) No 3719/88 notwithstanding, the quantity released for free circulation may not exceed that shown in boxes 17 and 18 of the import licence. To this end the figure '0' shall be entered in box 19 of the licence.

Article 4

For potato starch to be imported at the reduced levy rate provided for in Article 1 (1) of Regulation (EC) No 3834/90 the import licence application and the licence shall show:

(a) in box 20, one of the following entries:

Producto SPG, Reglamento (CEE) n° 3700/91
GPO-produkt, forordning (EØF) nr. 3700/91
APS-Erzeugnis, Verordnung (EWG) Nr. 3700/91
Προϊόν SPG, Κανονισμός (ΕΟΚ) αριθ. 3700/91
SPG-Product, Regulation (EEC) No 3700/91

Produit SPG, règlement (CEE) n° 3700/91
Prodotto SPG, regolamento (CEE) n. 3700/91
APS-produkt, Verordening (EEG) nr. 3700/91
Produto SPG, regulamento (CEE) n° 3700/91;

(b) in box 8, the country of origin of the product.

The licence shall carry with it an obligation to import from the said country.

The licence shall also carry, in box 24, one of the following entries:

Exacción reguladora reducida un 50 %
Nedsættelse af importafgiften med 50 %
Ermäßigung der Abschöpfung um 50 %
Μειωμένη εισφορά κατά 50 %
50 % levy reduction
Prélèvement réduit de 50 %
Prelievo ridotto del 50 %
Met 50 % verlaagde heffing
Direito nivelador reduzido de 50 %.

Article 5

Article 12 (a) and (b) of Regulation (EEC) No 891/89 notwithstanding, the security rate in the case of import licences covered by the present Regulation shall be ECU 25 per tonne.

Article 6

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, 18 December 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 3701/91

of 18 December 1991

laying down detailed rules for the application of the import arrangements provided for in Council Regulation (EEC) No 3667/91 for frozen meat of bovine animals covered by CN code 0202 and products covered by CN code 0206 29 91

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3667/91 of 11 December 1991 opening, allocating and providing for the administration of a Community tariff quota for frozen meat of bovine animals falling within CN code 0202 and products falling within CN code 0206 29 91 (1991)⁽¹⁾, and in particular Article 4 thereof,

Having regard to Regulation (EEC) No 805/68 of the Council of 27 June 1968 on the common organization of the market in beef and veal⁽²⁾, as last amended by Regulation (EEC) No 1628/91⁽³⁾, and in particular Article 15 (2) thereof,

Whereas Regulation (EEC) No 3667/91 lays down the method for administering the Community tariff quota for frozen beef falling within CN code 0202 and for products falling within CN code 0206 29 91 and splits this quota into two parts, one of 42 400 tonnes apportioned between traditional importers and the other of 10 600 tonnes apportioned between the operators which have engaged in beef trade with third countries;

Whereas, in order to ensure a smooth switchover from the arrangements based on national administration to arrangements subject to Community administration, while taking into account the commercial peculiarities of the products in question, provision should be made for the allocation on a proportional basis of the first part to traditional importers who can prove that, during 1989, 1990 and 1991, they imported products covered by the quota; whereas, however, within the framework of the procedure based on the submission of applications from interested parties and their acceptance to the extent determined by the Commission, importers who can demonstrate the genuine nature of their business, and who apply for quantities of some significance should be granted access to the second part; whereas verification of the latter criterion requires that applications from a particular operator are to be submitted in the same Member State;

Whereas, in the light of the specific situation resulting from German unification, special rules should be laid down on access to the abovementioned second part by operators established in the territory of the former

German Democratic Republic, in respect of the reference years to be taken into consideration;

Whereas Commission Regulation (EEC) No 3719/88⁽⁴⁾, as amended by Regulation (EEC) No 92/91⁽⁵⁾, lays down common detailed rules for the application of the system of import and export licences and advance-fixing certificates for agricultural products; whereas Commission Regulation (EEC) No 2377/80⁽⁶⁾, as last amended by Regulation (EEC) No 839/91⁽⁷⁾, lays down special detailed rules on the system of import licences to the beef sector;

Whereas provision should be made for the Member States to forward information on the import arrangement in question;

Whereas the Management Committee for Beef and Veal has not reached an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

1. The quantity referred to in Article 2 (a) of Regulation (EEC) No 3667/91 (42 400 tonnes) shall be reserved for operators who can furnish proof of having imported frozen meat falling within CN code 0202 and products falling within CN code 0206 29 91 covered by the quota referred to in Council Regulations (EEC) No 4076/88⁽⁸⁾, (EEC) No 3889/89⁽⁹⁾ and (EEC) No 3838/90⁽¹⁰⁾ during the last three years.

2. The quantity referred to in Article 2 (b) of Regulation (EEC) No 3667/91 (10 600 tonnes) shall be reserved for operators who can furnish proof of having:

- imported at least 50 tonnes per of beef and veal not subject to the quotas referred to in Regulations (EEC) No 3889/89 and (EEC) No 3838/90, or
- exported to third countries at least 100 tonnes per year of beef and veal,

during both 1990 and 1991.

⁽¹⁾ OJ No L 349, 18. 12. 1991, p. 1.

⁽²⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽³⁾ OJ No L 150, 15. 6. 1991, p. 16.

⁽⁴⁾ OJ No L 331, 2. 12. 1988, p. 1.

⁽⁵⁾ OJ No L 11, 16. 1. 1991, p. 11.

⁽⁶⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁷⁾ OJ No L 85, 5. 4. 1991, p. 20.

⁽⁸⁾ OJ No L 359, 28. 12. 1988, p. 5.

⁽⁹⁾ OJ No L 378, 27. 12. 1989, p. 16.

⁽¹⁰⁾ OJ No L 367, 29. 12. 1990, p. 3.

However, for operators established in the territory of the former German Democratic Republic before 1 December 1991, only the year 1991 shall be taken into consideration.

For the purposes of applying this paragraph :

- the term 'beef and veal' shall be understood as the products falling within CN codes 0201, 0202 and 0206 29 91,
- the minimum reference quantities shall be expressed in terms of product weight.

3. The proof referred to in paragraphs 1 and 2 shall be provided by means of customs document of release for free circulation or export document. For reference year 1989, Member States may provide that the proof of importation be furnished by the holder whose name appears in box 4 of the import licence.

4. The 42 400 tonnes shall be allocated between the various importers in proportion to their imports during the reference years.

5. The 10 600 tonnes shall be allocated in proportion to the quantities applied for by importers.

Article 2

1. Operators referred to in Article 1 (1) who, at 1 January 1992 were no longer engaged in any activity in the beef sector, shall not qualify under the arrangements provided for in this Regulation.

2. Companies arising from mergers each having rights under Article 1 (1), shall benefit from the same rights as the companies from which they were formed.

Article 3

1. For the purposes of applying Article 1 (1), operators shall present to the competent authorities the participation application together with the proof referred to in Article 1 (3) by 20 January 1992 at the latest. After verification of the documents presented, the Member States shall forward to the Commission by 7 February 1992 at the latest, a list of operators who answer to the acceptance conditions containing in particular their names and addresses and the quantities of meat imported under the quota in question during each of the reference years.

2. For the purposes of applying Article 1 (2), participation applications from operators, together with the proof referred to in Article 1 (3), may be lodged up to 20 January 1992.

The application or applications lodged by the same party shall relate to an overall quantity not exceeding 50 tonnes of frozen meat.

After verification of the documents presented, the Member States shall forward to the Commission by

7 February 1992 at the latest a list of the applicants and of the quantities applied for.

Article 4

Licence applications referred to in Article 3 shall be admissible only where the applicant declares in writing that he has not lodged and undertakes not to lodge any application under the same special arrangements in any Member State other than that in which the application is lodged ; if an applicant lodges applications in respect of the same special arrangements in two or more Member States, none of these applications shall be admissible.

All applications from the same applicant shall be regarded as a single application.

Article 5

1. The Commission shall decide to what extent applications may be accepted.

2. As regards the applications referred to in Article 3 (2), if the quantities for which licences are applied for exceed the quantities available, the Commission shall reduce the amounts applied for by a fixed percentage.

If the reduction referred to in the preceding subparagraph results in a quantity of less than five tonnes per application, the allocation shall be by drawing lots, by batches of five tonnes.

Article 6

1. For the quantities allocated in accordance with Article 5, import licences shall be issued from 9 March 1992 upon application by the participant.

2. Licence applications and licences shall contain :

(a) in section 20, one of the following endorsements :

- Carne de vacuno congelada [Reglamento (CEE) n° 3701/91]
- frosset kød af hornkvæg (forordning (EØF) nr. 3701/91)
- Gefrorenes Rindfleisch (Verordnung (EWG) Nr. 3701/91)
- Κατεψυγμένο βόειο κρέας (κανονισμός (ΕΟΚ) αριθ. 3701/91)
- frozen meat of bovine animals (Regulation (EEC) No 3701/91)
- Viande bovine congelée (règlement (CEE) n° 3701/91)
- Carni bovine congelate (regolamento (CEE) n. 3701/91)
- Bevroren rundvlees (Verordening (EEG) nr. 3701/91)
- Carne de bovino congelada [Regulamento (CEE) n° 3701/91];

(b) in section 8, the country of origin ;

(c) in section 24, one of the following endorsements :

- exacción reguladora suspendida para ... (cantidad para la que se haya extendido el certificado) kg
- suspension af importafgift for ... (den mængde licensen er udstedt for) kg
- Aussetzung der Abschöpfung für ... kg (Menge, für die die Lizenz erteilt wurde)
- αναστέλλεται η εισφορά για ... kg (ποσότητα για την οποία χορηγήθηκε το πιστοποιητικό)
- levy suspended for ... (quantity for which the licence was issued) kg
- prélèvement suspendu pour ... (quantité pour laquelle le certificat a été délivré) kg
- prelievo sospeso per ... (quantitativo per il quale è stato rilasciato il certificato) kg
- Heffing geschorst voor ... (hoeveelheid waarvoor het certificaat is afgegeven) kg
- Direito nivelador suspenso para ... kg (quantidade para a qual foi emitido o certificado).

3. For the purposes of applying the arrangements, where the quantities are imported under the terms of Article 8 (4) of Regulation (EEC) No 3719/88, the levy fixed in accordance with Article 12 of Regulation (EEC) No 805/68 and the Common Customs Tariff duty of

20 % shall be charged on the quantities exceeding those indicated in the import licence.

Article 7

For the purpose of applying the arrangements provided for by Regulation (EEC) No 3667/91, the quantities to be imported must meet the conditions laid down in Article 17 (2) (f) of Council Directive 72/462/EEC⁽¹⁾.

Article 8

1. Regulation (EEC) No 2377/80 shall apply.
2. However, notwithstanding Articles 3 and 6 of Regulation (EEC) No 2377/80, the security for import licences shall be ECU 10 per 100 kilograms net weight, and the term of validity of the licences shall expire on 31 December 1992.
3. The security referred to in paragraph 2 shall be lodged when the licences referred to are issued.

Article 9

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, 18 December 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 302, 31. 12. 1972, p. 28.

COMMISSION REGULATION (EEC) No 3702/91

of 18 December 1991

derogating from Regulation (EEC) No 2377/80 in respect of issue of import
licences under certain special arrangements 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 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 15 (2) thereof,

Whereas certain special import arrangements for products
in the beef and veal sector, referred to in Articles 9 to 11
of Commission Regulation (EEC) No 2377/80⁽³⁾, as last
amended by Regulation (EEC) No 815/91⁽⁴⁾ have not yet
been decided by the Council for 1992; whereas, conse-
quently, it is necessary to derogate from Regulation (EEC)
No 2377/80 with regard to the periods for lodging appli-
cations and for the granting of licences within the frame-
work of these special systems;

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

Article 15 of Regulation (EEC) No 2377/80 notwithstan-
ding,

- no application for a licence may be lodged in respect
of the arrangements referred to in Articles 9 to 11 of
Regulation (EEC) No 2377/80,
- the information provided for in Article 15 (4) (a) and
(b) of the said Regulation shall not be communicated.

Article 2

This Regulation shall enter into force on 1 January 1992.

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

Done at Brussels, 18 December 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 150, 15. 6. 1991, p. 16.

⁽³⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁴⁾ OJ No L 83, 3. 4. 1991, p. 6.

COMMISSION REGULATION (EEC) No 3703/91

of 18 December 1991

re-establishing the levying of customs duties on products of category 13 (order No 40.0130), originating in Pakistan, to which the preferential tariff arrangement set out in Council 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 13 (order No 40.0130), originating in Pakistan, the relevant ceiling amounts to 2 018 000 pieces;

Whereas on 26 August 1991 imports of the products in question into the Community, originating in Pakistan, 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 Pakistan,

HAS ADOPTED THIS REGULATION:

Article 1

As from 22 December 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 Pakistan:

Order No	Category (unit)	CN code	Description
40.0130	13 (1 000 pieces)	6107 11 00	Men's or boys' underpants and briefs, women's or girls' knickers and briefs, knitted or crocheted, of wool, cotton or of man-made fibres
		6107 12 00	
		6107 19 00	
		6108 21 00	
		6108 22 00	
		6108 29 00	

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, 18 December 1991.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 370, 31. 12. 1990, p. 39.

COMMISSION REGULATION (EEC) No 3704/91**of 18 December 1991****fixing the difference in white sugar prices to be used in calculating the levy for processed fruit and vegetable products and for wine**

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

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

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987, on the common organization of the market in wine⁽³⁾ as last amended by Regulation (EEC) No 1734/91⁽⁴⁾, and in particular Article 55 (3) thereof,

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For the period 1 January to 31 March 1992, the difference referred to in Article 10 (3) of Regulation (EEC) No 426/86 and in Article 55 (2) of Regulation (EEC) No 822/87 is fixed at ECU 0,4391.

Article 2

This Regulation shall enter into force on 1 January 1992.

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

Done at Brussels, 18 December 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ OJ No L 175, 4. 7. 1991, p. 1.

⁽³⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽⁴⁾ OJ No L 163, 26. 6. 1991, p. 6.

COMMISSION REGULATION (EEC) No 3705/91

of 18 December 1991

on a protective measure applicable to imports of provisionally preserved cultivated mushrooms

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables ⁽¹⁾, as last amended by Regulation (EEC) No 1943/91 ⁽²⁾, and in particular Article 18 (2) thereof,

Whereas Council Regulation (EEC) No 521/77 ⁽³⁾ lays down detailed rules for applying protective measures in the market in products processed from fruit and vegetables;

Whereas quantities of cultivated mushrooms provisionally preserved, but unsuitable for consumption in that state, released for free circulation in the Community have increased since the beginning of 1990;

Whereas the levels of prices applying in the main third country supplying the Community for the 1990/91 marketing year are lower than those for similar products obtained in the Community; whereas it is accordingly difficult to market the latter;

Whereas Commission Regulation (EEC) No 2891/90 of 5 October 1990 on the issue of import licences for provisionally preserved cultivated mushrooms ⁽⁴⁾ fixes the maximum quantity of that product which may be released for free circulation in 1990; whereas Regulations (EEC) No 3758/90 ⁽⁵⁾, (EEC) No 809/91 ⁽⁶⁾, (EEC) No 2162/91 ⁽⁷⁾ and (EEC) No 3106/91 ⁽⁸⁾ on protective measures applicable to imports of provisionally preserved cultivated mushrooms have fixed a maximum quantity respectively for the periods 1 January to 31 March 1991, 1 April to 31 July 1991, 1 August to 31 October 1991 and 1 November to 31 December 1991;

Whereas there is a danger that from 1 January 1992 applications for import licences may be excessive in relation to actual requirements and may be submitted for speculative reasons pending the entry into force of new regulations on the tariff classification of certain provisionally preserved mushrooms and the relevant adaptation of

the import arrangements for the mushrooms in question pending the entry into force of the outcome of the discussions on the subject with certain exporting countries; whereas this could create serious disturbances on the Community market, which could undermine the objectives of Article 39 of the Treaty; whereas protective measures must therefore be applied from 1 January 1992;

Whereas the protective measures must be such as to prevent large-scale imports during a very limited period; whereas, to that end, taking into consideration the criteria laid down in Regulation (EEC) No 521/77 and pending the entry into force of the abovementioned measures the quantities of the product in question which may be released for free circulation for a period of two months should be determined on the basis of the quantities imported during the same period in the preceding year and of a rate of increase in line with the smooth development of trade;

Whereas, in order to ensure that the said quantity is properly used and to avoid the submission of applications for speculative reasons, the bulk of the quantity should be reserved for importers who in the past obtained supplies of provisionally preserved cultivated mushrooms on the basis of the quantities they obtained in 1989, 1990 and 1991, while access to that quantity should be maintained for new importers;

Whereas, lastly, the additional rules necessary for the issue of the licences should be laid down; whereas such rules are complementary to or derogate from the provisions of Commission Regulation (EEC) No 2405/89 of 1 August 1989 laying down special detailed rules for the application of the system of import licences and advance fixing certificates for products processed from fruit and vegetables ⁽⁹⁾, as last amended by Regulation (EEC) No 2641/91 ⁽¹⁰⁾,

HAS ADOPTED THIS REGULATION:

Article 1

1. For the period 1 January to 29 February 1992, import licences shall be issued for 6 300 tonnes of cultivated mushrooms provisionally preserved but unsuitable for consumption in that state and covered by CN code ex 0711 90 50.

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ OJ No L 175, 4. 7. 1991, p. 1.

⁽³⁾ OJ No L 73, 21. 3. 1977, p. 28.

⁽⁴⁾ OJ No L 276, 6. 10. 1990, p. 29.

⁽⁵⁾ OJ No L 360, 22. 12. 1990, p. 49.

⁽⁶⁾ OJ No L 82, 28. 3. 1991, p. 47.

⁽⁷⁾ OJ No L 201, 24. 7. 1991, p. 12.

⁽⁸⁾ OJ No L 294, 25. 10. 1991, p. 14.

⁽⁹⁾ OJ No L 227, 4. 8. 1989, p. 34.

⁽¹⁰⁾ OJ No L 247, 5. 9. 1991, p. 11.

2. Import licences shall be applied for and issued in accordance with Regulation (EEC) No 2405/89, without prejudice to the specific provisions of this Regulation.

Article 2

1. The quantity fixed in Article 1 (1) shall be allocated as follows:

- (a) 5 300 tonnes to importers who have submitted applications for import licences for the products in question in the course of 1989, 1990 and 1991,
- (b) 1 000 tonnes to importers who do not fulfil the condition set out in (a).

However, where the quantities specified in (a) or (b) is not applied for, or is only partially applied for, the quantity available shall be allocated to the other group of importers who have submitted applications.

- 2. (a) No application for a licence submitted by an importer as referred to in paragraph 1 (a) may relate to a quantity in excess of 8 % of the quantity supplied to that importer in 1989, 1990 and 1991,
- (b) No application for a licence submitted by an importer as referred to in paragraph 1 (b) may relate to a quantity in excess of 10 % of the quantity shown therein.

Article 3

Applications for import licences shall be submitted to the competent authorities of the Member States on 2 and 3 January 1992. Those authorities shall forward the applications to the Commission by 4 p.m. on 6 January 1992 at the latest, distinguishing between the quantities applied for under points (a) and (b) of Article 2 (1).

Article 4

By 7. January 1992 at the latest, the Commission shall fix and communicate by telex to the Member States the quantities for which licences are to be issued for each of the two categories of applications mentioned in Article 2 (1).

Article 5

The licences for which applications are forwarded pursuant to Article 3 shall be issued on 8 January 1992.

Article 6

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

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

Done at Brussels, 18 December 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 3706/91

of 18 December 1991

fixing the maximum export refund for white sugar for the 34th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EEC) No 963/91

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 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 464/91 ⁽²⁾, and in particular the first subparagraph of Article 19 (4) (b) thereof,Whereas Commission Regulation (EEC) No 963/91 of 18 April 1991 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar ⁽³⁾ requires partial invitations to tender to be issued for the export of this sugar;

Whereas, pursuant to Article 9 (1) of Regulation (EEC) No 963/91, a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question;

Whereas, following an examination of the tenders submitted in response to the 34th partial invitation to tender, the provisions set out in Article 1 should be adopted;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 34th partial invitation to tender for white sugar issued pursuant to Regulation (EEC) No 963/91 the maximum amount of the export refund is fixed at ECU 41,216 per 100 kilograms.

Article 2

This Regulation shall enter into force on 19 December 1991.

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

Done at Brussels, 18 December 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.⁽²⁾ OJ No L 54, 28. 2. 1991, p. 22.⁽³⁾ OJ No L 100, 20. 4. 1991, p. 9.

COMMISSION REGULATION (EEC) No 3707/91
of 18 December 1991
fixing the export refunds on olive oil

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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⁾,

Having regard to Council Regulation (EEC) No 1650/86 of 26 May 1986 on export refunds and levies on olive oil⁽³⁾, and in particular the first sentence of Article 3 (1) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 20 of Regulation No 136/66/EEC provides that, where prices within the Community are higher than world market prices, the difference between these prices may be covered by a refund when olive oil is exported to third countries;

Whereas the detailed rules for fixing and granting export refunds on olive oil are contained in Regulation (EEC) No 1650/86 and Commission Regulation (EEC) No 616/72⁽⁴⁾, as last amended by Regulation (EEC) No 2962/77⁽⁵⁾;

Whereas the first indent of Article 2 of Regulation (EEC) No 1650/86 provides that the refund must be the same for the whole Community;

Whereas, in accordance with Article 4 of Regulation (EEC) No 1650/86, the refund for olive oil must be fixed in the light of the existing situation and outlook in relation to olive oil prices and availability on the Community market and olive oil prices on the world market;

Whereas, however, where the world market situation is such that the most favourable olive oil prices cannot be determined, account may be taken of the price of the main competing vegetable oils on the world market and the difference recorded between that price and the price of olive oil during a representative period;

Whereas the amount of the refund may not exceed the difference between the price of olive oil in the Community and that on the world market, adjusted, where appropriate, to take account of export costs for the products on the world market;

Whereas, in accordance with Article 5 of Regulation (EEC) No 1650/86, it may be decided that the refund shall be fixed by tender;

Whereas the tendering procedure should cover the amount of the refund and may be limited to certain countries of destination, quantities, qualities and presentations;

Whereas the second indent of Article 2 of Regulation (EEC) No 1650/86 provides that the refund on olive oil may be varied according to destination where the world market situation or the specific requirements of certain markets make this necessary;

Whereas Article 3 (1) of Regulation (EEC) No 1650/86 provides that the refund must be fixed at least once every month; whereas it may, if necessary, be altered in the intervening period;

Whereas it follows from applying these detailed rules to the present situation on the market in olive oil and in particular to olive oil prices within the Community and on the markets of third countries that the refund should be as set out in the Annex hereto;

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 the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Oils and Fats,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (2) (c) of Regulation No 136/66/EEC shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 19 December 1991.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 201, 31. 7. 1990, p. 9.

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

⁽²⁾ OJ No L 162, 26. 6. 1991, p. 27.

⁽³⁾ OJ No L 145, 30. 5. 1986, p. 8.

⁽⁴⁾ OJ No L 78, 31. 3. 1972, p. 1.

⁽⁵⁾ OJ No L 348, 30. 12. 1977, p. 53.

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

Done at Brussels, 18 December 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 18 December 1991 fixing the export refunds on olive oil

(ECU/100 kg)	
Product code	Amount of refund (1)
1509 10 90 100	21,00
1509 10 90 900	0,00
1509 90 00 100	38,00
1509 90 00 900	72,00
1510 00 90 100	8,00
1510 00 90 900	0,00

(1) For destinations mentioned in Article 34 of amended Commission Regulation (EEC) No 3665/87 (OJ No L 351, 14. 12. 1987, p. 1), as well as for exports to third countries.

NB: The product codes and the footnotes are defined in amended Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1).

COMMISSION REGULATION (EEC) No 3708/91**of 18 December 1991****fixing the maximum export refunds on olive oil for the third partial invitation to tender under the standing invitation to tender issued by Regulation (EEC) No 3149/91**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) 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⁾,

Having regard to Council Regulation (EEC) No 1650/86 of 26 May 1986 on the refunds and levies applicable to exports of olive oil ⁽³⁾, and in particular Article 7 thereof,

Whereas Commission Regulation (EEC) No 3149/91 ⁽⁴⁾ issued a standing invitation to tender with a view to determining the export refunds on olive oil;

Whereas Article 6 of Regulation (EEC) No 3149/91 provides that maximum amounts are to be fixed for the export refunds in the light in particular of the current situation and foreseeable developments on the Community and world olive-oil markets and on the basis of the tenders received; whereas contracts are awarded to any tenderer who submits a tender at the level of the maximum refund or at a lower level;

Whereas, for the purposes of applying the above-mentioned provisions, the maximum export refunds should be set at the levels specified in the Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refunds for olive oil for the third partial invitation to tender under the standing invitation to tender issued by Regulation (EEC) No 3149/91 are hereby fixed in the Annex, on the basis of the tenders submitted by 18 December 1991.

Article 2

This Regulation shall enter into force on 19 December 1991.

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

Done at Brussels, 18 December 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 145, 30. 5. 1986, p. 8.

⁽⁴⁾ OJ No L 299, 30. 10. 1991, p. 24.

ANNEX

to the Commission Regulation of 18 December 1991 fixing the maximum export refunds on olive oil for the third partial invitation to tender under the standing invitation to tender issued by Regulation (EEC) No 3149/91

<i>(ECU/100 kg)</i>	
Product code	Amount of refund
1509 10 90 100	26,00
1509 10 90 900	—
1509 90 00 100	46,00
1509 90 00 900	—
1510 00 90 100	12,00
1510 00 90 900	—

NB: The products codes and the footnotes are defined in amended Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1).

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 10 December 1991

on the establishment of an addendum to the Community support framework for Community structural assistance in the United Kingdom (Northern Ireland) on the improvement of the conditions under which agricultural products are processed and marketed

(Only the English text is authentic)

(91/648/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2052/88 of 24 June 1988 on the tasks of the Structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments⁽¹⁾, and in particular Article 8 (5) thereof,

After consultation of the Committee for the Development and Reconversion of Regions,

Whereas the Commission has approved by Decision 89/639/EEC⁽²⁾ the Community support framework for structural assistance in the United Kingdom (Northern Ireland);

Whereas the United Kingdom Government submitted to the Commission on 18 December 1990 two sectoral plans on the modernization of the conditions under which agricultural products are processed and marketed referred to in Article 2 of Council Regulation (EEC) No 866/90 of 29 March 1990 on the improvement of the conditions under which agricultural products are processed and marketed⁽³⁾;

Whereas the plans submitted by the Member State include descriptions of the main priorities selected and indications of the use to be made of assistance under the European Agricultural Guidance and Guarantee Fund (EAGGF), Guidance Section, in implementing the plan;

Whereas measures falling within the scope of Regulation (EEC) No 866/90 may be taken into consideration by the Commission when establishing the Community support frameworks for areas covered by Objective 1 as provided for in Title III of Regulation (EEC) No 2052/88;

Whereas this addendum to the Community support framework has been established in agreement with the Member State concerned through the partnership defined in Article 4 of Regulation (EEC) No 2052/88;

Whereas all measures which constitute the addendum are in conformity with Commission Decision 90/342/EEC of 7 June 1990 on the selection criteria to be adopted for investments for improving the processing and marketing conditions for agricultural and forestry products⁽⁴⁾;

Whereas the Commission is prepared to examine the possibility of the other Community lending instruments contributing to the financing of this addendum in accordance with the specific provisions governing them;

⁽¹⁾ OJ No L 185, 15. 7. 1988, p. 9.

⁽²⁾ OJ No L 370, 19. 12. 1989, p. 37.

⁽³⁾ OJ No L 91, 6. 4. 1990, p. 1.

⁽⁴⁾ OJ No L 163, 29. 6. 1990, p. 71.

Whereas in accordance with Article 10 (2) of Council Regulation (EEC) No 4253/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards coordination of the activities of the different Structural Funds between themselves and with the operations of the European Investment Bank and the other existing financial instruments⁽¹⁾, this Decision is to be sent as a declaration of intent to the Member State;

Whereas in accordance with Article 20 (1) and (2) of Regulation (EEC) No 4253/88 budgetary commitments relating to the contribution from the Structural Funds to the financing of the operations covered by the Community support framework will be made on the basis of subsequent Commission decisions approving the operations concerned;

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

HAS ADOPTED THIS DECISION:

Article 1

The addendum to the Community support framework for Community structural assistance on the improvement of the conditions under which agricultural products are processed and marketed in the United Kingdom (Northern Ireland) covering the period 1 January 1991 to 31 December 1993 is hereby established.

The Commission declares that it intends to contribute to the implementation of this addendum to the Community support framework in accordance with the detailed provisions thereof and in compliance with the rules and guidelines of the Structural Funds and the other existing financial instruments.

Article 2

The addendum to the Community support framework contains the following essential information:

(a) a statement of the main priorities for joint action in the following sectors:

1. Meat
2. Milk and milk products
3. Eggs and poultry
4. Cereals
5. Oil-producing crops
6. Protein crops

7. Potatoes
8. Fruits and vegetables
9. Flowers and plants
10. Animal feed;

(b) an indicative financing plan specifying, at constant 1991 prices, the total cost of the priorities adopted for joint action by the Community and the Member State concerned, ECU 57 894 000 for the whole period, and the financial arrangements envisaged for budgetary assistance from the Community, broken down as follows:

	<i>(in ecus)</i>
1. Meat	11 258 000
2. Milk and milk products	1 686 000
3. Eggs and poultry	3 378 000
4. Cereals	1 127 000
5. Oil-producing crops	45 000
6. Protein crops	45 000
7. Potatoes	1 127 000
8. Fruits and vegetables	1 127 000
9. Flowers and plants	116 000
10. Animal feed	354 000
Total	20 263 000

The resultant national financing requirement, approximately ECU 2 898 000 for the public sector and ECU 34 733 000 for the private sector, may be partially covered by Community loans from the European Investment Bank and the other loan instruments.

Article 3

This declaration of intent is addressed to the United Kingdom.

Done at Brussels, 10 December 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 374, 31. 12. 1988, p. 1.

COMMISSION DECISION

of 10 December 1991

on the establishment of an addendum to the Community support framework for Community structural assistance in Spain (Andalucía, Asturias, Castilla y León, Castilla-La Mancha, Comunidad Valenciana, Extremadura, Galicia, Canarias, Murcia, Ceuta y Melilla) on the improvement of the conditions under which agricultural products are processed and marketed

(Only the Spanish text is authentic)

(91/649/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2052/88 of 24 June 1988 on the tasks of the Structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments⁽¹⁾, and in particular Article 8 (5) thereof,

After consultation of the Committee for the Development and Reconversion of Regions,

Whereas the Commission has approved by Decision 89/641/EEC⁽²⁾ the Community support framework for structural assistance in Spain (Andalucía, Asturias, Castilla y León, Castilla-La Mancha, Comunidad Valenciana, Extremadura, Galicia, Canarias, Murcia, Ceuta y Melilla);

Whereas the Spanish Government submitted to the Commission on 27 March 1991 eight sectoral plans on the modernization of the conditions under which agricultural products are processed and marketed referred to in Article 2 of Council Regulation (EEC) No 866/90 of 29 March 1990 on improving the processing and marketing conditions for agricultural products⁽³⁾;

Whereas the plans submitted by the Member State include descriptions of the main priorities selected and indications of the use to be made of assistance under the European Agricultural Guidance and Guarantee Fund (EAGGF), Guidance Section in implementing the plan;

Whereas measures falling within the scope of Regulation (EEC) No 866/90 and Council Regulation (EEC) No 867/90 of 29 March 1990 on improving the processing and marketing conditions for forestry products⁽⁴⁾ may be taken into consideration by the Commission when establishing the Community support frameworks for areas covered by Objective 1 as provided for in Title III of Regulation (EEC) No 2052/88;

Whereas this addendum to the Community support framework has been established in agreement with the

Member State concerned through the partnership defined in Article 4 of Regulation (EEC) No 2052/88;

Whereas all measures which constitute the addendum are in conformity with Commission Decision 90/342/EEC of 7 June 1990 on the selection criteria to be adopted for investments for improving the processing and marketing conditions for agricultural and forestry products⁽⁵⁾;

Whereas the Commission is prepared to examine the possibility of the other Community lending instruments contributing to the financing of this addendum in accordance with the specific provisions governing them;

Whereas in accordance with Article 10 (2) of Council Regulation (EEC) No 4253/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards coordination of the activities of the different Structural Funds between themselves and with the operation of the European Investment Bank and the other existing financial instruments⁽⁶⁾, this Decision is to be sent as a declaration of intent to the Member State;

Whereas in accordance with Article 20 (1) and (2) of Regulation (EEC) No 4253/88 budgetary commitments relating to the contribution from the Structural Funds to the financing of the operations covered by the Community support framework will be made on the basis of subsequent Commission decisions approving the operations concerned;

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

HAS ADOPTED THIS DECISION:

Article 1

The addendum to the Community support framework for Community structural assistance on the improvement of the conditions under which agricultural products are

(1) OJ No L 185, 15. 7. 1988, p. 9.

(2) OJ No L 370, 19. 12. 1989, p. 41.

(3) OJ No L 91, 6. 4. 1990, p. 1.

(4) OJ No L 91, 6. 4. 1990, p. 7.

(5) OJ No L 163, 29. 6. 1990, p. 71.

(6) OJ No L 374, 31. 12. 1988, p. 1.

processed and marketed in Spain (Andalucia, Asturias, Castilla y León, Castilla-La Mancha, Comunidad Valenciana, Extremadura, Galicia, Canarias, Murcia, Ceuta y Melilla) covering the period 1 January 1991 to 31 December 1993, is hereby established.

The Commission declares that it intends to contribute to the implementation of this addendum to the Community support framework in accordance with the detailed provisions thereof and in compliance with the rules and guidelines of the Structural Funds and the other existing financial instruments.

Article 2

The addendum to the Community support framework contains the following essential information:

(a) a statement of the main priorities for joint action in the following sectors:

1. Forestry
2. Meat
3. Milk and milk products
4. Eggs and poultry
5. Diverse animal products
6. Cereals
7. Oil-producing crops
8. Wines and alcohols
9. Fruits and vegetables
10. Flowers and plants
11. Seeds
12. Potatoes;

(b) an indicative financing plan specifying, at constant 1991 prices, the total cost of the priorities adopted for joint action by the Community and the Member State concerned, ECU 286 252 000 for the whole period,

and the financial arrangements envisaged for budgetary assistance from the Community, broken down as follows:

	(in ecus)
1. Forestry	4 070 000
2. Meat	11 555 000
3. Milk and milk products	9 800 000
4. Eggs and poultry	1 372 000
5. Diverse animal products	4 567 000
6. Cereals	6 979 000
7. Oil-producing crops	5 774 000
8. Wines and alcohols	9 115 000
9. Fruits and vegetables	29 656 000
10. Flowers and plants	810 000
11. Seeds	1 560 000
12. Potatoes	998 000
Total	86 256 000

The resultant national financing requirement, approximately ECU 14 409 000 for the public sector and ECU 185 587 000 for the private sector, may be partially covered by Community loans from the European Investment Bank and the other loan instruments.

Article 3

This declaration of intent is addressed to the Spanish Kingdom.

Done at Brussels, 10 December 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION DECISION

of 10 December 1991

on the establishment of an addendum to the Community support framework for Community structural assistance in Ireland on the improvement of the conditions under which agricultural products are processed and marketed

(Only the English text is authentic)

(91/650/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2052/88 of 24 June 1988 on the tasks of the Structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments⁽¹⁾, and in particular Article 8 (5) thereof,

After consultation of the Committee for the Development and Reconversion of Regions,

Whereas the Commission has approved by Decision 89/640/EEC⁽²⁾ the Community support framework for structural assistance in Ireland;

Whereas the Irish Government submitted to the Commission five sectoral plans, two on 26 February 1991 and three on 22 March 1991, on the modernization of the conditions under which agricultural products are processed and marketed referred to in Article 2 of Council Regulation (EEC) No 866/90 of 29 March 1990 on the improvement of the conditions under which agricultural products are processed and marketed⁽³⁾;

Whereas the plans submitted by the Member State include descriptions of the main priorities selected and indications of the use to be made of assistance under the European Agricultural Guidance and Guarantee Fund (EAGGF), Guidance Section in implementing the plan;

Whereas measures falling within the scope of Regulation (EEC) No 866/90 may be taken into consideration by the Commission when establishing the Community support frameworks for areas covered by Objective 1 as provided for in Title III of Regulation (EEC) No 2052/88;

Whereas this addendum to the Community support framework has been established in agreement with the Member State concerned through the partnership defined in Article 4 of Regulation (EEC) No 2052/88;

Whereas all measures which constitute the addendum are in conformity with Commission Decision 90/342/EEC of

7 June 1990 on the selection criteria to be adopted for investments for improving the processing and marketing conditions for agricultural and forestry products⁽⁴⁾;

Whereas the Commission is prepared to examine the possibility of the other Community lending instruments contributing to the financing of this addendum in accordance with the specific provisions governing them;

Whereas in accordance with Article 10 (2) of Council Regulation (EEC) No 4253/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards coordination of the activities of the different Structural Funds between themselves and with the operations of the European Investment Bank and the other existing financial instruments⁽⁵⁾, this Decision is to be sent as a declaration of intent to the Member State;

Whereas in accordance with Article 20 (1) and (2) of Regulation (EEC) No 4253/88 budgetary commitments relating to the contribution from the Structural Funds to the financing of the operations covered by the Community support framework will be made on the basis of subsequent Commission decisions approving the operations concerned;

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

HAS ADOPTED THIS DECISION:

Article 1

The addendum to the Community support framework for Community structural assistance on the improvement of the conditions under which agricultural products are processed and marketed in Ireland covering the period 1 January 1991 to 31 December 1993, is hereby established.

⁽¹⁾ OJ No L 185, 15. 7. 1988, p. 9.

⁽²⁾ OJ No L 370, 19. 12. 1989, p. 39.

⁽³⁾ OJ No L 91, 6. 4. 1990, p. 1.

⁽⁴⁾ OJ No L 163, 29. 6. 1990, p. 71.

⁽⁵⁾ OJ No L 374, 31. 12. 1988, p. 1.

The Commission declares that it intends to contribute to the implementation of this addendum to the Community support framework in accordance with the detailed provisions thereof and in compliance with the rules and guidelines of the Structural Funds and the other existing financial instruments.

Article 2

The addendum to the Community support framework contains the following essential information:

(a) a statement of the main priorities for joint action in the following sectors:

1. Meat
2. Milk and milk products
3. Eggs and poultry
4. Livestock : sundry
5. Cereals
6. Fruit and vegetables
7. Flowers and plants
8. Potatoes
9. Crops : sundry ;

(b) an indicative financing plan specifying, at constant 1991 prices, the total cost of the priorities adopted for joint action by the Community and the Member State concerned, ECU 142 246 000 for the whole period, and the financial arrangements envisaged for budgetary assistance from the Community, broken down as follows:

	(in ecus)
1. Meat	28 652 000
2. Milk and milk products	6 000 000
3. Eggs and poultry	9 106 000
4. Livestock : sundry	2 000 000
5. Cereals	1 852 000
6. Fruit and vegetables	3 200 000
7. Flowers and plants	278 000
8. Potatoes	2 500 000
9. Crops : sundry	185 000
Total	53 773 000

The resultant national financing requirement, approximately ECU 18 847 000 for the public sector and ECU 69 626 000 for the private sector, may be partially covered by Community loans from the European Investment Bank and the other loan instruments.

Article 3

This declaration of intent is addressed to Ireland.

Done at Brussels, 10 December 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION DECISION

of 10 December 1991

on the establishment of the Community support framework for Community structural assistance on the improvement of the conditions under which agricultural products are processed and marketed in Spain (with the exception of these regions: Andalucía, Asturias, Castilla y León, Castilla-La Mancha, Comunidad Valenciana, Extremadura, Galicia, Canarias, Murcia, Ceuta y Melilla)

(Only the Spanish text is authentic)

(91/651/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 866/90 of 29 March 1990 on improving the processing and marketing conditions for agricultural products⁽¹⁾, and in particular Article 7 (2) thereof,

Having regard to Council Regulation (EEC) No 867/90 of 29 March 1990 on improving the processing and marketing conditions for forestry products⁽²⁾,

Whereas the Spanish Government submitted to the Commission on 27 March 1991 eight sectoral plans on the modernization of the conditions under which agricultural products are processed and marketed referred to in Article 2 of Council Regulation (EEC) No 866/90;

Whereas the plans submitted by the Member State include descriptions of the main priorities selected and indications of the use to be made of assistance under the European Agricultural Guidance and Guarantee Fund (EAGGF), Guidance Section, in implementing the plan;

Whereas this Community support framework has been established in agreement with the Member State concerned through the partnership defined in Article 4 of Regulation (EEC) No 2052/88 of 24 June 1988 on the tasks of the Structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments⁽³⁾;

Whereas all the measures which constitute the Community support framework are in conformity with Commission Decision 90/342/EEC of 7 June 1990 on the selection criteria to be adopted for investments for improving the processing and marketing conditions for agricultural and forestry products⁽⁴⁾;

Whereas the Commission is prepared to examine the possibility of the other Community lending instruments

contributing to the financing of this Community support framework in accordance with the specific provisions governing them;

Whereas, in accordance with Article 10 (2) of Council Regulation (EEC) No 4253/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards coordination of the activities of the different Structural Funds between themselves and with the operation of the European Investment Bank and the other existing financial instruments⁽⁵⁾, this Decision is to be sent as a declaration of intent to the Member State;

Whereas in accordance with Article 20 (1) and (2) of Regulation (EEC) No 4253/88 budgetary commitments relating to the contribution from the Structural Funds to the financing of the operations covered by the Community support framework will be made on the basis of subsequent Commission decisions approving the operations concerned;

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

HAS ADOPTED THIS DECISION:

Article 1

The Community support framework for Community structural assistance on the improvement of the conditions under which agricultural products are processed and marketed in Spain (with the exception of these regions: Andalucía, Asturias, Castilla y León, Castilla-La Mancha, Comunidad Valenciana, Extremadura, Galicia, Canarias, Murcia, Ceuta y Melilla) covering the period 1 January 1991 to 31 December 1993 is hereby established.

⁽¹⁾ OJ No L 91, 6. 4. 1990, p. 1.

⁽²⁾ OJ No L 91, 6. 4. 1990, p. 7.

⁽³⁾ OJ No L 185, 15. 7. 1988, p. 9.

⁽⁴⁾ OJ No L 163, 29. 6. 1990, p. 71.

⁽⁵⁾ OJ No L 374, 31. 12. 1988, p. 1.

The Commission declares that it intends to contribute to the implementation of this Community support framework in accordance with the detailed provisions thereof and in compliance with the rules and guidelines of the Structural Funds and the other existing financial instruments.

Article 2

The Community support framework contains the following essential information:

(a) a statement of the main priorities for joint action in the following sectors:

1. Forestry products
2. Meat
3. Milk and milk products
4. Eggs and poultry
5. Diverse animal products
6. Cereals
7. Oil-producing crops
8. Wine and alcohols
9. Fruits and vegetables
10. Flowers and plants
11. Seeds
12. Potatoes;

(b) an indicative financing plan specifying, at constant 1991 prices, the total cost of the priorities adopted for joint action by the Community and the Member State concerned, ECU 211 852 000 for the whole period, and the financial arrangements envisaged for budgetary assistance from the Community, broken down as follows:

	(in ecus)
1. Forestry products	3 280 000
2. Meat	9 203 000
3. Milk and milk products	6 359 000
4. Eggs and poultry	1 613 000
5. Diverse products	262 000
6. Cereals	2 043 000
7. Oil-producing crops	1 330 000
8. Wine and alcohols	6 677 000
9. Fruits and vegetables	9 411 000
10. Flowers and plants	549 000
11. Seeds	978 000
12. Potatoes	756 000
Total	42 461 000

The resultant national financing requirement, approximately ECU 10 641 000 for the public sector and ECU 158 750 000 for the private sector, may be partially covered by Community loans from the European Investment Bank and the other loan instruments.

Article 3

This declaration of intent is addressed to the Spanish Kingdom.

Done at Brussels, 10 December 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION DECISION

of 10 December 1991

on the establishment of the Community support framework for Community structural assistance on the improvement of the conditions under which agricultural products are processed and marketed in the United Kingdom (with the exception of Northern Ireland)

(Only the English text is authentic)

(91/652/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 866/90 of 29 March 1990 on improving the processing and marketing conditions for agricultural products⁽¹⁾, and in particular Article 7 (2) thereof,

Whereas the United Kingdom Government submitted to the Commission on 18 December 1990 two sectoral plans on the modernization of the conditions under which agricultural products are processed and marketed referred to in Article 2 of Council Regulation (EEC) No 866/90;

Whereas the plans submitted by the Member State include descriptions of the main priorities selected and indications of the use to be made of assistance under the European Agricultural Guidance and Guarantee Fund (EAGGF), Guidance Section, in implementing the plan;

Whereas this Community support framework has been established in agreement with the Member State concerned through the partnership defined in Article 4 of Regulation (EEC) No 2052/88 of 24 June 1988 on the tasks of the Structural Funds and their effectiveness and coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments⁽²⁾;

Whereas all measures which constitute the Community support framework are in conformity with Commission Decision 90/342/EEC of 7 June 1990 on the selection criteria to be adopted for investments for improving the processing and marketing conditions for agricultural and forestry products⁽³⁾;

Whereas the Commission is prepared to examine the possibility of the other Community lending instruments contributing to the financing of this Community support framework in accordance with the specific provisions governing them;

Whereas, in accordance with Article 10 (2) of Council Regulation (EEC) No 4253/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards coordination of the activities of the different Structural Funds between themselves and with the operations of the European Investment Bank and the other existing financial instruments⁽⁴⁾, this Decision is to be sent as a declaration of intent to the Member State;

Whereas in accordance with Article 20 (1) and (2) of Regulation (EEC) No 4253/88 budgetary commitments relating to the contribution from the Structural Funds to the financing of the operations covered by the Community support framework will be made on the basis of subsequent Commission decisions approving the operations concerned;

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

HAS ADOPTED THIS DECISION:

Article 1

The Community support framework for Community structural assistance on the improvement of the conditions under which agricultural products are processed and marketed in the United Kingdom (with the exception of Northern Ireland) covering the period 1 January 1991 to 31 December 1993 is hereby established.

The Commission declares that it intends to contribute to the implementation of this Community support framework in accordance with the detailed provisions thereof and in compliance with the rules and guidelines of the Structural Funds and the other existing financial instruments.

⁽¹⁾ OJ No L 91, 6. 4. 1990, p. 1.

⁽²⁾ OJ No L 185, 15. 7. 1988, p. 9.

⁽³⁾ OJ No L 163, 29. 6. 1990, p. 71.

⁽⁴⁾ OJ No L 374, 31. 12. 1988, p. 1.

Article 2

The Community support framework contains the following essential information:

(a) a statement of the main priorities for joint action in the following sectors:

1. Meat
2. Milk and milk products
3. Eggs and poultry
4. Diverse animal products
5. Cereals
6. Oil-producing crops
7. Protein crops
8. Potatoes
9. Fruits and vegetables
10. Flowers and plants
11. Hops

(b) an indicative financing plan specifying, at constant 1991 prices, the total cost of the priorities adopted for joint action by the Community and the Member State concerned, ECU 157 392 000 for the whole period, and the financial arrangements envisaged for budgetary assistance from the Community, broken down as follows:

	<i>(in ecus)</i>
1. Meat	10 000 000
2. Milk and milk products	10 000 000
3. Eggs and poultry	5 000 000
4. Diverse animal products	480 000
5. Cereals	1 150 000
6. Oil-producing crops	283 000
7. Protein crops	750 000
8. Potatoes	5 245 000
9. Fruits and vegetables	5 500 000
10. Flowers and plants	500 000
11. Hops	440 000
Total	39 348 000

The resultant national financing requirement, approximately ECU 7 870 000 for the public sector and ECU 110 174 000 for the private sector, may be partially covered by Community loans from the European Investment Bank and the other loan instruments.

Article 3

This declaration of intent is addressed to the United Kingdom.

Done at Brussels, 10 December 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION DECISION

of 10 December 1991

on the establishment of the Community support framework for Community structural assistance on the improvement of the conditions under which agricultural products are processed and marketed in the Luxembourg

(Only the French text is authentic)

(91/653/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 866/90 of 29 March 1990 on improving the processing and marketing conditions for agricultural products ⁽¹⁾, and in particular Article 7 (2) thereof,

Whereas the Luxembourg Government submitted to the Commission on 26 October 1990 and 23 March 1991 two sectoral plans on the modernization of the conditions under which agricultural products are processed and marketed referred to in Article 2 of Regulation (EEC) No 866/90;

Whereas the plans submitted by the Member State include descriptions of the main priorities selected and indications of the use to be made of assistance under the European Agricultural Guidance and Guarantee Fund (EAGGF), Guidance Section, in implementing the plan;

Whereas this Community support framework has been established in agreement with the Member State concerned through the partnership defined in Article 4 of Council Regulation (EEC) No 2052/88 of 24 June 1988 on the tasks of the Structural Funds and their effectiveness and coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments ⁽²⁾;Whereas all measures which constitute the Community support framework are in conformity with Commission Decision 90/342/EEC of 7 June 1990 on the selection criteria to be adopted for investments for improving the processing and marketing conditions for agricultural and forestry products ⁽³⁾;

Whereas the Commission is prepared to examine the possibility of the other Community lending instruments contributing to the financing of this Community support framework in accordance with the specific provisions governing them;

Whereas, in accordance with Article 10 (2) of Council Regulation (EEC) No 4253/88 of 19 December 1988

laying down provisions for implementing Regulation (EEC) No 2052/88 as regards coordination of the activities of the different Structural Funds between themselves and with the operations of the European Investment Bank and the other existing financial instruments ⁽⁴⁾, this Decision is to be sent as a declaration of intent to the Member State;

Whereas in accordance with Article 20 (1) and (2) of Regulation (EEC) No 4253/88 budgetary commitments relating to the contribution from the Structural Funds to the financing of the operations covered by the Community support framework will be made on the basis of subsequent Commission decisions approving the operations concerned;

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

HAS ADOPTED THIS DECISION:

Article 1

The Community support framework for Community structural assistance on the improvement of the conditions under which agricultural products are processed and marketed in Luxembourg covering the period 1 January 1991 to 31 December 1993 is hereby established.

The Commission declares that it intends to contribute to the implementation of this Community support framework in accordance with the detailed provisions thereof and in compliance with the rules and guidelines of the Structural Funds and the other existing financial instruments.

Article 2

The Community support framework contains the following essential information:

- (a) a statement of the main priorities for joint action in the following sectors:
1. Potatoes
 2. Wine;

⁽¹⁾ OJ No L 91, 6. 4. 1990, p. 1.⁽²⁾ OJ No L 185, 15. 7. 1988, p. 9.⁽³⁾ OJ No L 163, 29. 6. 1990, p. 71.⁽⁴⁾ OJ No L 374, 31. 12. 1988, p. 1.

- (b) an indicative financing plan specifying, at constant 1991 prices, the total cost of the priorities adopted for joint action by the Community and the Member State concerned, ECU 7 383 000 for the whole period, and the financial arrangements envisaged for budgetary assistance from the Community, broken down as follows :

	(in ecus)
1. Potatoes	204 400
2. Wine	954 200
Total	1 158 600

The resultant national financing requirement, approximately ECU 2 203 700 for the public sector and ECU 4 020 700 for the private sector, may be partially covered by Community loans from the European Investment Bank and the other loan instruments.

Article 3

This declaration of intent is addressed to the Grand Duchy of Luxembourg.

Done at Brussels, 10 December 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION DECISION**of 12 December 1991****on certain protective measures regarding molluscs and crustaceans from the
United Kingdom****(91/654/EEC)**

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

Having regard to Council Directive 89/662/EEC of
11 December 1989 concerning veterinary checks in
intra-Community trade with a view to the completion of
the internal market⁽¹⁾, as last amended by Directive
91/493/EEC⁽²⁾, and in particular Article 9 (4) thereof,

Whereas the presence of paralytic shellfish poison (PSP)
in molluscs and crustaceans taken from Scottish waters
has been observed on several occasions;

Whereas the toxine levels observed present a threat to
public health; whereas it is necessary to adopt protective
measures at Community level;

Whereas the authorities of the United Kingdom have
undertaken to implement national measures so as to
ensure efficient application of this Decision;

Whereas the measures provided for in this Decision are in
accordance with the opinion of the Standing Veterinary
Committee,

HAS ADOPTED THIS DECISION:

Article 1

1. The United Kingdom prohibits the dispatch towards
other Member States of batches of crustaceans and
molluscs from Scotland.

2. The prohibition laid down in paragraph 1 does not
apply to batches of crustaceans and molluscs taken from
waters which have been approved to be free of toxine by
the competent authorities or which have been subjected
to analysis carried out by the competent authority and
showing a level of PSP toxine of less than 80 micro-
grammes per 100 grammes in accordance with the biolo-
gical testing method.

Article 2

The Commission shall follow the development of the
situation and this Decision shall be amended in the light
of that development.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 12 December 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 395, 30. 12. 1989, p. 13.

⁽²⁾ OJ No L 268, 24. 9. 1991, p. 15.