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## Legislation

### Contents

#### I *Acts whose publication is obligatory*

- ★ **Council Regulation (EEC) No 3796/91 of 19 December 1991 setting for the 1991/92 marketing year the percentage mentioned in the second subparagraph of Article 3 (1a) of Regulation (EEC) No 426/86 in connection with the premium granted for products processed from tomatoes ..... 1**
- ★ **Council Regulation (EEC) No 3797/91 of 19 December 1991 amending Regulation (EEC) No 3493/90 laying down general rules for the grant of premiums to sheepmeat and goatmeat producers ..... 2**
- ★ **Council Regulation (EEC) No 3798/91 of 19 December 1991 amending Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and the Common Customs Tariff and Regulation (EEC) No 2915/79 determining the groups of products and the special provisions for calculating levies on milk and milk products ..... 3**
- ★ **Council Regulation (EEC) No 3799/91 of 19 December 1991 temporarily suspending the Common Customs Tariff import duty on certain mixtures of residues from the manufacture of starch from maize and residues from the extraction of maize germ oil by the wet process ..... 9**
- ★ **Council Regulation (EEC) No 3800/91 of 23 December 1991 amending Regulation (EEC) No 3906/89 in order to extend economic aid to include other countries in central and eastern Europe ..... 10**
- Commission Regulation (EEC) No 3801/91 of 27 December 1991 fixing the import levies on cereals and on wheat or rye flour, groats and meal ..... 11
- Commission Regulation (EEC) No 3802/91 of 27 December 1991 fixing the premiums to be added to the import levies on cereals, flour and malt ..... 13
- Commission Regulation (EEC) No 3803/91 of 27 December 1991 fixing the import levies on rice and broken rice ..... 15

Price : ECU 16

(Continued overleaf)

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other Acts are printed in bold type and preceded by an asterisk.

Contents (continued)

|                                                                                                                                                                                                                                                                                                                                                    |           |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| Commission Regulation (EEC) No 3804/91 of 27 December 1991 fixing the premiums to be added to the import levies on rice and broken rice .....                                                                                                                                                                                                      | 17        |
| Commission Regulation (EEC) No 3805/91 of 27 December 1991 fixing the export refunds on pigmeat .....                                                                                                                                                                                                                                              | 19        |
| Commission Regulation (EEC) No 3806/91 of 27 December 1991 fixing the export refunds on milk and milk products .....                                                                                                                                                                                                                               | 24        |
| Commission Regulation (EEC) No 3807/91 of 27 December 1991 fixing the minimum levies on the importation of olive oil and levies on the importation of other olive oil sector products .....                                                                                                                                                        | 44        |
| Commission Regulation (EEC) No 3808/91 of 27 December 1991 fixing the production refund for olive oil used in the manufacture of certain preserved fish and vegetables .....                                                                                                                                                                       | 47        |
| <b>* Commission Regulation (EEC) No 3809/91 of 18 December 1991 laying down detailed rules for the application in the poultrymeat sector of Council Regulation (EEC) No 3588/91 reducing for 1992 the levies on certain agricultural products originating in developing countries .....</b>                                                        | <b>48</b> |
| <b>* Commission Regulation (EEC) No 3810/91 of 18 December 1991 laying down detailed rules for the application of the supplementary trade mechanism to trade in the beef and veal sector between the Community as constituted at 31 December 1985 and Spain and Portugal and repealing Regulations (EEC) No 4026/89 and (EEC) No 3815/90. ....</b> | <b>53</b> |
| Commission Regulation (EEC) No 3811/91 of 20 December 1991 on the supply of various lots of butteroil as food aid .....                                                                                                                                                                                                                            | 57        |
| Commission Regulation (EEC) No 3812/91 of 20 December 1991 on the supply of various consignments of cereals as food aid .....                                                                                                                                                                                                                      | 61        |
| Commission Regulation (EEC) No 3813/91 of 20 December 1991 on the supply of various lots of skimmed-milk powder as food aid .....                                                                                                                                                                                                                  | 65        |
| <b>* Commission Regulation (EEC) No 3814/91 of 20 December 1991 amending Regulation (EEC) No 2943/91 laying down detailed rules applicable to the free supply of bread-making common wheat to Albania as provided for in Council Regulation (EEC) No 2938/91 .....</b>                                                                             | <b>69</b> |
| Commission Regulation (EEC) No 3815/91 of 20 December 1991 opening a standing invitation to tender for the supply to Albania of 25 000 tonnes of bread-making common wheat held at Ghent by the French intervention agency .....                                                                                                                   | 70        |
| Commission Regulation (EEC) No 3816/91 of 20 December 1991 adding a temporary provision to the detailed rules for the application of the special measures for peas, field beans and sweet lupins .....                                                                                                                                             | 73        |
| <b>* Commission Regulation (EEC) No 3817/91 of 23 December 1991 extending retrospective Community surveillance of imports of certain products originating in Japan .....</b>                                                                                                                                                                       | <b>74</b> |
| Commission Regulation (EEC) No 3818/91 of 27 December 1991 fixing the export refunds on products processed from cereals and rice .....                                                                                                                                                                                                             | 75        |
| Commission Regulation (EEC) No 3819/91 of 27 December 1991 fixing the export refunds on cereal-based compound feedingstuffs .....                                                                                                                                                                                                                  | 78        |
| Commission Regulation (EEC) No 3820/91 of 27 December 1991 fixing production refunds on cereals and rice .....                                                                                                                                                                                                                                     | 83        |

(Continued on inside back cover)

Contents (continued)

|                                                                                                                                                                                         |    |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|
| Commission Regulation (EEC) No 3821/91 of 27 December 1991 fixing the import levies on products processed from cereals and rice .....                                                   | 84 |
| Commission Regulation (EEC) No 3822/91 of 27 December 1991 fixing the import levies on compound feedingstuffs .....                                                                     | 89 |
| Commission Regulation (EEC) No 3823/91 of 27 December 1991 fixing the import levy on molasses .....                                                                                     | 91 |
| Commission Regulation (EEC) No 3824/91 of 27 December 1991 fixing the production refund for white sugar used in the chemical industry .....                                             | 92 |
| Commission Regulation (EEC) No 3825/91 of 27 December 1991 fixing the reduced levy on imports into Portugal of certain quantities of raw sugar intended for Portuguese refineries ..... | 94 |
| Commission Regulation (EEC) No 3826/91 of 27 December 1991 fixing the aid for cotton .....                                                                                              | 95 |
| Commission Regulation (EEC) No 3827/91 of 27 December 1991 fixing the import levies on white sugar and raw sugar .....                                                                  | 96 |

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*II Acts whose publication is not obligatory*

**Council**

91/657/EEC :

- ★ **Council Decision of 19 December 1991 extending the period of application of Decision 82/530/EEC authorizing the United Kingdom to permit the Isle of Man authorities to apply a system of special import licences to sheepmeat and beef and veal .....** 98
- 

**Corrigenda**

- ★ **Corrigendum to Commission Regulation (EEC) No 3754/91 of 20 December 1991 on the sale by the procedure laid down in Regulation (EEC) No 2539/84 of beef held by certain intervention agencies and intended for export to the Soviet Union, implementing Regulation (EEC) No 599/91 and amending Regulation (EEC) No 569/88 (OJ No L 352 of 21. 12. 1991) .....** 100
- 

**Notice to readers .....** 100

## I

*(Acts whose publication is obligatory)*

**COUNCIL REGULATION (EEC) No 3796/91  
of 19 December 1991**

**setting for the 1991/92 marketing year the percentage mentioned in the second subparagraph of Article 3 (1a) of Regulation (EEC) No 426/86 in connection with the premium granted for products processed from tomatoes**

THE COUNCIL 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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 1943/91 <sup>(2)</sup>, and in particular Article 3 (3) thereof,

Having regard to the proposal from the Commission,

Whereas, in order to encourage the conclusion of contracts between groups of tomato producers, on the one hand, and associations of processors or processors, on the other, Regulation (EEC) No 426/86 provides for the grant on certain terms of an additional premium;

Whereas the 'significant specific percentage' for the total quantity of processed tomatoes covered by contracts concluded with producers' groups must be set for the 1991/92 marketing year;

Whereas, pursuant to Article 260 of the Act of Accession, Portugal has completed the first stage; whereas, therefore,

a single percentage should be set for the entire Community; whereas, in view of the important role played by tomato producers' groups in the producer Member States, it is desirable to increase the percentage of the quantities of tomatoes covered by contracts concluded with producers' associations in relation to the total quantity of processed tomatoes for the marketing year in question,

HAS ADOPTED THIS REGULATION:

*Article 1*

For the 1991/92 marketing year, the percentage mentioned in the second subparagraph of Article 3 (1a) of Regulation (EEC) No 426/86 shall be 80 % for the entire Community.

*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, 19 December 1991.

*For the Council*

*The President*

P. DANKERT

<sup>(1)</sup> OJ No L 49, 27. 2. 1986, p. 1.

<sup>(2)</sup> OJ No L 175, 4. 7. 1991, p. 1.

**COUNCIL REGULATION (EEC) No 3797/91****of 19 December 1991****amending Regulation (EEC) No 3493/90 laying down general rules for the grant of premiums to sheepmeat and goatmeat producers**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat<sup>(1)</sup>, as last amended by Regulation (EEC) No 1741/91<sup>(2)</sup>, and in particular Article 5 (8) thereof,Having regard to the proposal from the Commission<sup>(3)</sup>,

Whereas the concepts of 'eligible ewe' and 'eligible she-goat' as laid down in Regulation (EEC) No 872/84<sup>(4)</sup>, as last amended by Regulation (EEC) No 1970/87<sup>(5)</sup>, must be redefined because of the monitoring difficulties they entail; whereas, given the administrative difficulties associated with the elaboration of new definitions, Regulation (EEC) No 3493/90<sup>(6)</sup> provided that they should be maintained for the 1991 marketing year; whereas, since the difficulties continue to exist, it is appropriate that the said definitions be maintained for the 1992 marketing year as well;

Whereas Regulation (EEC) No 3493/90 should be amended accordingly,

HAS ADOPTED THIS REGULATION:

*Article 1*

Article 5 of Regulation (EEC) No 3493/90 is hereby amended as follows:

- in the first paragraph the words '1991 marketing year' shall be replaced by '1992 marketing year',
- the second paragraph shall be deleted.

*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, 19 December 1991.

*For the Council**The President*

P. DANKERT

<sup>(1)</sup> OJ No L 289, 7. 10. 1989, p. 1.

<sup>(2)</sup> OJ No L 163, 26. 6. 1991, p. 41.

<sup>(3)</sup> OJ No C 303, 22. 11. 1991, p. 39.

<sup>(4)</sup> OJ No L 90, 1. 4. 1984, p. 40.

<sup>(5)</sup> OJ No L 184, 3. 7. 1987, p. 23.

<sup>(6)</sup> OJ No L 337, 4. 12. 1990, p. 7.

**COUNCIL REGULATION (EEC) No 3798/91**

of 19 December 1991

**amending Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and the Common Customs Tariff and Regulation (EEC) No 2915/79 determining the groups of products and the special provisions for calculating levies on milk and milk products**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products <sup>(1)</sup>, and in particular Article 14 (6) thereof,

Having regard to the proposal from the Commission,

Whereas only non-modified whey is currently classified under CN code 0404 10 in Annex I to Regulation (EEC) No 2658/87 <sup>(2)</sup> while modified whey is classified under CN code 0404 90; whereas, from 1 January 1992, CN code 0404 10 is to include modified whey;

Whereas Article 14 of Regulation (EEC) No 804/68 provides for an import levy to be applied on the products covered by that Regulation;

Whereas, pursuant to Article 14 (6) of Regulation (EEC) No 804/68, Regulation (EEC) No 2915/79 <sup>(3)</sup> determines the groups of products and the special provisions for calculating levies on milk and milk products; whereas, pursuant to the said Regulation, the levy applied to products classified under CN code 0404 90, and therefore to modified whey, is considerably higher than that applied to products classified under CN code 0404 10, and therefore to non-modified whey; whereas the difference in the levies is necessary to prevent distortions in imports from third countries; whereas it is therefore necessary to ensure that the amendments to CN code 0404 10 do not result in changes in the levies applied under Regulation (EEC) No 2915/79; whereas, to this end, the necessary amendments should be made to that Regulation, and additional subheadings should be inserted into CN code 0404 10 of the combined nomenclature in

Regulation (EEC) No 2658/87 to ensure the proper classification of the products concerned in order to apply the appropriate levies,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. The combined nomenclature annexed to Regulation (EEC) No 2658/87 is amended as shown in Annex I hereto.

2. The amendments to the CN codes provided for in this Regulation shall be applicable as subheadings of the integrated customs tariff of the European Communities (Taric) in accordance with Annex II until their inclusion in the combined nomenclature under the conditions laid down in Article 12 of Regulation (EEC) No 2658/87.

*Article 2*

Regulation (EEC) No 2915/79 is hereby amended as follows:

1. Article 2 shall be amended as follows:

- in 1, CN code 0404 10 19 shall be replaced by code 0404 10 26,
- in 2, CN code 0404 10 91 shall be replaced by code 0404 10 48,
- in 3, CN code 0404 10 99 shall be replaced by code 0404 10 72;

2. Article 3 shall be amended as follows:

- in 1, the introductory part shall be replaced by the following:

'1. If it falls within CN codes 0402 10 11, 0403 10 02, 0403 90 11, 0404 10 12, 0404 90 11 and 0404 90 31, to the sum of the following components:'
- in 2, the introductory part shall be replaced by the following:

'2. If it falls within CN codes 0402 10 91, 0403 10 12, 0403 90 31 and 0404 10 34, to the sum of the following components:'

<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 13. Regulation as last amended by Regulation (EEC) No 1630/91 (OJ No L 150, 15. 6. 1991, p. 19).

<sup>(2)</sup> OJ No L 256, 7. 9. 1987, p. 1. Regulation as last amended by Regulation (EEC) No 2587/91 (OJ No L 259, 16. 9. 1991, p. 1).

<sup>(3)</sup> OJ No L 329, 24. 12. 1979, p. 1. Regulation as last amended by Regulation (EEC) No 3116/90 (OJ No L 303, 31. 10. 1990, p. 1).

— point 4 shall become point 6,

— the following points shall be inserted :

'4. If it falls within subheading 0404 10 56, to the sum of the following components :

(a) a component equal to the levy on the pilot product, multiplied by a coefficient expressing the weight ratio between the quantity of milk ingredients expressed in dry matter contained in the product, on the one hand, and the product itself, on the other hand,

(b) a component equal to ECU 6,04 ;

5. If it falls under subheadings 0404 10 78, to the sum of the following components :

(a) a component calculated in accordance with 4 (a),

(b) a component equal to ECU 6,04,

(c) a component to take account of the quantity of added sugar or other sweetening matter ;

3. Article 4 shall be amended as follows :

— in 1, the introductory part shall be replaced by the following :

'1. If it falls within CN codes 0402 21 11, 0403 10 04, 0403 90 13, 0404 10 04, 0404 10 14, 0404 90 13, and 0404 90 33, to the sum of the following components :'

— in 2, the introductory part shall be replaced by the following :

'2. If it falls within CN codes 0402 21 91, 0403 10 06, 0403 90 19, 0404 10 06, 0404 10 16, 0404 90 19 and 0404 90 39, to the sum of the following components :'

— in 4, the introductory part shall be replaced by the following :

'4. If it falls within CN codes 0402 29 11, 0402 29 15, 0403 10 14, 0403 90 33, 0404 10 28, 0404 10 36, 0404 90 53 and 0404 90 93, to the sum of the following components :'

— in 5, the introductory part shall be replaced by the following :

'5. If it falls within CN codes 0402 29 91, 0403 10 16, 0403 90 39, 0404 10 32, 0404 10 38, 0404 90 59 and 0404 90 99, to the sum of the following components :'

— the following points shall be added :

'8. If it falls within CN codes 0404 10 52 and 0404 10 58, to the sum of the following components :

(a) a component equal to the levy on the pilot product, multiplied by a coefficient expressing the weight ratio between the quantity of milk ingredients expressed in dry matter contained in the product, on the one hand, and the product itself, on the other hand,

(b) a component equal to ECU 6,04 ;

9. If it falls within CN codes 0404 10 54 and 0404 10 62, to the sum of the following components :

(a) a component equal to the levy calculated in accordance with 3, multiplied by a coefficient expressing the weight ratio between the quantity of milk ingredients expressed in dry matter contained in the product, on the one hand, and the product itself, on the other hand,

(b) a component equal to ECU 6,04 ;

10. If it falls within CN codes 0404 10 74 and 0404 10 82, to the sum of the following components :

(a) a component calculated in accordance with 8 (a),

(b) a component equal to ECU 6,04,

(c) a component to take account of the quantity of added sugar or other sweetening matter ;

11. If it falls within CN codes 0404 10 76 and 0404 10 84, to the sum of the following components :

(a) a component calculated in accordance with 9 (a),

(b) a component equal to ECU 6,04,

(c) a component to take account of the quantity of added sugar or other sweetening matter ;

4. In the Annex, the product groups 1, 2 and 3 shall be replaced by the following groups :

| 'Number of group | Groups of products according to the combined nomenclature | Pilot products for each group of products                                                                                                                               |
|------------------|-----------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1                | 0404 10 02<br>0404 10 26<br>0404 10 48<br>0404 10 72      | Powdered whey, obtained by the spray process, with a water content of less than 5 % by weight, in packages normally used in the trade of a net content of 25 kg or more |

| Number of group | Groups of products according to the combined nomenclature                                                                                                                                                                                                                                                                                                                                                                                                                          | Pilot products for each group of products                                                                                                                                                                           |
|-----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2               | 0402 10<br>0403 10 02<br>0403 10 12<br>0403 90 11<br>0403 90 31<br>0404 10 12<br>0404 10 34<br>0404 10 56<br>0404 10 78<br>0404 90 11<br>0404 90 31<br>0404 90 51<br>0404 90 91<br>2309 10 15<br>2309 10 19<br>2309 10 39<br>2309 10 59<br>2309 10 70<br>2309 90 35<br>2309 90 39<br>2309 90 49<br>2309 90 59<br>2309 90 70                                                                                                                                                        | Milk powder, obtained by the spray process, with a fat content of less than 1,5 % by weight and a water content of less than 5 % by weight in packages normally used in the trade of a net content of 25 kg or more |
| 3               | 0402 21<br>0402 29<br>0403 10 04<br>0403 10 06<br>0403 10 14<br>0403 10 16<br>0403 90 13<br>0403 90 19<br>0403 90 33<br>0403 90 39<br>0404 10 04<br>0404 10 06<br>0404 10 14<br>0404 10 16<br>0404 10 28<br>0404 10 32<br>0404 10 36<br>0404 10 38<br>0404 10 52<br>0404 10 54<br>0404 10 58<br>0404 10 62<br>0404 10 74<br>0404 10 76<br>0404 10 82<br>0404 10 84<br>0404 90 13<br>0404 90 19<br>0404 90 33<br>0404 90 39<br>0404 90 53<br>0404 90 59<br>0404 90 93<br>0404 90 99 | Milk powder, obtained by the spray process, with a fat content of 26 % by weight and a water content of less than 5 % by weight, in packages normally used in the trade of a net content of 25 kg or more           |

*Article 3*

This Regulation shall enter into force on 1 January 1992.

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

Done at Brussels, 19 December 1991.

*For the Council*

*The President*

P. DANKERT

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## ANNEX I

| CN code    | Description                                                                                                                                                                                                                                      | Rate of duty                 |                  | Supplementary unit |
|------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|------------------|--------------------|
|            |                                                                                                                                                                                                                                                  | autonomous (%) or levy (AGR) | conventional (%) |                    |
| 1          | 2                                                                                                                                                                                                                                                | 3                            | 4                | 5                  |
| 0404       | Whey, whether or not concentrated or containing added sugar or other sweetening matter; products consisting of natural milk constituents, whether or not containing added sugar or other sweetening matter, not elsewhere specified or included: |                              |                  |                    |
| 0404 10    | — Whey and modified whey, whether or not concentrated or containing added sugar or other sweetening matter:                                                                                                                                      |                              |                  |                    |
|            | — — In powder, granule or other solid forms:                                                                                                                                                                                                     |                              |                  |                    |
|            | — — — Not containing sugar or other sweetening matter, of a protein content (nitrogen content $\times$ 6,38), by weight:                                                                                                                         |                              |                  |                    |
|            | — — — — Not exceeding 15 % and of a fat content, by weight:                                                                                                                                                                                      |                              |                  |                    |
| 0404 10 02 | — — — — — Not exceeding 1,5 %                                                                                                                                                                                                                    | 18 (AGR)                     | —                | —                  |
| 0404 10 04 | — — — — — Exceeding 1,5 % but not exceeding 27 %                                                                                                                                                                                                 | 18 (AGR)                     | —                | —                  |
| 0404 10 06 | — — — — — Exceeding 27 %                                                                                                                                                                                                                         | 18 (AGR)                     | —                | —                  |
|            | — — — — — Exceeding 15 % and of a fat content, by weight:                                                                                                                                                                                        |                              |                  |                    |
| 0404 10 12 | — — — — — Not exceeding 1,5 %                                                                                                                                                                                                                    | 18 (AGR)                     | —                | —                  |
| 0404 10 14 | — — — — — Exceeding 1,5 % but not exceeding 27 %                                                                                                                                                                                                 | 18 (AGR)                     | —                | —                  |
| 0404 10 16 | — — — — — Exceeding 27 %                                                                                                                                                                                                                         | 18 (AGR)                     | —                | —                  |
|            | — — — Other, of a protein content (nitrogen content $\times$ 6,38), by weight:                                                                                                                                                                   |                              |                  |                    |
|            | — — — — Not exceeding 15 % and of a fat content, by weight:                                                                                                                                                                                      |                              |                  |                    |
| 0404 10 26 | — — — — — Not exceeding 1,5 %                                                                                                                                                                                                                    | 23 (AGR)                     | —                | —                  |
| 0404 10 28 | — — — — — Exceeding 1,5 % but not exceeding 27 %                                                                                                                                                                                                 | 23 (AGR)                     | —                | —                  |
| 0404 10 32 | — — — — — Exceeding 27 %                                                                                                                                                                                                                         | 23 (AGR)                     | —                | —                  |
|            | — — — — — Exceeding 15 % and of a fat content, by weight:                                                                                                                                                                                        |                              |                  |                    |
| 0404 10 34 | — — — — — Not exceeding 1,5 %                                                                                                                                                                                                                    | 23 (AGR)                     | —                | —                  |
| 0404 10 36 | — — — — — Exceeding 1,5 % but not exceeding 27 %                                                                                                                                                                                                 | 23 (AGR)                     | —                | —                  |
| 0404 10 38 | — — — — — Exceeding 27 %                                                                                                                                                                                                                         | 23 (AGR)                     | —                | —                  |
|            | — — Other:                                                                                                                                                                                                                                       |                              |                  |                    |
|            | — — — Not containing added sugar or other sweetening matter, of a protein content (nitrogen content $\times$ 6,38), by weight:                                                                                                                   |                              |                  |                    |
|            | — — — — Not exceeding 15 % and of a fat content, by weight:                                                                                                                                                                                      |                              |                  |                    |
| 0404 10 48 | — — — — — Not exceeding 1,5 %                                                                                                                                                                                                                    | 18 (AGR)                     | —                | —                  |
| 0404 10 52 | — — — — — Exceeding 1,5 % but not exceeding 27 %                                                                                                                                                                                                 | 18 (AGR)                     | —                | —                  |
| 0404 10 54 | — — — — — Exceeding 27 %                                                                                                                                                                                                                         | 18 (AGR)                     | —                | —                  |
|            | — — — — — Exceeding 15 % and of a fat content, by weight:                                                                                                                                                                                        |                              |                  |                    |
| 0404 10 56 | — — — — — Not exceeding 1,5 %                                                                                                                                                                                                                    | 18 (AGR)                     | —                | —                  |
| 0404 10 58 | — — — — — Exceeding 1,5 % but not exceeding 27 %                                                                                                                                                                                                 | 18 (AGR)                     | —                | —                  |
| 0404 10 62 | — — — — — Exceeding 27 %                                                                                                                                                                                                                         | 18 (AGR)                     | —                | —                  |
|            | — — — Other, of a protein content (nitrogen content $\times$ 6,38), by weight:                                                                                                                                                                   |                              |                  |                    |
|            | — — — — Not exceeding 15 % and of a fat content, by weight:                                                                                                                                                                                      |                              |                  |                    |
| 0404 10 72 | — — — — — Not exceeding 1,5 %                                                                                                                                                                                                                    | 23 (AGR)                     | —                | —                  |
| 0404 10 74 | — — — — — Exceeding 1,5 % but not exceeding 27 %                                                                                                                                                                                                 | 23 (AGR)                     | —                | —                  |
| 0404 10 76 | — — — — — Exceeding 27 %                                                                                                                                                                                                                         | 23 (AGR)                     | —                | —                  |
|            | — — — — — Exceeding 15 % and of a fat content, by weight:                                                                                                                                                                                        |                              |                  |                    |
| 0404 10 78 | — — — — — Not exceeding 1,5 %                                                                                                                                                                                                                    | 23 (AGR)                     | —                | —                  |
| 0404 10 82 | — — — — — Exceeding 1,5 % but not exceeding 27 %                                                                                                                                                                                                 | 23 (AGR)                     | —                | —                  |
| 0404 10 84 | — — — — — Exceeding 27 %                                                                                                                                                                                                                         | 23 (AGR)                     | —                | —                  |

*ANNEX II*

| CN code<br>1 January 1993 | CN code<br>1992 | Taric<br>Subdivision |
|---------------------------|-----------------|----------------------|
| 0404 10 02                | 0404 10 11      | 11                   |
| 0404 10 04                | 0404 10 11      | 14                   |
| 0404 10 06                | 0404 10 11      | 17                   |
| 0404 10 12                | 0404 10 11      | 21                   |
| 0404 10 14                | 0404 10 11      | 24                   |
| 0404 10 16                | 0404 10 11      | 27                   |
| 0404 10 26                | 0404 10 19      | 11                   |
| 0404 10 28                | 0404 10 19      | 14                   |
| 0404 10 32                | 0404 10 19      | 17                   |
| 0404 10 34                | 0404 10 19      | 21                   |
| 0404 10 36                | 0404 10 19      | 24                   |
| 0404 10 38                | 0404 10 19      | 27                   |
| 0404 10 48                | 0404 10 91      | 11                   |
| 0404 10 52                | 0404 10 91      | 14                   |
| 0404 10 54                | 0404 10 91      | 17                   |
| 0404 10 56                | 0404 10 91      | 21                   |
| 0404 10 58                | 0404 10 91      | 24                   |
| 0404 10 62                | 0404 10 91      | 27                   |
| 0404 10 72                | 0404 10 99      | 11                   |
| 0404 10 74                | 0404 10 99      | 14                   |
| 0404 10 76                | 0404 10 99      | 17                   |
| 0404 10 78                | 0404 10 99      | 21                   |
| 0404 10 82                | 0404 10 99      | 24                   |
| 0404 10 84                | 0404 10 99      | 27                   |

**COUNCIL REGULATION (EEC) No 3799/91****of 19 December 1991****temporarily suspending the Common Customs Tariff import duty on certain mixtures of residues from the manufacture of starch from maize and residues from the extraction of maize germ oil by the wet process**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas consultation has taken place with the United States of America, within the framework of the General Agreement on Tariffs and Trade under Article XXIII, with the aim of consolidating import duties for residues from the manufacture of starch from maize;

Whereas, following the said consultation, it is considered necessary to suspend the collection of import duties for the goods described in Article 1 of this Regulation for the period from 1 January 1991 to 31 December 1991,

HAS ADOPTED THIS REGULATION:

*Article 1*

The collection of the Common Customs Tariff import duties relating to the products described below shall be suspended from 1 January 1991 to 31 December 1991:

ex 2309 90 31 Mixtures of residues from the manufacture of starch from maize and residues from the extraction of maize germ oil by the wet process with a protein content, calculated on the dry product, not exceeding 40 % by weight.

ex 2309 90 41 Mixtures of residues from the manufacture of starch from maize and residues from the extraction of maize germ oil by the wet process with a content, calculated on the dry product, of starch not exceeding 28 % by weight, and of protein not exceeding 40 % by weight.

*Article 2*

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

It shall apply from 1 January 1991.

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

Done at Brussels, 19 December 1991.

*For the Council*

*The President*

P. DANKERT

**COUNCIL REGULATION (EEC) No 3800/91****of 23 December 1991****amending Regulation (EEC) No 3906/89 in order to extend economic aid to include other countries in central and eastern Europe**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 235 thereof,

Having regard to the proposal from the Commission <sup>(1)</sup>,

Having regard to the opinion of the European Parliament <sup>(2)</sup>,

Whereas the Community and its Member States have decided to make a concerted effort together with certain third countries in order to implement measures intended to support the process of economic and social reform underway in Bulgaria, Czechoslovakia, Hungary, Poland, Romania and Yugoslavia; whereas for this purpose Regulation (EEC) No 3906/89 <sup>(3)</sup>, as amended by Regulation (EEC) No 2698/90 <sup>(4)</sup>, lays down the conditions for the supply of economic and humanitarian aid;

Whereas the representatives of the Group of 24 agreed in September 1991 to extend economic assistance respectively to Albania, Estonia, Lithuania and Latvia;

Whereas extending the scope of Regulation (EEC) No 3906/89 to include those countries constitutes an appropriate means of implementing the commitments undertaken;

Whereas, moreover, the conditions for such an extension pertain in these countries;

Whereas German unification, achieved on 3 October 1990, means that the entry 'German Democratic Republic' should be deleted from the Annex to Regulation (EEC) No 3906/89 listing the countries of Central and Eastern Europe which qualify for economic aid,

HAS ADOPTED THIS REGULATION:

*Article 1*

In the Annex to Regulation (EEC) No 3906/89:

1. the following countries are hereby inserted: 'Albania, Estonia, Latvia and Lithuania';
2. the following entry is hereby deleted: 'German Democratic Republic'.

*Article 2*

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

It shall apply with respect to Estonia, Latvia and Lithuania from 1 January 1992.

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

Done at Brussels, 23 December 1991.

*For the Council*

*The President*

Y. VAN ROOY

<sup>(1)</sup> OJ No C 313, 4. 12. 1991, p. 13.

<sup>(2)</sup> Opinion delivered on 13 December 1991 (not yet published in the Official Journal).

<sup>(3)</sup> OJ No L 375, 23. 12. 1989, p. 11.

<sup>(4)</sup> OJ No L 257, 21. 9. 1990, p. 1.

## COMMISSION REGULATION (EEC) No 3801/91

of 27 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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 3577/90 <sup>(2)</sup>, 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 <sup>(3)</sup>, as last amended by Regulation (EEC) No 2205/90 <sup>(4)</sup>, 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 <sup>(5)</sup> 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 27 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 28 December 1991.

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

Done at Brussels, 27 December 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.<sup>(2)</sup> OJ No L 353, 17. 12. 1990, p. 23.<sup>(3)</sup> OJ No L 164, 24. 6. 1985, p. 1.<sup>(4)</sup> OJ No L 201, 31. 7. 1990, p. 9.<sup>(5)</sup> OJ No L 250, 7. 9. 1991, p. 1.

## ANNEX

to the Commission Regulation of 27 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  | 132,41 <sup>(2)</sup> <sup>(3)</sup> |
| 0712 90 19  | 132,41 <sup>(2)</sup> <sup>(3)</sup> |
| 1001 10 10  | 184,53 <sup>(1)</sup> <sup>(2)</sup> |
| 1001 10 90  | 184,53 <sup>(1)</sup> <sup>(2)</sup> |
| 1001 90 91  | 162,11                               |
| 1001 90 99  | 162,11                               |
| 1002 00 00  | 166,35 <sup>(6)</sup>                |
| 1003 00 10  | 144,19                               |
| 1003 00 90  | 144,19                               |
| 1004 00 10  | 135,23                               |
| 1004 00 90  | 135,23                               |
| 1005 10 90  | 132,41 <sup>(2)</sup> <sup>(3)</sup> |
| 1005 90 00  | 132,41 <sup>(2)</sup> <sup>(3)</sup> |
| 1007 00 90  | 143,99 <sup>(4)</sup>                |
| 1008 10 00  | 70,73                                |
| 1008 20 00  | 135,71 <sup>(4)</sup>                |
| 1008 30 00  | 88,13 <sup>(2)</sup>                 |
| 1008 90 10  | (7)                                  |
| 1008 90 90  | 88,13                                |
| 1101 00 00  | 239,96 <sup>(8)</sup>                |
| 1102 10 00  | 245,89 <sup>(8)</sup>                |
| 1103 11 10  | 299,34 <sup>(8)</sup>                |
| 1103 11 90  | 258,32 <sup>(8)</sup>                |

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

<sup>(2)</sup> 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'.

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

<sup>(4)</sup> 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.

<sup>(5)</sup> 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.

<sup>(6)</sup> 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).

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

<sup>(8)</sup> 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 3802/91

of 27 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<sup>(1)</sup>, as last amended by Regulation (EEC) No 3577/90<sup>(2)</sup>, 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<sup>(3)</sup>, as last amended by Regulation (EEC) No 2205/90<sup>(4)</sup>, 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<sup>(5)</sup> 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 27 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 28 December 1991.

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

Done at Brussels, 27 December 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 353, 17. 12. 1990, p. 23.

<sup>(3)</sup> OJ No L 164, 24. 6. 1985, p. 1.

<sup>(4)</sup> OJ No L 201, 31. 7. 1990, p. 9.

<sup>(5)</sup> OJ No L 168, 29. 6. 1991, p. 4.

## ANNEX

to the Commission Regulation of 27 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<br>12 | 1st period<br>1 | 2nd period<br>2 | 3rd period<br>3 |
|------------|---------------|-----------------|-----------------|-----------------|
| 0709 90 60 | 0             | 0               | 0               | 0               |
| 0712 90 19 | 0             | 0               | 0               | 0               |
| 1001 10 10 | 0             | 0               | 0               | 0               |
| 1001 10 90 | 0             | 0               | 0               | 0               |
| 1001 90 91 | 0             | 0               | 0               | 0               |
| 1001 90 99 | 0             | 0               | 0               | 0               |
| 1002 00 00 | 0             | 0               | 0               | 0               |
| 1003 00 10 | 0             | 0               | 0               | 0               |
| 1003 00 90 | 0             | 0               | 0               | 0               |
| 1004 00 10 | 0             | 0               | 0               | 0               |
| 1004 00 90 | 0             | 0               | 0               | 0               |
| 1005 10 90 | 0             | 0               | 0               | 0               |
| 1005 90 00 | 0             | 0               | 0               | 0               |
| 1007 00 90 | 0             | 0               | 0               | 0               |
| 1008 10 00 | 0             | 0               | 0               | 0               |
| 1008 20 00 | 0             | 0               | 0               | 0               |
| 1008 30 00 | 0             | 0               | 0               | 0               |
| 1008 90 90 | 0             | 0               | 0               | 0               |
| 1101 00 00 | 0             | 0               | 0               | 0               |

## B. Malt

(ECU/tonne)

| CN code    | Current<br>12 | 1st period<br>1 | 2nd period<br>2 | 3rd period<br>3 | 4th period<br>4 |
|------------|---------------|-----------------|-----------------|-----------------|-----------------|
| 1107 10 11 | 0             | 0               | 0               | 0               | 0               |
| 1107 10 19 | 0             | 0               | 0               | 0               | 0               |
| 1107 10 91 | 0             | 0               | 0               | 0               | 0               |
| 1107 10 99 | 0             | 0               | 0               | 0               | 0               |
| 1107 20 00 | 0             | 0               | 0               | 0               | 0               |

**COMMISSION REGULATION (EEC) No 3803/91****of 27 December 1991****fixing the import levies on rice and broken rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

Whereas the import levies on rice and broken rice were fixed by Commission Regulation (EEC) No 3487/91 <sup>(5)</sup>, as last amended by Regulation (EEC) No 3737/91 <sup>(6)</sup>,

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 1 January 1992.

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

Done at Brussels, 27 December 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 166, 25. 6. 1976, p. 1.

<sup>(2)</sup> OJ No L 177, 24. 6. 1989, p. 1.

<sup>(3)</sup> OJ No L 80, 24. 3. 1987, p. 20.

<sup>(4)</sup> OJ No L 75, 21. 3. 1991, p. 29.

<sup>(5)</sup> OJ No L 328, 30. 11. 1991, p. 66.

<sup>(6)</sup> OJ No L 352, 21. 12. 1991, p. 20.

## ANNEX

## to the Commission Regulation of 27 December 1991 fixing the import levies on rice and broken rice

| (ECU/tonne) |                                                                 |                                                                                         |                                                          |
|-------------|-----------------------------------------------------------------|-----------------------------------------------------------------------------------------|----------------------------------------------------------|
| CN code     | Arrangement<br>in Regulation (EEC)<br>No 3877/86 <sup>(6)</sup> | ACP or OCT<br><sup>(1)</sup> <sup>(2)</sup> <sup>(3)</sup> <sup>(4)</sup><br>Bangladesh | Third countries<br>(except ACP or OCT)<br><sup>(5)</sup> |
| 1006 10 21  | —                                                               | 155,18                                                                                  | 317,57                                                   |
| 1006 10 23  | 225,10                                                          | 146,46                                                                                  | 300,13                                                   |
| 1006 10 25  | 225,10                                                          | 146,46                                                                                  | 300,13                                                   |
| 1006 10 27  | 225,10                                                          | 146,46                                                                                  | 300,13                                                   |
| 1006 10 92  | —                                                               | 155,18                                                                                  | 317,57                                                   |
| 1006 10 94  | 225,10                                                          | 146,46                                                                                  | 300,13                                                   |
| 1006 10 96  | 225,10                                                          | 146,46                                                                                  | 300,13                                                   |
| 1006 10 98  | 225,10                                                          | 146,46                                                                                  | 300,13                                                   |
| 1006 20 11  | —                                                               | 194,88                                                                                  | 396,96                                                   |
| 1006 20 13  | 281,37                                                          | 183,98                                                                                  | 375,16                                                   |
| 1006 20 15  | 281,37                                                          | 183,98                                                                                  | 375,16                                                   |
| 1006 20 17  | 281,37                                                          | 183,98                                                                                  | 375,16                                                   |
| 1006 20 92  | —                                                               | 194,88                                                                                  | 396,96                                                   |
| 1006 20 94  | 281,37                                                          | 183,98                                                                                  | 375,16                                                   |
| 1006 20 96  | 281,37                                                          | 183,98                                                                                  | 375,16                                                   |
| 1006 20 98  | 281,37                                                          | 183,98                                                                                  | 375,16                                                   |
| 1006 30 21  | —                                                               | 241,56                                                                                  | 506,98 <sup>(5)</sup>                                    |
| 1006 30 23  | 448,29 <sup>(5)</sup>                                           | 286,97                                                                                  | 597,72 <sup>(5)</sup>                                    |
| 1006 30 25  | 448,29 <sup>(5)</sup>                                           | 286,97                                                                                  | 597,72 <sup>(5)</sup>                                    |
| 1006 30 27  | 448,29 <sup>(5)</sup>                                           | 286,97                                                                                  | 597,72 <sup>(5)</sup>                                    |
| 1006 30 42  | —                                                               | 241,56                                                                                  | 506,98 <sup>(5)</sup>                                    |
| 1006 30 44  | 448,29 <sup>(5)</sup>                                           | 286,97                                                                                  | 597,72 <sup>(5)</sup>                                    |
| 1006 30 46  | 448,29 <sup>(5)</sup>                                           | 286,97                                                                                  | 597,72 <sup>(5)</sup>                                    |
| 1006 30 48  | 448,29 <sup>(5)</sup>                                           | 286,97                                                                                  | 597,72 <sup>(5)</sup>                                    |
| 1006 30 61  | —                                                               | 257,62                                                                                  | 539,94 <sup>(5)</sup>                                    |
| 1006 30 63  | 480,57 <sup>(5)</sup>                                           | 308,03                                                                                  | 640,76 <sup>(5)</sup>                                    |
| 1006 30 65  | 480,57 <sup>(5)</sup>                                           | 308,03                                                                                  | 640,76 <sup>(5)</sup>                                    |
| 1006 30 67  | 480,57 <sup>(5)</sup>                                           | 308,03                                                                                  | 640,76 <sup>(5)</sup>                                    |
| 1006 30 92  | —                                                               | 257,62                                                                                  | 539,94 <sup>(5)</sup>                                    |
| 1006 30 94  | 480,57 <sup>(5)</sup>                                           | 308,03                                                                                  | 640,76 <sup>(5)</sup>                                    |
| 1006 30 96  | 480,57 <sup>(5)</sup>                                           | 308,03                                                                                  | 640,76 <sup>(5)</sup>                                    |
| 1006 30 98  | 480,57 <sup>(5)</sup>                                           | 308,03                                                                                  | 640,76 <sup>(5)</sup>                                    |
| 1006 40 00  | —                                                               | 69,74                                                                                   | 145,48                                                   |

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

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

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

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

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

<sup>(6)</sup> The levy on imports of rice of the long-grain aromatic Basmati variety is applicable under the arrangements laid down in Regulation (EEC) No 3877/86, as amended by Regulation (EEC) No 3130/91.

**COMMISSION REGULATION (EEC) No 3804/91****of 27 December 1991****fixing the premiums to be added to the import levies on rice and broken rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice<sup>(1)</sup>, as last amended by Regulation (EEC) No 1806/89<sup>(2)</sup>, and in particular Article 13 (6) thereof,

Whereas the premiums to be added to the levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2591/91<sup>(3)</sup>, as last amended by Regulation (EEC) No 3738/91<sup>(4)</sup>;

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 1 January 1992.

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

Done at Brussels, 27 December 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 166, 25. 6. 1976, p. 1.

<sup>(2)</sup> OJ No L 177, 24. 6. 1989, p. 1.

<sup>(3)</sup> OJ No L 243, 31. 8. 1991, p. 8.

<sup>(4)</sup> OJ No L 352, 21. 12. 1991, p. 22.

## ANNEX

to the Commission Regulation of 27 December 1991 fixing the premiums to be added to the import levies on rice and broken rice

| CN code    | (ECU/tonne)  |                 |                 |                 |
|------------|--------------|-----------------|-----------------|-----------------|
|            | Current<br>1 | 1st period<br>2 | 2nd period<br>3 | 3rd period<br>4 |
| 1006 10 21 | 0            | 0               | 0               | —               |
| 1006 10 23 | 0            | 0               | 0               | —               |
| 1006 10 25 | 0            | 0               | 0               | —               |
| 1006 10 27 | 0            | 0               | 0               | —               |
| 1006 10 92 | 0            | 0               | 0               | —               |
| 1006 10 94 | 0            | 0               | 0               | —               |
| 1006 10 96 | 0            | 0               | 0               | —               |
| 1006 10 98 | 0            | 0               | 0               | —               |
| 1006 20 11 | 0            | 0               | 0               | —               |
| 1006 20 13 | 0            | 0               | 0               | —               |
| 1006 20 15 | 0            | 0               | 0               | —               |
| 1006 20 17 | 0            | 0               | 0               | —               |
| 1006 20 92 | 0            | 0               | 0               | —               |
| 1006 20 94 | 0            | 0               | 0               | —               |
| 1006 20 96 | 0            | 0               | 0               | —               |
| 1006 20 98 | 0            | 0               | 0               | —               |
| 1006 30 21 | 0            | 0               | 0               | —               |
| 1006 30 23 | 0            | 0               | 0               | —               |
| 1006 30 25 | 0            | 0               | 0               | —               |
| 1006 30 27 | 0            | 0               | 0               | —               |
| 1006 30 42 | 0            | 0               | 0               | —               |
| 1006 30 44 | 0            | 0               | 0               | —               |
| 1006 30 46 | 0            | 0               | 0               | —               |
| 1006 30 48 | 0            | 0               | 0               | —               |
| 1006 30 61 | 0            | 0               | 0               | —               |
| 1006 30 63 | 0            | 0               | 0               | —               |
| 1006 30 65 | 0            | 0               | 0               | —               |
| 1006 30 67 | 0            | 0               | 0               | —               |
| 1006 30 92 | 0            | 0               | 0               | —               |
| 1006 30 94 | 0            | 0               | 0               | —               |
| 1006 30 96 | 0            | 0               | 0               | —               |
| 1006 30 98 | 0            | 0               | 0               | —               |
| 1006 40 00 | 0            | 0               | 0               | 0               |

**COMMISSION REGULATION (EEC) No 3805/91****of 27 December 1991****fixing the export refunds on pigmeat**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organization of the market in pigmeat<sup>(1)</sup>, as last amended by Regulation (EEC) No 1249/89<sup>(2)</sup>, and in particular the first sentence of Article 15 (5) thereof,

Having regard to Council Regulation (EEC) No 2768/75 of 29 October 1975 laying down general rules for granting export refunds on pigmeat and criteria for fixing the amount of such refunds<sup>(3)</sup>, and in particular Article 5 (1) thereof,

Whereas Article 15 of Regulation (EEC) No 2759/75 provides that the difference between prices on the world market for the products listed in Article 1 (1) of that Regulation and prices for these products within the Community may be covered by an export refund;

Whereas it follows from applying these rules and criteria to the present situation on the market in pigmeat that the refund should be fixed as set out below;

Whereas facilities exist at present for the export of pigs falling within CN codes 0103 91 10 and 0103 92 19 and certain products falling within CN code 0203; whereas a refund should be fixed for these products taking particular account of the conditions of competition for Community exporters on world markets;

Whereas, in the case of products falling within CN codes 0210 19 51 and 0210 19 81, the refund should be limited to an amount which takes account of the qualitative characteristics of each of the products falling within these codes and of the foreseeable trend of production costs on the world market; whereas it is important that the Community should continue to take part in international trade in the case of certain typical Italian products falling within CN code 0210 91 81;

Whereas, because of the conditions of competition in certain third countries, which are traditionally importers of products falling within CN codes 1601 00 and 1602, the refund for these products should be fixed so as to take this situation into account; whereas steps should be taken to ensure that the refund is granted only for the net weight of the edible substances, to the exclusion of the net weight of the bones possibly contained in the said preparations;

Whereas, since economically significant quantities of other pigmeat products are not being exported at present, there is no need to fix a refund for these products;

Whereas Article 4 of Regulation (EEC) No 2768/75 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund on the products listed in Article 1 (1) of Regulation (EEC) No 2759/75 according to destination;

Whereas the refunds should be fixed taking account of the amendments to the refund nomenclature established by Commission Regulation (EEC) No 3846/87<sup>(4)</sup>, as last amended by Regulation (EEC) No 3655/91<sup>(5)</sup>;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The list of products on which the export refund specified in Article 15 of Regulation (EEC) No 2759/75 is granted and the amount of the refund shall be as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 1 January 1992.

<sup>(1)</sup> OJ No L 282, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 129, 11. 5. 1989, p. 12.

<sup>(3)</sup> OJ No L 282, 1. 11. 1975, p. 39.

<sup>(4)</sup> OJ No L 366, 24. 12. 1987, p. 1.

<sup>(5)</sup> OJ No L 348, 17. 12. 1991, p. 14.

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

Done at Brussels, 27 December 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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## ANNEX

to the Commission Regulation of 27 December 1991 fixing the export refunds on pigmeat

*(ECU/100 kg net weight)*

| Product code   | Destination of refund (1) | Amount of refund |
|----------------|---------------------------|------------------|
| 0103 91 10 000 | 01                        | 20,00            |
| 0103 92 19 000 | 01                        | 20,00            |
| 0203 11 10 000 | 01                        | 30,00            |
| 0203 12 11 100 | 01                        | 30,00            |
| 0203 12 11 900 | 01                        | —                |
| 0203 12 19 100 | 01                        | 30,00            |
| 0203 12 19 900 | 01                        | —                |
| 0203 19 11 100 | 01                        | 30,00            |
| 0203 19 11 900 | 01                        | —                |
| 0203 19 13 100 | 01                        | 30,00            |
| 0203 19 13 900 | 01                        | —                |
| 0203 19 15 100 | 01                        | 20,00            |
| 0203 19 15 900 | 01                        | —                |
| 0203 19 55 120 | 01                        | 30,00            |
| 0203 19 55 190 | 01                        | 30,00            |
| 0203 19 55 311 | 01                        | 20,00            |
| 0203 19 55 319 | 01                        | —                |
| 0203 19 55 391 | 01                        | 20,00            |
| 0203 19 55 399 | 01                        | —                |
| 0203 19 55 900 | 01                        | —                |
| 0203 21 10 000 | 01                        | 30,00            |
| 0203 22 11 100 | 01                        | 30,00            |
| 0203 22 11 900 | 01                        | —                |
| 0203 22 19 100 | 01                        | 30,00            |
| 0203 22 19 900 | 01                        | —                |
| 0203 29 11 100 | 01                        | 30,00            |
| 0203 29 11 900 | 01                        | —                |
| 0203 29 13 100 | 01                        | 30,00            |
| 0203 29 13 900 | 01                        | —                |
| 0203 29 15 100 | 01                        | 20,00            |
| 0203 29 15 900 | 01                        | —                |
| 0203 29 55 120 | 01                        | 30,00            |
| 0203 29 55 190 | 01                        | 30,00            |
| 0203 29 55 311 | 01                        | 20,00            |
| 0203 29 55 319 | 01                        | —                |
| 0203 29 55 391 | 01                        | 20,00            |
| 0203 29 55 399 | 01                        | —                |
| 0203 29 55 900 | 01                        | —                |
| 0210 11 11 100 | 01                        | 30,00            |
| 0210 11 11 900 | 01                        | —                |
| 0210 11 31 110 | 01                        | 70,00            |
| 0210 11 31 190 | 01                        | —                |
| 0210 11 31 910 | 01                        | 52,00            |
| 0210 11 31 990 | 01                        | —                |
| 0210 12 11 100 | 01                        | 20,00            |

(ECU/100 kg net weight)

| Product code   | Destination of refund (1) | Amount of refund |
|----------------|---------------------------|------------------|
| 0210 12 11 900 | 01                        | —                |
| 0210 12 19 100 | 01                        | 35,00            |
| 0210 12 19 900 | 01                        | —                |
| 0210 19 40 100 | 01                        | 30,00            |
| 0210 19 40 900 | 01                        | —                |
| 0210 19 51 100 | 01                        | 30,00            |
| 0210 19 51 310 | 01                        | 20,00            |
| 0210 19 51 390 | 01                        | —                |
| 0210 19 51 900 | 01                        | —                |
| 0210 19 81 100 | 01                        | 70,00            |
| 0210 19 81 300 | 01                        | 52,00            |
| 0210 19 81 900 | 01                        | —                |
| 1601 00 10 100 | 01                        | 35,00            |
| 1601 00 10 900 | 01                        | —                |
| 1601 00 91 100 | 01                        | 58,00            |
| 1601 00 91 900 | 01                        | —                |
| 1601 00 99 100 | 01                        | 40,00            |
| 1601 00 99 900 | 01                        | —                |
| 1602 10 00 000 | 01                        | 16,00            |
| 1602 20 90 100 | 01                        | 30,00            |
| 1602 20 90 900 | 01                        | —                |
| 1602 41 10 100 | 01                        | 30,00            |
| 1602 41 10 210 | 01                        | 57,00            |
| 1602 41 10 290 | 01                        | 26,00            |
| 1602 41 10 900 | 01                        | —                |
| 1602 42 10 100 | 01                        | 30,00            |
| 1602 42 10 210 | 01                        | 51,00            |
| 1602 42 10 290 | 01                        | 26,00            |
| 1602 42 10 900 | 01                        | —                |
| 1602 49 11 110 | 01                        | 30,00            |
| 1602 49 11 190 | 01                        | 57,00            |
| 1602 49 11 900 | 01                        | —                |
| 1602 49 13 110 | 01                        | 30,00            |
| 1602 49 13 190 | 01                        | 51,00            |
| 1602 49 13 900 | 01                        | —                |
| 1602 49 15 110 | 01                        | 30,00            |
| 1602 49 15 190 | 01                        | 51,00            |
| 1602 49 15 900 | 01                        | —                |
| 1602 49 19 110 | 01                        | 20,00            |
| 1602 49 19 190 | 01                        | 36,00            |
| 1602 49 19 900 | 01                        | —                |
| 1602 49 30 100 | 01                        | 26,00            |
| 1602 49 30 900 | 01                        | —                |
| 1602 49 50 100 | 01                        | 16,00            |
| 1602 49 50 900 | 01                        | —                |
| 1602 90 10 100 | 01                        | 28,00            |
| 1602 90 10 900 | 01                        | —                |
| 1902 20 30 100 | 01                        | 16,00            |
| 1902 20 30 900 | 01                        | —                |

(<sup>1</sup>) The destinations are as follows :

- 01 All destinations,
- 02 The United States of America and Canada,
- 03 All destinations except the United States of America and Canada,
- 04 The United States of America, Canada and Australia,
- 05 All destinations except the United States of America, Canada and Australia.

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*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).

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## COMMISSION REGULATION (EEC) No 3806/91

of 27 December 1991

fixing the export refunds on milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

fixing regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products <sup>(1)</sup>, as last amended by Regulation (EEC) No 1630/90 <sup>(2)</sup>, and in particular Article 17 <sup>(4)</sup> thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 17 of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 876/68 of 28 June 1968 laying down general rules for granting export refunds on milk and milk products and criteria for fixing the amount of such refunds <sup>(3)</sup>, as last amended by Regulation (EEC) No 1344/86 <sup>(4)</sup>, provides that when the refunds on the products listed in Article 1 of Regulation (EEC) No 804/68, exported in the natural state, are being fixed account must be taken of:

- the existing situation and the future trend with regard to prices and availabilities of milk and milk products on the Community market and prices for milk and milk products in international trade,
- marketing costs and the most favourable transport charges from Community markets to ports or other points of export in the Community, as well as costs incurred in placing the goods on the market of the country of destination,
- the aims of the common organization of the market in milk and milk products which are to ensure equilibrium and the natural development of prices and trade on this market,
- the need to avoid disturbances on the Community market, and

— the economic aspect of the proposed exports;

Whereas Article 3(1) of Regulation (EEC) No 876/68 provides that when prices within the Community are being determined account should be taken of the ruling prices which are most favourable for exportation, and that when prices in international trade are being determined particular account should be taken of:

- (a) prices ruling on third country markets;
- (b) the most favourable prices in third countries of destination for third country imports;
- (c) producer prices recorded in exporting third countries, account being taken, where appropriate, of subsidies granted by those countries; and
- (d) free-at-Community-frontier offer prices;

Whereas Article 4 of Regulation (EEC) No 876/68 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund on the products listed in Article 1 of Regulation (EEC) No 804/68 according to destination;

Whereas Article 5(1) of Regulation (EEC) No 876/68 provides that the list of products on which export refunds are granted and the amount of such refunds should be fixed at least once every four weeks; whereas the amount of the refund may, however, remain at the same level for more than four weeks;

Whereas, in accordance with Article 2 of Commission Regulation (EEC) No 1098/68 of 27 July 1968 on detailed rules for the application of export refunds on milk and milk products <sup>(5)</sup>, as last amended by Regulation (EEC) No 2767/90 <sup>(6)</sup>, the refund granted for milk products containing added sugar is equal to the sum of the two components, one of which is intended to take account of the quantity of milk products and the other is intended to take account of the quantity of added sucrose; whereas, however, the latter component is applied only if the added sucrose was produced from sugar beet or cane harvested in the Community;

<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 13.

<sup>(2)</sup> OJ No L 150, 15. 6. 1991, p. 19.

<sup>(3)</sup> OJ No L 155, 3. 7. 1968, p. 1.

<sup>(4)</sup> OJ No L 119, 8. 5. 1986, p. 36.

<sup>(5)</sup> OJ No L 184, 29. 7. 1968, p. 10.

<sup>(6)</sup> OJ No L 267, 29. 9. 1990, p. 14.

Whereas, for products falling within CN codes ex 0402 99 11, ex 0402 99 19, ex 0404 90 51, ex 0404 90 53, ex 0404 90 91 and ex 0404 90 93, with a fat content by weight not exceeding 9,5 % and a non-fatty milk content in the dry matter equal to or greater than 15 % by weight, the former abovementioned component is fixed for 100 kilograms of the whole product; whereas, for the other products containing added sugar falling within codes 0402 and 0404, that component is calculated by multiplying the basic amount by the milk products content of the product concerned; whereas that basic amount is equal to the refund to be fixed for one kilogram of milk products contained in the whole product;

Whereas the second component is calculated by multiplying the sucrose content of the product by the basic amount of the refund valid on the day of exportation for the products listed in Article 1 (1) (d) of Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector<sup>(1)</sup>, as last amended by Regulation (EEC) No 464/91<sup>(2)</sup>;

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<sup>(3)</sup>, as last amended by Regulation (EEC) No 2205/90<sup>(4)</sup>,
- 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 level of refund for cheeses is calculated for products intended for direct consumption; whereas the cheese rinds and cheese wastes are not products intended

for this purpose; whereas, to avoid any confusion in interpretation, it should be specified that there will be no refund for cheeses of a free-at-frontier value less than ECU 140 per 100 kilograms;

Whereas Commission Regulation (EEC) No 896/84<sup>(5)</sup>, as last amended by Regulation (EEC) No 222/88<sup>(6)</sup>, laid down additional provisions concerning the granting of refunds on the change from one milk year to another; whereas those provisions provide for the possibility of varying refunds according to the date of manufacture of the products;

Whereas for the calculation of the refund for processed cheese provision must be made where casein or caseinates are added for that quantity not to be taken into account;

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

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

HAS ADOPTED THIS REGULATION:

#### *Article 1*

1. The export refunds referred to in Article 17 of Regulation (EEC) No 804/68 on products exported in the natural state shall be as set out in the Annex.
2. There shall be no refunds for exports to Zone E for products falling within CN codes 0401, 0402, 0403, 0404, 0405 and 2309.

#### *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, 27 December 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ No L 54, 28. 2. 1991, p. 22.

<sup>(3)</sup> OJ No L 164, 24. 6. 1985, p. 1.

<sup>(4)</sup> OJ No L 201, 31. 7. 1990, p. 9.

<sup>(5)</sup> OJ No L 91, 1. 4. 1984, p. 71.

<sup>(6)</sup> OJ No L 28, 1. 2. 1988, p. 1.

## ANNEX

to the Commission Regulation of 27 December 1991 fixing the export refunds on milk and milk products

(in ECU/100 kg net weight unless otherwise indicated)

| Product code   | Destination (*) | Amount of refund |
|----------------|-----------------|------------------|
| 0401 10 10 000 |                 | 6,36             |
| 0401 10 90 000 |                 | 6,36             |
| 0401 20 11 100 |                 | 6,36             |
| 0401 20 11 500 |                 | 9,61             |
| 0401 20 19 100 |                 | 6,36             |
| 0401 20 19 500 |                 | 9,61             |
| 0401 20 91 100 |                 | 12,65            |
| 0401 20 91 500 |                 | 14,67            |
| 0401 20 99 100 |                 | 12,65            |
| 0401 20 99 500 |                 | 14,67            |
| 0401 30 11 100 |                 | 18,72            |
| 0401 30 11 400 |                 | 28,65            |
| 0401 30 11 700 |                 | 42,84            |
| 0401 30 19 100 |                 | 18,72            |
| 0401 30 19 400 |                 | 28,65            |
| 0401 30 19 700 |                 | 42,84            |
| 0401 30 31 100 |                 | 50,94            |
| 0401 30 31 400 |                 | 79,31            |
| 0401 30 31 700 |                 | 87,41            |
| 0401 30 39 100 |                 | 50,94            |
| 0401 30 39 400 |                 | 79,31            |
| 0401 30 39 700 |                 | 87,41            |
| 0401 30 91 100 |                 | 99,57            |
| 0401 30 91 400 |                 | 146,17           |
| 0401 30 91 700 |                 | 170,49           |
| 0401 30 99 100 |                 | 99,57            |
| 0401 30 99 400 |                 | 146,17           |
| 0401 30 99 700 |                 | 170,49           |
| 0402 10 11 000 |                 | 70,00            |
| 0402 10 19 000 |                 | 70,00            |
| 0402 10 91 000 |                 | 0,7000           |
| 0402 10 99 000 |                 | 0,7000           |
| 0402 21 11 200 |                 | 70,00            |
| 0402 21 11 300 |                 | 99,72            |
| 0402 21 11 500 |                 | 106,00           |
| 0402 21 11 900 |                 | 112,00           |
| 0402 21 17 000 |                 | 70,00            |
| 0402 21 19 300 |                 | 99,72            |
| 0402 21 19 500 |                 | 106,00           |
| 0402 21 19 900 |                 | 112,00           |
| 0402 21 91 100 |                 | 115,96           |
| 0402 21 91 200 |                 | 116,87           |
| 0402 21 91 300 |                 | 118,53           |
| 0402 21 91 400 |                 | 128,15           |
| 0402 21 91 500 |                 | 131,43           |
| 0402 21 91 600 |                 | 143,96           |
| 0402 21 91 700 |                 | 151,51           |
| 0402 21 91 900 |                 | 159,88           |
| 0402 21 99 100 |                 | 115,96           |
| 0402 21 99 200 |                 | 116,87           |
| 0402 21 99 300 |                 | 118,53           |
| 0402 21 99 400 |                 | 128,15           |
| 0402 21 99 500 |                 | 131,43           |
| 0402 21 99 600 |                 | 143,96           |
| 0402 21 99 700 |                 | 151,51           |
| 0402 21 99 900 |                 | 159,88           |

(in ECU/100 kg net weight unless otherwise indicated)

| Product code   | Destination (*) | Amount of refund |
|----------------|-----------------|------------------|
| 0402 29 15 200 |                 | 0,7000           |
| 0402 29 15 300 |                 | 0,9972           |
| 0402 29 15 500 |                 | 1,0600           |
| 0402 29 15 900 |                 | 1,1500           |
| 0402 29 19 200 |                 | 0,7000           |
| 0402 29 19 300 |                 | 0,9972           |
| 0402 29 19 500 |                 | 1,0600           |
| 0402 29 19 900 |                 | 1,1500           |
| 0402 29 91 100 |                 | 1,1596           |
| 0402 29 91 500 |                 | 1,2815           |
| 0402 29 99 100 |                 | 1,1596           |
| 0402 29 99 500 |                 | 1,2815           |
| 0402 91 11 110 |                 | 6,36             |
| 0402 91 11 120 |                 | 12,65            |
| 0402 91 11 310 |                 | 19,53            |
| 0402 91 11 350 |                 | 24,42            |
| 0402 91 11 370 |                 | 30,28            |
| 0402 91 19 110 |                 | 6,36             |
| 0402 91 19 120 |                 | 12,65            |
| 0402 91 19 310 |                 | 19,53            |
| 0402 91 19 350 |                 | 24,42            |
| 0402 91 19 370 |                 | 30,28            |
| 0402 91 31 100 |                 | 24,60            |
| 0402 91 31 300 |                 | 35,78            |
| 0402 91 39 100 |                 | 24,60            |
| 0402 91 39 300 |                 | 35,78            |
| 0402 91 51 000 |                 | 28,65            |
| 0402 91 59 000 |                 | 28,65            |
| 0402 91 91 000 |                 | 99,57            |
| 0402 91 99 000 |                 | 99,57            |
| 0402 99 11 110 |                 | 0,0636           |
| 0402 99 11 130 |                 | 0,1265           |
| 0402 99 11 150 |                 | 0,1967           |
| 0402 99 11 310 |                 | 22,53            |
| 0402 99 11 330 |                 | 27,52            |
| 0402 99 11 350 |                 | 37,32            |
| 0402 99 19 110 |                 | 0,0636           |
| 0402 99 19 130 |                 | 0,1265           |
| 0402 99 19 150 |                 | 0,1967           |
| 0402 99 19 310 |                 | 22,53            |
| 0402 99 19 330 |                 | 27,52            |
| 0402 99 19 350 |                 | 37,32            |
| 0402 99 31 110 |                 | 0,2663           |
| 0402 99 31 150 |                 | 38,94            |
| 0402 99 31 300 |                 | 0,5094           |
| 0402 99 31 500 |                 | 0,8741           |
| 0402 99 39 110 |                 | 0,2663           |
| 0402 99 39 150 |                 | 38,94            |
| 0402 99 39 300 |                 | 0,5094           |
| 0402 99 39 500 |                 | 0,8741           |
| 0402 99 91 000 |                 | 0,9957           |
| 0402 99 99 000 |                 | 0,9957           |
| 0403 10 02 000 |                 | —                |
| 0403 10 04 200 |                 | —                |
| 0403 10 04 300 |                 | —                |
| 0403 10 04 500 |                 | —                |
| 0403 10 04 900 |                 | —                |
| 0403 10 06 000 |                 | —                |
| 0403 10 12 000 |                 | —                |
| 0403 10 14 200 |                 | —                |
| 0403 10 14 300 |                 | —                |

*(in ECU/100 kg net weight unless otherwise indicated)*

| Product code   | Destination (*) | Amount of refund |
|----------------|-----------------|------------------|
| 0403 10 14 500 |                 | —                |
| 0403 10 14 900 |                 | —                |
| 0403 10 16 000 |                 | —                |
| 0403 10 22 100 |                 | 6,36             |
| 0403 10 22 300 |                 | 9,61             |
| 0403 10 24 000 |                 | 12,65            |
| 0403 10 26 000 |                 | 18,72            |
| 0403 10 32 100 |                 | 0,0636           |
| 0403 10 32 300 |                 | 0,0961           |
| 0403 10 34 000 |                 | 0,1265           |
| 0403 10 36 000 |                 | 0,1872           |
| 0403 90 11 000 |                 | 70,00            |
| 0403 90 13 200 |                 | 70,00            |
| 0403 90 13 300 |                 | 99,72            |
| 0403 90 13 500 |                 | 106,00           |
| 0403 90 13 900 |                 | 115,00           |
| 0403 90 19 000 |                 | 115,96           |
| 0403 90 31 000 |                 | 0,7000           |
| 0403 90 33 200 |                 | 0,7000           |
| 0403 90 33 300 |                 | 0,9972           |
| 0403 90 33 500 |                 | 1,0600           |
| 0403 90 33 900 |                 | 1,1500           |
| 0403 90 39 000 |                 | 1,1596           |
| 0403 90 51 100 |                 | 6,36             |
| 0403 90 51 300 |                 | 9,61             |
| 0403 90 53 000 |                 | 12,65            |
| 0403 90 59 110 |                 | 18,72            |
| 0403 90 59 140 |                 | 28,65            |
| 0403 90 59 170 |                 | 42,84            |
| 0403 90 59 310 |                 | 50,94            |
| 0403 90 59 340 |                 | 79,31            |
| 0403 90 59 370 |                 | 87,41            |
| 0403 90 59 510 |                 | 99,57            |
| 0403 90 59 540 |                 | 146,17           |
| 0403 90 59 570 |                 | 170,49           |
| 0403 90 61 100 |                 | 0,0636           |
| 0403 90 61 300 |                 | 0,0961           |
| 0403 90 63 000 |                 | 0,1265           |
| 0403 90 69 000 |                 | 0,1872           |
| 0404 90 11 100 |                 | 70,00            |
| 0404 90 11 910 |                 | 6,36             |
| 0404 90 11 950 |                 | 19,53            |
| 0404 90 13 120 |                 | 70,00            |
| 0404 90 13 130 |                 | 99,72            |
| 0404 90 13 140 |                 | 106,00           |
| 0404 90 13 150 |                 | 115,00           |
| 0404 90 13 911 |                 | 6,36             |
| 0404 90 13 913 |                 | 12,65            |
| 0404 90 13 915 |                 | 18,72            |
| 0404 90 13 917 |                 | 28,65            |
| 0404 90 13 919 |                 | 42,84            |
| 0404 90 13 931 |                 | 19,53            |
| 0404 90 13 933 |                 | 24,42            |
| 0404 90 13 935 |                 | 30,28            |
| 0404 90 13 937 |                 | 35,78            |
| 0404 90 13 939 |                 | 37,44            |
| 0404 90 19 110 |                 | 115,96           |
| 0404 90 19 115 |                 | 116,87           |
| 0404 90 19 120 |                 | 118,53           |
| 0404 90 19 130 |                 | 128,15           |
| 0404 90 19 135 |                 | 131,43           |

*(in ECU/100 kg net weight unless otherwise indicated)*

| Product code   | Destination (*) | Amount of refund |
|----------------|-----------------|------------------|
| 0404 90 19 150 |                 | 143,96           |
| 0404 90 19 160 |                 | 151,51           |
| 0404 90 19 180 |                 | 159,88           |
| 0404 90 19 900 |                 | —                |
| 0404 90 31 100 |                 | 70,00            |
| 0404 90 31 910 |                 | 6,36             |
| 0404 90 31 950 |                 | 19,53            |
| 0404 90 33 120 |                 | 70,00            |
| 0404 90 33 130 |                 | 99,72            |
| 0404 90 33 140 |                 | 106,00           |
| 0404 90 33 150 |                 | 115,00           |
| 0404 90 33 911 |                 | 6,36             |
| 0404 90 33 913 |                 | 12,65            |
| 0404 90 33 915 |                 | 18,72            |
| 0404 90 33 917 |                 | 28,65            |
| 0404 90 33 919 |                 | 42,84            |
| 0404 90 33 931 |                 | 19,53            |
| 0404 90 33 933 |                 | 24,42            |
| 0404 90 33 935 |                 | 30,28            |
| 0404 90 33 937 |                 | 35,78            |
| 0404 90 33 939 |                 | 37,44            |
| 0404 90 39 110 |                 | 115,96           |
| 0404 90 39 115 |                 | 116,87           |
| 0404 90 39 120 |                 | 118,53           |
| 0404 90 39 130 |                 | 128,15           |
| 0404 90 39 150 |                 | 131,43           |
| 0404 90 39 900 |                 | —                |
| 0404 90 51 100 |                 | 0,7000           |
| 0404 90 51 910 |                 | 0,0636           |
| 0404 90 51 950 |                 | 22,53            |
| 0404 90 53 110 |                 | 0,7000           |
| 0404 90 53 130 |                 | 0,9972           |
| 0404 90 53 150 |                 | 1,0600           |
| 0404 90 53 170 |                 | 1,1500           |
| 0404 90 53 911 |                 | 0,0636           |
| 0404 90 53 913 |                 | 0,1265           |
| 0404 90 53 915 |                 | 0,1872           |
| 0404 90 53 917 |                 | 0,2865           |
| 0404 90 53 919 |                 | 0,4284           |
| 0404 90 53 931 |                 | 22,53            |
| 0404 90 53 933 |                 | 27,52            |
| 0404 90 53 935 |                 | 37,32            |
| 0404 90 53 937 |                 | 38,94            |
| 0404 90 53 939 |                 | —                |
| 0404 90 59 130 |                 | 1,1596           |
| 0404 90 59 150 |                 | 1,2815           |
| 0404 90 59 930 |                 | 0,6107           |
| 0404 90 59 950 |                 | 0,8741           |
| 0404 90 59 990 |                 | 0,9957           |
| 0404 90 91 100 |                 | 0,7000           |
| 0404 90 91 910 |                 | 0,0636           |
| 0404 90 91 950 |                 | 22,53            |
| 0404 90 93 110 |                 | 0,7000           |
| 0404 90 93 130 |                 | 0,9972           |
| 0404 90 93 150 |                 | 1,0600           |

*(in ECU/100 kg net weight unless otherwise indicated)*

| Product code   | Destination (*) | Amount of refund |
|----------------|-----------------|------------------|
| 0404 90 93 170 |                 | 1,1500           |
| 0404 90 93 911 |                 | 0,0636           |
| 0404 90 93 913 |                 | 0,1265           |
| 0404 90 93 915 |                 | 0,1872           |
| 0404 90 93 917 |                 | 0,2865           |
| 0404 90 93 919 |                 | 0,4284           |
| 0404 90 93 931 |                 | 22,53            |
| 0404 90 93 933 |                 | 27,52            |
| 0404 90 93 935 |                 | 37,32            |
| 0404 90 93 937 |                 | 38,94            |
| 0404 90 93 939 |                 | —                |
| 0404 90 99 130 |                 | 1,1596           |
| 0404 90 99 150 |                 | 1,2815           |
| 0404 90 99 930 |                 | 0,6107           |
| 0404 90 99 950 |                 | 0,8741           |
| 0404 90 99 990 |                 | 0,9957           |
| 0405 00 10 100 |                 | —                |
| 0405 00 10 200 |                 | 127,02           |
| 0405 00 10 300 |                 | 159,80           |
| 0405 00 10 500 |                 | 163,90           |
| 0405 00 10 700 |                 | 168,00           |
| 0405 00 90 100 |                 | 168,00           |
| 0405 00 90 900 |                 | 215,32           |
| 0406 10 20 100 |                 | —                |
| 0406 10 20 200 |                 | —                |
| 0406 10 20 210 |                 | —                |
| 0406 10 20 230 | 028             | —                |
|                | 032             | —                |
|                | 400             | 39,03            |
|                | 404             | —                |
|                | ...             | 47,97            |
| 0406 10 20 290 | 028             | —                |
|                | 032             | —                |
|                | 400             | 39,03            |
|                | 404             | —                |
|                | ...             | 47,97            |
| 0406 10 20 610 | 028             | 13,50            |
|                | 032             | 13,50            |
|                | 036             | —                |
|                | 038             | —                |
|                | 400             | 87,23            |
|                | 404             | —                |
|                | ...             | 89,49            |
| 0406 10 20 620 | 028             | 20,00            |
|                | 032             | 20,00            |
|                | 036             | —                |
|                | 038             | —                |
|                | 400             | 96,18            |
|                | 404             | —                |
|                | ...             | 98,13            |
| 0406 10 20 630 | 028             | 24,00            |
|                | 032             | 24,00            |
|                | 036             | —                |
|                | 038             | —                |
|                | 400             | 109,31           |
|                | 404             | —                |
|                | ...             | 110,79           |

*(in ECU/100 kg net weight unless otherwise indicated)*

| Product code   | Destination (*) | Amount of refund |
|----------------|-----------------|------------------|
| 0406 10 20 640 | 028             | —                |
|                | 032             | —                |
|                | 036             | —                |
|                | 038             | —                |
|                | 400             | 130,00           |
|                | 404             | —                |
|                | ...             | 130,00           |
| 0406 10 20 650 | 028             | 27,50            |
|                | 032             | 27,50            |
|                | 036             | —                |
|                | 038             | —                |
|                | 400             | 65,00            |
|                | 404             | —                |
|                | ...             | 135,35           |
| 0406 10 20 660 |                 | —                |
| 0406 10 20 810 | 028             | —                |
|                | 032             | —                |
|                | 036             | —                |
|                | 038             | —                |
|                | 400             | 21,46            |
|                | 404             | —                |
|                | ...             | 21,06            |
| 0406 10 20 830 | 028             | —                |
|                | 032             | —                |
|                | 036             | —                |
|                | 038             | —                |
|                | 400             | 37,62            |
|                | 404             | —                |
|                | ...             | 35,97            |
| 0406 10 20 850 | 028             | —                |
|                | 032             | —                |
|                | 036             | —                |
|                | 038             | —                |
|                | 400             | 45,81            |
|                | 404             | —                |
|                | ...             | 43,62            |
| 0406 10 20 870 |                 | —                |
| 0406 10 20 900 |                 | —                |
| 0406 10 80 000 |                 | —                |
| 0406 20 90 100 |                 | —                |
| 0406 20 90 913 | 028             | —                |
|                | 032             | —                |
|                | 400             | 87,74            |
|                | 404             | —                |
|                | ...             | 84,94            |
| 0406 20 90 915 | 028             | —                |
|                | 032             | —                |
|                | 400             | 116,99           |
|                | 404             | —                |
|                | ...             | 113,25           |
| 0406 20 90 917 | 028             | —                |
|                | 032             | —                |
|                | 400             | 124,30           |
|                | 404             | —                |
|                | ...             | 120,33           |

(in ECU/100 kg net weight unless otherwise indicated)

| Product code   | Destination (*) | Amount of refund |
|----------------|-----------------|------------------|
| 0406 20 90 919 | 028             | —                |
|                | 032             | —                |
|                | 400             | 138,92           |
|                | 404             | —                |
|                | ***             | 134,49           |
| 0406 20 90 990 |                 | —                |
| 0406 30 10 100 |                 | —                |
| 0406 30 10 150 | 028             | —                |
|                | 032             | —                |
|                | 036             | —                |
|                | 038             | —                |
|                | 400             | 20,03            |
|                | 404             | —                |
|                | ***             | 22,83            |
| 0406 30 10 200 | 028             | —                |
|                | 032             | —                |
|                | 036             | —                |
|                | 038             | —                |
|                | 400             | 43,52            |
|                | 404             | —                |
|                | ***             | 48,68            |
| 0406 30 10 250 | 028             | —                |
|                | 032             | —                |
|                | 036             | —                |
|                | 038             | —                |
|                | 400             | 43,52            |
|                | 404             | —                |
|                | ***             | 48,68            |
| 0406 30 10 300 | 028             | —                |
|                | 032             | —                |
|                | 036             | —                |
|                | 038             | —                |
|                | 400             | 63,88            |
|                | 404             | —                |
|                | ***             | 71,42            |
| 0406 30 10 350 | 028             | —                |
|                | 032             | —                |
|                | 036             | —                |
|                | 038             | —                |
|                | 400             | 43,52            |
|                | 404             | —                |
|                | ***             | 48,68            |
| 0406 30 10 400 | 028             | —                |
|                | 032             | —                |
|                | 036             | —                |
|                | 038             | —                |
|                | 400             | 63,88            |
|                | 404             | —                |
|                | ***             | 71,42            |
| 0406 30 10 450 | 028             | —                |
|                | 032             | —                |
|                | 036             | —                |
|                | 038             | —                |
|                | 400             | 93,03            |
|                | 404             | —                |
|                | ***             | 103,95           |

*(in ECU/100 kg net weight unless otherwise indicated)*

| Product code   | Destination (*) | Amount of refund |
|----------------|-----------------|------------------|
| 0406 30 10 500 |                 | —                |
| 0406 30 10 550 | 028             | —                |
|                | 032             | —                |
|                | 036             | —                |
|                | 038             | —                |
|                | 400             | 43,52            |
|                | 404             | 20,00            |
|                | ...             | 48,68            |
| 0406 30 10 600 | 028             | —                |
|                | 032             | —                |
|                | 036             | —                |
|                | 038             | —                |
|                | 400             | 63,88            |
|                | 404             | 28,00            |
|                | ...             | 71,42            |
| 0406 30 10 650 | 028             | —                |
|                | 032             | —                |
|                | 036             | —                |
|                | 038             | —                |
|                | 400             | 93,03            |
|                | 404             | —                |
|                | ...             | 103,95           |
| 0406 30 10 700 | 028             | —                |
|                | 032             | —                |
|                | 036             | —                |
|                | 038             | —                |
|                | 400             | 93,03            |
|                | 404             | —                |
|                | ...             | 103,95           |
| 0406 30 10 750 | 028             | —                |
|                | 032             | —                |
|                | 036             | —                |
|                | 038             | —                |
|                | 400             | 113,54           |
|                | 404             | —                |
|                | ...             | 126,87           |
| 0406 30 10 800 | 028             | —                |
|                | 032             | —                |
|                | 036             | —                |
|                | 038             | —                |
|                | 400             | 113,54           |
|                | 404             | —                |
|                | ...             | 126,87           |
| 0406 30 10 900 |                 | —                |
| 0406 30 31 100 |                 | —                |
| 0406 30 31 300 | 028             | —                |
|                | 032             | —                |
|                | 036             | —                |
|                | 038             | —                |
|                | 400             | 20,03            |
|                | 404             | —                |
|                | ...             | 22,83            |

*(in ECU/100 kg net weight unless otherwise indicated)*

| Product code   | Destination (*) | Amount of refund |
|----------------|-----------------|------------------|
| 0406 30 31 500 | 028             | —                |
|                | 032             | —                |
|                | 036             | —                |
|                | 038             | —                |
|                | 400             | 43,52            |
|                | 404             | —                |
|                | ***             | 48,68            |
| 0406 30 31 710 | 028             | —                |
|                | 032             | —                |
|                | 036             | —                |
|                | 038             | —                |
|                | 400             | 43,52            |
|                | 404             | —                |
|                | ***             | 48,68            |
| 0406 30 31 730 | 028             | —                |
|                | 032             | —                |
|                | 036             | —                |
|                | 038             | —                |
|                | 400             | 63,88            |
|                | 404             | —                |
|                | ***             | 71,42            |
| 0406 30 31 910 | 028             | —                |
|                | 032             | —                |
|                | 036             | —                |
|                | 038             | —                |
|                | 400             | 43,52            |
|                | 404             | —                |
|                | ***             | 48,68            |
| 0406 30 31 930 | 028             | —                |
|                | 032             | —                |
|                | 036             | —                |
|                | 038             | —                |
|                | 400             | 63,88            |
|                | 404             | —                |
|                | ***             | 71,42            |
| 0406 30 31 950 | 028             | —                |
|                | 032             | —                |
|                | 036             | —                |
|                | 038             | —                |
|                | 400             | 93,03            |
|                | 404             | —                |
|                | ***             | 103,95           |
| 0406 30 39 100 |                 | —                |
| 0406 30 39 300 | 028             | —                |
|                | 032             | —                |
|                | 036             | —                |
|                | 038             | —                |
|                | 400             | 43,52            |
|                | 404             | 20,00            |
|                | ***             | 48,68            |

*(in ECU/100 kg net weight unless otherwise indicated)*

| Product code   | Destination (*) | Amount of refund |
|----------------|-----------------|------------------|
| 0406 30 39 500 | 028             | —                |
|                | 032             | —                |
|                | 036             | —                |
|                | 038             | —                |
|                | 400             | 63,88            |
|                | 404             | 28,00            |
|                | ...             | 71,42            |
| 0406 30 39 700 | 028             | —                |
|                | 032             | —                |
|                | 036             | —                |
|                | 038             | —                |
|                | 400             | 93,03            |
|                | 404             | —                |
|                | ...             | 103,95           |
| 0406 30 39 930 | 028             | —                |
|                | 032             | —                |
|                | 036             | —                |
|                | 038             | —                |
|                | 400             | 93,03            |
|                | 404             | —                |
|                | ...             | 103,95           |
| 0406 30 39 950 | 028             | —                |
|                | 032             | —                |
|                | 036             | —                |
|                | 038             | —                |
|                | 400             | 113,54           |
|                | 404             | —                |
|                | ...             | 126,87           |
| 0406 30 90 000 | 028             | —                |
|                | 032             | —                |
|                | 036             | —                |
|                | 038             | —                |
|                | 400             | 113,54           |
|                | 404             | —                |
|                | ...             | 126,87           |
| 0406 40 00 100 |                 | —                |
| 0406 40 00 900 | 028             | —                |
|                | 032             | —                |
|                | 038             | —                |
|                | 400             | 120,00           |
|                | 404             | —                |
|                | ...             | 126,51           |
| 0406 90 13 000 | 028             | —                |
|                | 032             | —                |
|                | 036             | —                |
|                | 038             | —                |
|                | 400             | 113,00           |
|                | 404             | —                |
|                | ...             | 159,34           |

*(in ECU/100 kg net weight unless otherwise indicated)*

| Product code   | Destination (*) | Amount of refund |
|----------------|-----------------|------------------|
| 0406 90 15 100 | 028             | —                |
|                | 032             | —                |
|                | 036             | —                |
|                | 038             | —                |
|                | 400             | 113,00           |
|                | 404             | —                |
|                | ***             | 159,34           |
| 0406 90 15 900 |                 | —                |
| 0406 90 17 100 | 028             | —                |
|                | 032             | —                |
|                | 036             | —                |
|                | 038             | —                |
|                | 400             | 113,00           |
|                | 404             | —                |
|                | ***             | 159,34           |
| 0406 90 17 900 |                 | —                |
| 0406 90 21 100 |                 | —                |
| 0406 90 21 900 | 028             | —                |
|                | 032             | —                |
|                | 036             | —                |
|                | 038             | —                |
|                | 400             | 130,00           |
|                | 404             | —                |
|                | 732             | 139,68           |
|                | ***             | 151,68           |
| 0406 90 23 100 |                 | —                |
| 0406 90 23 900 | 028             | —                |
|                | 032             | —                |
|                | 036             | —                |
|                | 038             | —                |
|                | 400             | 65,00            |
|                | 404             | —                |
|                | ***             | 135,35           |
| 0406 90 25 100 |                 | —                |
| 0406 90 25 900 | 028             | —                |
|                | 032             | —                |
|                | 036             | —                |
|                | 038             | —                |
|                | 400             | 65,00            |
|                | 404             | —                |
|                | ***             | 135,35           |
| 0406 90 27 100 |                 | —                |
| 0406 90 27 900 | 028             | —                |
|                | 032             | —                |
|                | 036             | —                |
|                | 038             | —                |
|                | 400             | 56,14            |
|                | 404             | —                |
|                | ***             | 114,71           |

*(in ECU/100 kg net weight unless otherwise indicated)*

| Product code   | Destination (*) | Amount of refund |
|----------------|-----------------|------------------|
| 0406 90 31 111 |                 | —                |
| 0406 90 31 119 | 028             | —                |
|                | 032             | —                |
|                | 036             | —                |
|                | 038             | 15,00            |
|                | 400             | 62,48            |
|                | 404             | 16,00            |
|                | ...             | 89,96            |
| 0406 90 31 151 | 028             | —                |
|                | 032             | —                |
|                | 036             | —                |
|                | 038             | —                |
|                | 400             | 58,40            |
|                | 404             | 14,96            |
|                | ...             | 83,83            |
| 0406 90 31 159 |                 | —                |
| 0406 90 31 900 |                 | —                |
| 0406 90 33 111 |                 | —                |
| 0406 90 33 119 | 028             | —                |
|                | 032             | —                |
|                | 036             | —                |
|                | 038             | 15,00            |
|                | 400             | 62,48            |
|                | 404             | 16,00            |
|                | ...             | 89,96            |
| 0406 90 33 151 | 028             | —                |
|                | 032             | —                |
|                | 036             | —                |
|                | 038             | —                |
|                | 400             | 58,40            |
|                | 404             | 14,96            |
|                | ...             | 83,83            |
| 0406 90 33 159 |                 | —                |
| 0406 90 33 911 |                 | —                |
| 0406 90 33 919 | 028             | —                |
|                | 032             | —                |
|                | 036             | —                |
|                | 038             | 15,00            |
|                | 400             | 62,48            |
|                | 404             | 16,00            |
|                | ...             | 89,96            |
| 0406 90 33 951 | 028             | —                |
|                | 032             | —                |
|                | 036             | —                |
|                | 038             | —                |
|                | 400             | 58,40            |
|                | 404             | 14,96            |
|                | ...             | 83,83            |

*(in ECU/100 kg net weight unless otherwise indicated)*

| Product code   | Destination (*) | Amount of refund |
|----------------|-----------------|------------------|
| 0406 90 33 959 |                 | —                |
| 0406 90 35 110 |                 | —                |
| 0406 90 35 190 | 028             | —                |
|                | 032             | —                |
|                | 036             | 42,66            |
|                | 400             | 160,00           |
|                | 404             | 90,00            |
|                | ...             | 158,54           |
| 0406 90 35 910 |                 | —                |
| 0406 90 35 990 | 028             | —                |
|                | 032             | —                |
|                | 036             | —                |
|                | 038             | —                |
|                | 400             | 130,00           |
|                | 404             | —                |
|                | ...             | 130,00           |
| 0406 90 61 000 | 028             | —                |
|                | 032             | —                |
|                | 036             | 90,00            |
|                | 400             | 190,00           |
|                | 404             | 140,00           |
|                | ...             | 185,00           |
| 0406 90 63 100 | 028             | —                |
|                | 032             | —                |
|                | 036             | 105,03           |
|                | 400             | 220,00           |
|                | 404             | 160,00           |
|                | ...             | 212,12           |
| 0406 90 63 900 | 028             | —                |
|                | 032             | —                |
|                | 036             | 70,00            |
|                | 400             | 150,00           |
|                | 404             | 80,00            |
|                | ...             | 165,00           |
| 0406 90 69 100 |                 | —                |
| 0406 90 69 910 | 028             | —                |
|                | 032             | —                |
|                | 036             | 70,00            |
|                | 400             | 150,00           |
|                | 404             | 80,00            |
|                | ...             | 165,00           |
| 0406 90 69 990 |                 | —                |
| 0406 90 73 100 |                 | —                |
| 0406 90 73 900 | 028             | —                |
|                | 032             | —                |
|                | 036             | 42,66            |
|                | 400             | 160,00           |
|                | 404             | 120,00           |
|                | ...             | 151,00           |
| 0406 90 75 100 |                 | —                |
| 0406 90 75 900 | 028             | —                |
|                | 032             | —                |
|                | 036             | —                |
|                | 400             | 65,00            |
|                | 404             | —                |
|                | ...             | 125,96           |

*(in ECU/100 kg net weight unless otherwise indicated)*

| Product code   | Destination (*) | Amount of refund |
|----------------|-----------------|------------------|
| 0406 90 77 100 | 028             | 24,00            |
|                | 032             | 24,00            |
|                | 036             | —                |
|                | 038             | —                |
|                | 400             | 58,77            |
|                | 404             | —                |
|                | ***             | 110,79           |
| 0406 90 77 300 | 028             | —                |
|                | 032             | —                |
|                | 036             | —                |
|                | 038             | —                |
|                | 400             | 65,00            |
|                | 404             | —                |
|                | ***             | 135,35           |
| 0406 90 77 500 | 028             | —                |
|                | 032             | —                |
|                | 036             | —                |
|                | 038             | —                |
|                | 400             | 75,00            |
|                | 404             | —                |
|                | ***             | 135,35           |
| 0406 90 79 100 |                 | —                |
| 0406 90 79 900 | 028             | —                |
|                | 032             | —                |
|                | 036             | —                |
|                | 038             | —                |
|                | 400             | 56,14            |
|                | 404             | —                |
|                | ***             | 114,71           |
| 0406 90 81 100 |                 | —                |
| 0406 90 81 900 | 028             | —                |
|                | 032             | —                |
|                | 036             | —                |
|                | 038             | —                |
|                | 400             | 130,00           |
|                | 404             | —                |
|                | ***             | 130,00           |
| 0406 90 85 100 |                 | —                |
| 0406 90 85 910 | 028             | —                |
|                | 032             | —                |
|                | 036             | 42,67            |
|                | 400             | 160,00           |
|                | 404             | 90,00            |
|                | ***             | 158,54           |
| 0406 90 85 991 | 028             | —                |
|                | 032             | —                |
|                | 036             | —                |
|                | 038             | —                |
|                | 400             | 130,00           |
|                | 404             | —                |
|                | ***             | 130,00           |

*(in ECU/100 kg net weight unless otherwise indicated)*

| Product code   | Destination (*) | Amount of refund |
|----------------|-----------------|------------------|
| 0406 90 85 995 | 028             | 27,50            |
|                | 032             | 27,50            |
|                | 036             | —                |
|                | 038             | —                |
|                | 400             | 65,00            |
|                | 404             | —                |
|                | ...             | 135,35           |
| 0406 90 85 999 |                 | —                |
| 0406 90 89 100 | 028             | 13,50            |
|                | 032             | 13,50            |
|                | 036             | —                |
|                | 038             | —                |
|                | 400             | 87,23            |
|                | 404             | —                |
|                | ...             | 89,49            |
| 0406 90 89 200 | 028             | 20,00            |
|                | 032             | 20,00            |
|                | 036             | —                |
|                | 038             | —                |
|                | 400             | 96,18            |
|                | 404             | —                |
|                | ...             | 98,13            |
| 0406 90 89 300 | 028             | 24,00            |
|                | 032             | 24,00            |
|                | 036             | —                |
|                | 038             | —                |
|                | 400             | 109,31           |
|                | 404             | —                |
|                | ...             | 110,79           |
| 0406 90 89 910 |                 | —                |
| 0406 90 89 951 | 028             | —                |
|                | 032             | —                |
|                | 036             | 42,66            |
|                | 400             | 160,00           |
|                | 404             | 90,00            |
|                | ...             | 151,00           |
| 0406 90 89 959 | 028             | —                |
|                | 032             | —                |
|                | 036             | —                |
|                | 038             | —                |
|                | 400             | 130,00           |
|                | 404             | —                |
|                | ...             | 130,00           |
| 0406 90 89 971 | 028             | 27,50            |
|                | 032             | 27,50            |
|                | 036             | —                |
|                | 038             | —                |
|                | 400             | 74,00            |
|                | 404             | —                |
|                | ...             | 135,35           |

*(in ECU/100 kg net weight unless otherwise indicated)*

| Product code   | Destination (*) | Amount of refund |
|----------------|-----------------|------------------|
| 0406 90 89 972 | 028             | —                |
|                | 032             | —                |
|                | 400             | 39,03            |
|                | 404             | —                |
|                | ...             | 47,97            |
| 0406 90 89 979 | 028             | 27,50            |
|                | 032             | 27,50            |
|                | 036             | —                |
|                | 038             | —                |
|                | 400             | 74,00            |
|                | 404             | —                |
|                | ...             | 135,35           |
| 0406 90 89 990 |                 | —                |
| 0406 90 93 000 |                 | —                |
| 0406 90 99 000 |                 | —                |
| 2309 10 15 010 |                 | —                |
| 2309 10 15 100 |                 | —                |
| 2309 10 15 200 |                 | 1,50             |
| 2309 10 15 300 |                 | 2,00             |
| 2309 10 15 400 |                 | 2,50             |
| 2309 10 15 500 |                 | 3,00             |
| 2309 10 15 700 |                 | 3,50             |
| 2309 10 15 900 |                 | —                |
| 2309 10 19 010 |                 | —                |
| 2309 10 19 100 |                 | —                |
| 2309 10 19 200 |                 | 1,50             |
| 2309 10 19 300 |                 | 2,00             |
| 2309 10 19 400 |                 | 2,50             |
| 2309 10 19 500 |                 | 3,00             |
| 2309 10 19 600 |                 | 3,50             |
| 2309 10 19 700 |                 | 3,75             |
| 2309 10 19 800 |                 | 4,00             |
| 2309 10 19 900 |                 | —                |
| 2309 10 70 010 |                 | —                |
| 2309 10 70 100 |                 | 21,00            |
| 2309 10 70 200 |                 | 28,00            |
| 2309 10 70 300 |                 | 35,00            |
| 2309 10 70 500 |                 | 42,00            |
| 2309 10 70 600 |                 | 49,00            |
| 2309 10 70 700 |                 | 56,00            |
| 2309 10 70 800 |                 | 61,60            |
| 2309 10 70 900 |                 | —                |
| 2309 90 35 010 |                 | —                |
| 2309 90 35 100 |                 | —                |
| 2309 90 35 200 |                 | 1,50             |
| 2309 90 35 300 |                 | 2,00             |
| 2309 90 35 400 |                 | 2,50             |
| 2309 90 35 500 |                 | 3,00             |
| 2309 90 35 700 |                 | 3,50             |
| 2309 90 35 900 |                 | —                |
| 2309 90 39 010 |                 | —                |
| 2309 90 39 100 |                 | —                |

*(in ECU/100 kg net weight unless otherwise indicated)*

| Product code   | Destination (*) | Amount of refund |
|----------------|-----------------|------------------|
| 2309 90 39 200 |                 | 1,50             |
| 2309 90 39 300 |                 | 2,00             |
| 2309 90 39 400 |                 | 2,50             |
| 2309 90 39 500 |                 | 3,00             |
| 2309 90 39 600 |                 | 3,50             |
| 2309 90 39 700 |                 | 3,75             |
| 2309 90 39 800 |                 | 4,00             |
| 2309 90 39 900 |                 | —                |
| 2309 90 70 010 |                 | —                |
| 2309 90 70 100 |                 | 21,00            |
| 2309 90 70 200 |                 | 28,00            |
| 2309 90 70 300 |                 | 35,00            |
| 2309 90 70 500 |                 | 42,00            |
| 2309 90 70 600 |                 | 49,00            |
| 2309 90 70 700 |                 | 56,00            |
| 2309 90 70 800 |                 | 61,60            |
| 2309 90 70 900 |                 | —                |

(<sup>1</sup>) The code numbers for the destinations are those set out in the Annex to Commission Regulation (EEC) No 3518/91 (OJ No L 334, 5. 12. 1991, p. 10).

For destinations other than those indicated for each 'product code', the amount of the refund applying is indicated by \*\*\*.

Where no destination is indicated, the amount of the refund is applicable for exports to any destination other than those referred to in Article 1 (2).

(<sup>2</sup>) This amount shall not apply to butter exported pursuant to Commission Regulations (EEC) No 3775/90 (OJ No L 364, 28. 12. 1990, p. 2), for which the refund applicable is that fixed for the other destinations.

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**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).

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**COMMISSION REGULATION (EEC) No 3807/91****of 27 December 1991****fixing the minimum levies on the importation of olive oil and levies on the importation of other olive oil sector products**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats<sup>(1)</sup>, as last amended by Regulation (EEC) No 1720/91<sup>(2)</sup>, and in particular Article 16 (2) thereof,

Having regard to Council Regulation (EEC) No 1514/76 of 24 June 1976 on imports of olive oil originating in Algeria<sup>(3)</sup>, as last amended by Regulation (EEC) No 728/91<sup>(4)</sup>, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1521/76 of 24 June 1976 on imports of olive oil originating in Morocco<sup>(5)</sup>, as last amended by Regulation (EEC) No 729/91<sup>(6)</sup>, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1508/76 of 24 June 1976 on imports of olive oil originating in Tunisia<sup>(7)</sup>, as last amended by Regulation (EEC) No 413/86<sup>(8)</sup>, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1180/77 of 17 May 1977 on imports into the Community of certain agricultural products originating in Turkey<sup>(9)</sup>, as last amended by Regulation (EEC) No 730/91<sup>(10)</sup>, and in particular Article 10 (2) thereof,

Having regard to Council Regulation (EEC) No 1620/77 of 18 July 1977 laying down detailed rules for the importation of olive oil from Lebanon<sup>(11)</sup>,

Whereas by Regulation (EEC) No 3131/78<sup>(12)</sup>, as amended by the Act of Accession of Greece, the Commission decided to use the tendering procedure to fix levies on olive oil;

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

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

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 23 and 24 December 1991 leads to the minimum levies being fixed as indicated in Annex I to this Regulation;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

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

*Article 3*

This Regulation shall enter into force on 28 December 1991.

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

<sup>(2)</sup> OJ No L 162, 26. 6. 1991, p. 27.

<sup>(3)</sup> OJ No L 169, 28. 6. 1976, p. 24.

<sup>(4)</sup> OJ No L 80, 27. 3. 1991, p. 1.

<sup>(5)</sup> OJ No L 169, 28. 6. 1976, p. 43.

<sup>(6)</sup> OJ No L 80, 27. 3. 1991, p. 2.

<sup>(7)</sup> OJ No L 169, 28. 6. 1976, p. 9.

<sup>(8)</sup> OJ No L 48, 26. 2. 1986, p. 1.

<sup>(9)</sup> OJ No L 142, 9. 6. 1977, p. 10.

<sup>(10)</sup> OJ No L 80, 27. 3. 1991, p. 3.

<sup>(11)</sup> OJ No L 181, 21. 7. 1977, p. 4.

<sup>(12)</sup> OJ No L 370, 30. 12. 1978, p. 60.

<sup>(13)</sup> OJ No L 331, 28. 11. 1978, p. 6.

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

Done at Brussels, 27 December 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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## ANNEX I

## Minimum import levies on olive oil

| (ECU/100 kg) |                       |
|--------------|-----------------------|
| CN code      | Non-member countries  |
| 1509 10 10   | 72,00 <sup>(1)</sup>  |
| 1509 10 90   | 72,00 <sup>(1)</sup>  |
| 1509 90 00   | 83,00 <sup>(2)</sup>  |
| 1510 00 10   | 77,00 <sup>(1)</sup>  |
| 1510 00 90   | 122,00 <sup>(3)</sup> |

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

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

<sup>(2)</sup> For imports of oil falling within this CN code :

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

<sup>(3)</sup> For imports of oil falling within this CN code :

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

## ANNEX II

## Import levies on other olive oil sector products

| (ECU/100 kg) |                      |
|--------------|----------------------|
| CN code      | Non-member countries |
| 0709 90 39   | 15,84                |
| 0711 20 90   | 15,84                |
| 1522 00 31   | 36,00                |
| 1522 00 39   | 57,60                |
| 2306 90 19   | 6,16                 |

**COMMISSION REGULATION (EEC) No 3808/91**

of 27 December 1991

**fixing the production refund for olive oil used in the manufacture of certain preserved fish and vegetables**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to Council Regulation (EEC) No 591/79 of 26 March 1979 laying down general rules relating to the production refund for olive oil used in the manufacture of certain preserved foods<sup>(3)</sup>, as last amended by Regulation (EEC) No 2903/89<sup>(4)</sup>, and in particular Articles 3 and 5 thereof,

Whereas Article 2 of Council Regulation (EEC) No 591/79 provides for the granting of a production refund for olive oil used in the manufacture of certain preserved fish and vegetables;

Whereas under Article 3 of the abovementioned Regulation, without prejudice to the second subparagraph of Article 7 of the said Regulation, the Commission shall fix this refund every two months;

Whereas, by virtue of Article 5 of the Regulation cited above, where the tender system is employed for fixing the levy, the production refund shall be fixed on the basis of the minimum levies determined under the said system for oils falling within subheading 1509 90 00 of the combined nomenclature; whereas, however, if the oil employed for manufacture of the preserves was produced within the Community, the amount referred to above

shall be increased by a sum equal to the consumption aid in force on the day the said refund is applied;

Whereas Council Regulation (EEC) No 3131/91<sup>(5)</sup> set the rates of consumption aid applicable in Spain and Portugal;

Whereas application of the above criteria results in the refund being fixed as shown below,

HAS ADOPTED THIS REGULATION:

*Article 1*

For the months of January and February 1992, the amount of the production refund referred to in Article 2 of Regulation (EEC) No 591/79 shall be:

- ECU 96,36 per 100 kilograms for olive oil produced in the Community and utilized in Member States other than Spain and Portugal,
- ECU 43,00 per 100 kilograms for olive oil other than that referred to in the preceding indent, utilized in the Member States other than Spain and Portugal,
- ECU 64,58 per 100 kilograms for olive oil produced in the Community and utilized in Spain,
- ECU 19,37 per 100 kilograms for olive oil, other than that referred to in the preceding indent, utilized in Spain,
- ECU 89,89 per 100 kilograms for olive oil produced in the Community and utilized in Portugal,
- ECU 40,96 per 100 kilograms for olive oil, other than that referred to in the preceding indent, utilized in Portugal.

*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, 27 December 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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

<sup>(2)</sup> OJ No L 162, 26. 6. 1991, p. 27.

<sup>(3)</sup> OJ No L 78, 30. 3. 1979, p. 2.

<sup>(4)</sup> OJ No L 280, 29. 9. 1989, p. 3.

<sup>(5)</sup> OJ No L 330, 29. 11. 1990, p. 6.

**COMMISSION REGULATION (EEC) No 3809/91****of 18 December 1991****laying down detailed rules for the application in the poultrymeat sector of  
Council Regulation (EEC) No 3588/91 reducing for 1992 the levies on certain  
agricultural products originating in 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 levies on certain agricultural products originating in developing countries<sup>(1)</sup>, and in particular Article 3 thereof,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organization of the market in poultrymeat<sup>(2)</sup>, as last amended by Regulation (EEC) No 1235/89<sup>(3)</sup>, and in particular Article 15 thereof,

Whereas Regulation (EEC) No 3588/91 introduces arrangements for reducing import levies on certain products in the pigmeat, eggs and poultry and cereals sectors; whereas detailed rules for the application of that Regulation should be adopted as regards products in the poultrymeat sector with a view to administering the fixed amounts concerned;

Whereas, for the products covered by serial Nos 59.0020 and 59.0025 (various duck products), those detailed rules are either supplementary to or derogate from Commission Regulation (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<sup>(4)</sup>, as last amended by Regulation (EEC) No 1599/90<sup>(5)</sup>;

Whereas, in order to ensure proper administration of the fixed amounts, for the products covered by serial Nos 59.0020 and 59.0025, a security should be required for applications of import licences and certain conditions be laid down as regard applications for licences; whereas the fixed amounts should be staggered over the year and the procedure for lodging licences as well as their duration of validity should be specified; whereas, however, licences must not be valid beyond 31 December 1992 in view of the period of application of Regulation (EEC) No 3588/91;

Whereas it is possible for products covered by serial No 59.0030 (various goose products) to replace the system of import licences with the application of Regulation (EEC) No 3834/90 reducing for 1991 a system for monitoring quantities actually imported, which is less restrictive for importers;

Whereas, for the products covered by serial No 59.0030, equal and continuous access to the said fixed amount should be ensured for all Community importers and the rates laid down for the fixed amount should be applied consistently to all imports of the product in question into all the Member States until the fixed amount is exhausted; whereas the necessary measures should be taken to ensure efficient Community administration of this fixed amount by providing the opportunity to draw from the volume the necessary quantities corresponding to actual imports; whereas this method of administration requires close cooperation between the Member States and the Commission;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

All imports into the Community in the framework of Council Regulation (EEC) No 3588/91 of products covered by serial Nos 59.0020 or 59.0025 in the Annex to the said Regulation shall be subject to the presentation of an import licence.

*Article 2*

The fixed amounts shall be staggered over the year as follows:

for products coming under serial No 59.0020:

- 10 % in the period 1 January to 29 February 1992,
- 20 % in the period 1 March to 30 June 1992,
- 35 % in the period 1 July to 30 September 1992,
- 35 % in the period 1 October to 31 December 1991,

<sup>(1)</sup> OJ No L 341, 12. 12. 1991, p. 6.

<sup>(2)</sup> OJ No L 282, 1. 11. 1975, p. 77.

<sup>(3)</sup> OJ No L 128, 11. 5. 1989, p. 29.

<sup>(4)</sup> OJ No L 331, 2. 12. 1988, p. 1.

<sup>(5)</sup> OJ No L 151, 15. 6. 1990, p. 29.

for products coming under serial No 59.0025:

- 17 % in the period 1 January to 29 February 1992,
- 33 % in the period 1 March to 30 June 1992,
- 25 % in the period 1 July to 30 September 1992,
- 25 % in the period 1 October to 31 December 1992.

### Article 3

In order to qualify under the import arrangements provided for in Regulation (EEC) No 3588/91:

- (a) applicants for import licences must be natural or legal persons who, at the time applications are submitted, can prove to the satisfaction of the competent authorities in the Member States that they have been active in the poultrymeat sector for at least the preceding 12 months. However, retail establishments or restaurants selling their products to final consumers are excluded from the benefits of this regime;
- (b) The licence application may only involve serial No 59.0020 or No 59.0025 referred to in the Annex to Regulation (EEC) No 3588/91. The application may involve several products covered by different CN codes and originating in one developing country. In such cases, all the CN codes shall be indicated in section 16 and their designation in section 15.

However, each applicant may lodge not more than two applications for import licences for products covered by a single serial number, if these products originate in two developing countries. The two applications, one each for a single country of origin, must be submitted simultaneously to the competent authority of a Member State. They shall be considered, as regards the maximum envisaged in the third subparagraph as well as the application of the rule contained in Article 4 (2), as a single application.

A licence application must relate at least to one tonne and to a maximum of 50 % of the quantity available for the serial number concerned and for the period as specified in Article 2 in respect of which a licence application is lodged;

- (c) section 8 of licence applications and licences shall show the country of origin; licences shall carry with them an obligation to import from the country indicated;
- (d) section 20 of licence applications and licences shall show one of the following:

Producto SPG (Reglamento (CEE) n° 3809/91),  
GPO-varer (forordning (EØF) nr. 3809/91),  
APS-Erzeugnis (Verordnung (EWG) Nr. 3809/91),  
Προϊόν SPG (Κανονισμός (ΕΟΚ) αριθ. 3809/91),  
SGP-product (Regulation (EEC) No 3809/91),  
Produit SPG (règlement (CEE) n° 3809/91),  
Prodotto SPG (regolamento (CEE) n. 3809/91),

APS-Produkt (Verordening (EEG) nr. 3809/91),  
Produto SPG (Regulamento (CEE) n° 3809/91);

- (e) section 24 of licences shall show one of the following:

Exacción reguladora reducida en un 50 %,  
Nedsættelse af importafgiften med 50 %,  
Verminderung der Abschöpfung um 50 %,  
Μειωμένη εισφορά κατά 50 %,  
Levy reduced by 50%,  
Prélèvement réduit de 50 %,  
Prelievo ridotto del 50 %,  
Heffing verminderd met 50 %,  
Direito nivelador reduzido de 50 %.

### Article 4

1. Licence applications may only be lodged during the first 10 days of each period as specified in Article 2.
2. Licence applications shall only be admissible where the applicant declares in writing that he has not submitted and undertakes not to submit any other applications, in respect of the current period, concerning products corresponding to the same serial number in the Member State in which his application is lodged or in other Member States; where the same interested party submits applications relating to products with the same serial number, all applications from that person shall be inadmissible.
3. The Member States shall notify the Commission, on the third working day following the end of the application submission period, of applications lodged for each of the products covered by the serial numbers in question. Such notification shall comprise a list of applicants and quantities applied for under each serial number as well as of the countries of origin. All notifications, including notifications of nil applications, shall be made by telex or telecopy on the working day stipulated, drawn up on the model found in Annex 1 in the case where no request is made and in the case where requests have been made drawn up on the model found in Annex 1 and Annex 2.
4. Subject to a decision on acceptance of applications by the Commission, licences shall be issued on the 23rd day of each period.
5. The Commission shall decide to what extent quantities may be awarded in respect of applications as referred to in Article 3.

If quantities in respect of which licences have been applied for exceed the quantities available, the Commission shall fix a single percentage reduction in quantities applied for.

If the overall quantity for which applications have been submitted is less than the quantity available, the Commission shall calculate the quantity remaining, which shall be added to the quantity available in respect of the following period.

6. Licences issued shall be valid throughout the Community.

*Article 5*

Pursuant to Article 21 (2) of Regulation (EEC) No 3719/88, import licences shall be valid for 90 days from the date of actual issue.

However, licences may not be valid after 31 December of the year of issue.

Import licences issued pursuant to this Regulation shall not be transferable.

*Article 6*

A security of ECU 30 per 100 kilograms shall be lodged for import licence applications for all products referred to in Article 1.

*Article 7*

Without prejudice to the provisions of this Regulation, Regulation (EEC) No 3719/88 shall apply.

However, Article 8 (4) of that Regulation notwithstanding, the quantity imported in the framework of Regulation (EEC) No 3588/91 may not exceed that indicated in sections 17 and 18 of import licences. The figure 0 shall be entered to that effect in section 19 of licences.

*Article 8*

The fixed amount for the products covered by serial No 59.0030 in the Annex to Regulation (EEC) No 3588/91 shall be administered by the Commission, which may take any appropriate measure with a view to ensuring the efficient administration thereof.

*Article 9*

1. In order to qualify under the import arrangements provided for in Regulation (EEC) No 3588/91 for products covered by serial No 59.0030 in the Annex to the said Regulation, the importer must present the competent authorities of the importing Member State

with a declaration of entry into free circulation comprising an application to this effect for the products in question accompanied by a certificate of origin. If this declaration is accepted by the competent authorities of that Member State, those authorities shall communicate to the Commission the requests for drawing from the fixed amount involved.

2. The requests for drawing, bearing the date of acceptance of the declaration of entry into free circulation, shall be communicated to the Commission without delay.

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

Any drawing not used shall be returned as soon as possible to the fixed amount for the year for which it was allocated.

When the quantities requested are greater than the available balance of the fixed amount, allocation shall be made on a pro rata basis with respect to the requests. The Commission shall inform Member States of the drawings made as quickly as possible.

*Article 10*

Each Member State shall ensure that importers of the products covered by serial No 59.0030 in the Annex to Regulation (EEC) No 3834/90 have equal and continuous access to the fixed amount for such time as the residual balance of the fixed amount volume so permits.

*Article 11*

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

*Article 12*

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, 18 December 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

ANNEX I

(Page / )

COMMISSION OF THE EUROPEAN COMMUNITIES      DG VI/D/3 — EGGS AND POULTRY SECTOR

REQUESTS FOR IMPORT LICENCES AT REDUCED LEVIES      ... PERIOD 1992

|                                       |                                        |
|---------------------------------------|----------------------------------------|
| Member State :                        | Date :                                 |
|                                       | Commission Regulation (EEC) No ..../92 |
| Sender :                              |                                        |
| Contact :                             |                                        |
| Telephone No :                        |                                        |
| Telefax No :                          |                                        |
| Number of pages :                     |                                        |
| Order No of requests :                |                                        |
| Total quantity requested (in tonnes): |                                        |

(Page / )

**DG VI/D/3 -- EGGS AND POULTRY SECTOR**

... PERIOD 1992

**Member State :**

[illegible]

## COMMISSION REGULATION (EEC) No 3810/91

of 18 December 1991

laying down detailed rules for the application of the supplementary trade mechanism to trade in the beef and veal sector between the Community as constituted at 31 December 1985 and Spain and Portugal and repealing Regulations (EEC) No 4026/89 and (EEC) No 3815/90.

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 83 and 251 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 to trade<sup>(1)</sup>, as amended by Regulation (EEC) No 3296/88<sup>(2)</sup>, 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<sup>(3)</sup>, as amended by Regulation (EEC) No 3296/88, and in particular Article 13 thereof,

Whereas Commission Regulations (EEC) No 4026/89<sup>(4)</sup>, as last amended by Regulation (EEC) No 3125/91<sup>(5)</sup>, and No 3815/90<sup>(6)</sup>, as last amended by Regulation (EEC) No 3508/91<sup>(7)</sup> set for 1991 the indicative ceilings mentioned in Articles 83 and 251 of the Act of Accession for Spain and Portugal; whereas these ceilings are set on the basis of estimated Spanish production and consumption of the products in question and a forward timetable for trade with the rest of the Community;

Whereas Article 5 of Council Regulation (EEC) No 3792/85 lays down that imports of these products into Portugal from Spain are subject to the supplementary trade mechanism in accordance with Articles 249 to 252 of the Act of Accession;

Whereas, taking into account the development of the Spanish and Portuguese markets, a very large increase in the ceilings is necessary for 1992 in order to advance the process of integration of the said markets with the Community market;

Whereas in order to regulate trade more satisfactorily by taking account of the varying level of sensitivity of the Spanish and Portuguese markets at different times of the year, and in particular lower demand in the second and third quarters, the annual quantities should be split up into two-month periods;

Whereas, when laying down the detailed rules for the lodging of the application and the issuing of licences, derogations should be made from Commission Regulation (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<sup>(8)</sup>, as last amended by Regulation (EEC) No 1599/90<sup>(9)</sup>, and from Commission Regulation (EEC) No 574/86 of 28 February 1986 laying down detailed rules for the application of the supplementary trade mechanism<sup>(10)</sup>, as last amended by Regulation (EEC) No 3296/88;

Whereas it should be laid down that Community traders may only export certain beef and veal products to Spain and Portugal under certain restrictive conditions regarding in particular the length of time they have been trading;

Whereas, with regard to imports to Portugal from third countries, certain aspects of the arrangements applicable to STM import licences laid down by Regulation (EEC) No 596/86 should be clarified; whereas, for this purpose, the application of Commission Regulation (EEC) No 2377/80 of 4 September 1980 on special detailed rules for the application of the system of import and export licences in the beef and veal sector<sup>(11)</sup>, as last amended by Regulation (EEC) No 2996/90<sup>(12)</sup>, and of the other provisions regarding the various special import arrangements is the most appropriate for the import arrangements for beef and veal;

Whereas it is desirable, for the sake of clarity, to set out in a new Regulation the detailed rules for the application of the STM in respect of Spain and Portugal and to repeal Regulations (EEC) No 4026/89 and No 3815/90;

<sup>(1)</sup> OJ No L 55, 1. 3. 1986, p. 106.

<sup>(2)</sup> OJ No L 293, 27. 10. 1988, p. 7.

<sup>(3)</sup> OJ No L 367, 31. 12. 1985, p. 7.

<sup>(4)</sup> OJ No L 382, 30. 12. 1989, p. 62.

<sup>(5)</sup> OJ No L 296, 26. 10. 1991, p. 30.

<sup>(6)</sup> OJ No L 366, 29. 12. 1990, p. 30.

<sup>(7)</sup> OJ No L 333, 4. 12. 1991, p. 5.

<sup>(8)</sup> OJ No L 331, 2. 12. 1988, p. 1.

<sup>(9)</sup> OJ No L 151, 15. 6. 1990, p. 29.

<sup>(10)</sup> OJ No L 57, 1. 3. 1986, p. 1.

<sup>(11)</sup> OJ No L 241, 13. 9. 1980, p. 5.

<sup>(12)</sup> OJ No L 286, 18. 10. 1990, p. 17.

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*

1. The indicative ceilings relating to certain products in the beef and veal sector which may be imported into Spain from the Community as constituted at 31 December 1985 shall be those set out in Annex I.
2. The indicative ceilings relating to certain products in the beef and veal sector which may be imported into Portugal from the Community as constituted at 31 December 1985 and from Spain shall be those set out in Annex II.
3. If in the course of the same calendar year the total quantity for which applications are submitted in respect of a two-month period is less than the quantity available, the quantity remaining shall be added to the quantity available in respect of the following two-month period.

#### *Article 2*

For the purposes of this Regulation, 100 kilograms of bone-in meat shall correspond to 77 kilograms of boned meat.

#### *Article 3*

Notwithstanding :

- (a) Article 15 of Regulation (EEC) No 3719/88, applications for STM licences lodged between Monday and Thursday at 1 p.m. shall be deemed to have been lodged simultaneously ;
- (b) the first and second subparagraph of Article 6 (2) of Regulation (EEC) No 574/86, the Member States shall notify the Commission before 1 p.m. every Tuesday of the quantity for which licence applications have been lodged the previous week broken down by product concerned. The Member States shall issue STM licences for the quantities requested on the following Friday unless the Commission has taken any special measures ;
- (c) Article 6 (1) of Regulation (EEC) No 574/86, the first copy of the licence shall be handed to the applicant or sent to the address stated in the application ;
- (d) the third subparagraph of Article 6 (2) of Regulation (EEC) No 574/86, the obligation to use the licence shall remain in case the single reduction coefficient is applied.

#### *Article 4*

1. The applicant must be a natural or legal person who at the time the application is submitted is entered in a public register of a Member State and has been engaged

for at least twelve months in an activity in the field of trade in :

- live animals of the bovine species other than pure-bred breeding animals, where the application relates to live animals ;
- fresh, chilled or frozen beef and veal, where the application relates to those products.

Proof shall be supplied in the form of a certified true copy of a customs document made out in the name of the applicant.

2. Licence applications shall be considered only if the applicant declares in writing that he has not lodged and undertakes not to lodge any application concerning the same product in any Member State other than that where his present application is lodged ; if an applicant lodges applications in two or more Member States, none of the applications shall be considered.

3. All applications from one applicant shall be regarded as a single application.

#### *Article 5*

STM licences shall be requested for products falling within :

- one of the subheadings of the combined nomenclature, or
- one of the groups of subheadings of the combined nomenclature

given in the Annexes.

#### *Article 6*

The sum of the quantities stated in the STM licences applied for by a given trader in any one week shall, for each of the groups of products specified in the Annexes, not exceed 150 head for live animals or 50 tonnes for fresh, chilled or frozen meat expressed in tonnes equivalent carcase weight.

#### *Article 7*

STM licences as provided for in Articles 1 and 3 of Regulation (EEC) No 569/86 shall be valid for 18 days for all products set out in the Annexes from the actual date of issue, in accordance with Article 21 (2) of Regulation (EEC) No 3719/88.

However, STM licences shall be valid for 30 days if the products are released to the market in the Azores and Madeira.

#### *Article 8*

The security relating to STM licences shall be :

- ECU 15 per animal in the case of live bovine animals, and
- ECU 10 per kg for all other products set out in the Annexes.

*Article 9*

1. Spain and Portugal shall notify the Commission of the quantities of products actually imported in each two month period, broken down by product, not later than 45 days after the end of the period concerned.

2. Spain and Portugal shall notify the Commission not later than 15 October each year of the forecast production and consumption in each of those Member States for the following year.

*Article 10*

Notwithstanding Regulation (EEC) No 574/86 in the case of Portugal, STM import licences as provided for in

Article 3 of Regulation (EEC) No 596/86 shall be subject to the provisions of Regulation (EEC) No 2377/80 and to the other provisions regarding the various special import arrangements.

The communications referred to in Article 10 (8) of Regulation (EEC) No 574/86 shall specify the quantities applied for under each set of import arrangements.

*Article 11*

Regulations (EEC) No 4026/89 and No 3815/90 are hereby repealed.

*Article 12*

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*

## ANNEX I

| Group I | CN code            | Description                                                                                                | Indicative ceiling 1992                                                                                                                                                               |
|---------|--------------------|------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1       | 0102 90            | Live animals of the bovine species other than pure-bred breeding animals and animals for bullfights (head) | 200 000 head<br>of which : January/February : 45 000<br>March/April : 45 000<br>May/June : 25 000<br>July/August : 25 000<br>September/October : 30 000<br>November/December : 30 000 |
| 2       | 0201 10<br>0201 20 | — Meat of animals of the bovine species, fresh or chilled, bone in                                         | 35 000 tonnes<br>of which : January/February : 6 000<br>March/April : 6 000                                                                                                           |
| 3       | 0201 30            | — Meat of animals of the bovine species, fresh or chilled, boneless (tonnes equivalent carcase weight)     | May/June : 6 000<br>July/August : 5 000<br>September/October : 6 000<br>November/December : 6 000                                                                                     |

## ANNEX II

| Group I | CN code            | Description                                                                                             | Indicative ceiling 1992                                                                                                                                                        |
|---------|--------------------|---------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1       | ex 0102 90         | Live animals of the domestic bovine species other than pure-bred breeding animals for bullfights (head) | 15 000 head<br>of which : January/February : 4 000<br>March/April : 4 000<br>May/June : 1 500<br>July/August : 1 500<br>September/October : 2 000<br>November/December : 2 000 |
| 2       | 0201 10<br>0201 20 | — Meat of animals of the bovine species, fresh or chilled, bone in                                      | 35 000 tonnes<br>of which : January/February : 6 000<br>March/April : 6 000                                                                                                    |
| 3       | 0201 30            | — Meat of animals of the bovine species, fresh or chilled, boneless (tonnes equivalent carcase weight)  | May/June : 6 000<br>July/August : 5 000<br>September/October : 6 000<br>November/December : 6 000                                                                              |
| 4       | 0202 10<br>0202 20 | — Meat of animals of the bovine species, fresh or chilled, bone in                                      | 3 800 tonnes<br>of which : January/February : 635<br>March/April : 635                                                                                                         |
| 5       | 0202 30            | — Meat of animals of the bovine species, frozen, boneless (tonnes equivalent carcase weight)            | May/June : 635<br>July/August : 635<br>September/October : 630<br>November/December : 630                                                                                      |

**COMMISSION REGULATION (EEC) No 3811/91**  
**of 20 December 1991**  
**on the supply of various lots of butteroil as food aid**

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

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management<sup>(1)</sup>, as last amended by Regulation (EEC) No 1930/90<sup>(2)</sup>, and in particular Article 6 (1) (c) thereof,

Whereas Council Regulation (EEC) No 1420/87 of 21 May 1987 laying down implementing rules for Regulation (EEC) No 3972/86 on food-aid policy and food-aid management<sup>(3)</sup> lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas following the taking of a number of decisions on the allocation of food aid the Commission has allocated to certain countries and beneficiary organizations 727 tonnes of butteroil;

Whereas it is necessary to provide for the carrying-out of this measure in accordance with the rules laid down by Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid<sup>(4)</sup>, as amended by Regulation (EEC) No 790/91<sup>(5)</sup>; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant cost;

Whereas, notably for logistical reasons, certain supplies are not awarded within the first and second deadlines for submission of tenders; whereas, in order to avoid republication of the notice of invitation to tender, a third deadline for submission of tenders should be opened,

HAS ADOPTED THIS REGULATION:

*Article 1*

Milk products shall be mobilized in the Community, as Community food aid, for supply to the recipients listed in the Annex in accordance with Regulation (EEC) No 2200/87 and under the conditions set out in the Annex. Supplies shall be awarded by the tendering procedure.

The successful tenderer is deemed to have noted and accepted all the general and specific conditions applicable. Any other condition or reservation included in this tender is deemed unwritten.

*Article 2*

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, 20 December 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 370, 30. 12. 1986, p. 1.

<sup>(2)</sup> OJ No L 174, 7. 7. 1990, p. 6.

<sup>(3)</sup> OJ No L 136, 26. 5. 1987, p. 1.

<sup>(4)</sup> OJ No L 204, 25. 7. 1987, p. 1.

<sup>(5)</sup> OJ No L 81, 28. 3. 1991, p. 108.

## ANNEX

## LOTS A, B and C

1. **Operation Nos :** 1478/90, 952/91 and 953/91
2. **Programme :** 1990 (97 tonnes); 1991 (630 tonnes)
3. **Recipient :** People's Republic of China
4. **Representative of the recipient** <sup>(7)</sup> <sup>(8)</sup> : Ministry of Agriculture, Dairy Development Project Office, 11 Nong Zhan Guan, Nanli, Beijing 100026, People's Republic of China (telex 22233 MAGR CN)
5. **Place or country of destination :** People's Republic of China
6. **Product to be mobilized :** Butteroil
7. **Characteristics and quality of the goods** <sup>(2)</sup> <sup>(3)</sup> <sup>(6)</sup> :  
(See OJ No C 114, 29. 4. 1991, p. 6 (I.E.1))
8. **Total quantity :** 727 tonnes
9. **Number of lots** <sup>(11)</sup> : 3
10. **Packaging and marking** <sup>(7)</sup> <sup>(10)</sup> : 200 kg  
OJ No C 114, 29. 4. 1991, p. 7 (I.E.2.1.)  
Markings in English  
Supplementary markings on the packaging :

|         |                                                                                             |
|---------|---------------------------------------------------------------------------------------------|
| 1478/90 | 'EEC DAIRY DEVELOPMENT PROJECT / 4. SHIPMENT / 14 CITIES / FOR RECOMBINATION'               |
| 952/91  | 'EEC DAIRY DEVELOPMENT PROJECT / 1992 UTILIZATION PROGRAMME / 6 CITIES / FOR RECOMBINATION' |
| 953/91  |                                                                                             |
11. **Method of mobilization :** Community market
12. **Stage of supply** <sup>(11)</sup> : free at destination
13. **Port of shipment :**
14. **Port of landing specified by the recipient :**
15. **Port of landing :**
16. **Address of the warehouse and, if appropriate, port of landing** <sup>(11)</sup> :
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage :** from 15 — 29. 2. 1992
18. **Deadline for the supply :**  
Operation No 1478/90 and No 952/91 : 15. 4. 1992  
Operation No 953/91 : 25. 4. 1992
19. **Procedure for determining the costs of supply :** invitation to tender
20. **In the case of an invitation to tender, date of expiry of the period allowed for submission of tenders** <sup>(9)</sup> : 12 noon on 13 January 1992
21. **A. In the case of a second invitation to tender :**
  - (a) deadline for the submission of tenders : 12 noon on 27 January 1992 ;
  - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage : 1 — 15. 3. 1992
  - (c) deadline for the supply :  
Operation No 1478/90 and No 952/91 : 30. 4. 1992  
Operation No 953/91 : 9. 5. 1992**B. In the case of a third invitation to tender :**
  - (a) deadline for the submission of tenders : 12 noon, 10. 2. 1992 ;
  - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage : 15 — 31. 3. 1992
  - (c) deadline for the supply :  
Operation No 1478/90 and No 952/91 : 15. 5. 1992  
Operation No 953/91 : 23. 5. 1992

22. **Amount of the tendering security:** ECU 20 per tonne
23. **Amount of the delivery security:** 10 % of the tender in ecus
24. **Address for submission of tenders:** Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, Bâtiment Loi 120, bureau 7/46, rue de la Loi, 200, B-1049 Brussels (telex: AGREC 22037 B or 25670 AGREC B)
25. **Refund payable on application by the successful tenderer (ⁱ):** Refund applicable 15. 11. 1991, fixed by Regulation (EEC) No 3328/91 (OJ No L 314, 15. 11. 1991, p. 23).

*Notes :*

- (<sup>1</sup>) The operation number is to be quoted in all correspondence.
- (<sup>2</sup>) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.
- (<sup>3</sup>) Radioactivity analysis must indicate caesium-134 and -137 levels.
- (<sup>4</sup>) In order to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of this Annex, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably :  
 — either by porter at the office referred to in point 24 of Annex,  
 — or by telecopier on one of the following numbers in Brussels :  
   — 235 01 32,  
   — 236 10 97,  
   — 235 01 30,  
   — 236 20 05.  
   — 236 33 04.
- (<sup>5</sup>) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56) is applicable as regards the export refund and, where appropriate, the monetary and accession compensatory amounts, the representative rate and the monetary coefficient. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 25 of this Annex.
- (<sup>6</sup>) The successful tenderer shall give the beneficiaries' representative, at the time of delivery, a certificate of origin.
- (<sup>7</sup>) Commission delegate to be contacted by the successful tenderer : EEC Delegation, Ta Yuan Diplomatic Offices Building, Apartment No 2-6-1, Liang Ma He Nan Lu 14, Beijing ; tel. 532 44 43, telex 222690 ECDEL CN, telefax 532 43 42.
- (<sup>8</sup>) The successful tenderer must nominate a representative at the port of landing. He must so inform the undertaking responsible for checks referred to in Article 10 of Regulation (EEC) No 2200/87 and the China National Import and Export Inspection Corporation (CCIC), cable CHINSPECT, telex 210076 SACI CN.
- (<sup>9</sup>) In 20-foot containers.  
 The free holding period for containers must be at least 15 days.
- (<sup>10</sup>) In new bunged metal drums, coated inside with food-can varnish or having been subject to a procedure giving equivalent guarantees, of 190 to 200 kilograms (to be indicated in the tender) net weight, fully filled and hermetically sealed in an atmosphere of nitrogen. The drums should be strong enough to withstand a long sea journey. Their composition must not be such as to be harmful to human health or to cause a change in the colour, taste or odour of their contents. Each drum must be fully leakproof.

(<sup>11</sup>)

| Operation No              | Quantities (in tonnes) | Port of landing   | Destination / Address of the warehouse                                                |
|---------------------------|------------------------|-------------------|---------------------------------------------------------------------------------------|
| A - 1478/90<br>B - 952/91 | 97<br>283 (a)          | Shanghai          | The Warehouse of the Dairy Development Project, No 780 Beizhai Road, Beixinjing       |
| C - 953/91                | 347 (b)                | Xingang (Tianjin) | Refrigeration Plant, Dairy Company, Xingfudao, Jiaokou, Hongxing Road, Hebei District |

(a) Three parts : B 1 - 161 tonnes ; B 2 - 61 tonnes ; B 3 - 61 tonnes

(b) Three parts : C 1 - 164 tonnes ; C 2 - 122 tonnes ; C 3 - 61 tonnes.

**COMMISSION REGULATION (EEC) No 3812/91****of 20 December 1991****on the supply of various consignments of cereals as food aid**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management <sup>(1)</sup>, as last amended by Regulation (EEC) No 1930/90 <sup>(2)</sup>, and in particular Article 6 (1)(c) thereof,

Whereas Council Regulation (EEC) No 1420/87 of 21 May 1987 laying down implementing rules for Regulation (EEC) No 3972/86 on food-aid policy and food-aid management <sup>(3)</sup> lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas following the taking of a number of decisions on the allocation of food aid the Commission has allocated to certain countries and beneficiary organizations 28 864 tonnes of cereals;

Whereas it is necessary to provide for the carrying out of this measure in accordance with the rules laid down by Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid <sup>(4)</sup>, as amended by Regulation (EEC) No 790/91 <sup>(5)</sup>; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs;

Whereas, notably for logistical reasons, certain supplies are not awarded within the first and second deadlines for submission of tenders; whereas, in order to avoid republication of the notice of invitation to tender, a third deadline for submission of tenders should be opened,

HAS ADOPTED THIS REGULATION:

*Article 1*

Cereals shall be mobilized in the Community, as Community food aid for supply to the recipients listed in the Annex, in accordance with Regulation (EEC) No 2200/87 and under the conditions set out in the Annex. Supplies shall be awarded by the tendering procedure.

The successful tenderer is deemed to have noted and accepted all the general and specific conditions applicable. Any other condition or reservation included in his tender is deemed unwritten.

*Article 2*

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, 20 December 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 370, 30. 12. 1986, p. 1.

<sup>(2)</sup> OJ No L 174, 7. 7. 1990, p. 6.

<sup>(3)</sup> OJ No L 136, 26. 5. 1987, p. 1.

<sup>(4)</sup> OJ No L 204, 25. 7. 1987, p. 1.

<sup>(5)</sup> OJ No L 81, 28. 3. 1991, p. 108.

## ANNEX

## LOT A

1. **Operations Nos** (1): 300/91 (Part A 1) and 701/91 (Part A 2)
2. **Programme**: 1991
3. **Recipient** (2) (3): World Food Programme, Via Cristoforo Colombo 426, I-00145 Rome (telex: 626675 I WFP)
4. **Representative of the recipient**: see OJ No C 103, 16. 4. 1987
5. **Place or country of destination**: Ethiopia
6. **Product to be mobilized**: common wheat
7. **Characteristics and quality of the goods** (3): see OJ No C 114, 29. 4. 1991, p. 1 (under II.A.1.a)
8. **Total quantity**: 22 384 tonnes
9. **Number of lots**: one in two parts (A 1: 2 000 tonnes; A 2: 20 384 tonnes)
10. **Packaging and marking**:
  - A 1: in bulk, plus 428 000 Sacks, (OJ No C 114, 29. 4. 1991, p. 1, (under II.A.2.b and II.A.3)), and 100 needles and sufficient twine (2 m/sack)
  - A 2 (4): see list published in OJ No C 114, 29. 4. 1991, p. 1 (under II.A.2.b and II.A.3)

Markings in English

Supplementary markings on packaging:

  - A 1: 'ETHIOPIA 0466 900 / SUPPLIED BY THE WORLD FOOD PROGRAMME / DJIBOUTI IN TRANSIT TO DIREDAWA / ETHIOPIA'
  - A 2: 'ETHIOPIA 0248 802 / SUPPLIED BY THE WORLD FOOD PROGRAMME / ASSAB'
11. **Method of mobilization**: Community market
12. **Stage of supply**: free at port of shipment — fob stowed (6)
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment — fob stowed**: 1. — 29. 2. 1992.
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **In the case of an invitation to tender, date of expiry of the period allowed for submission of tenders**: 12 noon on 14. 1. 1992
21. **A. In the case of a second invitation to tender**:
  - (a) deadline for the submission of tenders: 12 noon on 28. 1. 1992
  - (b) period for making the goods available at the port of shipment — fob stowed: 15. 2 — 14. 3. 1992
  - (c) deadline for the supply: —

**B. In the case of a third invitation to tender**:

  - (a) deadline for the submission of tenders: 12 noon on 11. 2. 1992
  - (b) period for making the goods available at the port of shipment — fob stowed: 29. 2 — 28. 3. 1992
  - (c) deadline for the supply: —
22. **Amount of the tendering security**: ECU 5 per tonne
23. **Amount of the delivery security**: 10 % of the tender in ecus
24. **Address for submission of tenders** (7): Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, Bâtiment Loi 120, bureau 7/46, rue de la Loi, 200, B-1049 Bruxelles (telex: AGREC 22037 B or 25670 AGREC B)
25. **Refund payable on request by the successful tenderer** (8): refund applicable 31. 12. 1991, fixed by Commission Regulation (EEC) No 3468/91 (OJ No L 328, 30. 11. 1991, p. 14)

## LOTS B and C

1. **Operations Nos<sup>(1)</sup>:** 1468/90 (Lot B) and 1469/90 (Lot C)
2. **Programme:** 1990
3. **Recipient<sup>(2)</sup> (7):** World Food Programme, Via Cristoforo Colombo 426, I-00145 Rome (telex: 626675 I WFP)
4. **Representative of the recipient:** see OJ No C 103, 16. 4. 1987
5. **Place or country of destination:** Algeria
6. **Product to be mobilized:** common wheat flour
7. **Characteristics and quality of the goods<sup>(3)</sup>:** see OJ No C 114, 29. 4. 1991, p. 1 (under II.B.I.a)
8. **Total quantity:** 4 730 tonnes (6 480 tonnes of cereals)
9. **Number of lots:** two (Lot B: 2 400 tonnes; Lot C: 2 330 tonnes)
10. **Packaging and marking<sup>(4)</sup>:** see OJ No C 114, 29. 4. 1991, p. 1 (under II.B.2.A and II.B.3)  
Markings in French  
Supplementary markings on packaging:  
Lot B: 'ALGÉRIE 0415501 / ACTION DU PROGRAMME ALIMENTAIRE MONDIAL / ALGER'  
Lot C: 'ALGÉRIE 0415501 / ACTION DU PROGRAMME ALIMENTAIRE MONDIAL / ALGER'
11. **Method of mobilization:** Community market
12. **Stage of supply:** free at port of shipment — Fob stowed<sup>(5)</sup>
13. **Port of shipment:** —
14. **Port of landing specified by the recipient:** —
15. **Port of landing:** —
16. **Address of the warehouse and, if appropriate, port of landing:** —
17. **Period for making the goods available at the port of shipment:** 1 — 15. 2. 1992 (Lot B); 1 — 15. 3. 1992 (Lot C)
18. **Deadline for the supply:** —
19. **Procedure for determining the costs of supply:** invitation to tender
20. **In the case of an invitation to tender, date of expiry of the period allowed for submission of tenders:** 12 noon on 14. 1. 1992
21. **A. In the case of a second invitation to tender:**
  - (a) deadline for the submission of tenders: 12 noon on 28. 1. 1992
  - (b) period for making the goods available at the port of shipment — Fob stowed: 15 — 29. 2. 1992 (Lot B); 15 — 29. 3. 1992 (Lot C)
  - (c) deadline for the supply: —**B. In the case of a third invitation to tender:**
  - (a) deadline for the submission of tenders: 12 noon on 11. 2. 1992
  - (b) period for making the goods available at the port of shipment — Fob stowed: 29. 2. — 14. 3. 1992 (Lot B); 29. 3. — 14. 4. 1992 (Lot C)
  - (c) deadline for the supply: —
22. **Amount of the tendering security:** ECU 5 per tonne
23. **Amount of the delivery security:** 10 % of the tender in ecus
24. **Address for submission of tenders<sup>(6)</sup>:** Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, Bâtiment Loi 120, bureau 7/46, rue de la Loi, 200, B-1049 Bruxelles (telex: AGREC 22037 B or 25670 AGREC B)
25. **Refund payable on request by the successful tenderer<sup>(6)</sup>:** refund applicable 31. 12. 1991, fixed by Commission Regulation (EEC) No 3468/91 (OJ No L 328, 30. 11. 1991, p. 14)

*Notes:*

- (<sup>1</sup>) The operation number is to be quoted in all correspondence.
- (<sup>2</sup>) Commission delegate to be contacted by the successful tenderer:  
— see list published in OJ No C 114, 29. 4. 1991, p. 33.
- (<sup>3</sup>) The successful tenderer shall deliver to the beneficiaries a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned have not been exceeded.
- The radioactivity certificate shall give the caesium-134 and -137 and iodine-131 levels.
- The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following documents:
- certificate of origin
  - phytosanitary certificate
  - radiation certificate
- (<sup>4</sup>) Since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.
- (<sup>5</sup>) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of this Annex, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably:
- either by porter at the office referred to in point 24 of this Annex,
  - or by telecopier on one of the following numbers in Brussels:
    - 235 01 32,
    - 236 10 97,
    - 235 01 30,
    - 236 20 05,
    - 236 33 04.
- (<sup>6</sup>) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56), is applicable as regards the export refunds and, where appropriate, the monetary and accession compensatory amounts, the representative rate and the monetary coefficient. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 25 of this Annex.
- (<sup>7</sup>) Once the successful tenderer has been informed of the award of the contract, he shall immediately contact the beneficiary with a view to determining what documents are required for the consignment and their distribution.
- (<sup>8</sup>) By way of derogation from Articles 7 (3) (f) and 13 (2) of Regulation (EEC) No 2200/87, the price tendered must include the loading and stowage costs. The loading and stowage operations will be the responsibility of the successful tenderer.
-

**COMMISSION REGULATION (EEC) No 3813/91****of 20 December 1991****on the supply of various lots of skimmed-milk powder as food aid**

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

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management <sup>(1)</sup>, as last amended by Regulation (EEC) No 1930/90 <sup>(2)</sup>, and in particular Article 6 (1) (c) thereof,

Whereas Council Regulation (EEC) No 1420/87 of 21 May 1987 laying down implementing rules for Regulation (EEC) No 3972/86 on food-aid policy and food-aid management <sup>(3)</sup> lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas following the taking of a number of decisions on the allocation of food aid the Commission has allocated to certain beneficiary organizations 2 181 tonnes of skimmed-milk powder;

Whereas it is necessary to provide for the carrying-out of this measure in accordance with the rules laid down by Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community

food aid <sup>(4)</sup>, as amended by Regulation (EEC) No 790/91 <sup>(5)</sup>; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

*Article 1*

Milk products shall be mobilized in the Community, as Community food aid, for supply to the recipients listed in the Annex in accordance with Regulation (EEC) No 2200/87 and under the conditions set out in the Annex. Supplies shall be awarded by the tendering procedure.

The successful tenderer is deemed to have noted and accepted all the general and specific conditions applicable. Any other condition or reservation included in his tender is deemed unwritten.

*Article 2*

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, 20 December 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 370, 30. 12. 1986, p. 1.

<sup>(2)</sup> OJ No L 174, 7. 7. 1990, p. 6.

<sup>(3)</sup> OJ No L 136, 26. 5. 1987, p. 1.

<sup>(4)</sup> OJ No L 204, 25. 7. 1987, p. 1.

<sup>(5)</sup> OJ No L 81, 28. 3. 1991, p. 108.

## ANNEX

## LOTS A, B, C, D and E

1. **Operation Nos** <sup>(1)</sup>: 1479/90, 954 to 957/91
2. **Programme**: 1990 (291 tonnes) + 1991 (1 890 tonnes)
3. **Recipient**: People's Republic of China
4. **Representative of the recipient** <sup>(2)</sup> <sup>(9)</sup>: Ministry of Agriculture, Dairy Development Project Office, 11 Nong Zhan Guan, Nanli, Beijing 100026, People's Republic of China (Telex 22233 MAGR CN)
5. **Place or country of destination**: People's Republic of China
6. **Product to be mobilized**: skimmed-milk powder
7. **Characteristics and quality of the goods** <sup>(2)</sup> <sup>(6)</sup>:  
(See OJ No C 114, 29. 4. 1991, p. 1-3, I.A.1)
8. **Total quantity**: 2 181 tonnes
9. **Number of lots**: 5 (see 10)
10. **Packaging and marking**: 25 kg <sup>(7)</sup> <sup>(8)</sup>  
(OJ No C 114, 29. 4. 1991, p. 3, I.A.3)  
Markings in English  
Supplementary markings on the packaging:  
1479/90: 'EEC DAIRY DEVELOPMENT PROJECT / 4. SHIPMENT / 14 CITIES / FOR RECOMBINATION'  
945/91 to 957/91: 'EEC DAIRY DEVELOPMENT PROJECT / 1992 UTILIZATION PROGRAMME / 6 CITIES / FOR RECOMBINATION'
11. **Method of mobilization**: Community market  
The skimmed-milk powder must be manufactured after the award of the tender
12. **Stage of supply**: free at destination <sup>(10)</sup>
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: <sup>(10)</sup>
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: from 15 — 29. 2. 1992
18. **Deadline for the supply**:  
Operation No 1479/90, No 954/91 and No 955/91: 15. 4. 1992  
Operation No 956/91, and No 957/91: 25. 4. 1992
19. **Procedure for determining the costs of supply**: invitation to tender
20. **In the case of an invitation to tender, date of expiry of the period allowed for submission of tenders** <sup>(4)</sup>: 12 noon, 13. 1. 1992
21. **A. In the case of a second invitation to tender**:
  - (a) deadline for the submission of tenders: 12 noon, 27. 1. 1992
  - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 1 — 15. 3. 1992
  - (c) deadline for the supply:  
Operation No 1479/90, No 954/91 and No 955/91: 30. 4. 1992  
Operation No 956/91 and No 957/91: 9. 5. 1992

**B. In the case of a third invitation to tender :**

- (a) deadline for the submission of tenders : 12 noon, 10. 2. 1992
- (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage : 15 — 31. 3. 1992
- (c) deadline for the supply :
  - Operation No 1479/90, No 954/91 and No 955/91 : 15. 5. 1992
  - Operation No 956/91 and No 957/91 : 23. 5. 1992

22. **Amount of the tendering security :** ECU 20 per tonne

23. **Amount of the delivery security :** 10 % of the amount of the tender in ecus

24. **Address for submission of tenders :**

Bureau de l'aide alimentaire,  
à l'attention de Monsieur N. Arend,  
bâtiment Loi 120, bureau 7/46,  
Rue de la Loi, 200  
B-1049 Brussels  
(telex AGREC 22037 B or 25670 B)

25. **Refund payable on application by the successful tenderer<sup>(\*)</sup> :** Refund applicable 15. 11. 1991, fixed by Commission Regulation (EEC) No 3328/91 (OJ No L 314 of 15. 11. 1991, p. 23)

*Notes:*

- (<sup>1</sup>) The operation number is to be quoted in all correspondence.
- (<sup>2</sup>) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.

Radioactivity analysis must indicate caesium -134 and -137 levels.

- (<sup>3</sup>) Commission delegate to be contacted by the successful tenderer: EEC Delegation, Ta Yuan Diplomatic Offices Building, Apartment No 2-6-1, Liang Ma He Nan Lu 14, Beijing; tel. 532 44 43, telex 222690 ECDEL CN, telefax 532 43 42.

- (<sup>4</sup>) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of this Annex, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably:

- by porter at the office referred to in point 24 of this Annex, or
- by telecopier on one of the following numbers in Brussels:
  - 235 01 32,
  - 236 10 97,
  - 235 01 30,
  - 236 20 05,
  - 236 33 04.

- (<sup>5</sup>) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56) is applicable as regards the export refund and where appropriate, the monetary and accession compensatory amounts, the representative rate and the monetary coefficient. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 25 of this Annex.

- (<sup>6</sup>) The successful tenderer shall give the beneficiaries' representative, at the time of delivery, a certificate of origin.

- (<sup>7</sup>) The bags must be placed in 20-foot containers.

The free holding period for containers must be at least 15 days.

- (<sup>8</sup>) New, dry and intact packaging of a net content of 25 kilograms made up as follows: (combination of requirements in I (b) and (c) of Annex II to Commission Regulation (EEC) No 625/78 (OJ No L 84, 31. 3. 1978, p. 19)):

- one kraft paper bag of a strength of at least 70 g/m<sup>2</sup>,
- one kraft paper bag with a polyethylene lining, of a strength of at least 80 + 15 g/m<sup>2</sup>,
- three kraft bags of a strength of at least 70 g/m<sup>2</sup>,
- one polythylene inner bag at least 0,12 mm thick, welded or double bond.

- (<sup>9</sup>) The successful tenderer must nominate a representative at the port of landing. He must so inform the undertaking responsible for checks referred to in Article 10 of Regulation (EEC) No 2200/87 and the China National Import and Export Inspection Corporation (CCIC), cable CHINSPECT, telex 210076 SACI CN.

CCIC may be designated as representative by the successful tenderer.

(<sup>10</sup>)

| Operation No                            | Quantities (in tonnes) | Port of landing   | Destination / Address of the warehouse                                               |
|-----------------------------------------|------------------------|-------------------|--------------------------------------------------------------------------------------|
| A - 1479/90<br>B - 954/91<br>C - 955/91 | 291<br>485<br>368 (a)  | Shanghai          | The Warehouse of the Dairy Development Project, No 780 Beizhai Road, Beixinjing      |
| D - 956/91<br>E - 957/91                | 486<br>551 (b)         | Xingang (Tianjin) | Refrigeration Plant, Dairy Company, Xingfudao Jiaokou, Hongxing Road, Hebei District |

(a) in two parts: C1 - 184 tonnes; C2 - 184 tonnes;

(b) in two parts: E1 - 367 tonnes; E2 - 184 tonnes.

**COMMISSION REGULATION (EEC) No 3814/91****of 20 December 1991****amending Regulation (EEC) No 2943/91 laying down detailed rules applicable to the free supply of bread-making common wheat to Albania as provided for in Council Regulation (EEC) No 2938/91**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals <sup>(2)</sup>, as last amended by Regulation (EEC) No 3577/90 <sup>(3)</sup>, and in particular Article 7 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 rate to be applied for the purpose of the common agricultural policy <sup>(4)</sup>, as last amended by Regulation (EEC) No 2205/90 <sup>(5)</sup>, and in particular Article 2 (4) and Article 5 (3) thereof,

Whereas Council Regulation (EEC) No 2943/91 <sup>(6)</sup> provides for an emergency measure for the supply of bread-making common wheat to Albania;

Whereas, in order to avoid the risk of monetary distortion when converting into ECU the tenders awarded for supply costs, a rate corresponding more closely to actual economic circumstances than the agricultural conversion rate should be used, with due regard to the application of the correcting factor referred to in Article 2 (2) of Regulation (EEC) No 1676/85; whereas Article 3a of Commis-

sion Regulation (EEC) No 3152/85 of 11 November 1985 laying down detailed rules for the application of Council Regulation (EEC) No 1676/85 <sup>(7)</sup>, as last amended by Regulation (EEC) No 3237/90 <sup>(8)</sup> provides for the publication of such a rate;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

In Article 5 of Regulation (EEC) No 2943/91, the third sentence of the first subparagraph is replaced by the following:

'That amount shall be converted using the conversion rate specified in Article 3a of Commission Regulation (EEC) No 3152/85 <sup>(9)</sup>, applicable on the closing date for the submission of tenders.

<sup>(1)</sup> OJ No L 310, 21. 11. 1985, p. 1.'

*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, 20 December 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 280, 8. 10. 1991, p. 4.

<sup>(2)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(3)</sup> OJ No L 353, 17. 12. 1990, p. 23.

<sup>(4)</sup> OJ No L 164, 24. 6. 1985, p. 1.

<sup>(5)</sup> OJ No L 201, 31. 7. 1990, p. 9.

<sup>(6)</sup> OJ No L 280, 8. 10. 1991, p. 16.

<sup>(7)</sup> OJ No L 310, 21. 11. 1985, p. 1.

<sup>(8)</sup> OJ No L 310, 9. 11. 1990, p. 18.

## COMMISSION REGULATION (EEC) No 3815/91

of 20 December 1991

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals <sup>(2)</sup>, as last amended by Regulation (EEC) No 3577/90 <sup>(3)</sup>, and in particular Article 7 (6) thereof,

Whereas Commission Regulation (EEC) No 2943/91 <sup>(4)</sup>, as amended by Regulation (EEC) No 3814/91 <sup>(5)</sup>, provides that contracts for the supply of cereals under Regulation (EEC) No 2938/91 are to be allocated by invitation to tender;

Whereas Commission Regulation (EEC) No 1570/77 <sup>(6)</sup>, as last amended by Regulation (EEC) No 2258/87 <sup>(7)</sup>, lays down in particular quality criteria for bread-making common wheat accepted for intervention;

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

The invitation to tender shall cover 25 000 tonnes of bread-making common wheat in bulk to be supplied

from the port of Ghent, cif (ex-ship), to the Albanian port of Durres.

*Article 3*

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

*Article 4*

1. The time limit for the submission of tenders in response to the first partial invitation to tender shall be 1 p.m., Brussels time, on 9 January 1992.

2. The time limit for the submission of tenders in response to the last partial invitation to tender shall be 1 p.m., Brussels time, on 23 January 1992.

*Article 5*

Tenders must be submitted to the French intervention agency.

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

*Article 6*

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

Certificates shall be issued after unloading of the goods.

*Article 7*

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

*Article 8*

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

*Article 9*

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

<sup>(1)</sup> OJ No L 280, 8. 10. 1991, p. 4.

<sup>(2)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(3)</sup> OJ No L 353, 17. 12. 1990, p. 23.

<sup>(4)</sup> OJ No L 280, 8. 10. 1991, p. 16.

<sup>(5)</sup> See page 69 of this Official Journal.

<sup>(6)</sup> OJ No L 174, 14. 7. 1977, p. 18.

<sup>(7)</sup> OJ No L 208, 30. 7. 1987, p. 10.

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

Done at Brussels, 20 December 1991.

*For the Commission*  
Ray MAC SHARRY  
*Member of the Commission*

ANNEX I

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

(Regulation (EEC) No 3815/91)

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

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

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

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

— Name of vessel : .....

— Place and date of taking-over : .....

— Product : .....

— Tonnage taken over : .....

*Remarks or reservations :* .....

.....

.....

*ANNEX III***Delivery specifications**

One lot of 25 000 tonnes in three shipments :

- 8 000 tonnes : departure date 14 January 1992. Arrival date between 24 and 25 January 1992.
- 8 000 tonnes : departure date 22 January 1992. Arrival date between 1 and 2 February 1992.
- 9 000 tonnes : departure date 29 January 1992. Arrival date between 8 and 9 February 1992.

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

If no bid has been accepted on 9 January 1992, the above dates should be postponed by seven days.

The same should be applied if no bid has been accepted on 16 January 1992.

## COMMISSION REGULATION (EEC) No 3816/91

of 20 December 1991

adding a temporary provision to the detailed rules for the application of the special measures for peas, field beans and sweet lupins

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

Having regard to Council Regulation (EEC) No 1431/82 of 18 May 1982 laying down special measures for peas, field beans and sweet lupins<sup>(1)</sup>, as last amended by Regulation (EEC) No 1624/91<sup>(2)</sup>,

Whereas Article 13 (2) of Commission Regulation (EEC) No 3540/85 of 5 December 1985 laying down detailed rules for the application of the special measures for peas, field beans and sweet lupins<sup>(3)</sup>, as last amended by Regulation (EEC) No 1906/91<sup>(4)</sup>, states that advance fixing certificates for the aid shall be valid for six months from the month following that in which the application was lodged; whereas in view of the uncertainty prevalent at the present time the validity of licences applied for from January 1992 onwards should be restricted to 30 June 1992;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

For the 1991/92 marketing year advance fixing certificates for the aid, requested in January or February 1992, shall, Article 13 (2) of Regulation (EEC) No 3540/85 notwithstanding, be valid until 30 June 1992 only.

*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, 20 December 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 162, 12. 6. 1982, p. 28.

<sup>(2)</sup> OJ No L 150, 15. 6. 1991, p. 10.

<sup>(3)</sup> OJ No L 342, 19. 12. 1985, p. 1.

<sup>(4)</sup> OJ No L 169, 29. 6. 1991, p. 46.

**COMMISSION REGULATION (EEC) No 3817/91****of 23 December 1991****extending retrospective Community surveillance of imports of certain products  
originating in Japan**

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

Having regard to Council Regulation (EEC) No 288/82 of  
5 February 1982 on common rules for imports <sup>(1)</sup>, as last  
amended by Regulation (EEC) No 2978/91 <sup>(2)</sup>, and in  
particular Article 10 thereof,

Having consulted the committee set up under the above-  
mentioned Regulation,

Whereas Commission Regulation (EEC) No 1530/89 <sup>(3)</sup>,  
as amended by Regulation (EEC) No 40/91 <sup>(4)</sup>, introduced  
Community retrospective surveillance to importation of  
certain products originating in Japan expire on 31  
December 1991;

Whereas the temporary decided on by the Government of  
the United States of America on 17 April 1987 which  
gave rise to the introduction of Community surveillance  
are still partially applicable;

Whereas it is accordingly appropriate to continue to  
monitor the trend of imports into the Community of the  
products concerned by Commission Regulation (EEC) No  
1530/89,

HAS ADOPTED THIS REGULATION:

*Article 1*

In Article 2 of Regulation (EEC) No 1530/89, '31  
December 1991' is replaced by '31 December 1992'.

*Article 2*

This Regulation shall enter into force on the day  
following its publication in the *Official Journal of the  
European 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, 23 December 1991.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

<sup>(1)</sup> OJ No L 35, 9. 2. 1982, p. 1.

<sup>(2)</sup> OJ No L 284, 12. 10. 1991, p. 1.

<sup>(3)</sup> OJ No L 150, 2. 6. 1989, p. 15.

<sup>(4)</sup> OJ No L 6, 9. 1. 1991, p. 8.

**COMMISSION REGULATION (EEC) No 3818/91****of 27 December 1991****fixing the export refunds on products processed from cereals and rice**

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<sup>(1)</sup>, as last amended by Regulation (EEC) No 3577/90<sup>(2)</sup>, and in particular the fourth subparagraph of Article 16 (2) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice<sup>(3)</sup>, as last amended by Regulation (EEC) No 1806/89<sup>(4)</sup>, and in particular the fourth subparagraph of Article 17 (2) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 of Regulation (EEC) No 2727/75 and Article 17 of Regulation (EEC) No 1418/76 provide that the difference between quotations or prices on the world market for the products listed in Article 1 of those Regulations and prices for those products within the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 2746/75<sup>(5)</sup>, and Article 2 of Council Regulation (EEC) No 1431/76<sup>(6)</sup> laying down general rules for granting export refunds on cereals and rice respectively and criteria for fixing the amount of such refunds, provide that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals, rice and broken rice on the Community market on the one hand and prices for cereals, rice, broken rice and cereal products on the world market on the other; whereas the same Articles provide that it is also important to ensure equilibrium and the natural development of prices and trade on the markets in cereals and rice and, furthermore, to take into account the

economic aspect of the proposed exports, and the need to avoid disturbances on the Community market;

Whereas Article 6 of Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice<sup>(7)</sup>, as last amended by Regulation (EEC) No 1906/87<sup>(8)</sup>, defines the specific criteria to be taken into account when the refund on these products is being calculated;

Whereas, on the basis of the criteria laid down in Regulation (EEC) No 2744/75, particular account should be taken of the prices and quantities of basic products used to calculate the variable component of the levy;

Whereas it follows from applying these detailed rules to the present situation on the market in products processed from cereals and rice that the export refund should be fixed at an amount which will cover the difference between Community prices and world market prices;

Whereas when the refund is being calculated account should be taken of the quantities of raw materials used to determine the variable component of the levy; whereas the quantities of raw materials used for certain processed products may vary according to the end use of the product; whereas, depending on the manufacturing process used, products other than the main product are obtained, the quantity and value of which may vary with the nature and quality of the main products being manufactured; whereas cumulation of the refunds on the various products manufactured by a single process from the same basic product may make it possible, in certain cases, to export to third countries at prices which are lower than world market prices; whereas the refund on certain products should therefore be limited to an amount which, while allowing access to the world market, will ensure that the aims of the common organization of the markets are respected;

Whereas the refund to be granted in respect of certain processed products should be graduated on the basis of the ash, crude fibre, tegument, protein, fat and starch content of the individual product concerned, this content being a particularly good indicator of the quantity of basic product actually incorporated in the processed product;

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 353, 17. 12. 1990, p. 23.

<sup>(3)</sup> OJ No L 166, 25. 6. 1976, p. 1.

<sup>(4)</sup> OJ No L 177, 24. 6. 1989, p. 1.

<sup>(5)</sup> OJ No L 281, 1. 11. 1975, p. 78.

<sup>(6)</sup> OJ No L 166, 25. 6. 1976, p. 36.

<sup>(7)</sup> OJ No L 281, 1. 11. 1975, p. 65.

<sup>(8)</sup> OJ No L 182, 3. 7. 1987, p. 49.

Whereas there is no need at present to fix an export refund for manioc, other tropical roots and tubers or flours obtained therefrom, given the economic aspect of potential exports and in particular the nature and origin of these products; whereas, for certain products processed from cereals, the insignificance of Community participation in world trade makes it unnecessary to fix an export refund at the present time;

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

Whereas, 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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 2205/90 <sup>(2)</sup>,
- 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 once a month; whereas it may be altered in the intervening period;

Whereas the Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

#### *Article 1*

The export refunds on the products listed in Article 1 (d) of Regulation (EEC) No 2727/75 and in Article 1 (1) (c) of Regulation (EEC) No 1418/76 and subject to Regulation (EEC) No 2744/75 are hereby fixed as shown in the Annex to this Regulation.

#### *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, 27 December 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 164, 24. 6. 1985, p. 1.

<sup>(2)</sup> OJ No L 201, 31. 7. 1990, p. 9.

## ANNEX

to the Commission Regulation of 27 December 1991 fixing the export refunds on products processed from cereals and rice

| (ECU/tonne)    |        | (ECU/tonne)    |        |
|----------------|--------|----------------|--------|
| Product code   | Refund | Product code   | Refund |
| 1102 20 10 100 | 118,54 | 1104 23 10 100 | 127,01 |
| 1102 20 10 300 | 101,60 | 1104 23 10 300 | 97,37  |
| 1102 20 10 900 | —      | 1104 23 10 900 | —      |
| 1102 20 90 100 | 101,60 | 1104 29 11 000 | —      |
| 1102 20 90 900 | —      | 1104 29 15 000 | —      |
| 1102 30 00 000 | —      | 1104 29 19 000 | —      |
| 1102 90 10 100 | 131,48 | 1104 29 91 000 | 91,34  |
| 1102 90 10 900 | 89,40  | 1104 29 95 000 | 108,72 |
| 1102 90 30 100 | 165,71 | 1104 30 10 000 | 22,84  |
| 1102 90 30 900 | —      | 1104 30 90 000 | 21,17  |
| 1103 12 00 100 | 165,71 | 1107 10 11 000 | 162,59 |
| 1103 12 00 900 | —      | 1107 10 91 000 | 156,02 |
| 1103 13 11 100 | 152,41 | 1108 11 00 200 | 182,68 |
| 1103 13 11 300 | 118,54 | 1108 11 00 300 | 182,68 |
| 1103 13 11 500 | 101,60 | 1108 11 00 800 | —      |
| 1103 13 11 900 | —      | 1108 12 00 200 | 135,47 |
| 1103 13 19 100 | 152,41 | 1108 12 00 300 | 135,47 |
| 1103 13 19 300 | 118,54 | 1108 12 00 800 | —      |
| 1103 13 19 500 | 101,60 | 1108 13 00 200 | 135,47 |
| 1103 13 19 900 | —      | 1108 13 00 300 | 135,47 |
| 1103 13 90 100 | 101,60 | 1108 13 00 800 | —      |
| 1103 13 90 900 | —      | 1108 14 00 200 | —      |
| 1103 14 00 000 | —      | 1108 14 00 300 | —      |
| 1103 19 10 000 | 108,72 | 1108 14 00 800 | —      |
| 1103 19 30 100 | 135,86 | 1108 19 10 200 | 189,33 |
| 1103 19 30 900 | —      | 1108 19 10 300 | 189,33 |
| 1103 21 00 000 | 93,17  | 1108 19 10 800 | —      |
| 1103 29 20 000 | 89,40  | 1108 19 90 200 | —      |
| 1103 29 30 000 | —      | 1108 19 90 300 | —      |
| 1103 29 40 000 | —      | 1108 19 90 800 | —      |
| 1104 11 90 100 | 131,48 | 1109 00 00 100 | 0,00   |
| 1104 11 90 900 | —      | 1109 00 00 900 | —      |
| 1104 12 90 100 | 184,12 | 1702 30 51 000 | 176,96 |
| 1104 12 90 300 | 147,30 | 1702 30 59 000 | 135,47 |
| 1104 12 90 900 | —      | 1702 30 91 000 | 176,96 |
| 1104 19 10 000 | 93,17  | 1702 30 99 000 | 135,47 |
| 1104 19 50 110 | 135,47 | 1702 40 90 000 | 135,47 |
| 1104 19 50 130 | 110,07 | 1702 90 50 100 | 176,96 |
| 1104 19 50 150 | —      | 1702 90 50 900 | 135,47 |
| 1104 19 50 190 | —      | 1702 90 75 000 | 185,43 |
| 1104 19 50 900 | —      | 1702 90 79 000 | 128,70 |
| 1104 19 91 000 | —      | 2106 90 55 000 | 135,47 |
| 1104 21 10 100 | 131,48 | 2302 10 10 000 | 21,09  |
| 1104 21 10 900 | —      | 2302 10 90 100 | 21,09  |
| 1104 21 30 100 | 131,48 | 2302 10 90 900 | —      |
| 1104 21 30 900 | —      | 2302 20 10 000 | 21,09  |
| 1104 21 50 100 | 175,30 | 2302 20 90 100 | 21,09  |
| 1104 21 50 300 | 140,24 | 2302 20 90 900 | —      |
| 1104 21 50 900 | —      | 2302 30 10 000 | 21,09  |
| 1104 22 10 100 | 147,30 | 2302 30 90 000 | 21,09  |
| 1104 22 10 900 | —      | 2302 40 10 000 | 21,09  |
| 1104 22 30 100 | 156,50 | 2302 40 90 000 | 21,09  |
| 1104 22 30 900 | —      | 2303 10 11 100 | 67,74  |
| 1104 22 50 000 | —      | 2303 10 11 900 | —      |

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 3819/91

of 27 December 1991

## fixing the export refunds on cereal-based compound feedingstuffs

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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 3577/90 <sup>(2)</sup>, and in particular the fourth subparagraph of Article 16 (2) thereof,

Having regard to the opinion of the Monetary Committee,

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

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

Whereas it follows from applying these detailed rules to the present situation on the market in cereal-based compound feedingstuffs that the export refund should be fixed at an amount which will cover the difference between Community prices and world market prices;

Whereas Article 7 (1) of Council Regulation (EEC) No 2743/75 of 29 October 1975 on the system to be applied to cereal-based compound feedingstuffs <sup>(4)</sup>, as last amended by Regulation (EEC) No 944/87 <sup>(5)</sup>, provides that, when export refunds on cereal-based compound

feedingstuffs are being fixed, only certain products used in the manufacture of compound feedingstuffs for which a refund may be fixed should be taken into account;

Whereas Commission Regulation (EEC) No 1913/69 of 29 September 1969 on the granting and the advance fixing of the export refund on cereal-based compound feedingstuffs <sup>(6)</sup>, as last amended by Regulation (EEC) No 3630/91 <sup>(7)</sup>, provides that calculation of the export refund must be based on the averages of the refunds granted and the levies calculated on the most commonly used basic cereals, adjusted on the basis of the threshold price in force during the current month; whereas that calculation must also take account of the cereal products content; whereas, therefore, in the interest of simplification, compound feedingstuffs should be placed in categories and the refund for each category should be fixed on the basis of the quantity of cereal products content for the category concerned; whereas, furthermore, the amount of the refund must also take into account the possibilities and conditions for the sale of those products on the world market, the need to avoid disturbances on the Community market and the economic aspect of the export;

Whereas, however, in fixing the rate of refund it would seem advisable to base it at this time on the difference in the cost of raw inputs widely used in compound feedingstuffs as between the Community and world markets, allowing more accurate account to be taken of the commercial conditions under which such products are exported;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for compound feedingstuffs according to composition and destination; whereas, for purposes of varying the refund, the destination zones laid down in Annex II to Commission Regulation (EEC) No 1124/77 of 27 May 1977 redefining the destination zones for export refunds or levies and for certain export licences for cereals and rice <sup>(8)</sup>, as last amended by Regulation (EEC) No 3049/89 <sup>(9)</sup>, should be used;

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 353, 17. 12. 1990, p. 23.

<sup>(3)</sup> OJ No L 281, 1. 11. 1975, p. 78.

<sup>(4)</sup> OJ No L 281, 1. 11. 1975, p. 60.

<sup>(5)</sup> OJ No L 90, 2. 4. 1987, p. 2.

<sup>(6)</sup> OJ No L 246, 30. 9. 1969, p. 11.

<sup>(7)</sup> OJ No L 344, 14. 12. 1991, p. 40.

<sup>(8)</sup> OJ No L 134, 28. 5. 1977, p. 53.

<sup>(9)</sup> OJ No L 292, 11. 10. 1989, p. 10.

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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 2205/90 <sup>(2)</sup>,
- 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 once a month; whereas it may be altered in the intervening period;

Whereas the Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

*Article 1*

The export refunds on the compound feedingstuffs covered by Regulation (EEC) No 2727/75 and subject to Regulation (EEC) No 2743/75 are hereby fixed as shown in the Annex to this Regulation.

*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, 27 December 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 164, 24. 6. 1985, p. 1.

<sup>(2)</sup> OJ No L 201, 31. 7. 1990, p. 9.

## ANNEX

to the Commission Regulation of 27 December 1991 fixing the export refunds on  
cereal-based compound feedingstuffs

(ECU/tonne)

| Product code   | Amount of refund |
|----------------|------------------|
| 2309 10 11 110 | 4,23             |
| 2309 10 13 110 | 4,23             |
| 2309 10 31 110 | 4,23             |
| 2309 10 33 110 | 4,23             |
| 2309 10 51 110 | 4,23             |
| 2309 10 53 110 | 4,23             |
| 2309 90 31 110 | 4,23             |
| 2309 90 33 110 | 4,23             |
| 2309 90 41 110 | 4,23             |
| 2309 90 43 110 | 4,23             |
| 2309 90 51 110 | 4,23             |
| 2309 90 53 110 | 4,23             |
| 2309 10 11 190 | 4,29             |
| 2309 10 13 190 | 4,29             |
| 2309 10 31 190 | 4,29             |
| 2309 10 33 190 | 4,29             |
| 2309 10 51 190 | 4,29             |
| 2309 10 53 190 | 4,29             |
| 2309 90 31 190 | 4,29             |
| 2309 90 33 190 | 4,29             |
| 2309 90 41 190 | 4,29             |
| 2309 90 43 190 | 4,29             |
| 2309 90 51 190 | 4,29             |
| 2309 90 53 190 | 4,29             |
| 2309 10 11 210 | 8,47             |
| 2309 10 13 210 | 8,47             |
| 2309 10 31 210 | 8,47             |
| 2309 10 33 210 | 8,47             |
| 2309 10 51 210 | 8,47             |
| 2309 10 53 210 | 8,47             |
| 2309 90 31 210 | 8,47             |
| 2309 90 33 210 | 8,47             |
| 2309 90 41 210 | 8,47             |
| 2309 90 43 210 | 8,47             |
| 2309 90 51 210 | 8,47             |
| 2309 90 53 210 | 8,47             |
| 2309 10 11 290 | 8,57             |
| 2309 10 13 290 | 8,57             |
| 2309 10 31 290 | 8,57             |
| 2309 10 33 290 | 8,57             |
| 2309 10 51 290 | 8,57             |
| 2309 10 53 290 | 8,57             |
| 2309 90 31 290 | 8,57             |
| 2309 90 33 290 | 8,57             |
| 2309 90 41 290 | 8,57             |
| 2309 90 43 290 | 8,57             |
| 2309 90 51 290 | 8,57             |
| 2309 90 53 290 | 8,57             |
| 2309 10 11 310 | 16,93            |
| 2309 10 13 310 | 16,93            |
| 2309 10 31 310 | 16,93            |
| 2309 10 33 310 | 16,93            |

| Product code   | Amount of refund<br>(ECU/tonne) |
|----------------|---------------------------------|
| 2309 10 51 310 | 16,93                           |
| 2309 10 53 310 | 16,93                           |
| 2309 90 31 310 | 16,93                           |
| 2309 90 33 310 | 16,93                           |
| 2309 90 41 310 | 16,93                           |
| 2309 90 43 310 | 16,93                           |
| 2309 90 51 310 | 16,93                           |
| 2309 90 53 310 | 16,93                           |
| 2309 10 11 390 | 17,15                           |
| 2309 10 13 390 | 17,15                           |
| 2309 10 31 390 | 17,15                           |
| 2309 10 33 390 | 17,15                           |
| 2309 10 51 390 | 17,15                           |
| 2309 10 53 390 | 17,15                           |
| 2309 90 31 390 | 17,15                           |
| 2309 90 33 390 | 17,15                           |
| 2309 90 41 390 | 17,15                           |
| 2309 90 43 390 | 17,15                           |
| 2309 90 51 390 | 17,15                           |
| 2309 90 53 390 | 17,15                           |
| 2309 10 31 410 | 25,4                            |
| 2309 10 33 410 | 25,4                            |
| 2309 10 51 410 | 25,4                            |
| 2309 10 53 410 | 25,4                            |
| 2309 90 41 410 | 25,4                            |
| 2309 90 43 410 | 25,4                            |
| 2309 90 51 410 | 25,4                            |
| 2309 90 53 410 | 25,4                            |
| 2309 10 31 490 | 25,72                           |
| 2309 10 33 490 | 25,72                           |
| 2309 10 51 490 | 25,72                           |
| 2309 10 53 490 | 25,72                           |
| 2309 90 41 490 | 25,72                           |
| 2309 90 43 490 | 25,72                           |
| 2309 90 51 490 | 25,72                           |
| 2309 90 53 490 | 25,72                           |
| 2309 10 31 510 | 33,87                           |
| 2309 10 33 510 | 33,87                           |
| 2309 10 51 510 | 33,87                           |
| 2309 10 53 510 | 33,87                           |
| 2309 90 41 510 | 33,87                           |
| 2309 90 43 510 | 33,87                           |
| 2309 90 51 510 | 33,87                           |
| 2309 90 53 510 | 33,87                           |
| 2309 10 31 590 | 34,3                            |
| 2309 10 33 590 | 34,3                            |
| 2309 10 51 590 | 34,3                            |
| 2309 10 53 590 | 34,3                            |
| 2309 90 41 590 | 34,3                            |
| 2309 90 43 590 | 34,3                            |
| 2309 90 51 590 | 34,3                            |
| 2309 90 53 590 | 34,3                            |
| 2309 10 31 610 | 42,34                           |
| 2309 10 33 610 | 42,34                           |
| 2309 10 51 610 | 42,34                           |
| 2309 10 53 610 | 42,34                           |
| 2309 90 41 610 | 42,34                           |
| 2309 90 43 610 | 42,34                           |

*(ECU/tonne)*

| Product code   | Amount of refund |
|----------------|------------------|
| 2309 90 51 610 | 42,34            |
| 2309 90 53 610 | 42,34            |
| 2309 10 31 690 | 42,87            |
| 2309 10 33 690 | 42,87            |
| 2309 10 51 690 | 42,87            |
| 2309 10 53 690 | 42,87            |
| 2309 90 41 690 | 42,87            |
| 2309 90 43 690 | 42,87            |
| 2309 90 51 690 | 42,87            |
| 2309 90 53 690 | 42,87            |
| 2309 10 51 710 | 50,8             |
| 2309 10 53 710 | 50,8             |
| 2309 90 51 710 | 50,8             |
| 2309 90 53 710 | 50,8             |
| 2309 10 51 790 | 51,44            |
| 2309 10 53 790 | 51,44            |
| 2309 90 51 790 | 51,44            |
| 2309 90 53 790 | 51,44            |
| 2309 10 51 810 | 59,27            |
| 2309 10 53 810 | 59,27            |
| 2309 90 51 810 | 59,27            |
| 2309 90 53 810 | 59,27            |
| 2309 10 51 890 | 60,02            |
| 2309 10 53 890 | 60,02            |
| 2309 90 51 890 | 60,02            |
| 2309 90 53 890 | 60,02            |

The refunds in the above table are valid for the following destinations :

Zones A, B, C, D and E as specified in Annex II to Regulation (EEC) No 1124/77 and Greenland.

*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).

There are no refunds for products falling within CN codes 2309 10 11, 2309 10 13, 2309 10 31, 2309 10 33, 2309 10 51, 2309 10 53, 2309 90 31, 2309 90 33, 2309 90 41, 2309 90 43, 2309 90 51 and 2309 90 53 not included in the above table.

**COMMISSION REGULATION (EEC) No 3820/91****of 27 December 1991****fixing production refunds on cereals and rice**

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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 3577/90 <sup>(2)</sup>, and in particular Article 11a <sup>(5)</sup> thereof,

Having regard to Council Regulation (EEC) No 1009/86 of 25 March 1986 establishing general rules applying to production refunds in the cereals and rice sectors <sup>(3)</sup>, as last amended by Regulation (EEC) No 3655/90 <sup>(4)</sup> and in particular Article 6 thereof,

Whereas Article 2 of Commission Regulation (EEC) No 2169/86 of 10 July 1986 laying down detailed rules for the control and payment of production refunds in the cereals and rice sectors <sup>(5)</sup>, as last amended by Regulation (EEC) No 1398/91 <sup>(6)</sup>, provides that the production refund is to be fixed one per month; whereas the same Article provides for the possibility of altering the calculated refund in the event of significant movements in the prices of maize and wheat;

Whereas the production refunds to be fixed in this Regulation should be adjusted by the coefficients listed in the

Annex to Regulation (EEC) No 2169/86 to establish the exact amount payable;

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 production refunds payable on cereals and rice in accordance with Regulation (EEC) No 1009/86 and calculated in accordance with Regulation (EEC) No 2169/86 as amended shall be as follows in ECU 126,11 per tonne.

*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, 27 December 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 353, 17. 12. 1990, p. 23.

<sup>(3)</sup> OJ No L 94, 9. 4. 1986, p. 6.

<sup>(4)</sup> OJ No L 362, 27. 12. 1990, p. 33.

<sup>(5)</sup> OJ No L 189, 11. 7. 1986, p. 12.

<sup>(6)</sup> OJ No L 134, 29. 5. 1991, p. 19.

## COMMISSION REGULATION (EEC) No 3821/91

of 27 December 1991

fixing the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals <sup>(1)</sup>, as last amended by Regulation (EEC) No 3577/90 <sup>(2)</sup>, and in particular Article 14 (4) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice <sup>(3)</sup>, as last amended by Regulation (EEC) No 1806/89 <sup>(4)</sup>, and in particular Article 12 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the rules to be applied in calculating the variable component of the import levy on products processed from cereals and rice are laid down in Article 14 (1) (A) of Regulation (EEC) No 2727/75 and Article 12 (1) (a) of Regulation (EEC) No 1418/76; whereas Article 2 of Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and rice <sup>(5)</sup>, as last amended by Regulation (EEC) No 1906/87 <sup>(6)</sup>, provides that the incidence on the prime costs of these products of the levies applicable to their basic products should be calculated on the basis of the average of the levies applicable to these basic products for the first 25 days of the month preceding that of importation; whereas this average, adjusted on the basis of the threshold price valid for the basic products in question during the month of importation is calculated on the basis of the quantities of basic products considered to have been used in the manufacture of the processed product or the competing product which serves as a reference for processed products not containing cereals;

Whereas Commission Regulation (EEC) No 1579/74 of 24 June 1974 on the procedure for calculating the import

levy on products processed from cereals and from rice and for the advance fixing of this levy for these products and for compound feedingstuffs manufactured from cereals <sup>(7)</sup>, as last amended by Regulation (EEC) No 1740/78 <sup>(8)</sup>, provides that the levy thus determined, increased by the fixed component, is valid in general for one month but is altered where the levy applicable to the basic product concerned differs by not less than ECU 3,02 per tonne from the average of the levies calculated as described above;

Whereas the fixed component of the levy is specified in Regulation (EEC) No 2744/75; on importation into Portugal of products listed in Annex XXIV to the Act of Accession an additional amount is added to the levy; whereas these amounts were set by Commission Regulation (EEC) No 3808/90 <sup>(9)</sup>;

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States and of the overseas countries and territories, the levy relating to them in respect of certain products processed from cereals must be reduced by the amount of the fixed component and, in respect of some of these products, by part of the variable component; whereas this reduction must be made in accordance with Article 14 of Council Regulation (EEC) No 715/90 of 5 March 1990 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the ACP States or in the overseas countries and territories (OCT) <sup>(10)</sup>, as last amended by Regulation (EEC) No 523/91 <sup>(11)</sup>;

Whereas Council Regulation (EEC) No 3834/90 of 20 December 1990 reducing for 1991 the levies on certain agricultural products originating in developing countries <sup>(12)</sup>, prolonged by Regulation (EEC) No 3588/91 <sup>(13)</sup>, reduces by 50 % the levy on importation into the Community of products of CN code 1108 13 00, within the limit of a fixed amount of 5 000 tonnes a year;

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 353, 17. 12. 1990, p. 23.

<sup>(3)</sup> OJ No L 166, 25. 6. 1976, p. 1.

<sup>(4)</sup> OJ No L 177, 24. 6. 1989, p. 1.

<sup>(5)</sup> OJ No L 281, 1. 11. 1975, p. 65.

<sup>(6)</sup> OJ No L 182, 3. 7. 1987, p. 49.

<sup>(7)</sup> OJ No L 168, 25. 6. 1974, p. 7.

<sup>(8)</sup> OJ No L 202, 26. 7. 1978, p. 8.

<sup>(9)</sup> OJ No L 366, 29. 12. 1990, p. 1.

<sup>(10)</sup> OJ No L 84, 30. 3. 1990, p. 85.

<sup>(11)</sup> OJ No L 58, 5. 3. 1991, p. 1.

<sup>(12)</sup> OJ No L 370, 31. 12. 1990.

<sup>(13)</sup> OJ No L 341, 12. 12. 1991, p. 6.

Whereas Council Regulation (EEC) No 430/87 of 9 February 1987 concerning the import arrangements applicable to products falling within CN codes 0714 10 and 0714 90 originating in certain third countries<sup>(1)</sup>, as last amended by Regulation (EEC) No 3842/90<sup>(2)</sup>, lay down the terms on which the import levy is limited to 6 % *ad valorem*;

Whereas Council Regulation (EEC) No 2730/75 of 29 October 1975 on glucose and lactose<sup>(3)</sup>, as amended by Regulation (EEC) No 222/88<sup>(4)</sup>, stipulates that the treatment provided for glucose and glucose syrup falling within CN codes 1702 30 91, 1702 30 99 and 1702 40 90 by Regulation (EEC) No 2727/75 it is to be extended to glucose and glucose syrup falling within CN codes 1702 30 51 and 1702 30 59; whereas consequently the levy fixed for products falling within CN codes 1702 30 91, 1702 30 99 and 1702 40 90 also applies to products falling within CN codes 1702 30 51 and 1702 30 59; whereas, to ensure that the provision in question is properly applied, these products and the levy thereon should be explicitly mentioned in the list of levies;

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

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

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

- 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, in accordance with Article 18 (1) of Regulation (EEC) No 2727/75, the nomenclature provided for in this Regulation is incorporated in the combined nomenclature,

HAS ADOPTED THIS REGULATION:

#### Article 1

The import levies to be charged on the products listed in Article 1 (d) of Regulation (EEC) No 2727/75 and in Article 1 (1) (c) of Regulation (EEC) No 1418/76 and subject to Regulation (EEC) No 2744/75 shall be as set out in the Annex hereto.

#### 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, 27 December 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 43, 13. 2. 1987, p. 9.

<sup>(2)</sup> OJ No L 367, 29. 12. 1990, p. 8.

<sup>(3)</sup> OJ No L 281, 1. 11. 1975, p. 20.

<sup>(4)</sup> OJ No L 28, 1. 2. 1988, p. 1.

<sup>(5)</sup> OJ No L 164, 24. 6. 1985, p. 1.

<sup>(6)</sup> OJ No L 201, 31. 7. 1990, p. 9.

## ANNEX

to the Commission Regulation of 27 December 1991 fixing the import levies on products processed from cereals and rice

(ECU/tonne)

| CN code           | Import levies  |                                                |
|-------------------|----------------|------------------------------------------------|
|                   | ACP or OCT     | Third countries<br>(other than ACP or OCT) (*) |
| 0714 10 10 (*)    | 139,85         | 146,50                                         |
| 0714 10 91        | 143,48 (*) (*) | 143,48                                         |
| 0714 10 99        | 141,67         | 146,50                                         |
| 0714 90 11        | 143,48 (*) (*) | 143,48                                         |
| 0714 90 19        | 141,67 (*)     | 146,50                                         |
| 1102 20 10        | 238,37         | 244,41                                         |
| 1102 20 90        | 135,08         | 138,10                                         |
| 1102 30 00        | 149,07         | 152,09                                         |
| 1102 90 10        | 258,26         | 264,30                                         |
| 1102 90 30        | 240,88         | 246,92                                         |
| 1102 90 90        | 145,45         | 148,47                                         |
| 1103 12 00        | 240,88         | 246,92                                         |
| 1103 13 11        | 238,37         | 244,41                                         |
| 1103 13 19        | 238,37         | 244,41                                         |
| 1103 13 90        | 135,08         | 138,10                                         |
| 1103 14 00        | 149,07         | 152,09                                         |
| 1103 19 10        | 298,19         | 304,23                                         |
| 1103 19 30        | 258,26         | 264,30                                         |
| 1103 19 90        | 145,45         | 148,47                                         |
| 1103 21 00        | 288,68         | 294,72                                         |
| 1103 29 10        | 298,19         | 304,23                                         |
| 1103 29 20        | 258,26         | 264,30                                         |
| 1103 29 30        | 240,88         | 246,92                                         |
| 1103 29 40        | 238,37         | 244,41                                         |
| 1103 29 50        | 149,07         | 152,09                                         |
| 1103 29 90        | 145,45         | 148,47                                         |
| 1104 11 10        | 146,35         | 149,37                                         |
| 1104 11 90        | 286,96         | 293,00                                         |
| 1104 12 10        | 136,50         | 139,52                                         |
| 1104 12 90        | 267,64         | 273,68                                         |
| 1104 19 10        | 288,68         | 294,72                                         |
| 1104 19 30        | 298,19         | 304,23                                         |
| 1104 19 50        | 238,37         | 244,41                                         |
| 1104 19 91        | 253,13         | 259,17                                         |
| 1104 19 99        | 256,68         | 262,72                                         |
| 1104 21 10        | 229,57         | 232,59                                         |
| 1104 21 30        | 229,57         | 232,59                                         |
| 1104 21 50        | 358,70         | 364,74                                         |
| 1104 21 90        | 146,35         | 149,37                                         |
| 1104 22 10 10 (*) | 136,50         | 139,52                                         |
| 1104 22 10 90 (*) | 240,88         | 243,90                                         |
| 1104 22 30        | 240,88         | 243,90                                         |
| 1104 22 50        | 214,11         | 217,13                                         |
| 1104 22 90        | 136,50         | 139,52                                         |
| 1104 23 10        | 211,89         | 214,91                                         |
| 1104 23 30        | 211,89         | 214,91                                         |

| CN code    | Import levies<br>(ECU/tonne) |                                                |
|------------|------------------------------|------------------------------------------------|
|            | ACP or OCT                   | Third countries<br>(other than ACP or OCT) (*) |
| 1104 23 90 | 135,08                       | 138,10                                         |
| 1104 29 11 | 213,31                       | 216,33                                         |
| 1104 29 15 | 220,33                       | 223,35                                         |
| 1104 29 19 | 228,16                       | 231,18                                         |
| 1104 29 31 | 256,61                       | 259,63                                         |
| 1104 29 35 | 265,06                       | 268,08                                         |
| 1104 29 39 | 228,16                       | 231,18                                         |
| 1104 29 91 | 163,59                       | 166,61                                         |
| 1104 29 95 | 168,97                       | 171,99                                         |
| 1104 29 99 | 145,45                       | 148,47                                         |
| 1104 30 10 | 120,29                       | 126,33                                         |
| 1104 30 90 | 99,32                        | 105,36                                         |
| 1106 20 10 | 139,85 (*)                   | 146,50                                         |
| 1106 20 91 | 209,58 (*)                   | 233,76                                         |
| 1106 20 99 | 209,58 (*)                   | 233,76                                         |
| 1107 10 11 | 285,48                       | 296,36                                         |
| 1107 10 19 | 213,31                       | 224,19                                         |
| 1107 10 91 | 255,39                       | 266,27 (*)                                     |
| 1107 10 99 | 190,83                       | 201,71                                         |
| 1107 20 00 | 222,39                       | 233,27 (*)                                     |
| 1108 11 00 | 352,84                       | 373,39                                         |
| 1108 12 00 | 213,21                       | 233,76                                         |
| 1108 13 00 | 213,21                       | 233,76 (*)                                     |
| 1108 14 00 | 106,60                       | 233,76                                         |
| 1108 19 10 | 213,76                       | 244,59                                         |
| 1108 19 90 | 106,60 (*)                   | 233,76                                         |
| 1109 00 00 | 641,52                       | 822,86                                         |
| 1702 30 51 | 278,10                       | 374,82                                         |
| 1702 30 59 | 213,21                       | 279,70                                         |
| 1702 30 91 | 278,10                       | 374,82                                         |
| 1702 30 99 | 213,21                       | 279,70                                         |
| 1702 40 90 | 213,21                       | 279,70                                         |
| 1702 90 50 | 213,21                       | 279,70                                         |
| 1702 90 75 | 291,35                       | 388,07                                         |
| 1702 90 79 | 202,62                       | 269,11                                         |
| 2106 90 55 | 213,21                       | 279,70                                         |
| 2302 10 10 | 61,08                        | 67,08                                          |
| 2302 10 90 | 130,89                       | 136,89                                         |
| 2302 20 10 | 61,08                        | 67,08                                          |
| 2302 20 90 | 130,89                       | 136,89                                         |
| 2302 30 10 | 61,08                        | 67,08                                          |
| 2302 30 90 | 130,89                       | 136,89                                         |
| 2302 40 10 | 61,08                        | 67,08                                          |
| 2302 40 90 | 130,89                       | 136,89                                         |
| 2303 10 11 | 264,86                       | 446,20                                         |

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- (<sup>1</sup>) 6 % *ad valorem*, subject to certain conditions.
- (<sup>2</sup>) In accordance with Council Regulation (EEC) No 1180/77 (OJ No L 142, 9. 6. 1977, p. 10) this levy is reduced by ECU 5,44 per tonne for products originating in Turkey.
- (<sup>3</sup>) In accordance with Regulation (EEC) No 715/90 the levy shall not be charged on the following products originating in the African, Caribbean and Pacific States and in the overseas countries and territories :
- products falling within CN code ex 0714 10 91,
  - products falling within CN code 0714 90 11 and arrow-root falling within CN code 0714 90 19,
  - flours and meal of arrow-root falling within CN code 1106 20,
  - arrow-root starch falling within CN code 1108 19 90.
- (<sup>4</sup>) Taric code : clipped oats.
- (<sup>5</sup>) Taric code : CN code 1104 22 10, other than 'clipped oats'.
- (<sup>6</sup>) Pursuant to Regulation (EEC) No 3834/90, the levy on importation into the Community of products of CN code 1108 13 00 is reduced by 50 % within the limit of a fixed quantity of 5 000 tonnes.
- (<sup>7</sup>) 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.
- (<sup>8</sup>) On importation into Portugal, the levy is increased by the amount specified in Article 2 (2) of Regulation (EEC) No 3808/90.
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## COMMISSION REGULATION (EEC) No 3822/91

of 27 December 1991

## fixing the import levies on compound feedingstuffs

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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 3577/90 <sup>(2)</sup>, and in particular Article 14 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the rules to be applied in calculating the variable component of the import levy on compound feedingstuffs are laid down in Article 14 (1) (A) of Regulation (EEC) No 2727/75; whereas Article 4 of Council Regulation (EEC) No 2743/75 of 29 October 1975 on the system to be applied to cereal-based compound feedingstuffs <sup>(3)</sup>, as last amended by Regulation (EEC) No 944/87 <sup>(4)</sup>, provides that the incidence on the prime costs of these feedingstuffs of the levies applicable to their basic products should be calculated on the basis of the average of the levies applicable during the first 25 days of the month preceding that month of importation to the quantities of basic products considered to have been used in the manufacture of such compound feedingstuffs, this average being adjusted on the basis of the threshold price for the basic products in question ruling during the month of importation;

Whereas the levy thus determined, increased by the fixed component, is valid for one month; whereas the amount of the fixed component of the levy is laid down in Article 6 of Regulation (EEC) No 2743/75; whereas on importation into Portugal of products listed in Annex XXIV to the Act of Accession an additional amount is added to the levy; whereas these amounts were set by Commission Regulation (EEC) No 3808/90 <sup>(5)</sup>;

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States and of the overseas countries and territories, the levy relating to them in respect of certain products processed from cereals

must be reduced by the amount of the fixed component and, in respect of some of these products, by part of the variable component; whereas this reduction must be made in accordance with Article 14 of Council Regulation (EEC) No 715/90 of 5 March 1990 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories <sup>(6)</sup>, as last amended by Regulation (EEC) No 523/91 <sup>(7)</sup>;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 <sup>(8)</sup>, as last amended by Regulation (EEC) No 2205/90 <sup>(9)</sup>,
- 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, in accordance with Article 18 (1) of Regulation (EEC) No 2727/75, the nomenclature provided for in this Regulation is incorporated in the combined nomenclature,

HAS ADOPTED THIS REGULATION:

#### Article 1

The import levies to be charged on the compound feedingstuffs covered by Regulation (EEC) No 2727/75 and subject to Regulation (EEC) No 2743/75 shall be as set out in the Annex.

#### Article 2

This Regulation shall enter into force on 1 January 1992.

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 353, 17. 12. 1990, p. 23.

<sup>(3)</sup> OJ No L 281, 1. 11. 1975, p. 60.

<sup>(4)</sup> OJ No L 90, 2. 4. 1987, p. 2.

<sup>(5)</sup> OJ No L 366, 29. 12. 1990, p. 1.

<sup>(6)</sup> OJ No L 84, 30. 3. 1990, p. 85.

<sup>(7)</sup> OJ No L 58, 5. 3. 1991, p. 1.

<sup>(8)</sup> OJ No L 164, 24. 6. 1985, p. 1.

<sup>(9)</sup> 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, 27 December 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

**ANNEX**

**to the Commission Regulation of 27 December 1991 fixing the import levies on compound feedingstuffs**

(ECU/tonne)

| CN code    | Levies      |                                                    |
|------------|-------------|----------------------------------------------------|
|            | ACP and OCT | Third countries<br>(other than<br>ACP and OCT) (1) |
| 2309 10 11 | 21,19       | 32,07                                              |
| 2309 10 13 | 615,91      | 626,79                                             |
| 2309 10 31 | 66,22       | 77,10                                              |
| 2309 10 33 | 660,94      | 671,82                                             |
| 2309 10 51 | 132,43      | 143,31                                             |
| 2309 10 53 | 727,15      | 738,03                                             |
| 2309 90 31 | 21,19       | 32,07                                              |
| 2309 90 33 | 615,91      | 626,79                                             |
| 2309 90 41 | 66,22       | 77,10                                              |
| 2309 90 43 | 660,94      | 671,82                                             |
| 2309 90 51 | 132,43      | 143,31                                             |
| 2309 90 53 | 727,15      | 738,03                                             |

(1) 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 3823/91

of 27 December 1991

fixing the import levy on molasses

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 market in sugar <sup>(1)</sup>, as last amended by Regulation (EEC) No 464/91 <sup>(2)</sup>, and in particular Article 16 (8) thereof,

Whereas the import levy on molasses was fixed by Commission Regulation (EEC) No 1854/91 <sup>(3)</sup>, as last amended by Regulation (EEC) No 3595/91 <sup>(4)</sup>;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 1854/91 to the information at present available to the Commission that the levy at present in force should be altered pursuant to Article 1 of this 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 subparagraph of Article 3 (1) of Council Regu-

lation (EEC) No 1676/85 <sup>(5)</sup>, as last amended by Regulation (EEC) No 2205/90 <sup>(6)</sup>,

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

Whereas these exchange rates being those recorded on 24 December 1991,

HAS ADOPTED THIS REGULATION:

*Article 1*

The import levy referred to in Article 16 (1) of Regulation (EEC) No 1785/81 shall be, in respect of molasses falling within CN codes 1703 10 00 and 1703 90 00, ECU 1,35 per 100 kilograms.

*Article 2*

This Regulation shall enter into force on 28 December 1991.

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

Done at Brussels, 27 December 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ No L 54, 28. 2. 1991, p. 22.

<sup>(3)</sup> OJ No L 168, 29. 6. 1991, p. 27.

<sup>(4)</sup> OJ No L 341, 12. 12. 1991, p. 23.

<sup>(5)</sup> OJ No L 164, 24. 6. 1985, p. 1.

<sup>(6)</sup> OJ No L 201, 31. 7. 1990, p. 9.

## COMMISSION REGULATION (EEC) No 3824/91

of 27 December 1991

fixing the production refund for white sugar used in the chemical industry

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<sup>(1)</sup>, as last amended by Regulation (EEC) No 464/91<sup>(2)</sup>, and in particular Article 9 (6) thereof,

Whereas pursuant to Article 9 (3) of Regulation (EEC) No 1785/81 it may be decided to grant production refunds on the products listed in Article 1 (1) (a) and (f) and on the syrups listed in Article 1 (1) (d) thereof which are in one of the situations referred to in Article 9 (2) of the Treaty and which are used in the manufacture of certain products of the chemical industry;

Whereas Council Regulation (EEC) No 1010/86 of 25 March 1986 laying down general rules for the production refund on certain sugar products used in the chemical industry<sup>(3)</sup>, as last amended by Regulation (EEC) No 464/91, establishes the framework within which the production refunds may be determined and lists the chemical products of which the manufacture makes it possible to grant a production refund for the basic products used in their manufacture; whereas Articles 5, 6 and 7 of Regulation (EEC) No 1010/86 provide that the production refund granted for raw sugar, sucrose syrups and unprocessed isoglucose shall be derived from the refund fixed for white sugar according to a method of calculation peculiar to each of these basic products;

Whereas Commission Regulation (EEC) No 1729/78 of 24 July 1978 laying down detailed rules of application in respect of the production refund for sugar used in the chemical industry<sup>(4)</sup>, as last amended by Regulation (EEC) No 464/91, specifies the method to be used for establishing the production refund; whereas Article 1 of Regulation (EEC) No 1729/78 provides that the production refund for white sugar shall be fixed at three-

monthly intervals for the periods beginning 1 July, 1 October, 1 January and 1 April; whereas the application of the abovementioned method entails fixing the production refund as stated in Article 1 for the period referred to therein;

Whereas the amendment of the definition of white sugar and raw sugar referred to in Article 1 (2) (a) and (b) of Regulation (EEC) No 1785/81 has the consequence that flavoured sugars or sugars containing added colouring agents or other substances are no longer considered as falling within these definitions but are to be considered as 'other sugars'; whereas Article 1 of Regulation (EEC) No 1010/86 provides for these sugars to be eligible as basic products to the production refund; whereas a method of calculation based on their sucrose content should be laid down for establishing the production refund applicable to these products;

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 production refund per 100 kilograms of white sugar referred to in Article 4 of Regulation (EEC) No 1010/86 is hereby fixed at ECU 33,090 for three months from 1 January to 31 March 1992. For flavoured sugars or sugars containing added colouring agents or containing other substances obtained from white sugar or raw sugar the production refund shall be established by multiplying this amount by the sucrose content of the sugar in question determined in accordance with the polarimetric method as a percentage of the dry matter weight.

*Article 2*

This Regulation shall enter into force on 1 January 1992.

<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ No L 54, 28. 2. 1991, p. 22.

<sup>(3)</sup> OJ No L 94, 9. 4. 1986, p. 9.

<sup>(4)</sup> OJ No L 201, 25. 7. 1978, p. 26.

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

Done at Brussels, 27 December 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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## COMMISSION REGULATION (EEC) No 3825/91

of 27 December 1991

fixing the reduced levy on imports into Portugal of certain quantities of raw sugar intended for Portuguese refineries

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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 464/91 <sup>(2)</sup>, and in particular Article 16 (8) thereof,

Whereas, in accordance with Article 303 of the Act of Accession, a reduced levy is applied during the period of seven years following accession on imports into Portugal of certain quantities of raw sugar originating in certain third countries;

Whereas Commission Regulation (EEC) No 599/86 <sup>(3)</sup>, as last amended by Regulation (EEC) No 3476/91 <sup>(4)</sup>, fixes the reduced levy applicable on imports into Portugal of certain quantities of raw sugar intended for Portuguese refineries;

Whereas the levy should, in the light of the application of the detailed rules and arrangements specified in Regulation (EEC) No 599/86 to the data available to the Commission, be fixed as shown in Article 1 of this 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 subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 <sup>(5)</sup>, as last amended by Regulation (EEC) No 2205/90 <sup>(6)</sup>,
- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent,

HAS ADOPTED THIS REGULATION:

*Article 1*

The reduced levy on imports into Portugal of raw sugar intended for refining (CN codes 1701 11 10 and 1701 12 10) is fixed for this quality type at ECU 28,24 per 100 kilograms.

*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, 27 December 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ No L 54, 28. 2. 1991, p. 22.

<sup>(3)</sup> OJ No L 58, 1. 3. 1986, p. 18.

<sup>(4)</sup> OJ No L 328, 30. 11. 1991, p. 37.

<sup>(5)</sup> OJ No L 164, 24. 6. 1985, p. 1.

<sup>(6)</sup> OJ No L 201, 31. 7. 1990, p. 9.

**COMMISSION REGULATION (EEC) No 3826/91**  
**of 27 December 1991**  
**fixing the aid for cotton**

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

Having regard to the Act of Accession of Greece, and in particular paragraphs 3 and 10 of Protocol 4 thereto, as amended by the Act of Accession of Spain and Portugal, and in particular Protocol 14 annexed thereto, and Commission Regulation (EEC) No 4006/87 <sup>(1)</sup>,

Having regard to Council Regulation (EEC) No 2169/81 of 27 July 1981 laying down the general rules for the system of aid for cotton <sup>(2)</sup>, as last amended by Regulation (EEC) No 791/89 <sup>(3)</sup>, and in particular Article 5 (1) thereof,

Whereas the amount of the additional aid referred to in Article 5 (1) of Regulation (EEC) No 2169/81 was fixed by Commission Regulation (EEC) No 2880/91 <sup>(4)</sup>, as last amended by Regulation (EEC) No 3761/91 <sup>(5)</sup>;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 2880/91 to the information at present available to the Commission that the amount of the aid at present in force should be altered as shown in Article 1 to this Regulation,

HAS ADOPTED THIS REGULATION:

*Article 1*

The aid for unginned cotton referred to in Article 5 of Regulation (EEC) No 2169/81 shall be ECU 72,535 per 100 kilograms.

*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, 27 December 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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<sup>(1)</sup> OJ No L 377, 31. 12. 1987, p. 49.

<sup>(2)</sup> OJ No L 211, 31. 7. 1981, p. 2.

<sup>(3)</sup> OJ No L 85, 30. 3. 1989, p. 7.

<sup>(4)</sup> OJ No L 274, 1. 10. 1991, p. 48.

<sup>(5)</sup> OJ No L 352, 21. 12. 1991, p. 88.

## COMMISSION REGULATION (EEC) No 3827/91

of 27 December 1991

fixing the import levies on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector<sup>(1)</sup>, as last amended by Regulation (EEC) No 464/91<sup>(2)</sup>, and in particular Article 16 (8) thereof,Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 1849/91<sup>(3)</sup>, as last amended by Regulation (EEC) No 3723/91<sup>(4)</sup>;

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

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

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

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

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

Whereas these exchange rates being those recorded on 24 December 1991,

HAS ADOPTED THIS REGULATION:

*Article 1*

The import levies referred to in Article 16 (1) of Regulation (EEC) No 1785/81 shall be, in respect of white sugar and standard quality raw sugar, as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 28 December 1991.

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

Done at Brussels, 27 December 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ No L 54, 28. 2. 1991, p. 22.

<sup>(3)</sup> OJ No L 168, 29. 6. 1991, p. 16.

<sup>(4)</sup> OJ No L 351, 20. 12. 1991, p. 35.

<sup>(5)</sup> OJ No L 164, 24. 6. 1985, p. 1.

<sup>(6)</sup> OJ No L 201, 31. 7. 1990, p. 9.

*ANNEX*

to the Commission Regulation of 27 December 1991 fixing the import levies on white sugar and raw sugar

*(ECU/100 kg)*

| CN code    | Levy                 |
|------------|----------------------|
| 1701 11 10 | 39,59 <sup>(1)</sup> |
| 1701 11 90 | 39,59 <sup>(1)</sup> |
| 1701 12 10 | 39,59 <sup>(1)</sup> |
| 1701 12 90 | 39,59 <sup>(1)</sup> |
| 1701 91 00 | 46,07                |
| 1701 99 10 | 46,07                |
| 1701 99 90 | 46,07 <sup>(2)</sup> |

<sup>(1)</sup> The levy applicable is calculated in accordance with the provisions of Article 2 or 3 of Commission Regulation (EEC) No 837/68 (OJ No L 151, 30. 6. 1968, p. 42).

<sup>(2)</sup> In accordance with Article 16 (2) of Regulation (EEC) No 1785/81 this amount is also applicable to sugar obtained from white and raw sugar containing added substances other than flavouring or colouring matter.

## II

*(Acts whose publication is not obligatory)*

## COUNCIL

## COUNCIL DECISION

of 19 December 1991

**extending the period of application of Decision 82/530/EEC authorizing the United Kingdom to permit the Isle of Man authorities to apply a system of special import licences to sheepmeat and beef and veal**

(91/657/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Protocol 3 to the 1972 Act of Accession, and in particular Article 1 (2) and the second subparagraph of Article 5 thereof,

Having regard to the proposal from the Commission,

Whereas Community rules concerning trade with non-member countries in agricultural products subject to a common organization of the market apply to the Isle of Man in accordance with Article 1 (2) of Protocol 3 to the 1972 Act of Accession and with Regulation (EEC) No 706/73 <sup>(1)</sup>;

Whereas livestock production is a traditional activity in the Isle of Man and plays a central part in the island's agriculture;

Whereas, prior to the introduction of the common organization of the market in sheepmeat and goatmeat within the Community, the Isle of Man, as part of its local market organization, applied certain mechanisms to control imports of sheepmeat into the island in order to ensure that the need to supply the requirements of trade could be met whilst avoiding distortions in the pattern of

sheep production and, indirectly, in cattle production on the island and in its own agricultural support system;

Whereas, by Decision 82/530/EEC <sup>(2)</sup>, the United Kingdom was authorized to permit the Isle of Man Government to apply a system of special licences for imports of sheepmeat and beef and veal originating in non-member countries and in Member States of the Community, without prejudice to the measures concerning trade with non-member countries provided for by Regulation (EEC) No 805/68 <sup>(3)</sup> and Regulation (EEC) No 3013/89 <sup>(4)</sup> for a period of nine years ending on 31 December 1991;

Whereas the Commission proposed on 12 December 1991 to the Council to extend the authorization until the end of 1995; whereas the Council is therefore not yet in a position to decide upon the proposal; whereas, in the interim, in order to avoid a disruption of trade, the present system should continue to apply for a limited period;

Whereas Article 2 of Decision 82/530/EEC should therefore be amended,

<sup>(1)</sup> OJ No L 68, 15. 3. 1973, p. 1. Regulation amended by Regulation (EEC) No 1174/86 (OJ No L 107, 24. 4. 1986, p. 12).

<sup>(2)</sup> OJ No L 234, 9. 8. 1982, p. 7. Decision as last amended by Decision No 88/5504/EEC (OJ No L 273, 5. 10. 1988, p. 1).

<sup>(3)</sup> OJ No L 148, 28. 6. 1968, p. 24. Regulation as last amended by Regulation (EEC) No 1628/91 (OJ No L 150, 15. 6. 1991, p. 16).

<sup>(4)</sup> OJ No L 289, 7. 10. 1989, p. 1. Regulation as last amended by Regulation (EEC) No 1741/91 (OJ No L 163, 26. 6. 1991, p. 41).

HAS ADOPTED THIS DECISION :

*Article 2*

This Decision is addressed to the United Kingdom.

*Article 1*

Article 2 of Decision 82/530/EEC is hereby replaced by the following :

Done at Brussels, 19 December 1991.

*'Article 2*

The Decision shall apply until 31 March 1992.'

*For the Council*

*The President*

P. DANKERT

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**CORRIGENDA**

**Corrigendum to Commission Regulation (EEC) No 3754/91 of 20 December 1991 on the sale by the procedure laid down in Regulation (EEC) No 2539/84 of beef held by certain intervention agencies and intended for export to the Soviet Union, implementing Regulation (EEC) No 599/91 and amending Regulation (EEC) No 569/88**

*(Official Journal of the European Communities No L 352 of 21 December 1991)*

On page 68, in Article 5, point '116' and footnote '116' are replaced by '118'.

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**NOTICE TO READERS**

From 1 January 1992 *Directives will have an official number forming part of the title*, in the same way as acts in Section I, although the number will be attributed not at the time of publication but when the Directive is adopted (so that it can be notified with the number and consequently the method of reference can be standardized). (It is therefore possible that, since the time taken to print texts varies according to their length, Directives will not always appear in the *Official Journal of the European Communities* in numerical order.)

To avoid confusion, the numbers of Directives will continue to be given in the present form, i.e. year/number/Community initials.

For ease of reference, Directives will systematically be placed at the beginning of Section II.