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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 848/92

of 31 March 1992

amending Regulations (EEC) No 288/82, No 1765/82 and (EEC) No 3420/83 in order to establish the import arrangements for products originating in the independent States resulting from the former Soviet Union and suspend the application of certain quantitative restrictions to the Yugoslav Republic of Montenegro

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 Council Regulation (EEC) No 1765/82 of 30 June 1982 on common rules for imports from State-trading countries⁽¹⁾ and Council Regulation (EEC) No 3420/83 of 14 November 1983 on import arrangements for products originating in State-trading countries, not liberalized at Community level⁽²⁾, apply to products originating in, *inter alia*, the Union of Soviet Socialist Republics (USSR), of which the Russian Federation, Turkmenistan, Ukraine and the Republics of Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kirgizkstan, Moldova, Tajikistan and Uzbekistan were part until the dissolution of the Union;

Whereas the names of each of the countries resulting from the dissolution of the Union should therefore replace the terms 'USSR' and the 'Soviet Union' in the list of countries annexed to Regulation (EEC) No 1765/82, in the list appearing in Annex I to Regulation (EEC) No 3420/83 and in the texts of those Regulations;

Whereas through Regulation (EEC) No 3859/91⁽³⁾ the Community amended, *inter alia*, Council Regulation (EEC) No 288/82 of 5 February 1982 on common rules

for imports⁽⁴⁾ to extend the suspension of certain quantitative restrictions remaining applicable to Yugoslavia in a manner confining the benefit of the suspension to products originating in the republics which had contributed to progress towards peace, that is, the Yugoslav Republics of Bosnia-Herzegovina and Macedonia and the Republics of Croatia and Slovenia; whereas the Community and the Member States, meeting within the context of political cooperation, recognized the Yugoslav Republic of Montenegro's contribution in that regard, and whereas positive steps similar to those taken in connection with the other Republics should therefore be taken for that Republic,

HAS ADOPTED THIS REGULATION:

Article 1

The words 'USSR' and 'Soviet Union' in the Annex to Regulation (EEC) No 1765/82, in Annex I to Regulation (EEC) No 3420/83 and in the texts of those Regulations are replaced by the following:

- Armenia
- Azerbaijan
- Belarus
- Georgia
- Kazakhstan
- Kirgizkstan
- Moldova
- Russia
- Tajikistan
- Turkmenistan
- Ukraine
- Uzbekistan'

⁽¹⁾ OJ No L 195, 5. 7. 1982, p. 1. Regulation as last amended by Regulation (EEC) No 3859/91 (OJ No L 362, 31. 12. 1991, p. 87).

⁽²⁾ OJ No L 346, 8. 12. 1983, p. 6. Regulation as last amended by Regulation (EEC) No 3859/91 (OJ No L 362, 31. 12. 1991, p. 83).

⁽³⁾ OJ No L 362, 31. 12. 1991, p. 83.

⁽⁴⁾ OJ No L 35, 9. 2. 1982, p. 1. Regulation as last amended by Regulation (EEC) No 3859/91 (OJ No L 362, 31. 12. 1991, p. 83).

Article 2

In the third indent of Article 1 (2) of Regulation (EEC) No 288/82, as amended by Regulation (EEC) No 3859/91, the reference 'the Republics of Bosnia-Herzegovina, Croatia, Macedonia and Slovenia' shall be replaced by 'the Yugoslav Republics of Bosnia-Herzegovina, Macedonia

and Montenegro and the Republics of Croatia and Slovenia'.

Article 3

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 1992.

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

Done at Brussels, 31 March 1992.

For the Council

The President

Vitor MARTINS

COMMISSION REGULATION (EEC) No 849/92

of 3 April 1992

fixing the import levies on cereals and on wheat or rye flour, groats and meal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 674/92 ⁽²⁾, and in particular Article 13 (5) thereof,

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

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 594/92 ⁽⁵⁾ and subsequent amending Regulations;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85,

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

Whereas these exchange rates being those recorded on 2 April 1992;

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 594/92 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 4 April 1992.

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

Done at Brussels, 3 April 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 73, 19. 3. 1992, p. 7.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁵⁾ OJ No L 64, 10. 3. 1992, p. 4.

ANNEX

to the Commission Regulation of 3 April 1992 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)	
CN code	Levy (°)
0709 90 60	138,64 ⁽²⁾ ⁽³⁾
0712 90 19	138,64 ⁽²⁾ ⁽³⁾
1001 10 10	167,59 ⁽¹⁾ ⁽³⁾ ⁽¹⁰⁾
1001 10 90	167,59 ⁽¹⁾ ⁽³⁾ ⁽¹⁰⁾
1001 90 91	148,17
1001 90 99	148,17 ⁽¹¹⁾
1002 00 00	164,92 ⁽⁹⁾
1003 00 10	143,10
1003 00 90	143,10 ⁽¹¹⁾
1004 00 10	121,77
1004 00 90	121,77
1005 10 90	138,64 ⁽²⁾ ⁽³⁾
1005 90 00	138,64 ⁽²⁾ ⁽³⁾
1007 00 90	140,57 ⁽⁹⁾
1008 10 00	51,33 ⁽¹¹⁾
1008 20 00	117,34 ⁽⁹⁾
1008 30 00	58,67 ⁽⁹⁾
1008 90 10	(°)
1008 90 90	58,67
1101 00 00	220,44 ⁽⁹⁾ ⁽¹¹⁾
1102 10 00	243,89 ⁽⁹⁾
1103 11 10	273,33 ⁽⁹⁾ ⁽¹⁰⁾
1103 11 90	236,56 ⁽⁹⁾

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

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

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

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

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

(6) The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 and Commission Regulation (EEC) No 2622/71.

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

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

(9) No levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC, except if paragraph 4 of the same Article applies.

(10) An amount equal to the amount fixed by Regulation (EEC) No 1825/91 is to be levied in accordance with Article 101 (4) of Decision 91/482/EEC.

(11) Products falling within this code, imported from Poland, Czechoslovakia or Hungary under the Interim Agreements concluded between those countries and the Community, and in respect of which EUR.1 certificates issued in accordance with Regulation (EEC) No 585/92 have been presented, are subject to the levies set out in the Annex to that Regulation.

COMMISSION REGULATION (EEC) No 850/92

of 3 April 1992

fixing the premiums to be added to the import levies on cereals, flour and malt

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 674/92 ⁽²⁾, and in particular Article 15 (6) thereof,

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

Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EEC) No 1845/91 ⁽⁵⁾ and subsequent amending Regulation;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85,

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

Whereas these exchange rates being those recorded on 2 April 1992;

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 4 April 1992.

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

Done at Brussels, 3 April 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 73, 19. 3. 1992, p. 7.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁵⁾ OJ No L 168, 29. 6. 1991, p. 4.

ANNEX

to the Commission Regulation of 3 April 1992 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour*(ECU/tonne)*

CN code	Current 4	1st period 5	2nd period 6	3rd period 7
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 4	1st period 5	2nd period 6	3rd period 7	4th period 8
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 851/92**of 3 April 1992****altering the export refunds on cereals and on wheat or rye flour, groats and meal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 674/92 ⁽²⁾, and in particular the fifth subparagraph of Article 16(2) thereof,

Whereas the export refunds on cereals and on wheat or rye flour, groats and meal were fixed by Commission Regulation (EEC) No 843/92 ⁽³⁾;

Whereas it follows from applying the detailed rules contained in Commission Regulation (EEC) No 843/92 to the information known to the Commission that the export refunds at present in force should be altered to the amounts set out in the Annex hereto;

Whereas export possibilities exist for a quantity of 100 000 tonnes of soft wheat flour to certain destinations;

whereas the procedure laid down in Article 9 (4) of Commission Regulation (EEC) No 891/89 ⁽⁴⁾, as last amended by Regulation (EEC) No 337/92 ⁽⁵⁾, should be used; whereas account should be taken of this when the refunds are fixed,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 2727/75, exported in the natural state, as fixed in the Annex to Regulation (EEC) No 843/92 are hereby altered as shown in the Annex to this Regulation in respect of the products set out therein.

Article 2

This Regulation shall enter into force on 4 April 1992.

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

Done at Brussels, 3 April 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 73, 19. 3. 1992, p. 7.

⁽³⁾ OJ No L 88, 3. 4. 1992, p. 38.

⁽⁴⁾ OJ No L 94, 7. 4. 1989, p. 13.

⁽⁵⁾ OJ No L 36, 13. 2. 1992, p. 15.

ANNEX

to the Commission Regulation of 3 April 1992 altering the export refunds on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)		
Product code	Destination (1)	Amount of refund
0709 90 60 000	—	—
0712 90 19 000	—	—
1001 10 10 000	—	—
1001 10 90 000	04	105,00
	05	40,00
	06	35,00
	02	20,00
1001 90 91 000	—	—
1001 90 99 000	04	60,00
	05	32,00
	02	20,00
1002 00 00 000	03	21,00
	05	30,00
	07	85,00
	02	20,00
1003 00 10 000	—	—
1003 00 90 000	04	74,00
	05	32,00
	02	30,00
1004 00 10 000	—	—
1004 00 90 000	—	—
1005 10 90 000	—	—
1005 90 00 000	04	60,00
	02	0
1007 00 90 000	—	—
1008 20 00 000	—	—
1101 00 00 100	06	98,00 (2)
	02	92,00
1101 00 00 130	01	87,00
1101 00 00 150	01	80,00
1101 00 00 170	01	74,00
1101 00 00 180	01	69,00
1101 00 00 190	—	—
1101 00 00 900	—	—
1102 10 00 500	01	92,00
1102 10 00 700	—	0
1102 10 00 900	—	—
1103 11 10 200	01	175,00
1103 11 10 400	01	0
1103 11 10 900	01	0
1103 11 90 200	01	92,00
1103 11 90 800	—	—

(¹) The destinations are identified as follows :

- 01 All third countries,
- 02 Other third countries,
- 03 Switzerland, Austria and Liechtenstein,
- 04 Switzerland, Austria, Liechtenstein, Ceuta and Melilla,
- 05 Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgystan, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine, Uzbekistan, Lithuania, Estonia and Latvia,
- 06 Algeria,
- 07 Zone II b).

(²) Refund fixed under the procedure laid down in Article 9 (4) of amended Regulation (EEC) No 891/89 in respect of a quantity of 100 000 tonnes of soft wheat flour destined for Algeria.

NB : The zones are those defined in Commission Regulation (EEC) No 1124/77, as last amended by Regulation (EEC) No 3049/89.

COMMISSION REGULATION (EEC) No 852/92

of 3 April 1992

on the definitive application of the guarantee limitation arrangements for
sheepmeat and goatmeat for the 1991 marketing year

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

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

Whereas Article 8 of Regulation (EEC) No 3013/89 intro-
duces arrangements for the limitation of the guarantee
applicable for each marketing year; whereas those ar-
rangements provide that the reduction in the guarantee
depends on the number of ewes compared with a
maximum guaranteed level; whereas that reduction, fixed
provisionally on the basis of an estimate of ewe numbers,
must, where appropriate, be subsequently corrected on the
basis of ewe numbers actually recorded for the marketing
year in question;

Whereas Commission Regulation (EEC) No 1310/88 ⁽³⁾
lays down the detailed rules for the application of those
arrangements;

Whereas Commission Regulation (EEC) No 3546/90 ⁽⁴⁾
fixes the reduction coefficient applicable provisionally for
the 1991 marketing year; whereas the definitive recording
of ewe numbers on the basis of statistics obtained

pursuant to Council Directive 82/177/EEC ⁽⁵⁾, as last
amended by Regulation (EEC) No 3939/87 ⁽⁶⁾, together
with the other objective data available leads to the
corrected coefficient laid down in this Regulation being
fixed;

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

HAS ADOPTED THIS REGULATION:

Article 1

Pursuant to the second indent of Article 8 (2) of Regula-
tion (EEC) No 3013/89, the provisional coefficient
provided for in Regulation (EEC) No 3546/90 for the
1991 marketing year shall be corrected to read as follows:

- Great Britain: 5,9 %,
- rest of the Community: 7 %.

Article 2

This Regulation shall enter into force on the seventh 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, 3 April 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 163, 26. 6. 1991, p. 41.

⁽³⁾ OJ No L 122, 12. 5. 1988, p. 69.

⁽⁴⁾ OJ No L 344, 8. 12. 1990, p. 23.

⁽⁵⁾ OJ No L 81, 27. 3. 1982, p. 35.

⁽⁶⁾ OJ No L 373, 31. 12. 1987, p. 1.

COMMISSION REGULATION (EEC) No 853/92

of 3 April 1992

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

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

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

Whereas if it is found that the price of adult bovine animals on representative Community markets is equal to

or less than the guide price, the levy applicable equals the following percentage of the basic levy:

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

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

Whereas the guide prices for adult bovine animals for the 1991/92 marketing year were fixed by Council Regulation (EEC) No 1629/91 ⁽⁵⁾; whereas Council Regulation (EEC) No 786/92 ⁽⁶⁾ has extended the 1991/92 marketing year for beef and veal until 31 May 1992;

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

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

⁽¹⁾ OJ No L 75, 23. 3. 1977, p. 10.

⁽²⁾ OJ No L 376, 31. 12. 1987, p. 31.

⁽³⁾ OJ No L 150, 15. 6. 1991, p. 18.

⁽⁴⁾ OJ No L 86, 1. 4. 1992, p. 1.

⁽⁵⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽⁶⁾ OJ No L 150, 15. 6. 1991, p. 16.

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

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

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

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

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

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

Whereas in cases where one or more of the abovementioned third countries adopt, for reasons of health for example, measures affecting the prices recorded on their markets, the Commission may use the latest prices recorded before the entry into force of such measures ;

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

Whereas the representative markets, categories and qualities of products and weighting coefficients are fixed in

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

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

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

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

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

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

⁽¹⁾ OJ No L 77, 25. 3. 1977, p. 14.

⁽²⁾ OJ No L 109, 30. 4. 1977, p. 1.

⁽³⁾ OJ No L 77, 25. 3. 1977, p. 1.

⁽⁴⁾ OJ No L 290, 22. 10. 1991, p. 19.

Whereas the levies must be so fixed that obligations arising from international agreements concluded by the Community continue to be fulfilled; whereas the levies fixed must be consistent with international agreements entered into by the Community; whereas account should also be taken of Council Regulation (EEC) No 545/92 of 3 February 1992 concerning the arrangements applicable to the import into the Community of products originating in the Republics of Croatia and Slovenia and the Yugoslav Republics of Bosnia-Herzegovina, Macedonia and Montenegro⁽¹⁾, which provides for reductions in the levies on certain products of the beef and veal sector imported into the Community; whereas Commission Regulation (EEC) No 859/92⁽²⁾ establishes detailed rules for the importation of these products;

Whereas Council Regulation (EEC) No 715/90⁽³⁾, as last amended by Regulation (EEC) No 444/92⁽⁴⁾, lays down the arrangements applicable on agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States;

Whereas, pursuant to Article 101 (1) of Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community⁽⁵⁾, no levies shall apply on imports of products originating in the overseas countries and territories; whereas, however, pursuant to Article 101 (4) of the abovementioned Decision, a special amount shall be charged on imports of certain products originating in the overseas countries and territories in order to prevent products originating from these countries and territories from receiving more favourable treatment than similar products imported from Spain or Portugal into the Community as constituted on 31 December 1985;

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

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

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

Done at Brussels, 3 April 1992.

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 6 April 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 63, 7. 3. 1992, p. 1.

⁽²⁾ See page 26 of this Official Journal.

⁽³⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽⁴⁾ OJ No L 52, 27. 2. 1992, p. 7.

⁽⁵⁾ OJ No L 263, 19. 9. 1991, p. 1.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 201, 31. 7. 1990, p. 9.

ANNEX

to the Commission Regulation of 3 April 1992 fixing the import levies on live cattle and on beef and veal other than frozen

(ECU/100 kg)

CN code	Croatia, Slovenia, Bosnia-Herzegovina, Macedonia, Montenegro ⁽¹⁾	Austria/Sweden/ Switzerland	Other third countries ⁽²⁾
— Live weight —			
0102 90 10	—	17,790	⁽¹⁾ 131,663
0102 90 31	23,099	17,790	⁽¹⁾ 131,663
0102 90 33	—	17,790	⁽¹⁾ 131,663
0102 90 35	23,099	17,790	⁽¹⁾ 131,663
0102 90 37	23,099	17,790	⁽¹⁾ 131,663
— Net weight —			
0201 10 10	—	33,801	⁽¹⁾ 250,160
0201 10 90	43,888	33,801	⁽¹⁾ 250,160
0201 20 21	—	33,801	⁽¹⁾ 250,160
0201 20 29	43,888	33,801	⁽¹⁾ 250,160
0201 20 31	—	27,041	⁽¹⁾ 200,128
0201 20 39	35,110	27,041	⁽¹⁾ 200,128
0201 20 51	52,665	40,560	⁽¹⁾ 300,192
0201 20 59	52,665	40,560	⁽¹⁾ 300,192
0201 20 90	—	50,700	⁽¹⁾ 375,240
0201 30 00	—	57,994	⁽¹⁾ 429,221
0206 10 95	—	57,994	⁽¹⁾ 429,221
0210 20 10	—	50,700	375,240
0210 20 90	—	57,994	429,221
0210 90 41	—	57,994	429,221
0210 90 90	—	57,994	429,221
1602 50 10	—	57,994	429,221
1602 90 61	—	57,994	429,221

⁽¹⁾ In accordance with amended Regulation (EEC) No 715/90, levies are not applied to products imported directly into the French overseas departments, originating in the African, Caribbean and Pacific States.

⁽²⁾ No import levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.

⁽³⁾ This levy is applicable only to products complying with the provisions of the Commission Regulation (EEC) No 859/92.

COMMISSION REGULATION (EEC) No 854/92

of 3 April 1992

fixing the import levies on frozen beef and veal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

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

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

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

- (a) 75 % where the market price is less than or equal to 102 % of the guide price;

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

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

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

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

- (a) 100 % where the market price is more than or equal to 98 % of the guide price;

- (b) 105 % where the market price is less than 98 % and more than or equal to 96 % of the guide price;

- (c) 110 % where the market price is less than 96 % and more than or equal to 90 % of the guide price;

- (d) 114 % where the market price is less than 90 % of the guide price;

Whereas the guide prices for adult bovine animals for the 1991/92 marketing year have been fixed by Council Regulation (EEC) No 1629/91⁽⁵⁾; whereas Council Regulation (EEC) No 786/92⁽⁶⁾ has extended the 1991/92 marketing year for beef and veal until 31 May 1992;

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

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

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

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 150, 15. 6. 1991, p. 16.

⁽³⁾ OJ No L 75, 23. 3. 1977, p. 10.

⁽⁴⁾ OJ No L 376, 31. 12. 1987, p. 31.

⁽⁵⁾ OJ No L 150, 15. 6. 1991, p. 18.

⁽⁶⁾ OJ No L 86, 1. 4. 1992, p. 1.

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

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

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

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

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

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

Great Britain on the one hand and Northern Ireland on the other are adjusted by the coefficient fixed in the abovementioned Annex II ;

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

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

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

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

Whereas Council Regulation (EEC) No 715/90⁽³⁾, as last amended by Regulation (EEC) No 444/92⁽⁴⁾, lays down the arrangements applicable on agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States ;

Whereas, pursuant to Article 101 (1) of Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community⁽⁵⁾, no levies shall apply on imports of products originating in the overseas countries and territories ; whereas, however, pursuant to Article 101 (4) of the abovementioned Decision, a special amount shall be charged on imports of certain products originating in the overseas countries and territories in order to prevent products originating from these countries and territories from receiving more favourable treatment than similar products imported from Spain or Portugal into the Community as constituted on 31 December 1985 ;

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

⁽¹⁾ OJ No L 77, 25. 3. 1977, p. 1.

⁽²⁾ OJ No L 290, 22. 10. 1991, p. 19.

⁽³⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽⁴⁾ OJ No L 52, 27. 2. 1992, p. 7.

⁽⁵⁾ OJ No L 263, 19. 9. 1991, p. 1.

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

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

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

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

a period to be determined, multiplied by the coefficient referred to in the preceding indent ;

Whereas, having regard to the provisions of the aforementioned Regulations, and in particular to the information and quotations known to the Commission, the levies on frozen beef and veal should be as set out in the Annex hereto,

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 6 April 1992.

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

Done at Brussels, 3 April 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽²⁾ OJ No L 201, 31. 7. 1990, p. 9.

ANNEX

to the Commission Regulation of 3 April 1992 fixing the import levies on frozen beef and veal ⁽¹⁾ ⁽²⁾

<i>(ECU/100 kg)</i>	
CN code	Levy
	— Net weight —
0202 10 00	172,539
0202 20 10	172,539
0202 20 30	138,031
0202 20 50	215,674
0202 20 90	258,809
0202 30 10	215,674
0202 30 50	215,674
0202 30 90	296,767
0206 29 91	296,767

⁽¹⁾ In accordance with amended Regulation (EEC) No 715/90, levies are not applied to products imported directly into the French overseas departments, originating in the African, Caribbean and Pacific States.

⁽²⁾ No import levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.

COMMISSION REGULATION (EEC) No 855/92**of 3 April 1992****amending Regulation (EEC) No 19/82 laying down detailed rules for applying Council Regulation (EEC) No 2641/90 with regard to imports of sheepmeat and goatmeat products originating in certain non-member countries**

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

Having regard to Council Regulation (EEC) No 2641/80 of 14 October 1980 derogating from certain import rules laid down in Regulation (EEC) No 1837/80 on the common organization of the market in sheepmeat and goatmeat⁽¹⁾ as amended by Regulation (EEC) No 3939/87⁽²⁾, and in particular Article 1 (2) thereof,

Whereas Commission Regulation (EEC) No 19/82 of 6 January 1982 laying down detailed rules for applying Regulation (EEC) No 2641/80 with regard to imports of sheepmeat and goatmeat products originating in certain non-member countries⁽³⁾, as amended by Regulation (EEC) No 645/92⁽⁴⁾, relates in particular to licences issued in the framework of voluntary-restraint agreements and Annex III thereof contains a list of authorities in third countries empowered to issue export licences;

Whereas Bulgaria has changed the authority empowered to issue export licences; whereas Annex III to Regulation

(EEC) No 19/82 should accordingly be modified by details of the authority of Bulgaria now empowered to issue export licences;

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

HAS ADOPTED THIS REGULATION:

Article 1

In point XII of Annex III to Regulation (EEC) No 19/82: 'Ministry of Foreign Economic Relations' is replaced by 'Ministry of Industry and Trade'.

Article 2

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

It shall apply with effect from 13 April 1992.

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

Done at Brussels, 3 April 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 275, 18. 10. 1980, p. 2.

⁽²⁾ OJ No L 373, 31. 12. 1987, p. 1.

⁽³⁾ OJ No L 3, 7. 1. 1982, p. 18.

⁽⁴⁾ OJ No L 69, 14. 3. 1992, p. 28.

COMMISSION REGULATION (EEC) No 856/92
of 3 April 1992
amending Regulation (EEC) No 1627/89 on the buying-in of beef by invitation to tender

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

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

Whereas Commission Regulation (EEC) No 1627/89 of 9 June 1989 on the buying-in of beef by invitation to tender ⁽³⁾, as last amended by Regulation (EEC) No 701/92 ⁽⁴⁾, opens buying-in by invitation to tender in certain Member States or regions of a Member State for certain quality groups ;

Whereas the application of Article 6 (2), (3) and (4) of Regulation (EEC) No 805/68 and the need to limit intervention to the buying-in of the quantities necessary

to ensure reasonable support for the market result, on the basis of the prices of which the Commission is aware, in an amendment, in accordance with the Annex hereto, to the list of Member States or regions of a Member State where buying-in is open by invitation to tender, and the list of the quality groups which may be bought in,

HAS ADOPTED THIS REGULATION :

Article 1

Annex I to Regulation (EEC) No 1627/89 is hereby replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on 7 April 1992.

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

Done at Brussels, 3 April 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 150, 15. 6. 1991, p. 16.

⁽³⁾ OJ No L 159, 10. 6. 1989, p. 36.

⁽⁴⁾ OJ No L 75, 21. 3. 1992, p. 12.

ANEXO — BILAG — ANHANG — ΠΑΡΑΡΤΗΜΑ — ANNEX — ANNEXE — ALLEGATO —
BIJLAGE — ANEXO

Estados miembros o regiones de Estados miembros y grupos de calidades previstos en el apartado 1 del artículo 1

Medlemsstater eller regioner og kvalitetsgrupper, jf. artikel 1, stk. 1

Mitgliedstaaten oder Gebiete eines Mitgliedstaats sowie die in Artikel 1 Absatz 1 genannten Qualitätsgruppen

Κράτη μέλη ή περιοχές κρατών μελών και ομάδες ποιότητας που αναφέρονται στο άρθρο 1 παράγραφος 1

Member States or regions of a Member State and quality groups referred to in Article 1 (1)

États membres ou régions d'États membres et groupes de qualités visés à l'article 1^{er}, paragraphe 1

Stati membri o regioni di Stati membri e gruppi di qualità di cui all'articolo 1, paragrafo 1

In artikel 1, lid 1 bedoelde Lid-Staten of gebieden van een Lid-Staat en kwaliteitsgroepen

Estados-membros ou regiões de Estados-membros e grupos de qualidades referidos no nº 1 do artigo 1º

Estados miembros o regiones de Estados miembros	Categoría A			Categoría C		
Medlemsstat eller region	Kategori A			Kategori C		
Mitgliedstaaten oder Gebiete eines Mitgliedstaats	Kategorie A			Kategorie C		
Κράτος μέλος ή περιοχή κράτους μέλους	Κατηγορία Α			Κατηγορία Γ		
Member States or regions of a Member State	Category A			Category C		
États membres ou régions d'États membres	Catégorie A			Catégorie C		
Stati membri o regioni di Stati membri	Categoria A			Categoria C		
Lid-Staat of gebied van een Lid-Staat	Categorie A			Categorie C		
Estados-membros ou regiões de Estados-membros	Categoria A			Categoria C		
	U	R	O	U	R	O
Belgique			x			
Denmark		x	x			
Deutschland	x	x				
España	x	x	x			
France	x	x	x		x	x
Italia			x			
Luxembourg		x	x			
Ireland				x	x	x
Great Britain				x	x	x
Northern Ireland				x	x	x

COMMISSION REGULATION (EEC) No 857/92

of 3 April 1992

introducing a countervailing charge on tomatoes originating in Morocco

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 Regulation (EEC) No 1035/72 of the Council of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1623/91⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Article 25 (1) of Regulation (EEC) No 1035/72 provides that, if the entry price of a product imported from a third country remains at least ECU 0,6 below the reference price for two consecutive market days, a countervailing charge must be introduced in respect of the exporting country concerned, save in exceptional circumstances; whereas this charge is equal to the difference between the reference price and the arithmetic mean of the last two entry prices available for that exporting country;

Whereas Commission Regulation (EEC) No 655/92 of 16 March 1992 fixing for the 1992 marketing year the reference prices for tomatoes⁽³⁾ fixed the reference price for products of class I at ECU 197,27 per 100 kilograms net for the month of April 1992;

Whereas the entry price for a given exporting country is equal to the lowest representative prices recorded for at least 30 % of the quantities from the exporting country concerned which are marketed on all representative markets for which prices are available less the duties and the charges indicated in Article 24 (3) of Regulation (EEC) No 1035/72, the provisions of Regulation (EEC) No 3167/91 of the Commission⁽⁴⁾ altering the entry price of tomatoes originating in Morocco and the Canary Islands being applicable; whereas the meaning of representative price is defined in Article 24 (2) of Regulation (EEC) No 1035/72;

Whereas, in accordance with Article 3 (1) of Commission Regulation (EEC) No 2118/74⁽⁵⁾, as last amended by

Regulation (EEC) No 3811/85⁽⁶⁾, the prices to be taken into consideration must be recorded on the representative markets or, in certain circumstances, on other markets; whereas it is necessary to multiply the prices with the coefficient fixed in the second indent of Article 1 (2) of Regulation (EEC) No 655/92;

Whereas, for tomatoes originating in Morocco the entry price calculated in this way has remained at least ECU 0,6 below the reference price for two consecutive market days; whereas a countervailing charge should therefore be introduced for these tomatoes;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁷⁾, as last amended by Regulation No 2205/90⁽⁸⁾,
- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent,

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of ECU 59,20 per 100 kilograms net is applied to tomatoes (CN code 0702 00) originating in Morocco.

Article 2

This Regulation shall enter into force on 7 April 1992.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 150, 15. 6. 1991, p. 8.

⁽³⁾ OJ No L 70, 17. 3. 1992, p. 10.

⁽⁴⁾ OJ No L 300, 31. 10. 1991, p. 13.

⁽⁵⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁶⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁸⁾ OJ No L 201, 31. 7. 1990, p. 9.

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

Done at Brussels, 3 April 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 858/92

of 3 April 1992

fixing the import levies on white sugar and raw sugar

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 61/92 ⁽²⁾, and in particular Article 16 (8) thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 366/92 ⁽³⁾, as last amended by Regulation (EEC) No 842/92 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Commission Regulation (EEC) 366/92 to the information known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto;

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

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

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

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

Whereas these exchange rates being those recorded on 2 April 1992,

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 4 April 1992.

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

Done at Brussels, 3 April 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 6, 11. 1. 1992, p. 19.

⁽³⁾ OJ No L 39, 15. 2. 1992, p. 28.

⁽⁴⁾ OJ No L 88, 3. 4. 1992, p. 36.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 9.

ANNEX

to the Commission Regulation of 3 April 1992 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy ⁽¹⁾
1701 11 10	38,53 ⁽¹⁾
1701 11 90	38,53 ⁽¹⁾
1701 12 10	38,53 ⁽¹⁾
1701 12 90	38,53 ⁽¹⁾
1701 91 00	44,41
1701 99 10	44,41
1701 99 90	44,41 ⁽²⁾

⁽¹⁾ The levy applicable is calculated in accordance with the provisions of Article 2 or 3 of Commission Regulation (EEC) No 837/68.

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

⁽³⁾ No import levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC. However, an amount equal to the amount fixed by Regulation (EEC) No 1870/91 B to be levied in accordance with Article 101 (4) of the abovementioned Decision.

COMMISSION REGULATION (EEC) No 859/92

of 3 April 1992

laying down detailed rules governing imports of 'baby-beef' originating in the Republics of Croatia and Slovenia and the Yugoslav Republics of Bosnia-Herzegovina, Macedonia and Montenegro

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

levies on live cattle and on beef and veal other than frozen (*) and is to apply from 6 April 1992,

Having regard to the Treaty establishing the European Economic Community,

HAS ADOPTED THIS REGULATION:

Article 1

Having regard to Council Regulation (EEC) No 545/92 of 3 February 1992 concerning the arrangements applicable to the import into the Community of products originating in the Republics of Croatia and Slovenia and the Yugoslav Republics of Bosnia-Herzegovina, Macedonia and Montenegro (*), and in particular Article 10 thereof,

1. The reduced levies collected on import referred to in Article 7 of Regulation (EEC) No 545/92 shall only apply to products accompanied by certificates as provided for in Article 7 (3) of that Regulation.

2. The specimen for those certificates shall be as set out in Annex I to Regulation (EEC) No 1368/88.

3. Articles 2, 3 and 4, Article 5 (2) and Articles 6 and 7 of Regulation (EEC) No 1368/88 shall apply *mutatis mutandis* as regards the issuing and utilization of the certificates.

4. Certificates shall be valid only if they are duly endorsed by an issuing agency appearing on the list in Annex I hereto.

Whereas by Article 7 of Regulation (EEC) No 545/92 the Community unilaterally provided for special arrangements applying to imports of 'baby-beef' products originating in the Republics of Croatia and Slovenia and the Yugoslav Republics of Bosnia-Herzegovina, Macedonia and Montenegro; whereas, in order to qualify for reduced levy on import into the Community, the products must be accompanied by a certificate to be drawn up by the Community; whereas until such time as the model for the new certificate has been drawn up, the specimen certificate in Annex I to Commission Regulation (EEC) No 1368/88 (*), as amended by Regulation (EEC) No 3886/88 (**), should be used and the issuing agencies of those Republics should be determined;

Article 2

At the request of the parties concerned and on presentation of proof that products released for free circulation in the Member States in the period 1 January to 5 April 1992 were accompanied by certificates as provided for in Article 1 (2) endorsed either by a body listed in Annex I or by the body in Annex II hereto, the Member States shall reimburse the difference between the levies set out in column 2 and 4 of Regulation (EEC) No 853/92 provided the place of issue of the aforementioned lies within the geographical territory of a republic mentioned in Article 1 of Regulation (EEC) No 545/92.

Article 3

Whereas, pursuant to Article 12 of Regulation (EEC) No 545/92, these new import arrangements are to apply from 1 January 1992; whereas detailed rules governing the partial reimbursement, at the request of the parties concerned and under certain conditions, of levies on products covered by that Regulation and imported into the Community in the period 1 January to 5 April 1992 should accordingly be laid down; whereas the amount to be reimbursed equal to the difference between the levies in columns 2 and 4 of the Annex to Commission Regulation (EEC) No 853/92 of 3 April 1992 fixing the import

This Regulation shall enter into force on 6 April 1992.

(*) OJ No L 63, 7. 3. 1992, p. 1.

(**) OJ No L 126, 20. 5. 1988, p. 26.

(***) OJ No L 346, 15. 12. 1988, p. 22.

(*) See page 11 of this Official Journal.

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

Done at Brussels, 3 April 1992.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX I

Issuing agencies :

- Republic of Croatia : 'Euroinspekt', Zagreb, Croatia ;
- Republic of Slovenia : 'Inspect', Ljubljana, Slovenia.

ANNEX II

Issuing agency : Savezni Trzisni Inspektorat, Belgrade.

II

(Acts whose publication is not obligatory)

COUNCIL

**SIXTH COUNCIL DIRECTIVE 92/20/EEC
of 26 March 1992
on summertime arrangements**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

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

In cooperation with the European Parliament ⁽²⁾,

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

Whereas the Fifth Council Directive 89/47/EEC, of 21 December 1988 on summertime arrangements ⁽⁴⁾ introduced a common date and time throughout the Community for the beginning of the summertime period for 1990, 1991 and 1992 and, for the end of that period in those years, two different dates, one for Member States apart from Ireland and the United Kingdom and one for Ireland and the United Kingdom;

Whereas, for as long as Member States apply summertime arrangements, it is important for the establishment and functioning of the internal market that a common date and time for both the beginning and end of the summertime period should be fixed in the whole Community area from 1993 onwards;

Whereas, for geographical reasons, Ireland and the United Kingdom should, however, be afforded the possibility of

fixing, for one or both of the two years 1993 and 1994, an end date for summertime different from that provided for the other Member States;

Whereas Article 4 of the Fifth Directive provides that the Council, acting on a proposal of the Commission, shall adopt before 1 January 1992 the arrangements to apply from 1993 onwards;

Whereas, for geographical reasons, common summertime arrangements should not apply to the overseas territories of the Member States;

Whereas it is appropriate to re-examine the summertime period from time to time and whereas provisions should therefore be adopted for 1993 and 1994,

HAS ADOPTED THIS DIRECTIVE:

Article 1

For the purposes of this Directive, the expression 'summertime period' shall mean the period of the year during which time is advanced by 60 minutes in relation to the time for the rest of the year.

Article 2

Member States shall take the measures necessary to ensure that in each Member State the summertime period for 1993 and 1994 begins at 1 a.m. Greenwich Mean Time (GMT) on the last Sunday in March, that is to say:

— in 1993: on 28 March,

— in 1994: on 27 March.

⁽¹⁾ OJ No C 219, 22. 8. 1991, p. 4.

⁽²⁾ OJ No C 13, 20. 1. 1992, and Decision of 11 March 1992 (not yet published in the Official Journal).

⁽³⁾ OJ No C 40, 17. 2. 1992, p. 14.

⁽⁴⁾ OJ No L 17, 21. 1. 1989, p. 57.

Article 3

1. Member States shall take the measures necessary to ensure that in each Member State the summertime period for 1993 and 1994 ends at 1 a.m. Greenwich Mean Time (GMT) on the last Sunday in September, that is to say :

— in 1993 : on 26 September,

— in 1994 : on 25 September.

2. Ireland and the United Kingdom may, however, take the measures necessary to ensure that the summertime period for 1993 and 1994 ends at 1 a.m. Greenwich Mean Time (GMT) on the fourth Sunday in October, that is to say :

— in 1993 : on 24 October,

— in 1994 : on 23 October.

3. Should Ireland and the United Kingdom decide, before 1994, to bring the end of their summertime period into line with the dates provided for in paragraph 1, they shall notify the Commission, which will inform the other Member States thereof.

Article 4

The Council, acting on a proposal from the Commission, shall adopt by 1 January 1994 the arrangements to apply from 1995 onwards.

Article 5

This Directive shall not apply to the overseas territories of the Member States.

Article 6

This Directive is addressed to the Member States.

Done at Brussels, 26 March 1992.

For the Council

The President

Joaquim FERREIRA DO AMARAL

COUNCIL DECISION
of 26 March 1992
on the conclusion of the 1986 International Cocoa Agreement
(92/202/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 and 116 thereof,

Having regard to the proposal from the Commission,

Whereas the European Economic Community and its Member States signed the 1986 International Cocoa Agreement on 30 September 1986 and pursuant to Decision 87/166/EEC⁽¹⁾, notified their intention to apply this Agreement on a provisional basis pending completion of the internal procedures necessary for its approval;

Whereas all the Member States have indicated their intention of approving the Agreement;

Whereas the Community and the Member States should notify the Secretary-General of the United Nations Organization of their intention of approving the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The 1986 International Cocoa Agreement is hereby approved on behalf of the Community.

The Community and its Member States, once they have completed the necessary internal procedures, shall notify the Secretary-General of the United Nations Organization of their approval of the 1986 International Cocoa Agreement, as importing members, in accordance with the provisions of Article 67 thereof,

The text of the Agreement is attached to Decision 87/166/EEC.

Article 2

The President of the Council is hereby authorized to designate the person empowered to deposit the instrument of approval on behalf of the Community.

Done at Brussels, 26 March 1992.

For the Council

The President

Joaquim FERREIRA DO AMARAL

⁽¹⁾ OJ No L 69, 12. 3. 1987, p. 24.

COUNCIL DECISION

of 31 March 1992

amending Decision 91/667/EEC on import quotas to be opened by the Member States in respect of State-trading countries in 1991 in order to take account of the dissolution of the Soviet Union

(92/203/EEC)

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 Council Regulation (EEC) No 3420/83 of 14 November 1983 on import arrangements for products originating in State-trading countries, not liberalized at Community level,⁽¹⁾ provides that the Council should determine the import quotas to be opened by the Member States in respect of the various State-trading countries for the products listed in Annex III to that Regulation; whereas such quotas were opened for 1991 by Decision 91/667/EEC⁽²⁾, which is provisionally carried over for 1992;

Whereas Regulation (EEC) No 848/92⁽³⁾, has replaced the words 'USSR' and 'Soviet Union' in the text of and Annex I to Regulation (EEC) No 3420/83 with the words 'Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kirghizstan, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine and Uzbekistan'; whereas the same substitution should be made in Decision 91/667/EEC,

HAS ADOPTED THIS DECISION:

Article 1

In Annex VII to Decision 91/667/EEC, the words 'from the USSR' shall be replaced by the words 'from the following States:

— Armenia
— Azerbaijan
— Belarus
— Georgia
— Kazakhstan
— Kirghizstan
— Moldova
— Russia
— Tajikistan
— Turkmenistan
— Ukraine
— Uzbekistan
collectively'.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 31 March 1992.

*For the Council**The President*

Vitor MARTINS

⁽¹⁾ OJ No L 346, 8. 12. 1983, p. 6. Regulation as last amended by Regulation (EEC) No 848/92 (See page 1 of this Official Journal).

⁽²⁾ OJ No L 369, 31. 12. 1991, p. 1.

⁽³⁾ See page 1 of this Official Journal.