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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 125/93
of 18 January 1993
amending Regulation (EEC) No 805/68 on the common organization of the
market in beef and veal

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

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

Having regard to the opinion of the European Parliament ⁽²⁾,

Whereas Regulation (EEC) No 805/68 ⁽³⁾ was radically amended by Regulation (EEC) No 2066/92 ⁽⁴⁾ with respect to the premium scheme for beef producers; whereas, however, a number of specific problems remain to be settled;

Whereas Regulation (EEC) No 2066/92 introduced a deseasonalization premium; whereas the danger of an excessive number of animals being slaughtered during the slaughtering season exists only in the case of castrated male bovine animals; whereas it is therefore appropriate to encourage deseasonalization of slaughtering only in the case of castrated male bovine animals and thereby to enable producers in a number of Member States to benefit from the premium;

Whereas, to date, eligibility for the suckler-cow premium has been restricted, in the case of holdings with a dairy herd and a suckler herd, to small producers with an individual reference quantity of 60 000 kilograms of milk or less; whereas small or medium-sized producers with a reference quantity of more than 60 000 kilograms who keep suckler cows but are not eligible for the premium will face price reductions from 1993; whereas the reference quantity for milk production should therefore be increased;

Whereas, in order to enable such small producers to develop their holdings, the restriction of the premium to ten animals should be abolished;

Whereas additional premium rights should be created and distributed between Member States to enable the producers concerned via the national reserves to set up an individual ceiling or to increase their number of premium rights on the basis of the number of suckler cows on their holding during a given period;

Whereas it is appropriate to determine the total number of additional rights, in particular on the basis of the most recent statistical data available on beef and veal production and of applications for suckler cow premiums, account being taken, however, of certain particular situations;

Whereas, in the framework of beef and veal production, the protection of the environment has become an important element to be taken into consideration; whereas, therefore, Member States should be afforded the possibility of restricting or removing the payments under the suckler cow premiums scheme if the producer concerned has not fully complied with the environmental rules set out by Member States, subject to the respect of the principle of proportionality;

Whereas the definition of suckler cow established under the reform excludes from the scheme producers whose suckler herds do not belong to beef breeds; whereas, in order to cushion transition to the new scheme, provision should be made for a transitional derogation from this definition for producers in the new German Länder,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 805/68 is hereby amended as follows:

1. In Article 4c, the words 'male bovine animal(s)' shall be replaced by 'castrated male bovine animal(s)'.

⁽¹⁾ OJ No C 264, 13. 10. 1992, p. 9.

⁽²⁾ OJ No C 337, 21. 12. 1992.

⁽³⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽⁴⁾ OJ No L 215, 30. 7. 1992, p. 49.

2. In Article 4d (5) the first subparagraph shall be replaced by the following :

'The premium shall be granted to any producer not supplying milk or milk products from his farm for twelve months from the day on which the application is lodged and who keeps for at least six consecutive months from the day on which the application is lodged a number of suckler cows at least equal to the number for which the premium was requested.'

3. The first and second subparagraphs of Article 4d (6) shall be replaced by the following :

'The premium shall also be granted to any producer supplying milk or milk products whose individual reference quantity as referred to in Article 5c of Regulation (EEC) No 804/68 (1) does not exceed 120 000 kilograms provided that he keeps, for at least six consecutive months from the day on which the application is lodged, a number of suckler cows at least equal to the number for which the premium was requested.'

Additional rights to the suckler cow premium shall be added to the national reserves. The total number of these rights shall be distributed between Member States on the basis of the average percentages of beef production and, in particular, valid suckler cow premium claims as set out in the table in Annex II.

The additional rights shall be allocated from the national reserves in the first instance to milk producers who are eligible or whose rights are increased for the first time by virtue of the first subparagraph who comply with the terms of this Regulation and who keep the eligible cows on their holding on 1 January 1993 and retain them there for six months. Any remaining part of this additional quota which is not allocated to such producers may be allocated according to the normal criteria for use of the national reserve. Should the total number of additional rights to be allocated exceed the number of additional rights available by virtue of Annex II, the Member State concerned may reduce, proportionately, all the applications for additional rights or give priority to certain producers, according to objective criteria to be determined.

In allocating the amounts to producers for whom the maximum number of eligible cows was previously limited to ten, any quota rights established by such producers under Article 4d (2) shall be taken into

account. The reduction provided for in paragraph 2 shall apply in the same way to the ceilings laid down or to the increases in the ceiling established in accordance with the foregoing subparagraph.

(1) OJ No L 148, 28. 6. 1968, p. 13.'

4. In Article 4d the following paragraph shall be added :

'7a. Member States may apply appropriate environmental measures which correspond to the specific situation of the land used for the production of suckler cows qualifying for the premium. Member States which avail themselves of this possibility shall decide the penalties which are appropriate and proportional to the seriousness of the environmental consequences of not observing the said measures. These penalties may provide for a reduction or, where appropriate, cancellation of the benefits accruing for the premium. Member States shall inform the Commission of the measures taken to apply this provision.'

5. The following shall be added to Article 4k (1) :

'(d) During the first three years of application of the new suckler-cow premium scheme, Germany may provide that this scheme shall also be granted in respect of cows other than those referred to in the definition of suckler cow given in Article 4a, provided that such animals are covered or inseminated by bulls belonging to a beef breed and belong to a herd intended for the production of beef calves.'

6. Annex II as set out in the Annex to this Regulation shall be added.

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 from 1 January 1993, except for point 4 of Article 1, which will apply as from the date of entry into force.

However, in those Member States in which, in accordance with Article 4c of Regulation (EEC) No 805/68, as amended by Regulation (EEC) No 2066/92, the deseasonalization premium was applicable before the entry into force of this Regulation, the aforementioned Article 4c shall remain applicable in the said version for the grant of the premium for 1993.

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

Done at Brussels, 18 January 1993.

For the Council

The President

L. TØRNÆS

ANNEX

ANNEX II

Distribution of additional rights to suckler cow premium between Member States (Article 4d (6))

Belgium	36 080
Denmark	13 320
Germany	111 240
Greece	10 520
Spain	84 320
France	242 480
Ireland	63 400
Italy	90 160
Luxembourg	760
Netherlands	30 560
Portugal	5 760
United Kingdom	118 320

COMMISSION REGULATION (EEC) No 126/93

of 26 January 1993

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 1738/92 ⁽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,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy ⁽⁵⁾, and in particular Article 5 thereof,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 3873/92 ⁽⁶⁾ and subsequent amending Regulations;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 25 January 1993, as regards floating currencies, should be used to calculate the levies;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1820/92 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 27 January 1993.

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

Done at Brussels, 26 January 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁵⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁶⁾ OJ No L 390, 31. 12. 1992, p. 118.

ANNEX

to the Commission Regulation of 26 January 1993 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CN code	Third countries ^(?)
0709 90 60	135,74 ^(?) ^(?)
0712 90 19	135,74 ^(?) ^(?)
1001 10 00	176,59 ⁽¹⁾ ^(?) ⁽¹⁰⁾
1001 90 91	140,35
1001 90 99	140,35 ⁽¹¹⁾
1002 00 00	158,24 ⁽⁶⁾
1003 00 10	126,59
1003 00 20	126,59
1003 00 80	126,59 ⁽¹¹⁾
1004 00 00	115,90
1005 10 90	135,74 ^(?) ^(?)
1005 90 00	135,74 ^(?) ^(?)
1007 00 90	136,78 ⁽⁴⁾
1008 10 00	50,22 ⁽¹¹⁾
1008 20 00	81,75 ⁽⁴⁾
1008 30 00	41,13 ⁽⁵⁾
1008 90 10	⁽⁷⁾
1008 90 90	41,13
1101 00 00	208,72 ⁽⁸⁾ ⁽¹¹⁾
1102 10 00	234,30 ⁽⁸⁾
1103 11 30	286,13 ⁽⁸⁾ ⁽¹⁰⁾
1103 11 50	286,13 ⁽⁸⁾ ⁽¹⁰⁾
1103 11 90	224,43 ⁽⁸⁾

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

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

⁽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 127/93

of 26 January 1993

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 1738/92 ⁽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,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy ⁽⁵⁾, and in particular Article 5 thereof,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EEC) No 3874/92 ⁽⁶⁾ and subsequent amending Regulations;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 25 January 1993, as regards floating currencies, should be used to calculate the levies;

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 27 January 1993.

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

Done at Brussels, 26 January 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁵⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁶⁾ OJ No L 390, 31. 12. 1992, p. 121.

ANNEX

to the Commission Regulation of 26 January 1993 fixing the premiums to be added to the import levies on cereals, flour and malt

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

CN code	Current 1	1st period 2	2nd period 3	3rd period 4
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 00	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 20	0	0	0	0
1003 00 80	0	0	0	0
1004 00 00	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 1	1st period 2	2nd period 3	3rd period 4	4th period 5
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 128/93

of 26 January 1993

ending the charges against the tariff ceilings opened for 1992 in the framework of generalized tariff preferences, by Council Regulation (EEC) No 3831/90 in respect of certain industrial products originating in Mexico and India

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

(ECU)

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3831/90 of 20 December 1990 applying generalized tariff preferences for 1991 in respect of industrial products originating in developing countries⁽¹⁾, extended into 1992 by Regulation (EEC) No 3587/91⁽²⁾, and in particular the second paragraph of Article 9 thereof,

Whereas, pursuant to Articles 1 and 6 of Regulation (EEC) No 3831/90 suspension of customs duties in the context of preferential tariff ceilings is granted within the limits of the individual ceilings set out in column six of Annex I to that Regulation in respect of each of the products or group of products under consideration; whereas as provided for in Article 9 of the said Regulation, the Commission may, after 31 December 1992, take measures to stop quantities being charged against any particular preferential tariff limit if these limits were exceeded particularly as a result of regularizations of imports actually made during the preferential tariff period;

Whereas, in respect of the products or the groups of products of the CN codes and origins indicated in the table below, the relevant ceilings for 1992 were fixed at the levels indicated in that table:

Order No	CN code	Origin	Ceiling
10.0140	2905 31 00	Mexico	4 167 000
10.0190	2917 11 00	India	208 000

Whereas on 1 January 1993, the sum of the quantities charged during the 1992 preferential period has exceeded the ceiling in question;

Whereas it appears desirable to take measures to stop quantities being charged against the said ceilings in respect of Mexico for products of CN code 2905 31 00 (Order No 10.0140) and in respect of India for products of CN code 2917 11 00 (Order No 10.0190),

HAS ADOPTED THIS REGULATION:

Article 1

The quantities charged against the tariff ceilings opened for 1992 by Regulation (EEC) No 3831/90 relating to the products and origins indicated in the table below, shall cease to be allowed from 30 January 1993.

Order No	CN code	Description	Origin
10.0140	2905 31 00	Ethylene glycol (ethanediol)	Mexico
10.0190	2917 11 00	Oxalic acid, its salts and esters	India

Article 2

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

(¹) OJ No L 370, 31. 12. 1990, p. 1. Regulation last amended by Council Regulation (EEC) No 3917/92 (OJ No L 396, 31. 12. 1992).

(²) OJ No L 341, 12. 12. 1991, p. 1. Regulation last amended by Council Regulation (EEC) No 1509/92 (OJ No L 159, 12. 6. 1992, p. 1).

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

Done at Brussels, 26 January 1993.

For the Commission

Christiane SCRIVENER

Member of the Commission

COMMISSION REGULATION (EEC) No 129/93**of 26 January 1993****opening compulsory distillation as provided for in Article 39 of Council Regulation (EEC) No 822/87 and derogating for the 1992/93 wine year from certain detailed rules for the application thereof**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EEC) No 1756/92 ⁽²⁾, and in particular Article 39 (9), (10) and (11) thereof,

Whereas the data available at present to the Commission, and in particular those in the forward estimate for the 1992/93 wine year, show that a feature of that year is an imbalance on the market for table wine and wine suitable for yielding table wine; whereas the conditions laid down in Article 39 (1) of Regulation (EEC) No 822/87 for initiating compulsory distillation are therefore fulfilled;

Whereas in view of the prices and the desirable level of availabilities at the end of the year, the distillation of 26 800 000 hectolitres of wine appears necessary in the Community;

Whereas the experience acquired in the 1987/88 marketing year of the option whereby grape must intended for the production after 15 March of products other than table wine may be deducted from the volume to be used for determining the quantity of wine to be delivered for distillation is inadequate for judging the effect of the measure; whereas that option should be made available again in the current marketing year so that its impact can be assessed;

Whereas a large number of small producers of grapes belong to cooperative wineries or producer groups; whereas the articles of association of these organizations are such that in certain production regions the delivery obligation provided for in Article 39 of Regulation (EEC) No 822/87 falls on the organization as a whole and in others falls on the producers individually; whereas in consequence there is a danger that the exemption provided for small producers will differ greatly in effect

between regions; whereas both this fact and the difficulties that were produced by the introduction of a dual exemption arrangement within regions must be taken into account for the fixing of the minimum quantity for delivery by producers;

Whereas experience has shown that the fulfilment of a producer's obligation through the delivery of wine obtained in a region of production other than that of the production of the said wine-grower has contributed to the imbalance on the market in certain regions; whereas the obligation should be considered as fulfilled only where wine delivered and wine which is the subject of the obligation are obtained from the same region;

Whereas, in accordance with Article 39 (7) of Regulation (EEC) No 822/87, distillers may either receive aid in respect of the product to be distilled or deliver the product obtained from distillation to the intervention agency; whereas the amount of the aid must be fixed on the basis of the criteria laid down in Article 16 of Council Regulation (EEC) No 2046/89 ⁽³⁾;

Whereas the derogation provided for in the first subparagraph of Article 39 (10) of Regulation (EEC) No 822/87 was extended for one wine year by Regulation (EEC) No 1756/92, whereas the detailed rules relating thereto must be extended for the same period;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Distillation as provided for in Article 39 (1) of Regulation (EEC) No 822/87 is hereby decided on for the 1992/93 wine year.

2. The total quantity of table wine to be distilled shall be 26 800 000 hectolitres.

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 27.

⁽³⁾ OJ No L 202, 14. 7. 1989, p. 14.

3. The quantities to be distilled in the regions as referred to in Article 4 (2) of Commission Regulation (EEC) No 441/88⁽¹⁾ shall be as follows:

- Region 1: 310 000 hectolitres,
- Region 2: 0 hectolitres,
- Region 3: 3 500 000 hectolitres,
- Region 4: 12 760 000 hectolitres,
- Region 5: 300 000 hectolitres,
- Region 6: 8 800 000 hectolitres.
- Region 7: 1 130 000 hectolitres.

4. Region 6 as referred to in paragraph 3 shall be divided into two parts as follows:

- Part A:
consisting of the Regions of Asturias, the Balearic Islands, Cantabria and Galicia and the provinces of Guipúzcoa and Vizcaya,
- Part B:
consisting of any territory in Region 6 not included in Part A.

The quantities to be distilled in the abovementioned parts of Region 6 shall be as follows:

- Part A: 0 hectolitres,
- Part B: 8 800 000 hectolitres.

Article 2

By way of derogation from Article 6 (1) of Regulation (EEC) No 441/88 producers may deduct from the volume indicated in the first paragraph of that Article quantities of grape must intended for the preparation of products other than table wine not yet processed by 15 March, provided that they undertake to process them by 31 August. If such processing has not taken place by the latter date, producers must deliver for compulsory distillation in the form of wine a quantity resulting from the application of the percentage provided for in Article 8 to the quantity of unprocessed must, plus 20 %. That quantity must be delivered by the date fixed by the competent national authority pursuant to Article 12 (5) of Regulation (EEC) No 441/88.

Article 3

By way of derogation from Article 9 (1) of Regulation (EEC) No 441/88 the quantity of table wine below which producers are exempted from the obligation to deliver shall be five hectolitres except for producers in the regions indicated in the first indent in the second subparagraph of Article 7 of that Regulation, for whom it shall be 25 hectolitres.

Article 4

Without prejudice to the application of Article 44 of Regulation (EEC) No 822/87, the buying-in prices for

table wine to be delivered for compulsory distillation shall be ECU 0,66 per % vol alcohol and per hectolitre for table wine of type A I, R I and R II.

Article 5

The aid for which the distiller may qualify, as against the prices laid down in Article 4, shall be:

- (a) where the product obtained from distillation complies with the definition of neutral spirits as set out in the Annex to Regulation (EEC) No 2046/89: ECU 0,14 per % vol alcohol per hectolitre;
- (b) where the product obtained from distillation is wine spirits complying with the quality criteria laid down by national provisions in force: ECU 0,03 per % vol alcohol per hectolitre;
- (c) where the product obtained from distillation where it is obtained from white wine of type A I: ECU 0,03 per % vol alcohol per hectolitre.

Article 6

1. The price to be paid to the distiller by the intervention agency for the product delivered in accordance with the second indent of the first subparagraph of Article 39 (7) of Regulation (EEC) No 822/87, as against the prices laid down in Article 4, shall be ECU 1,10 per % vol alcohol per hectolitre.

These prices shall apply to neutral spirits complying with the definition as set out in the Annex to Regulation (EEC) No 2046/89.

2. For spirits other than those referred to in paragraph 1, the prices given in that paragraph shall be reduced by ECU 0,11 per % vol alcohol per hectolitre.

Article 7

The aid for which fortifiers of wine for distillation shall qualify, as against the prices laid down in Article 4, shall be:

- ECU 0,02 per % vol alcohol per hectolitre.

Article 8

For the purposes of Article 12 (1) and (2) of Regulation (EEC) No 441/88 the obligation shall be deemed to have been fulfilled only where the wine delivered is obtained from the same region as that of the producer's own production.

Article 9

In Article 21 of Regulation (EEC) No 441/88, '1987/88 until 1991/92' is replaced by '1987/88 until 1992/93'.

Article 10

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

⁽¹⁾ OJ No L 45, 18. 2. 1988, p. 15.

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

Done at Brussels, 26 January 1993.

For the Commission
René STEICHEN
Member of the Commission

COMMISSION REGULATION (EEC) No 130/93

of 26 January 1993

opening, for the 1992/93 wine year, distillation of table wine as provided for in
Article 41 of Regulation (EEC) No 822/87

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EEC) No 1756/92 ⁽²⁾, and in particular Articles 41 (10), 47 (3) and 81 thereof,

Whereas Commission Regulation (EEC) No 2721/88 ⁽³⁾, as last amended by Commission Regulation (EEC) No 2181/91 ⁽⁴⁾, lays down detailed rules for voluntary distillation as provided for in Articles 38, 41 and 42 of Regulation (EEC) No 822/87; whereas Commission Regulation (EEC) No 2209/91 ⁽⁵⁾ fixes the price, the aid and certain other factors applicable to preventive distillation for the 1992/93 wine year;

Whereas Article 41 (1) of Regulation (EEC) No 822/87 provides that in years during which the distillation indicated in Article 39 thereof is decided on, support distillation is to be introduced as soon as the said measure enters into force;

Whereas Commission Regulation (EEC) No 129/93 ⁽⁶⁾ opened for the 1992/93 wine year distillation as indicated in the said Article 39; whereas distillation as provided for in Article 41 (1) of Regulation (EEC) No 822/87 must therefore be opened;

Whereas, given the improvement in market conditions expected to result from application in the 1992/93 wine year of the provisions on compulsory distillation of the said Article 39, application of the present support distillation measure should be restricted to the regions in which compulsory distillation is opened, the total quantity of table wine that may be distilled should be restricted to 6 200 000 hectolitres and the total quantity of table wine for which each producer may submit one or more delivery contract declarations for approval by the intervention agency should be limited to an appropriate percentage of the quantity of table wine that he produced during the 1992/93 wine year;

Whereas because of the large differences in yields per hectare recorded in the different production regions

defined for the purposes of compulsory distillation operations by Regulation (EEC) No 441/88 ⁽⁷⁾, as last amended by Regulation (EEC) No 3699/92 ⁽⁸⁾, there is a risk, because of the way in which the total volume is allocated among producers, that this market support operation will be concentrated in a single region; whereas so that its impact will be balanced a maximum volume for each region should therefore be set;

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

HAS ADOPTED THIS REGULATION:

Article 1

Distillation under Article 41 (1) of Regulation (EEC) No 822/87 is hereby opened for the 1992/93 wine year for all table wine up to a maximum of 6 200 000 hectolitres obtained from grapes grown in the production regions as indicated in Article 4 of Commission Regulation (EEC) No 441/88 in which compulsory distillation has been opened for the 1992/93 wine year.

This quantity is allocated by region as defined in Article 4 (2) of Regulation (EEC) No 441/88, as follows:

- Region 1: 50 000 hectolitres
- Region 3: 400 000 hectolitres
- Region 4: 3 550 000 hectolitres
- Region 5: 100 000 hectolitres
- Region 6: 2 000 000 hectolitres
- Region 7: 100 000 hectolitres.

Article 2

The total quantity of table wine for which each producer may conclude one or more contracts may not exceed 20 hectolitres per hectare of area used for the production of table wine.

Article 3

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

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 27.

⁽³⁾ OJ No L 241, 1. 9. 1988, p. 88.

⁽⁴⁾ OJ No L 202, 25. 7. 1991, p. 16.

⁽⁵⁾ OJ No L 203, 26. 7. 1991, p. 31.

⁽⁶⁾ See page 10 of this Official Journal.

⁽⁷⁾ OJ No L 45, 18. 2. 1988, p. 15.

⁽⁸⁾ OJ No L 374, 22. 12. 1992, p. 54.

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

Done at Brussels, 26 January 1993.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EEC) No 131/93

of 26 January 1993

suspending standing invitations to tender for the export of breadmaking wheat
held by the intervention agencies

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 1738/92 ⁽²⁾, and in particular Article 7 (6) thereof,

Having regard to Commission Regulation (EEC) No
1836/82 of 7 July 1982 laying down the procedure and
conditions for the disposal of cereals held by the interven-
tion agencies ⁽³⁾, as last amended by Regulation (EEC)
No 3043/91 ⁽⁴⁾,

Whereas it is convenient to suspend the tenders under
Regulations (EEC) No 1301/92 ⁽⁵⁾ and (EEC)
No 1306/92 ⁽⁶⁾;

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 tenders under Regulations (EEC) No 1301/92 and
(EEC) No 1306/92 are suspended.

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, 26 January 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽³⁾ OJ No L 202, 9. 7. 1982, p. 23.

⁽⁴⁾ OJ No L 288, 18. 10. 1991, p. 21.

⁽⁵⁾ OJ No L 139, 22. 5. 1992, p. 24.

⁽⁶⁾ OJ No L 139, 22. 5. 1992, p. 39.

COMMISSION REGULATION (EEC) No 132/93**of 26 January 1993****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 3814/92 ⁽²⁾, and in particular Article 16 (8) thereof,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy ⁽³⁾, and in particular Article 5 thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 29/93 ⁽⁴⁾, as amended by Regulation (EEC) No 102/93 ⁽⁵⁾;

Whereas it follows from applying the detailed rules contained in Commission Regulation (EEC) No 29/93 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, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 25 January 1993, as regards floating currencies, should be used to calculate the levies,

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 27 January 1993.

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

Done at Brussels, 26 January 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 7.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 5, 9. 1. 1993, p. 14.

⁽⁵⁾ OJ No L 14, 22. 1. 1993, p. 19.

ANNEX

to the Commission Regulation of 26 January 1993 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy ⁽¹⁾
1701 11 10	40,12 ⁽¹⁾
1701 11 90	40,12 ⁽¹⁾
1701 12 10	40,12 ⁽¹⁾
1701 12 90	40,12 ⁽¹⁾
1701 91 00	46,00
1701 99 10	46,00
1701 99 90	46,00 ⁽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 133/93

of 26 January 1993

introducing a countervailing charge on fresh lemons originating in Cyprus

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

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

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1754/92⁽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 1413/92 of 27 May 1992 fixing for the 1992/93 marketing year the reference prices for fresh lemons⁽³⁾ fixed the reference price for products of class I for the period November 1992 to April 1993 at ECU 47,15 per 100 kilograms net;

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; 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⁽⁴⁾, as last amended by

Regulation (EEC) No 3811/85⁽⁵⁾, the prices to be taken into consideration must be recorded on the representative markets or, in certain circumstances, on other markets;

Whereas, for fresh lemons originating in Cyprus 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 fresh lemons;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁶⁾ are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 3819/92⁽⁷⁾,

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of ECU 13,63 per 100 kilograms net is applied to fresh lemons (CN code ex 0805 30 10) originating in Cyprus.

Article 2

This Regulation shall enter into force on 28 January 1993.

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

Done at Brussels, 26 January 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 23.

⁽³⁾ OJ No L 146, 28. 5. 1992, p. 71.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁶⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁷⁾ OJ No L 387, 31. 12. 1992, p. 17.